



CITY OF MERCER ISLAND

CITY COUNCIL MEETING AGENDA

Monday
July 21, 2014
6:00 PM

Mayor Bruce Bassett
Deputy Mayor Dan Grausz

**Councilmembers Debbie Bertlin, Jane Brahm,
Mike Cero, Tana Senn, 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

STUDY SESSION, 6:00 PM

- (1) AB 4989 King County Metro Bus Service Reductions

CALL TO ORDER & ROLL CALL, 7:00 PM

REGULAR BUSINESS

- (2) AB 4987 Coval Closed Record Public Hearing for a Proposed Sixteen Lot Long Plat (SUB13-009)

SPECIAL BUSINESS

Boards & Commissions Members Service Recognition

APPEARANCES

MINUTES

- (3) Regular Meeting Minutes of May 19, 2014
Study Session & Regular Meeting Minutes of July 7, 2014

CONSENT CALENDAR

- (4) Payables: \$122,200.35 (07/02/14) & \$355,830.24 (07/10/14)
Payroll: \$729,379.47 (07/11/14)

REGULAR BUSINESS (continued)

- (5) AB 4990 Mercer Island Center for the Arts (MICA) Presentation and Discussion
(6) AB 4984 2014 Planning Commission Work Plan
(7) AB 4988 Grant and Sponsorship Request for Art UnCorked Event

OTHER BUSINESS

Councilmember Absences
Planning Schedule
Board Appointments
Councilmember Reports

ADJOURNMENT



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

**AB 4989
July 21, 2014
Study Session**

**KING COUNTY METRO BUS SERVICE
REDUCTONS**

Proposed Council Action:

No action required. Receive briefing.

DEPARTMENT OF City Manager (Noel Treat)

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

In response to budget shortfalls, King County Metro is proposing reductions in bus service throughout its service area. Proposed reductions in service for Mercer Island are significant. Reductions in service require approval by the King County Council, which is currently reviewing the proposal. Metro staff will provide a presentation on the proposed reductions, the approach in developing the proposal, and options for cities to buy back service.

RECOMMENDATION

City Manager

No action required. Receive briefing and ask questions.



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

**AB 4987
July 21, 2014
Public Hearing**

**COVAL CLOSED RECORD PUBLIC HEARING
FOR A PROPOSED SIXTEEN LOT LONG PLAT
(SUB13-009)**

Proposed Council Action:

Conduct a closed record public hearing and make decision regarding preliminary long plat approval.

DEPARTMENT OF

Development Services Group (Shana Crick)

COUNCIL LIAISON

n/a

EXHIBITS

1. Planning Commission Findings of Fact and Conclusions (Exhibits are available online)
2. Findings of Fact and Conclusions of Law issued by the City Council on April 21, 2014
3. Comments received between June 19, 2014 and 5:00 PM on July 7, 2014

APPROVED BY CITY MANAGER

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

SUMMARY

BACKGROUND

The Coval long plat proposes to create sixteen residential building lots from one existing parcel, which is located at 3051 84th Ave SE (King County Tax Parcel No. 122404-9010). The subject property currently contains one existing single-family house, an attached garage and pool house, a detached garage, and associated appurtenances. The existing parcel is 221,975 square foot (5.1 acres) with an average existing slope of approximately 13%, sloping down from the western lot boundary to the eastern property line. The proposed sixteen lot long plat would contain a private dead-end road, serving lots with areas ranging from 9,649 square feet to 16,159 square feet, as well as an open space and utilities tract.

SUBDIVISION PROCESS

Subdivision is the process of dividing larger parcels of land into smaller parcels, or "lots." On Mercer Island, the subdivision of land is regulated by Chapter 19.08 of the Mercer Island City Code (MICC) and Chapter 58.17 of the Revised Code of Washington (RCW). Under the MICC, division of land into four or fewer lots is accomplished through the "short subdivision" process, which involves administrative decisions made by City staff based on the City Code. Division of land into five or more lots is called a "long subdivision". Long subdivision approval requires both preliminary and final plat approval by the City Council.

APPLICATION REVIEW AND NOTIFICATIONS

When an application for a long plat is received by the City, staff evaluates the application for completeness. Title 19 of the Mercer Island City Code specifies noticing requirements for the proposed long plat to execute once the application is deemed complete. For the Coval project, the relevant actions and dates are as follows:

Action Required by Code	Applicable Code(s) Requiring Action	Description of Action Taken	Date(s) of Action	Exhibit No.
Determination of Completeness	<ul style="list-style-type: none"> MICC 19.15.020(C) 	Long plat and SEPA applications determined to be complete	11/8/2013	N/A
Public Notice of Application, Open Record Hearing, and Mitigated Determination of Nonsignificance (MDNS) Likely*	<u>Notice of Application:</u> <ul style="list-style-type: none"> MICC 19.08.020(E)(2)(a) MICC 19.15.020(D)(1-7) <u>Public Notice:</u> <ul style="list-style-type: none"> MICC 19.15.020(E) <u>Open Record Hearing:</u> <ul style="list-style-type: none"> MICC 19.15.020(D)(3) <u>MDNS Likely:</u> <ul style="list-style-type: none"> MICC 19.07.120(L) MICC 19.15.010(E) MICC 19.15.020(D)(1) WAC 197-11-355 	Sent to all property owners within 300 feet of the subject property, posted on the subject site, and published in the City Weekly Permit Bulletin*	11/18/2013	5
	<ul style="list-style-type: none"> MICC 19.08.020(E)(2)(a) 	Published at least 10 days prior to the public hearing in a newspaper of general circulation within the city	11/27/2013	5
	<u>Notice of Application:</u> <ul style="list-style-type: none"> MICC 19.15.020(D)(2)(g) <u>MDNS Likely:</u> <ul style="list-style-type: none"> MICC 19.15.010(E) MICC 19.15.020(D)(1) WAC 197-11-355 	23 day public comment period provided	11/18/2013 through 5:00 P.M. on 12/11/2013	5
Mitigated Determination of Nonsignificance (MDNS) Issued with Nine Mitigation Conditions	<u>MDNS:</u> <ul style="list-style-type: none"> MICC 19.15.010(E) WAC 197-11-350* WAC 197-11-340(2)* 	Sent to all property owners within 300 feet of the subject property and published in the City Weekly Permit Bulletin	12/23/2013	7

* SEPA review began under Optional DNS process (WAC 197-11-355). MDNS issued under WAC 197-11-340(2) to allow for an additional comment period.

Mitigated Determination of Nonsignificance (MDNS) Additional Comment Period (Optional)*	<u>MDNS:</u> • WAC 197-11-340(2) • MICC 19.07.120(Q)(1)	21 day optional public comment period provided	12/23/2013 through 5:00 P.M. on 1/13/2014 <i>*The applicant agreed to extend the second SEPA comment period from 14 to 21 days</i>	7
Mitigated Determination of Nonsignificance (MDNS) Appeal Period	<u>MDNS:</u> • MICC 19.07.120(T) • MICC 19.15.020(J)	14 day appeal period provided per MICC	12/23/2013 through 5:00 P.M. on 1/6/2014	7
City Council Findings of Fact and Conclusions of Law	• MICC 19.08.020(F)(3)(c)	Rejects the Planning Commission's recommendation, remands the project back to the Planning Commission, and reopens the record effective 4/22/2014	4/21/2014	186
Public Notice of Open Record Hearing for Reopened Hearing	• MICC 19.15.020(D)(3)	Sent to all property owners within 300 feet of the subject property, sent to all parties of record, posted on the subject site, and published in the City Weekly Permit Bulletin	5/27/2014	166
	• MICC 19.08.020(E)(2)(a)	Published at least 10 days prior to the public hearing in a newspaper of general circulation within the city	6/4/2014	166

LONG PLAT REVIEW PROCESS

After staff review and public comment as described above, the Planning Commission reviews the proposal at an open record hearing and makes a written recommendation to the City Council. At an open record hearing, the Planning Commission must review the proposed long subdivision for its conformance with MICC 19.08.030, the comprehensive plan, and other applicable development standards. No later than 14 days following its action, the Planning Commission must make a written recommendation on the long subdivision to the City Council. The written recommendation must contain findings of fact and conclusions. Upon receipt of the Planning Commission's recommendation, the City Council shall set the date for the public hearing where it will adopt or reject the Planning Commission's recommendations [MICC 19.08.020(F)(3)(c)].

On January 15, 2014, the City of Mercer Island Planning Commission conducted an open record public hearing. At this hearing, the Planning Commission heard testimony from staff, the applicant and 30 citizens. The Planning Commission continued the hearing until January 29, 2014 in order to consider new information submitted to the record. The record was closed at 5:00 PM on Wednesday, January 22, 2014. On January 29, 2014, the Planning Commission heard the rebuttal of the applicant and then questioned staff and the applicant. Then, the Planning Commission recommended preliminary approval of the Coval long plat.

The City Council held a closed record public hearing on February 24, 2014. At the end of the closed record hearing, the City Council voted unanimously to reject the Planning Commission's recommendation to grant preliminary approval to the long plat. On April 21, 2014, the City Council formally adopted Findings of Fact and Conclusions of Law (Exhibit 2) that rejected the Planning Commission's recommendation in accordance with MICC 19.08.020(F)(3)(c),” and remanded “the matter back to the Planning Commission to reopen the open record hearing in order to address the issues delineated” in the City Council Findings of Fact and Conclusions of Law. The Council findings also reopened the record for the Coval long plat effective April 22, 2014.

On the evening of June 18, 2014, the Mercer Island Planning Commission reopened the open record public hearing for SUB13-009 to consider revisions submitted by the applicant, which modified the layout of the subdivision and reduced the number of proposed lots from 18 to 16. During the June 18, 2014 reopened hearing, the Planning Commission voted unanimously to recommend to the City Council that the proposed Coval long plat be approved subject to the conditions of approval in the June 18, 2014 staff report to the Planning Commission. Furthermore, the Planning Commission added the following recommended conditions of preliminary approval:

1. *The applicant shall extend the existing pipe along 84th Avenue SE to connect to the existing pipe at SE 30th Place as shown in Exhibit 208 (Exhibit A of Appendix A).*
2. *There will be a minimum side yard setback of 10 feet along the northern boundary of the Coval plat. This applies to Lots 3, 10, and 11.*
3. *Maintenance and repair of the proposed rain gardens shall be the responsibility of the Homeowner's Association.”*

The Planning Commission closed the record again after the open record hearing on June 18, 2014. However, the Commission also stipulated that the public could submit written comments regarding their recommendation until 5:00 PM on July 7, 2014, provided new evidence cannot be submitted since the record is closed. The comments received between June 19, 2014 and 5:00 PM on July 7, 2014 are included as Exhibit 3 to this agenda bill.

During the City Council's next public meeting, held on July 7, 2014, the Council set the date as July 21, 2014 for the closed record public hearing to consider the Planning Commission's recommendation. Because it is a closed record hearing, the City Council shall not accept new information--written or oral--on the application, but shall only consider the complete record developed before the Planning Commission, the recommendation of the Planning Commission and its conditions of approval. The record includes written comments submitted during specified comment periods and the testimony of those who commented at the open record hearing.

Subdivision decisions are quasi-judicial and involve the legal rights of specific parties. As a result, quasi-judicial hearings are subject to strict procedural requirements and the appearance of fairness doctrine. The appearance of fairness doctrine requires quasi-judicial hearings to be procedurally fair and conducted by impartial decision-makers. Decisions made in quasi-judicial hearings must be based upon and supported by the record.

RECENT LEGAL DECISION

Although the City Council may attach additional conditions to the approval of a project, a recent U.S. Supreme Court case¹ significantly restricts the use of the conditions. Specifically, in *Koontz v. St. Johns River Water Management District*, the Court held that government cannot use conditions to compel landowners to give up land, money or any other property to obtain approval of the project unless there is an essential nexus and rough proportionality between the condition and the effects of the proposed land use. Conditions imposed without a direct correlation to the effects of the proposed project “impermissibly burden

¹ *Koontz v. St. Johns River Water Management District*, 133 S. Ct. 2586 (2013).

the applicant's right not to have property taken without just compensation" in violation of the Takings Clause in the Fifth Amendment.

FINAL PLAT PROCESS

If the preliminary plat is approved by the City Council, the property owner has five years within which to obtain permits for and to build (or in some cases, bond) the required plat improvements (utilities, access roads, etc.), and to meet any other applicable code requirements or conditions of the preliminary plat approval. Once these requirements have been met, the property owner may apply to the City Council for "final plat" approval. A final plat *must* be approved if it meets the requirements of both the preliminary plat approval and all applicable regulations in place at the time of preliminary plat approval. Once approved, the final plat must be recorded with the county. Only after an approved final plat is recorded may the individual lots be sold or built upon. Any subsequent home construction must be consistent with both the City Code and any applicable plat conditions.

RECOMMENDATION

Senior Planner

MOVE TO: Grant preliminary approval to the Coval long plat as detailed in the Planning Commission's recommendation and to authorize the Mayor to sign the Findings of Facts and Conclusions of Law (as presented in Exhibit 1 of AB 4987) on behalf of the City Council.



CITY OF MERCER ISLAND PLANNING COMMISSION FINDINGS OF FACT AND CONCLUSIONS OF LAW

Project Number: SUB13-009 – Coval Long Plat

Description: A request for preliminary long plat approval to subdivide one existing parcel into sixteen building (16) lots and one open space and utilities tract. The proposed sixteen lot long plat would contain a private dead-end road, serving lots with areas ranging from 9,649 square feet to 16,159 square feet. The existing parcel has an area of 221,975 square foot (5.1 acres) with an average existing slope of approximately 13%. There is one existing single family house, an attached garage and pool house, a detached garage, and associated appurtenances on the site.

Applicant: Wes Giesbrecht
MI 84th Limited Partnership
15080 North Bluff Road
White Rock, B.C. V4B 5C1

Owner: Myer and Barbara Coval
3051 84th Avenue SE
Mercer Island WA 98040

Site Address: 3051 84th Avenue SE, Mercer Island WA 98040;
Identified by King County Assessor tax parcel number 122404-9010

Zoning District: R-9.6

Planning

Commission Recommendation: The Planning Commission recommends that the City Council grant preliminary long plat approval, subject to the recommended conditions of preliminary approval.

Staff Contact: Shana Crick, Senior Planner

Exhibits:

1. Preliminary Long Plat (original 18 lot design) received by the City of Mercer Island Development Services Group on December 27, 2013, including:
 - 1.1. Sheet CV-01 – Cover Sheet/Preliminary Plat Map prepared by Zane Nall, P.L.S. of Pacland
 - 1.2. Sheet SV-1 – Topographic Survey prepared by Zane Nall, P.L.S. of Pacland
 - 1.3. Sheet C-1.0 – Phase 1 Grading and Drainage Plan prepared by Scott Borgeson, P.E. of Pacland
 - 1.4. Sheet C-1.1 – Phase 2 Grading and Drainage Plan prepared by Scott Borgeson, P.E. of Pacland
 - 1.5. Sheet C-1.2 – Preliminary Road Profiles and Sections prepared by Scott Borgeson, P.E. of Pacland
 - 1.6. Sheet C-2.0 – Preliminary Utility Plan prepared by Scott Borgeson, P.E. of Pacland
 - 1.7. Sheet L-1.0 – Tree Assessment Plan prepared by Fred Glick of Fred Glick Design
 - 1.8. Sheet L-2.0 – Phase 1 Tree Implementation Plan prepared by Fred Glick

- of Fred Glick Design
- 1.9. Sheet L-2.1 – Phase 2 Tree Implementation Plan prepared by Fred Glick of Fred Glick Design
 2. Development Application received by the City of Mercer Island Development Services Group on July 30, 2013
 3. Project narrative received by the City of Mercer Island Development Services Group on July 30, 2013
 4. Neighborhood Map received by the City of Mercer Island Development Services Group on July 30, 2013
 5. Public Notice of Application, Notice of Open Record Public Hearing, and Public Meeting issued by the City of Mercer Island on November 18, 2013
 6. State Environmental Policy Act (SEPA) Checklist received by the City of Mercer Island Development Services Group on October 30, 2013
 7. SEPA Mitigated Determination of Nonsignificance (MDNS) issued by the City of Mercer Island on December 23, 2013
 8. Tree Inventory prepared by Favero Greenforest, M.S. of Greenforest, Inc. received by the City of Mercer Island Development Services Group on October 10, 2013
 9. Supplemental Arborist Report prepared by Favero Greenforest, M.S. of Greenforest, Inc. received by the City of Mercer Island Development Services Group on October 10, 2013
 10. Watercourse Review for the Coval Property on Mercer Island prepared by Larry Burnstad of Watershed Dynamics dated March 30, 2013
 11. Coval Property – Peer Review of Critical Areas Study prepared by Nell Lund, P.W.S. of the Watershed Company and received by the City of Mercer Island Development Services Group on April 17, 2013
 12. Wetland Review at the Coval Property prepared by Larry Burnstad of Watershed Dynamics and received by the City of Mercer Island Development Services Group on May 8, 2013
 13. Critical Areas Review: Coval Property on Mercer Island prepared by Larry Burnstad of Watershed Dynamics and received by the City of Mercer Island Development Services Group on June 11, 2013
 14. Coval Property – Follow up to Peer Review of Critical Area Study prepared by Nell Lund, P.W.S. of the Watershed Company and received by the City of Mercer Island Development Services Group on June 17, 2013
 15. Letter from Shana Crick from the City of Mercer Island to Wes Giesbrecht dated June 18, 2013
 16. Geotechnical report prepared by John Sadler, L.E.G., L.H.G. and Theodore Schepper, P.E. of Terra Associates, Inc. and received by the City of Mercer Island Development Services Group on July 30, 2013
 17. Response to City of Mercer Island Review Comments prepared by John Sadler, L.E.G., L.H.G. and Theodore Schepper, P.E. of Terra Associates, Inc. and received by the City of Mercer Island Development Services Group on October 10, 2013
 18. Second Response to City of Mercer Island Review Comments prepared by John Sadler, L.E.G., L.H.G. and Theodore Schepper, P.E. of Terra Associates, Inc. and received by the City of Mercer Island Development Services Group on October 30, 2013
 19. Stormwater Site Plan prepared by Pacland and received by the City of Mercer Island Development Services Group on October 10, 2013
 20. Trip Generation Memorandum prepared by Chris Forster, P.E. of Transportation Engineering Northwest received by the City of Mercer Island Development Services Group on November 7, 2013

21. Email from Patrick Yamashita to Scott Borgeson dated November 7, 2013
22. Email from Herschel Rostov to Shana Crick dated August 15, 2013
23. Email correspondence between Herschel Rostov and Scott Borgeson dated August 19, 2013
24. Notice of Incompleteness for File No. SUB13-009 – Coval Long Subdivision issued by the City of Mercer Island on August 30, 2013
25. Coval Long Plat Review Comments from Scott Borgeson to Shana Crick received by the City of Mercer Island Development Services Group on October 10, 2013
26. Fire Hydrant Exhibit prepared by Pacland and received by the City of Mercer Island Development Services Group on October 10, 2013
27. Second Notice of Incompleteness for File No. SUB13-009 – Coval Long Subdivision issued by the City of Mercer Island on October 22, 2013
28. Email correspondence between Scott Borgeson and Patrick Yamashita dated October 23, 2013
29. Comment email from Patrick Yamashita to Shana Crick dated October 30, 2013
30. Response to Notice of Incompleteness Letter Dated October 22, 2013 from Scott Borgeson to Shana Crick received by the City of Mercer Island Development Services Group on October 30, 2013
31. Tree Plan Comment Memorandum from Kathy Parker to Wes Giesbrecht dated October 30, 2013
32. Response to Review Comments Dated October 30, 2013 from Scott Borgeson to Shana Crick received by the City of Mercer Island Development Services Group on December 27, 2013
33. Stormwater Bypass Memo prepared by Scott Borgeson, P.E. of Pacland and received by the City of Mercer Island Development Services Group on December 27, 2013
34. Comment email from Kathy Parker to Fred Glick dated December 31, 2013
35. Comment email from Herschel Rostov to Shana Crick dated January 10, 2014
36. Comment letter from Robert W. Thorpe, A.I.C.P. to the City of Mercer Island received by the Development Services Group on August 1, 2013
37. Comment email and letter from Jane Kiker to the City of Mercer Island received by the Development Services Group on August 6, 2013
38. Comment email from T.J. Stewart to the City of Mercer Island received by the Development Services Group on October 3, 2013
39. Comment email from Sue Stewart to the City of Mercer Island received by the Development Services Group on October 4, 2013
40. Comment email from Richard Ferse, M.D. to the City of Mercer Island received by the Development Services Group on October 15, 2013
41. Comment letter from Toni Okada to the City of Mercer Island received by the Development Services Group on October 17, 2013
42. Comment letter from Linda Chaves to the City of Mercer Island received by the Development Services Group on October 18, 2013
43. Comment letter from Richard Ferse, M.D. to the City of Mercer Island received by the Development Services Group on October 18, 2013
44. Comment letter from Richard Ferse, M.D. to the City of Mercer Island received by the Development Services Group on October 21, 2013
45. Comment email from Sue Stewart to the City of Mercer Island received by the Development Services Group on October 22, 2013
46. Comment letter from T.J. and Sue Stewart to the City of Mercer Island received by the Development Services Group on October 24, 2013

47. Comment email from T.J. Stewart to the City of Mercer Island received by the Development Services Group on October 24, 2013
48. Comment email and letter from J. Richard Aramburu to the City of Mercer Island received by the Development Services Group on November 7, 2013
49. Comment email from J. Richard Aramburu to the City of Mercer Island received by the Development Services Group on November 8, 2013
50. Email from Shana Crick to J. Richard Aramburu dated November 12, 2013
51. Comment letter from J. Richard Aramburu to the City of Mercer Island received by the Development Services Group on November 12, 2013
52. Comment email from J. Richard Aramburu to the City of Mercer Island received by the Development Services Group on November 14, 2013
53. Comment email and letter from J. Richard Aramburu to the City of Mercer Island received by the Development Services Group on November 19, 2013
54. Comment letter from Jay Derr to the City of Mercer Island received by the Development Services Group on November 22, 2013
55. Comment email from Edward Corker to the City of Mercer Island received by the Development Services Group on November 26, 2013
56. Comment email from Katharine Lamperti to the City of Mercer Island received by the Development Services Group on December 2, 2013
57. Comment email and letter from J. Richard Aramburu to the City of Mercer Island received by the Development Services Group on December 9, 2013
58. Comment email from Cheryl and William Frizzell to the City of Mercer Island received by the Development Services Group on December 9, 2013
59. Comment email from Lisa Zaidi, Ph.D. to the City of Mercer Island received by the Development Services Group on December 9, 2013
60. Comment email and letter from Robert W. Thorpe, A.I.C.P. to the City of Mercer Island received by the Development Services Group on December 10, 2013
61. Comment email and letter from Charles Cobbs, M.D. to the City of Mercer Island received by the Development Services Group on December 10, 2013
62. Comment letter from Beverly Bridge to the City of Mercer Island received by the Development Services Group on December 11, 2013
63. Comment letter from Justin Deng and Jaime Chang to the City of Mercer Island received by the Development Services Group on December 11, 2013
64. Comment email and letter from T.J. and Sue Stewart to the City of Mercer Island received by the Development Services Group on December 11, 2013
65. Comment email and letter from Dale Kingman to the City of Mercer Island received by the Development Services Group on December 11, 2013
66. Comment email and letter from Linda Chaves to the City of Mercer Island received by the Development Services Group on December 11, 2013
67. Comment email and letter from Richard and Deborah Ferse to the City of Mercer Island received by the Development Services Group on December 11, 2013
68. Comment email and letter from Jeanne McKnight, Ph.D. to the City of Mercer Island received by the Development Services Group on December 11, 2013
69. Comment email and letter from J. Richard Aramburu to the City of Mercer Island received by the Development Services Group on December 11, 2013
70. Comment email from Trevor Price to the City of Mercer Island received by the Development Services Group on December 11, 2013
71. Comment email from Sue Stewart to the City of Mercer Island received by the Development Services Group on December 14, 2013
72. Comment email and letter from Sue Stewart to the City of Mercer Island received by the Development Services Group on December 16, 2013

73. Emails and letter from Shana Crick to J. Richard Aramburu sent on December 17, 2013
74. Comment email and letter from J. Richard Aramburu to the City of Mercer Island received by the Development Services Group on December 27, 2013
75. Comment email from Sue and T.J. Stewart to the City of Mercer Island received by the Development Services Group on December 29, 2013
76. Comment email from Karen Walter to the City of Mercer Island received by the Development Services Group on December 30, 2013
77. Email from Carol Cohoe to the City of Mercer Island received by the Development Services Group on December 30, 2013
78. Comment email and letter from Robert W. Thorpe, A.I.C.P. to the City of Mercer Island received by the Development Services Group on December 30, 2013
79. Email from Shana Crick to J. Richard Aramburu, Sue Stewart, T.J. Stewart, and Robert Thorpe dated December 30, 2013
80. Comment email and letter from J. Richard Aramburu to the City of Mercer Island received by the Development Services Group on January 3, 2014
81. Email from T.J. Stewart to the City of Mercer Island received by the Development Services Group on January 4, 2014
82. Email from Shana Crick to T.J. Stewart dated January 8, 2014
83. Email from Shana Crick to J. Richard Aramburu dated January 9, 2014
84. Comment email and letter from Philip Wang to the City of Mercer Island received by the Development Services Group on January 12, 2014
85. Comment letter from J. Richard Aramburu to the City of Mercer Island received by the Development Services Group on January 13, 2014
86. Comment email from Christine Acker to the City of Mercer Island received by the Development Services Group on January 13, 2014
87. Comment email from Justin Deng to the City of Mercer Island received by the Development Services Group on January 13, 2014
88. Comment email and letter from J. Richard Aramburu to the City of Mercer Island received by the Development Services Group on January 13, 2014
89. Comment email from Chris Moore to the City of Mercer Island received by the Development Services Group on January 13, 2014
90. Comment letter from J. Richard Aramburu to the City of Mercer Island received by the Development Services Group on January 14, 2014
91. Email from Katie Knight to Bharat Shyam dated January 14, 2014
92. Email from Bharat Shyam to the City of Mercer Island received by the Development Services Group on January 14, 2014
93. Email from Katie Knight to Bharat Shyam dated January 14, 2014
94. Email from Bharat Shyam to the City of Mercer Island received by the Development Services Group on January 14, 2014
95. Email from Linda Brown to the City of Mercer Island received by the Development Services Group on January 14, 2014
96. Email from Sue Stewart to the City of Mercer Island received by the Development Services Group on January 14, 2014
97. Comment letter and email from J. Richard Aramburu to the City of Mercer Island received by the Development Services Group on January 14, 2014
98. Email from Katie Knight to Sue Stewart dated January 14, 2014
99. Email from Katie Knight to J. Richard Aramburu dated January 14, 2014
100. Comment letter from Richard and Connie Del Missier to the City of Mercer Island received on January 15, 2014
101. Coval Preliminary Plat SUB13-009 Response to Comments received by the City of Mercer Island on January 15, 2014

102. Landscape Plan Concepts prepared by Fred Glick Design and received by the City of Mercer Island on January 15, 2014
103. Public Comments by Mercer Island Friends for Responsible Neighborhood Development on the Proposed Plat for the Coval Property received by the City of Mercer Island on January 15, 2014
104. "An overview of sensory effects on juvenile salmonids exposed to dissolved copper: Applying a benchmark concentration approach to evaluate sublethal neurobehavioral toxicity" by Scott A. Hecht, David H. Baldwin, Chris A. Mebane, Tony Hawkes, Sean J. Gross, and Nathaniel L. Scholz received by the City of Mercer Island on January 15, 2014
105. Comment email from Bharat Shyam to the City of Mercer Island received by the Development Services Group on January 16, 2014
106. Comment email from Hardie Cobbs to the City of Mercer Island received by the Development Services Group on January 16, 2014
107. Comment email from Pei-Hwa Lin to the City of Mercer Island received by the Development Services Group on January 16, 2014
108. Comment email from Liz Butowicz to the City of Mercer Island received by the Development Services Group on January 16, 2014
109. Comment email from Janet Mead to the City of Mercer Island received by the Development Services Group on January 16, 2014
110. Comment email from Carolyn Boatsman to the City of Mercer Island received by the Development Services Group on January 16, 2014
111. Comment email from Brenda Sandmaier to the City of Mercer Island received by the Development Services Group on January 16, 2014
112. Comment email from Philip Wang to the City of Mercer Island received by the Development Services Group on January 16, 2014
113. Comment email from Werner Glass to the City of Mercer Island received by the Development Services Group on January 16, 2014
114. Comment email from Marlene Lemon to the City of Mercer Island received by the Development Services Group on January 17, 2014
115. Comment email from Alex Silverman to the City of Mercer Island received by the Development Services Group on January 19, 2014
116. Comment email from Ian Moncaster to the City of Mercer Island received by the Development Services Group on January 19, 2014
117. Comment email from Bharat Shyam to the City of Mercer Island received by the Development Services Group on January 20, 2014
118. Comment email from Richard and Connie Del Missier to the City of Mercer Island received by the Development Services Group on January 20, 2014
119. Comment email from Bharat Shyam to the City of Mercer Island received by the Development Services Group on January 20, 2014
120. Comment email from Bob Hoff to the City of Mercer Island received by the Development Services Group on January 20, 2014
121. Comment email from Toni Okada to the City of Mercer Island received by the Development Services Group on January 20, 2014
122. Comment email from Rita Moore to the City of Mercer Island received by the Development Services Group on January 21, 2014
123. Comment email from Cameron Ackley to the City of Mercer Island received by the Development Services Group on January 21, 2014
124. Comment letter from Toni Okada to the City of Mercer Island received by the Development Services Group on January 21, 2014
125. Comment letter from Toni Okada to the City of Mercer Island received by the Development Services Group on January 21, 2014
126. Donahue Plat

127. Comment email from Nancy R. Lee to the City of Mercer Island received by the Development Services Group on January 21, 2014
128. Comment email from Dr. Arny Reich to the City of Mercer Island received by the Development Services Group on January 21, 2014
129. Comment email from Anita Reich to the City of Mercer Island received by the Development Services Group on January 21, 2014
130. Comment email from Dale Kingman to the City of Mercer Island received by the Development Services Group on January 21, 2014
131. Comment email from Jeanette and Paul Reese to the City of Mercer Island received by the Development Services Group on January 21, 2014
132. Comment email from Norma Ho to the City of Mercer Island received by the Development Services Group on January 21, 2014
133. Comment email from Sarah Ford to the City of Mercer Island received by the Development Services Group on January 21, 2014
134. Comment email from Marion Schwartz to the City of Mercer Island received by the Development Services Group on January 21, 2014
135. Comment email from Justin Deng and Jaime Chang to the City of Mercer Island received by the Development Services Group on January 22, 2014
136. Comment email from Andrea Danen to the City of Mercer Island received by the Development Services Group on January 22, 2014
137. Comment email from Richard Vacca to the City of Mercer Island received by the Development Services Group on January 22, 2014
138. Comment email from Jaqueline Tacher to the City of Mercer Island received by the Development Services Group on January 22, 2014
139. Comment email from Harman Wales to the City of Mercer Island received by the Development Services Group on January 22, 2014
140. Comment email from Beverly Greenberg to the City of Mercer Island received by the Development Services Group on January 22, 2014
141. Comment email from Richard and Deborah Ferse to the City of Mercer Island received by the Development Services Group on January 22, 2014
142. Comment email from Mr. and Mrs. William Donner to the City of Mercer Island received by the Development Services Group on January 22, 2014
143. Comment email from Diane and Albert Edmonds to the City of Mercer Island received by the Development Services Group on January 22, 2014
144. Traffic information provided by Patrick Yamashita, City Engineer, on January 22, 2014
145. Comment email from Robert Thorpe to the City of Mercer Island received by the Development Services Group on January 22, 2014
146. Comment email from Kim Ferse to the City of Mercer Island received by the Development Services Group on January 22, 2014
147. Comment email from Tim Stewart to the City of Mercer Island received by the Development Services Group on January 22, 2014
148. Comment email from Dr. Lisa Zaidi to the City of Mercer Island received by the Development Services Group on January 22, 2014
149. Comment email from Mike Grady to the City of Mercer Island received by the Development Services Group on January 22, 2014
150. Comment letter from L. Richard Aramburu to the City of Mercer Island received by the Development Services Group on January 22, 2014
151. Review of Stormwater Quantity Aspects of the Proposed Coval Development – Supplementary Comments prepared by K. Malcolm Leytham, P.E., Ph.D. received by the Development Services Group on January 22, 2014
152. Supplemental information from L. Richard Aramburu to the City of Mercer Island received by the Development Services Group on January 22, 2014

153. Comment email from James T. Lee to the City of Mercer Island received by the Development Services Group on January 22, 2014
154. Comment email from Nate and Tammy Luce to the City of Mercer Island received by the Development Services Group on January 22, 2014
155. Comment letter from Jay P. Derr to the City of Mercer Island received by the Development Services Group on January 22, 2014
156. Supplemental information from Jay P. Derr to the City of Mercer Island received by the Development Services Group on January 22, 2014
157. Public Notice of Planning Commission Special Meeting - Continuation of An Open Record Public Hearing
158. Memorandum from Patrick Yamashita, City Engineer, to Shana Crick, Senior Planner re: Coval Long Plat
159. Comment email from Katharine Lamperti to the City of Mercer Island received by the Development Services Group on January 16, 2014
160. Comment email from Sue Stewart to the City of Mercer Island received by the Development Services Group on January 22, 2014
161. Coval Long Plat Resubmittal Letter from Scott Borgeson to Shana Crick received by the City of Mercer Island Development Services Group on May 22, 2014
162. Revised Preliminary Long Plat received by the City of Mercer Island Development Services Group on June 3, 2014, including:
 - Sheet CV-01 – *Cover Sheet/Preliminary Plat Map*
 - Sheet SV-1 – *Boundary and Topographic Survey*
 - Sheet C-1.0 – *Phase 1 Grading and Drainage Plan*
 - Sheet C-1.1 – *Preliminary Road Profiles and Sections*
 - Sheet C-2.0 – *Preliminary Utility Plan*
 - Sheet L-1.0 – *Tree Assessment Plan*
 - Sheet L-2.0 – *Phase 1 Tree Implementation Plan*
163. Level 2 Downstream Analysis prepared by PacLand and received by the City of Mercer Island Development Services Group on June 3, 2014
164. Transportation Impact Study prepared by Transportation Engineering NorthWest and received by the City of Mercer Island Development Services Group on May 22, 2014
165. Updated Slope Stability Analysis prepared by Terra Associates and received by the City of Mercer Island Development Services Group on May 23, 2014
166. Public Notice of Open Record Hearing issued for the reopened public hearing by the City of Mercer Island on May 27, 2014
167. Email from Don Cole to Michele Lorilla dated May 30, 2014
168. Email from Michele Lorilla to Don Cole and Shana Crick dated June 2, 2014
169. Email from Don Cole to Michele Lorilla dated June 3, 2014
170. Comment letter and site plan from Robert W. Thorpe to the City of Mercer Island received by the Development Services Group on April 18, 2014 and requested to be included in the record on April 22, 2014
171. Comment letter from J. Richard Aramburu to the City of Mercer Island received by the Development Services Group on April 21, 2014
172. Comment email from Katharine Lamperti to the City of Mercer Island received by the Development Services Group on May 3, 2014
173. Comment email from J. Richard Aramburu to the City of Mercer Island received by the Development Services Group on May 20, 2014
174. Email from Sue Stewart to Shana Crick received by the Development Services Group on May 21, 2014
175. Email from George Steirer to Sue Stewart dated May 22, 2014
176. Email from Sue Stewart to Shana Crick received by the Development

- Services Group on May 27, 2014
177. Email from Sue Stewart to Shana Crick received by the Development Services Group on May 27, 2014
 178. Email from Shana Crick to Coval Parties of Record dated May 27, 2014
 179. Email from Shana Crick to Coval Parties of Record dated May 27, 2014
 180. Email from Richard Ferse to Wes Giesbrecht dated May 30, 2014
 181. Email from Shana Crick to Coval Parties of Record dated June 4, 2014
 182. Email from Shana Crick to J. Richard Aramburu dated June 4, 2014
 183. Email from Shana Crick to Coval Parties of Record dated June 5, 2014
 184. Comment email and letter from J. Richard Aramburu to the City of Mercer Island received by the Development Services Group on June 5, 2014
 185. Email from Shana Crick to Carol Cohoe dated June 5, 2014
 186. Findings of Fact and Conclusions of Law issued by the City Council on April 21, 2014
 187. Partial Release of Easement received by the City of Mercer Island Development Services Group on May 29, 2014
 188. Notice of a Neighborhood Information Meeting held by MI 84th Limited Partnership on May 28, 2014
 189. Comment email from J. Richard Aramburu to the City of Mercer Island received by the Development Services Group on June 11, 2014
 190. Email from Shana Crick to Joni Dannis dated April 28, 2014
 191. Comment email from Charles Cobbs, M.D. to the City of Mercer Island received by the Development Services Group on June 11, 2014
 192. Comment email from Hardie Cobbs to the City of Mercer Island received by the Development Services Group on June 12, 2014
 193. Comment email from Tim (T.J.) Stewart to the City of Mercer Island received by the Development Services Group on June 14, 2014
 194. Comment email from Monique Liard to the City of Mercer Island received by the Development Services Group on June 15, 2014
 195. Comment email from Richard and Deborah Ferse to the City of Mercer Island received by the Development Services Group on June 15, 2014
 196. Comment email from Toni Okada to the City of Mercer Island received by the Development Services Group on June 17, 2014
 197. Comment email from Mrs. Neil Thomson to the City of Mercer Island received by the Development Services Group on June 17, 2014
 198. Comment email and letter from Kathy McLemore for J. Richard Aramburu to the City of Mercer Island received by the Development Services Group on June 17, 2014
 199. Comment email from Sue Stewart to the City of Mercer Island received by the Development Services Group on June 17, 2014
 200. Email from Kathy McLemore for J. Richard Aramburu to the City of Mercer Island including an Arborist Report and Addendum Report prepared by Tina Cohen, Certified Arborist received by the Development Services Group on June 17, 2014
 201. Email from Shana Crick to the City of Kathy McLemore dated June 17, 2014
 202. Comment email from Diane Edmonds to the City of Mercer Island received by the Development Services Group on June 17, 2014
 203. Email from Wes Giesbrecht to J. Richard Aramburu dated June 17, 2014
 204. Comment email from Cameron Ackley to the City of Mercer Island received by the Development Services Group on June 17, 2014
 205. Comment email from Cheryl Frizzell to the City of Mercer Island received by the Development Services Group on June 17, 2014
 206. Comment email from Bharat Shyam to the City of Mercer Island received by

- the Development Services Group on June 17, 2014
207. Comment email from Justin Deng to the City of Mercer Island received by the Development Services Group on June 18, 2014
 208. Email from Patrick Yamashita to Shana Crick dated June 18, 2014
 209. Level 2 Downstream Analysis prepared by PacLand and received by the City of Mercer Island Development Services Group on June 18, 2014
 210. Comment email and letter from Bruce Leamon to the City of Mercer Island received by the Development Services Group on June 18, 2014
 211. Comment email from Lisa Zaidi, Ph.D. to the City of Mercer Island received by the Development Services Group on June 18, 2014
 212. Letter from Jay P. Derr to the Planning Commission dated June 18, 2014 and received during the June 18, 2014 Public Hearing (reopened)
 213. Comment letter from Ira Appelman dated June 17, 2014 and received during the June 18, 2014 Public Hearing (reopened)
 214. Coval Plat Landscape Concept Plan prepared by Fred Glick of Fred Glick Design, P.L.L.C. and presented during the June 18, 2014 Public Hearing (reopened)

I. SUMMARY

Subdivision is the process of dividing larger parcels of land into smaller parcels, or “lots.” On Mercer Island, the subdivision of land is regulated by Chapter 19.08 of the Mercer Island City Code (MICC), which implements requirements of state subdivision law found primarily at Chapter 58.17 of the Revised Code of Washington (RCW). Under the MICC, division of land into four or fewer lots is accomplished through the “long subdivision” process, which involves administrative decisions made by City staff based on the City Code. Division of land into five or more lots is called a “long subdivision” and is subject to a public hearing and recommendation by the Planning Commission to the City Council. The City Council “may adopt or reject the planning commission’s recommendations” [MICC 19.08.020(F)(3)(c)].

Long subdivision approval is a two step process. First, the Planning Commission recommends and the City Council decides whether to approve a “preliminary plat” (which is a graphic and written representation of the proposed subdivision). If the preliminary plat is approved, the property owner has five years within which to obtain permits for and to build (or in some cases, bond) the required plat improvements (utilities, access roads, etc.), and to meet any other applicable code requirements or conditions of the preliminary plat approval. Once these requirements have been met, the property owner may apply to the City Council for “final plat” approval. A final plat must be approved if it meets the requirements of both the preliminary plat approval and all applicable regulations in place at the time of preliminary plat approval. Once approved, the final plat must be recorded with the county. Only after an approved final plat is recorded may the individual lots be sold or built upon. Any subsequent home construction must be consistent with both the Mercer Island City Code and any applicable plat conditions.

The current proposal, as shown in Exhibit 162, would divide the subject property into sixteen residential building lots. The following analysis evaluates the consistency of the proposed long subdivision with requirements of the Mercer Island City Code and the City Council’s Findings of Fact and Conclusions of Law issued on April 21, 2014 (Exhibit 186).

II. FINDINGS OF FACT

The City Council issued Findings of Fact and Conclusions of Law on April 21, 2014, which rejected the Planning Commission’s recommendation to approve the Coval long plat. The applicant submitted a revised plat to address the Council’s concerns put forth in the Findings of Fact and Conclusions of Law. The following is an analysis of how the revised plat addresses the City Council’s conclusions:

1. As proposed, the lot dimensions and areas of the Coval Long Plat would either meet or exceed the minimum requirements. The proposed density would be consistent with the existing Mercer Island Comprehensive Plan and Title 19 of the City Code, thus allowing for the development of 18 lots.

Planning Commission Analysis:

The proposed plat, which has been revised to 16 lots, will continue to meet or exceed minimum requirements. All proposed lots will have a net lot area of at least 9,600 square feet, a minimum width of 75 feet, and a minimum depth of 80 feet for the R-9.6 zone (Exhibit 162). The proposed density remains consistent with the existing Mercer Island Comprehensive Plan and Title 19 of the City Code.

2. The existing swale on the subject property does not meet the definition of "watercourse" within MICC 19.16.010 and is not regulated as such.

Planning Commission Analysis:

The swale on the subject property will not be regulated as a watercourse.

3. The proposed plat does not make adequate provisions for open spaces, drainage ways, safety, streets, roads, tree protection, and safe walking conditions for students who walk to and from school, as required by MICC 19.08.020(F)(1)(a).

Planning Commission Analysis:

The Findings of Fact and Conclusions of Law adopted by the City Council (Exhibit 186) found that adequate provisions for open spaces, drainage ways, safety, streets, roads, tree protection, and safe walking conditions for students who walk to and from school, as required by MICC 19.08.020(F)(1)(a), had not been made for the following reasons (Planning Commission comments are below each identified deficiency):

- a. *There are no open spaces set aside within the plat.*

Within the revised plat, the applicant is proposing an open space tract (Tract B). In addition to providing open space for the plat, the existing koi pond will be relocated to Tract B so that it may be retained.

- b. *Drainage ways, as the grading plan assumes filling in of some drainage ways and tight lining of Lots 10, 11 and 12, could have downstream impacts that are not sufficiently determined. There is not enough information available to determine whether appropriate provisions have been made for proposed drainage ways*

The applicant has submitted a Level 2 Downstream Analysis (Exhibit 163) that further evaluates the sufficiency of the proposed stormwater conveyance system. The report finds that, as conditioned, the system will provide adequate capacity.

- c. *Appropriate provisions have not been made for safety, streets, or roads, as the proposed internal roadway does not service all lots, thus causing need for additional private driveways onto 84th Avenue SE.*

The applicant has revised the plat configuration, as shown in Exhibit 162. The revised plat provides for access off of the internal roadway for all 16 proposed lots.

