



CITY OF MERCER ISLAND

CITY COUNCIL MEETING AGENDA

Monday
April 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.

STUDY SESSION & REGULAR MEETING

STUDY SESSION, 6:00 PM

- (1) AB 4944 Fleet Management

CALL TO ORDER & ROLL CALL, 7:00 PM

SPECIAL BUSINESS

- (2) AB 4949 Legislative Session Recap
(3) Earth Day Proclamation

APPEARANCES

MINUTES

- (4) 2014 Planning Session Minutes of January 24-25, 2014
Study Session and Regular Meeting Minutes of February 24, 2014
Regular Meeting Minutes of March 31, 2014

CONSENT CALENDAR

- (5) Payables: \$592,800.64 (03/27/14), \$272,075.43 (04/03/14), \$193,737.88 (04/10/14)
Payroll: \$713,985.33 (04/04/14) & \$755,737.02 (04/18/14)
(6) AB 4938 King County Proposition 1 Parks Levy Funding Interlocal Agreement
(7) AB 4943 Open Space Conservancy Trust Board 2013 Annual Report and 2014 Work Plan
(8) AB 4946 Resolutions Authorizing Recreation & Conservation Grant Applications for Calkins Point Shoreline and
Island Crest Park

REGULAR BUSINESS

- (9) AB 4947 False Alarm Code Amendments (2nd Reading & Adoption)
(10) AB 4932 City Council Findings of Fact and Conclusions of Law for the Coval Long Plat (SUB13-009/SEP13-041)

OTHER BUSINESS

Councilmember Absences
Planning Schedule
Board Appointments
Councilmember Reports

ADJOURNMENT



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

**AB 4944
April 21, 2014
Study Session**

FLEET MANAGEMENT	Proposed Council Action: Receive report. No action necessary.
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DEPARTMENT OF	Finance (Chip Corder)
COUNCIL LIAISON	n/a
EXHIBITS	<ol style="list-style-type: none"> 1. Vehicle & Equipment Replacement Budget Policy 2. Equipment Rental Fund 3. Fleet Polices & Procedures 4. Green Fleets Plan
APPROVED BY CITY MANAGER	

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

SUMMARY

At its March 17, 2013 meeting, during the 2015-2020 Capital Improvement Program (CIP) kick-off agenda item, the Council directed staff to prepare a briefing on how the City's fleet is managed. Background information is attached as Exhibits 1-4. The presentation on April 21 will be organized as follows:

- How the City's fleet is managed
 - Size, composition & value of fleet
 - Accounting mechanism
 - Financial summary
 - Fleet Committee
 - Fleet policies
 - Green fleets plan
 - Fleet consultant
 - Vehicle/equipment replacement philosophy
- Replacement rate model
- Fleet focus areas
 - Parks Maintenance fleet
 - 5 other vehicles from 4 departments
 - Police patrol car
 - Fire aid car

- Street sweeper
- Utility hydro excavator truck
- Water meter reader Firefly

The primary objectives of this presentation are to give the Council a better understanding of:

- How the Fleet Committee manages the City's fleet
- How the fleet replacement rate model works
- How staff determines how many vehicles are needed in a functional area
- How staff determines when to replace a vehicle & what to replace it with
- How certain "replaced" vehicles are retained for use by regular and seasonal employees
- Why we own vs. rent a vehicle

RECOMMENDATION

Finance Director

Receive report. No action necessary.

Vehicle and Equipment Replacement

Background

The individual units of the City's fleet of vehicles and equipment are assigned to the various departments, but are accounted for in the City's Equipment Rental Fund. Based on historical, actual expenses plus overhead, operating and maintenance rates are developed biennially for each vehicle class and assessed to each department. In addition, replacement rates are developed biennially for each vehicle and piece of equipment in the fund. Separate replacement reserves have been established for the accumulation of funds to replace vehicles/equipment, fire apparatus, and emergency radios. The current fleet of vehicles and equipment stands at 140 units and has an estimated asset value of approximately \$7.4 million (based on purchase cost).

Beginning in 2009, Finance staff created a fleet replacement rate model based on cash flows, incorporating the estimated salvage or trade-in values, inflationary factors, and useful life assumptions for each individual vehicle. Inflated replacement cost estimates were then used to determine the cash outflows for the fund as a whole over a 30 year period. The cash inflow required to cover the replacement cost cash outflows became the basis for setting the annual replacement charge to the departments. The annual cash inflow (contribution) amount was allocated to the departments based on their present value percentage ownership of the fleet vehicles and equipment.

The vehicle replacement reserve currently is maintained to allow for future inflation costs at a rate of 1.5% to 3.5%. For specialized equipment, the rate may exceed this range. Vehicle replacements amounted to \$615,762 in 2011 and are forecast at \$830,717 in 2012. Vehicle replacements for 2013 and 2014 are budgeted at \$525,000 and \$414,000 respectively.

A separate replacement reserve for fire apparatus was established in the Equipment Rental Fund in 2007. Beginning in 2008, a 1.65% property tax levy was approved (1.0% optional plus 0.65% banked capacity) as a dedicated funding source for this purpose. In addition, the difference between the required annual apparatus sinking fund charge and the property tax levy is intended to be funded by interest earnings on the City's invested cash. See the Fire Apparatus Replacement Policy for more information.

Budget Policies for 2013-2014

- The useful life of each vehicle and piece of equipment was evaluated, focusing on those that are due for replacement in 2013-2014, and extended when it was deemed prudent (i.e. low mileage or equipment hours, good condition, and low maintenance costs).