- d. *During the February 24, 2014 closed record hearing, a finding was suggested that appropriate provisions had not been made for other planning features that assure safe walking conditions for students, as it was stipulated that the internal road does not include sidewalks or a walking area. Nevertheless, sidewalks and a pedestrian easement were found to be included in the plat submittals, providing for adequate internal pedestrian access. However, the pathways did not extend onto 84th Avenue SE – only a gravel shoulder was required for parking along 84th Avenue*

SE. Therefore, adequate provisions for safe walking conditions for students who walk to and from school had not been proposed along 84th Avenue SE adjacent to the plat.

The pedestrian walkways are included in the revised plat configuration shown in Exhibit 162. Therefore, internal pedestrian access will still be provided. As discussed in detail below, the proposed internal sidewalks will connect to a gravel shoulder along 84th Avenue SE. While the applicant will not be providing a sidewalk along 84th Avenue SE, they are contributing \$50,000 to assist with the construction of a walkway included within the City's 6 year TIP.

- e. *Per MICC 19.10.040(B)(2), adequate provisions have not been made within the plat to protect trees on the property. Trees to be saved on site would be better served by tree conservation easements, or by designated common areas that are not controlled by individual lot owners. See MICC 19.10.040(B)(2).*

The applicant has moved building pads off of the steep slope along the western property line, which would preserve more trees. NGPAs adjacent to the drainage easement result in the preservation of additional trees. Furthermore, the Planning Commission is recommending as conditions of preliminary approval that notes be placed on the final plat restricting tree removal by eventual homeowners and requiring the design of houses be mindful of the trees on the lot.

- 4. Public interest will not be served by approval of the proposed plat.

Planning Commission Analysis:

The City Council's Findings of Facts and Conclusions of Law (Exhibit 186) stated that public interest would not be served because adequate provisions for open spaces, drainage ways, safety, streets, roads, tree protection, and safe walking conditions for students who walk to and from school, as required by MICC 19.08.020(F)(1)(a), had not been made. As discussed above, these issues have been addressed in the revised plat (Exhibit 162). Consequently, the public interest will be served by approval of the proposed plat.

- 5. By proposing a gravel shoulder on 84th Avenue SE, the proposed plat is not consistent with the City's Pedestrian and Bicycle Facility Plan.

Planning Commission Analysis:

The applicant is amenable to constructing an asphalt shoulder, if required. However, both the City Engineer and the applicant prefer a gravel shoulder, as an asphalt shoulder increases the volume of stormwater runoff and also makes the roadway feel wider, often resulting in faster driving. Therefore, the applicant, at the direction of the City Engineer, is proposing to construct an 8.5-foot wide gravel shoulder. Additionally, the applicant will provide \$50,000 to the City for construction of a pedestrian path.

- 6. The applicant has not provided sufficient financial or other assurances in the event of unexpected adverse stormwater impacts.

Planning Commission Analysis:

The applicant has provided a Level 2 Downstream Analysis (Exhibit 163) to attest to the sufficiency of the downstream stormwater system. The report concludes that the downstream "stormwater conveyance system has sufficient capacity to convey the proposed undetained 100-year flows." This was a conservative analysis since the stormwater runoff from the site will actually be detained while the analysis assumes undetained flows. The analysis recommended the following maintenance be performed in some downstream locations to improve the function of the system

1. *Remove debris that has collected at the outlet side of the SE 29th Street culvert and at culvert 7-301.*
2. *Remove any debris in the roadside ditch and that may be located within the pipes.*

3. *Re-grade a portion of the ditch to enhance capacity and reduce the risk of further clogging of culvert 7-301. The hydraulic modeling was performed based on the existing ditch being free of debris. The existing roadside ditch from 7-301 to the 7-291 inlet has a "V" cross section that is approximately 1.0' deep with side slopes of 3:1 along the road and 1:1 on the outside. The roadside ditch could be widened to have a 6" bottom width if the 3:1 slope is replaced with a 2:1 slope. The length of this recommended enhancement is approximately 30' from the outlet of culvert 7-301, to the west. Widening of the ditch is not recommended past this point, where the existing channel grade increases and moves away from the road. Where the grade of the channel becomes, steeper, flow velocities will increase and help to naturally reduce collection of debris. The ditch widening and grading should reduce the potential for further clogging of the 7-301 culvert and provide additional conveyance capacity. However, as the analysis has shown, the system functions sufficiently as is. So, the proposed ditch re-grading is only a recommendation intended to provide improved function and greater capacity.*

As conditioned, the stormwater conveyance system provides sufficient mitigation of potential stormwater impacts.

7. Under MICC 19.08.030(F)(2), certain critical areas located in the subdivision should remain undeveloped, particularly areas on the steep slopes on the west side of the property.

Planning Commission Analysis:

As shown in Exhibit 162, the applicant has shifted the proposed building pads on Lots 11, 12, 13, and 14 to the east to avoid development on the proposed steep slopes. Furthermore, the applicant is proposing Native Growth Protection Areas/Easements (NGPAs) to protect the steep slopes and other critical areas on site in perpetuity.

8. The developer should explore alternate plat layouts that potentially utilize the optional development standards in MICC 19.08.030(G) to preserve critical areas and trees on site.

Planning Commission Analysis:

Optional standards for development in MICC 19.08.030(G) allow for the creation of smaller lots in order to preserve critical areas and set aside land for open space. The applicant is not proposing to use the optional standards for development. They are, however, providing the benefit of the optional standards by setting aside an open space tract (Tract B) and placing critical areas such as steep slopes into NGPAs so that they remain undeveloped. However, the applicant is not requesting reduced lot areas and/or reduced widths in exchange. All proposed lots will meet the standard minimum lot requirements (Exhibit 162).

9. The MICC does not require that existing structures on the project site be retained. Existing structures may be demolished upon receipt of appropriate permits from governing agencies.

Planning Commission Analysis:

The City does not have the authority to require the developer to retain the existing structures on the subject property. Consequently, the structures will be either demolished or relocated prior to finaling the site development permit.

10. The proposed lots should be configured so that building pads are not placed in critical areas. Circumventing the problem of critical areas by attempting to eliminate or reduce the dimensions of critical areas, as proposed by the applicant, is inconsistent with the MICC.

Planning Commission Analysis:

As discussed above and shown in Exhibit 162, the applicant has shifted the proposed building pads off of the steep slopes along the western property line. Additionally, the steep slopes will be placed into NGPAs so that they remain undeveloped.

11. Under MICC 19.15.040, the proposed plat is exempt from formal design review.

Planning Commission Analysis:

The proposed plat will not be subject to formal design review as described by MICC 19.15.040.

12. A critical area determination is not needed, as the existing swale on the subject property is not a regulated watercourse. A critical area determination applies when an applicant wishes to reduce or average a watercourse (or wetland) buffer. When there is not a regulated buffer to reduce or average, there is no need for a critical area determination.

Planning Commission Analysis:

As there is no watercourse present on the project site and no associated buffer that may potentially be reduced, the City will not require the applicant to apply for a critical area determination.

Mercer Island City Code (MICC) 19.08.030(A) through (F) provides the criteria for approval of a subdivision. MICC 19.16.010(S) includes long plats in the definition of a subdivision. The following is an analysis of the criteria for approval:

1. MICC 19.08.030(A) states the proposed subdivision shall comply with arterial, capital facility, and land use elements of the Comprehensive Plan; all other chapters of the development code; the Shoreline Management Act; and other applicable legislation.

A. Proposed subdivisions shall comply with the arterial standards of the comprehensive plan:

Planning Commission Analysis:

The arterial plan is contained within the Transportation Element of the Comprehensive Plan. The functional classifications of existing roads are provided within Figure 1 in the Transportation Element. The subject property gains access from 84th Avenue SE, which is not classified by the Comprehensive Plan as an arterial. Consequently, the arterial standards specified within the Comprehensive Plan do not apply to this project.

B. Proposed subdivisions shall comply with the Capital Facility standards of the comprehensive plan:

Planning Commission Analysis:

The Capital Facilities Element of the Mercer Island Comprehensive Plan provides the Capital Facility standards for the City. Figure 1 of the Capital Facilities Element shows current and future capital facilities. The subject property is not designated as either a current or future capital facility. Therefore, the Capital Facility standards within the Comprehensive Plan do not apply to the proposal.

C. Proposed subdivisions shall comply with the Land Use Element of the comprehensive plan:

Planning Commission Analysis:

Goal 8.2 of the Land Use Element and Goal 2.1 of the Housing Element of the City's Comprehensive Plan both state "Through zoning and land use regulations provide adequate development capacity to accommodate Mercer Island's projected share of the King County population growth over the next 20 years." Additionally, the Land Use Element of the city's Comprehensive Plan identified the following issue outside the Town Center: "The community needs to accommodate two important planning values – maintaining the existing single family residential character of the Island, while at the same time absorbing a relatively small amount of population and housing growth."

Goal 8.5 of the Land Use Element details how the City should accommodate single family growth by stating that the City should "encourage infill development on vacant or under-utilized sites that are outside of critical areas and ensure that the infill is compatible with the surrounding neighborhood." The proposed long plat constitutes infill development that increases density on an under-utilized site.

Exhibits 10 through 15 and the City Council's Findings of Fact and Conclusions of Law (Exhibit 186) conclude that neither a watercourse nor wetland(s) are present on the subject property. While the proposal site does appear to contain steep slopes as well as other geohazard areas (seismic, erosion, and/or landslide hazards), MICC 19.07.060 makes provisions for alterations within geohazard areas and on steep slopes. The applicant has submitted two geotechnical reports, a statement of risk, and an updated slope stability analysis (Exhibits 16 – 18 and 165) to guide development of the portions of the site that qualify as geohazard areas. Independent peer review of the slope stability analysis concurred with the applicant's report (Exhibit 168).

The existing zoning and Comprehensive Plan designation of the property described in the application is Single Family Residential R-9.6 (9,600 square foot minimum lot size). The proposed and current use of this property is single-family residential (Exhibit 162), which is a permitted use in the R-9.6 zone and consistent with adopted Comprehensive Plan land use element. The proposal results in a density of 3.13 units per acre (16 units / 5.1 acres = 3.13 units/acre), which is consistent with the surrounding development. For comparison, the R-9.6 zone allows for a density of 4.54 units per acre (43,560 square feet / 9,600 square feet = 4.54 units/acre). The proposed density and use is consistent with the allowed density for the zone and the Comprehensive Plan.

D. Proposed subdivisions shall comply with all other chapters of the development code.

Planning Commission Analysis:

An evaluation for consistency with other applicable chapters of the development code (MICC Title 19) is included below:

- i. Title 19 of the Mercer Island City Code specifies noticing requirements for the proposed long plat. The following matrix details the noticing timeline and code requirements for the proposed long plat and SEPA review applications:

Action Required by Code	Applicable Code(s) Requiring Action	Description of Action Taken	Date(s) of Action	Exhibit No.
Determination of Completeness	<ul style="list-style-type: none"> • MICC 19.15.020(C) 	Long plat and SEPA applications determined to be complete	11/8/2013	N/A
Public Notice of Application, Open Record Hearing, and Mitigated Determination of Nonsignificance (MDNS) Likely*	<p><u>Notice of Application:</u></p> <ul style="list-style-type: none"> • MICC 19.08.020(E)(2)(a) • MICC 19.15.020(D)(1-7) <p><u>Public Notice:</u></p> <ul style="list-style-type: none"> • MICC 19.15.020(E) <p><u>Open Record Hearing:</u></p> <ul style="list-style-type: none"> • MICC 19.15.020(D)(3) <p><u>MDNS Likely:</u></p> <ul style="list-style-type: none"> • MICC 19.07.120(L) • MICC 19.15.010(E) • MICC 19.15.020(D)(1) • WAC 197-11-355 	Sent to all property owners within 300 feet of the subject property, posted on the subject site, and published in the City Weekly Permit Bulletin*	11/18/2013	5
	<ul style="list-style-type: none"> • MICC 19.08.020(E)(2)(a) 	Published at least 10 days prior to the public hearing in a newspaper	11/27/2013	5

		of general circulation within the city		
	<u>Notice of Application:</u> <ul style="list-style-type: none"> • MICC 19.15.020(D)(2)(g) <u>MDNS Likely:</u> <ul style="list-style-type: none"> • MICC 19.15.010(E) • MICC 19.15.020(D)(1) • WAC 197-11-355 	23 day public comment period provided	11/18/2013 through 5:00 P.M. on 12/11/2013	5
Mitigated Determination of Nonsignificance (MDNS) Issued with Nine Mitigation Conditions	<u>MDNS:</u> <ul style="list-style-type: none"> • MICC 19.15.010(E) • WAC 197-11-350* • WAC 197-11-340(2)* 	Sent to all property owners within 300 feet of the subject property and published in the City Weekly Permit Bulletin	12/23/2013 * SEPA review began under Optional DNS process (WAC 197-11-355). MDNS issued under WAC 197-11-340(2) to allow for an additional comment period.	7
Mitigated Determination of Nonsignificance (MDNS) Additional Comment Period (Optional)*	<u>MDNS:</u> <ul style="list-style-type: none"> • WAC 197-11-340(2) • MICC 19.07.120(Q)(1) 	21 day optional public comment period provided	12/23/2013 through 5:00 P.M. on 1/13/2014 *The applicant agreed to extend the second SEPA comment period from 14 to 21 days	7
Mitigated Determination of Nonsignificance (MDNS) Appeal Period	<u>MDNS:</u> <ul style="list-style-type: none"> • MICC 19.07.120(T) • MICC 19.15.020(J) 	14 day appeal period provided per MICC	12/23/2013 through 5:00 P.M. on 1/6/2014	7
City Council Findings of Fact and Conclusions of Law	<ul style="list-style-type: none"> • MICC 19.08.020(F)(3)(c) 	Rejects the Planning Commission's recommendation, remands the project back to the Planning Commission, and reopens the record effective 4/22/2014	4/21/2014	186

Public Notice of Open Record Hearing for Reopened Hearing	• MICC 19.15.020(D)(3)	Sent to all property owners within 300 feet of the subject property, sent to all parties of record, posted on the subject site, and published in the City Weekly Permit Bulletin	5/27/2014	166
	• MICC 19.08.020(E)(2)(a)	Published at least 10 days prior to the public hearing in a newspaper of general circulation within the city	6/4/2014	166

ii. Written comments were provided to the City by the following parties during the public comment periods, which ran from November 18, 2013 to 5:00 P.M. on December 11, 2013 and December 23, 2013 through 5:00 P.M. on January 13, 2014:

Exhibit Number	Party/Parties of Record	Address	Date Received
53	J. Richard Aramburu	Aramburu & Eustis, L.L.P. 720 Third Avenue Pacific Building, Ste. Suite 2000 Seattle, WA 98104	November 19, 2013
54	Jay Derr	Van Ness Feldman, L.L.P. 719 Second Avenue, Suite 1150 Seattle, Washington 98104	November 22, 2013
55	Edward Corker	6614 109th Place SE Newcastle, WA 98056	November 26, 2013
56	Katharine Lamperti	8320 SE 30th Place Mercer Island, WA 98040	December 2, 2013
57	J. Richard Aramburu	Aramburu & Eustis, L.L.P. 720 Third Avenue Pacific Building, Ste. Suite 2000 Seattle, WA 98104	December 9, 2013
58	Cheryl and William Frizzell	8375 SE 30th Place Mercer Island, WA 98040	December 9, 2013
59	Lisa Zaidi, Ph.D.	8421 SE 30th Street Mercer Island, WA 98040	December 9, 2013
60	Robert W. Thorpe, A.I.C.P.	R.W. Thorpe & Associates 2737 78th Avenue SE, Suite 100 Mercer Island, WA 98040	December 10, 2013
61	Charles Cobbs, M.D.	8225 SE 30th Place Mercer Island, WA 98040	December 10, 2013
62	Beverly Bridge	8400 SE 34th Place Mercer Island, WA 98040	December 11, 2013
63	Justin Deng and Jaime Chang	3219 84th Avenue SE Mercer Island, WA 98040	December 11, 2013
64	T.J. and Sue Stewart	3205 84th Avenue SE Mercer Island, WA 98040	December 11, 2013
65	Dale Kingman	3215 84th Avenue SE Mercer Island, WA 98040	December 11, 2013

66	Linda Chaves	8265 SE 30th Place Mercer Island, WA 98040	December 11, 2013
67	Richard and Deborah Ferse	3203 84th Avenue SE Mercer Island, WA 98040	December 11, 2013
68	Jeanne McKnight, Ph.D.	6681 East Mercer Way Mercer Island, WA 98040	December 11, 2013
73	J. Richard Aramburu	Aramburu & Eustis, L.L.P. 720 Third Avenue Pacific Building, Ste. Suite 2000 Seattle, WA 98104	December 11, 2013
74	J. Richard Aramburu	Aramburu & Eustis, L.L.P. 720 Third Avenue Pacific Building, Ste. Suite 2000 Seattle, WA 98104	December 27, 2013
75	T.J. and Sue Stewart	3205 84th Avenue SE Mercer Island, WA 98040	December 29, 2013
77	Karen Walter	Muckleshoot Indian Tribe Fisheries Division Habitat Program 39015 172nd Avenue SE Auburn, WA 98092	December 30, 2013
79	Robert W. Thorpe, A.I.C.P.	R.W. Thorpe & Associates 2737 78th Avenue SE, Suite 100 Mercer Island, WA 98040	December 30, 2013
80	J. Richard Aramburu	Aramburu & Eustis, L.L.P. 720 Third Avenue Pacific Building, Ste. Suite 2000 Seattle, WA 98104	January 3, 2014
81	T.J. and Sue Stewart	3205 84th Avenue SE Mercer Island, WA 98040	January 4, 2014
82	T.J. and Sue Stewart	3205 84th Avenue SE Mercer Island, WA 98040	January 8, 2014
84	Philip Wang	8230 SE 30th Street Mercer Island, WA 98040	January 12, 2014
85	J. Richard Aramburu	Aramburu & Eustis, L.L.P. 720 Third Avenue Pacific Building, Ste. Suite 2000 Seattle, WA 98104	January 13, 2014
86	Christine Acker	Not provided	January 13, 2014
87	Justin Deng	3219 84th Avenue SE Mercer Island, WA 98040	January 13, 2014
88	J. Richard Aramburu	Aramburu & Eustis, L.L.P. 720 Third Avenue Pacific Building, Ste. Suite 2000 Seattle, WA 98104	January 13, 2014
89	Chris Moore	Stimson-Green Mansion 1204 Minor Avenue Seattle, WA 98101	January 13, 2014

- iii. Additional comments were provided to the City by the following parties outside of the specified public comment periods, which ran from November 18, 2013 to 5:00 P.M. on December 11, 2013 and December 23, 2013 through 5:00 P.M. on January 13, 2014:

Exhibit Number	Person(s) Submitting Comments	Address	Date Received
36	Robert W. Thorpe, A.I.C.P.	R.W. Thorpe & Associates 2737 78th Avenue SE, Suite 100 Mercer Island, WA 98040	August 1, 2013
37	Jane Kiker	Eglick Kiker Whited, P.L.L.C. 1000 Second Avenue, Suite 3130 Seattle, WA 98104	August 6, 2013
38	T.J. Stewart	3205 84th Avenue SE Mercer Island, WA 98040	October 3, 2013
39	Sue Stewart	3205 84th Avenue SE Mercer Island, WA 98040	October 4, 2013
40	Richard Ferse, M.D	3203 84th Avenue SE Mercer Island, WA 98040	October 15, 2013
41	Toni Okada	2909 84th Avenue SE Mercer Island, WA 98040	October 17, 2013
42	Linda Chaves	8265 SE 30th Place Mercer Island, WA 98040	October 18, 2013
43	Richard Ferse, M.D	3203 84th Avenue SE Mercer Island, WA 98040	October 18, 2013
44	Richard Ferse, M.D	3203 84th Avenue SE Mercer Island, WA 98040	October 21, 2013
45	Sue Stewart	3205 84th Avenue SE Mercer Island, WA 98040	October 22, 2013
46	T.J. and Sue Stewart	3205 84th Avenue SE Mercer Island, WA 98040	October 24, 2013
47	T.J. Stewart	3205 84th Avenue SE Mercer Island, WA 98040	October 24, 2013
48	J. Richard Aramburu	Aramburu & Eustis, L.L.P. 720 Third Avenue Pacific Building, Ste. Suite 2000 Seattle, WA 98104	November 7, 2013
50	J. Richard Aramburu	Aramburu & Eustis, L.L.P. 720 Third Avenue Pacific Building, Ste. Suite 2000 Seattle, WA 98104	November 8, 2013
51	J. Richard Aramburu	Aramburu & Eustis, L.L.P. 720 Third Avenue Pacific Building, Ste. Suite 2000 Seattle, WA 98104	November 12, 2013
52	J. Richard Aramburu	Aramburu & Eustis, L.L.P. 720 Third Avenue Pacific Building, Ste. Suite 2000 Seattle, WA 98104	November 14, 2013
90	J. Richard Aramburu	Aramburu & Eustis, L.L.P. 720 Third Avenue Pacific Building, Ste. Suite 2000 Seattle, WA 98104	January 14, 2014
92	Bharat Shyam	8405 SE 34th Place	January 14, 2014

94	Bharat Shyam	Mercer Island, WA 98040 8405 SE 34th Place Mercer Island, WA 98040	January 14, 2014
95	Linda Brown	Van Ness Feldman, L.L.P. 719 Second Avenue, Suite 1150 Seattle, Washington 98104	January 14, 2014
96	Sue Stewart	3205 84th Avenue SE Mercer Island, WA 98040	January 14, 2014
97	J. Richard Aramburu	Aramburu & Eustis, L.L.P. 720 Third Avenue Pacific Building, Ste. Suite 2000 Seattle, WA 98104	January 14, 2014

- iv. Pursuant to MICC 19.08.020(F)(3), MICC 19.15.010(E), and MICC 19.15.020(F)(1), both an open record public hearing in front of the Planning Commission and a subsequent public meeting with the City Council are required for preliminary long plat applications. The open record public hearing with the Planning Commission was held on Wednesday, January 15, 2014. Written comments were submitted by the following parties during the January 15, 2014 public hearing:

Exhibit Number	Person(s) Submitting Comments	Address	Date Received
100	Richard and Connie Del Missier	8220 SE 29th Street Mercer Island, WA 98040	January 15, 2014
101	Jay Derr	Van Ness Feldman, L.L.P. 719 Second Avenue, Suite 1150 Seattle, Washington 98104	January 15, 2014
102	Fred Glick Design	Mercer Island, WA 98040	January 15, 2014
103	Mercer Island Friends for Responsible Neighborhood Development on the Proposed Plat for the Coval Property	Aramburu & Eustis, L.L.P. 720 Third Avenue Pacific Building, Suite 2000 Seattle, WA 98104	January 15, 2014
104	Mike Grady	7011 81st Avenue SE Mercer Island, WA 98040	January 15, 2014

- v. Additionally, public testimony was provided by the following parties during the open record portion of the public hearing on January 15, 2014:

Person(s) Providing Testimony	Address
J. Richard Aramburu	Aramburu & Eustis, L.L.P., 720 Third Avenue, Pacific Building, Suite 2000 Seattle, WA 98104
Mike Grady	7011 81st Avenue SE Mercer Island, WA 98040
Malcolm Leytham	16300 Christensen Road, Suite 350 Seattle, WA 98188
Scott Luchessa	4013 32nd Avenue W Seattle, WA 98199
Dick Ferse	3203 84th Avenue SE Mercer Island, WA 98040
Linda Chaves	8265 SE 30th Place Mercer Island, WA 98040
Robert Thorpe	5800 West Mercer Way Mercer Island, WA 98040
Kevin Franke	8437 SE 37th Street Mercer Island, WA 98040

Bharat Shyam	8405 SE 34th Place Mercer Island, WA 98040
Shawn Boyle	8410 SE 36th Street Mercer Island, WA 98040
Ian Moncaster	8430 SE 36th Street Mercer Island, WA 98040
Toni Okada	2909 84th Avenue SE Mercer Island, WA 98040
T.J. Stewart	3205 84th Avenue SE Mercer Island, WA 98040
Sue Stewart	3205 84th Avenue SE Mercer Island, WA 98040
Glenn Blumstein	8241 SE 30th Street Mercer Island, WA 98040
Manny Cawaling	Youth Theatre Northwest, PO Box 296 Mercer Island, WA 98040
Sherry Frizzell	8375 SE 30th Place Mercer Island, WA 98040
Judy Ginn	7815 SE 85th Place Mercer Island, WA 98040
Tsering Short	PO Box 294 Mercer Island, WA 98040
Carrie Sutkiss	3927 86th Avenue SE Mercer Island, WA 98040
Katharine Lamperti	8320 SE 30th Place Mercer Island, WA 98040
Christine Acker	7456 West Mercer Way Mercer Island, WA 98040
Phil Randazzo	8212 SE 29th Street Mercer Island, WA 98040
Lisa Zaidi	8231 SE 30th Place Mercer Island, WA 98040
Bruce Leamon	8335 SE 30th Place Mercer Island, WA 98040
Kurt Ferse	2500 81st Avenue SE Mercer Island, WA 98040
Richard Del Missier	8220 SE 29th Street Mercer Island, WA 98040
June Lindsey	8405 West Mercer Way Mercer Island, WA 98040
Carolyn Boatsman	3210 74th Avenue SE Mercer Island, WA 98040
Bruce McCauley	8214 SE 29th Street Mercer Island, WA 98040

vi. The public hearing was continued to Wednesday, January 29, 2014. The record for the public hearing was closed at 5:00 PM on Wednesday, January 22, 2014. Written comments were submitted by the following parties between January 16, 2014 and when the record closed at 5:00 PM on January 22, 2014:

Exhibit Number	Person(s) Submitting Comments	Address	Date Received
105	Bharat Shyam	8405 SE 34th Place Mercer Island, WA 98040	January 16, 2014
106	Hardie Cobbs	8225 SE 30th Place Mercer Island, WA 98040	January 16, 2014
107	Pei-Hwa Lin	2901 84th Avenue SE Mercer Island, WA 98040	January 16, 2014
108	Liz Butowicz	8355 SE 34th Street Mercer Island, WA 98040	January 16, 2014
109	Janet Mead	8335 SE 30th Place Mercer Island, WA 98040	January 16, 2014
110	Carolyn Boatsman	3210 74th Avenue SE Mercer Island, WA 98040	January 16, 2014
111	Brenda Sandmaier	8412 SE 33rd Place Mercer Island, WA 98040	January 16, 2014
112	Philip Wang	8230 SE 30th Street Mercer Island, WA 98040	January 16, 2014
113	Werner Glass	8325 SE 34th Street Mercer Island, WA 98040	January 16, 2014
114	Marlene Lemon	4219 Shoreclub Drive Mercer Island, WA 98040	January 17, 2014
115	Alex Silverman	8350 SE 34th Street	January 19, 2014

		Mercer Island, WA 98040	
116	Ian Moncaster	8430 SE 36th Street Mercer Island, WA 98040	January 19, 2014
117	Bharat Shyam	8405 SE 34th Place Mercer Island, WA 98040	January 20, 2014
118	Richard and Connie Del Missier	8220 SE 29th Street Mercer Island, WA 98040	January 20, 2014
119	Bharat Shyam	8405 SE 34th Place Mercer Island, WA 98040	January 20, 2014
120	Bob Hoff	8219 SE 28th Street Mercer Island, WA 98040	January 20, 2014
121	Toni Okada	2909 84th Avenue SE Mercer Island, WA 98040	January 20, 2014
122	Rita Moore	6 Fern Hollow Mercer Island, WA 98040	January 21, 2014
123	Cameron Ackley	3050 81st Place SE Mercer Island, WA 98040	January 21, 2014
124	Toni Okada	2909 84th Avenue SE Mercer Island, WA 98040	January 21, 2014
125	Toni Okada	2909 84th Avenue SE Mercer Island, WA 98040	January 21, 2014
127	Nancy R. Lee	4001 West Mercer Way Mercer Island, WA 98040	January 21, 2014
128	Dr. Arny Reich	6221 82nd Avenue SE Mercer Island, WA 98040	January 21, 2014
129	Anita Reich	6221 82nd Avenue SE Mercer Island, WA 98040	January 21, 2014
130	Dale Kingman	Gordon Tilden Thomas & Cordell, LLP 1001 Fourth Avenue, Suite 4000 Seattle, WA 98154	January 21, 2014
131	Jeanette and Paul Reese	4334 89th Avenue SE Mercer Island, WA 98040	January 21, 2014
132	Norma Ho	8253 SE 30th Place Mercer Island, WA 98040	January 21, 2014
133	Sarah Ford	8405 SE 34th Place Mercer Island, WA 98040	January 21, 2014
134	Marion Schwartz	3002 61st Avenue SE Mercer Island, WA 98040	January 21, 2014
135	Justin Deng and Jaime Chang	3219 84th Avenue SE Mercer Island, WA 98040	January 22, 2014
136	Andrea Danen	7711 SE 58th Street Mercer Island, WA 98040	January 22, 2014
137	Richard Vacca	8220 SE 33rd Place Mercer Island, WA 98040	January 22, 2014
138	Jaqueline Tacher	1000 Second Avenue, Suite 3500 Seattle, WA 98104	January 22, 2014
139	Harman Wales	4545 Forest Avenue Mercer Island, WA 98040	January 22, 2014
140	Beverly Greenberg	2730 West Mercer Way Mercer Island, WA 98040	January 22, 2014
141	Richard and Deborah Ferse	3203 84th Avenue SE Mercer Island, WA 98040	January 22, 2014
142	Mr. and Mrs. William	2768 68th Avenue SE	January 22, 2014

	Donner	Mercer Island, WA 98040	
143	Diane and Albert Edmonds	2764 71st Avenue SE Mercer Island, WA 98040	January 22, 2014
145	Robert W. Thorpe, A.I.C.P.	R.W. Thorpe & Associates 2737 78th Avenue SE, Suite 100 Mercer Island, WA 98040	January 22, 2014
146	Kim Ferse	4003 West Mercer Way Mercer Island, WA 98040	January 22, 2014
147	Tim Stewart	3205 84th Avenue SE Mercer Island, WA 98040	January 22, 2014
148	Dr. Lisa Zaidi	8231 SE 30th Place Mercer Island, WA 98040	January 22, 2014
149	Mike Grady	7011 81st Avenue SE Mercer Island, WA 98040	January 22, 2014
150	J. Richard Aramburu	Aramburu & Eustis, L.L.P. 720 Third Avenue Pacific Building, Ste. Suite 2000 Seattle, WA 98104	January 22, 2014
151	K. Malcolm Leytham, P.E., Ph.D.	16300 Christensen Road, Suite 350 Seattle, WA 98188	January 22, 2014
152	J. Richard Aramburu	Aramburu & Eustis, L.L.P. 720 Third Avenue Pacific Building, Ste. Suite 2000 Seattle, WA 98104	January 22, 2014
153	James T. Lee	4001 West Mercer Way Mercer Island, WA 98040	
154	Nate and Tammy Luce	3211 84th Ave SE Mercer Island, WA 98040	January 22, 2014
155	Jay Derr	Van Ness Feldman, L.L.P. 719 Second Avenue, Suite 1150 Seattle, Washington 98104	January 22, 2014
156	Jay Derr	Van Ness Feldman, L.L.P. 719 Second Avenue, Suite 1150 Seattle, Washington 98104	January 22, 2014
159	Katharine Lamperti	8320 SE 30th Place Mercer Island, WA 98040	January 22, 2014
160	Sue Stewart	3205 84th Avenue SE Mercer Island, WA 98040	January 22, 2014

- vii. A closed record public hearing with the City Council was held on February 24, 2014. The City Council voted unanimously to reject the Planning Commission's recommendation and remand the project back to the Planning Commission. The City Council's Findings of Fact and Conclusions of Law were signed by the mayor on April 21, 2014, and they reopened the record for SUB13-009 effective April 22, 2014.
- viii. The applicant submitted revisions to the plat and supporting materials on May 22, 2014, May 23, 2014, May 29, 2014, and June 3, 2014. The Planning Commission reopened the public hearing on June 18, 2014 to consider the new materials submitted by the applicant and to draft a recommendation to the City Council. Notice of the Reopened Public Hearing was mailed to all residents within 300 feet of the subject property, emailed and/or mailed to all parties of record, posted

on site, and published in the City's weekly permit bulletin on May 27, 2014. The notice was also published in the Mercer Island Reporter on June 4, 2014.

ix. Written comments were provided to the City by the following parties during the public comment periods, which ran from April 22, 2014 to 5:00 P.M. until the reopened public hearing at 7:00 PM on June 18, 2014:

Exhibit Number	Person(s) Submitting Comments	Address	Date Received
170	Robert W. Thorpe	R.W. Thorpe & Associates 2737 78th Avenue SE, Suite 100 Mercer Island, WA 98040	April 18, 2014 (requested to be included in the record on April 22, 2014)
171	J. Richard Aramburu	Aramburu & Eustis, L.L.P. 720 Third Avenue Pacific Building, Ste. Suite 2000 Seattle, WA 98104	April 21, 2014
172	Katharine Lamperti	8320 SE 30th Place Mercer Island, WA 98040	May 3, 2014
173	J. Richard Aramburu	Aramburu & Eustis, L.L.P. 720 Third Avenue Pacific Building, Ste. Suite 2000 Seattle, WA 98104	May 20, 2014
174	Sue Stewart	3205 84th Avenue SE Mercer Island, WA 98040	May 21, 2014
176	Sue Stewart	3205 84th Avenue SE Mercer Island, WA 98040	May 27, 2014
177	Sue Stewart	3205 84th Avenue SE Mercer Island, WA 98040	May 27, 2014
180	Richard Ferse, M.D	3203 84th Avenue SE Mercer Island, WA 98040	May 30, 2014
184	J. Richard Aramburu	Aramburu & Eustis, L.L.P. 720 Third Avenue Pacific Building, Ste. Suite 2000 Seattle, WA 98104	June 5, 2014
189	J. Richard Aramburu	Aramburu & Eustis, L.L.P. 720 Third Avenue Pacific Building, Ste. Suite 2000 Seattle, WA 98104	June 11, 2014
191	Charles Cobbs, M.D.	8225 SE 30th Place Mercer Island, WA 98040	June 11, 2014
192	Hardie Cobbs	8225 SE 30th Place Mercer Island, WA 98040	June 12, 2014

x. Pursuant to MICC 19.08.020(F)(3), MICC 19.15.010(E), and MICC 19.15.020(F)(1), both an open record public hearing in front of the Planning Commission and a subsequent public meeting with the City Council are required for preliminary long plat applications. The Planning Commission reopened the open record public hearing on Wednesday, June 18, 2014. Written comments were submitted by the following parties during the June 18, 2014 reopened public hearing:

Exhibit Number	Person(s) Submitting Comments	Address	Date Received
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193	Tim (T.J.) Stewart	3205 84th Avenue SE Mercer Island, WA 98040	June 14, 2014
194	Monique Liard	8245 SE 30th Place Mercer Island, WA 98040	June 15, 2014
195	Richard and Deborah Ferse	3203 84th Avenue SE Mercer Island, WA 98040	June 15, 2014
196	Toni Okada	2909 84th Avenue SE Mercer Island, WA 98040	June 17, 2014
197	Mrs. Neil Thomson	9105 Fortuna Drive, Apt 8206 Mercer Island, WA 98040	June 17, 2014
198	J. Richard Aramburu	Aramburu & Eustis, L.L.P. 720 Third Avenue Pacific Building, Ste. Suite 2000 Seattle, WA 98104	June 17, 2014
199	Sue Stewart	3205 84th Avenue SE Mercer Island, WA 98040	June 17, 2014
200	J. Richard Aramburu	Aramburu & Eustis, L.L.P. 720 Third Avenue Pacific Building, Ste. Suite 2000 Seattle, WA 98104	June 17, 2014
202	Diane Edmonds	2764 71st Avenue SE Mercer Island, WA 98040	June 17, 2014
204	Cameron Ackley	3050 81st Place SE Mercer Island, WA 98040	June 17, 2014
205	Cheryl Frizzell	8375 SE 30th Place Mercer Island, WA 98040	June 17, 2014
206	Bharat Shyam	8405 SE 34th Place Mercer Island, WA 98040	June 17, 2014
207	Justin Deng	3219 84th Avenue SE Mercer Island, WA 98040	June 18, 2014
210	Bruce Leamon	8335 SE 30th Place Mercer Island, WA 98040	June 18, 2014
211	Lisa Zaidi, Ph.D.	8231 SE 30th Place Mercer Island, WA 98040	June 18, 2014

xi. Additionally, public testimony was provided by the following parties during the open record portion of the public hearing on June 18, 2014:

Person(s) Providing Testimony	Address
Robert Thorpe	5800 West Mercer Way Mercer Island, WA 98040
Ira Appelman	4436 Ferncroft Road Mercer Island, WA 98040
Linda Chaves	8265 SE 30th Place Mercer Island, WA 98040
Sue Stewart	3205 84th Avenue SE Mercer Island, WA 98040
Cheryl Frizzell	8375 SE 30th Place Mercer Island, WA 98040
Tina Cohen	Northwest Arborvitae 8318 26th Avenue NW Seattle, WA 98117
J. Richard Aramburu	Aramburu & Eustis, L.L.P., 720 Third Avenue, Pacific Building, Suite 2000 Seattle, WA 98104
Beverly Bridge	8400 SE 34th Place Mercer Island, WA 98040
Katharine Lamperti	8320 SE 30th Place Mercer Island, WA 98040

- xii. MICC 19.08.020(F)(3)(c) requires that “Upon receipt of the planning commission’s recommendation, the city council shall at its next public meeting set the date for the public hearing where it may adopt or reject the planning commission’s recommendations.” Therefore, the City Council will tentatively set the closed record public hearing date on Monday, July 7, 2014. The date of the closed record public hearing with the City Council is tentatively scheduled for the evening of July 21, 2014.
- xiii. Subsequent to the City Council’s decision regarding the preliminary long plat, per 19.15.020(H)(2), a Notice of Decision is required to be published in the City’s Weekly Permit Bulletin. Additionally, the Notice of Decision will be mailed to all parties of record.
- xiv. MICC 19.02.020(C)(1) requires a front yard depth of 20 feet or more, a rear yard depth of 25 feet or more, and a side yard depth to have the sum of at least 15 feet, provided, no side yard abutting an interior lot line shall be less than five feet, and no side yard abutting a street shall be less than 10 feet. The site currently contains a single-family residence, attached pool house and garage, a detached garage, and a driveway. The applicant proposes demolition of the existing structures and removal of the driveway prior to final plat recording (Exhibit 162, Sheet C-1.0 - Note 1). In Exhibit 162, the applicant has identified a building pad for each lot in accordance to MICC 19.08.020(D)(2) and MICC 19.09.090(A). The demolition of single-family residences is regulated by the Building Department. Therefore, prior to final long plat approval, the applicant would be required to apply for all necessary permits and meet the requirements to receive final permit approval in order to meet the building setback requirements for the new property lines within the long subdivision.
- xv. MICC 19.10.020(B)(1) states that a permit is required for tree removal as a result of construction work (Exhibit 6). The City Arborist has provided comments that would ensure consistency with Chapter 19.10 MICC and are incorporated as recommended conditions of approval.
- xvi. MICC 19.15.010(E) states that the City Council is the decision authority for final long plat approvals. MICC 19.08.020(F)(5)(a) states that “once the preliminary plat for a long subdivision has been approved by the city, the applicant has five years to submit a final plat meeting all requirements of this chapter to the city council for approval.” A plat that has not been recorded within five years after its preliminary approval shall expire, becoming null and void. A new application must be submitted to revitalize an expired plat. In order for the applicant to comply with this requirement, it is recommended that it become a condition of approval.
- xvii. MICC 19.08.020(F)(4) states “as a condition of preliminary approval of a project, the City Council in the case of a long subdivision...may require the installation of plat improvements as provided in MICC 19.08.040 which shall be conditions precedent to final approval of the long subdivision.” The City Engineer has reviewed the proposed long subdivision for compliance with MICC 19.08.020 and provided the necessary conditions of approval, which are included in this report.

E. Proposed subdivisions shall comply with the Shoreline Management Act:

Planning Commission Analysis:

The proposal is not within 200 feet of a shoreline, and is not considered to be located within “shorelands” as defined by MICC 19.16.010(S). Consequently, the Shoreline Management Act is not applicable per MICC 19.07.110(A)(2) and RCW 90.58.030(2)(f).

F. Proposed subdivisions shall comply with other applicable legislation:

Planning Commission Analysis:

The requirements for long subdivision regulations, including RCW 58.17, have been adopted by the City of Mercer Island. An evaluation for consistency with other applicable legislation is included below.

- i. Per MICC 19.07.120(J)(1) and WAC 197-11-704(2)(a), the sixteen lot long plat proposal has been reviewed under the State Environmental Policy Act (SEPA). The City received the applicant’s current SEPA checklist on October 30, 2013 (Exhibit 6). After review of the checklist, the optional DNS process, pursuant to WAC 197-11-355, was initially used. The first comment period ran from

November 18, 2013 until 5:00 P.M. on December 11, 2013. This was concurrent with the comment period for the Notice of Application. Staff issued a Mitigated Determination of Nonsignificance, as described by WAC 197-11-350, subject to nine mitigation conditions (Exhibit 7). The MDNS was ultimately issued under WAC 197-11-340(2) to allow for an addition comment period associated with the MDNS. The second SEPA comment period ran for fourteen days from December 23, 2013 until 5:00 P.M. on January 6, 2014. The appeal period ran concurrent with the second SEPA comment period from December 23, 2013 until 5:00 P.M. on January 6, 2014. It was requested that the second comment period and the appeal period be extended (Exhibits 73, 74, and 77). MICC 19.07.120(T)(2) and MICC 19.15.020(J)(1) restrict SEPA appeal periods within the City to fourteen days. Therefore, an extension to the SEPA appeal period could not be permitted. However, staff extended the general comment period, which ended at 5:00 P.M. on January 13, 2014 (Exhibit 78). This allowed for a total of 44 days for the public to submit comments on the potential environmental impacts of the project. No appeal was received. SEPA review will not be reopened.

2. MICC 19.08.030(B) requires that:

- A. The subdivision shall be reconciled as far as possible with current official plans for acquisition and development of arterial or other public streets, trails, public buildings, utilities, parks, playgrounds, and other public improvements.*

Planning Commission Analysis:

The current official plans for acquisition and development of arterial or other public streets, trails, public buildings, utilities, parks, playgrounds, and other public improvements do not designate any portion of the subject property. This does not apply.

- B. If the preliminary plat includes a dedication of a public park with an area of less than two acres and the donor has designated that the park be named in honor of a deceased individual of good character, the city shall adopt the designated name.*

Planning Commission Analysis:

The proposed long plat does not propose to include a dedication of a public park. Therefore, this provision does not apply.

3. MICC 19.08.030(C) requires that:

- A. Where the project may adversely impact the health, safety, and welfare of, or inflict expense or damage upon, residents or property owners within or adjoining the project, other members of the public, the state, the city, or other municipal corporations due to flooding, drainage problems, critical slopes, unstable soils, traffic access, public safety problems, or other causes, the code official shall require the applicant to adequately control such hazards or give adequate security for damages that may result from the project, or both.*

Planning Commission Analysis:

The City of Mercer Island Engineering Division has identified applicable stormwater mitigation measures, which if implemented as conditions of approval, would adequately control any potential flooding or drainage problems. Additional requirements may be imposed at the time of building permit review. The site contains steep slopes and other geohazard areas. However, construction on the site will be guided by the recommendations of a geotechnical engineer (Exhibits 16 – 18 and 165) as required by MICC 19.07.060. Furthermore, the site has not been identified as having traffic access hazards or other public safety problems (Exhibit 164).

- B. If there are soils or drainage problems, the City Engineer may require that a Washington registered civil engineer perform a geotechnical investigation of each lot in the project. Stormwater shall be managed*

in accordance with the criteria set out in MICC 15.09.030 and shall not increase likely damage to downstream or upstream facilities or properties.

Planning Commission Analysis:

The applicant has submitted reports by a Geotechnical Engineer (Exhibits 16 – 18 and 165) to address any potential soils issues. Additional reports may be required at the time of building permit review for individual lots. The Building Official may also require that a Geotechnical Engineer be present during construction to monitor the work and recommend special techniques or mitigating measures. Plans for stormwater management are provided within Exhibits 19 and 162. A Level 2 Downstream Analysis is included as Exhibit 163. If stormwater measures are implemented, as required by the Engineering Division, the stormwater would be managed in accordance with the criteria set out in MICC 15.09.030 and would not increase the likely damage to downstream or upstream facilities or properties.

- C. Alternative tightline storm drains to Lake Washington shall not cause added impact to the properties, and the applicant shall submit supportive calculations for storm drainage detention.*

Planning Commission Analysis:

The applicant is not proposing to tightline storm drains to Lake Washington. The applicant will be utilizing a detention vault in addition to some infiltration where feasible (Exhibit 162).

- 4. MICC 19.08.030(D) requires for streets, roads and rights-of-way that:

- A. The width and location of rights-of-way for major, secondary, and collector arterial streets shall be as set forth in the comprehensive arterial plan.*

Planning Commission Analysis:

The applicant is neither proposing to alter an existing arterial, nor construct an extension of an existing arterial. This provision does not apply.

- B. Public rights-of-way shall comply with the requirements set out in MICC 19.09.030.*

Planning Commission Analysis:

The construction and design standards for arterial and local access streets are defined by MICC 19.09.030. The subject property is accessed from 84th Avenue SE, which is a public right-of-way, but is not classified as an arterial. The applicant is proposing to dedicate the eastern 30 feet of the subject property to the City as right-of-way because the existing public road is presently located on private property (Exhibit 162). However, 84th Avenue SE will not be modified other than the addition of a gravel shoulder adjacent to the subject property along the western edge of the road. Therefore, this provision does not apply.

- C. Private access roads shall meet the criteria set out in MICC 19.09.040.*

Planning Commission Analysis:

The proposal will result in the construction of one access tract within the proposed subdivision for ingress and egress. MICC 19.09.040(B) requires that private access roads serving three or more single family residences be at least 20 feet in width. The applicant is proposing that the access tract range from 20 feet to 26 feet in width (Exhibit 162). Since the road is longer than 150 feet, two turnarounds are provided (Exhibit 162, Sheet CV-01). Lastly, the gradient of the proposed road shall not exceed 15 percent (Exhibit 162, Sheet C-1.1).

- D. Streets of the proposed subdivision shall connect with existing improved public streets, or with existing improved private access roads subject to easements of way in favor of the land to be subdivided.*

Planning Commission Analysis:

The applicant is proposing a new private access road tract, which will connect with 84th Avenue SE, an existing public street. This provision is met.

5. MICC 19.08.030(E) requires for residential lots in new subdivisions that:

- A. *The area, width, and depth of each residential lot shall conform to the requirements for the zone in which the lot is located. Any lot which is located in two or more zones shall conform to the zoning requirements determined by the criteria set out in MICC 19.01.040(G)(2).*

Planning Commission Analysis:

MICC 19.01.040(G)(2) provides the guidelines for determining which zoning designation applies when a boundary between zones divides a lot into two or more pieces. A review of the current adopted zoning map finds that the subject parcel is located entirely with the R-9.6 zone. Per MICC 19.02.020(A), the minimum lot area for the underlying R-9.6 zone is 9,600 square feet. MICC 19.02.020(A) also requires a minimum lot width of 75 feet and a minimum lot depth of 80 feet.

DIMENSIONAL STANDARDS (AREA, WIDTH, AND DEPTH)

The table below shows the proposed lot dimensions:

	Net Lot Area¹ (square feet)	Minimum Lot Width (feet)	Minimum Lot Depth (feet)
Lot 1	10,886	75	130
Lot 2	12,150	90	103 +/-
Lot 3	14,007	75	185
Lot 4	9,649	107	80
Lot 5	11,602	87	118
Lot 6	9,839	85	118
Lot 7	10,221	75	119
Lot 8	11,866	75	144
Lot 9	9,662	79	94 +/-
Lot 10	11,457	75	124
Lot 11	11,801	87	132
Lot 12	10,921	75	132
Lot 13	12,042	75	159
Lot 14	16,159	95	161
Lot 15	11,815	80	146
Lot 16	10,101	75	120

¹ Net area is the lot area excluding that portion of the lot which is part of a vehicular access easement per MICC 19.02.020(A)(2). The term "easement" is included in definition of street in MICC 19.16.010(S).

BUILDING PADS

Setbacks, Rights-of-Way, and Width

Per MICC 19.09.090(A), building pads must be identified, and MICC 19.09.090(A)(3) states that "no cross-section dimension of a building pad shall be less than 20 feet in width." The building pad shall not be located within yard setbacks, rights-of-way, and critical areas or their buffers. The preliminary long plat in Exhibit 162 indicates that the building pads proposed by the applicant are exclusive of setbacks, rights-of-way, and do not have any cross-section widths less than 20 feet.

Critical Areas - Watercourses and Wetlands

The City's maps indicate the presence of a Type 2 watercourse on site (MICC Title 19, Exhibit E). However, MICC 19.07.020(C) stipulates that the locations of the critical areas shown in Appendix E of MICC Title 19 are approximate and that the "maps are to be used as a reference only." Furthermore,

MICC 19.07.020(C) designates the applicant as being responsible “for determining the scope, extent and boundaries of any critical areas to the satisfaction of the code official.” As part of the requirements for a critical areas determination application (CAO13-002), the applicant provided a critical areas study (Exhibit 10), which was peer reviewed by a qualified professional chosen by the City (Exhibit 11). Both the critical areas study and the peer review determined that a Type 2 watercourse as shown in MICC Title 19 Exhibit E was not present on site. In order to classify a feature as a “watercourse,” it must meet the definition of “watercourse” in MICC 19.16.010(W):

A course or route, formed by nature and generally consisting of a channel with a bed, banks, or sides throughout substantially all its length, along which surface waters, with some regularity (annually in the rainy season), naturally and normally flow in draining from higher to lower lands. This definition does not include irrigation and drainage ditches, grass-lined swales, canals, storm water runoff devices, or other courses unless they are used by fish or to convey waters that were naturally occurring prior to construction.

The Watershed Company’s peer review (Exhibit 11) stated that there may be wetland conditions on the site that should be evaluated. The applicant’s biologist, Larry Burnstad with Watershed Dynamics, examined the site and did not find any conditions that would support the presence of a wetland (Exhibit 12 and 13) as defined by MICC 19.16.010(W):

Areas that are inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal conditions do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands do not include artificial wetlands, such as irrigation and drainage ditches, grass-lined swales, canals, landscape amenities, and detention facilities or those wetlands that were unintentionally created as a result of the construction of a road or street unless the artificial wetlands were created to mitigate the alteration of a naturally occurring wetland. For identifying and delineating a regulated wetland, the city will use the Wetland Manual.

The City contracted for peer review of the applicant’s findings (Exhibit 14). The City’s consultant conducted the peer review, which included a site visit, and found that wetlands, as defined by MICC 19.16.010(W), did not exist in the site. On June 18, 2013, the City issued a letter to Mr. Giesbrecht agreeing that there was neither a watercourse nor wetland(s) on the Coval property (Exhibit 15). As a result, the critical areas determination, which is defined by MICC 19.16.010(C) as “an administrative action by the code official pursuant to MICC 19.15.010(E) to allow reduction or averaging of a wetland or watercourse buffer, or alteration of a steep slope,” was no longer necessary. Without a watercourse and/or wetland(s) on site, there would be no buffers to reduce. The critical areas determination was withdrawn on October 14, 2013 and the file was closed. A more thorough explanation of the critical areas determination process and this specific critical areas identification can be found in Exhibit 73. The City Council issued Findings of Fact and Conclusions of Law on April 21, 2014 find that features on the subject site meet neither the definition of “watercourse” nor the definition of “wetland” (Exhibit 186). Since no wetlands or watercourses were found on the subject property, the building pads are located outside of any wetlands, watercourses, or their associated buffers.

Critical Areas - Geologic Hazard Areas

City maps show that the subject property may contain steep slopes, landslide hazard areas, seismic hazard areas, and erosion hazard areas. The following is an analysis of geologic hazard areas on the subject property as they relate to the proposed building pads.

Landslide Hazards (including Steep Slopes)

Landslide hazard areas are defined by MICC 19.16.010(L) as:

Those areas subject to landslides based on a combination of geologic, topographic, and hydrologic factors, including:

1. *Areas of historic failures;*

2. *Areas with all three of the following characteristics:*
 - a. *Slopes steeper than 15 percent; and*
 - b. *Hillsides intersecting geologic contacts with a relatively permeable sediment overlying a relatively impermeable sediment or bedrock; and*
 - c. *Springs or ground water seepage;*
3. *Areas that have shown evidence of past movement or that are underlain or covered by mass wastage debris from past movements;*
4. *Areas potentially unstable because of rapid stream incision and stream bank erosion; or*
5. *Steep Slope. Any slope of 40 percent or greater calculated by measuring the vertical rise over any 30-foot horizontal run.*

According to the applicant's Geotechnical report (Exhibit 16), Lots 10, 11, 12, and 13 (now Lots 11, 12, 13, and 14 per Exhibit 162) meet criteria 1 and 5 for landslide hazard areas. Steep slopes are also included within the definition of landslide hazard areas in MICC 19.16.010(L). Additionally, steep slopes are defined by MICC 19.16.010(S) as "any slope of 40 percent or greater calculated by measuring the vertical rise over any 30-foot horizontal run. Steep slopes do not include artificially created cut slopes or rockeries." In addition to being located within a landslide hazard area, Lots 11, 12, 13, and 14 also contain steep slopes.

MICC 19.09.090(A)(2) allows for the placement of building pads within landslide hazard areas (including steep slopes). MICC 19.09.090(A)(2) states:

...building pads may be located within landslide hazard areas when all of the following are met: (a) a qualified professional determines that the criteria of MICC 19.07.060(D), Site Development, is satisfied; (b) building pads are sited to minimize impacts to the extent reasonably feasible; and (c) building pads are not located in steep slopes or within 10 feet from the top of a steep slope, unless such slopes, as determined by a qualified professional, consist of soil types determined not to be landslide prone.

The complete criteria for locating building pads within landslide hazard areas are shown in italics below. Planning Commission analysis follows each requirement:

- (a) *A qualified professional determines that the criteria of MICC 19.07.060(D), Site Development, are satisfied. MICC 19.07.060(D) requires the qualified professional to demonstrate:*
 1. *Development Conditions. Alterations of geologic hazard areas may occur if the code official concludes that such alterations:*
 - a. *Will not adversely impact other critical areas;*
 - b. *Will not adversely impact (e.g., landslides, earth movement, increase surface water flows, etc.) the subject property or adjacent properties;*
 - c. *Will mitigate impacts to the geologic hazard area consistent with best available science to the maximum extent reasonably possible such that the site is determined to be safe; and*
 - d. *Include the landscaping of all disturbed areas outside of building footprints and installation of all impervious surfaces prior to final inspection.*

On page 3 of the Geotechnical Report submitted on October 10, 2013 (Exhibit 17), a statement is provided by the engineer that verifies that the proposed development will meet requirements MICC 19.07.060(D)(1)(a and b). The Statement of Risk (Exhibit 18) states that the proposal complies with MICC 19.07.060(D)(1)(c). To conform to MICC 19.07.060(D)(1)(d), all disturbed areas outside of building footprints and impervious surfaces shall be landscaped.

2. *Statement of Risk. Alteration within geologic hazard areas may occur if the development conditions listed above are satisfied and the geotechnical professional provides a*

statement of risk with supporting documentation indicating that one of the following conditions can be met:

- a. The geologic hazard area will be modified, or the development has been designed so that the risk to the lot and adjacent property is eliminated or mitigated such that the site is determined to be safe;*
- b. Construction practices are proposed for the alteration that would render the development as safe as if it were not located in a geologic hazard area;*
- c. The alteration is so minor as not to pose a threat to the public health, safety and welfare; or*
- d. An evaluation of site specific subsurface conditions demonstrates that the proposed development is not located in a geologic hazard area.*

The applicant has provided a Statement of Risk to the City, which was prepared by their Geotechnical Engineer (Exhibit 18). The State of Risk indicates that “development practices are proposed for the alterations that would render the affected lots as safe as if they were not located in a geologic hazard area.” Consequently, the proposal would meet the requirements of MICC 19.07.060(D)(2)(b)

- 3. Development Limitations. Within a landslide hazard area, the code official may restrict alterations to the minimum extent necessary for the construction and maintenance of structures and related access where such action is deemed necessary to mitigate the hazard associated with development.*

The Code Official retains the right to restrict alterations as specified within MICC 19.07.060(D)(3).

- 4. Seasonal Limitations. Land clearing, grading, filling, and foundation work within geologic hazard areas are not permitted between October 1 and April 1. The code official may grant a waiver to this seasonal development limitation if the applicant provides a geotechnical report of the site and the proposed construction activities that concludes erosion and sedimentation impacts can be effectively controlled on-site consistent with adopted storm water standards and the proposed construction work will not subject people or property, including areas off-site, to an increased risk of the hazard. As a condition of the waiver, the code official may require erosion control measures, restoration plans, and/or an indemnification/release agreement. Peer review of the geotechnical report may be required in accordance with subsection C of this section. If site activities result in erosion impacts or threaten water quality standards, the city may suspend further work on the site and/or require remedial action; and*

The seasonal development limitation described in MICC 19.07.060(D)(4) applies to the proposal unless a waiver is granted.

- (b) Building pads are sited to minimize impacts to the extent reasonably feasible; and*

Proposed building pads have been sited to minimize impacts to critical areas while preserving trees on site. As shown in Exhibit 162, the building pads on Lots 11, 12, 13, and 14 have been shifted further to the east off of steep slopes.

- (c) Building pads are not located in steep slopes or within 10 feet from the top of a steep slope, unless such slopes, as determined by a qualified professional, consist of soil types determined not to be landslide prone.*

The building pads proposed for Lots 11, 12, 13, and 14 have been moved off of the steep slopes, as required by MICC 19.09.090(A)(2). Building pads may not be located on steep slopes unless a qualified professional shows that the slopes are comprised of soil types determined to not be landslide prone.

Erosion Hazards

Erosion hazard areas are defined by MICC 19.16.010(E) as “those areas greater than 15 percent slope and subject to a severe risk of erosion due to wind, rain, water, slope and other natural agents including those soil types and/or areas identified by the U.S. Department of Agriculture’s Natural Resources Conservation Service as having a “severe” or “very severe” rill and inter-rill erosion hazard.” By this definition and as discussed in Exhibit 16, Lots 10, 11, 12, 13, 15, and 16 (currently Lots 3, 10, 11, 12, 13, and 14 per Exhibit 162) may have erosion hazard areas. Erosion risk will have to be mitigated as discussed in Exhibits 16 and 17.

Seismic Hazards

Seismic hazard areas are defined by MICC 19.16.010(S) as “areas subject to severe risk of damage as a result of earthquake induced ground shaking, slope failure, settlement, soil liquefaction or surface faulting.” Page 6 of the Geotechnical report submitted on July 30, 2013 (Exhibit 16) describes how the subject property does not meet the definition in MICC 19.16.010(S) of a seismic hazard, as there is little risk for severe damage resulting from an earthquake and future design of proposed structures would “mitigate impacts associated with ground shaking.” Therefore, the building pads are not proposed to be located within seismic hazard areas.

The Planning Commission finds that all proposed lots, as illustrated in Exhibit 162, would meet or exceed the minimum lot area, width, and depth requirements. Furthermore, all lots appear to meet the minimum building pad requirements in MICC 19.09.090(A).

- B.** *Each side line of a lot shall be approximately perpendicular or radial to the center line of the street on which the lot fronts.*

Planning Commission Analysis:

The side lot lines of all proposed lots are either perpendicular or radial to the access easement upon which they front. This requirement is met.

- 6.** MICC 19.08.030(F) requires for special conditions:

- A.** *Subdivisions abutting an arterial street as shown on the comprehensive arterial plan shall be oriented to require the rear or side portion of the lots to abut the arterial and provide for internal access streets.*

Planning Commission Analysis:

The subject property gains access from 84th Avenue SE, which is not designated by the Mercer Island Comprehensive Plan as an arterial street. Therefore, proposed lots within the subdivision are not required to be situated so that either a side or rear portion of the lot abuts 84th Avenue SE. Furthermore, the proposed lots are not required to gain access from an internal street (Exhibit 162).

- B.** *Where Critical Areas meeting the criteria set out in Chapter 19.07 MICC are present within the subdivision, the code official or city council may require additional restrictions on the lots.*

Planning Commission Analysis:

As discussed above, City maps indicate the presence of erosion hazards, landslide hazards, seismic hazards, and steep slopes on the subject property. The previous analysis indicates that Lots 11, 12, 13, and 14 (previously Lots 10, 11, 12, and 13) are impacted by landslide hazard areas, including steep slopes (Exhibits 16 - 18), but the location of building pads on these lots is permitted by MICC 19.09.090(A) and future development of the specified lots is allowed subject to MICC 19.07.060. Additionally, erosion hazard areas appear to impact Lots 3, 10, 11, 12, 13, and 14. However, development of these lots is permitted by MICC 19.07.060 as guided by the submitted geotechnical reports (Exhibits 16 – 18). Additionally, Exhibits 10 – 15 and 186 show that there are no features on the subject property that meet the definition of wetland and/or watercourse as defined by MICC

19.16.010(W). As all proposed alterations within critical areas are permitted by the MICC, the Code Official is not recommending additional restrictions beyond what is required by the Mercer Island City Code.

7. MICC 19.08.020(F)(1) requires that all preliminary approvals or denials of subdivisions shall be accompanied by written findings of fact demonstrating that:

- A. *The project does or does not make appropriate provisions for the public health, safety, and general welfare and for such open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school.*

Planning Commission Analysis:

Reviews by the City Engineer, the City Arborist, the Building Official, the Code Official, and the Fire Code Official have been completed to ensure appropriate provisions for fire protection, ingress/egress access, stormwater, potable water supply, sanitary sewer, and safe/buildable areas; and find that the public health, safety, and general welfare would be protected if the conditions of approval are met. Development of the subject property shall be guided by the technical reports submitted by the applicant (Exhibits 8, 9, 16, 17, 18, 19, 163, 164, and 165). Further measures are required by the SEPA MDNS (Exhibit 7), which will mitigate potential environmental impacts.

A review for consistency with the Land Use and Capital Facility Elements of the Comprehensive plan finds that there are no identified needs in the area for parks and recreation, playgrounds, schools and school grounds. However, the Facilities Improvement Plan within the City's Pedestrian and Bicycle Plan has identified 84th Avenue SE adjacent to the site as the location for a proposed pedestrian crossing. Along its western boundary, the subject property abuts an identified future location for stairs. A trail across the subject property would connect the proposed crosswalk to the future stairs, effectively enhancing connectivity between Upper Luther Burbank Park and the Town Center. The proposed subdivision includes a proposed pedestrian easement, which feeds into an existing pedestrian easement to the southwest, to provide for this connection (Exhibit 162).

84th Avenue SE adjacent to the subject property lacks sidewalks, but the applicant is proposing 8.5 foot wide gravel shoulders at the recommendation of the City Engineer as well as an internal sidewalk, thus providing space for students to walk to and from school and those waiting for the bus (Exhibit 162).

The closest transit stop is approximately one half mile from the site at the intersection of 84th Avenue SE, SE 39th Street, and Island Crest Way. The City does not determine the location of new transit stops.

The Planning Commission finds that the proposal makes appropriate provisions for the public health, safety, and general welfare

- B. *The public use and interest will or will not be served by approval of the project.*

Planning Commission Analysis:

The City finds that uncoordinated and unplanned growth, together with a lack of common goals expressing the public's interest in the conservation and the wise use of our lands, pose a threat to the environment, sustainable economic development, and the health, safety, and high quality of life enjoyed by residents of the city. The proposed subdivision would comply with this goal and help to achieve the state mandated population growth targets (RCW 36.70A.215), which have

been adopted in the City's Comprehensive Plan, in a manner consistent with the zoning adopted for the area in 1965 (Ordinance 123). Therefore, the public use and interest will be served by approval of the project due to compliance with the comprehensive plan, growth targets, and coordinated growth.

C. *The project does or does not conform to applicable zoning and land use regulations.*

Planning Commission Analysis:

As discussed above, the project would conform to all applicable zoning and land use regulations including, but not limited to, setbacks, impervious surface coverage, gross floor area, and critical areas.

III. CONCLUSIONS OF LAW

Based on the above Findings of Facts, the following Conclusions of Law have been made:

1. The proposed subdivision is consistent with, and therefore, would comply with the arterial, capital facility, and land use elements of the Comprehensive Plan. Additionally, the proposed long plat would be consistent with, and therefore, comply with all other chapters of the development code, the Shoreline Management Act, and other applicable regulations, subject to the conditions of approval.
2. The use of this property is residential, which is a permitted use in the underlying zone. The residential proposal in the underlying zone is consistent with the adopted current and official Comprehensive Plan land use element, and plans for arterial streets, trails, public facilities, utilities, parks and playgrounds, subject to the conditions of approval.
3. The public health and welfare will be served by the approval of the project because it will provide additional housing to meet the City's growth management targets, and provide improved drainage along the adjacent right-of-way. The residential proposal does not create adverse impacts to health, safety or welfare or inflict damage to adjacent properties or the public interests for flooding, drainage, slopes, unstable soils, traffic, public safety or other causes, subject to the conditions of approval.
4. The proposed long plat is consistent with the requirement for streets, roads, and rights-of-way if the requirements of the City of Mercer Island Engineering Department are met for this long plat.
5. The proposal meets the minimum lot area, width, and depth of each residential lot for the zone in which the lots are located, and complies with all applicable zoning regulations.
6. Appropriate provisions are made for the public health, safety, and general welfare and for such open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; and (b) the public use and interest will be served by the platting of such subdivision and dedication.

IV. PLANNING COMMISSION RECOMMENDATION

Based upon the above noted Findings of Fact and Conclusions of Law, long plat application SUB13-009 for a sixteen lot long plat with one private access and utility tract and one open space and utilities tract, as depicted in Exhibit 162, is hereby recommended for preliminary approval, subject to the conditions of approval noted below.

V. PLANNING COMMISSION RECOMMENDED CONDITIONS OF APPROVAL

It is hereby recommended that the following conditions shall be binding on the “Applicant,” which shall include owner or owners of the property, heirs, assign and successors.

General

1. The final plat shall be designed substantially in conformance with the preliminary plat of record submitted as part of this long plat application, Exhibit 162, and as required to be amended by the Conditions of Approval.
2. The proposed and future development of this property shall comply with the zoning district, or as amended at the time of development.
3. The removal of native vegetation is to be minimized and limited to active construction areas.
4. The existing structures and impervious surface coverage on site shall be demolished prior to issuance of final approval of this long plat.
5. The applicant has five years to submit a final plat meeting all requirements of the Conditions of Approval. A plat that has not been recorded within five years after its preliminary approval shall expire. A new application is required to revitalize an expired preliminary plat.
6. This long plat is subject to the mitigation conditions included within the SEPA Mitigated Determination of Nonsignificance issued for project number SEP13-031 on December 23, 2013.
7. Noise impacts shall be minimized. The applicant should conduct the most disruptive and noisiest elements of site development and construction during those times when adjacent residents are less likely to be home, which is generally between 8:00 A.M. and 5:00 P.M. on weekdays (Monday through Friday).
8. Per MICC 19.07.060(D)(1)(d), include the landscaping of all disturbed areas outside of building footprints and installation of all impervious surfaces prior to final inspection of applicable permits.
9. Prior to commencement of construction on the site, the applicant shall submit a plan, that includes, but is not limited to traffic management with certified flaggers, parking on site and haul routes related to construction activity, and hours of certain construction activities if the construction activity would affect pedestrian traffic on 84th Ave SE.
10. At the time of Final plat recording, the applicant shall contribute \$50,000 to the City’s Street fund to be used toward the pedestrian path improvement along 84th Ave. SE (SE 39th St. to Upper Luther Burbank Park) as identified in the 6-Year Transportation Improvement Program.
11. The final plat shall contain a note, or other permanent restriction, with terms acceptable to the applicant and the City Attorney, that requires the homeowner to obtain a tree permit from the City pursuant to the criteria for removal found in MICC 19.10.040(B)(Trees on Private Property) prior to removing any tree from the homeowner’s lot that has been identified for retention at issuance of a building permit and not only for trees located within a critical tree area, as otherwise required by MICC Chapter 19.10.
12. Language shall be placed on the face of the final plat governing the maintenance of proposed Native Growth Protection areas.
13. All disturbed areas within geohazard areas that are outside of building footprints and impervious surfaces shall be landscaped.
14. The applicant shall extend the existing pipe along 84th Avenue SE to connect to the existing pipe at SE 30th Place as shown in Exhibit 208 (Exhibit A of Appendix A).

15. There will be a minimum side yard setback of 10 feet along the northern boundary of the Coval plat. This applies to Lots 3, 10, and 11.
16. Maintenance and repair of the proposed raingardens shall be the responsibility of the Homeowner's Association.

Arborist

1. Pursuant to MICC 19.10.020, a Tree Permit is required before any work begins, including demolition and grading.
2. You are required to use methods in conjunction with the city arborist and your project arborist that show you have used "reasonable best efforts" per MICC 19.10.040(B) and "best construction practices" per MICC 19.10.080(A) to avoid damaging protected trees during plat and individual lot development.
3. A tree protection inspection is required before any plat work begins, including demolition and grading, per MICC 19.10.080 (A)(3).
4. Submitted materials for your plat and building permit applications must show tree protection at the drip lines along with the proposed location of all utilities on the site utility sheets. Per the City Tree Ordinance, MICC 19.10.040(B), reasonable best efforts must be taken to avoid taking a protected tree during development of the lot.
5. At time of site development, tree removal is limited to those trees identified on the plat plan that accommodate site development infrastructure improvements [MICC 19.10.080(A)(3)]. Trees that must be removed at a later date will be considered at time of building permit submittal. Any additional removals must be approved by the City Arborist prior to their removal. At that time, you will be required to follow building permit submittal requirements as stated in MICC 19.10.080.
6. Final tree protection and removal will be determined in the field after all plat improvements are accurately staked in the field
7. You are required to install all site development replacement trees before final approval of the plat (MICC 19.10.060). Please install trees on perimeters and outside of building pads so they are not damaged during future construction.
8. The City may require that a certified arborist reassess the list of "Trees with Health/Structural Issues" if the tree is only numbered a 1 or a 2.
9. The applicant shall place a note on the face of the final plat stating, "trees preserved throughout construction will be required to be retained in perpetuity unless proven to be hazards."
10. A note shall be placed on the final plat to the effect that "the applicant will design houses to avoid disturbance of the root plates of a significant tree or trees."
11. Applicant should reevaluate if the following trees need to be removed for plat improvements: 7247, 7210, 7046, 7036, 7037, 7038, 7035, 7041, 7034, and 7017.

Fire Code Official

1. The proposed private access road shall have a paved surface no less than 26 feet in width when guest parking is provided on one side of the road to increase safety and lessen overflow parking on 84th Ave SE. The 26 feet must be comprised of a surface that satisfactorily meets all requirements of the fire code. In areas where no parking is provided, the paved surface shall be no less than 20 feet.
2. Two fire hydrants are required. The second hydrant is required to be installed at 300 feet to 350 feet spacing from the new one shown on Exhibit 26.

Engineering

1. Easements for shared access, utilities, and storm drainage facilities shall be depicted on the face of the final plat. Language which indicates joint rights and responsibilities of each lot with respect to all utilities and roadways shall be shown along with individual lot Joint Maintenance Easement Agreements (where applicable) for all shared usage and filed with the King County Recorder and noted on the final plat. The easement shall indicate whether it is public or private, existing or proposed.
2. All damage to adjacent properties or public rights-of-way resulting from construction (e.g., siltation, mud, water, runoff, roadway damage caused by construction equipment or hauling) shall be expeditiously mitigated and repaired by the contractor, at no expense to the City. Failure to mitigate and repair said damage, or to comply with the approved construction plans, the permits issued by the City, or the City requirement for corrective action shall be cause for the issuance of a "Stop Work" order, foreclosure on the plat bond/security, and/or other measures deemed appropriate by the City Engineer or Code Official to ensure construction consistent with the approved plans and protection of public safety.
3. The final plat shall be prepared in conformance with Title 58 RCW and Surveys shall comply with Chapter 332-130 WAC. Additionally, provide the final plat as a DXF AutoCAD file, PDF, and mylar hardcopy. Submit using Mercer Island's datum and tie the plat to at least two monuments.
4. A City of Mercer Island title block for approval signatures (Planner and City Engineer) shall be provided on the final plat along with the designated Long plat number.
5. Construction of all improvements for access, utilities, storm drainage, and site work shall comply with current City ordinances and the requirements of the City Engineer.
6. All utilities serving the plat shall be under grounded (MICC 19.09.040) and shall be designed and constructed in accordance with City of Mercer Island Ordinances.
7. Long plat improvement plans prepared by a Washington State licensed engineer shall be submitted for review and approval by the City Engineer. The improvement plans shall include:
 - a. Plat access road - Comply with the Fire Code Official Requirements and standards contained in MICC 19.09.040. Provide detail design for the access road.
 - b. Temporary Erosion Control measurements.
 - c. Grading Plan.
 - d. Water main and appurtenances
 - Show the existing water mains (locations, sizes, and materials) along 84th Ave. SE and along the south property line.
 - Fire hydrants – Show the locations of existing and new hydrants.
 - Water main – Extend an 8" ductile iron main from the City water main in 84th Ave. SE to serve the plat in a manner that provides both domestic water and fire suppression needs acceptable to the City Engineer and Fire Code Official. The design shall minimize the use of bends, use reasonable best efforts to protect regulated trees, and minimize utility crossings.
 - Provide a minimum of 7.5 feet of separation between the water main and private storm drainage system.
 - Provide a minimum of ten feet of separation between the water main and sanitary sewer main.
 - Show the locations and sizes of the proposed water meters and water services for all lots. The proposed water meters shall be located within the public right of way or proposed public utility easement.
 - Show the approximate locations of the driveways for each lot, so the water meters will not be located within the driveway areas.
 - Abandon the existing water service tap at the city water mains. The location of the existing water service tap shall be located and shown on the plan.

- e. Sanitary sewer and appurtenances
 - Extend an 8” sewer main to serve all lots of the plat.
 - Show the sanitary sewer stub outs.
 - Abandon the existing side sewer at the city sewer main.
- f. Stormwater
 - Show the storm drainage stub outs for all lots.
 - Provide treatment of runoff from the street and any other pollution generating impervious surfaces (PGIS) in accordance with 2005 Department of Ecology’s Stormwater Management Manual.
 - Provide on-site detention system in accordance with the 2005 Department of Ecology’s Stormwater Management Manual as amended by MICC 15.09. The pre-developed condition must be modeled as “2nd growth forest”. The drainage report, detention system calculations and drainage plan shall be prepared by a civil engineer licensed by the State of Washington.
 - If the applicant contemplates the use of infiltration for management of stormwater runoff from some of the lots, a minimum of one soil log for each proposed infiltration trench location is required. The soil report and infiltration system design shall be in accordance with the 2005 Department of Ecology’s Stormwater Management Manual. If infiltration is not deemed feasible by the City Engineer based on the soil investigation, then the plat detention system must be designed to serve these lots.
 - The applicant’s civil engineer must inspect and confirm the condition of the existing drainage system on Lot 15 from the southern neighboring property and replace if needed as determined by the City Engineer.
 - The existing drainage ditch along the frontage of 84th Ave. SE shall be piped and filled to accommodate the construction of a gravel shoulder.
 - A Department of Ecology Construction General Permit is required for this project.
- g. Right of way
 - Dedicate 30 feet of right of way to the City of Mercer Island along 84th Ave. SE abutting the site.
 - Provide an 8.5 foot wide gravel shoulder along 84th Ave. SE abutting the site as directed by the City Engineer.
 - All existing improvements in the vicinity of the proposed work shall be restored to the satisfaction of the City Engineer. Restoration of pavement on 84th Ave. SE damaged by construction activities may require a full width grinding and overlay of the roadway. The actual limits and method of restoration shall be determined by the City engineer prior to final plat approval.
- h. Dry utilities
 - Show the dry (power, gas, etc) utility corridor on the plan. Dry utilities shall not be located within the public utility easements except to the extent allowed by the City Engineer.
- i. Easements
 - Provide a 25 foot wide public utility easement along the south side of plat over the existing 8” water main.
 - Provide a public utility easement for the proposed water main and sewer main extensions. The public utility easement (for the water and sewer main combined) shall be at least 25’ wide with a minimum 15’ clearance between the new water main and sewer main, 5’ clearance between the edge of the easement and the center of water main or sewer main. The new fire hydrants shall be located within the proposed utility easement. If separate water and sewer easements are provided, then each shall be at least 15’ wide centered on the main.
 - All new public utility easements shall be exclusive and not shared with private utilities.
 - Show all existing and proposed easements. Clearly distinguish all public easements from private easements. Private utility easement and public utility easement shall not be combined.

8. All long plat improvements shall be completed prior to final approval and recording of the long plat documents or bonded and completed prior to issuance of building permits when allowed by the City Engineer. An accurately prepared as-built drawing that shows all utilities and long plat improvements shall be submitted to the City upon completion of the work. Provide two paper copies and one PDF file. Submit using Mercer Island's datum and tie the plat to at least two monuments.
9. The following notes shall be placed on the final plat:
 - A. Maintenance and repair of joint use side sewers (sewer lines from the building to the City sewer main), shared roads, access easements, storm drainage facilities shall be the responsibility of the owners of each lot served (with the exception that owners of any lot which is lower in elevation shall not be responsible for that portion of a private side sewer above their connection.) In the event that maintenance and repair of any facilities enumerated above are not performed to the satisfaction of the City Engineer, after a timely demand has been made for such action, the City or its agent shall have the right to enter upon the premises and perform the necessary maintenance and repair to protect the safety and general welfare of the public and shall have the right to charge the owner of each lot an equal share of the total maintenance and repair costs. The City or the owner of any lot within this Long plat shall have the right to bring action in Superior Court to require any maintenance or repair and to recover the costs incurred in making or effecting repairs to improvements.
 - B. The monitoring, cleaning, maintenance and repair of storm drainage systems in accordance with City Ordinance No. 95C-118 and MICC 15.09 is required for all lot owners within this plat to control stormwater runoff and control erosion and flooding downstream. All costs related to stormwater runoff control shall be borne by the owners of each lot in equal share. This obligation shall be recorded separately with each individual lot sale and shall travel with the land.
 - C. All staging for construction shall occur on site and shall not be located in the public right-of-way.
 - D. Prior to the issuance of a building permit, each application shall be accompanied with a temporary erosion and sedimentation control plan, clearing and grading plan, and an access and utility plan showing the location of existing trees.
 - E. No permanent landscaping, structures, or fences shall be placed on or within public utility, storm drainage, or pedestrian path easements without the written approval of the City Engineer.
 - F. If in the opinion of the City Engineer, utilities or storm drainage facilities require maintenance, repair or replacement, the City or its agent shall have the right to enter those lots adjoining the facility for the purpose of maintaining, repairing, relocating or replacing said facilities.
 - G. Installation of landscaping and/or structures including trees, shrubs, rocks, berms, walls, gates, and other improvements are not allowed within the public right-of-way without an approved encroachment license agreement from the City prior to the work occurring (MICC 19.06.060).



Jon Friedman
Acting Planning Commission Chair

June 18, 2014
Date

AGENDA BILL 4987 – EXHIBIT 1

Instructions for viewing **exhibits 161-214** to the Planning Commission’s Findings of Fact and Conclusions:

1. Go to www.mercergov.org/councilmeetings
2. Click on the “Agenda” link for the 7/21/2014 meeting
3. Click on the link for “AB 4987: Coval Closed Record Public Hearing for a Proposed Sixteen Lot Long Plat (SUB13-009)”
4. The exhibits to the Planning Commission’s recommendation (Exhibit 1 to AB 4987) will be listed on the right side of the screen.
5. Click on the PDF links to view the documents.

Instructions for viewing **exhibits 1-160** to the Planning Commission’s Findings of Fact and Conclusions:

1. Go to www.mercergov.org/councilmeetings
2. Click on the “Agenda” link for the 2/24/2014 meeting
3. Click on the link for “AB 4926: Coval Closed Record Public Hearing for a Proposed Eighteen Lot Long Plat (SUB13-009 and SEP13-031)”
4. The exhibits to the Planning Commission’s recommendation (Exhibit 1 to AB 4926) will be listed on the right side of the screen.
5. Click on the PDF links to view the documents.



City Council Findings of Fact and Conclusions of Law Coval Eighteen Lot Preliminary Long Plat, Subdivision # SUB13-009

These matters came before the Mercer Island City Council on February 24, 2014 for a closed record public hearing on the preliminary review of a formal subdivision to divide one lot into a total of eighteen lots for M.I. Limited Partnership on the Coval property. After review of the record including the Planning Commission's Recommendation, supplemental materials, and oral and written comments, the City Council makes the following Findings of Fact and Conclusions of Law in these matters.

I. PROCEDURE SUMMARY

1. On July 30, 2013, the applicant submitted the long plat application.
2. On November 8, 2013, staff determined the application to be complete.
3. On November 18, 2013, the Public Notice of Application, public notice that a State Environmental Policy Act (SEPA) Mitigated Determination of Nonsignificance (MDNS) is likely (pursuant to WAC 197-11-355), and Notice of Public Hearing were published in the City Bulletin, posted on the subject property, and sent to lot owners within 300 feet of the subject property.
4. On November 27, 2013, the Public Notice of Application, Notice of Public Hearing, and MDNS Likely were printed in the Mercer Island Reporter.
5. The comment period for the Public Notice of Application, Notice of Public Hearing, and MDNS Likely ran from November 18, 2013 through 5:00 PM on December 11, 2013.
6. On December 23, 2013, the Mitigated Determination of Non-Significance (MDNS) was issued subject to nine conditions. The MDNS was issued under WAC 197-11-340(2) to allow for an additional 14-day comment period, which ran from December 23, 2013 through 5:00 PM on January 6, 2014. Copies of the MDNS were sent to all parties of record.
7. The SEPA MDNS appeal period ran concurrently with the second SEPA comment period, from December 23, 2013 through 5:00 PM on January 6, 2014. No SEPA appeal was received.
8. The applicant agreed to an extension of the second SEPA comment period. The comment period was extended to 5:00 PM on January 13, 2014. The appeal period could not be extended pursuant to MICC 19.07.120(T)(2) and 19.15.020(J)(1).
9. On January 15, 2014, the Planning Commission held an open record public hearing and took public testimony. The Planning Commission decided to continue the public hearing to January 29, 2014. The record was closed on January 22, 2014 and no new materials could be submitted after that date.

10. The Planning Commission concluded their public hearing on January 29, 2014 and voted four to two to recommend approval of the preliminary subdivision. The application and recommendation were sent to the City Council with 30 recommended conditions of approval.
11. On February 3, 2014, in its open public meeting, the City Council set a date of February 24, 2014 for the closed record public hearing and action on the preliminary subdivision application.
12. On February 12, 2014, Notice of the City Council meeting was published in the Mercer Island Reporter.
13. On February 24, 2014, the City Council held a closed record public hearing on the subdivision application and voted unanimously (7 – 0) to reject the Planning Commission’s recommendation on the preliminary subdivision. The City Council also raised a number of questions, which, if answered, could provide a basis for approval.
14. The City Council passed the following motion:
Pursuant to MICC 19.08.020(F)(1)(a), as specified in the below table, the subdivision does not make all the appropriate provisions enumerated therein. Pursuant to MICC 19.08.020(F)(1)(b), as specified in the below table, the public use and interest will not be served by approval of the project. Pursuant to MICC 19.08.020(F)(1)(c), as specified in the below table, the project may not conform to all applicable land use regulations.

19.08.020(F)(1)(a)	The project does not make appropriate provisions for: a. Open spaces, as there are none b. Drainage ways as grading plan assumes filling in of some drainage ways and tight lining of Lots 10, 11 and 12 could have downstream impacts that are not sufficiently determined c. Safety, streets or roads as internal roadway does not service all lots causing need for additional private driveways onto 84th d. Other planning features that assure safe walking conditions for students e. Other relevant facts as the plat does not adequately protect trees on the property – better served by a tree conservation easement or designated common areas that are not controlled by individual lot owners.
19.08.030(F)(2)	Certain critical areas on the subdivision should remain undeveloped, particularly areas on the steep slopes on the west side of the property. Furthermore, restrictions should be placed on this area to protect more trees consistent with the City’s Comprehensive Plan.
19.09.090(A)(2)	Building pads on Lots 10-13 are not sited to minimize impacts to the extent reasonably feasible. Our review should not assume that it is necessary to put lots where the applicant has proposed to put them. Lots should be located in the first instance so that building pads do not have to be placed in critical areas.
19.09.090(A)(2)	Erosion hazards and landslide hazards cannot be addressed by large-scale removal of dirt or filling in drainage ways. It is wrong to

	address the problem of critical areas by attempting to eliminate or reduce the dimensions of critical areas. Addressing ways to permit construction on existing lots is much different than allowing lots to be created in critical areas in the first instance when there are other alternatives.
19.08.030(B)(1)	The gravel shoulder on 84th is not consistent with the City's Pedestrian and Bicycle Plan that envisions the eventual construction of an asphalt shoulder on 84th.
19.08.030(C)	The applicant has not provided sufficient financial or other assurances in the event of unexpected adverse stormwater impacts.
19.08.020(F)(1)(b)	Public interest will not be served by approval of the project for reasons specified above, inability to work with adjoining and nearby property owners in order to develop a subdivision that would engender less dissent, failure to adequately take advantage of and retain existing property features, and due to inconsistency with certain requirements of City's Comprehensive Plan.
19.08.030(G)	City Code provides the applicant with options that would enable these concerns to be entirely or almost entirely addressed without necessarily reducing the number of lots.

II. RECORD

The City Council considered the following in making its decision:

1. City Council Agenda Bill 4926 and Exhibit 1 (Planning Commission Findings of Fact and Conclusions, which includes Exhibits 1 - 160 listed in the Planning Commission's Findings).
2. Testimony provided by staff, the applicant, and the public at the January 15, 2014 open record public hearing.

III. FINDINGS OF FACT

1. **MICC 19.02.020(A). Minimum Lot Area.**

R-9.6: The lot area shall be at least 9,600 square feet. Lot width shall be at least 75 feet and lot depth shall be at least 80 feet.

Findings:

The Mercer Island Land Use Plan, which is Figure 1 of the Comprehensive Plan's Land Use Element, designates the subject's property use as Single Family R-9.6, which is consistent with the zoning of the property specified within Appendix D of MICC Title 19 as Single-Family Residential R-9.6. The proposed lot dimensions, including area, of the Coval plat would be in conformance with the standards in MICC 19.02.020(A) by either meeting or exceeding the minimum requirements. The proposed density would be consistent with the existing Mercer Island Comprehensive Plan and Title 19 of the City Code, thus allowing for the development of 18 lots.

2. **MICC 19.07.020(C). Critical Area Designation and Mapping.** *The approximate location and extent of critical areas are shown on the city’s critical area maps (Appendix E), as now existing or hereafter amended. These maps are to be used as a reference only. The applicant is responsible for determining the scope, extent and boundaries of any critical areas to the satisfaction of the code official.*

Findings:

As stated above, MICC 19.07.020(C) establishes the approximate location and extent of critical areas, which are illustrated in MICC Title 19, Appendix E. The MICC specifies that Appendix E is “to be used as a reference only.” The MICC further places the burden on the applicant by providing, “the applicant is responsible for determining the scope, extent and boundaries of any critical areas to the satisfaction of the code official.” Although Appendix E of Title 19 shows a Type 2 watercourse on the subject property, the watercourse designation is to be used as a reference only and is not determinative.

MICC 19.16.010(Watercourse) defines a watercourse as “a course or route, formed by nature and generally consisting of a channel with a bed, banks, or sides throughout substantially all its length, along which surface waters, with some regularity (annually in the rainy season), naturally and normally flow in draining from higher to lower lands. This definition does not include irrigation and drainage ditches, grass-lined swales, canals, storm water runoff devices, or other courses unless they are used by fish or to convey waters that were naturally occurring prior to construction.” In order for the existing water feature on site to be classified as a “watercourse,” it must meet the City’s definition of “watercourse” in MICC 19.16.010 provided above.