2013-2014 Budget Impact

Expenditures	2011 Actual	2012 Forecast	2013 Budget	2014 Budget
Vehicle Replacements	\$615,762	\$830,717	\$525,145	\$414,000
Fire Apparatus Replacements	0	619,547	415,000	0
Radio Replacements	5,058	74,910	0	0
Total	\$620,820	\$1,525,174	\$940,145	\$414,000

Budget Policies

Equipment Rental Fund – 503

The Equipment Rental Fund accounts for the cost of maintaining and replacing all City owned vehicles, heavy equipment and radios, which are funded through internal user charges that are developed for each class of vehicle, heavy equipment, and radio. A vehicle replacement reserve within the fund accumulates the resources needed to replace a vehicle when its useful life has been reached. Vehicles scheduled for replacement are described in section H (Capital Improvement Program).

Description	2011 Actual	2012 Forecast	2013 Budget	2014 Budget
RESOURCES				
Budgeted				
Beginning Fund Balance	\$ 615,762	\$ 830,717	\$ 525,000	\$ 414,000
Property Taxes	148,446	149,930	151,429	152,943
Vehicle Maintenance & Operations	507,462	507,548	546,970	546,970
Vehicle Replacement Contributions	493,002	493,000	510,255	510,255
Radio Replacement Contributions	23,380	23,380	24,832	24,832
Insurance Proceeds (Fuel Cleanup)	-	119,835	-	-
Sale of Assets	9,014	40,000	36,500	36,500
Fire Apparatus Financing	-	619,547	415,000	-
General Govt / Grants / Fines	7,782	-	-	-
Interfund Transfer	1,775	-	-	-
Total Budgeted Resources	\$ 1,806,623	\$ 2,783,957	\$2,209,986	\$1,685,500
Not Budgeted				
Beginning Fund Balance (Reserved)	2,078,677	1,669,779	1,647,430	1,647,365
TOTAL RESOURCES	\$ 3,885,300	\$ 4,453,736	\$3,857,416	\$3,332,865
USES				
Budgeted				
Fleet Services	\$ 501,126	\$ 500,496	\$ 542,591	\$ 547,959
Pollution Remediation (Fuel Cleanup)	61,001	75,000	77,000	79,000
Fuel System Update	-	10,000	-	-
Fire Apparatus	40,108	624,439	415,000	-
Lease Payments-Fire Fleet	161,748	165,744	236,460	236,460
Radio Replacements	5,058	74,910	-	-
Vehicle Replacements	615,762	830,717	525,000	414,000
Total Budgeted Expenditures	\$ 1,384,804	\$ 2,281,306	\$1,796,051	\$1,277,419
Not Budgeted				
Ending Fund Balance	2,500,496	2,172,430	2,061,365	2,055,446
TOTAL USES	\$ 3,885,300	\$ 4,453,736	\$3,857,416	\$3,332,865

City of Mercer Island

Title	Fleet Services	Policy Number		
Effective Date		Vehicle Copy	Page	1 of 4

VEHICLE USE POLICIES AND PROCEDURES

Section Index:	1.0	Purpose
	2.0	Vehicle Use
	3.0	Vehicle Assignment
	4.0	Operating Rules
	5.0	Engine Idling
	6.0	Maintenance/Repair
	7.0	After Hour Emergencies
	8.0	Fueling
	9.0	Accident Reporting
	10.0	Using Personal Vehicles
	11.0	Fleet Purchasing
	12.0	Fleet M&O Costs
	13.0	Fleet Replacement Costs
	14.0	Fleet Life Cycling
	15.0	Rate Methodology

1.0 Purpose

- 1.1 To establish uniform operating policies and procedures for authorized staff using City vehicles in the course of official business.

2.0 Vehicle Use

- 2.1 City employees who need transportation during the course of their normal work day for official city business may use a vehicle assigned to their department or one available from the pool of vehicles owned by the City.
- 2.2 Non City employees can not ride in a City vehicle unless they are on official business with the City.
- 2.3 City vehicles should not be taken home except as follows:

Employees may take a City owned vehicle home when attendance to an out-of-town meeting takes place late at night after normal working hours or early in the morning prior to normal working hours. Also, an employee may take home a city vehicle under unusual or emergency conditions as determined by the Department Director (or other Department Manager), Human Resources or the City Manager.

3.0 Vehicle Assignment

- 3.1 Vehicles and equipment are permanently assigned to City Departments based on their operational needs. A permanently assigned vehicle must be a vehicle of special use, or maintain a minimum utilization of 500 miles per month.
- 3.2 Fleet Services also provides a pool of vehicles that can be used on a temporary basis. Those requests can be made via Outlook – the same way a room can be reserved.

4.0 Operating Rules

- 4.1 Employees must have a valid driver's license and prior approval of their supervisor before they drive on City business. Employees are required to immediately inform their supervisor of any changes in circumstances that may affect either their legal, physical or mental ability to drive or their continued insurability.
- 4.2 Any employee whose driver's license is expired, suspended or revoked must not drive a City vehicle and must immediately report it to their Department Director. The employee can obtain and submit a copy of their Occupational/Restricted Drivers License (ORL) if one has been obtained.
- 4.3 Employees must exercise due diligence to drive safely and maintain the security of the vehicle and its contents.
- 4.4 All laws within Washington State are the responsibility of the operator, including no smoking or cell phone use in City vehicles.
- 4.5 Employees who drive vehicles over 26,000 pounds must have the proper Commercial Drivers License endorsements.
- 4.6 Employees are responsible to pay for driving infractions or any parking violations.

5.0 Engine Idling

- 5.1 Idling of fleet vehicles and equipment contributes to poor air quality, consumes unnecessary fuel and is harmful to engines. It is the responsibility of all city personnel to operate fleet equipment in an environmentally and economically sound manner.
- 5.2 City vehicles and equipment shall not be parked with the engine operating for more than **five minutes** unless it is essential for law enforcement, public safety or vehicles with PTOs and or other accessories to accomplish the assignment of

work. When engines must be left operating, the operator must remain with the vehicle or equipment.