The subject site was studied by two separate qualified professionals who determined via a critical area report that neither a watercourse [nor wetland(s), as defined by MICC 19.16.010(W)], were present on the site. A “Qualified Professional” is defined by MICC 19.16.010 as “a person who performs studies, field investigations, and plans on critical areas and has an educational background and/or relevant experience in the field, as determined by the code official.” The basis of the determination that a watercourse is not present on the subject property is that the feature on site does not have a “channel with a bed, banks, or sides throughout substantially all its length.” Consequently, the feature does not meet the definition of “watercourse,” and therefore, is not regulated as such.

3. **MICC 19.08.020(F)(1)(a). Findings of Fact.** *All preliminary approvals or denials of long subdivisions or short subdivisions shall be accompanied by written findings of fact demonstrating that:*
- a. *The project does or does not make appropriate provisions for the public health, safety, and general welfare and for such open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and schoolgrounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school;*

Findings:

The project does not make appropriate provisions for the following, as required by MICC 19.08.020(F)(1)(a):

- a. There are no open spaces set aside within the plat.
- b. Drainage ways, as the grading plan assumes filling in of some drainage ways and tight lining of Lots 10, 11 and 12, could have downstream impacts that are not sufficiently determined. There is not enough information available to determine whether appropriate provisions have been made for proposed drainage ways.
- c. Appropriate provisions have not been made for safety, streets, or roads, as the proposed internal roadway does not service all lots, thus causing need for additional private driveways onto 84th Avenue SE.
- d. During the February 24, 2014 closed record hearing, a finding was suggested that appropriate provisions had not been made for other planning features that assure safe walking conditions for students, as it was stipulated that the internal road does not include sidewalks or a walking area. Nevertheless, sidewalks and a pedestrian easement were found to be included in the plat submittals, providing for adequate internal pedestrian access. However, the pathways did not extend onto 84th Avenue SE – only a gravel shoulder was required for parking along 84th Avenue SE. Therefore, adequate provisions for safe walking conditions for students who walk to and from school had not been proposed along 84th Avenue SE adjacent to the plat.
- e. Per MICC 19.10.040(B)(2), adequate provisions have not been made within the plat to protect trees on the property. Trees to be saved on site would be better served by tree conservation easements, or by designated common areas that are not controlled by individual lot owners. See MICC 19.10.040(B)(2).

4. **MICC 19.08.020(F)(1)(b). Findings of Fact.** *All preliminary approvals or denials of long subdivisions or short subdivisions shall be accompanied by written findings of fact demonstrating that:*

b. The public use and interest will or will not be served by approval of the project;

Findings:

Public interest will not be served by approval of the project for reasons specified above.

5. **MICC 19.08.030(B)(1). Public Improvements.**

1. The subdivision shall be reconciled as far as possible with current official plans for acquisition and development of arterial or other public streets, trails, public buildings, utilities, parks, playgrounds, and other public improvements.

Findings:

The gravel shoulder on 84th is not consistent with the City's Pedestrian and Bicycle Plan, which envisions the eventual construction of an asphalt shoulder on 84th.

6. **MICC 19.08.030(C). Control of Hazards.**

1. Where the project may adversely impact the health, safety, and welfare of, or inflict expense or damage upon, residents or property owners within or adjoining the project, other members of the public, the state, the city, or other municipal corporations due to flooding, drainage problems, critical slopes, unstable soils,

- traffic access, public safety problems, or other causes, the city council in the case of a long subdivision, or the code official in the case of a short subdivision or lot line revision, shall require the applicant to adequately control such hazards or give adequate security for damages that may result from the project, or both.*
2. *If there are soils or drainage problems, the city engineer may require that a Washington registered civil engineer perform a geotechnical investigation of each lot in the project. The report shall recommend the corrective action likely to prevent damage to the areas where such soils or drainage problems exist. Storm water shall be managed in accordance with the criteria set out in MICC 15.09.030 and shall not increase likely damage to downstream or upstream facilities or properties.*
 3. *Alternative tightline storm drains to Lake Washington shall not cause added impact to the properties, and the applicant shall submit supportive calculations for storm drainage detention.*

Findings:

The applicant has not provided sufficient financial or other assurances in the event of unexpected adverse stormwater impacts. MICC 19.08.040(B) allows for the City to require “a bond or set-aside account securing the successful operation of improvements or survival of required landscaping for up to two years after final approval.”

7. MICC 19.08.030(F)(2). Control of Hazards. Design Standards for Special Conditions.

1. *Where critical areas meeting the criteria set out in Chapter 19.07 MICC are present within the subdivision, the code official or city council may:*
 - a. *Require that certain portions of the long subdivision or short subdivision remain undeveloped with such restrictions shown on the official documents;*
 - b. *Increase the usual building set-back requirements; and/or*
 - c. *Require appropriate building techniques to reduce the impact of site development.*

Findings:

Certain critical areas on the subdivision should remain undeveloped, particularly areas on the steep slopes on the west side of the property. Furthermore, restrictions should be placed on this area to protect more trees consistent with the City’s Comprehensive Plan. The developer should explore alternate plat layouts that potentially utilize the optional standards in MICC 19.08.030(G) to preserve critical areas and trees on site.

8. MICC 19.08.030(G). Optional Standards for Development. *In situations where designing a long subdivision or short subdivision to the requirements of subsections A through F of this section would substantially hinder the permanent retention of wooded or steep areas or other natural features; preclude the provision of parks, playgrounds, or other noncommercial recreational areas for neighborhood use and enjoyment; or would negatively impact the physiographic features and/or existing ground cover of the subject area, the applicant may request that the project be evaluated under the following standards:*

1. *The use of the land in the long subdivision or short subdivision shall be one permitted in the zone in which the long subdivision or short subdivision is located.*

2. *The number of lots shall not exceed the number that would otherwise be permitted within the area being subdivided, excluding the shorelands part of any such lot and any part of such lot that is part of a street.*
3. *An area suitable for a private or public open space tract shall be set aside for such use.*
4. *The lots may be of different areas, but the minimum lot area, minimum lot width, and minimum lot depth shall each be at least 75 percent of that otherwise required in the zone in which the long subdivision or short subdivision is located. In no case shall the lot area be less than 75 percent of that otherwise required in the zone. Lot size averaging must be incorporated if lot width or depth requirements are 75 percent of the minimum that would otherwise be required for the zone without utilizing the optional development standards. Any designated open space or recreational tract shall not be considered a lot.*
5. *The ownership and use of any designated open space or recreational tract, if private, shall be shared by all property owners within the long subdivision or short subdivision. In addition, a right of entry shall be conveyed to the public to be exercised at the sole option of the city council if such area shall cease to be an open space or recreational tract.*
6. *The open space or recreational tract must remain in its approved configuration and be maintained in accordance with approved plans. Any deviation from the foregoing conditions must receive expressed approval from the planning commission.*

Findings:

The Mercer Island City Code provides the applicant with options that would enable concerns about preservation of critical areas, including the steep slopes along the western property line, to be entirely or almost entirely addressed without reducing the number of lots. Furthermore, using the optional standards in MICC 19.08.030(G) would allow for the creation of open space within the plat. The applicant has not adequately explored implementation of the optional standards to the satisfaction of the City Council.

9. **MICC 19.08.040(A). Streets, Utilities and Storm Drainage.** *The long subdivision, short subdivision, or lot line revision shall include provisions for streets, water, sanitary sewers, storm drainage, utilities and any easements or facilities necessary to provide these services. All utilities shall be placed underground unless waived by the city engineer. Detailed plans for these provisions shall not be required until after the approval of the preliminary plat and shall be a condition precedent to the official approval of the subdivision.*

Findings:

The improvements specified within MICC 19.08.040(A) are required for all long plats. Retention of existing structures on site are not required plat improvements, and the property owner(s) may choose to demolish them at will, provided appropriate permits have been issued by regulating agencies. The plat application satisfied this requirement.

10. **MICC 19.09.090(A)(2). Designation.** *New subdivisions must designate a building pad for each lot as follows:*
 2. *Building pads shall not be located within yard setbacks, rights-of-way and critical areas or its buffers; provided, however, building pads may be located within landslide hazard areas when all of the following are met: (a) a qualified professional determines that the criteria of MICC 19.07.060(D), Site Development, is satisfied; (b) building pads are sited to minimize impacts to the extent reasonably feasible; and (c) building pads are not located in steep slopes or within 10 feet from the top of a steep slope, unless such slopes, as determined by a qualified professional, consist of soil types determined not to be landslide prone.*

Findings:

Building pads on Lots 10-13 are not sited to minimize impacts to the extent reasonably feasible. Lots should be located so that building pads do not have to be placed in critical areas. The proposed western lots (Lots 10-13) are located within geohazard areas.

Erosion hazards and landslide hazards cannot be addressed by large-scale removal of dirt or filling in drainage ways. It is inconsistent with the MICC to circumvent the problem of critical areas by attempting to eliminate or reduce the dimensions of critical areas. Addressing ways to permit construction on existing lots is much different than allowing lots to be created in critical areas in the first instance when there are other alternatives.

11. **MICC 19.15.040(F)(1)(b). Scope.** *No building permit or other required permit shall be issued by the city for any major new construction or minor exterior modification of any regulated improvement without prior approval of the design commission or code official as authorized pursuant to MICC 19.15.010(E). Deviations from a plan approved by the design commission or code official shall be permitted only upon the filing and approval of an amended plan. In no instance shall the design commission's or code official's action conflict with the city's development code or other applicable city ordinances or with state or federal requirements.*

Findings:

The City Council finds that this project is not subject to design review under MICC 19.15.040. Per MICC 19.15.010(C)(3), "the role of the design commission in administering the development code is governed by Chapter 3.34 MICC and MICC 19.15.040. In general, the design commission is responsible for maintaining the city's design standards and action on sign, commercial and multiple-family design applications." Furthermore, as stated above in MICC 19.15.040(F)(1)(b), "no building permit or other required permit shall be issued by the city for any major new construction or minor exterior modification of any regulated improvement without prior approval of the design commission or code official as authorized pursuant to MICC 19.15.010(E)." MICC 19.16.010(M) defines "major new construction" as "construction from bare ground or an enlargement or alteration that changes the exterior of an existing structure that costs in excess of 50 percent of the structure's assessed value. Single-family development is excluded from this definition." The definition of "development" in MICC 19.16.010(Development)(2)(c) includes "the division of land into two or more parcels, and the adjustment of property lines between parcels." As subdivisions are included within "development," and single-family development is excluded from design review.

Therefore, the proposed subdivision is not subject to design review under MICC 19.15.040.

12. **MICC 19.16.010. Critical Areas Determination.** *An administrative action by the code official pursuant to MICC 19.15.010(E) to allow reduction or averaging of a wetland or watercourse buffer, or alteration of a steep slope.*

Findings:

On April 3, 2014, an application for a critical area determination was received for the subject property. As discussed above, it has been determined that the swale/water feature on the Coval property does not meet the City's definition of a watercourse in MICC 19.16.010. It has been asserted that the critical area determination is the appropriate process used to establish critical areas on a specific site. The process of identifying critical areas on a site is not an action subject to a unique permit.

However, as described above, a critical area determination is listed as a permit action in MICC 19.15.010(E), "critical area determination," and is used "to allow reduction or averaging of a wetland or watercourse buffer..." Therefore, a critical area determination does not apply to the identification of critical areas on a site; it is an action to reduce or average a critical area buffer (or to alter a steep slope) once a critical area has been identified.

Once it was determined to the satisfaction of the Code Official that the reports prepared by qualified professionals showed that neither a watercourse nor wetland(s) were present on the site, it was clear that a critical areas determination was no longer pertinent to the project. Simply stated, without a watercourse or wetland(s) on site, there are no buffers to reduce and a critical area determination does not apply. Hence, on October 8, 2013, staff requested that the applicant withdraw the unnecessary application, based on the facts of the critical area reports. Another critical area determination associated with the water feature on site will not be required, as there are no watercourse and/or wetland buffers to average or reduce.

IV. CONCLUSIONS OF LAW

1. As proposed, the lot dimensions and areas of the Coval Long Plat would either meet or exceed the minimum requirements. The proposed density would be consistent with the existing Mercer Island Comprehensive Plan and Title 19 of the City Code, thus allowing for the development of 18 lots.
2. The existing swale on the subject property does not meet the definition of "watercourse" within MICC 19.16.010 and is not regulated as such.
3. The proposed plat does not make adequate provisions for open spaces, drainage ways, safety, streets, roads, tree protection, and safe walking conditions for students who walk to and from school, as required by MICC 19.08.020(F)(1)(a).
4. Public interest will not be served by approval of the proposed plat.
5. By proposing a gravel shoulder on 84th Avenue SE, the proposed plat is not consistent with the City's Pedestrian and Bicycle Facility Plan.

6. The applicant has not provided sufficient financial or other assurances in the event of unexpected adverse stormwater impacts.
7. Under MICC 19.08.030(F)(2), certain critical areas on the subdivision should remain undeveloped, particularly areas on the steep slopes on the west side of the property.
8. The developer should explore alternate plat layouts that potentially utilize the optional development standards in MICC 19.08.030(G) to preserve critical areas and trees on site.
9. The MICC does not require that existing structures on the project site be retained. Existing structures may be demolished upon receipt of appropriate permits from governing agencies.
10. The proposed lots should be configured so that building pads are not placed in critical areas. Circumventing the problem of critical areas by attempting to eliminate or reduce the dimensions of critical areas, as proposed by the applicant, is inconsistent with the MICC.
11. Under MICC 19.15.040, the proposed plat is exempt from formal design review.
12. A critical area determination is not needed, as the existing swale on the subject property is not a regulated watercourse. A critical area determination applies when an applicant wishes to reduce or average a watercourse (or wetland) buffer. When there is not a regulated buffer to reduce or average, there is no need for a critical area determination.

V. DECISION

With respect to project number SUB13-009 – Coval Long Plat, the City Council has received and hereby rejects the Planning Commission’s recommendation in accordance with MICC 19.08.020(F)(3)(c), and remands the matter back to the Planning Commission to reopen the open record hearing in order to address the issues delineated above. The Planning Commission is directed to work with staff and the applicant to determine the applicant’s willingness to amend its subdivision application consistent with these Findings of Fact and Conclusions of Law. If the applicant is willing to and does amend its application, the Planning Commission shall review the amended application in the reopened open record hearing. The Commission shall make a further recommendation to the City Council pursuant to MICC 19.08.020(F)(3)(b) which recommendation shall include, at a minimum, a delineation of the amendments made to the application addressing the grounds for rejection of the initial recommendation as specified above.

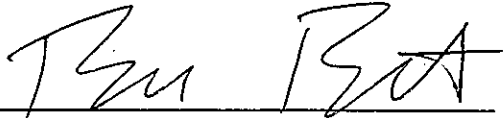
The MICC supports the City Council’s authority to remand this matter back to the Planning Commission. First, the code does not forbid the City Council from remanding. MICC 19.08.030(F)(3)(c) states “[u]pon receipt of the planning commission’s recommendation, the city council **shall** at its next public meeting set the date for the public hearing where it **may** adopt or reject the planning commission’s recommendations.” (emphasis added). This language does not foreclose remand as an option. The usage of “may” is permissive, not mandatory. Accordingly, Council is permitted to adopt or reject or choose a different action.

Second, the usage of both “shall” and “may” supports the City Council’s authority to remand. “Where a provision contains both the words ‘shall’ and ‘may,’ it is presumed that the lawmaker intended to distinguish between them, ‘shall’ being construed as mandatory and ‘may’ as

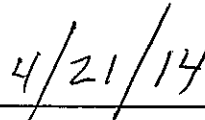
permissive." *Scannell v. City of Seattle*, 97 Wn.2d 701, 705, 648 P.2d 435 (1982) citing *State ex rel. Public Disclosure Comm'n v. Rains*, 87 Wn.2d 626, 633-34, 555 P.2d 1368, 94 A.L.R.3d 933 (1976). Here, the City Council must set the date for a public hearing after receipt of the Planning Commission's recommendation. In contrast, the City Council is not required to adopt or reject the recommendation at the public hearing, it is permitted to do so. As a result, there is authority within the code itself for the City Council to remand this matter back to the Planning Commission to reopen the hearing for additional fact finding.

Third, the MICC does not specify that the City Council must approve or reject the application at this public hearing. Instead, the MICC provides that the City Council "may adopt or reject the planning commission's recommendations." Rejecting the Planning Commission's recommendations is not limited to rejecting the application—it also encompasses rejecting conditions. The use of "may" here again is permissive. The City Council may adopt or reject the recommendations, or it may do something else: remand to reopen the hearing for testimony on specific issues.

The public record for SUB13-009 shall be reopened from April 22, 2014 until it is closed at a later date by the Planning Commission. Public comment and additional records may be provided to address the concerns as identified above.



Bruce Bassett
Mayor
City of Mercer Island



Date

Agenda Bill 4987 – Exhibit 3

The following comments were received between June 19, 2014 and 5:00 PM on July 7, 2014. They were submitted while the record was closed and cannot introduce new evidence for the Coval long plat (project number SUB13-009).

Shana Crick

From: Richard Ferse [drferse@gmail.com]
Sent: Friday, July 04, 2014 8:55 PM
To: Shana Crick
Cc: Sue Stewart
Subject: Re: Coval Long Plat review process (project no. SUB13-009)

Follow Up Flag: Follow up
Flag Status: Flagged

The city of MI had best prepare for a lawsuit. This latest insult to residents joins the long list of egregious errors favoring the developers such that we cannot just accept it without formal protest. We received notice of procedures for CC meeting 13 minutes before close of business the day before the meeting. This is so obviously arranged by developers attorney in conjunction with City Attorney. Not acceptable and not legal. Richard & Deborah Ferse

Sent from my iPhone

Sent from my iPhone

On Jul 3, 2014, at 4:46 PM, Shana Crick <Shana.Crick@mercergov.org> wrote:

Dear Party of Record:

The next steps in the review process for the preliminary Coval Long Plat (project no. SUB13-009) are described within the attached letter.

Thank you,
Shana

Shana Crick
Senior Planner
City of Mercer Island Development Services Group
9611 SE 36th Street
Mercer Island, WA 98040-3732
Phone: 206-275-7732; Fax: 206-275-7726
shana.crick@mercergov.org

View the status of permits at www.mybuildingpermit.com

View information for a geographic area at <http://pubmaps.mercergov.org>

View application and other zoning information at <http://www.mercergov.org/Page.asp?NavID=361>

NOTICE OF PUBLIC DISCLOSURE: This e-mail account is public domain. Any correspondence from or to this e-mail account may be a public record. Accordingly, this e-mail, in whole or in part, may be subject to disclosure pursuant to RCW 42.56, regardless of any claim of confidentiality or privilege asserted by an external party.

<SUB13-009-Coval process letter-7-3-14.pdf>

<Exs 193 - 214.pdf>

Shana Crick

From: Sue Stewart [Sue@writestuf.biz]
Sent: Monday, July 07, 2014 11:49 AM
To: Shana Crick
Subject: Coval long plat feedback

Shana,

Our neighborhood is very concerned about the upcoming development creating an unsafe 84th Avenue. We are also trying to have a strong voice in the future of the Coval development and its impacts upon our lives. We feel the unanimous vote from council asks staff to be responsive our neighborhood.

Issues:

The **Landscape Conceptual Drawing** we saw on Wednesday, June 18 was significantly different from the one shown to the community by the developer on May 28th. One huge difference is the **Natural Growth Protection Area** was removed and replaced with the more vague and less strictly enforceable **tree conservation easement**. Focus was on phase one during the Planning Commission hearing...but there are too many unanswered questions on the built out long plat...i.e. tree preservation, koi pond new drawing says "if feasible" while the drawing shown to the neighborhood said **preserved**. When did this new drawing get submitted to the city? Why did citizens see it for the first time during the Planning Commission public hearing?

The issue of a **set aside account** suggested by the city council unanimous vote is important to our neighborhood as well. Commissioner Steve Marshall brought the topic up three times and wanted the commissioners to have a recommendation to the council. Katie Knight spoke against such a set aside account. Neighbors in the audience gave a collective groan! Isn't the city attorney supposed to support the tax-paying existing neighborhood? We are troubled with what we would term a developer bias by our city attorney.

And a comment on process. Shana your e-mail was sent out at 4:47 on Thursday, July 3rd just before the **4th of July weekend** saying our deadline to comment is 5PM today, July 7th. This is too short a turnaround for citizens. **MI Friends of Responsible Neighborhood Development** has been working through the holiday weekend to try to respond intelligently to all issues. Might I remind you that earlier in this process notice got to us on Christmas eve and just before the Easter weekend. Last minute notice is more than a coincidence last minute notice from the city to its citizens is by design.

A more formal letter is in the works today but getting the signatures by 5PM will be quite difficult. We ask that there be more time allowed to the neighborhood and ask that the council extend the comment period and deliberation on the 16 home long plat to later than July 21st.

We look again to the city council for their wisdom on this huge change to our neighborhood.

Sincerely,
Sue Stewart

Shana Crick

From: Katharine Lamperti [klamperti@gmail.com]
Sent: Monday, July 07, 2014 12:46 PM
To: Shana Crick
Subject: Coval property - neighbor concerns

Dear Ms. Crick -

My family and I live in our home at 8320 SE 30th Place, which is two lots north of the Coval property. I have some concerns about the proposed 16 lot long plat on that property and would like to have my concerns forwarded to the City Council.

1) Pedestrian Safety on 84th -

Other neighbors and I are very appreciative of the recent action by the City Council to move forward the planned gravel pathway along 84th Ave SE. This pathway is now slated for 2015, but it is unclear if this will be complete before the construction starts on the proposed 16 lot long plat. My children (ages 7 and 9) wait for the bus in the morning and afternoon, along with many other children on neighboring streets. Even at current traffic levels, I am apprehensive for their safety for the following reasons:

- a) Poor visibility - The lack of street lights and the density of plant growth along both side of the street limit driver and pedestrian visibility.
- b) High traffic speeds - Cars and trucks frequently travel at speeds much greater than the posted 25 mph.
- c) Current lack of sidewalks or walkable shoulder - The only option for pedestrians along much of 84th is on the trails in upper Luther Burbank Park, which also present safety concerns in the dark or when used by others for drug activity (per the MIPD).

Both during and after construction I am very concerned about the safety of the children in our neighborhood, as well as the other pedestrians and cyclists who use 84th. The addition of large construction vehicles will increase the risks substantially.

To address these safety issues, I would like to see the proposed pedestrian gravel pathway completed along 84th prior to the start of construction. In addition, the following would be very helpful in increasing public safety:

- a) Street lights
- b) Speed bumps
- c) Painted lane lines

In addition, I would like to have confirmation by the developer of appropriate use of flaggers to monitor the entrance and departure of construction vehicles from the property, and also to ensure that no construction vehicles are parked along 84th.

2) Construction Noise-

In the original proposal, construction was expected to last for at least 2 years and be allowed from 7 am to 10 pm 7 days per week. This substantial noise pollution would have a significant negative impact on the sleep quality and quantity of our growing children, and also on myself and my husband. We are both physicians and often work long hours and take call, and so the ability to obtain restful sleep while off duty is essential to the safety of our patients. I request a reduction in the hours of construction to start after the children are in school (ie after 9 am) and end by 8 pm Monday through Saturday with no construction on Sundays.

Thank you for your attention,

Katharine Lamperti
8320 SE 30th Place

Shana Crick

From: Jay Derr [jpd@vnf.com]
Sent: Monday, July 07, 2014 1:23 PM
To: Katie Knight; Shana Crick
Cc: atlin@qwestoffice.net; rvoth@rykon.com
Subject: Coval Plat
Attachments: July 7, 2014 Mercer Island City Council letter.PDF

Katie and Shana: Attached please find our letter to the City Council. Consistent with instructions contained in your letter dated July 3, 2014 regarding the above-referenced plat, this letter does not contain any new evidence, but merely reiterates the applicant's support for the Planning Commission recommendation and urges Council acceptance.

Jay P. Derr | Managing Partner, Seattle

VanNess
Feldman LLP

719 Second Avenue, Suite 1150
Seattle, Washington 98104-1728

(206) 623-9372 | jpd@vnf.com | vnf.com

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July 7, 2014

Via email delivery at council@mercergov.org

Mercer Island City Council
9611 SE 36th Street
Mercer Island, WA 98040

Re: Coval Long Plat
File Nos. SUB 13-009 and SEP12-031

Dear Council Members:

We are writing on behalf of the Applicant for the above-referenced preliminary plat to urge Council's adoption of the Planning Commission's recommendation for approval which passed unanimously at their meeting on June 18, 2014. The Applicant further supports the three additional conditions added by the Planning Commission in their June 18th recommendation.

As noted in the Staff report and Planning Commission's recommendation, the proposed Coval Long Plat has undergone substantial revisions to respond directly to each issue raised in the City Council's earlier remand decision. In addition, the Applicant offered and the Planning Commission included the following additional project modifications or conditions in response to comments raised at their June 18th meeting:

1. Extending the drainage pipe to be installed along the SE 84th Street frontage to include the existing open ditch immediately north of the Coval parcel to SE 30th Place. This responds to a particular request made by that property owner.
2. Increasing the minimum setback on the north side of Lots 3, 10 and 11 from the code-required minimum of 5 feet, to 10 feet. This responds to a request made by property owners adjacent to the north parcel line.
3. Establishing homeowner's association responsibility to maintain the rain garden drainage feature, rather than individual lot owners adjacent to that feature. This responds to questions or concerns raised about how maintenance of that feature would be ensured. We are coordinating revisions to the draft CC&Rs (submitted with the original application) and the tree conservation

easements with the City Attorney to make sure this obligation is fully addressed to the City's satisfaction.

The proposed preliminary plat, as revised by the Applicant, as conditioned by the staff and Planning Commission, and in conjunction with other City code requirements, fully addresses the issues indicated by the City Council. Council should note that the amount and substance of neighborhood opposition this time around has diminished substantially. As described above, three of the neighbors' concerns raised at the June 18th Planning Commission hearing have now been addressed by the three additional conditions described below. Other concerns noted, such as construction noise and financial assurances for stormwater improvements, are fully remedied by the proposed conditions and/or City code:

- Construction noise is limited well beyond City code requirements. Compare General Condition No. 7 with MICC 8.24.020(Q).
- MICC 19.08.040 provides for financial assurances for stormwater facilities, if deemed necessary by the City. As confirmed by the City Engineer during the Planning Commission hearing, the extensive and extremely conservative Level Two Downstream Stormwater Analysis prepared by PacLand Engineering (Exhibit 209) further demonstrates the adequacy and conservative nature of the proposed storm water design.

While not required in the City Council's April 21st remand, the Applicant has continued its offer to contribute \$50,000 towards construction of the pedestrian path on the east side of 84th Street, in addition to widening the shoulder on the west side of 84th along the parcel frontage. Based on estimates in the City's TIP and explained by the City's traffic engineer, this \$50,000 contribution is more than 70% of the estimated total cost of this TIP improvement—well in excess of the proposed development's proportionate share. The Applicant remains willing to make this voluntary contribution to ensure construction in 2015, as envisioned in the City's recently amended TIP, even though the record does not contain any empirical evidence of any existing traffic problem on 84th.

The Planning Commission's deliberations and recommendation reflect a different proposal for the shoulder along the parcel frontage on 84th. Based on further evaluation by the City Engineer, as explained in his testimony at the Planning Commission, the recommended conditions provide for a gravel shoulder along the 84th Street frontage, rather than the asphalt paving described in the City Council remand. While willing to do either, the Applicant fully concurs with the City Engineer's evaluation and recommendation regarding the shoulder material; and, for the reasons explained in the Planning Commission record, we encourage the City Council to adopt that recommendation.

The remaining concerns expressed by the few parties who testified at the Planning Commission hearing regarding the level of detail or commitment provided in the current set of documents are misplaced. All details necessary to ensure final compliance with the codes and preliminary plat conditions will be provided during the detailed engineering and construction drawing reviews. That is how the review process for preliminary plats always works. Conceptual details are provided for preliminary plat approval. Final construction details are provided before construction can commence and before final plat approval. Further site-verified

details regarding tree preservation are also confirmed with construction drawings, as required by City code and Arborist Condition Nos. 1-11. The level of detail and specificity of commitment contained in the revised application materials and the recommended conditions of approval are more than sufficient to ensure compliance with the instructions provided by the City Council as well as the requirements of City regulations.

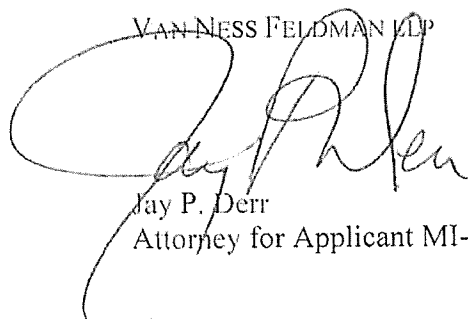
Finally, as explained in Exhibit 212 and the cover letter that accompanied the LUPA appeal filing, that appeal was not filed as any threat to the City or its decision-making, but simply as a necessary requirement to preserve rights and arguments, given the relevant (and not waivable) statute of limitations applicable to the Council's April 21st decision. With the expectation that the proposed re-design would satisfy the City Council's concerns, and once the Council makes a decision on the revised layout, the Applicant fully intends to follow through with the offer to withdraw that appeal (as noted in the letter that accompanied our original filing).

As noted by the Planning Commission's comments and recommendation, the Applicant also agrees that the revised plat reflects substantial improvements to the lot layout — improvements that the Applicant fully supports. Notably, the planning and design consultant hired by the neighborhood to critique the original layout spoke in favor of the re-design. While, as previously stated, we continue to believe the original layout fully complied with all City plans and regulations, we believe that, with the Council's encouragement and leadership, we have developed an improved lot configuration of which the City should be pleased and proud.

Thank you for your leadership and consideration of the Planning Commission's recommendation. We urge your acceptance at the earliest possible date, so we can proceed with site development this year.

Respectfully submitted,

VAN NESS FELDMAN LLP



Jay P. Derr

Attorney for Applicant MI-84th Limited Partnership

e-cc: Katie Knight, City Attorney
Shana Crick, Senior Planner
MI-84 Partnership, Attn: Wes Giesbrecht and Rod Voth
Richard Aramburu

Shana Crick

From: Linda Chaves [lindaachaves@gmail.com]
Sent: Monday, July 07, 2014 4:47 PM
To: Shana Crick
Subject: Letter to the City Council
Attachments: Chaves - July 6.docx

Shana,

Here is my letter for inclusion in the Public Record re the Coval Plat Development.

Thank you!

Linda

8265 S.E. 30th Place
Mercer Island, WA 98040
July 6, 2014

City of Mercer Island City Council
9611 S.E. 36th Street
Mercer Island, WA 98040-3732

RE: Coval Plat (SUB 13-009, SEP13-031)

Dear Mayor Bassett and City Councilmembers:

My name is Linda Chaves and I reside at 8265 SE 30th Place, immediately adjacent to the northern boundary of the Coval/Pacland property.

I would like to address several issues regarding my, and others', continuing concerns about the proposed Coval-Pacland development.

First, I would like to make it clear that though we all would have preferred to have the Coval estate be maintained as a single-family property or to be used as a conservation center, we all recognize that the property will be developed. That said, the property should be developed to maintain as many of the existing characteristics as possible – with many trees, a pond, room for gardens, open space provisions, and even the sport/tennis court which would be a great place for the new homes' kids to play.

Coval Property Perimeter

Throughout the development process we have been assured that there would be a vegetative buffer on the northern and southern boundaries of the Coval property to shield us from the development and presumably to shield the new homes from existing properties; at the Community Center meeting we were even asked if we preferred evergreen or deciduous trees/plantings. Looking at the latest drawings, especially Exhibit 214, however, it is difficult to understand how this will be possible; on the southern boundary if there is a tree height limitation of six or seven feet because of the impact of tree roots on utility lines there will be little visual protection, and on the northern boundary it will be next to impossible to have plantings within a ten foot setback (proposed by the Planning Commission for Lots 3, 10 and 11) as building pads are within tree drip lines. This is clearly shown in the area of the northern lots on Exhibit 214. Also, to provide privacy the plantings will have to be 20-40' tall in some areas if there is just a 10' setback.

Proximity of Building Pads on the Northern Boundary (Lots 3, 10, and 11)

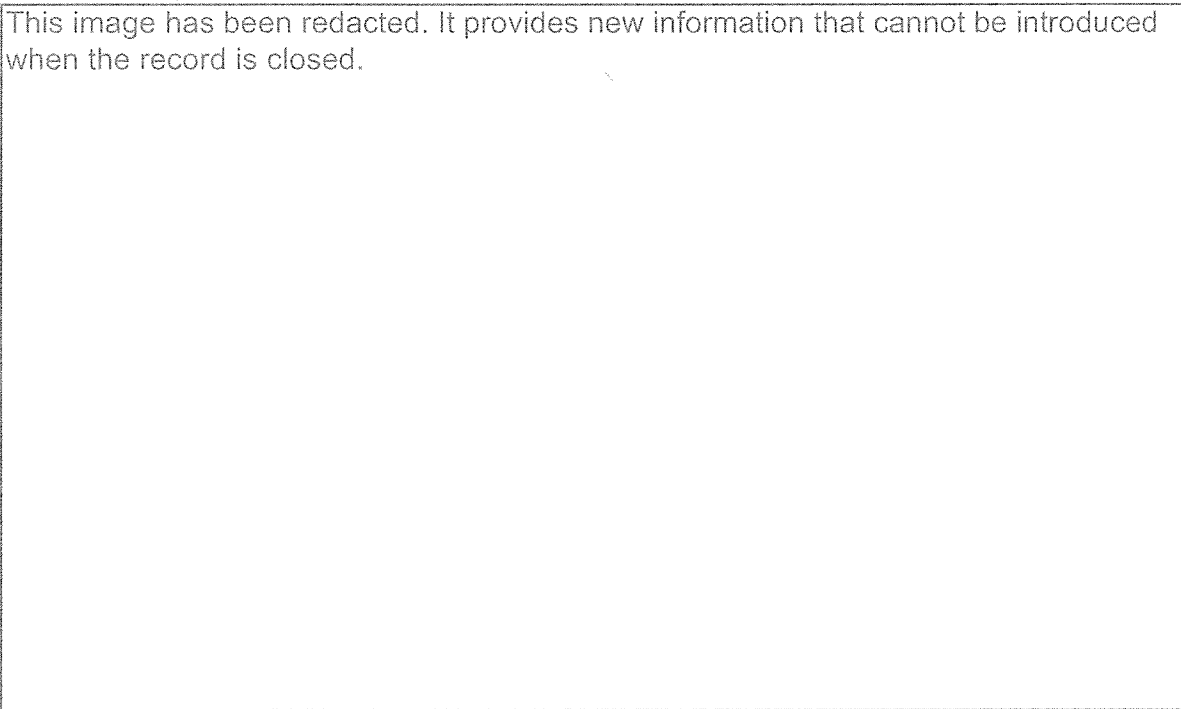
The new plan shows building pads (Lots 3, 10, and 11) oriented such that their side yards are paralleling the northern boundary; according to Code these setbacks could be as little as 5' though the Planning Commission has recommended that they be a minimum of 10' (still within Code for side yards). All homes on SE 30th Place are oriented such that their boundaries with the Coval property are for the backyard with minimum 25' setbacks. The original plans submitted by the developers oriented all the

properties such that backyards faced backyards so that one would have a minimum 50' buffer between existing homes and the new homes. Indeed most, if not all homes on SE 30th Place have greater than 25' setbacks which we all use for leisure activities, gardening, and entertainment.

As I stated during the Planning Commission meeting, having side yards adjacent to our rear yards makes it possible for the developer to build a 30' tall home as little as 5 to 10' from our property lines. In several instances the building pads on the Coval property are at significantly higher elevations than the rear of our homes. In my case, for instance, there is a 10' difference between the level of my back yard, [pool,] and deck meaning that there could be a house towering 40' above my backyard, just ten feet from my fence – thus blocking sunlight a good part of the year, eliminating any chance of privacy, and consequently lowering all of our property values.

At the Community Center meeting Wes Giesbrecht stated that he doubted anyone would build that close to the property line however without a required 25' setback they could. Vague suggestions and promises mean nothing. The home developers are likely to be someone other than PaLand. There is nothing to stop construction within a 25' perimeter unless the overall plat has a condition that all northern and southern periphery homes will have a 25' setback from the northern and southern overall Coval plat property lines, and that the back yards will be on the Northern boundary rather than side yards as specified for Lots 3, 10, and 11. It is also reasonable to expect that these homes will be built to the maximum height of 30' or close to that and that they will have windows facing north to see Lake Washington – and into our back yards. Notwithstanding Robert Frost's words that "Good fences make good neighbors." Mending Wall, 1914.

What I and others fear could look like the image below – a large house looming over a back yard.



As noted on the image, all elevations are taken from the submitted plans in the case of the Coval property and a survey of my property conducted by M.W. Marshall and submitted to the City as part of my own permit application. Similar drawings for lots 10 and 11 would have been developed but I did not have access to all the necessary documents or the time to prepare these over the holidays and due to travel obligations.

Construction Hours and Noise

We are concerned that the noise generated during development of this property over a period of several years will be unnecessarily disruptive and objectionable unless specific requirements and conditions are placed on this developer and all subsequent developers of the property.

A number of other citizens have provided detailed conditions regarding noise abatement which I fully support, including identifying specific noise abatement equipment and requirements.

Construction hours during the week should be limited to no later than 5:00 pm on weekdays and severely limited on weekends.

My own construction workers are usually gone by 3:00 pm and at that point I am already more than fed up with the noise and have had difficulty concentrating for a number of hours. This is a serious problem as many of us work from home these days or are retired persons.

Trees

The new proposal now only identifies trees to be removed during "Phase 1" (Exhibit 214) so the number of trees to be removed is much lower than before; this is misleading about what will happen to the overall Coval plat as many of the trees previously identified for removal are now in the building pads .

This is somewhat deceiving as many more will have to be removed during home construction, possibly ending up with even more trees than originally planned to being removed.

Native Growth Protection Areas were originally recommended; these should be a requirement of the plat, especially along the northern, western, and southern boundaries.

We requested access for an arborist to go on the property but were denied the opportunity just as we were denied the opportunity to go on the property prior to the last Planning Council meeting. If the developers have so much faith in their experts, why are they afraid to have our experts go on the property? Is it possible that there is a valid difference of opinion?

Traffic Study

Prior to the first go-round I submitted traffic projections based on the number of cars per household resulting in considerably higher traffic numbers than had been proposed by the developers in their SEPA

report. Subsequently they have done actual traffic counts to refute my projections. Yes, there may be lower levels of traffic than projected by the number of cars per home but one has to take into consideration that the traffic survey conducted by the developer was of an area that is heavily populated by retirees and families whose children are no longer living at home.

The new homes being built will not be appealing to retirees but rather to younger families who are moving to Mercer Island to put their kids into the MI School District or who are moving into larger homes to accommodate growing families.

Thus the proposed homes will generate more traffic on a per home and car basis than is currently generated by the existing neighborhood population.

Lawsuit Filed by the Developer

We were stunned and disappointed that we were not informed that a lawsuit had been filed against the City on May 13th – moreover, this event took place two weeks *before* the developer hosted a meeting at the Community Center to provide more information about the proposal and to presumably demonstrate a willingness to work with the community.

The developer stated that they had to preserve their rights of appeal and had to file within a certain date. However it is my understanding that the clock does not start running until a final decision has been rendered by the City Council. The City's decision to have the City Council's decision remanded to the Planning Council means that there was no final decision. Thus we can only interpret the developer's lawsuit and threat to go through with it unless satisfied as a tactic to have the City accept their proposal. Whether or not this was intended, it gives the *appearance* of a thinly veiled threat; in my work for the Federal government the "appearance" of a threat is as damaging and inappropriate as an actual threat.

This threatened legal action has shaken our confidence that we will be able to rely on and trust the developer to follow through on promises made, especially if these promises are not supported with clearly stated limits and directives for the issues such as tree retention, set-backs, etc. We are counting on you to protect the right to quiet enjoyment of all your landowner citizens and to keep the developer's feet to the fire with the demands of the City Council.

Finally, we look to you to protect our neighborhood and to maintain the character of our area which is WHY we moved here in the first place. Thank you for your service on the City Council.

Sincerely,

Linda Chaves

Shana Crick

From: Carol [carol@aramburu-eustis.com]
Sent: Monday, July 07, 2014 4:55 PM
To: Bruce Bassett; Debbie Bertlin; Jane Brahm; Mike Cero; Dan Grausz; Tana Senn; Benson Wong
Cc: Rick Aramburu; Katie Knight; George Steirer; Shana Crick
Subject: COVAL Revised Plat - Planning Commission Recommendation
Attachments: 2014-7-7 to MICC att - Mercer Island Aramburu comment exhibits.pdf; 2014-7-7 to MICC.pdf

Please see the attached from Mr. Aramburu, sent on behalf of Mercer Island Friends for Responsible Development.

Carol Cohoe
Aramburu & Eustis, LLP

ARAMBURU & EUSTIS, LLP

Attorneys at Law

J. Richard Aramburu
rick@aramburu-eustis.com
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Fax 206.682.1376
www.aramburu-eustis.com

July 7, 2014

City of Mercer Island City Council
9611 SE 36th Street
Mercer Island WA 98040-3732

Re: Coval Plat (SUB 13-009, SEP13-031)

Dear Mayor Bassett and Councilmembers:

As you are aware, this office represents Mercer Island Friends for Responsible Development, a group of Mercer Island residents who are concerned that new residential development preserve and protect residential values for the City, as expressed in the development regulations and Comprehensive Plan.

On behalf of my clients, I have frequently written and spoken to both the Council and the Planning Commission regarding the Coval plat. The record reflects my written communications with the Council.

Most recently, on February 24, 2014 the Council considered the recommendation of the Planning Commission for the Coval plat. After considerable public input and review, my clients and other local residents were pleased, and relieved, to see the Council take the decisive step of denying the plat as presented. The Council decision is found at Exhibit 186. After the Council decision, Councilmembers mingled with local residents in a showing of precedent making accomplishment for the city.

Regrettably, subsequent events have disappointed the local residents.

First, the developer, angry with the Council decision, sued the City over the denial of the plat. This suit was surely to attempt to intimidate the Planning Commission and Council, even though the Council's decision was not final as it was only a remand to the Planning Commission¹.

¹ Only the final decisions of a local government are appealable. *RCW 36.70C.020(2)*.

Second, following the developer's lawsuit, on May 21, 2014, a revised plat was submitted to the City which was supposedly consistent with the Council's decision of April 21, 2014. While the modifications made by PacLand have merit, their revised plat application is still well short of meeting the criteria established by the Council in its remand decision. In particular we were concerned that much of what was presented was in concept only, lacking the detail necessary to insure that what is promised will be produced in the final product. The developer apparently believes the threat of its litigation will be sufficient to have the Council back away from its remand decision.

The Planning Commission held a hearing on the Council's remand on June 18, 2014. We asked the Planning Commission to adopt additional conditions to address obvious deficiencies in the Applicant's proposal. However, the Planning Commission, apparently concerned that their failure to approve the revised plat - exactly as presented - would result in the continuation of the developer's lawsuit, made insignificant modification to PacLand's proposal. Accordingly, we now ask that the Council reject the Planning Commission recommendation in several areas and add conditions to assure consistency with its prior decision².

The format for our requests is as follows: The subject matter of the request is set forth, the justification for it stated, and the text of the new or modified condition set forth in italics³.

1. REAR YARD SETBACK.

An critical issue for plat design is how the plat relates to adjacent properties.

The properties to the north of the plat are so arranged that their back yards face the Coval property and observe the usual rear yard setback. In the original plat, the plat layout oriented the rear yards in the plat to the north so that rear yard faced rear yard and it observed the minimum rear yard setback of 25 feet under MIMC 19.02.020(C). See Exhibit 1.1. That allowed the rear yards to be complementary to each other and preserve privacy on each side of the property line. There is a substantial elevation drop on the north side of the Coval plat, which means that homes built in the Coval plat have the potential to block sunlight as well as remove privacy for the existing homes to the north (especially since these new homes can be 30 feet tall).

² The conditions and positions taken here should not be considered in any manner the abandonment of the prior positions expressed by Friends concerning legal and factual issues as expressed in our communications with the Planning Commission and City Council. A list of these letters is attached and Friends reasserts the legal and factual arguments made therein.

³ The references to "Exhibits" are to the exhibits in the record.

Unfortunately, the revised plat departs from protecting adjacent properties by establishing side, instead of rear yards on the north side of the plat for lots 3, 10 and 11. See Exhibit 162, Sheet CV-01. This means that the houses could be very close to the north property line. The Planning Commission did make a slight adjustment in this area to require 10 feet between the north property line of the Coval plat and the houses to the north side of the Coval plat. However, that is insufficient under the particular circumstances of adjacent property. The Council should require that Lots 3, 10 and 11 orient their rear yards to the north.

The rear yard definition is set forth under the code as follows:

2. Yard Determination.

a. Front Yard. The front yard is the yard abutting an improved street from which the lot gains primary access or the yard abutting the entrance to a building and extending the full width of the lot. If this definition does not establish a front yard setback, the code official shall establish the front yard based upon orientation of the lot to surrounding lots and the means of access to the lot.

i. Waterfront Lot. On a waterfront lot, regardless of the location of access to the lot, the front yard may be measured from the property line opposite and generally parallel to the ordinary high water line.

b. Rear Yard. The rear yard is the yard opposite the front yard. The rear yard shall extend across the full width of the rear of the lot, and shall be measured between the rear line of the lot and the nearest point of the main building including an enclosed or covered porch. If this definition does not establish a rear yard setback for irregular shaped lots, the code official may establish the rear yard based on the following method: The rear yard shall be measured from a line or lines drawn from side lot line(s) to side lot line(s), at least 10 feet in length, parallel to and at a maximum distance from the front lot line.

MIMC 1`9.102.020(c)(2) (emphasis supplied). In the present case, the access to Lots 3, 10 and 11 comes from the central private road to the south side of the respective lots. See Exhibit 214. Since this is the yard "abutting an improved street from which the lot gains primary access," the south property line of these lots should be the front yard. The rear yard (opposite the front yard) should accordingly be designated along the north property lines of these lots and be 25 feet in width.

Designating a 25 foot rear yard for Lots 3, 10 and 11 is also consistent with code provision that, in case of ambiguity, the yards should be "based upon orientation of the

lot to surrounding lots.” Here, all lots to the north of the Coval plat have oriented their rear yards to the Coval property for many years. Indeed, the other lots planned for the north side of the Coval plat (Lots 1 and 2) also have 25 foot rear yards to the north.

Finally, the landscaping plan, Exhibit 214, shows new buffer trees and the maintenance of existing shrubs along the north property line. Allowing new construction just 10 feet from the property line would eliminate the possibility of preserving long term vegetation close to these homes because of the proximity of excavations to these trees or shrubs.

Based on the foregoing, the Council should include the following condition, if it determines to approve the Coval plat:

All lots on the north side of the Coval plat, Lots 1, 2, 3, 10 and 11, shall have a Building Setback Line of 25 feet from the northerly property line.

2. LANDSCAPING PLAN.

The applicant presented a “Landscape Concept Plan” at the June 18, 2014 Planning Commission meeting. See Exhibit 214. Considerable reference was made by both staff and the applicant to this plan.

After more careful review, it appears that the Concept Plan has merit. It lists trees to be saved and specifies trees to be added. However, we recommend that the Council provide additional conditions concerning the features found in the plat, as follows:

2.1 Concept plan as plat condition. While Exhibit 214 is an attractive drawing, it is only a “concept plan” that lacks enforceability. As a concept, the neighbors do not know if it will be realized when the plat is built. This is of particular concern because after these plat proceedings are complete, there is no public notice, no opportunity for public input, and no opportunity for resolution of these issues. Though there is a final plat review, there is no public notice of its submission and no opportunity for public comments. After review by the city engineer, “it shall go to the code official for final signature.” MIMC 19.08.050(A)(3). The final plat is approved if it “complies with all conditions placed on the preliminary plat approval.”

Accordingly, to assure that the concept plan is something more than developer “fluff,” Friends requests that Exhibit 214 be made a plat condition. As such, the Council and neighbors will finish the public process knowing that landscaping for the development will be assured. The proposed condition is as follows:

The “Landscape Concept Plan” (Exhibit 214) is made a plat condition with all trees and scrubs designated to be planted prior to final plat approval.

2.2 Conditions should be placed on the landscaping plat to assure fulfillment of the landscaping plan.

As discussed above, the concept plan is not accompanied by information relative to either the preservation of existing trees or the species of new trees. For example, as shown on the concept plan attached, the drawing designates: “DECIDUOUS TREE TO REMAIN” and “CONIFEROUS TREE TO REMAIN.” However, there are no inspections or procedures outlined to assure these trees will be protected.

Friends’ experienced and licensed arborist, Tina Cohen, identified these concerns in her report presented to the Planning Commission, in the record as Exhibit 200. In her report she stated:

Although drip line radius is a good rule of thumb to determine the critical root zones, conifer roots extend much further. The project’s arborist should specify the “limits of disturbance” on the site plan.

This is consistent with the recommendation of the City Arborist, Kathy Parker, in an email to the applicant at Exhibit 34:

Your utility sheet should have all removals for plat improvements clearly marked with an X and it should show tree protection, to scale, at the drip line for the trees you know can be protected throughout the project.

To assure that trees will be preserved, protection for the trees should be provided at the drip line. the following condition should be placed on the plat:

Each tree to be maintained on Exhibit 214 shall be sufficiently protected from excavation or disturbance to assure their long term survivability as determined by the City of Mercer Island Arborist.

2.3 The preservation of the koi pond should be made a plat condition.

Exhibit 214 sets aside “Tract B” as an “Open Space and Utility” tract. This is consistent with the representation of the Applicant in its May 2, 2014 letter to the city:

- **The existing ornamental koi pond has been preserved in an open space tract.**

Preservation of the existing koi pond helps to preserve the history of the Coval property and will provide an amenity that can be used by the entire neighborhood.

. . . . The area around the pond will be enhanced with landscaping and other features to make it inviting and usable.

See Exhibit 161. However, the Applicant has backed away from this promise in its "Landscaping Concept Plan" (Exhibit 214) which states that: "EXISTING POND MAY BE RETAINED IF FEASIBLE" (emphasis supplied). This representation falls far short of the May 2nd promise to the City and the neighborhood that the pond will be preserved. As such, the plat should be conditioned on the preservation of the koi pond as follows:

The "existing pond" as shown on Exhibit 214 shall be retained as a neighborhood amenity.

3. NATIVE GROWTH PROTECTION EASEMENTS.

As described above, in its remand decision the Council was not only concerned with preserving more trees on site, but also to assure they would be procedurally protected. The Council stated:

Trees to be saved on site would be better served by tree conservation easements, or by designated common areas that are not controlled by individual lot owners.

Exhibit 186, page 8, Finding 3(e).

In response to the remand, PacLand submitted a letter on May 21, 2014 describing that "[m]ajor modifications have been made to the proposed subdivision in a concerted effort to address the concerns of the City officials and those received through public testimony." Exhibit 161, page 1. These included the establishment of an additional "Native Growth Protective Area Easement" (NGPA/E) along the western slope of the project and along the area in the north central part of the site. These protection easement areas were described on the drawing attached to the "Public Notice of the Open Record Hearing" on the plat sent to the public on May 27, 2014. See Exhibit 179. The plat drawings were updated on June 4, still showing the proposed NGPA/E's. See Exhibit 182.

However, at the hearing on June 18, 2014, the designation of the tree areas to be saved was abruptly changed by the Applicants' Exhibit 214, which changed the

NGPA/E's to "Tree Conservation Easements." The difference is well known to the Applicant and the City Staff. An NGPA/E is defined by the City Code as:

Native Growth Protective Easement (NGPE): An easement granted to the city for the protection of native vegetation within a critical area or buffer.

MIMC 19.16(N). Thus the City is the owner of an NGPE and may directly enforce removal of trees. The last minute change by the applicant is an effort to give more latitude to individual property owners, thus providing less protection to the trees⁴.

To hold the Applicant to its word, and to assure tree protection, NGPA/E's should be reestablished in the westerly area under the following condition:

NGPA/Easements will be set aside in separate tracts to be managed by the City of Mercer Island. No clearing, grading or plant removal is permitted in the NGPA/Easement except to remove invasive species or dangerous trees. The City will annually monitor the NGPA/Easements to assure consistency with this condition.

4. INCLUSION OF LOT #14 AS PART OF THE WESTERLY NGPA/E EASEMENT.

The central issue before the Council when the remand decision was made was the preservation of trees. As the Council said in its findings at page 2:

Certain critical areas on the subdivision should remain undeveloped, particularly areas on the steep slopes on the west side of the property. Furthermore, restrictions should be placed on this area to protect more trees consistent with the City's Comprehensive Plan.

At page 5, the Council concluded that greater efforts should be made to protect trees on the site at Finding 3.e.:

Per MICC 19.10.040(B)(2), adequate provisions have not been made within the plat to protect trees on the property. Trees to be saved on site would be better served by tree conservation easements, or by designated common areas that are not controlled by individual lot owners.

In response to the remand, the applicant claims that it has saved more trees than it had with its original plan. However, a close comparison between the current

⁴ In compiling the exhibits for the Council, staff has deceptively attached drawings dated June 12, 2014 to the Applicant's May 21 letter.

plan for tree preservation (Exhibit 162, Sheet 2.0 and Exhibit 214) and the original plan (Exhibits 1.8 and 1.9) show little change.

The principal difference is that originally the applicant showed the trees that were likely to be removed for construction of homes in Exhibit 1.9. Now, having learned its lesson, the Applicant does not show the trees that must be removed when houses are built, instead referencing the trees as "Building Permit Dependent." See Exhibit 214. Thus many trees are shown as existing on Exhibit 214, particularly on proposed Lot 14, that will have to come down to build a house. At least on Exhibit 1.9 the Applicant was honest about trees to be removed.

The Applicant's May 14, 2014 letter to the City touts that the preservation of the western slope "provides the opportunity for a significant increase in the number of existing trees that will be retained." See Exhibit 161. But the original plan submitted called for "TREE PROTECTION TO BE PROVIDED ALONG THE FULL WIDTH OF LOTS 10-13" with most of the trees in that area retained. The new plan (Exhibit 214) show at most eight more trees preserved in this area, with most of the other trees "Building Permit Dependent."

The Council is urged to not accept the Applicant's sleight-of-hand that the new proposal saves more trees. The truth is that even if the Landscape Concept Plan is made a plat condition, substantially all the trees on the site will be destroyed either when the property is cleared for street and utilities or when houses are constructed. Thus the applicant has not met the condition of the Council to preserve more trees on site, consistent with the Comprehensive Plan.

Accordingly, the Council should place an additional condition on the plat to preserve existing trees. This is best done by extending the westerly NGPA/E to encompass Lot 14. This was recommended by Tina Cohen, Friends' arborist in her report (Exhibit 200, page 3). Ms. Cohen notes that Lot 14 has 20 trees; the most of any of the lots on the plat as shown on Exhibit 214. This allows for a contiguous grouping of trees in one location with aesthetic and biological benefits. The inclusion of Lot 14 into the west side Tree Conservation Easement will remove only one lot from the proposal, a reduction in unit count of only 6.25%, not a meaningful difference to the financial viability of the overall plat.

Based on the foregoing, Friends requests that the Council add the following condition to the plat:

Lot 14 will be included in the adjacent Native Growth Protective Area Easement.

5. DELETION OF PEDESTRIAN PATH ON SOUTHEAST CORNER OF PLAT.

The plat proposal includes a pedestrian path that extends from the interior of the plat to S.E. 32nd Street. This path anticipates that a stairway might be built to the west, connecting Island Crest Way with the west end of S.E. 32nd. While the stairway proposal has been on the books for some time, it has never been funded or proposed to be constructed because of the steep slope in that location; it is unlikely it will ever be built. Currently, the walkway would be a path to nowhere.

Based on the foregoing, while an easement for a path may be an appropriate condition for the Coval plat, actual construction should await the completion of the stairs to Island Crest Way. The Council should include the following condition:

The plat shall contain an easement for a future pedestrian path in the southwest corner of the plat, but no pathway shall be constructed until a stairway to the west from the end of S.E. 32nd is constructed and in use.

6. NOISE RESTRICTIONS.

As the Council is aware this is the largest plat to be constructed in the City in many years, with extensive land clearance, demolition of existing structures, construction of plat infrastructure and construction of 15 or more new houses. All of this in close proximity to existing residences on the north and south sides and a public park to the east (Upper Luther Burbank Park).

In addition to construction occurring immediately adjacent to existing residences, the Council should consider the possible duration of construction. Given the number of possible houses to be built, construction on the plat could continue over several years. The cumulative impact of constant construction noise on this neighborhood is a major adverse impact of the plat. Unfortunately, the Planning Commission considered only general and vague conditions on noise and disruption such as "noise impacts shall be minimized" and that:

The applicant should conduct the most disruptive and noisiest elements of site development and construction when adjacent residents are less likely to be home, which is generally between 8:00 A.M. and 5:00 p.m. on weekdays. (Monday through Friday).

\Planning Commission Recommended Condition 7, page 63. Noise is difficult to monitor because of its transitory nature and getting enforcement officers to an offending site when noise is occurring is oftentimes impossible. This is made worse yet by the

vague conditions found in the PC's recommended conditions, that the applicant "should" conduct the "noisiest elements" at time when "generally" adjacent residents are not home.

Based on the foregoing, Condition #7 should be replaced with definitive hours of operation and specific conditions as follows:

7. Working hours at the site will be from 8 a.m. to 6 p.m. on weekdays and no work is permitted on Sundays or holidays. Saturday work is permitted from 9 a.m. to 5 p.m. so long as noise from the site does not exceed ambient noise in the adjacent neighborhood.

7. STORM DRAINAGE PROTECTION.

A critical concern for the Council in the remand was that there was continuing concern that there would be unexpected and damaging storm water impacts from the Coval development. As the Council found:

The applicant has not provided sufficient financial or other assurances in the event of unexpected stormwater impacts.

Exhibit 186; Findings, page 13, Paragraph 6.

While the applicant has provided additional information concerning stormwater impacts, there is still no reliable information regarding the ability of the site to infiltrate water. As described in our letter to the Planning Commission (Exhibit 198), the applicant now proposes to direct more water to the central ravine area. Notwithstanding these actions, the Applicant has not proposed, nor has the Planning Commission required compliance with the Council's requirement for financial or other assurances to protect downstream owners if the stormwater system does not perform as advertised.

Based on this circumstances, the Council should follow through with its prior remand decision and require financial and other assurances concerning stormwater. Friends' suggested condition is as follows:

A bond shall be required to assure that the drainage facilities to be constructed in the plat perform and operate as specified. The amount of the bond will be established in the estimated amount to repair or replace facilities that do not work as intended and to

Mercer Island City Council
July 7, 2014
Page 11

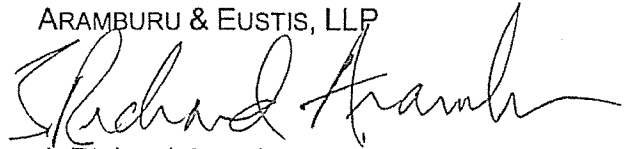
compensate impacted property owners for damage from stormwater impacts.

In summary, Friends asks the Council to adopt the conditions set forth in this letter. These conditions are the minimum necessary to assure that the proposed Coval plat satisfies both the Council's remand directives (as expressed in the Council decision of April 21, 2014; Exhibit 186) and the obligation to assure the protection of the public interest.

Thank you for this opportunity to address the Council.

Sincerely yours,

ARAMBURU & EUSTIS, LLP



J. Richard Aramburu

JRA:cc

cc: Clients
Katie Knight
Shana Crick
George Steirer

Mercer Island Aramburu comment exhibits

48. Comment email and letter from J. Richard Aramburu to the City of Mercer Island received by the Development Services Group on November 7, 2013
49. Comment email from J. Richard Aramburu to the City of Mercer Island received by the Development Services Group on November 8, 2013
51. Comment letter from J. Richard Aramburu to the City of Mercer Island received by the Development Services Group on November 12, 2013
52. Comment email from J. Richard Aramburu to the City of Mercer Island received by the Development Services Group on November 14, 2013
53. Comment email and letter from J. Richard Aramburu to the City of Mercer Island received by the Development Services Group on November 19, 2013
57. Comment email and letter from J. Richard Aramburu to the City of Mercer Island received by the Development Services Group on December 9, 2013
69. Comment email and letter from J. Richard Aramburu to the City of Mercer Island received by the Development Services Group on December 11, 2013
74. Comment email and letter from J. Richard Aramburu to the City of Mercer Island received by the Development Services Group on December 27, 2013
80. Comment email and letter from J. Richard Aramburu to the City of Mercer Island received by the Development Services Group on January 3, 2014
85. Comment letter from J. Richard Aramburu to the City of Mercer Island received by the Development Services Group on January 13, 2014
88. Comment email and letter from J. Richard Aramburu to the City of Mercer Island received by the Development Services Group on January 13, 2014
90. Comment letter from J. Richard Aramburu to the City of Mercer Island received by the Development Services Group on January 14, 2014
97. Comment letter and email from J. Richard Aramburu to the City of Mercer Island received by the Development Services Group on January 14, 2014
103. Public Comments by Mercer Island Friends for Responsible Neighborhood Development on the Proposed Plat for the Coval Property received by the City of Mercer Island on January 15, 2014
150. Comment letter from L. Richard Aramburu to the City of Mercer Island received by the Development Services Group on January 22, 2014
152. Supplemental information from L. Richard Aramburu to the City of Mercer Island received by the Development Services Group on January 22, 2014
171. Comment letter from J. Richard Aramburu to the City of Mercer Island received by the Development Services Group on April 21, 2014
173. Comment email from J. Richard Aramburu to the City of Mercer Island received by the Development Services Group on May 20, 2014
184. Comment email and letter from J. Richard Aramburu to the City of Mercer Island received by the Development Services Group on June 5, 2014
189. Comment email from J. Richard Aramburu to the City of Mercer Island received by the Development Services Group on June 11, 2014

Shana Crick

From: Justin and Jaime [jayisee@gmail.com]
Sent: Monday, July 07, 2014 4:57 PM
To: Shana Crick
Subject: Concern about Rain Garden for Coval property

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Shana

I would like to convey my concern over the proposed Rain Garden feature of the coval Plat which is designed to allow water runoff from the south properties to flow through to the north, among other things.

The concern I originally had, which fortunately was at least partially addressed by the Planning Commission, was with regards to maintenance of the Rain Garden. In concept, the Rain Garden sounds like a great idea where one can have a very environmental solution for water flow (though I would argue that the developer's comment that "an added bonus is that people will enjoy looking at this feature every day as they go by" to be a stretch since this Garden is set deep inside the Coval Plat reachable by a relatively narrow road...how many people would actually drive by each day?). The concern though is that for this feature to work, it must actually survive. In the winter time, when rain, and thus water, is plenty this should not be too difficult (though I wonder what happens if it gets overgrown), the summer may prove to be the critical time as what will happen when this rain garden receives little rain and plenty of sun for several months? Will it be hardy enough to survive? Will the HOA (and it is good the PC decided to place the responsibility on the HOA, instead of the individual home owners) be able to spend what is necessary to keep it from dying?

Equally important, is there anything that will ensure that the HOA does not let the Rain Garden die? The consequences of a non-existent Rain Garden would likely mean flooding to the southern properties when heavy winter rains inundate the lands.

So please help ensure that if there is to be a Rain Garden, that measures will be in place to ensure that it will survive, and not at the city or neighbor's cost.

Thanks

-Justin Deng
3219 84th Ave SE

Shana Crick

From: Sue Stewart [Sue@writestuf.biz]
Sent: Monday, July 07, 2014 5:00 PM
To: Shana Crick
Subject: Re: Coval Long Plat review process (project no. SUB13-009)

Follow Up Flag: Follow up
Flag Status: Flagged

13 signers to the aramburu letter just stamped and put on your desk at city hall.
Thanks

Sue Stewart

Sent from my iPhone

On Jul 7, 2014, at 3:36 PM, Shana Crick <Shana.Crick@mercergov.org> wrote:

Dear Party of Record:

As mentioned in the City's email to parties of record sent on July 3, 2014, the link for exhibits 193 – 214 of the Coval Long Plat (project no. SUB13-009) has been added to the City's website. Exhibits 193 - 214 can be found here: <http://www.mercergov.org/files/Exs%20193%20-%20214a.pdf>. These exhibits were previously attached to the email from staff sent to parties of record on July 3, 2014.

Thank you,
Shana

Shana Crick
Senior Planner
City of Mercer Island Development Services Group
9611 SE 36th Street
Mercer Island, WA 98040-3732
Phone: 206-275-7732; Fax: 206-275-7726
shana.crick@mercergov.org

View the status of permits at www.mybuildingpermit.com

View information for a geographic area at <http://pubmaps.mercergov.org>


View application and other zoning information at <http://www.mercergov.org/Page.asp?NavID=361>

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13 People

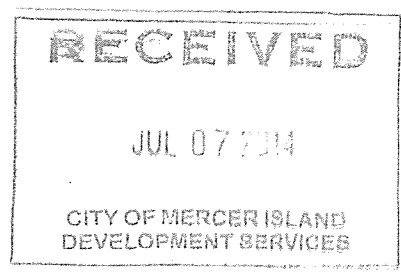
M.I. Friends of Responsible Neighborhood Development

I, the undersigned support the topics of concern regarding the Coval 16 home long plat development outlined in the July 7th letter written by attorney Rick Aramburu.

Name (print)	Signature	Address	E-mail
<u>TJ STEWART</u>		3205 84 Ave SE Mercer, WA 9804	TJ@writestuff.biz
<u>Sue Stewart</u>	<u>Sue Stewart</u>	3205 84 th Avenue S.E.	sue@writestuff.biz
<u>Cameron Ackley</u>	<u>Cameron Ackley</u>		3050 B St SE #144 HLS MI, 98040
<u>Linda A. Chavez</u>			8265 S.E. 30 th St MI., 98040

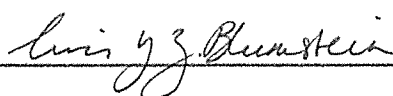
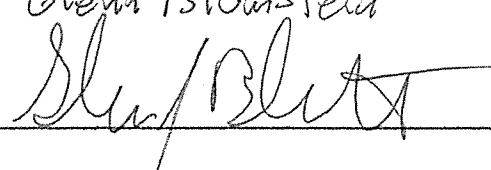
e-mail permission

<u>micky Treves</u>	<u>8210 SE 29th MI/WA</u>
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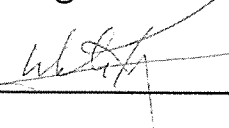
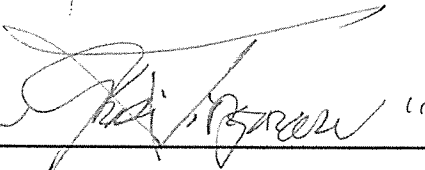
M .I. Friends of Responsible Neighborhood Development

I, the undersigned support the topics of concern regarding the Coval 16 home long plat development outlined in the July 7th letter written by attorney Rick Aramburu.

Name (print)	Signature	Address	E-mail
Lisa Zaidi Blumstein		8241 SE 30 th St. M.I.	lisayzaidi@gmail.com
Glenn Blumstein		8241 SE 30 th St, M.I.	gjb.seattle@gmail.com

M .I. Friends of Responsible Neighborhood Development

I, the undersigned support the topics of concern regarding the Coval 16 home long plat development outlined in the July 7th letter written by attorney Rick Aramburu.

Name (print)	Signature	Address	E-mail
DALE KINGMAN		325 81 st Ave SE	DKingman@GardnerTulsa.com
GRACIELA Kingman		" "	GracielaKingman@gmail.com

M .I. Friends of Responsible Neighborhood Development

I, the undersigned support the topics of concern regarding the Coval 16 home long plat development outlined in the July 7th letter written by attorney Rick Aramburu.

Name (print)	Signature	Address	E-mail
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Robert J Hoff		8219 SE 28 th	bobhoff21@gmail.com
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Sharon T Hoff	same		Sharonthoff@aol.com
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M .I. Friends of Responsible Neighborhood Development

I, the undersigned support the topics of concern regarding the Coval 16 home long plat development outlined in the July 7th letter written by attorney Rick Aramburu.

Name (print) Signature Address E-mail

Janet Leamon Janet Leamon 8335 SE 30th Pl MI janetmleade@cbbain.com

Bruce Leamon Bruce Leamon 8335 SE 30th Pl MI bruce@leamongroup.com



CITY COUNCIL MINUTES REGULAR MEETING MAY 19, 2014

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.

Councilmembers Debbie Bertlin, Jane Brahm, Mike Cero, Tana Senn (arrived 7:45 pm), Benson Wong, Deputy Mayor Dan Grausz, and Mayor Bruce Bassett were present.

AGENDA REVIEW

Mayor Bassett reviewed the agenda and moved Appearances to after AB 4966 regarding the Trellis Long Plat Closed Record Hearing. He also removed AB 4972 regarding the Mary Wayte Pool interlocal agreement from the agenda. He noted that there would be a public hearing for AB 4948 regarding the Transportation Improvement Plan and that there would be public comment periods for AB 4967 and AB 4968 regarding the rezoning of school district properties.

MINUTES

Study Session & Regular Meeting Minutes of May 5, 2014

It was moved by Bertlin; seconded by Brahm to:

Adopt the Study Session & Regular Meeting Minutes of May 5, 2014 as amended.

It was moved by Grausz; seconded by Brahm to:

Amend the main motion as follows:

On Page 4, the second motion to amend should state: Allow fireworks to be sold until 10:00 pm on July 4th ~~until 10 PM~~.

Motion to Passed 6-0

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

ABSENT: 1 (Senn)

It was moved by Cero; seconded by Grausz to:

Amend the main motion as follows:

On Page 5, AB 4950: Fire Station 92 Project Update add the following language after the last sentence:

Councilmember Cero pointed out that the project being "on budget" is a misnomer, in that the budget has been adjusted several times and future references should be to the "adjusted-adjusted budget."

Motion to Amend Failed 2-4

FOR: 2 (Cero, Grausz)

AGAINST: 4 (Bassett, Bertlin, Brahm, Wong)

ABSENT: 1 (Senn)

Main Motion as Amended Passed 6-0

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

ABSENT: 1 (Senn)

CONSENT CALENDAR

AB 4972 (Third Extension Agreement to Interlocal Agreement with Mercer Island School District Concerning the Operation of the Mary Wayte Pool) was pulled from the agenda and will be discussed at a future meeting.

Payables: \$214,688.79 (05/01/14) & \$152,227.48 (05/08/14)

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

Payroll: \$721,245.49 (05/16/14)

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

It was moved by Bertlin; seconded by Brahm to:

Approve the Consent Calendar and the recommendations contained therein.

Passed 6-0

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

ABSENT: 1 (Senn)

REGULAR BUSINESS

AB 4966 Trellis Closed Record Public Hearing for a Proposed Eighteen Lot Long Plat (SUB13-014)

Mayor Bassett read a statement regarding the process and ground rules for the closed record hearing for a proposed eighteen lot long plat (Trellis/SUB13-014).

City Attorney Katie Knight asked questions of the Council regarding the appearance of fairness as the approval of the long plat is a quasi-judicial action. There were no objections to the answers provided by Councilmembers.

Principal Planner George Steirer presented information to the Council about the proposed long plat.

Charlie Conner of Conner Homes and Steve Calhoon of Pace Engineers represented the applicant and provided information on the project.

The Council asked questions of staff and the applicant regarding the project.

It was moved by Bertlin; seconded by Grausz to:

Grant preliminary approval to the Trellis Long Plat as detailed in the Planning Commission's recommended conditions of approval and authorize the Mayor to sign the Findings of Facts and Conclusions of Law (as presented in Exhibit 1 of AB 4966) on behalf of the City Council.

Passed 6-0

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

ABSENT: 1 (Senn)

APPEARANCES

The following individuals spoke about the KCLS Mercer Island Library Renovation Project, the upcoming KCLS Board and their review of the revised renovation plans, and the remaining issues with the renovation plans. Many asked for the Council to send a letter to the KCLS Board requesting that KCLS present the renovation plans to the City Council prior to approval and for the Council to establish a library advisory board:

- Bryan Cairns, 7628 79th Ave SE
- Ira Appelman, 4436 Ferncroft Road
- Al Lippert, 4052 94th Ave SE
- Bart Dawson, 8812 SE 77th Place
- Marcia Dawson, 8812 SE 77th Place
- Janice Cohen, 4655 90th Ave SE
- Carv Zwingle, 6250 East Mercer Way

- Kim Kendall, 6731 West Mercer Way
- Mindy Jefferson, 3200 West Concord Way
- Tami Szerlip, 7804 SE 40th Street
- Meg Lippert, 4052 94th Ave SE
- Sarah Petrie, 4640 East Mercer Way
- Helena Steinhardt, 7825 SE 63rd Place
- Gary Robinson, 6026 East Mercer Way
- Daniel Paull, 4120 94th Ave SE
- Joel Wachs, 7635 SE 29th Street
- Nancy Spaeth, 8320 SE 34th Street
- Eva Zemplenyi, 6188 92nd Ave SE

Beverly Bridge, 8400 SE 34th Place, stated that she and her neighbors are pleased about the proposal to put a gravel path down 84th Ave SE, but would like it moved up as priority in the TIP. She would like the project to be done before all of the construction begins at the Coval property and before the school renovations at the North Mercer Campus.

REGULAR BUSINESS (CONTINUED)

No AB Mercer Island Library Remodel Discussion

Deputy Mayor Grausz, Councilmember Wong, and Councilmember Bertlin thanked the public for their testimony, the concerned citizens who brought the library renovation issues to the Council, and those who have served on the Mercer Island Library Committee. Deputy Mayor Grausz noted that the proposed changes are not as complete as most would like and some of the changes are still yet undefined. He proposed that the Council should convey concern to KCLS that certain issues still need to be adequately addressed.

It was moved by Brahm; seconded by Grausz to:

RESOLVED, that the Mercer Island City Council appreciates the work done by KCLS, the Mercer Island Library Committee and City staff to address concerns raised by Islanders to the Mercer Island library renovation project as proposed in January, 2014:

- (i) but recognizes that there are remaining issues that KCLS is still addressing in response to concerns raised by the MI Library Committee;**
- (ii) authorizes Councilmembers Bertlin, Grausz and Wong to continue reviewing the work product of KCLS with the other members of the MI Library Committee; and**
- (iii) based on that review, advise the KCLS Interim Director and Board of Trustees as to whether they believe the work product sufficiently addresses the concerns previously raised by the MI Library Committee and, if not, what changes should be made.**

Passed 7-0

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

AB 4948 2015-2020 Transportation Improvement Program Preview & Public Hearing

City Engineer Patrick Yamashita presented the Six-Year Transportation Improvement Program (TIP), which is a planning tool used to identify specific projects that work together to maintain, preserve, and maximize use of the existing roadway and trail systems. He spoke about the TIP's recent financial history, noteworthy changes to the TIP including new projects that have been added, and changes in the timing and scope of projects.

City Engineer Yamashita presented information about three key issues:

- Comprehensive Plan update and transportation level of service standards decision
- Street Fund deficit and a Transportation Benefit District as a funding option
- MISD construction and new development impacts to SE 40th Street and proposed project

He also spoke about a need to restore the Transportation Manager/Engineer position as citizen requests and other transportation work will continue to increase with the improving economy. He noted that some work may need to be scaled back, delayed, reprioritized, and/or may require engaging consultants to "get by" in 2015-2016.

City Engineer Yamashita asked for Council input on the following three questions:

1. Does the Council support staff's recommended approach to delay identifying and adding LOS improvement projects in the TIP until after the Council makes a decision on LOS in the Comprehensive Plan update?
2. Does the Council support adding the SE 40th Street Corridor project?
3. Does the Council support a Mercer Island \$20 TBD? If so, in 2015 or 2016?

The Mayor opened the public hearing at 9:19 pm.

Don Sitkus, 3927 86th Ave SE, spoke about the Madrona Crest neighborhood. He expressed concern that the usage of the intersection of SE 40th Street and 86th Ave SE will increase and cause traffic to back up into his neighborhood. He also spoke about children being able to walk safely to school through the neighborhood and the limited line of sight in certain areas.

Katharine Lamperti, 8320 SE 30th Place, thanked staff for including the gravel pathway on 84th Ave SE. She asked that the project be moved up in the plan to have it built sooner as so many people use the road.

Shelly Boyle, 8410 SE 36th Street, expressed concern with an increase in traffic due to the Coval project and the school construction in the Madrona Crest neighborhood. She would also like the road improvement projects moved up in the plan.

Connie Manson, 3902 86th Ave SE, spoke about a neighborhood petition for traffic calming measures and is thankful for the first phase with a sidewalk. She also questioned the traffic evaluation and the number of cars that travel through the neighborhood.

Mark Clausen, 6107 SE 32nd Street, spoke about a failure of leadership at the federal and state levels to approve transportation funding. He believes it is important to invest in and maintain current transportation infrastructure and to start thinking about how to make the community better than it was last year.

Ira Appelman, 4436 Ferncroft Road, expressed concerned about the Council creating another tax by creating a transportation benefit district. He thinks the County and State will be putting transportation packages forward in the near future. He noted that real estate activity will continue to go up and REET will help support the Street Fund. He disagrees with degrading the transportation level of service on the Island.

Jim Stanton, 7812 SE 78th Street, spoke about the proclamation for best practices for autos, cyclists, and pedestrians to share the road. He complimented staff for their help in understanding how the TIP works and is funded. He spoke about where the cyclists are and how the dollars can be used most efficiently for shoulders to promote safety. He is in favor of the \$20 car tab to help fund more projects.

The Mayor closed the public hearing at 9:38 pm.

Following questions of staff and discussion, there was consensus from the Council to:

- support staff's recommended approach to delay identifying and adding LOS improvement projects in the TIP until after the Council makes a decision on LOS in the Comprehensive Plan update;
- support improvements to pedestrian and bicycle facilities on SE 40th Street, but have staff take another look at the proposed roadway improvements approaching the SE 40th Street/86th Avenue SE intersection to find lower cost options; and
- consider a transportation benefit district in the TIP for planning purposes (starting in 2015).

AB 4967 Zoning Code Text Amendments Related to Public Schools (1st Reading)

DSG Director Scott Greenberg presented the Planning Commission's recommendation for code text amendments for public schools in the Public Institution (P) zone, which is designed for public uses such as government facilities, public schools and public parks. He noted that current zoning standards for schools in the R-9.6 and R-15 zones do not allow the flexibility needed to carry out the projects approved by voters (Mercer Island School District Proposition 1 passed in the February 2013 special election). He further explained that as an alternative to seeking variances at each school site, a code text amendment and rezones to the P zone were proposed to facilitate school construction and render the zoning more consistent with the Public Institution Comprehensive Plan land

use designation for District-owned properties.

Director Greenberg spoke about the public input process, summarized the Planning Commission's recommended standards for each school, and detailed other components reviewed during the process (i.e. parking, privacy, screening, etc).

The Mayor opened the public hearing at 11:05 pm.

Ira Appelman, 4436 Ferncroft Road, opposes the P zone amendments and rezoning residential properties to the P zone. He believes it is spot zoning and will destroy the residential zones surrounding the properties, that is illegally discriminates against religious schools, and that, instead of writing zoning code, the amendments are actually six separate variances. He objects to the City being the applicant for the project as it should be the School District.

MISD Superintendent Gary Plano, read a letter from the District to the City requesting that the Council remand the code text amendment related to Lakeridge Elementary to the Planning Commission to reopen the open-record hearing as they received concerned comments from the public over the weekend regarding Lakeridge.

Marie Bender, 7890 81st Place SE, lives next to Lakeridge Elementary. She spoke about the difficult process that ultimately resulted in solutions that achieve the District goals and protect the neighborhoods. She expressed disappointment and frustration that she was given no notice that the District is requesting remanding Lakeridge back to the Planning Commission, as she and her neighbors worked very hard to come to a solution that all agreed upon.

Marc Berejka, 8125 SE 79th Street, lives next to Lakeridge Elementary. He believes there have been legal flaws with the process. He stated that the initial notice was flawed and did not give the recipients enough information about the proposal. He believes that City staff has lost its independence as it is working in conjunction with the School District and that an institutional conflict of interest has been created. He noted that the Planning Commission did a great job of going through each parcel individually to work with the residents to preserve the surrounding neighborhoods.

Ralph Jorgenson, 8040 84th Ave SE, stated that he wrote a letter to the District this weekend regarding the Lakeridge Elementary setbacks as he thinks they are inequitable for the neighbors abutting the property. He would like the District to have the flexibility to flip the footprint if needed.

The Mayor closed the public hearing at 11:21 pm.

Following discussion the Council asked staff to:

- Address the setback issue around the detention area along the west side of Islander Middle School.
- Provide criteria for flexibility in parking standards.
- Clarify that for impervious surface purposes, the fire lanes can be impervious.
- Determine which structures would become nonconforming under the proposed Ordinance, and clarify existing rules related to non-conforming structures.

It was moved by Cero; seconded by Bertlin to:

Set Ordinance No. 14C-06 for second reading and adoption at the June 2, 2014 meeting.

It was moved by Bertlin; seconded by Brahm to:

Amend the previous motion as follows

...and remand the rezone related to Lakeridge Elementary to the Planning Commission and reopen the open record hearing.

Passed 6-1

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

AGAINST: 1 (Cero)

Main Motion as Amended Passed 7-0

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

The Council directed the Planning Commission to consider the following during their review of the Lakeridge Elementary setbacks: (1) requiring a minimum 45 foot or 65 foot setback from the west property line, and (2) limiting the maximum height within the setback from the west property line to no taller than what is currently allowed.

AB 4968 School Property Rezones (1st Reading)

DSG Director Scott Greenberg presented an ordinance for first reading, which would approve a series of rezones affecting properties owned by the Mercer Island School District ("District") and one private property adjacent to West Mercer Elementary. He stated that the proposed rezones would change the zoning of each school site from Single-Family Residential (R-9.6 and R-15) to the P zone (designed for public uses such as government facilities, public schools, and public parks) and change the zoning of the private property from R-9.5 to R-15.

Director Greenberg noted that the Planning Commission passed a motion to have the City Council confirm the parking plan at Islander Middle School as there was concern that the District had not fully committed to what was presented. He then read a letter from the District stating that the design the Planning Commission reviewed of Islander Middle School's current parking, student drop off, and school bus parking will remain the same.

The Mayor opened the public comment period at 12:23 am.

Marc Berejka, 8125 SE 79th Street, expressed concern about how and why the Council decided to remand Lakeridge Elementary rezoning back to the Planning Commission. He spoke about the differences in the landscape on each side of the property. He noted that he worked hard with the District to get a buffer that would not adversely affect his property. He thinks that the Council's remand has undone a lot of work that the parties did to reach an agreement.

Marie Bender, 7890 81st Place SE, stated that she is disappointed that the Council did not wait to decide to remand the Lakeridge Elementary rezone until the next meeting so the Council could hear the correct facts. She asked the Council to reconsider the remand so all of the facts could be presented by all parties involved.

Ira Appelman, 4436 Ferncroft Road, asked that his comments from the public comment period for AB 4967 and the Planning Commission be added to this public comment period.

Dr. Gary Plano, MISD Superintendent, explained the purpose and reason that the District asked for the remand. They would like the Planning Commission to look at the plans for Lakeridge Elementary again and he would like more public input about the Lakeridge rezoning.

The Mayor closed the public comment period.

It was moved by Cero; seconded by Brahm to:

Set Ordinance No. 14C-07 for second reading and adoption at the June 2, 2014 meeting.

It was moved by Grausz; seconded by Bertlin to:

Amend the previous motion as follows

...and remand the rezone related to Lakeridge Elementary to the Planning Commission and reopen the open record hearing.

Passed 6-1

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

AGAINST: 1 (Cero)

Main Motion as Amended Passed 7-0

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

AB 4971 1st Quarter 2014 Financial Status Report & 2013-2014 Budget Adjustments

Finance Director Chip Corder presented the Financial Status Report for the first quarter of 2014. He provided a summary budget-to-actual comparison of revenues and expenditures for the General Fund, the status of real

estate excise tax (REET) collected, and proposed budget adjustments.

It was moved by Wong; seconded by Senn to:

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

Passed 6-1

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

AGAINST: 1 (Cero)

It was moved by Wong; seconded by Brahm to:

Adopt Ordinance No. 14-08, amending the 2013-2014 Budget

Passed 7-0

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

OTHER BUSINESS

Councilmember Absences

There were no absences.

Planning Schedule

City Manager Treat noted that efforts would be made to ensure future meeting agendas are not as full as tonight's meeting agenda.

Board Appointments

Mayor Bassett noted that he will be making decisions about the annual appointments to the City's boards and commissions in the next few weeks.

Councilmember Reports

Councilmember Cero spoke about Carl Lind and the VFW Post 5760 receiving the John D. Spellman award for rehabilitation and stewardship of the 1922 Keewaydin Clubhouse.

Councilmember Brahm spoke about the Arts Council meeting presentation by Freehold Theatre Lab who brings Shakespeare to non-traditional venues. She also noted that information will be out soon about an app, STQRY, that will provide information about public art on Mercer Island.

Councilmember Senn thanked the staff at the Thrift Shop and Mercer Island firefighters for their help earlier in the evening with a family emergency.

Councilmember Wong asked about adding SCA issues to the Council's agenda to discuss and decide Mercer Island's position on them.

Mayor Bassett spoke about King County's proposal to allow cities to purchase bus services from Metro. He also spoke about Sound Transit's bus intercept proposal. He suggested active Council outreach to get feedback from different groups of citizens about the proposal. City Manager Treat will provide the Council with talking points.

ADJOURNMENT

The Regular Meeting was adjourned on Tuesday, May 20 at 12:45 am.

Bruce Bassett, Mayor

Attest:

Allison Spietz, City Clerk



CITY COUNCIL MINUTES REGULAR MEETING JULY 7, 2014

STUDY SESSION

Mayor Bruce Bassett called the Study Session to order at 6:00 pm in the Council Chambers of City Hall, 9611 SE 36th Street, Mercer Island, Washington.

Councilmembers Jane Brahm, Mike Cero, Tana Senn (arrived 6:07 pm), Benson Wong, Deputy Mayor Dan Grausz, and Mayor Bruce Bassett were present. Councilmember Debbie Bertlin was absent.

AB 4977 2015 Water System Plan

Utilities Engineer Rona Lin introduced Eric Habermeyer from HDR who provided an overview of the draft 2015 Water System Plan for Mercer Island. He noted that the Water System Plan guides water utility planning, water supply needs, system capacity analyses, operations and maintenance, capital improvement program, and financial program review. He provided information about Mercer Island's water system and highlighted the demand forecast, system capacity and water use efficiency. He also spoke about the City's water emergency response plan and the capital improvement plan for the water system.

The Council discussed meeting versus exceeding the State's minimum requirements for the plan, rate increases, and setting a conservation goal for Mercer Island in the City's Sustainability Plan.

The Study Session adjourned at 6:51 pm.

CALL TO ORDER & ROLL CALL

Mayor Bruce Bassett called the Regular Meeting to order at 7:00 pm in the Council Chambers of City Hall, 9611 SE 36th Street, Mercer Island, Washington.

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

SPECIAL BUSINESS

2013 Citizen of the Year Award

Mayor Bassett spoke about Councilmember Bertlin's nomination, and the Council's selection, of the Mercer Island Preschool Association for the 2013 Citizen of the Year award. He stated that in October of 2013, the City had the privilege of opening a very special playground which celebrates the importance of play, celebrates children of all physical abilities, and encourages exploration and self-challenge. The Mercer Island Preschool Association is the organization that deserves much of the credit for the newly renovated Luther Burbank playgrounds' design and funding.

Typically referred to as "MIPA," the Mercer Island Preschool Association was founded in the 1920's, was one of the first community groups to organize on the Island, and has maintained an enduring focus on education and advocacy, community building, and parks. As a group of volunteers, its guiding principle is an unswerving commitment to the education and well-being of children from birth through Kindergarten. Mayor Bassett noted many of MIPA's services and accomplishments: funding pre-school scholarships for families in need, supporting emergency preparedness in the preschools, annually recognizing an outstanding preschool teacher, and sponsoring the Preschool Fair, Halloween Party, Toy Swap, and Circus.