6.0 Maintenance/Repair

- 6.1 The Fleet Services maintenance and repair shop is located behind City Hall. The normal hours of operation are 6:30 a.m. to 3:00 p.m. Monday- Friday.
- 6.2 Fleet Services will notify each department when a permanently assigned vehicle or piece of equipment is due for routine maintenance. It is the department's responsibility to schedule this service as soon as possible.
- 6.3 If a vehicle or piece of equipment has a deficiency, the operator must notify their supervisor so repairs can be scheduled before unnecessary or further damage occurs.
- 6.4 If a vehicle has a break down during normal business hours, Fleet Services should be contacted at 206-275-7805.

7.0 After Hour Emergencies

- 7.1 If a vehicle fails after hours, it is the responsibility of the operator to ensure the vehicle is towed to a safe location, and notify Fleet Services the next business day. If possible it is preferred that the vehicle be towed to the City facility at 9601 S.E. 36th Street, Mercer Island.

8.0 Fueling

- 8.1 During normal working hours: Diesel and propane are available at the City Shop, unleaded fuel and diesel are available at the City's Fire Station in the Town Center and unleaded fuel is available at the School District on SE 42nd Street.
- 8.2.1 Chip Key fueling: All vehicles in the Fleet have been assigned a fuel chip key. The chip key is used in conjunction with the vehicle PIN and the employee personnel number.
- 8.3 Off site fueling: The City has a charge account at the Mercer Island Shell Station at 7655 Sunset Hwy. A receipt must be obtained and forwarded to Maintenance and needs too include the vehicle number and odometer reading.
- 8.4 Credit card fuel purchases: If a credit card is used to purchase fuel for a vehicle within the Fleet, the vehicle number and odometer reading needs to be recorded on the receipt and a copy of the receipt needs to be forwarded to Maintenance.
- 8.5 Emergency fueling: If fuel is purchased by an employee due to an emergency, the receipt must be attached to the request for reimbursement and needs to show the

vehicle number and odometer reading. A copy of the receipt needs to be forwarded to Maintenance.

9.0 Accident Reporting

- 9.1 No matter how minor the accident, it is the responsibility of all City employees to report it and any damage that may have occurred. Employees who fail to do so will be subjected to discipline up to and including termination.
- 9.2 The following process and forms must be completed.
 - a. Contact 911 if the accident involves another vehicle or pedestrian.
 - b. Contact your immediate supervisor.
 - c. Record all details of the incident to include names, time, exact location (take pictures if possible), witness names, phone numbers, license plate and third party insurance information.
 - d. Fill out an accident report form located in the vehicle and forward it to your supervisor within 24 hours.
 - e. **Do not admit liability** or discuss the incident with anyone other than your supervisor or authorized personnel.
 - f. CDL holders must comply with all requirements of the City's drug and alcohol testing program.

Additional fleet policies for using personal vehicles, vehicle purchasing and budget and rate methodology (Sections 10.0-15.0) can be found in the City's handbook.

10.0 Using Personal Vehicles for City Business

- 10.1 It is preferred that City owned vehicles be used for all official City business.
- 10.2 If a City vehicle is not available or would create a hardship to use, an employee may use their personal vehicle upon obtaining approval from their Department Director.
- 10.3 If a personal vehicle is used for authorized City business, the employee's personal insurance would be the primary and the City's insurance would provide coverage over and above those limits.
- 10.4 Mileage reimbursement for personal vehicle use will follow the IRS business standard.

11.0 Fleet Purchasing

- 11.1 All replacement or additional vehicles and equipment will be purchased by evaluating the best fit for the job and the lowest emissions. Whenever possible Hybrid and alternative fueled vehicles will be purchased to reduce the dependence of petroleum based fuels.
- 11.2 There shall be a ~~\$5,000~~ \$10,000 minimum threshold (changed 5/3/2010) for fleet vehicles/equipment regarding inclusion in the Fleet. (This does not apply to attached equipment, such as light bars.)

12.0 Fleet M&O Costs (Actual Costs vs. Budgeted Rates)

- 12.1 If the total actual M&O costs associated with the vehicles/equipment assigned to a department are at least 5% greater than the total budgeted M&O rates paid by the department as of year-end, then that department will be responsible for the entire difference (net of any replacement cost savings noted below in 13.2), which will be directly charged via a journal entry at year-end to the appropriate fleet M&O account code(s) in that department.
- 12.2 If the total actual M&O costs associated with the vehicles/equipment assigned to a department are less than the total budgeted M&O rates paid by the department as of year-end, then the difference will be used first to cover any shortfall noted below in 13.1. The remaining balance, if any, will then be used to fund a fleet operating reserve.
- 12.3 If a department accounts for fleet M&O costs in more than one fund, then the departmental threshold applied in 12.1 and 12.2 will be narrowed to each fund that a department has a vehicle assigned.

13.0 Fleet Replacement Costs (Actual vs. Budgeted Costs)

- 13.1 If the total actual replacement costs associated with the vehicles/equipment assigned to a department are greater than the total budgeted replacement costs as of year-end, then the department will be responsible for the difference (net of any M&O savings noted above in 12.2), which will be directly charged via a journal entry at year-end to the appropriate “interfund transfer” account code(s) in that department.
- 13.2 If the total actual replacement costs associated with the vehicles/equipment assigned to a department are less than the total budgeted replacement costs as of year-end, then the savings will be used first to cover any shortfall noted above in 12.1. The remaining balance, if any, will then be divided, as appropriate, between the Equipment Rental Fund’s “general government” and “utility” vehicle replacement reserves.