Mayor Bassett also recognized MIPA's commitment to parks and the power of play. They have helped with the establishment and renovation of Deane's Children's Park, supported the opening of the "Train Park" at Mercerdale, supported the Adventure Playground at Deane's, and provided design assistance and almost \$100,000 in donations toward the renovation of the Luther Burbank playground.

Co-Presidents Carla Perla and Erin Siranni accepted the award on behalf of the Mercer Island Preschool Association. They thanked the Council for the recognition and thanked all of their volunteers and sponsors.

APPEARANCES

The following individuals spoke about the KCLS Mercer Island Library Renovation Project. They noted their disappointment in how KCLS has handled the process of public input and the requests of citizens to maintain certain elements of the library. Many asked the Council to form a library board and consider taking back the library by de-annexing from KCLS:

- Tami Szerlip, 7804 SE 40th Street
- Ira Appelman, 4463 Ferncroft Road
- Bob Still who read a statement from Meg Lippert, 4052 90th Ave SE
- Jerry Gropp, Mercer Island Resident
- Gary Robinson, 6026 East Mercer Way
- Carv Zwingle, 6250 East Mercer Way
- Dick Winslow, 3761 77th Ave SE
- Larry McWilliams, 6020 86th Ave SE
- Eric Swenson, Mercer Island Resident
- Sarah Petrie, 4640 East Mercer Way

Lay Brother Stephen Gerard, visiting from San Diego, provided a progress report on a citizen overlay zone concept, which offers the realizations of life and peace.

MINUTES

Regular Meeting Minutes of June 2, 2014

It was moved by Brahm; seconded by Wong to:

Adopt the Regular Meeting Minutes of June 2, 2014 as written.

Passed 5-0

FOR: 5 (Bassett, Brahm, Grausz, Senn, Wong)

ABSENT: 1 (Bertlin)

ABSTAIN: 1 (Cero)

Study Session and Regular Meeting Minutes of June 16, 2014

It was moved by Brahm; seconded by Senn to:

Adopt the Study Session and Regular Meeting Minutes of June 16, 2014 as written.

Passed 6-0

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

ABSENT: 1 (Bertlin)

CONSENT CALENDAR

Payables: \$353,969.69 (06/12/14) & \$1,098,621.01 (06/19/14)

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

Payroll: \$757,253.79 (06/27/14)

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

AB 4978 ARCH 2014 Out of Cycle Trust Fund Recommendation

Recommendation: Adopt Resolution No. 1485, authorizing the duly-appointed administering agency for ARCH to execute all documents and take all actions necessary to enter into Agreements on behalf of the City to fund the King County Housing Authority Bellevue Manor and Patricia Harris Manor in an amount not to exceed \$3,022.00.

AB 4979 2015-2017 Interlocal Cooperation Agreement with King County Regarding the Community Development Block Grant Program

Recommendation: Authorize the City Manager to sign the Interlocal Cooperation Agreement between the City of Mercer Island and King County regarding the Community Development Block Program for the 2015-2017 funding years.

AB 4983 Set Public Meeting Date for the Coval Long Plat (SUB13-009)

Recommendation: Set the public meeting date for the proposed Coval Long Plat to July 21, 2014.

It was moved by Senn; seconded by Wong to:

Approve the Consent Calendar and the recommendations contained therein.

Passed 6-0

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

ABSENT: 1 (Bertlin)

REGULAR BUSINESS

AB 4985 Mercer Island Library Advisory Board Creation and Appointments

Assistant City Manager Kirsten Taylor presented a resolution to create a Mercer Island Library Board. The resolution contains a charter for guiding the Board and a sunset date. She noted that the Ad Hoc Mercer Island Library Renovations Committee, that was formed earlier this year, was not fully satisfied with the decisions of KCLS staff and Board of Trustees regarding the MI Library remodel even though the agreed upon process and meetings were completed. She stated that the Committee and other community members would like the community to have additional input in library decisions regarding the remodel and also programming the space within the completed library, and therefore, made a request to the Council to reinstate a Mercer Island Library Board.

Deputy Mayor Grausz and Councilmember Wong noted that KCLS is unwilling to engage in further communications with the City or recognize outstanding issues regarding the Library Renovation Project. They noted that KCLS would have to consult with the Mercer Island Library Board, if established as part of the interlocal agreement.

The Council discussed:

- continuing with the Ad Hoc Mercer Island Library Renovations Committee;
- forming a Mercer Island Library Board and the authority of the Board under the interlocal agreement with KCLS;
- the implications of de-annexing the Mercer Island Library from KCLS; and
- using communication staff resources to make the media aware of the issues with KCLS and the MI Library remodel plans.

It was moved by Senn; seconded by Grausz to:

Adopt Resolution No. 1486 authorizing the creation of the Mercer Island Library Board.

It was moved by Wong; seconded by Cero to:

Amend previous motion as follows:

Extend sunset period to December 31, 2016.

Motion to Amend Passed 6-0

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

ABSENT: 1 (Bertlin)

Amended Motion Passed 6-0
FOR: 6 (Bassett, Brahm, Cero, Grausz, Senn, Wong)
ABSENT: 1 (Berlin)

There was consensus from the Council to have staff research possible remedies for default on the interlocal.

AB 4942 Resolution to Surplus a Portion of Clarke Beach Park

Natural Resources Coordinator Paul West presented a resolution declaring a portion of Clarke Beach Park at 7700 East Mercer Way as surplus to the City's public parks and recreation needs. He noted that if the Council declares the property to be surplus, it may then direct the City Manager how to dispose of the property. He stated that once the surplus property is sold, the proceeds must be used to purchase property of equivalent or greater value and recreational function as the property that was sold.

It was moved by Brahm; seconded by Senn to:

Pass Resolution No. 1482 declaring a portion of Clarke Beach Park (7700 East Mercer Way) to be surplus property.

Passed 6-0

FOR: 6 (Bassett, Brahm, Cero, Grausz, Senn, Wong)
ABSENT: 1 (Berlin)

AB 4986 2013 Mercer Island Dashboard Report

Finance Director Chip Corder presented the 2013 Mercer Island Dashboard Report, which encompasses 35 "top tier" performance indicators for the City. He highlighted the following indicators: Crime Prevention Effectiveness, Traffic Safety Effectiveness, Fire Suppression Effectiveness, Community Issues, Risk Management, Court Operations, Environmental Stewardship, Street Pavement Condition, Water Utility Condition, Sewer Utility Condition, Development Activity, and Volunteerism & YFS Funding.

OTHER BUSINESS

Councilmember Absences

Councilmember Berlin's absence was excused.

Planning Schedule

City Manager Treat reviewed the Planning Schedule. He noted that there are currently no items scheduled for the August meetings. Council discussed possible items for the August 4 meeting.

City Attorney Katie Knight noted that she ask appearance of fairness questions of the Council again before the closed record hearing for the Coval Long Plat on July 21.

Council canceled the August 18 meeting.

Board Appointments

There were no appointments.

Councilmember Reports

Mayor Bassett noted that the rules of the City Council-School Board ad hoc committee require approval from the entire Council and entire School Board for topics to be discussed by the ad hoc committee. Mayor Bassett asked for the Council's approval for the committee to discuss the following topics: SE 40th Street improvements (YES), collaboration on natural gas buses, vehicles, and fueling station (YES), and participation in a community solar program on high school building (YES).

Councilmember Cero spoke about the plans for a high voltage line on the train tracks along Lake Washington (east side of Mercer Island) and the possibility of clear cutting, which could create a noise issue.

Councilmember Senn stated that she would look into it.

Councilmember Brahm spoke about attending the AWC conference in Spokane. She commended Chief Tubbs and the Fire Department on the ceremony for the arrival of the World Trade Center artifacts. She attended the Freehold Theatre production at Luther Burbank. She spoke about the tour of Sound Transit light rail stations to look at art. She asked the Council to consider becoming an in-kind sponsor of the Art Uncorked event being put on by the Chamber of Commerce and MIVAL on Friday, September 12 from 6-9 in the Town Center. Council agreed to discuss being a sponsor at the next meeting.

Deputy Mayor Grausz noted that the Sound Transit Light Rail Station Design Open House will be held July 10 at the Community & Event Center. He also noted that Summer Celebration! is this weekend. Mayor Bassett invited the Council to walk with him in the parade on Saturday morning at Summer Celebration! Councilmember Senn noted that the ceremony for the arrival of the World Trade Center artifacts was moving. She spoke about the Light Rail Station Design Open House on July 10 and Summer Celebration! this weekend. She spoke about a Seattle Times article about bringing events to the downtown area. She noted that Youth Theatre Northwest had their last night in the old building and did a look back at YTN through the years. Councilmember Wong spoke about the Mercer Island Radio Operators (MIRO) event at Luther Burbank park. He noted that it was interesting to see all of the HAM radio operators at work.

EXECUTIVE SESSION

To discuss negotiations and proceedings related to collective bargaining agreements pursuant to RCW 42.30.140(4)(b) for approximately 15 minutes.

At 10:18 pm, Mayor Bassett convened the Executive Session to discuss negotiations and proceedings related to collective bargaining agreements pursuant to RCW 42.30.140(4)(b) for approximately 15 minutes.

At 10:33 pm, Mayor Bassett extended the Executive Session for an additional 10 minutes.

At 10:42 pm, Mayor Bassett adjourned the Executive Session.

ADJOURNMENT

The Regular Meeting adjourned at 10:42 pm.

Bruce Bassett, Mayor

Attest:

Allison Spietz, City Clerk

CERTIFICATION OF CLAIMS

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



Finance Director

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

Mayor

Date

<u>Report</u>	<u>Warrants</u>	<u>Date</u>	<u>Amount</u>
Check Register	170532-170621	07/02/14	\$ 122,200.35
			\$ 122,200.35

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00170532	06/25/2014	PAUL BUNYAN LUMBERJACK SHOW Entertainment services for Sum	P82785	OH003040	06/25/2014	2,400.00
00170533	06/25/2014	US POSTMASTER Bulk Postage		6242014	06/25/2014	1,205.90
00170547	06/30/2014	US BANK CORP PAYMENT SYS AMAZON.COM		2475542414416144	06/06/2014	31,353.97
00170548	07/01/2014	AWC COBRA FOR T DEACH		OH003041	06/30/2014	1,448.57
00170549	07/02/2014	AARP MEDICARE SUPPLEMENTAL DUPLICATE PAYMENT REFUND		OH003043	06/26/2014	87.34
00170550	07/02/2014	ACH HOMES LLC WATER METER INSTALL REFUND		OH003047	06/18/2014	97.73
00170551	07/02/2014	AETNA DUPLICATE PAYMENT REFUND		OH003044	06/26/2014	273.19
00170552	07/02/2014	AHRENS, JEREMY & NICOLE OVERPAYMENT REFUND		OH003048	06/20/2014	183.71
00170553	07/02/2014	ARMITAGE, LEWIS LEIGHTON JUROR SERVICE REIMBURSEMENT		OH003046	06/23/2014	11.88
00170554	07/02/2014	ASHER, LAWRENCE J JUROR SERVICE REIMBURSEMENT		OH003045	06/23/2014	12.91
00170555	07/02/2014	AWC JULY 2014		OH003042	07/01/2014	224.40
00170556	07/02/2014	BALTRUSIS, RON JUROR SERVICE REIMBURSEMENT		OH003051	06/23/2014	11.75
00170557	07/02/2014	BARCELO HOMES INC DOUBLE CHARGE REFUND		INT14012	06/20/2014	441.87
00170558	07/02/2014	BAXTER, JOANNA TABLE		OH003050	06/24/2014	54.74
00170559	07/02/2014	BRAZG, CLIVE DUPLICATE PAYMENT REFUND		OH003049	06/26/2014	1,010.00
00170560	07/02/2014	BRYAN, JANET ELIZABETH JUROR SERVICE REIMBURSEMENT		OH003052	06/23/2014	12.46
00170561	07/02/2014	CENTURYLINK PHONE USE JUNE 2014		OH003056	06/20/2014	3,003.12
00170562	07/02/2014	COOPER, ROBERT LEOFF1 RET MEDI REIMB JLY-SEPT		OH003055	06/30/2014	314.70
00170563	07/02/2014	CORK, TAMBI A GIRL EMPOWERMENT GRP SUPPLIES		OH003054	06/24/2014	63.67
00170564	07/02/2014	DAVID, JOSEPH M JUROR SERVICE REIMBURSEMENT		OH003058	06/23/2014	23.75
00170565	07/02/2014	DUNN, MICHAEL B JUROR SERVICE REIMBURSEMENT		OH003057	03/23/2014	13.36
00170566	07/02/2014	ENGELSTEIN, JACOB JUROR SERVICE REIMBURSEMENT		OH003060	06/23/2014	14.80
00170567	07/02/2014	EVENSON, RICHARD K JUROR SERVICE REIMBURSEMENT		OH003059	06/23/2014	14.16
00170568	07/02/2014	FERGUSON, CATHERINE OVERPAYMENT REFUND		OH003063	06/20/2014	188.87
00170569	07/02/2014	FITZWILSON, ANDREA C JUROR SERVICE REIMBURSEMENT		OH003062	06/23/2014	12.83
00170570	07/02/2014	FOX, PATRICK J JUROR SERVICE REIMBURSEMENT		OH003061	06/23/2014	15.14

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00170571	07/02/2014	GENTINO, CATHERINE L SUPPLIES AND MILEAGE		OH003064	06/10/2014	55.57
00170572	07/02/2014	GET Program PAYROLL EARLY WARRANTS		OH003065	06/27/2014	1,034.50
00170573	07/02/2014	HATHEWAY, WILLIAM OVERPAYMENT REFUND		OH003066	06/20/2014	133.14
00170574	07/02/2014	JAYMARC HOMES LLC OVERPAYMENT REFUND		OH003067	06/20/2014	79.32
00170575	07/02/2014	JAYMARC HOMES LLC WATER MTR INSTALL REFUND		OH003068	06/18/2014	127.83
00170576	07/02/2014	JOHNSON, BRADLEY PARKING FEE		OH003077	06/30/2014	5.00
00170577	07/02/2014	KAHSAI, YORDANOS WATER MTR INSTALL REFUND		OH003069	06/18/2014	64.65
00170578	07/02/2014	LEE, MAI LI JUROR SERVICE REIMBURSEMENT		OH003075	06/23/2014	17.19
00170579	07/02/2014	LEE, MICHAEL & KATHY OVERPAYMENT REFUND		OH003070	06/23/2014	337.43
00170580	07/02/2014	LEOFF HEALTH & WELFARE TRUST LEOFF H&W TRUST		OH003073	07/01/2014	54,041.87
00170581	07/02/2014	LIN, RONA V EASEMENT SEARCH EXPENSE		OH003072	06/17/2014	3.90
00170582	07/02/2014	LUMPKIN, THOMAS A OVERPAYMENT REFUND		OH003071	06/20/2014	396.74
00170583	07/02/2014	MACAULAY, ROBERT CHARLES JUROR SERVICE REIMBURSEMENT		OH003080	06/23/2014	12.37
00170584	07/02/2014	MADDEN, MARJORIE E JUROR SERVICE REIMBURSEMENT		OH003079	06/23/2014	12.92
00170585	07/02/2014	MARCROFT, MARC A FIREARMS INST EQUIPMENT		OH003081	06/23/2014	109.89
00170586	07/02/2014	MCKIERNAN, CHRISTINE L JUROR SERVICE REIMBURSEMENT		OH003078	06/23/2014	14.03
00170587	07/02/2014	MI EMPLOYEES ASSOC PAYROLL EARLY WARRANTS		OH003082	06/27/2014	145.00
00170588	07/02/2014	NEIDHART, DONALD G JUROR SERVICE REIMBURSEMENT		OH003083	06/23/2014	11.90
00170589	07/02/2014	NOONE, JANET S JUROR SERVICE REIMBURSEMENT		OH003084	06/23/2014	14.45
00170590	07/02/2014	PALMER, BRENT & KAREN OVERPAYMENT REFUND		OH003088	06/20/2014	299.50
00170591	07/02/2014	PARISIEN, SUZANNE RACHEL JUROR SERVICE REIMB		OH003086	06/23/2014	13.44
00170592	07/02/2014	PARR, RYAN FIREARMS INST EQUIPMENT		OH003089	06/29/2014	61.92
00170593	07/02/2014	PART WORKS INC. TOILET PARTS	P82679	383620	06/11/2014	81.07
00170594	07/02/2014	POLICE ASSOCIATION PAYROLL EARLY WARRANTS		OH003091	06/27/2014	2,483.96
00170595	07/02/2014	PUGET SOUND ENERGY ENERGY USE JUNE 2014		OH003085	06/24/2014	13,171.63
00170596	07/02/2014	PULTS, STEPHEN PER DIEM REIMB CONFERENCE		OH003090	06/18/2014	138.50

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Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00170597	07/02/2014	PUTTICK, PRECIOUS FONTANOS JUROR SERVICE REIMBURSEMENT		OH003087	06/23/2014	12.88
00170598	07/02/2014	RAASCH, JANA PARKING & MILEAGE		OH003094	06/17/2014	22.18
00170599	07/02/2014	RAYBOLD, SHANNON K JUROR SERVICE REIMBURSEMENT		OH003093	06/23/2014	23.06
00170600	07/02/2014	RELIANCE FIRE PROTECTION DOUBLE CHARGE REFUND		1405250	06/20/2014	396.55
00170601	07/02/2014	REMPE, DONALD D JUROR SERVICE REIMBURSEMENT		OH003092	06/23/2014	12.05
00170602	07/02/2014	SAWHORSE CONSTRUCTION WATER MTR INSTAL REFUND		OH003100	06/18/2014	101.63
00170603	07/02/2014	SEGLE, KRYSS WELLNESS LUNCHEON EXPENSES		OH003101	06/19/2014	90.90
00170604	07/02/2014	SHEPHARD, LEE MORAN JUROR SERVICE REIMBURSEMENT		OH003096	06/23/2014	13.74
00170605	07/02/2014	SHUM, JOHN E JUROR SERVICE REIMBURSEMENT		OH003097	06/23/2014	12.22
00170606	07/02/2014	STRONG, MATTHEW OVERPAYMENT REFUND		OH003099	06/20/2014	232.10
00170607	07/02/2014	STUCK, DORIS A JUROR SERVICE REIMBURSEMENT		OH003095	06/23/2014	14.08
00170608	07/02/2014	SUCKERMAN, SIVIE LICENSE FEE		OH003103	06/24/2014	100.00
00170609	07/02/2014	SULLIVAN & M HODGINS, MARGARET OVERPAYMENT REFUND		OH003098	06/26/2014	1,800.00
00170610	07/02/2014	SYLVETSKY, LESLIE SR SOCIAL SUPPLIES		OH003102	06/21/2014	191.12
00170611	07/02/2014	TEXAS CHILD SUPPORT SDU 70060312518910521S/JAMES BLAIR		OH003105	06/25/2014	225.00
00170612	07/02/2014	TSUTAKAWA, JACQUELINE J JUROR SERVICE REIMBURSEMENT		OH003104	06/23/2014	17.02
00170613	07/02/2014	UNITED WAY OF KING CO PAYROLL EARLY WARRANTS		OH003106	06/27/2014	151.00
00170614	07/02/2014	WABO BOOKSTORE, THE 2012 Uniform Plumbing Code CD-	P82717	28878	06/13/2014	101.78
00170615	07/02/2014	WANGEN, RICK H DUPLICATE PAYMENT REFUND		OH003107	06/26/2014	868.50
00170616	07/02/2014	WEISS, MARTHA S JUROR SERVICE REIMBURSEMENT		OH003110	06/23/2014	10.56
00170617	07/02/2014	WRIGHT, DANIEL J JUROR SERVICE REIMBURSEMENT		OH003108	06/23/2014	13.09
00170618	07/02/2014	WRIGHT, SARAH GENEVIEVE JUROR SERVICE REIMBURSEMENT		OH003109	06/23/2014	14.91
00170619	07/02/2014	WSCCCE AFSCME AFL-CIO PAYROLL EARLY WARRANTS		OH003111	06/27/2014	2,067.63
00170620	07/02/2014	YOUSEFIAN, JOSEPH OVERPAYMENT REFUND		OH003112	06/20/2014	327.60
00170621	07/02/2014	ZENKA, RYAN R JUROR SERVICE REIMBURSEMENT		OH003113	06/23/2014	18.21
					Total	<u>122,200.35</u>

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
<i>Org Key: 345000 - Technology-Admin Key</i>				
	00170557	BARCELO HOMES INC	DOUBLE CHARGE REFUND	12.87
	00170600	RELIANCE FIRE PROTECTION	DOUBLE CHARGE REFUND	11.55
<i>Org Key: 402000 - Water Fund-Admin Key</i>				
	00170609	SULLIVAN & M HODGINS, MARGARET	OVERPAYMENT REFUND	1,800.00
	00170582	LUMPKIN, THOMAS A	OVERPAYMENT REFUND	396.74
	00170579	LEE, MICHAEL & KATHY	OVERPAYMENT REFUND	337.43
	00170620	YOUSEFIAN, JOSEPH	OVERPAYMENT REFUND	327.60
	00170590	PALMER, BRENT & KAREN	OVERPAYMENT REFUND	299.50
	00170606	STRONG, MATTHEW	OVERPAYMENT REFUND	232.10
	00170568	FERGUSON, CATHERINE	OVERPAYMENT REFUND	188.87
	00170552	AHRENS, JEREMY & NICOLE	OVERPAYMENT REFUND	183.71
	00170573	HATHEWAY, WILLIAM	OVERPAYMENT REFUND	133.14
	00170575	JAYMARC HOMES LLC	WATER MTR INSTALL REFUND	127.83
	00170602	SAWHORSE CONSTRUCTION	WATER MTR INSTAL REFUND	101.63
	00170550	ACH HOMES LLC	WATER METER INSTALL REFUND	97.73
	00170574	JAYMARC HOMES LLC	OVERPAYMENT REFUND	79.32
	00170577	KAHSAI, YORDANOS	WATER MTR INSTALL REFUND	64.65
<i>Org Key: 814072 - United Way</i>				
	00170613	UNITED WAY OF KING CO	PAYROLL EARLY WARRANTS	151.00
<i>Org Key: 814074 - Garnishments</i>				
	00170611	TEXAS CHILD SUPPORT SDU	70060312518910521S/JAMES BLAIR	225.00
<i>Org Key: 814075 - Mercer Island Emp Association</i>				
	00170587	MI EMPLOYEES ASSOC	PAYROLL EARLY WARRANTS	145.00
<i>Org Key: 814076 - City & Counties Local 21M</i>				
	00170619	WSCCCE AFSCME AFL-CIO	PAYROLL EARLY WARRANTS	2,067.63
<i>Org Key: 814077 - Police Association</i>				
	00170594	POLICE ASSOCIATION	PAYROLL EARLY WARRANTS	2,483.96
<i>Org Key: 814083 - Vol Life Ins - States West Lif</i>				
	00170555	AWC	JULY 2014	224.40
<i>Org Key: 814085 - GET Program Deductions</i>				
	00170572	GET Program	PAYROLL EARLY WARRANTS	1,034.50
<i>Org Key: CA1100 - Administration (CA)</i>				
	00170547	US BANK CORP PAYMENT SYS	HILTON VANCOUVER WA	160.98
<i>Org Key: CM1100 - Administration (CM)</i>				
	00170547	US BANK CORP PAYMENT SYS	KEG FACTORIA	18.33
<i>Org Key: CM1400 - Communications</i>				
	00170547	US BANK CORP PAYMENT SYS	AMAZON.COM	65.69
	00170547	US BANK CORP PAYMENT SYS	FACEBK *GJ94A6NCP2	30.00
	00170547	US BANK CORP PAYMENT SYS	14 BARTELL DRUGS	21.86
	00170547	US BANK CORP PAYMENT SYS	STARBUCKS #03393 MERCER I	15.28
	00170547	US BANK CORP PAYMENT SYS	QFC #5839	9.98
	00170547	US BANK CORP PAYMENT SYS	BACKUPIFY	4.99

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PO #	Check #	Vendor:	Transaction Description	Check Amount
<i>Org Key: CO6100 - City Council</i>				
	00170547	US BANK CORP PAYMENT SYS	ALBERTSONS #450	346.21
	00170547	US BANK CORP PAYMENT SYS	GOURMONDO CATERING ONLIN	238.17
	00170547	US BANK CORP PAYMENT SYS	RESTAURANTS ON THE RUN	198.02
	00170547	US BANK CORP PAYMENT SYS	PAYPAL *SCA	45.00
	00170547	US BANK CORP PAYMENT SYS	SAFEWAY STORE00034728	26.60
	00170547	US BANK CORP PAYMENT SYS	ALBERTSONS #450 SSS	-15.31
<i>Org Key: CR1100 - CORe Admin and Human Resources</i>				
	00170547	US BANK CORP PAYMENT SYS	HILTON GARDEN YAKIMA	479.70
	00170547	US BANK CORP PAYMENT SYS	LEADERSHIPIQ.COM	249.00
	00170603	SEGLE, KRYSS	WELLNESS LUNCHEON EXPENSES	90.90
	00170547	US BANK CORP PAYMENT SYS	WARRIOR QUICK STOP	31.19
	00170547	US BANK CORP PAYMENT SYS	WA DOR BUS LICENSE	11.00
<i>Org Key: CT1100 - Municipal Court</i>				
	00170564	DAVID, JOSEPH M	JUROR SERVICE REIMBURSEMENT	23.75
	00170599	RAYBOLD, SHANNON K	JUROR SERVICE REIMBURSEMENT	23.06
	00170621	ZENKA, RYAN R	JUROR SERVICE REIMBURSEMENT	18.21
	00170578	LEE, MAI LI	JUROR SERVICE REIMBURSEMENT	17.19
	00170612	TSUTAKAWA, JACQUELINE J	JUROR SERVICE REIMBURSEMENT	17.02
	00170570	FOX, PATRICK J	JUROR SERVICE REIMBURSEMENT	15.14
	00170618	WRIGHT, SARAH GENEVIEVE	JUROR SERVICE REIMBURSEMENT	14.91
	00170566	ENGELSTEIN, JACOB	JUROR SERVICE REIMBURSEMENT	14.80
	00170589	NOONE, JANET S	JUROR SERVICE REIMBURSEMENT	14.45
	00170567	EVENSON, RICHARD K	JUROR SERVICE REIMBURSEMENT	14.16
	00170607	STUCK, DORIS A	JUROR SERVICE REIMBURSEMENT	14.08
	00170586	MCKIERNAN, CHRISTINE L	JUROR SERVICE REIMBURSEMENT	14.03
	00170604	SHEPHARD, LEE MORAN	JUROR SERVICE REIMBURSEMENT	13.74
	00170591	PARISIEN, SUZANNE RACHEL	JUROR SERVICE REIMB	13.44
	00170565	DUNN, MICHAEL B	JUROR SERVICE REIMBURSEMENT	13.36
	00170617	WRIGHT, DANIEL J	JUROR SERVICE REIMBURSEMENT	13.09
	00170584	MADDEN, MARJORIE E	JUROR SERVICE REIMBURSEMENT	12.92
	00170554	ASHER, LAWRENCE J	JUROR SERVICE REIMBURSEMENT	12.91
	00170597	PUTTICK, PRECIOUS FONTANOS	JUROR SERVICE REIMBURSEMENT	12.88
	00170569	FITZWILSON, ANDREA C	JUROR SERVICE REIMBURSEMENT	12.83
	00170560	BRYAN, JANET ELIZABETH	JUROR SERVICE REIMBURSEMENT	12.46
	00170583	MACAULAY, ROBERT CHARLES	JUROR SERVICE REIMBURSEMENT	12.37
	00170605	SHUM, JOHN E	JUROR SERVICE REIMBURSEMENT	12.22
	00170601	REMPE, DONALD D	JUROR SERVICE REIMBURSEMENT	12.05
	00170588	NEIDHART, DONALD G	JUROR SERVICE REIMBURSEMENT	11.90
	00170553	ARMITAGE, LEWIS LEIGHTON	JUROR SERVICE REIMBURSEMENT	11.88
	00170556	BALTRUSIS, RON	JUROR SERVICE REIMBURSEMENT	11.75
	00170616	WEISS, MARTHA S	JUROR SERVICE REIMBURSEMENT	10.56
<i>Org Key: DS0000 - Development Services-Revenue</i>				
	00170557	BARCELO HOMES INC	DOUBLE CHARGE REFUND	429.00
	00170600	RELIANCE FIRE PROTECTION	DOUBLE CHARGE REFUND	385.00
<i>Org Key: DS1100 - Administration (DS)</i>				
	00170547	US BANK CORP PAYMENT SYS	COMPLETE OFFICE	58.22

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PO #	Check #	Vendor:	Transaction Description	Check Amount
	00170547	US BANK CORP PAYMENT SYS	MBP.COM MERCHANT FEES	54.10
	00170547	US BANK CORP PAYMENT SYS	SQ *MERCER ISLAND ROTARY	20.00
	00170547	US BANK CORP PAYMENT SYS	SQ *MERCER ISLAND ROTARY	20.00
<i>Org Key: DS1200 - Bldg Plan Review & Inspection</i>				
	00170547	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS	269.43
	00170547	US BANK CORP PAYMENT SYS	RED WING SHOE #887	187.18
	00170547	US BANK CORP PAYMENT SYS	T AND T TOOLS	167.00
	00170547	US BANK CORP PAYMENT SYS	SQ *MERCER ISLAND AUTO SP	131.40
P82717	00170614	WABO BOOKSTORE, THE	2012 Uniform Plumbing Code CD-	101.78
	00170547	US BANK CORP PAYMENT SYS	INT'L CODE COUNCIL INC	79.89
	00170547	US BANK CORP PAYMENT SYS	INT'L CODE COUNCIL INC	45.94
	00170547	US BANK CORP PAYMENT SYS	ACT*ECITYGOV ALLIANCE	20.00
	00170547	US BANK CORP PAYMENT SYS	ACT*ECITYGOV ALLIANCE	20.00
	00170547	US BANK CORP PAYMENT SYS	IAEI	18.00
<i>Org Key: FN1100 - Administration (FN)</i>				
	00170547	US BANK CORP PAYMENT SYS	AMAZON.COM	38.93
<i>Org Key: FR0000 - Fire-Revenue</i>				
	00170559	BRAZG, CLIVE	DUPLICATE PAYMENT REFUND	1,010.00
	00170615	WANGEN, RICK H	DUPLICATE PAYMENT REFUND	868.50
	00170551	AETNA	DUPLICATE PAYMENT REFUND	273.19
	00170549	AARP MEDICARE SUPPLEMENTAL	DUPLICATE PAYMENT REFUND	87.34
<i>Org Key: FR1100 - Administration (FR)</i>				
	00170547	US BANK CORP PAYMENT SYS	HILTON GARDEN YAKIMA	319.80
	00170547	US BANK CORP PAYMENT SYS	HILTON GARDEN YAKIMA	319.80
	00170547	US BANK CORP PAYMENT SYS	MSFT *MICROSOFTSTORE	226.97
	00170547	US BANK CORP PAYMENT SYS	ICMA INTERNET	157.95
	00170547	US BANK CORP PAYMENT SYS	PAYPAL *INSTITUTION	156.00
	00170547	US BANK CORP PAYMENT SYS	COMCAST CABLE COMM	84.33
	00170547	US BANK CORP PAYMENT SYS	RITE AID STORE 5197	66.59
	00170547	US BANK CORP PAYMENT SYS	MSFT *MICROSOFTSTORE	46.75
	00170547	US BANK CORP PAYMENT SYS	AMAZON.COM	45.68
	00170561	CENTURYLINK	PHONE USE JUNE 2014	44.58
	00170547	US BANK CORP PAYMENT SYS	AMAZON.COM	41.95
	00170547	US BANK CORP PAYMENT SYS	RITE AID STORE 5197	32.83
	00170547	US BANK CORP PAYMENT SYS	RITE AID STORE 5197	21.32
	00170547	US BANK CORP PAYMENT SYS	SQ *MERCER ISLAND ROTARY	20.00
	00170547	US BANK CORP PAYMENT SYS	SQ *MERCER ISLAND ROTARY	20.00
	00170547	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS	14.22
	00170547	US BANK CORP PAYMENT SYS	SQ *MERCER ISLAND ROTARY	10.00
	00170547	US BANK CORP PAYMENT SYS	SQ *MERCER ISLAND ROTARY	10.00
	00170547	US BANK CORP PAYMENT SYS	USPS 54530602535107903	9.80
	00170547	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS	9.29
	00170547	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS	8.89
<i>Org Key: FR2100 - Fire Operations</i>				
	00170547	US BANK CORP PAYMENT SYS	QFC #5839	54.85
<i>Org Key: FR5100 - Community Risk Reduction</i>				

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	00170547	US BANK CORP PAYMENT SYS	INGALLINA'S BOX LUNCH	159.12
	00170547	US BANK CORP PAYMENT SYS	STARBUCKS #03315 ISSAQUAH	60.00
	00170547	US BANK CORP PAYMENT SYS	KREMEWORKS ISAAQUAH	31.98
	00170547	US BANK CORP PAYMENT SYS	STARBUCKS #10707 SNOQUALM	30.30
	00170547	US BANK CORP PAYMENT SYS	FRED-MEYER #0658	21.89
<i>Org Key: GGM005 - Genera Govt-L1 Retiree Costs</i>				
	00170580	LEOFF HEALTH & WELFARE TRUST	LEOFF H&W TRUST	6,273.93
	00170562	COOPER, ROBERT	LEOFF1 RET MEDI REIMB JLY-SEPT	314.70
	00170547	US BANK CORP PAYMENT SYS	OMNICARE *PHARMACY	271.78
<i>Org Key: GX9997 - Employee Benefits-Fire</i>				
	00170580	LEOFF HEALTH & WELFARE TRUST	LEOFF H&W TRUST JLY 2014	47,767.94
<i>Org Key: GX9998 - Employee Benefits-Maintenance</i>				
	00170548	AWC	COBRA FOR T DEACH	1,448.57
<i>Org Key: IS2100 - IGS Network Administration</i>				
	00170561	CENTURYLINK	PHONE USE JUNE 2014	1,924.17
	00170547	US BANK CORP PAYMENT SYS	BEST BUY 00004986	218.96
	00170547	US BANK CORP PAYMENT SYS	WWW.NEWEGG.COM	207.98
	00170547	US BANK CORP PAYMENT SYS	KENNELLY KEYS BELLEVUE	136.31
	00170547	US BANK CORP PAYMENT SYS	FRY'S ELECTRONICS #30	85.30
	00170547	US BANK CORP PAYMENT SYS	MOS PIZZA	28.83
	00170547	US BANK CORP PAYMENT SYS	FRY'S ELECTRONICS #30	15.07
	00170547	US BANK CORP PAYMENT SYS	WWW.BITTITAN.COM	13.13
	00170547	US BANK CORP PAYMENT SYS	USPS 54530602535107903	11.65
	00170547	US BANK CORP PAYMENT SYS	THE UPS STORE 1081	11.65
	00170547	US BANK CORP PAYMENT SYS	USPS 54530602535107903	10.95
	00170547	US BANK CORP PAYMENT SYS	WWW.NEWEGG.COM	-39.99
	00170547	US BANK CORP PAYMENT SYS	WWW.NEWEGG.COM	-51.00
<i>Org Key: MT2100 - Roadway Maintenance</i>				
	00170595	PUGET SOUND ENERGY	ENERGY USE JUNE 2014	277.56
<i>Org Key: MT2300 - Planter Bed Maintenance</i>				
	00170595	PUGET SOUND ENERGY	ENERGY USE JUNE 2014	12.35
<i>Org Key: MT3200 - Water Pumps</i>				
	00170595	PUGET SOUND ENERGY	ENERGY USE JUNE 2014	2,434.60
	00170561	CENTURYLINK	PHONE USE JUNE 2014	59.42
<i>Org Key: MT3300 - Water Associated Costs</i>				
	00170547	US BANK CORP PAYMENT SYS	PAYPAL *NWWA-AWWA	285.00
<i>Org Key: MT3500 - Sewer Pumps</i>				
	00170595	PUGET SOUND ENERGY	ENERGY USE JUNE 2014	2,766.81
	00170561	CENTURYLINK	PHONE USE JUNE 2014	502.75
<i>Org Key: MT3600 - Sewer Associated Costs</i>				
	00170547	US BANK CORP PAYMENT SYS	PAYPAL *NWWA-AWWA	285.00
<i>Org Key: MT4200 - Building Services</i>				
	00170595	PUGET SOUND ENERGY	ENERGY USE JUNE 2014	3,006.38

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PO #	Check #	Vendor:	Transaction Description	Check Amount
	00170547	US BANK CORP PAYMENT SYS	THE HOME DEPOT 4711	257.29
	00170547	US BANK CORP PAYMENT SYS	THE HOME DEPOT 4711	190.53
	00170595	PUGET SOUND ENERGY	ENERGY USE JUNE 2014	144.45
	00170547	US BANK CORP PAYMENT SYS	THE HOME DEPOT 4711	65.42
<i>Org Key: MT4501 - Water Administration</i>				
	00170561	CENTURYLINK	PHONE USE JUNE 2014	45.64
<i>Org Key: MTBE01 - Maint of Medians & Planters</i>				
	00170595	PUGET SOUND ENERGY	ENERGY USE JUNE 2014	962.34
<i>Org Key: PO1100 - Administration (PO)</i>				
	00170547	US BANK CORP PAYMENT SYS	OHD LLC	760.00
	00170547	US BANK CORP PAYMENT SYS	COMPETITION ELECTRONICS	539.20
	00170547	US BANK CORP PAYMENT SYS	DOUBLETREE CITY CENTER	424.80
	00170547	US BANK CORP PAYMENT SYS	WASPC Conf.	152.80
	00170547	US BANK CORP PAYMENT SYS	EB *ASIS PUGET SOUND J	108.96
	00170547	US BANK CORP PAYMENT SYS	BEST BUY 00004986	38.30
	00170547	US BANK CORP PAYMENT SYS	LOWES #00140*	38.25
	00170547	US BANK CORP PAYMENT SYS	Gas home from WASPC conf.	38.23
	00170547	US BANK CORP PAYMENT SYS	CENEX AG LINK 07025950	34.50
	00170547	US BANK CORP PAYMENT SYS	Gas to WASPC conf.	33.70
	00170547	US BANK CORP PAYMENT SYS	LOWES #00140*	22.00
	00170547	US BANK CORP PAYMENT SYS	SQ *MERCER ISLAND ROTARY	20.00
	00170547	US BANK CORP PAYMENT SYS	SQ *MERCER ISLAND ROTARY	20.00
	00170547	US BANK CORP PAYMENT SYS	SQ *MERCER ISLAND ROTARY	20.00
	00170547	US BANK CORP PAYMENT SYS	LOWES #00140*	-17.48
<i>Org Key: PO1350 - Police Emergency Management</i>				
	00170547	US BANK CORP PAYMENT SYS	STARBUCKS #03330 MERCER I	98.55
	00170547	US BANK CORP PAYMENT SYS	RITE AID STORE 5197	13.69
<i>Org Key: PO2200 - Marine Patrol</i>				
	00170547	US BANK CORP PAYMENT SYS	Marine Patrol training	273.90
	00170547	US BANK CORP PAYMENT SYS	Marine Patrol training	273.90
<i>Org Key: PO3100 - Investigation Division</i>				
	00170547	US BANK CORP PAYMENT SYS	OFFICE DEPOT #819	58.01
<i>Org Key: PO3200 - Alcohol & Drug Program</i>				
	00170547	US BANK CORP PAYMENT SYS	Name plates for SRO/DET office	36.68
<i>Org Key: PO4100 - Training</i>				
	00170585	MARCROFT, MARC A	FIREARMS INST EQUIPMENT	109.89
	00170592	PARR, RYAN	FIREARMS INST EQUIPMENT	61.92
<i>Org Key: PR1100 - Administration (PR)</i>				
	00170547	US BANK CORP PAYMENT SYS	ORIENTAL TRADING CO	421.98
	00170547	US BANK CORP PAYMENT SYS	TROPHIES 2 GO COM STORE	142.35
	00170547	US BANK CORP PAYMENT SYS	WALMART.COM	126.72
	00170547	US BANK CORP PAYMENT SYS	AMAZON.COM	86.38
	00170547	US BANK CORP PAYMENT SYS	WALMART.COM 8009666546	79.11
	00170547	US BANK CORP PAYMENT SYS	LUNCHBOXES.COM	64.76

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
	00170547	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS	63.92
	00170547	US BANK CORP PAYMENT SYS	FUN EXPRESS	61.15
	00170547	US BANK CORP PAYMENT SYS	AMAZON.COM	59.84
	00170547	US BANK CORP PAYMENT SYS	CONTAINERSTORE.COM	52.45
	00170547	US BANK CORP PAYMENT SYS	WALMART.COM	44.83
	00170547	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS	44.32
	00170547	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS	41.95
	00170547	US BANK CORP PAYMENT SYS	ORIENTAL TRADING CO	31.49
	00170547	US BANK CORP PAYMENT SYS	SQ *MERCER ISLAND ROTARY	30.00
	00170547	US BANK CORP PAYMENT SYS	AMAZON.COM	27.38
	00170547	US BANK CORP PAYMENT SYS	STORABLES 15	27.32
	00170547	US BANK CORP PAYMENT SYS	SQ *MERCER ISLAND ROTARY	20.00
	00170547	US BANK CORP PAYMENT SYS	SQ *MERCER ISLAND ROTARY	15.00
	00170547	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS	4.57
	00170547	US BANK CORP PAYMENT SYS	USPS 54530602535107903	4.45
	00170547	US BANK CORP PAYMENT SYS	ORIENTAL TRADING CO	-25.00
	00170547	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS	-58.05
Org Key: PR1500 - Urban Forest Management				
	00170547	US BANK CORP PAYMENT SYS	BILL WATERS SPIRIT	49.45
Org Key: PR2100 - Recreation Programs				
	00170533	US POSTMASTER	Bulk Postage	703.47
	00170547	US BANK CORP PAYMENT SYS	PROGRESSIVE BUSINESS CONF	199.00
	00170547	US BANK CORP PAYMENT SYS	CHIHULY G&G ADMISSIONS	181.65
	00170547	US BANK CORP PAYMENT SYS	PAYPAL *PLAYWELLTEK	93.00
	00170547	US BANK CORP PAYMENT SYS	PAYPAL *PLAYWELLTEK	93.00
	00170547	US BANK CORP PAYMENT SYS	PAYPAL *PLAYWELLTEK	93.00
	00170547	US BANK CORP PAYMENT SYS	PAYPAL *PLAYWELLTEK	93.00
	00170547	US BANK CORP PAYMENT SYS	SKYHAWKS SPORTS ACAD	70.50
	00170547	US BANK CORP PAYMENT SYS	SKYHAWKS SPORTS ACAD	70.50
	00170547	US BANK CORP PAYMENT SYS	GUSTAVS	54.86
	00170547	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS	41.94
	00170547	US BANK CORP PAYMENT SYS	CTC*CONSTANTCONTACT.COM	41.06
Org Key: PR2101 - Youth and Teen Camps				
	00170547	US BANK CORP PAYMENT SYS	MICHAELS STORES 2038	200.75
	00170547	US BANK CORP PAYMENT SYS	KC SOLID WASTE #01	58.23
	00170547	US BANK CORP PAYMENT SYS	WHENTOWORK	54.00
Org Key: PR2103 - Aquatics Programs				
	00170547	US BANK CORP PAYMENT SYS	THE LIFEGUARD STORE IN	279.90
Org Key: PR2104 - Special Events				
	00170547	US BANK CORP PAYMENT SYS	MICHAELS STORES 8407	6.54
Org Key: PR2108 - Health and Fitness				
	00170547	US BANK CORP PAYMENT SYS	MOUNT SI GOLF COURSE -	24.00
	00170547	US BANK CORP PAYMENT SYS	SNOQUALMIE FALLS GOLF COU	18.00
Org Key: PR3500 - Senior Services				
	00170610	SYLVETSKY, LESLIE	SR SOCIAL SUPPLIES	191.12
	00170533	US POSTMASTER	Bulk Postage	102.43