- 13.3 If a department accounts for fleet replacement costs in more than one fund, then the departmental threshold applied in 13.1 and 13.2 will be narrowed to each fund that a department has a vehicle assigned.
- 13.4 Salvage value will be taken into consideration as follows:
 - 13.4.1 When the actual salvage value is less than the budgeted salvage value on a replaced vehicle, the deficit will be added to the difference determined per 13.1 or subtracted from the savings determined per 13.2.
 - 13.4.2 When the actual salvage value is more than the budgeted salvage value on a replaced vehicle, the surplus will be subtracted from the difference determined per 13.1 or added to the savings determined per 13.2.
- 13.5 This section doesn't apply to the fire apparatus replacement sinking fund described in 15.3.

14.0 Vehicle/Equipment Life Cycling

- 14.1 All vehicles and equipment are assigned a life cycle at time of purchase. The life cycle is set from past experience, manufacturers recommendation, and feedback from the end user.
- 14.2 If a vehicle or piece of equipment has useful life after its assigned life cycle, Fleet Services may, on a case by case basis, sell the vehicle or piece of equipment to a department for the fair market value. If the vehicle or piece of equipment has a mechanical problem during the extension that exceeds its value, Fleet Services has the discretion to remove it from service and send it to auction.
- 14.3 In addition to funding the purchase of a vehicle or piece of equipment after its assigned life cycle, the purchasing department would also need to show that adequate funding exists within their budget for the additional M&O costs as the unit may or may not be added to Fleet Services in the next budget cycle.

15.0 Rate Methodology

- 15.1 The M&O rate is developed from historical data brought forward by total costs per class of vehicle. The M&O rate is averaged to a set cost for each vehicle in the classification. This does not apply to special vehicles and equipment that are one of a kind or of a special application. The actual costs are used to establish the M&O rates.
- 15.2 The replacement rate is developed using current estimated replacement costs for vehicle and attached equipment, along with individual inflationary factors to determine the annual replacement cost cash outflows needed for the next 30+ years. (Replacement costs and needed contributions for the Utility funded

vehicles and equipment are calculated separately from all other general government vehicles and equipment.)

Based on cash outflows, it is then determined how much annual cash inflows (contributions) the Equipment Rental Fund would need to accumulate in order to maintain a positive cash balance. Once the total annual contribution needed is determined, that annual dollar amount is spread to the departments based on their present value percentage investment in Fleet inventory.

- 15.3 The replacement of the following fire apparatus is accounted for within the Equipment Rental Fund but separately from the rest of the City's fleet: 4 maxi pumpers, 2 mini/midi pumpers, and 1 rescue truck. The annual fire apparatus replacement sinking fund charge is funded by a 1.65% property tax levy, which took effect in 2008, with investment interest making up the difference.

Green Fleets Plan

PURPOSE

The purpose of this plan is to describe the processes, resources and sustainability strategies behind purchasing and managing the City’s fleet, which include both vehicles and heavy equipment, in ways that minimize greenhouse gas emissions and also consider life-cycle economics.

DEFINITIONS

Alternate Fuel	Any fuel other than gasoline, diesel, and other substantially petroleum-based fuel that is less polluting than gasoline or diesel. Alternate Fuel shall include, but is not limited to, natural gas, propane, ethanol (E-85), biodiesel (5 percent blend or above) and electricity.
Alternate Fuel Vehicle (AFV)	Any motor vehicle powered in whole or in part by non-petroleum-based fuels.
Bi-Fuel Vehicle	Any motor vehicle designed to operate on two distinct fuels (including “Flexfuel” vehicles), one of which is an alternative fuel.
Biodiesel	Fuel refined from agriculturally derived oils that is suitable for use in diesel engines. Often blended with traditional petroleum-based diesel in amounts connoted by the letter “B” and a number (e.g., B20 = 20% biodiesel and 80% petroleum diesel).
CO	Carbon Monoxide – a standard component of conventionally powered vehicle emissions
CO2	Carbon Dioxide - a standard component of conventionally powered vehicle emissions and a principal greenhouse gas
Conventionally Powered Vehicles	Vehicles with gasoline or diesel powered internal combustion engines.
CNG	Compressed Natural Gas
Emergency Fleet	Public Safety response vehicles used by the City of Mercer Island’s Police and Fire Departments.
Fleet	The City of Mercer Island’s inventory of motorized vehicles and metered equipment.
Fleet Management	The City of Mercer Island’s fleet is managed jointly by the Maintenance Director and the Finance Director, with support from a Fleet Services Committee that has representatives from each department.
GHG	Greenhouse Gas
Green Vehicles	Vehicles that emit low or zero emissions, typically powered by fuels other than gasoline or diesel.
Hybrid Vehicle	A motor vehicle that draws propulsion energy from onboard sources of stored energy that are both an internal combustion / heat engine that runs on combustible fuel, and a rechargeable energy storage system.
Incremental Cost	The difference in the acquisition cost between a conventionally powered vehicle and a comparable alternative fuel vehicle
Low Emission Vehicle (LEV)	Any motor vehicle that meets or exceeds the standards set forth by the US Environmental Protection Agency for Low Emission Vehicles
Metered Equipment	Any powered implement that is metered for hours of use.
NOX	Oxides of nitrogen.

PM	Particulate Matter - Solid or liquid particles of soot, dust, smoke, fumes, aerosols or other airborne material; a standard component of conventionally powered vehicle emissions.
Passenger Vehicle	Any motor vehicle designed primarily for transportation of persons and having a design capacity of twelve persons or less.
Vehicle Class	The category in which a vehicle is placed for reporting purposes, based on size and function as defined by Evergreen Fleets.