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
	00170547	US BANK CORP PAYMENT SYS	EB *2014 VAN CONFERENC	85.39
	00170547	US BANK CORP PAYMENT SYS	CASHNCARRY583 52105830	68.42
	00170547	US BANK CORP PAYMENT SYS	CREATIVE FORCASTING INC	60.00
	00170547	US BANK CORP PAYMENT SYS	SAFEWAY STORE00034728	45.99
	00170547	US BANK CORP PAYMENT SYS	QFC #5839	39.98
	00170547	US BANK CORP PAYMENT SYS	QFC #5839	22.76
	00170547	US BANK CORP PAYMENT SYS	WSCC PFD PARKING	17.00
Org Key: PR4100 - Community Center				
	00170595	PUGET SOUND ENERGY	ENERGY USE JUNE 2014	456.84
	00170547	US BANK CORP PAYMENT SYS	GIH*GLOBALINDUSTRIALEQ	143.02
	00170547	US BANK CORP PAYMENT SYS	VERTICALRESPONSE INC	137.70
	00170547	US BANK CORP PAYMENT SYS	ISLAND BOOKS	87.60
	00170547	US BANK CORP PAYMENT SYS	AIR DELIGHTS INC	61.94
	00170547	US BANK CORP PAYMENT SYS	AMAZON.COM	46.96
	00170561	CENTURYLINK	PHONE USE JUNE 2014	44.58
	00170547	US BANK CORP PAYMENT SYS	SECURITY SAFE LOCK	26.44
	00170598	RAASCH, JANA	PARKING & MILEAGE	22.18
	00170547	US BANK CORP PAYMENT SYS	POND5 INC	20.00
	00170547	US BANK CORP PAYMENT SYS	ISTOCK *INTERNATIONAL	19.99
	00170547	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS	9.42
Org Key: PR5900 - Summer Celebration				
P82785	00170532	PAUL BUNYAN LUMBERJACK SHOW	Entertainment services for Sum	2,400.00
	00170533	US POSTMASTER	Bulk Postage	400.00
Org Key: PR6100 - Park Maintenance				
	00170595	PUGET SOUND ENERGY	ENERGY USE JUNE 2014	2,148.89
	00170547	US BANK CORP PAYMENT SYS	QFC #5860	355.95
P82679	00170593	PART WORKS INC.	TOILET PARTS	81.07
	00170576	JOHNSON, BRADLEY	PARKING FEE	5.00
Org Key: PR6200 - Athletic Field Maintenance				
	00170561	CENTURYLINK	PHONE USE JUNE 2014	83.07
	00170547	US BANK CORP PAYMENT SYS	GA-CAMPUS PARKING 1	3.00
Org Key: PR6500 - Luther Burbank Park Maint.				
	00170547	US BANK CORP PAYMENT SYS	THE LIFEGUARD STORE IN	279.90
	00170561	CENTURYLINK	PHONE USE JUNE 2014	227.96
	00170547	US BANK CORP PAYMENT SYS	GA-CAMPUS PARKING 1	3.00
Org Key: PR6600 - Park Maint-School Related				
	00170595	PUGET SOUND ENERGY	ENERGY USE JUNE 2014	250.14
Org Key: PR6700 - I90 Park Maintenance				
	00170547	US BANK CORP PAYMENT SYS	RAINMASTER	388.70
	00170595	PUGET SOUND ENERGY	ENERGY USE JUNE 2014	167.99
Org Key: VCP426 - CIP Sewer Salaries				
	00170547	US BANK CORP PAYMENT SYS	AMERICAN WATERWORKS	650.00
Org Key: WG110T - Computer Equip Replacements				
	00170547	US BANK CORP PAYMENT SYS	MSFT *MICROSOFTSTORE	76.54

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
	00170547	US BANK CORP PAYMENT SYS	WWW.NEWEGG.COM	51.32
<i>Org Key: WG315T - Utility Billing System Upgr</i>				
	00170547	US BANK CORP PAYMENT SYS	ESRI CONFERENCE	457.15
	00170547	US BANK CORP PAYMENT SYS	ESRI CONFERENCE	33.65
	00170547	US BANK CORP PAYMENT SYS	ESRI CONFERENCE	7.00
<i>Org Key: WG921T - Server Software Upgrades</i>				
	00170547	US BANK CORP PAYMENT SYS	OFFICE 365 MIGRATION	3,150.97
<i>Org Key: WP122R - Vegetation Management</i>				
	00170547	US BANK CORP PAYMENT SYS	PAYPAL *PNW-ISA	185.49
	00170547	US BANK CORP PAYMENT SYS	PAYPAL *PNW-ISA	185.49
<i>Org Key: WW314R - Water Main 93rd 89th and 90th</i>				
	00170581	LIN, RONA V	EASEMENT SEARCH EXPENSE	3.90
<i>Org Key: XG300R - Fire Station 92 Replacement</i>				
	00170561	CENTURYLINK	PHONE USE JUNE 2014	70.95
<i>Org Key: XP720R - KC Levy Projects</i>				
	00170547	US BANK CORP PAYMENT SYS	EB *2014 WASHINGTON ST	204.99
<i>Org Key: YF1100 - YFS General Services</i>				
	00170547	US BANK CORP PAYMENT SYS	AMAZON.COM	534.94
	00170547	US BANK CORP PAYMENT SYS	QFC #5839	155.95
	00170596	PULTS, STEPHEN	PER DIEM REIMB CONFERENCE	138.50
	00170608	SUCKERMAN, SIVIE	LICENSE FEE	100.00
	00170547	US BANK CORP PAYMENT SYS	SAHARA PIZZA	85.34
	00170547	US BANK CORP PAYMENT SYS	SHIFTBOARD INC.	54.75
	00170547	US BANK CORP PAYMENT SYS	SAHARA PIZZA	45.14
	00170547	US BANK CORP PAYMENT SYS	SAHARA PIZZA	41.26
	00170547	US BANK CORP PAYMENT SYS	TROPHIES 2 GO COM STORE	25.19
	00170547	US BANK CORP PAYMENT SYS	STARBUCKS #03330 MERCER I	25.00
	00170547	US BANK CORP PAYMENT SYS	SQ *MERCER ISLAND ROTARY	20.00
	00170547	US BANK CORP PAYMENT SYS	SQ *MERCER ISLAND ROTARY	20.00
	00170547	US BANK CORP PAYMENT SYS	SQ *MERCER ISLAND ROTARY	20.00
	00170547	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS	15.56
	00170547	US BANK CORP PAYMENT SYS	TPC ONLINE FOOD CARDS	10.00
	00170547	US BANK CORP PAYMENT SYS	TPC ONLINE FOOD CARDS	10.00
	00170547	US BANK CORP PAYMENT SYS	TPC ONLINE FOOD CARDS	10.00
	00170547	US BANK CORP PAYMENT SYS	TPC ONLINE FOOD CARDS	10.00
<i>Org Key: YF1200 - Thrift Shop</i>				
	00170547	US BANK CORP PAYMENT SYS	SOUND PUBLISHING	822.25
	00170595	PUGET SOUND ENERGY	ENERGY USE JUNE 2014	543.28
	00170547	US BANK CORP PAYMENT SYS	COSTCO *BUS DELIV 115	466.16
	00170547	US BANK CORP PAYMENT SYS	SOUND PUBLISHING	215.00
	00170547	US BANK CORP PAYMENT SYS	SOUND PUBLISHING	215.00
	00170547	US BANK CORP PAYMENT SYS	ER & S COMPUTER SOLUTI	136.00
	00170547	US BANK CORP PAYMENT SYS	BLU*MERCERISLANDTHRIFT.OR	119.88
	00170547	US BANK CORP PAYMENT SYS	STORE SUPPLY	78.47
	00170547	US BANK CORP PAYMENT SYS	STK*SHUTTERSTOCK, INC.	29.00

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
	00170547	US BANK CORP PAYMENT SYS	OH CHOCOLATE	20.00
	00170547	US BANK CORP PAYMENT SYS	RITE AID STORE 5197	7.11
<i>Org Key: YF2100 - School/City Partnership</i>				
	00170571	GENTINO, CATHERINE L	SUPPLIES AND MILEAGE	55.57
<i>Org Key: YF2300 - VOICE Program</i>				
	00170547	US BANK CORP PAYMENT SYS	KOTISDESIGN	1,292.10
	00170547	US BANK CORP PAYMENT SYS	KOTISDESIGN	749.42
	00170547	US BANK CORP PAYMENT SYS	JOANN STORE INTERNET	685.98
	00170558	BAXTER, JOANNA	TABLE	54.74
	00170563	CORK, TAMBI A	SUPPLIES	46.72
	00170547	US BANK CORP PAYMENT SYS	QFC #5806	18.78
	00170547	US BANK CORP PAYMENT SYS	QFC #5806	17.27
	00170563	CORK, TAMBI A	GIRL EMPOWERMENT GRP SUPPLIES	16.95
	00170547	US BANK CORP PAYMENT SYS	TPC ONLINE FOOD CARDS	10.00
	00170547	US BANK CORP PAYMENT SYS	QFC #5806	8.99
	00170547	US BANK CORP PAYMENT SYS	QFC #5806	2.50
<i>Org Key: YF2600 - Family Assistance</i>				
	00170547	US BANK CORP PAYMENT SYS	OVERLAKE HOSPITAL PFS	600.00
	00170547	US BANK CORP PAYMENT SYS	ACT*MERCER IS PARKS	158.00
	00170547	US BANK CORP PAYMENT SYS	BEST BUY 00004705	150.00
	00170547	US BANK CORP PAYMENT SYS	ACT*MERCER IS PARKS	143.00
	00170547	US BANK CORP PAYMENT SYS	STROUM JEWISH COMM CENTER	114.00
	00170547	US BANK CORP PAYMENT SYS	QFC #5839	100.00
	00170547	US BANK CORP PAYMENT SYS	QFC #5839	100.00
	00170547	US BANK CORP PAYMENT SYS	PAYPAL *PLAYWELLTEK	93.00
	00170547	US BANK CORP PAYMENT SYS	PAYPAL *PLAYWELLTEK	93.00
	00170547	US BANK CORP PAYMENT SYS	PAYPAL *PLAYWELLTEK	93.00
	00170547	US BANK CORP PAYMENT SYS	PAYPAL *PLAYWELLTEK	93.00
	00170547	US BANK CORP PAYMENT SYS	QFC #5839	90.00
	00170547	US BANK CORP PAYMENT SYS	SKYHAWKS SPORTS ACAD	70.50
	00170547	US BANK CORP PAYMENT SYS	SKYHAWKS SPORTS ACAD	70.50
	00170547	US BANK CORP PAYMENT SYS	SHELL OIL 57424192508	50.00
	00170547	US BANK CORP PAYMENT SYS	GEORGETOWN DENTAL	40.00
	00170547	US BANK CORP PAYMENT SYS	GEORGETOWN DENTAL	40.00
	00170547	US BANK CORP PAYMENT SYS	ACT*OLYMPICCASCADEAQUA	36.00
	00170547	US BANK CORP PAYMENT SYS	QFC #5839	15.00
<i>Org Key: YF2800 - Fed Drug Free Communities Gran</i>				
	00170547	US BANK CORP PAYMENT SYS	MEETINGS NORTHWEST LLC	970.00
	00170547	US BANK CORP PAYMENT SYS	MEETINGS NORTHWEST LLC	970.00
	00170547	US BANK CORP PAYMENT SYS	ALASKA AIR 0272147789964	333.00
	00170547	US BANK CORP PAYMENT SYS	ALASKA AIR 0272147791438	333.00
	00170547	US BANK CORP PAYMENT SYS	BIG SKY LODGING	161.46
	00170547	US BANK CORP PAYMENT SYS	BIG SKY LODGING	161.46
	00170547	US BANK CORP PAYMENT SYS	ATHLETIC AWARDS	75.55
	00170547	US BANK CORP PAYMENT SYS	ATHLETIC AWARDS	75.55
	00170547	US BANK CORP PAYMENT SYS	CTC*CONSTANTCONTACT.COM	73.92
	00170547	US BANK CORP PAYMENT SYS	EIG*HOMESTEAD	19.99

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
			Total	<u>122,200.35</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	170622-170759	07/10/14	\$ 355,830.24
			\$ 355,830.24

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00170622	07/07/2014	AVR PRODUCTION SERVICES Sound services for Summer	P82881	OH003125	07/01/2014	3,723.00
00170623	07/07/2014	BACKUS, STEVE Entertainment services for Sum	P82892	OH003129	07/02/2014	1,000.00
00170624	07/07/2014	BELLEVUE COMMUNITY BAND Entertainment services for Sum	P82890	OH003127	07/02/2014	200.00
00170625	07/07/2014	GENTINO, CATHERINE L FLEX SPEND ACCT REIMB		OH003116	06/27/2014	115.00
00170626	07/07/2014	GREENE, RICHARD B. MILEAGE EXPENSE		OH003121	06/20/2014	229.04
00170627	07/07/2014	MCVAY, PATRICK Entertainment services for Sum	P82891	OH003128	07/02/2014	1,000.00
00170628	07/07/2014	MCWATTERS, BRIAN FLEX SPEND ACCT REIMB		OH003114	06/27/2014	420.00
00170629	07/07/2014	NATIVE KULTURZ Entertainment services for Sum	P82894	OH003130	07/02/2014	3,500.00
00170630	07/07/2014	PACIFIC RIM TALENT INC Entertainment services for Sum	P82882	OH003124	07/01/2014	2,800.00
00170631	07/07/2014	QUINN, THOMAS FLEX SPEND ACCT REIMB		OH003115	06/27/2014	187.21
00170632	07/07/2014	RECESS MONKEY LLC Entertainment services for Sum	P82876	OH003123	07/01/2014	850.00
00170633	07/07/2014	SANDINE, ASEA FLEX SPEND ACCT REIMB		OH003117	06/27/2014	192.31
00170634	07/07/2014	TAWNEY, LAURA MEETING EXPENSES AND MILEAGE		OH003122	07/02/2014	28.60
00170635	07/07/2014	TIMM, JANELLE FLEX SPEND ACCT REIMB		OH003120	06/27/2014	192.31
00170636	07/07/2014	TREAT, NOEL FLEX SPEND ACCT REIMB		OH003119	06/27/2014	1,226.01
00170637	07/07/2014	TUTTLE, LAJUAN FLEX SPEND ACCT REIMB		OH003118	06/27/2014	192.31
00170638	07/07/2014	YOST, CARL EUGENE Entertainment services for Sum	P82889	OH003126	07/02/2014	450.00
00170639	07/10/2014	ABBOTT, RICHARD LEOFF1 Medicare		AUG2014B	07/09/2014	104.90
00170640	07/10/2014	ADAMS, RONALD E LEOFF1 Medicare		AUG2014B	07/09/2014	104.90
00170641	07/10/2014	AKANA, JANELLE H Instruction services for Power	P82756	14782/14777	06/19/2014	2,096.23
00170642	07/10/2014	AMERICAN EXPRESS (LB) Mini Mercer camp supplies	P82838	93311JUNE2014A	06/28/2014	313.31
00170643	07/10/2014	AMERICAN EXPRESS (YFS) Operating supplies for dept an	P82904	93311JUNE2014B	06/28/2014	1,088.74
00170644	07/10/2014	AMERICAN PUBLIC WORKS ASSOC MEMBERSHIP RENEWAL FOR AGENCY	P82781	6920YR2014	06/11/2014	936.00
00170645	07/10/2014	ARGOSY CRUISES Summer Celebration Boat Rides	P81107	OH003131	06/30/2014	1,800.00
00170646	07/10/2014	ARONSON SECURITY GROUP INC Keys for LB Admin Bldg	P82856	WOSEA10138	06/26/2014	53.12
00170647	07/10/2014	ASSOCIATED BAG COMPANY Evidence packaging bags	P82815	E415858	06/19/2014	292.30

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00170648	07/10/2014	AT&T MOBILITY Cell Charges/Fire	P82914	1094787X07022014	06/24/2014	192.27
00170649	07/10/2014	AUGUSTSON, THOR LEOFF1 Medicare		AUG2014B	07/09/2014	104.90
00170650	07/10/2014	BARNES, WILLIAM LEOFF1 Medicare		AUG2014A	07/09/2014	1,473.06
00170651	07/10/2014	BECKER, RON LEOFF1 Medicare	P82862	OH003133	06/30/2014	7,175.49
00170652	07/10/2014	BELLEVUE COLLEGE-CONT EDU ECTC Class D Brzusek Invoice #	P82794	460344/459344	06/23/2014	253.44
00170653	07/10/2014	BELLEVUE FIN DEPT, CITY OF Human Services Pooled Program	P82822	28926	04/21/2014	17,500.00
00170654	07/10/2014	BOLYARD, AMELIA Model payment clothed model	P82857	OH003132	06/30/2014	51.00
00170655	07/10/2014	BOOTH, GLENDON D LEOFF1 Medicare		AUG2014B	07/09/2014	104.90
00170656	07/10/2014	BUILDERS EXCHANGE OF WA 2014 ARTERIAL AND RESIDENTIAL	P82828	1042180	06/05/2014	45.00
00170657	07/10/2014	CALLAGHAN, MICHAEL LEOFF1 Medicare		AUG2014B	07/09/2014	104.90
00170658	07/10/2014	CALPORTLAND COMPANY #4 X DUST (33.81 YDS)	P82787	92145983	06/17/2014	803.75
00170659	07/10/2014	CAMDEN GARDENS 2014 Shared Maintenance Costs	P81115	47567	04/01/2014	821.26
00170660	07/10/2014	CASCADE ELITE GYMNASTICS Instruction services for Gymna	P82877	14624/14623	07/01/2014	1,494.50
00170661	07/10/2014	CASCADE ENGINEERING SERV INC Radar calibration and repairs	P82807	ML14061307989	06/13/2014	221.04
00170662	07/10/2014	CASCADE KENDO-KAI Instruction services for Kendo	P82879	14857/14716	07/01/2014	829.90
00170663	07/10/2014	CASNE ENGINEERING INC PUMP STATION 14 MODERNIZATION	P78895	24305	06/13/2014	3,047.20
00170664	07/10/2014	CDW GOVERNMENT INC CAT6A Network Cables	P82700	MN12347	06/16/2014	1,025.03
00170665	07/10/2014	CEDAR GROVE COMPOSTING INC LANDSCAPE MULCH (30 YDS)	P82536	0000179607	06/04/2014	3,965.68
00170666	07/10/2014	CESSCO SHARPEN MOWER BLADES	P82532	2681	06/06/2014	119.85
00170667	07/10/2014	CHEMAQUA WATER TREATMENT PROGRAM	P82789	1544645	06/16/2014	805.65
00170668	07/10/2014	CHRISTIANSEN, ANNE Instruction services for Dream	P82773	14715	06/23/2014	841.40
00170669	07/10/2014	CINTAS CORPORATION #460 Rug cleaning service for Luthe	P80608	460155811	06/19/2014	70.54
00170670	07/10/2014	COASTWIDE LABORATORIES INVENTORY PURCHASES	P82835	W2675877	06/24/2014	500.60
00170671	07/10/2014	CODE PUBLISHING CO MICC E-update thru Ord 14C-04	P82839	46885	06/20/2014	173.56
00170672	07/10/2014	COMCAST South Station Internet Charges	P82907	OH003135	06/14/2014	162.15
00170673	07/10/2014	COMCAST 2014 Annual High Speed Connect	P80858	OH003137	06/11/2014	117.35

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Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00170674	07/10/2014	COMMERCIAL LANDSC SUPPLY INC INVENTORY PURCHASES	P82719	186951	06/11/2014	97.70
00170675	07/10/2014	COOK, KEVIN FRLEOFF1 Retiree Medical Expen	P82863	OH003136	06/30/2014	87.13
00170676	07/10/2014	COOPER, ROBERT LEOFF1 Excess Benefit		AUG2014A	07/09/2014	1,331.90
00170677	07/10/2014	CORP INC CONSTRUCTION FS 92 BUILDING CONTRACTOR	P80919	6	05/31/2014	134,236.75
00170678	07/10/2014	CORRECTIONAL INDUSTRIES ACCTG Hooded sweatshirts and tshirts	P82775	T029220/T029237	06/04/2014	1,813.59
00170679	07/10/2014	CRW SYSTEMS INC WEBUM installation	P82860	14406	06/27/2014	547.50
00170680	07/10/2014	CRYSTAL AND SIERRA SPRINGS 2014 Water Service for MICEC	P81106	8259218062114	06/22/2014	258.41
00170681	07/10/2014	CRYSTAL SPRINGS Coffee supplies for MICEC	P82859	13123243061314	06/13/2014	534.23
00170682	07/10/2014	CUSTOM COATING CONSULTANTS LLC EXTERIOR RESERVOIR SURVEY	P82779	29525	06/20/2014	1,607.00
00170683	07/10/2014	DAILY JOURNAL OF COMMERCE CALL FOR BIDS	P82792	3288236	05/16/2014	505.40
00170684	07/10/2014	DEEDS, EDWARD G LEOFF1 Medicare		AUG2014B	07/09/2014	104.90
00170685	07/10/2014	DEVENY, JAN P LEOFF1 Medicare		AUG2014B	07/09/2014	104.90
00170686	07/10/2014	DOWD, PAUL LEOFF1 Medicare		AUG2014B	07/09/2014	104.90
00170687	07/10/2014	DUNBAR ARMORED Armored Car Service	P82821	3415224	06/01/2014	1,455.93
00170688	07/10/2014	DUNN LUMBER COMPANY MISC. LUMBER FOR BENCHES	P82607	2540742	06/05/2014	357.05
00170689	07/10/2014	EARTHCORPS INC 2013-14 Volunteer Recruitment,	P76190	4692ES	05/30/2014	1,909.95
00170690	07/10/2014	EARTHWORK ENTERPRISES INC 88TH 7 86TH AVE SE WATER SYSTE	P81465	3	05/22/2014	10,969.56
00170691	07/10/2014	EASTSIDE EXTERMINATORS Extermination services for Aub	P82772	OH003140	06/13/2014	101.29
00170692	07/10/2014	EASTSIDE TRANSMISSION Aid 92 Repairs	P82908	30488	06/25/2014	4,093.21
00170693	07/10/2014	ELSOE, RONALD LEOFF1 Medicare		AUG2014B	07/09/2014	104.90
00170694	07/10/2014	EXCEL SUPPLY COMPANY INVENTORY PURCHASES	P82796	69940	06/18/2014	216.88
00170695	07/10/2014	FERGUSON ENTERPRISES INC INVENTORY PURCHASES	P82867	0425211	06/20/2014	4,736.67
00170696	07/10/2014	FINANCIAL CONSULTANTS INT'L POLICE - EQUIPMENT FOR PATROL	P82895	14034	06/09/2014	13,583.69
00170697	07/10/2014	FIRST RESPONSE EMERGENCY EQUPT Bunker Gear Supplies	P82751	3359/3549/3533	06/03/2014	1,677.53
00170698	07/10/2014	FIRST STUDENT INC Bus services for camp 7/30	P82912	80050299	07/12/2014	4,375.00
00170699	07/10/2014	FORTE TRANSPORTATION LOGISTICS Transportation services for 9-	P82923	311479	06/17/2014	12,391.00

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00170700	07/10/2014	FURY SITE WORKS INC STORM DRAINAGE REPAIRS	P82784	CMI061114	06/11/2014	2,637.50
00170701	07/10/2014	GARDNER, BRENT PARKING FEES		OH003142	07/09/2014	15.00
00170702	07/10/2014	GET Program PAYROLL EARLY WARRANTS		OH003145	07/11/2014	884.50
00170703	07/10/2014	GLISAN, ANDREW LEOFF1 Medicare		AUG2014B	07/09/2014	104.90
00170704	07/10/2014	GO NET YOURSELF Annual Membership contract- 4	P81703	00350/00400	03/17/2014	876.00
00170705	07/10/2014	GOLDER ASSOCIATES INC 2014 GROUNDWATER COMPLIANCE	P81030	387401	06/20/2014	9,688.88
00170706	07/10/2014	GOODMAN, J C LEOFF1 Medicare		AUG2014B	07/09/2014	104.90
00170707	07/10/2014	GOODSELL POWER EQUIPMENT AUTOCUT TRIMMER HEADS	P82864	661965	06/04/2014	183.89
00170708	07/10/2014	GRAINGER INVENTORY PURCHASES	P82868	9471337866/50823	06/19/2014	1,247.71
00170709	07/10/2014	GRAND & BENEDICTS INC Thrift Shop operating supplies	P82802	0646564IN	04/18/2014	47.75
00170710	07/10/2014	GREEN EARTHWORKS CONST INC 2014 SEWER SYSTEM CLEANING	P82096	10330	06/01/2014	12,706.16
00170711	07/10/2014	GREER, J SCOTT Protem Service	P82761	OH003141	06/23/2014	100.00
00170712	07/10/2014	H D FOWLER INVENTORY PURCHASES	P82865	I3662750/2313/83	06/18/2014	13,890.09
00170713	07/10/2014	HAGSTROM, JAMES LEOFF1 Medicare		AUG2014B	07/09/2014	209.80
00170714	07/10/2014	HAMP, SUSAN D Instruction services for Music	P82843	14595	06/30/2014	3,123.75
00170715	07/10/2014	HDR ENGINEERING INC 2015 WATER SYSTEM PLAN UPDATES	P80918	0041473H	06/13/2014	4,139.24
00170716	07/10/2014	HEALTHFORCE PARTNERS LLC CDL FOR T.HANSEN	P82943	20331	06/25/2014	74.00
00170717	07/10/2014	HENNESSEY FLEET CONSULTING FLEET STUDY	P82945	201429	07/01/2014	285.00
00170718	07/10/2014	HERRERA ENVIRONMENTAL CONSULT 2013 PHASE 11 PERMIT	P82955	35019/33871/3501	07/02/2014	1,155.94
00170719	07/10/2014	HOME DEPOT CREDIT SERVICE INVENTORY PURCHASES	P82797	026751/2025876	06/26/2014	339.27
00170720	07/10/2014	HONEYWELL, MATTHEW V Public Defender Inv #801	P82931	803	07/02/2014	1,200.00
00170721	07/10/2014	IDAX DATA SOULTIONS TOWN CENTER TRAFFIC SIGNAL DAT	P82829	14207	06/20/2014	400.00
00170722	07/10/2014	INTERCOM LANGUAGE SERVICES INC Interpreting Service	P82765	1490/14133	04/15/2014	1,100.00
00170723	07/10/2014	ISSAQUAH SIGNS PARKS EVENT SIGNS	P82884	122298	06/23/2014	2,184.53
00170724	07/10/2014	J T NEWS Summer Celebration Ad	P82847	11973	06/27/2014	307.30
00170725	07/10/2014	JF SHELTON COMPANY INC INVENTORY PURCHASES	P82757	1104588/1104593	06/19/2014	159.83

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00170726	07/10/2014	JOHNSON SOUTHERLAND LTD Pre-Design Revised per Council	P82733	3	06/30/2014	2,695.00
00170727	07/10/2014	JOHNSON, CURTIS LEOFF1 Medicare		AUG2014A	07/09/2014	770.10
00170728	07/10/2014	JOHNSON, JEFFREY WAYNE Instruction services for	P82844	14434	06/30/2014	3,080.00
00170729	07/10/2014	JOHNSON, SCOTT D. Legal Services Inv #224	P82930	233	07/01/2014	5,050.00
00170730	07/10/2014	KC FINANCE First Quarter Liquor Excise Ta	P82823	2034262	06/16/2014	139.24
00170731	07/10/2014	KRAZAN & ASSOCIATES INC PUMP STATION 14 INSPECTION SER	P80956	I6048855832	05/31/2014	2,692.50
00170732	07/10/2014	KROESENS INC Bullet proof vests-6	P82814	19278/8562	01/08/2014	4,947.58
00170733	07/10/2014	KROESENS INC Duty Uniforms for 19 FF's	P81344	OH003147	06/24/2014	5,223.83
00170734	07/10/2014	KUHN, DAVID LEOFF1 Medicare		AUG2014B	07/09/2014	104.90
00170735	07/10/2014	LACY, ALAN P LEOFF1 Medicare		AUG2014B	07/09/2014	104.90
00170736	07/10/2014	LAKESIDE INDUSTRIES CLASS B ASPHALT (29.39 TONS)	P82932	3251222/3251223M	06/30/2014	2,381.48
00170737	07/10/2014	LANGUAGE LINE SERVICES Language Line Services	P82763	3384718	05/31/2014	6.36
00170738	07/10/2014	LEE, WALLACE LEOFF1 Medicare		AUG2014B	07/09/2014	104.90
00170739	07/10/2014	LEOPOLD, FREDERIC LEOFF1 Medicare		AUG2014B	07/09/2014	104.90
00170740	07/10/2014	LEXISNEXIS Subscription Inv #3090043001	P82893	3090043001	06/30/2014	228.90
00170741	07/10/2014	LN CURTIS & SONS Salvage Master Water Vac	P82745	211460700	06/11/2014	1,557.10
00170742	07/10/2014	LORILLA ENGINEERING INC P.S. Review Coval (3051 84th Ave SE	P82919	115	06/26/2014	700.00
00170743	07/10/2014	LOUGHRIDGE-SMALL EPICS, GREGG Audio Project for CTC Program	P82899	OH003148	06/20/2014	350.00
00170744	07/10/2014	LYONS, STEVEN LEOFF1 Medicare		AUG2014B	07/09/2014	103.90
00170745	07/10/2014	MI EMPLOYEES ASSOC PAYROLL EARLY WARRANTS		OH003144	07/11/2014	141.25
00170746	07/10/2014	MYERS, JAMES S LEOFF1 Medicare		AUG2014B	07/09/2014	104.90
00170747	07/10/2014	NATIVE KULTURZ Entertainment services for Sum	P82894	OH003149	07/10/2014	1,600.00
00170748	07/10/2014	PETTY CASH FUND PARKS DEPT Petty cash for MMIP and SC!	P82915	OH003139	07/03/2014	200.00
00170749	07/10/2014	PROVOST, ALAN LEOFF1 Excess Benefit		AUG2014A	07/09/2014	1,220.88
00170750	07/10/2014	RAMSAY, JON LEOFF1 Medicare		AUG2014A	07/09/2014	473.81
00170751	07/10/2014	SCHOENTRUP, WILLIAM LEOFF1 Medicare		AUG2014A	07/09/2014	827.85

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Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00170752	07/10/2014	SMITH, RICHARD LEOFF1 Medicare		AUG2014B	07/09/2014	104.90
00170753	07/10/2014	TEXAS CHILD SUPPORT SDU 70060312618910521S/JAMES BLAIR		OH003143	07/11/2014	225.00
00170754	07/10/2014	THOMPSON, JAMES LEOFF1 Medicare		AUG2014B	07/09/2014	104.90
00170755	07/10/2014	TOOLEY, NORMAN LEOFF1 Medicare		AUG2014B	07/09/2014	104.90
00170756	07/10/2014	UNITED WAY OF KING CO PAYROLL EARLY WARRANTS		OH003146	07/11/2014	151.00
00170757	07/10/2014	WA ST DEPT OF TRANSPORTATION Trail Lease project costs	P76702	RE41JA7473L019	06/10/2014	442.84
00170758	07/10/2014	WALLACE, THOMAS LEOFF1 Medicare		AUG2014B	07/09/2014	104.90
00170759	07/10/2014	WEGNER, KEN LEOFF1 Medicare		AUG2014B	07/09/2014	104.90
					Total	<u>355,830.24</u>

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
<i>Org Key: 001000 - General Fund-Admin Key</i>				
P82915	00170748	PETTY CASH FUND PARKS DEPT	Petty cash for MMIP and SC!	200.00
<i>Org Key: 402000 - Water Fund-Admin Key</i>				
P82867	00170695	FERGUSON ENTERPRISES INC	INVENTORY PURCHASES	4,736.67
P82817	00170712	H D FOWLER	INVENTORY PURCHASES	4,226.06
P82816	00170712	H D FOWLER	INVENTORY PURCHASES	902.72
P82519	00170712	H D FOWLER	INVENTORY PURCHASES	839.54
P82511	00170712	H D FOWLER	INVENTORY PURCHASES	788.40
P82760	00170708	GRAINGER	INVENTORY PURCHASES	538.64
P82835	00170670	COASTWIDE LABORATORIES	INVENTORY PURCHASES	500.60
P82797	00170719	HOME DEPOT CREDIT SERVICE	INVENTORY PURCHASES	339.27
P82868	00170708	GRAINGER	INVENTORY PURCHASES	218.95
P82796	00170694	EXCEL SUPPLY COMPANY	INVENTORY PURCHASES	216.88
P82721	00170708	GRAINGER	INVENTORY PURCHASES	194.47
P82869	00170708	GRAINGER	INVENTORY PURCHASES	188.02
P82757	00170725	JF SHELTON COMPANY INC	INVENTORY PURCHASES	159.83
P82719	00170674	COMMERCIAL LANDSC SUPPLY INC	INVENTORY PURCHASES	13.00
P82788	00170708	GRAINGER	INVENTORY PURCHASES	5.78
<i>Org Key: 814072 - United Way</i>				
	00170756	UNITED WAY OF KING CO	PAYROLL EARLY WARRANTS	151.00
<i>Org Key: 814074 - Garnishments</i>				
	00170753	TEXAS CHILD SUPPORT SDU	70060312618910521S/JAMES BLAIR	225.00
<i>Org Key: 814075 - Mercer Island Emp Association</i>				
	00170745	MI EMPLOYEES ASSOC	PAYROLL EARLY WARRANTS	141.25
<i>Org Key: 814085 - GET Program Deductions</i>				
	00170702	GET Program	PAYROLL EARLY WARRANTS	884.50
<i>Org Key: CA1100 - Administration (CA)</i>				
P82887	00170729	JOHNSON, SCOTT D.	Legal Services Inv #224	2,550.00
P82930	00170729	JOHNSON, SCOTT D.	Legal Services Inv #233	2,500.00
P82893	00170740	LEXISNEXIS	Subscription Inv #3090043001	228.90
P82794	00170652	BELLEVUE COLLEGE-CONT EDU	ECTC Class D. Brzusek Invoice	148.72
P82794	00170652	BELLEVUE COLLEGE-CONT EDU	ECTC Class D Brzusek Invoice #	104.72
<i>Org Key: CA1200 - Prosecution & Criminal Mngmnt</i>				
P82758	00170720	HONEYWELL, MATTHEW V	Public Defender Inv #801	600.00
P82931	00170720	HONEYWELL, MATTHEW V	Contract Public Defender Inv #	600.00
<i>Org Key: CM1200 - City Clerk</i>				
P82839	00170671	CODE PUBLISHING CO	MICC E-update thru Ord 14C-04	173.56
<i>Org Key: CR1100 - CORe Admin and Human Resources</i>				
	00170634	TAWNEY, LAURA	MEETING EXPENSES AND MILEAGE	28.60
<i>Org Key: CT1100 - Municipal Court</i>				
P82765	00170722	INTERCOM LANGUAGE SERVICES INC	Interpreting Service	400.00
P82764	00170722	INTERCOM LANGUAGE SERVICES INC	Interpreting Service	300.00
P82764	00170722	INTERCOM LANGUAGE SERVICES INC	Interpreting Service	200.00
P82765	00170722	INTERCOM LANGUAGE SERVICES INC	Interpreting Service	200.00

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PO #	Check #	Vendor:	Transaction Description	Check Amount
P82761	00170711	GREER, J SCOTT	Protem Service	100.00
P82763	00170737	LANGUAGE LINE SERVICES	Language Line Services	6.36
<i>Org Key: DS1100 - Administration (DS)</i>				
P82860	00170679	CRW SYSTEMS INC	WEBUM installation	547.50
<i>Org Key: DS1200 - Bldg Plan Review & Inspection</i>				
P82919	00170742	LORILLA ENGINEERING INC P.S.	Review 8114 West Mercer Way	490.00
P82920	00170742	LORILLA ENGINEERING INC P.S.	Review Coval (3051 84th Ave SE	210.00
P82722	00170708	GRAINGER	HARD HATS	32.68
	00170701	GARDNER, BRENT	PARKING FEES	15.00
<i>Org Key: FR1100 - Administration (FR)</i>				
P82907	00170672	COMCAST	Internet Charges/Fire	95.80
P82906	00170672	COMCAST	South Station Internet Charges	66.35
<i>Org Key: FR2100 - Fire Operations</i>				
P81344	00170733	KROESENS INC	Duty Uniforms for 19 FF's	5,223.83
P82908	00170692	EASTSIDE TRANSMISSION	Aid 92 Repairs	4,093.21
P82751	00170697	FIRST RESPONSE EMERGENCY EQUPT	Bunker Gear Supplies	1,677.53
P82914	00170648	AT&T MOBILITY	Cell Charges/Fire	192.27
<i>Org Key: GGM001 - General Government-Misc</i>				
P82821	00170687	DUNBAR ARMORED	Armored Car Service	416.44
<i>Org Key: GGM005 - Genera Govt-LI Retiree Costs</i>				
P82862	00170651	BECKER, RON	FRLEOFF1 Retiree Medical Expen	6,541.00
	00170713	HAGSTROM, JAMES	LEOFF1 Medicare	209.80
	00170639	ABBOTT, RICHARD	LEOFF1 Medicare	104.90
	00170640	ADAMS, RONALD E	LEOFF1 Medicare	104.90
	00170649	AUGUSTSON, THOR	LEOFF1 Medicare	104.90
	00170650	BARNES, WILLIAM	LEOFF1 Medicare	104.90
	00170651	BECKER, RON	LEOFF1 Medicare	104.90
	00170655	BOOTH, GLENDON D	LEOFF1 Medicare	104.90
	00170657	CALLAGHAN, MICHAEL	LEOFF1 Medicare	104.90
	00170684	DEEDS, EDWARD G	LEOFF1 Medicare	104.90
	00170685	DEVENY, JAN P	LEOFF1 Medicare	104.90
	00170686	DOWD, PAUL	LEOFF1 Medicare	104.90
	00170693	ELSOE, RONALD	LEOFF1 Medicare	104.90
	00170703	GLISAN, ANDREW	LEOFF1 Medicare	104.90
	00170706	GOODMAN, J C	LEOFF1 Medicare	104.90
	00170727	JOHNSON, CURTIS	LEOFF1 Medicare	104.90
	00170734	KUHN, DAVID	LEOFF1 Medicare	104.90
	00170735	LACY, ALAN P	LEOFF1 Medicare	104.90
	00170738	LEE, WALLACE	LEOFF1 Medicare	104.90
	00170739	LEOPOLD, FREDERIC	LEOFF1 Medicare	104.90
	00170746	MYERS, JAMES S	LEOFF1 Medicare	104.90
	00170750	RAMSAY, JON	LEOFF1 Medicare	104.90
	00170751	SCHOENTRUP, WILLIAM	LEOFF1 Medicare	104.90
	00170752	SMITH, RICHARD	LEOFF1 Medicare	104.90
	00170754	THOMPSON, JAMES	LEOFF1 Medicare	104.90
	00170755	TOOLEY, NORMAN	LEOFF1 Medicare	104.90

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
	00170758	WALLACE, THOMAS	LEOFF1 Medicare	104.90
	00170759	WEGNER, KEN	LEOFF1 Medicare	104.90
	00170744	LYONS, STEVEN	LEOFF1 Medicare	103.90
P82863	00170675	COOK, KEVIN	FRLEOFF1 Retiree Medical Expen	87.13
<i>Org Key: GGM606 - Excess Retirement-Fire</i>				
	00170650	BARNES, WILLIAM	LEOFF1 Excess Benefit	1,368.16
	00170676	COOPER, ROBERT	LEOFF1 Excess Benefit	1,331.90
	00170749	PROVOST, ALAN	LEOFF1 Excess Benefit	1,220.88
	00170751	SCHOENTRUP, WILLIAM	LEOFF1 Excess Benefit	722.95
	00170727	JOHNSON, CURTIS	LEOFF1 Excess Benefit	665.20
	00170651	BECKER, RON	LEOFF1 Excess Benefit	529.59
	00170750	RAMSAY, JON	LEOFF1 Excess Benefit	368.91
<i>Org Key: IGHS02 - Eastside Legal Aid Program</i>				
P82822	00170653	BELLEVUE FIN DEPT, CITY OF	Human Services Pooled Program	3,500.00
<i>Org Key: IGHS03 - CHILDREN'S RESPONSE CENTER</i>				
P82822	00170653	BELLEVUE FIN DEPT, CITY OF	Human Services Pooled Program	1,500.00
<i>Org Key: IGHS05 - King County Sexual Assault</i>				
P82822	00170653	BELLEVUE FIN DEPT, CITY OF	Human Services Pooled Program	2,500.00
<i>Org Key: IGMA02 - Alcoholism Program</i>				
P82823	00170730	KC FINANCE	First Quarter Liquor Excise Ta	139.24
<i>Org Key: IS2100 - IGS Network Administration</i>				
P82581	00170664	CDW GOVERNMENT INC	CAT6A Network Cables	114.45
<i>Org Key: MT2200 - Vegetation Maintenance</i>				
P82864	00170707	GOODSELL POWER EQUIPMENT	AUTOCUT TRIMMER HEADS	183.89
<i>Org Key: MT3100 - Water Distribution</i>				
P82788	00170708	GRAINGER	6-1/2" SAW BLADE	18.74
<i>Org Key: MT3200 - Water Pumps</i>				
P82779	00170682	CUSTOM COATING CONSULTANTS LLC	EXTERIOR RESERVOIR SURVEY	1,607.00
<i>Org Key: MT3400 - Sewer Collection</i>				
P82096	00170710	GREEN EARTHWORKS CONST INC	2014 SEWER SYSTEM CLEANING	6,453.92
P82096	00170710	GREEN EARTHWORKS CONST INC	2014 SEWER SYSTEM CLEANING	6,252.24
<i>Org Key: MT3800 - Storm Drainage</i>				
P82784	00170700	FURY SITE WORKS INC	STORM DRAINAGE REPAIRS	2,637.50
<i>Org Key: MT3810 - NPDES Phase 2 Prog Developmt</i>				
P82955	00170718	HERRERA ENVIRONMENTAL CONSULT	2013 PHASE 11 PERMIT	93.22
<i>Org Key: MT4101 - Support Services - General Fd</i>				
P82781	00170644	AMERICAN PUBLIC WORKS ASSOC	MEMBERSHIP RENEWAL FOR AGENCY	234.00
<i>Org Key: MT4102 - Support Services - Water</i>				
P82781	00170644	AMERICAN PUBLIC WORKS ASSOC	MEMBERSHIP RENEWAL FOR AGENCY	234.00
<i>Org Key: MT4103 - Support Services - Sewer</i>				
P82781	00170644	AMERICAN PUBLIC WORKS ASSOC	MEMBERSHIP RENEWAL FOR AGENCY	234.00