POLICY FOUNDATION

The City is committed to being an environmentally and economically sustainable organization that is designed, constructed, and operated to use resources efficiently and minimize waste. The City will remain committed to managing and conserving natural resources in an equitable manner for present and future generations of residents receiving city services.

In 2006, an amendment to the City’s Comprehensive Plan was adopted that amended the City’s Vision Statement to address sustainability. Subsequent, a Budget Policy was directed the City to undertake cost-effective efforts that measurably improve the carbon footprint of Mercer Island. The City Council has adopted a Sustainability Work Program that aims to achieve the City’s overarching goal of reducing greenhouse gas emissions by 80% from 2007 levels by 2050 and the similar goal in Executive Order 07-02 signed by Gov. Christine Gregoire in early 2007. The Sustainability Budget Policy, recognizing that 50% of all regional greenhouse gas emissions come from the transportation sector, sets a goal of achieving the highest possible Evergreen Fleets certification.

Through the implementation of this plan, the City will be a leader in how to manage a small but diverse fleet of both vehicles and heavy equipment. In recognizing that fleet assets account for a significant contribution to the City’s overall greenhouse gas emissions, and that these emissions can be reduced, along with vehicle fuel and maintenance costs, through the purchase of more efficient and alternatively-fueled vehicles, and through more efficient driving practices and vehicle use.

PLAN OVERVIEW

The City makes every effort to purchase and use the lowest emission vehicle or equipment item possible, while taking into account the vehicle’s life-cycle costs and the ability to support City operations and services.

Through this plan, the City will work to achieve certification as an Evergreen Fleet by 2010, which will require reduced emissions, better operational efficiency and careful management of funding and staff.

ACTIONS

The actions that form the foundation of this plan are:

- A. Optimize the fleet size – eliminate or redeploy unused or under-utilized vehicles while promoting sharing across departmental lines, and minimizing the number of take-home vehicles.

- B. Purchase non-emergency fleet vehicles that provide the best available net reduction in vehicle fleet emissions, including, but not limited to, the purchase of alternative fueled and hybrid vehicles demonstrated to be cost-effective.
- C. Consider purchasing lower emission emergency fleet vehicles with comparable performance, safety, and fuel availability during emergencies as compared to conventionally powered emergency fleet vehicles.
- D. When emission reduction targets are not being met, consider purchasing carbon offsets through a recognized carbon trading institution.
- E. Reduce emissions of carbon dioxide (CO₂), a critical greenhouse gas produced through combustion of fossil fuels – make reduced CO₂ emissions a critical purchase criterion
- F. Reduce emissions of carbon monoxide (CO), nitrogen oxides (NO_x), and particulate matter (PM)—all pollutants produced by combustion of fossil fuels that endanger public health.
- G. Implement concurrent programs using advanced emission controls on all City owned or operated vehicles.

The primary measure of the City's success is the annual progress toward meeting increasingly higher Evergreen Fleets certification until the highest possible certification is reached.

Secondary measures of the City's success in accomplishing the above objectives include a reduction in the amount of emissions of the following greenhouse gases from City-operated vehicles:

- 1) Carbon Dioxide (CO₂);
- 2) Carbon Monoxide (CO);
- 3) Nitrogen Oxides (NO_x); and
- 4) Particulate Matter (PM)

as well as annual reductions in:

- 1) The total gallons of gasoline and diesel used in City vehicles;
- 2) Total fuel costs; and
- 3) Total cost of fleet operations per vehicle.

Green Fleet Management

The Fleet Services Committee will support the Maintenance Director in implementing this plan. The Fleet Services Committee includes representatives from all City departments. The Committee will review and monitor the purchase of City vehicles, metered equipment, and sustainable maintenance products and services to achieve the goals and objectives of the plan. The Committee will review all annual reporting prepared in connection with the plan.

Funding

The Fleet Services Committee will be responsible for making recommendations on acceptable initial incremental costs for improved environmental performance compared with vehicle fuel savings and emissions reductions achieved over the service life of vehicles in the fleet. This life-cycle cost analysis, which will include fuel, maintenance, and operation costs over the projected life of a vehicle, along with the factors related to emergency fleet vehicles, will be performed prior to purchasing fleet replacements or additions and will be reflected in the corresponding bid process as appropriate. The results of the analysis will be provided to the Maintenance Director and Finance Director. Funding from outside

sources such as Regional, State, and Federal grants shall also be pursued to assist in the offset of the incremental costs of “green” vehicles, if necessary.

Fleet Inventory

The City has established and will maintain a complete inventory of the vehicles in its fleet. This inventory will include not only the type and number of fleet vehicles, but also the amount and types of fuel used, the costs associated with their use, and the corresponding emissions. This inventory is critical if goals are to be achieved and success measured for the fleet.

All City vehicles and metered equipment that operate on gasoline, diesel, electricity, or other energy sources are included in this policy.

Baseline for Evaluation of Effectiveness

The baseline year for determining the effectiveness of the Green Fleet program will be 2009. This baseline will also be utilized for broader Greenhouse Gas (GHG) reduction initiatives the City is participating in, and to monitor specific emissions parameters that have been captured since then. The City’s Fleet Manager shall develop a fiscal year 2009 fleet baseline to facilitate the evaluation of annual Green Fleet plans and performance. Baseline information will include:

- 1) Vehicle class (e.g., sedan, light duty truck, heavy duty truck, etc.)
- 2) Average miles per gallon per vehicle class;
- 3) Type of fuel used;
- 4) Annual miles driven per vehicle by vehicle class;
- 5) Total fuel consumption by vehicle class;
- 6) Carbon dioxide (CO₂) emissions based on gallons (or equivalent) of fuel consumed;
- 7) Estimated emissions for each pollutant by vehicle class based on EPA tailpipe standards for carbon monoxide (CO), nitrogen oxides (NO_x), and particulate matter (PM).

Green Fleet Strategies

- Optimize Fleet Size
 - 1) The vehicles considered for removal from the fleet or reassignment will include the following:
 - a) Light duty vehicles (passenger cars, light duty pickup trucks and vans) that are driven less than 2,000 miles annually.
 - b) Metered equipment that is used less than 240 hours annually.
 - 2) Vehicles identified for removal from the City fleet shall be disposed in accordance with all applicable City policies and legal requirements. The determination of which vehicles are to be reassigned will be at the discretion of the Maintenance Director and Finance Director, in consultation with the Fleet Services Committee.
- Decrease Vehicle Emissions
 - 1) The City shall make every effort to obtain the “cleanest” vehicles possible as measured by available emissions certification standards and those published by the manufacturers.
 - a) Light Duty Vehicles: The City will purchase or lease only models of passenger vehicles and light duty trucks that are rated as low emission vehicle (LEV) or better by the EPA, where service levels are not negatively impacted.

- b) Heavy Duty Vehicles and Equipment: The City will purchase or lease only Heavy Duty Vehicles or Equipment whose engines are CARB certified as low-emission, when available for the given application and where service levels are not negatively impacted.
- 2) Each replacement vehicle will achieve the greatest level of emission reductions possible, while still meeting the operational needs of the City. Alternate-fuel replacement vehicles will be procured only when there is fueling infrastructure in place at City operated or local commercial fueling stations to support the operation of these vehicles.
 - 3) Emission reduction targets will be reviewed annually by the Fleet Services Committee and modified based on vehicles available for that model year.
 - 4) All vehicle purchase requests will be reviewed by the Maintenance Director and Finance Director, and minimum emission reduction targets will be employed when possible. The Maintenance Director and Finance Director will work with all City Departments to identify the most fuel-efficient vehicle with maximum emission reduction available that can meet the operational needs of the department, while taking into account the vehicle's life-cycle costs and fuel availability.
 - 5) Request for exemptions to this Green Fleets Plan will be submitted in writing to the Maintenance Director and Finance Director and exemptions awarded only if there is sufficient justification (see Exemptions section).
- **Reduce Vehicle Size**
Encourage the selection of vehicles of a smaller class size whenever possible to achieve increased miles per gallon and lower emissions. Requests for new vehicle purchases must be supplemented with written justification addressing the need for a class or type. The Maintenance Director and Finance Director will work with all City departments to determine whether a proposed vehicle could be downsized and still fulfill its required function.
 - **Increase Use of Alternate Fuel Vehicles and Equipment**
Alternate Fuel Vehicles and Equipment will be considered when their use is appropriate to the application and life-cycle cost analysis demonstrates the procurement and utilization of the vehicle to be economically feasible.

As noted under the Funding section of this Plan, both appropriated City funding and grants from outside agencies may be available to cover the potential incremental costs for an alternate fuel version of a fleet vehicle or piece of metered equipment. Grant funding may be targeted for the procurement of specific fuel-using vehicles and will be factored into the life-cycle cost analysis.

“Clean” fuels (such as compressed natural gas, ethanol, electricity and biodiesel) shall be used when feasible. Feasibility assessment will include considerations of vehicles or equipment able to utilize the “clean” fuel, vehicle costs, fuel availability, and the ability to utilize existing fueling infrastructure. Vehicles using these fuel types will be strongly considered when evaluating vehicle replacement.

The Fleet Services Committee will maintain a current list of alternate fuel vehicles (by fuel type) in the City's fleet.

- Best Practices to Minimize Vehicle Miles Traveled (VMT)
 - 1) For vehicles that operate on fixed routes, such as maintenance routes and meter reading routes, route optimization should be employed. In general, all routes should be planned to optimize the route and trips chained together to reduce required travel time and distance.
 - 2) Encourage meetings at centralized locations to reduce necessary travel.
 - 3) Encourage and enable alternate meeting methods, such as conference calls, to reduce the number of necessary trips.
 - 4) Vehicles will not be left idling unless a running engine is necessary to protect public safety, to prevent harm to contents of the vehicle, run auxiliary equipment in performance of a job, or to maintain health of occupants while performing duties. Vehicles are not to be left idling for extended periods.
 - 5) Where applicable and/or appropriate, employees should use alternative modes of transportation, such as buses, light rail, carpools, vans, or bicycles.

Exemptions

An exemption from the requirements of this Plan may be granted under any one of the following circumstances:

- 1) Where there is no model of motor vehicle or motorized equipment available that will comply with the requirements of this Plan and still meet the specifications for its intended purpose.
- 2) Where the analysis demonstrates to the satisfaction of Maintenance Director and Finance Director each of the following:
 - a) That any amortized additional incremental cost of purchasing a lower emission vehicle that complies with the requirements of this Plan cannot be recovered over the operating life of the vehicle or metered equipment through a reduction in fuel, maintenance, and other costs incurred during the operating life of such vehicle or equipment; and
- 3) That the City has unsuccessfully applied for, or attempted to identify, grant funding for the purchase or lease of the vehicle or motorized equipment that complies with the requirements of this Plan from outside sources.
- 4) Where the requesting department demonstrates to the satisfaction of the Maintenance Director and Finance Director that the use of a vehicle or metered equipment that complies with the requirements of this Plan would significantly disrupt operations or reduce service levels.

When an exemption is granted, the requesting department will purchase or lease the model of motor vehicle or metered equipment that will meet specifications and has the highest fuel efficiency and lowest available emissions ratings available for the type of vehicle or metered equipment specified provided the cost is within a reasonable range of the cost of a vehicle meeting the specifications but having higher emissions ratings.