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
<i>Org Key: MT4104 - Support Services - Storm</i>				
P82781	00170644	AMERICAN PUBLIC WORKS ASSOC	MEMBERSHIP RENEWAL FOR AGENCY	234.00
<i>Org Key: MT4200 - Building Services</i>				
P82789	00170667	CHEMAQUA	WATER TREATMENT PROGRAM	805.65
P82832	00170688	DUNN LUMBER COMPANY	MISC. LUMBER FOR BENCHES	234.88
P82607	00170688	DUNN LUMBER COMPANY	MISC. LUMBER & WOOD SCREWS	122.17
<i>Org Key: MT4300 - Fleet Services</i>				
P82945	00170717	HENNESSEY FLEET CONSULTING	FLEET STUDY	285.00
P82868	00170708	GRAINGER	STICK ELECTRODE, HARDFACING	50.43
<i>Org Key: MT4410 - Customer Response - Traffic</i>				
P82829	00170721	IDAX DATA SOULTIONS	TOWN CENTER TRAFFIC SIGNAL DAT	400.00
<i>Org Key: MTBE01 - Maint of Medians & Planters</i>				
P82866	00170665	CEDAR GROVE COMPOSTING INC	LANDSCAPE MULCH (30 YDS)	664.25
<i>Org Key: PO1700 - Records and Property</i>				
P82815	00170647	ASSOCIATED BAG COMPANY	Evidence packaging bags	292.30
<i>Org Key: PO2100 - Patrol Division</i>				
P82808	00170732	KROESENS INC	Bullet proof vests-6	4,599.00
P82807	00170661	CASCADE ENGINEERING SERV INC	Radar calibration and repairs	221.04
P82814	00170732	KROESENS INC	Service stripes	15.88
<i>Org Key: PO2200 - Marine Patrol</i>				
P82813	00170732	KROESENS INC	MP Uniform-Roggenkamp	318.52
<i>Org Key: PO3100 - Investigation Division</i>				
P82814	00170732	KROESENS INC	Badge Holder	14.18
<i>Org Key: PR1100 - Administration (PR)</i>				
P81703	00170704	GO NET YOURSELF	Annual Membership contract- 4	438.00
P81703	00170704	GO NET YOURSELF	A la carte- editing hours	438.00
P82856	00170646	ARONSON SECURITY GROUP INC	Keys for LB Admin Bldg	53.12
<i>Org Key: PR2100 - Recreation Programs</i>				
P82773	00170668	CHRISTIANSEN, ANNE	Instruction services for Dream	841.40
<i>Org Key: PR2101 - Youth and Teen Camps</i>				
P82843	00170714	HAMP, SUSAN D	Instruction services for Music	3,123.75
P82844	00170728	JOHNSON, JEFFREY WAYNE	Instruction services for	3,080.00
P82775	00170678	CORRECTIONAL INDUSTRIES ACCTG	Hooded sweatshirts and tshirts	1,485.09
P82877	00170660	CASCADE ELITE GYMNASTICS	Instruction services for Gymna	864.50
P82877	00170660	CASCADE ELITE GYMNASTICS	Instruction services for Gymna	630.00
P82870	00170698	FIRST STUDENT INC	Bus services for camp 7/30	465.00
P82870	00170698	FIRST STUDENT INC	Bus services for camp 7/15 Key	452.50
P82870	00170698	FIRST STUDENT INC	Bus services for camp 7/9 Gold	427.50
P82870	00170698	FIRST STUDENT INC	Bus services for camp 7/23 Saf	390.00
P82838	00170642	AMERICAN EXPRESS (LB)	Mini Mercer camp supplies	313.31
<i>Org Key: PR2103 - Aquatics Programs</i>				
P82775	00170678	CORRECTIONAL INDUSTRIES ACCTG	Sweatshirts and tshirt for	328.50

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
<i>Org Key: PR2108 - Health and Fitness</i>				
P82756	00170641	AKANA, JANELLE H	Instruction services for Power	1,603.43
P82879	00170662	CASCADE KENDO-KAI	Instruction services for Kendo	543.90
P82756	00170641	AKANA, JANELLE H	Instruction services for Power	492.80
P82879	00170662	CASCADE KENDO-KAI	Instruction services for Kendo	286.00
<i>Org Key: PR3500 - Senior Services</i>				
P82847	00170724	J T NEWS	Summer Celebration Ad	307.30
<i>Org Key: PR4100 - Community Center</i>				
P82859	00170681	CRYSTAL SPRINGS	Coffee supplies for MICEC	534.23
P82821	00170687	DUNBAR ARMORED	Armored Car Service	415.13
P81106	00170680	CRYSTAL AND SIERRA SPRINGS	2014 Water Service for MICEC	173.51
P80858	00170673	COMCAST	2014 Annual High Speed Connect	117.35
P82857	00170654	BOLYARD, AMELIA	Model payment clothed model	51.00
<i>Org Key: PR5300 - Community Arts Support</i>				
P82894	00170629	NATIVE KULTURZ	Entertainment services for Sum	686.27
P82894	00170747	NATIVE KULTURZ	Entertainment services for Sum	313.73
<i>Org Key: PR5900 - Summer Celebration</i>				
P82881	00170622	AVR PRODUCTION SERVICES	Sound services for Summer	3,723.00
P82894	00170629	NATIVE KULTURZ	Entertainment services for Sum	2,813.73
P82882	00170630	PACIFIC RIM TALENT INC	Entertainment services for Sum	2,800.00
P82912	00170698	FIRST STUDENT INC	Shuttle bus service for Summer	2,640.00
P81107	00170645	ARGOSY CRUISES	Summer Celebration Boat Rides	1,800.00
P82894	00170747	NATIVE KULTURZ	Entertainment services for Sum	1,286.27
P82892	00170623	BACKUS, STEVE	Entertainment services for Sum	1,000.00
P82891	00170627	MCVAY, PATRICK	Entertainment services for Sum	1,000.00
P82876	00170632	RECESS MONKEY LLC	Entertainment services for Sum	850.00
P82889	00170638	YOST, CARL EUGENE	Entertainment services for Sum	450.00
P82890	00170624	BELLEVUE COMMUNITY BAND	Entertainment services for Sum	200.00
<i>Org Key: PR6100 - Park Maintenance</i>				
P82885	00170723	ISSAQUAH SIGNS	PARKS EVENT SIGNS	1,921.73
P82536	00170665	CEDAR GROVE COMPOSTING INC	LANDSCAPE MULCH (60 YDS)	1,487.13
P82514	00170665	CEDAR GROVE COMPOSTING INC	LANDSCAPE MULCH (30 YDS)	495.71
P82866	00170665	CEDAR GROVE COMPOSTING INC	LANDSCAPE MULCH (30 YDS)	327.17
P82723	00170712	H D FOWLER	WATERPROOF IRRIGATION	192.20
P82532	00170666	CESSCO	SHARPEN MOWER BLADES	119.85
P81106	00170680	CRYSTAL AND SIERRA SPRINGS	2014 Water Service for Parks	84.90
P82943	00170716	HEALTHFORCE PARTNERS LLC	CDL FOR T.HANSEN	74.00
<i>Org Key: PR6500 - Luther Burbank Park Maint.</i>				
P80608	00170669	CINTAS CORPORATION #460	Rug cleaning service for Luthe	35.27
P80608	00170669	CINTAS CORPORATION #460	Rug cleaning service for Luthe	35.27
<i>Org Key: PR6600 - Park Maint-School Related</i>				
P82884	00170723	ISSAQUAH SIGNS	FIREWORKS PROHIBITED SIGNS	262.80
<i>Org Key: PR6700 - I90 Park Maintenance</i>				
P82514	00170665	CEDAR GROVE COMPOSTING INC	LANDSCAPE MULCH (30 YDS)	495.71
P82536	00170665	CEDAR GROVE COMPOSTING INC	LANDSCAPE MULCH (60 YDS)	495.71

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
P81115	00170659	CAMDEN GARDENS	2014 Shared Maintenance Costs	410.63
P81115	00170659	CAMDEN GARDENS	2014 Shared Maintenance Costs	410.63
P82772	00170691	EASTSIDE EXTERMINATORS	Extermination services for Aub	101.29
P82719	00170674	COMMERCIAL LANDSC SUPPLY INC	.105 TRIMMER LINE (5 LB)	84.70
<i>Org Key: PR6800 - Trails Maintenance</i>				
P82787	00170658	CALPORTLAND COMPANY	#4 X DUST (33.81 YDS)	803.75
<i>Org Key: PY4614 - Flex Spending Admin</i>				
	00170636	TREAT, NOEL	FLEX SPEND ACCT REIMB	1,226.01
	00170628	MCWATTERS, BRIAN	FLEX SPEND ACCT REIMB	420.00
	00170633	SANDINE, ASEA	FLEX SPEND ACCT REIMB	192.31
	00170635	TIMM, JANELLE	FLEX SPEND ACCT REIMB	192.31
	00170637	TUTTLE, LAJUAN	FLEX SPEND ACCT REIMB	192.31
	00170631	QUINN, THOMAS	FLEX SPEND ACCT REIMB	187.21
	00170625	GENTINO, CATHERINE L	FLEX SPEND ACCT REIMB	115.00
<i>Org Key: WG130E - Equipment Rental Vehicle Repl</i>				
P82895	00170696	FINANCIAL CONSULTANTS INT'L	POLICE - EQUIPMENT FOR PATROL	13,583.69
<i>Org Key: WG131E - Fire Equipment</i>				
P82745	00170741	LN CURTIS & SONS	Salvage Master Water Vac	1,557.10
<i>Org Key: WG550R - Fuel Clean Up</i>				
P81030	00170705	GOLDER ASSOCIATES INC	2014 GROUNDWATER COMPLIANCE	9,688.88
<i>Org Key: WPI22R - Vegetation Management</i>				
P76190	00170689	EARTHCORPS INC	2013-14 Volunteer Recruitment,	1,909.95
<i>Org Key: WR101V - Residential Street Imprv 2014</i>				
P82792	00170683	DAILY JOURNAL OF COMMERCE	CALL FOR BIDS	252.70
P82828	00170656	BUILDERS EXCHANGE OF WA	2014 ARTERIAL AND RESIDENTIAL	45.00
<i>Org Key: WR110X - Preservation IMS Curbe</i>				
P82792	00170683	DAILY JOURNAL OF COMMERCE	2014 ARTERIAL AND RESIDENTIAL	252.70
<i>Org Key: WS320R - Pump Sta 14 Modernization</i>				
P79028	00170663	CASNE ENGINEERING INC	PUMP STATION 14 MODERNIZATION	1,188.00
P82700	00170664	CDW GOVERNMENT INC	Cisco 1921 Router - PumpStatio	910.58
P82397	00170731	KRAZAN & ASSOCIATES INC	PUMP STATION 14 INSPECTION SER	457.50
	00170626	GREENE, RICHARD B.	MILEAGE EXPENSE	229.04
<i>Org Key: WS330T - Sewer Telemetry Improvements</i>				
P78895	00170663	CASNE ENGINEERING INC	PHASE 3 TELEMETRY DESIGN	1,859.20
<i>Org Key: WW101P - Water System Plan</i>				
P80918	00170715	HDR ENGINEERING INC	2015 WATER SYSTEM PLAN UPDATES	4,139.24
<i>Org Key: WW311R - 88th Ave and 86th Ave Water</i>				
P81465	00170690	EARTHWORK ENTERPRISES INC	88TH 7 86TH AVE SE WATER SYSTE	10,969.56
<i>Org Key: XD312C - Street Related Drainage</i>				
P82865	00170712	H D FOWLER	12" & 8" HANCOR PIPE, CATCH BA	6,941.17
P82932	00170736	LAKESIDE INDUSTRIES	CLASS B ASPHALT (29.39 TONS)	2,381.48

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
<i>Org Key: XD313C - Decant Facility</i>				
P82955	00170718	HERRERA ENVIRONMENTAL CONSULT	MI DECANT FACILITY RETROFIT	728.28
P82955	00170718	HERRERA ENVIRONMENTAL CONSULT	MI DECANT FACILITY RETROFIT	334.44
<i>Org Key: XG300R - Fire Station 92 Replacement</i>				
P80919	00170677	CORP INC CONSTRUCTION	FS 92 BUILDING CONTRACTOR	134,236.75
P82923	00170699	FORTE TRANSPORTATION LOGISTICS	Transportation services for 9-	12,391.00
P80956	00170731	KRAZAN & ASSOCIATES INC	FS 92 CONSTRUCTION TESTING AND	2,235.00
<i>Org Key: XG305P - Mercerdale Thrift Shop Plan</i>				
P82733	00170726	JOHNSON SOUTHERLAND LTD	Pre-Design Revised per Council	2,695.00
<i>Org Key: XP720R - KC Levy Projects</i>				
P76702	00170757	WA ST DEPT OF TRANSPORTATION	Trail Lease project costs	442.84
<i>Org Key: YF1100 - YFS General Services</i>				
P82904	00170643	AMERICAN EXPRESS (YFS)	Operating supplies for dept an	577.89
P82821	00170687	DUNBAR ARMORED	Armored Car Service	209.23
<i>Org Key: YF1200 - Thrift Shop</i>				
P82821	00170687	DUNBAR ARMORED	Armored Car Service	415.13
P82802	00170709	GRAND & BENEDICTS INC	Thrift Shop operating supplies	47.75
P82904	00170643	AMERICAN EXPRESS (YFS)	Supplies for vol event at tsho	33.09
<i>Org Key: YF2300 - VOICE Program</i>				
P82904	00170643	AMERICAN EXPRESS (YFS)	Operating and project supplies	477.76
<i>Org Key: YF2800 - Fed Drug Free Communities Gran</i>				
P82899	00170743	LOUGHRIDGE-SMALL EPICS, GREGG	Audio Project for CTC Program	350.00
<i>Org Key: YF3400 - Domestic Violence (CJ)</i>				
P82822	00170653	BELLEVUE FIN DEPT, CITY OF	Human Services Pooled Program	10,000.00
Total				<u>355,830.24</u>



CITY OF MERCER ISLAND
CERTIFICATION OF PAYROLL

PAYROLL PERIOD ENDING
PAYROLL DATED

7/4/2014
7/11/2014

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		Date	Amount
Payroll Checks	62744051 - 62744065		18,972.76
Direct Deposits			467,780.22
Void/Manual Adjustments			6,648.59
Tax & Benefit Obligations			235,977.90
Total Gross Payroll		7/11/14	729,379.47



CITY OF MERCER ISLAND PAYROLL SUMMARY

PAYROLL PERIOD ENDING	7/4/2014
PAYROLL DATED	7/11/2014
Net Cash	486,752.98
Net Voids/Manuals	6,648.59
Federal Tax Deposit - Key Bank	82,742.23
Social Security and Medicare Taxes	42,901.40
Medicare Taxes Only (Fire Fighter Employees)	1,547.11
Public Employees Retirement System 1 (PERS 1)	529.76
Public Employees Retirement System 2 (PERS 2)	16,186.83
Public Employees Retirement System 3 (PERS 3)	2,903.82
Public Employees Retirement System 2 (PERSJBM)	471.76
Public Safety Employees Retirement System (PSERS)	152.59
Law Enforc. & Fire fighters System 2 (LEOFF 2)	23,226.55
Regence & LEOFF Trust - Medical Insurance	13,331.43
Domestic Partner/Overage Dependant - Insurance	1,616.72
Group Health Medical Insurance	1,129.88
Health Care - Flexible Spending Accounts	3,480.27
Dependant Care - Flexible Spending Accounts	1,330.77
United Way	151.00
ICMA Deferred Compensation	38,099.91
ROTH IRA	262.00
Child Support/Garnishment Payments	1,243.82
MI Employees' Association	141.25
Cities & Towns/AFSCME Union Dues	0.00
Police Union Dues	0.00
Fire Union Dues	1,678.12
Fire Union - Supplemental Dues	133.00
AWC - Voluntary Life Insurance	0.00
Unum - Long Term Care Insurance	1,030.45
AFLAC - Supplemental Insurance Plans	737.73
GET - Guarantee Education Tuition of WA	884.50
Coffee Fund	40.00
Transportation	25.00
Miscellaneous	0.00

TOTAL GROSS PAYROLL	\$ 729,379.47
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**BUSINESS OF THE CITY COUNCIL
CITY OF MERCER ISLAND, WA**

**AB 4990
July 21, 2014
Regular Business**

MERCER ISLAND CENTER FOR THE ARTS (MICA) PRESENTATION AND DISCUSSION	Proposed Council Action: Approve Amendment to Letter of Understanding.
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DEPARTMENT OF	City Manager (Noel Treat)
COUNCIL LIAISON	n/a
EXHIBITS	1. Letter of Agreement with MICA
APPROVED BY CITY MANAGER	

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

SUMMARY

John Hill, with the Mercer Island Center for the Arts (MICA), will provide a briefing to Council on the status of the arts facility project proposed to be developed on the City’s Recycling Center property adjacent to Mercerdale Park. Mr. Hill will discuss MICA’s vision for the Center, current project design, fundraising, and potential programming. The Center is planned to be a cultural focal point on Mercer Island where Islanders and people from throughout the Puget Sound area gather to converse and create, to celebrate excellence in the lively arts, and to inspire generations of artists, audiences, and students through exceptional live performances, special events, exhibitions, and educational experiences. MICA has already received commitment for significant financial contributions to the project and is developing programming for the site which includes Youth Theater Northwest (YTN) and a variety of other important local and regional arts groups.

BACKGROUND

In response to YTN losing its site on school district property due to the school construction projects, in 2013 the Council agreed to make the Recycling Center site next to Mercerdale Park available for YTN to develop a new performance facility. The City executed a Letter of Agreement with YTN setting out the basic provisions of the potential use of the Recycling Center site. Thereafter, MICA was formed to serve as the lead on fundraising and development of the project. The City then executed a new Letter of Agreement to substitute MICA for YTN as the party that will undertake the design, construction, financing and management of the facility (see Exhibit 1).

As MICA has begun developing conceptual project designs, they have identified an opportunity to utilize a portion of the “Native Garden” area immediately south of the Recycling Center. This area currently gets little public use. MICA’s use of this area as part of the project would allow for an enhanced facility and would include a new native garden space. With Council approval, staff will proceed to amend the current Letter of Agreement to allow for potential use of a portion of the Native Garden area.

Staff plans to continue working with MICA as their fundraising and planning efforts proceed. A binding site lease/development agreement will ultimately need to be negotiated with MICA and approved by the City Council. An estimated date for that step in the process has not yet been established.

RECOMMENDATION

City Manager

MOVE TO: Authorize the City Manager to execute an amendment to the Letter of Understanding with the Mercer Island Center for the Arts to allow for potential use of a portion of the Native Garden area in conjunction with the Recycling Center site for development of an arts facility.



MERCER ISLAND CENTER FOR THE ARTS

June 10, 2014

Noel Treat
City Manager
City of Mercer Island
9611 SE 36th Street
Mercer Island, WA 98040

Re: Mercer Island Center for the Arts

Dear Noel:

In November of 2013, the City of Mercer Island (City) and Youth Theater Northwest (YTN) reached an understanding regarding the proposed Mercer Island Performing Arts Center. YTN sent a letter dated November 7, 2013 to former City Manager, Rich Conrad to memorialize that understanding (the November Agreement). There have been many positive changes since the November Agreement was entered into which we would like to memorialize with the City.

(A) The proposed facility is now referred to as the Mercer Island Center for the Arts (the MICA Facility). Its mission has been expanded to extend beyond the performing arts and will include the visual arts and cultural programming.

(B) YTN will no longer be the legal entity developing the MICA Facility, although it is expected to be a resident company and a significant user. Instead, the Mercer Island Center for the Arts (MICA), incorporated as a Washington nonprofit corporation in December 2013, will develop the expanded facility. MICA has an independent Board of Directors and has applied for Section 501(c)(3) tax-exempt status with the Internal Revenue Service. MICA is now recruiting an Executive Director.

(C) MICA has contracted with experienced design professionals to work with it, YTN and other local performing and visual arts groups to develop preliminary designs for cost estimation, scheduling and fundraising purposes. MICA expects to share the latest designs with the City Council at its June 14, 2014 planning

MERCERISLANDARTS.ORG

P.O. Box 1702 • Mercer Island, WA 98040

AB 4990 | Exhibit 1 | Page 3

session. As of this time, MICA expects a facility of 30,000 – 35,000 square feet that will include three performance spaces (currently expected to be a 350 person theatre, a 100 person recital hall and a 100-120 person black box theatre), classrooms, practice rooms, display areas and other spaces that will be available for arts organizations and artists.

(D) MICA will conduct an extensive fundraising effort that will likely take 2-3 years, followed by a construction period of up to 2 years. The 2-year period referred to in the November Agreement will need to be adjusted accordingly.

(E) While MICA understands that the City has not made and, by acknowledging this letter is not presently making, any commitment to provide funding for the MICA Facility, MICA may want to at some point in the future engage in a discussion on whether partial public funding would be appropriate.

(F) In order to control costs and work within the land area available, minimal parking will be available on the MICA Facility site. Based on preliminary discussions with nearby property owners, MICA believes that sufficient off-site parking will be available during evening and weekend times. During other times, MICA anticipates working with the City to provide necessary on-street parking or parking at the Mercer Island Youth and Family Services Thrift Shop.

(G) Before the MICA Facility can be constructed, MICA and the City would need to enter into a Development Agreement or similar agreement and/or the area in question will need to be rezoned to address parking and other development issues.

As a consequence of the above developments, MICA requests the City's concurrence with the following:

1. The City remains strongly in support of the development of a Center for the Arts to be located at the site of Bicentennial Park and the former recycling center.
2. The City accepts the substitution of MICA for YTN as the party that will undertake the design, construction, financing and management of the MICA Facility. MICA intends that YTN will be a resident company at the MICA Facility and an important partner in its development. MICA shall keep the City regularly advised as to the progress of its efforts with reports to the City at least once every six months.

3. As set out in the November Agreement, the City confirms that it will not during the next two years otherwise obligate itself with respect to the property in question, nor permit other uses for the property during that period other than existing temporary uses (such as storage for Farmer's Market) and similar uses that will not limit or impact MICA's future use of the site.
4. If during the next two years, MICA's fundraising efforts are progressing at a rate that will likely enable MICA to proceed with the project and MICA can demonstrate that to the reasonable satisfaction of the City, then MICA and the City intend to enter into a long-term agreement that will ensure the property will be available for development and operation of the MICA Facility.
5. MICA is basing its financials on the assumption that MICA would have use of the MICA Facility site for at least 50 years.
6. Without obligating itself to any specific terms or intending to deviate from all applicable procedural and due process requirements, the City recognizes that, either through the P Zone process or a Development Agreement, certain changes in existing land use requirements may be necessary for the MICA Facility to be developed.
7. To better inform the public and assist MICA in its fundraising efforts, MICA may post a sign on the property that includes a rendering of the proposed MICA Facility and other information typical for signs of this nature. The size, appearance and actual location of the sign are subject to written approval of the City that will not be unreasonably withheld or delayed.
8. To enable MICA to evaluate the site, the City will permit MICA and its representatives to go onto the site from time to time for the purpose of inspection, planning, special events and site testing as may be necessary or desirable. MICA will request consent from the City prior to entering the property, which consent shall not be unreasonably withheld or delayed. Upon request by the City, any reports produced by MICA or its consultants shall be shared with the City.

YTN is signing below for the purpose of (a) acknowledging that it will no longer be working directly with the City on this project and that, instead, all future discussions, negotiations and agreements will be directly between the City and MICA, and (b) enthusiastically endorsing MICA's efforts to develop this community-wide benefit.


We very much look forward to working with the City on this project that we are convinced will be a huge success for Islanders. If you agree that this letter accurately

Mr. Noel Treat
June 10, 2014
Page 4

summarizes the status of the MICA Facility planning and the City's commitment to MICA, please sign below and return a copy to me.

Sincerely,

MERCER ISLAND CENTER FOR THE ARTS

By: 

John Gordon Hill, President


ACKNOWLEDGED AND AGREED:

CITY OF MERCER ISLAND

By: 

Noel Treat, City Manager

YOUTH THEATRE NORTHWEST

By: 

Manuel R. Cawaling, Executive Director



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

**AB 4984
July 21, 2014
Regular Business**

2014 PLANNING COMMISSION WORK PLAN	Proposed Council Action: Review the proposed 2014 Planning Commission Work Plan and accept with any desired changes.
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DEPARTMENT OF	Development Services Group (George Steirer)
COUNCIL LIAISON	n/a
EXHIBITS	1. 2014 Planning Commission Recommended Work Plan 2. Council Comprehensive Plan Update Approved Scope of Work
APPROVED BY CITY MANAGER	

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

SUMMARY

Each year, the City Council directs a number of legislative tasks to the Planning Commission, which are compiled into an annual work plan. The Planning Commission work plan is based on the City Council's Planning Session and suggestions by the Planning Commission, staff, and outside applicants.

A draft 2014 Work Plan was presented to the Planning Commission at their meeting on March 20, 2014. The following summarizes the proposed work plan:

I. Legislative Actions

A. School Standards in the Public (P) Zone

Review of code requirements related to public schools located in the Public (P) Zone to be conducted in 2014.

B. Code Text Amendment to MICC Title 19 regarding Code Enforcement Provisions

City initiated overhaul of most code enforcement regulations, including those in the development code (Title 19), is anticipated to be brought to the Planning Commission in the third or fourth quarter of 2014.

C. Code Text Amendment: Maintenance of MICC Title 19

City initiated routine maintenance of Title 19 in order to make minor corrections to provide clarification and correct broken code links. When staff discussed this item with the Planning Commission in March, staff was anticipating bringing it forward in the fourth quarter of 2014. Staff is now anticipating this as a 2015 work item.

D. Annual Comprehensive Plan Amendments

With certain exceptions, Revised Code of Washington (RCW) sections 36.70A.130(2)(a) and 36.70A.470(2) allow the City to consider Comprehensive Plan Amendments on an annual basis. No non-city initiated application was received by the April 11, 2014 deadline.

E. State Mandated 2015 Update to the Comprehensive Plan

Revised Code of Washington (RCW) 36.70A.130(4)(a) mandates that cities within King County update their comprehensive plans "on or before June 30, 2015". This update requires jurisdictions to review and, if needed revise comprehensive plans and development regulations to ensure the plan and regulations comply with the requirements of RCW 36.70A. Staff has already received initial input from the City Council on the draft scope of work for this mandatory update. The update began in 2014, and is anticipated to conclude in 2015. The draft scope of work identifies the primary items within each element of the Comprehensive Plan that need review and possible revision (Exhibit 2).

Mercer Island is considered a built-out community, with growth occurring mostly in the Town Center. For this reason, the draft scope of work focuses on updates of data and information throughout the document. Policy changes will be proposed only where necessary to maintain or achieve consistency with State, regional, and countywide policies. The draft scope of work focuses on the Transportation, Land Use, and Housing elements. Again, the majority of the work will be a review of the Comprehensive Plan, with changes proposed only where needed. This was supported by the City Council.

Planning Commission review of a completed draft document is anticipated for November of 2014. Staff will bring drafts of individual elements to the Planning Commission for review prior to November 2014. City Council review is proposed for January 2015. Public meetings and hearings on the draft document would take place during these review periods.

Staff support of this item accounts for approximately 2,000 hours. Discussion of the proposed comprehensive plan updates is scheduled for several Planning Commission meetings, to address each element, followed by two additional meetings reserved for an open record hearing. Staff activities associated with this project include:

- a. completing land use applications (Comprehensive Plan Amendment and SEPA Threshold Determination) as well as intake and routing of the applications;
- b. review of state guidelines;
- c. identifying necessary modifications to the Comprehensive Plan using the Washington State Department of Commerce checklist;
- d. updating the elements of the Comprehensive Plan that are under the purview of the Planning division;
- e. acting as project manager to ensure that all other required elements are updated by the appropriate division of the Development Services Group (DSG);
- f. compiling updated elements into a draft Comprehensive Plan;
- g. preparing presentations for each Planning Commission meeting and open record hearing;
- h. composing, mailing, and publishing public notices of application,
- i. SEPA Threshold Determination,
- j. Public Hearing, and Public Meeting;
- k. creating staff reports; preparation of agendas;
- l. compiling and mailing packets to Planning Commissioners the week prior to each meeting;
- m. providing customer service to citizens via email, phone, and at the DSG counter;
- n. responding to Commissioner's requests for information;
- o. providing information to the Washington State Department of Commerce as regulated by state law;

- p. creating, mailing, and publishing a Planning Commission recommendation subsequent to the open record hearing; and
- q. updating the draft Comprehensive Plan to reflect the Planning Commission's recommended alteration.

II. Regular Planning Commission Work Mandated By City Code

In addition to the above legislative work the Planning Commission has a variety of ongoing roles, including issuing decisions and recommendations, and serving as the appeal authority for certain permit appeals. These actions are discussed on Exhibit 1 and are summarized below. The Commission's work on these items is dependent on when applications or appeals are submitted. Therefore, workload and scheduling cannot be determined in advance.

PLANNING COMMISSION ACTION
<i>Applications the Planning Commission Reviews</i>
Conditional Use Permits
Long Plat Alterations and Vacations
Preliminary Long Plat Approvals
Rezoning
Shoreline Deviations
Shoreline Variances
Street Vacations
Variances from the Short Plat Acreage Limitation
<i>Appeals Heard by the Planning Commission</i>
Preliminary and Final Short Plat Approvals
Development Code Interpretations
Non-Shoreline Deviations
Critical Area Determinations
SEPA Threshold Determinations

RECOMMENDATION

Planning Commission

MOVE TO: Accept the proposed 2014 Planning Commission Work Plan as presented in Exhibits 1 & 2.

Proposed 2014 Prioritized Planning Commission Work Plan

I. Legislative Actions – Planning Commission provides a recommendation to the City Council

Type of Action	Process
<ul style="list-style-type: none"> • Code Text Amendments • Comprehensive Plan Amendments 	<ul style="list-style-type: none"> • Planning Commission holds an open record public hearing and makes a recommendation to the City Council • The City Council is the Decision Authority • Appeals are sent to the Growth Management Hearings Board

A. Zoning Code Text Amendment to Add School Standards in the Public (P) Zone and P Zone Reclassifications

Planning Commission Volunteer Roles	Staff Support Roles (250 Hours)
<ul style="list-style-type: none"> • Hold public hearing and meeting(s) • Review code amendments • Recommend revisions to code amendments • Make recommendation to City Council 	<ul style="list-style-type: none"> • Research of the issue and alternatives • Draft ordinance • Complete and submit applicable permit applications • Provide public notice • Conduct SEPA environmental review • Prepare recommendations for Planning Commission • Staff public hearing and meeting(s) • Draft revisions requested by Planning Commission • Prepare Agenda Bills for City Council public hearing and consideration

B. Zoning Code Text Amendment to MICC Title 19 Regarding Code Enforcement Provisions

Planning Commission Volunteer Roles	Staff Support Roles (250 Hours)
<ul style="list-style-type: none"> • Hold public hearing and meeting(s) • Review code amendments • Recommend revisions to code amendments • Make recommendation to City Council 	<ul style="list-style-type: none"> • Research of the issue and alternatives • Meet with other departments • Draft ordinance • Complete and submit applicable permit applications • Provide public notice • Conduct SEPA environmental review • Prepare recommendations for Planning Commission • Staff public hearing and meeting(s) • Draft revisions requested by Planning Commission • Prepare Agenda Bills for City Council public hearing and consideration

C. Annual Comprehensive Plan Amendments [Note: None were submitted this year]

Planning Commission Volunteer Roles	Staff Support Roles
<ul style="list-style-type: none"> • Hold public hearing and meeting(s) • Review code amendments • Recommend revisions to comp. plan • Make recommendation to City Council 	<ul style="list-style-type: none"> • Research of the issue and alternatives • Draft ordinance • Provide public notice • Conduct SEPA environmental review • Prepare recommendations for Planning Commission • Staff public hearing and meeting(s) • Draft revisions requested by Planning Commission

D. State Mandated 2015 Update to the Comprehensive Plan

Planning Commission Volunteer Roles	Staff Support Roles (2,000 Hours)
<ul style="list-style-type: none"> • Hold public hearing and meeting(s) • Review code amendments • Recommend revisions to comp. plan • Make recommendation to City Council 	<ul style="list-style-type: none"> • Research of the issue and alternatives • Draft ordinance • Provide public notice • Conduct SEPA environmental review • Prepare recommendations for Planning Commission • Staff public hearing and meeting(s) • Draft revisions requested by Planning Commission

II. Discretionary Actions – Planning Commission is the Decision Authority

Type of Action	Process
<ul style="list-style-type: none"> • Conditional Use Permits • Variance from Short Plat Acreage Limitation • Shoreline Deviation • Shoreline Variance 	<ul style="list-style-type: none"> • Planning Commission holds and open record public hearing and is the Decision Authority • Appeals for Variances from the Short Plat Acreage Limitation and Shoreline Deviations are heard by the City Council • Appeals for Conditional Use Permits are heard by the Hearing Examiner • Appeals for Shoreline Variances are heard by the State Shoreline Hearings Board

III. Discretionary Actions – Planning Commission provides a recommendation to the City Council

Type of Action	Process
<ul style="list-style-type: none"> • Reclassification (Rezoning) • Preliminary Long Plat Approval • Street Vacation 	<ul style="list-style-type: none"> • Planning Commission holds an open record public hearing and makes a recommendation to the City Council • The City Council is the Decision Authority • Appeals are sent to Superior Court

IV. Administrative Actions – Planning Commission provides a recommendation to the City Council

Type of Action	Process
<ul style="list-style-type: none"> • Long Plat Alterations and Vacations 	<ul style="list-style-type: none"> • Planning Commission holds an open record public hearing and makes a recommendation to the City Council • The City Council is the Decision Authority • Appeals are sent to Superior Court

V. Administrative Actions – Planning Commission is the Appeal Authority

Type of Action	Process
<ul style="list-style-type: none"> • Preliminary Short Plat • Deviations (except Shoreline Deviations) • Critical Areas Determinations • SEPA Threshold Determinations 	<ul style="list-style-type: none"> • The Code Official is the Decision Authority • No open record public hearing is required • Appeals are heard by the Planning Commission

VI. Ministerial Actions – Planning Commission is the Appeal Authority

Type of Action	Process
<ul style="list-style-type: none"> • Final Short Plat Approval • Development Code Interpretations 	<ul style="list-style-type: none"> • The Code Official is the Decision Authority • No open record public hearing is required • Appeals are heard by the Planning Commission

2015 COMPREHENSIVE PLAN UPDATE

SCOPE OF WORK

February 3, 2014

1. All Elements
 - a. Review and amend for consistency with Growth Management Act and applicable State laws; Vision 2040; Transportation 2040; and King County Countywide Planning Policies.
 - b. Update all maps and graphics as needed.
 - c. Update all demographic information and statistics.
 - d. Review and consider policies related to sustainability.

2. Land Use Element
 - a. Update buildable lands analysis.
 - b. Update growth target numbers.
 - c. Update land use map to reflect projected twenty-year growth, if needed.
 - d. Update critical area policies, including conservation or protection measures necessary to preserve or enhance anadromous fisheries.
 - e. Identify lands useful for public purposes.
 - f. Update economic development policies, if needed.
 - g. Consider health and active living policies.

3. Housing Element
 - a. Update inventory and analysis of existing and projected housing needs.
 - b. Identify sufficient land for housing.
 - c. Analyze housing needs for various economic segments.
 - d. Update Housing Strategy Plan.

4. Transportation Element
 - a. Update transportation facility and service inventory.
 - b. Update existing Level of Service (LOS).
 - c. Update LOS projection based on growth targets, if needed.
 - d. Update LOS policy, if needed.
 - e. Identify actions to bring transportation facilities and services to established LOS.
 - f. Update CIP to fund transportation projects to help meet LOS standards, as needed.

5. Utilities Element
 - a. Update general location and capacity of existing and proposed utilities: water utility, sewer utility, stormwater, solid waste, electricity, natural gas, telecommunications.

6. Capital Facilities Element
 - a. Update inventory of capital facilities: public streets and roads, pedestrian and bicycle facilities, parks and open space, public buildings, public schools, water system, sewer system, storm water system.
 - b. Update existing capital facilities Level of Service (LOS).

- c. Update forecast of future capital needs.
 - d. Update LOS standard based on future needs.
 - e. Update LOS policy if needed.
 - f. Identify deficiencies (if any) and actions to bring transportation facilities and services to established LOS.
 - g. Update capital facilities financing sources.
 - h. Update 6-year CIP and 20-year capital facilities financial forecast to recognize proposed capital facility projects.
7. Shorelines Element
- a. Incorporate adopted new Shoreline Master Program goals and policies.
8. Development Regulations
- a. Update critical area regulations, if needed.
 - b. Update regulations for consistency with any Comprehensive Plan changes, if needed.



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

**AB 4988
July 21, 2014
Regular Business**

**GRANT AND SPONSORSHIP REQUEST FOR
ART UNCORKED EVENT**

Proposed Council Action:

Approve grant and sponsorship for the MI Chamber of Commerce and MIVAL sponsored Art UnCorked event.

DEPARTMENT OF

City Manager (Kirsten Taylor)

COUNCIL LIAISON

Jane Brahm

EXHIBITS

1. Grant and Sponsorship request letter from MI Chamber of Commerce and MIVAL

APPROVED BY CITY MANAGER

AMOUNT OF EXPENDITURE	\$	2,500
AMOUNT BUDGETED	\$	0
APPROPRIATION REQUIRED	\$	2,500

SUMMARY

The City has received a request from the Mercer Island Chamber of Commerce and Mercer Island Visual Arts League (MIVAL) to provide a grant and sponsorship for the inaugural Art UnCorked event scheduled for September 12, 2014 (see Exhibit 1). The Art UnCorked event will include local artists displaying and selling their art, musical entertainment, food trucks, and will highlight ten Washington wineries sampling their wines. This event is intended to be the first of many events held in the Town Center that will help stimulate economic development, bolster the Town Center as a neighborhood and hub of fun activities, and foster art as a key community value.

Organizers are requesting a grant/major sponsorship in the amount of \$2,500 from the City, to cover the following costs:

Right of Way Permit Fee	\$170
Special Event Permit Fee	\$750
Port-a-potties	\$250
City Parks Staff	\$500
Other	\$830
Total	\$2,500

Additional "in-kind" activities requested of the City include:

- Use of the City's rental discount for tents
- Staff to put up no-parking signs on 78th and Sunset Highway in advance of event
- Event barriers and staff to put them up
- Electricity from City power poles

- Bicycle police to monitor during the event
- Ladder assistance to install overhead street banner
- After-event sweeping, as needed

RECOMMENDATION

Assistant City Manager

MOVE TO: Appropriate \$2,500 from the Beautification Fund for a local grant to cover costs associated with the promotion and support of the Mercer Island Chamber of Commerce and MIVAL sponsored Art UnCorked event as a Town Center Revitalization Program.

July 14, 2014

Dear members of the Mercer Island City Council

As you know, the Mercer Island Chamber and Mercer Island Visual Arts League are partnering on an inaugural event to be held in the Town Center. "ArtUncorked" is an evening of wine tasting and art, to be held from 6 to 9 p.m. on Friday, Sept. 12.

At the north end of 78th Avenue, abutting the Outdoor Sculpture Gallery, ten premiere Washington wineries will be sampling their wines, and MIVAL and other Seattle-area fine artists will be displaying and selling their paintings, sculptures and other art. There will be musical entertainment, and food trucks and more.

It is our intent that ArtUncorked will not only become an annual event but also the first of many types of events held downtown that will help stimulate economic development in our Town Center.

This aligns with our shared value of promoting downtown economic development, bolstering the Town Center as a neighborhood and a hub of fun activities, and fostering art as a key community value.

Events like this are very popular in the area, attracting hundreds, even thousands, of participants. Cities often sponsor such events. For example, the City of Issaquah sponsors Issaquah Wine Walks held monthly February through May; the City of Kirkland sponsors the three-day Kirkland Uncorked festival each July.

We are asking that the City of Mercer Island be a major sponsor of Mercer Island's ArtUncorked. Please consider the details of our request on the following page. Many thanks for your consideration.

Sincerely,

Terry Moreman and the Board of Directors of the Mercer Island Chamber of Commerce

Nanette Bassett, representing the Board of Directors of Mercer Island Visual Arts League.

Art Uncorked sponsorship request to the City of Mercer Island

Grant requests, which could come from the Beautification Fund:

- ROW Use Permit Fee
- Port-a-pottie rental – one regular, one wheelchair accessible

In-Kind Requests:

- Use of the City's rental discount for tents
- Staff to put up no-parking signs on 78th and Sunset Highway in advance of event
- Event barriers and staff to put them up
- Electricity from City power poles
- Bicycle police to monitor during the event
- Ladder assistance to install overhead street banner
- After-event sweeping, as needed

As a major sponsor, the City of Mercer Island will receive:

- City banner prominently displayed at the entrance
- Logo on all posters and noted as major sponsor of event
- Logo or name included in all advertising for the event
- Logo on all Art Uncorked promotional pieces including Save the Date Cards at all participating wineries
- City logo on Art Uncorked program/map



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.

JULY 21		
Item Type	Topic/Presenter	Time
<i>Study Session</i>	King County Metro Bus Service Reductions – N. Treat	60
<i>Closed Record Hearing</i>	Coval Closed Record Public Hearing for a Proposed Sixteen Lot Long Plat (SUB13-009) – S. Crick	30
<i>Special Business</i>	Boards & Commissions Members Service Recognition	10
<i>Regular Business</i>	2014 Planning Commission Work Plan – G. Steirer	45
<i>Regular Business</i>	Grant and Sponsorship Request for Art UnCorked Event – K. Taylor	30
<i>Regular Business</i>	Mercer Island Center for the Arts (MICA) Presentation and Discussion – N. Treat	30

AUGUST 4		
Item Type	Topic/Presenter	Time
<i>Study Session</i>	Transportation Benefit District Briefing – K. Knight	60
<i>Public Hearing</i>	Public Hearing and Ordinance to Establish the Mercer Island Transportation Benefit District (1 st Reading) – K. Knight	45
<i>Regular Business</i>	Trellis Long Plat – Soldier Pile Wall Easement – C. Schuck & P. Yamashita	30
<i>Regular Business</i>	Sound Transit Bus Integration Report and Options – N. Treat	30

AUGUST 18		
	Meeting Canceled	

SEPTEMBER 2		
Item Type	Topic/Presenter	Time
<i>Regular Business</i>	Ordinance to Establish the Mercer Island Transportation Benefit District (2 nd Reading) – K. Knight	30
<i>Regular Business</i>	2nd Quarter 2014 Financial Status Report & Budget Adjustments—C. Corder	45
<i>Regular Business</i>	Actuarial Valuation of City’s Firemen’s Pension Fund & LEOFF I Retiree Medical and Long-Term Care Benefits—L. Tuttle	45
<i>Regular Business</i>	Lakeridge Elementary P Zone Code Text Amendment – S. Greenberg	30
<i>Regular Business</i>	Lakeridge Elementary P Zone Rezone – S. Greenberg	10
<i>Regular Business</i>	2014-2015 Interlocal Agreement with MISD for Counseling Services – C. Goodwin	20

SEPTEMBER 15		
Item Type	Topic/Presenter	Time
<i>Executive Session</i>	To consider the minimum price at which real estate will be offered for sale or lease when public knowledge regarding such consideration would cause a likelihood of decreased price for approximately 20 minutes pursuant to RCW 42.30.110(1)(c) – P. West	20
<i>Regular Business</i>	Authorize the City Manager to Enter into a Purchase and Sale Agreement for a Portion of Clarke Beach Park – P. West	10
<i>Regular Business</i>	Electrical Code Adoption – D. Cole	30

OCTOBER 6

Item Type	Topic/Presenter	Time
<i>Regular Business</i>	2015-2016 Preliminary Budget Presentation & Distribution—N. Treat & C. Corder	45

OCTOBER 16 – SPECIAL JOINT MEETING - 5:00-7:00 PM

	Joint Meeting with the Mercer Island School District Board (Council Chambers)	
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OCTOBER 20 - 6:00 PM

Item Type	Topic/Presenter	Time
<i>Public Hearing</i>	2015-2016 Preliminary Budget (Operating Budget Review by Selected Funds: Major Revenue Estimates by Fund, Summary Level Expenditures by Fund, Budget Analysis by Fund, Significant Operating Budget Policy Changes/Issues, Service Reduction & Enhancement Packages, and 2015-2016 Proposed Utility Rates)—C. Corder	210

NOVEMBER 3 - 6:00 PM

Item Type	Topic/Presenter	Time
<i>Public Hearing</i>	2015-2016 Preliminary Budget (CIP Budget Review: Updated REET Forecast, Changes to CIP “Preview” by Council & Staff, CIP Project Review by Exception, 2015-2020 Projected Fund Balance for CIP-Related Funds, Significant CIP Budget Policy Changes/Issues)—C. Corder	180

NOVEMBER 17

Item Type	Topic/Presenter	Time
<i>Public Hearing</i>	2015-2016 Preliminary Budget (Finalize Changes to Operating & CIP Budget, 2015 NORCOM Budget Resolution, 2015 Utility Rate Resolutions, and 2015 Property Tax Ordinances)—C. Corder	60
<i>Regular Business</i>	Shoreline Master Program Update – S. Greenberg	60

DECEMBER 1

Item Type	Topic/Presenter	Time
<i>Regular Business</i>	3rd Quarter 2014 Financial Status Report & Budget Adjustments—C. Corder	30
<i>Public Hearing</i>	2015-2016 Final Budget Adoption—C. Corder	15

DECEMBER 15

	Potentially Canceled	
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OTHER ITEMS TO BE SCHEDULED:

- Comcast Franchise – K. Knight
- PSE Electric Franchise – K. Knight
- Joint Meeting with MISD – April 30, 2015
- Comprehensive Plan Update (in 2015) – G. Steirer

COUNCILMEMBER ABSENCES:

- Bertlin: July 21
- Senn: August 18