Vehicle Maintenance

The City will follow Best Management Practices identified by the Evergreen Fleets program in maintaining its fleet. (Attach BMPs section from Evergreen Fleets Manual)

Operation of Bi-Fuel Vehicles

No bi-fuel vehicle owned by the City may be powered by gasoline, diesel, or other petroleum-based fuel while operating within the City, except where the bi-fuel required is unavailable, or in case of emergencies. In such cases, the maximum recommended use of alternative fuel will be required. Bi-fuel vehicles owned by the City will display a notice stating the requirements of this subsection, posted in one or more locations that are plainly visible to the vehicle operator.

Reducing Other Environmental Impacts of Vehicles

In addition to tailpipe emissions, motorized vehicles and equipment may have other negative environmental impacts that can occur in their production, operation, and eventual disposal. Radiator fluids and other substances used in vehicles can have harmful consequences for the environment. Of particular concern are persistent, bio-accumulative, and toxic materials (PBTs), such as mercury, lead and arsenic, which can be released at the end of the life of a vehicle. When opportunities are identified, the City will continue to reduce the production, operation and end-of-life environmental impacts of the vehicles it purchases.

City vehicles that are identified for retirement shall be evaluated on age, mileage, and emissions in order to determine the most appropriate disposal option in accordance with applicable regulations and policies.

Annual Reporting

The Maintenance Director and Finance Director will provide an annual report by March of each year, beginning in 2010, to the Sustainability Subcommittee of the City Council for the prior year providing information to demonstrate compliance with this Plan.

This report will include an update with regard to progress against emissions reduction goals, the percentage of Alternate Fuel Vehicles in the City Fleet, and year-by-year performance for each of these.

Annual Reports will be reviewed by the Fleet Services Committee and will be used to determine program effectiveness and to identify opportunities for improvement.

An annual Green Fleet purchasing strategy will be developed considering as many as possible of the options listed above, recommendations from the Fleet Services Committee, and any other alternatives deemed appropriate to achieve the goals of this Plan.

Glenn Boettcher
Maintenance Director

Date

Chip Corder
Finance Director

Date

Rich Conrad
City Manager

Date



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

**AB 4949
April 21, 2014
Special Business**

2014 LEGISLATIVE WRAP-UP REPORT

Proposed Council Action:

Receive 2014 Legislative Wrap-Up Report. No action required.

DEPARTMENT OF

City Manager (Kirsten Taylor)

COUNCIL LIAISON

n/a

EXHIBITS

1. Representative Judy Clibborn Report
2. Representative Tana Senn Report

APPROVED BY CITY MANAGER

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

SUMMARY

The Council asked Councilmember and State Representative Tana Senn to provide a 2014 Legislative Wrap-Up report to the Council. Representative Senn will be joined by State Senator Steve Litzow and Representative Judy Clibborn to report on the actions and activities of the City's Legislative Delegation in Olympia during the 2014 Legislative Session (see Exhibits 1 and 2).

RECOMMENDATION

Assistant City Manager

Receive report. No action required.



Representative

JUDY CLIBBORN

41st Legislative District



2014 Supplemental Transportation Budget HB 2762/SB 6001 – As Chair of the House Transportation Committee, I am proud of the bipartisan supplemental transportation budget that we passed this session. The 2014 Budget will continue to support many construction projects across the State including; I-90 Snoqualmie Pass, I-405, US 395, SR 520, the Colman Dock and the Mukilteo Ferry Terminal. In addition, the budget provides important investments in information technology at the Department of Licensing and requires improved project delivery at the Washington State Department of Transportation. The budget also provides a financing plan to fund the cost overruns on the 520 bridge project by refinancing toll revenues and redirecting savings found in other projects. This was done without changing the scope of or removing any previously funded transportation projects across the State. The budget also provides operating funds to support Amtrak service while ensuring obligations for over \$800 million of federal funds are met. In all, this ‘no new taxes’ budget will continue construction on the projects that were promised in the 2003 and 2005 transportation packages and protects the 47,000-plus jobs that are tied to those projects over the biennium.

**2013-15 Biennium, 2014 Supplemental
41st LD Investments
(Dollars in Thousands)**

Project	Expenditures Authorized		Planned					Total
	Prior	2013-2015	2015-2017	2017-2019	2019-2021	2021-2023	Future	
I-90, Western Washington - Improvements	1,877	6,443	0	0	0	0	0	8,320
I-90 Comprehensive Tolling Study and Environmental Review	1,877	6,443	0	0	0	0	0	8,320
I-405, Lynnwood to Tukwila - Corridor Improvements	550,612	202,104	33,430	8	0	14,700	145,627	946,481
I-405/SB Coal Creek Interchange - ITS Improvements	0	321	0	0	0	0	0	321
I-405/Tukwila to Lynnwood - Analysis	7,240	88	0	0	0	0	0	7,328
I-405/NE 44th St. to 112th Ave Se - Widening	5,495	0	0	0	0	0	144,505	150,000
I-405 /I-90 to SE 8th St - Widening	174,582	5,081	0	0	0	0	0	179,663
I-405/NE 8th St to SR 520 Braided Ramps - Interchange Improvements	202,635	7,975	2	0	0	0	0	210,612
I-405/Kirkland Vicinity Stage 2 - Widening (Nickel/TPA)	160,660	188,639	33,428	8	0	0	0	382,735
I-405/Tukwila to Bellevue Widening and Express Toll Lanes	0	0	0	0	0	14,700	1,122	15,822
Current Biennium Regional Mobility Grants	0	942	1,456	0	0	0	0	2,398
King County Metro, I-405 Corridor Managing Demand	0	942	1,456	0	0	0	0	2,398
SR 900, Issaquah Vicinity - Corridor Widening	43,788	61	0	0	0	0	0	43,829
SR 900/SE 78th St. Vic to I-90 Vic - Widening and HOV	43,788	61	0	0	0	0	0	43,829
Sound Transit Projects	53,468	64,660	66,655	3,316	7,697	35,034	13,996	244,826
Sound Transit East Link Management Services	1,505	1,376	540	0	0	0	0	3,421
I-90/Two Way Transit - Transit and HOV Improvements	51,233	63,284	66,115	38	0	0	0	180,674
I-405/Renton HOV Improvements Project - HOV Direct Access	730	0	0	3,278	7,693	35,034	13,996	60,731
Contingency (Unfunded) Highway Preservation Projects	0	358	5,668	0	0	0	0	6,028
I-90/WB Mercer Slough to W Lake Sammamish Parkway - Paving	0	358	5,668	0	0	0	0	6,028



Representative

JUDY CLIBBORN

41st Legislative District



Accomplishments in Transportation

Building the third 144-car class ferry

Ferry Vessel Replacement /HB 1129 – This bill provides funding to Washington State Ferries to build the third of three 144-car ferries through a \$5.00 service fee on vehicle registration renewals and a \$12.00 service fee for title transactions. Given Washington State Ferries is in the process of completing vessel builds on two 144-car ferries, funding for a third ferry takes advantage of efficiencies gained from current experience. Typically, each vessel's total construction costs decrease as the workforce develops familiarity with the vessel design. E2SHB 1129 is timely in that some of the Ferry vessels currently operating on the routes are nearing or past their lifespan. This new ferry will provide relief for older vessels and provide additional capacity for some ferry routes.

Liquefied Natural Gas as a Transportation Fuel

Natural gas/fuel taxes/SB 6440 – Without a new transportation package, the State is forced to look at alternate methods for addressing much-needed infrastructure investments. This year, we passed SB 6440 which imposes transportation taxes and fees on compressed natural gas (CNG) and liquefied natural gas (LNG) used for transportation purposes. Natural gas is a clean and cost-efficient option for the trucking industry and the marine industry. Although demand for both CNG and LNG is growing, neither fuel source is currently addressed in transportation fuel taxation policies. ESSB 6440 creates a CNG and LNG fuel taxation structure, requires any State purchases of CNG and LNG to receive the best possible price as provided to a private customer and deposits export tax revenue to the State Motor Vehicle Account for support of Washington State Ferries and other State highway projects.

Transparency and Efficiency in Transportation

2014 Supplemental Transportation Budget HB 2762/SB 6001 – In addition to continuing numerous important construction projects, the supplemental transportation budget also puts in place several new reforms and efficiency measures. It invests \$200,000 to implement better project delivery and quality assurance practices at WSDOT to prevent future mistakes and reduce the cost of projects. It also includes a provision requiring WSDOT to report any errors made in excess of \$500,000 to the legislature.

Improving the Department of Licensing

2014 Supplemental Transportation Budget HB 2762/SB 6001 – The supplemental transportation budget invests \$9.1 million in new information technology infrastructure for the Department of Licensing. These improvements will streamline the work of the DOL, and will save the state money in the long run by lowering operating costs.

Protecting Our Youth

Some of the biggest accomplishments this legislative session were in making our state a safer and more welcoming place for all children. As a foster parent to five wonderful sons and daughters who have gone on to do great things with their lives, I am especially proud of the progress we made in improving our foster care system. Here are some of the most important policies that we implemented this session:

- **Sealing Juvenile Records** – Juvenile records can haunt children for years, making it difficult to find a job or rent an apartment even after they have matured and atoned for their mistakes. Legislation passed this year will give those kids a second shot at success by allowing a court to seal the juvenile record of any non-violent offender.
- **Extended Foster Care** – Our foster children often face their own fiscal cliff when they “age-out” of foster care system at age 18. The abrupt transition from full support to on their own can be very challenging, which is why Washington already offers extended support to foster kids pursuing secondary education programs up to age 21. This year we extended that same service to those working at least 80 hours a month.



Representative

JUDY CLIBBORN

41st Legislative District



- **Legal Representation for Foster Children** – Nearly everyone in a courtroom has an attorney to represent their best interests, but Washington is one of the few states where foster children do not. Thanks to the actions of the legislature, every kid in our foster care system will have help navigating our legal system.
- **Protecting ‘Prudent Parents’** – Foster children deal with significant instability in their lives. This bill will allow foster parents to make the everyday decisions that a parent would make, like giving permission for their child to go on a field trip, without having to jump through a mess of legal hoops.
- **Strengthening in our Safety Net** – The supplemental budget that we passed this year finally reinvested in a critical program that helps children who are living in poverty. We rolled back many of the cuts made to the Temporary Assistance for Needy Families fund, meaning we can help protect kids who need it most.

Investing in Education

Every child in our state deserves a quality education. While there are many examples – especially in the 41st district – of outstanding schools, teachers and student achievement, our educators simply do not have the resources they need to be successful.

The Legislature made progress this year by investing \$58 million into K-12 supplies, books and technology. We also held firm against new tax loopholes which would have taken another \$85 million out of the budget over the next three years. With at least \$2 billion in new funding needed in the next biennium however, we have a lot of work ahead of us.

We also made some important policy changes to improve our education system:

- **More Rigorous Graduation Requirements** – The legislature moved this year to adopt a 24-credit graduation framework starting for the class of 2019. Students will receive additional education in science, arts, and world languages that will prepare them for success in an increasingly competitive global economy.
- **The Dream Act** – Every hard-working student who calls Washington home should have the opportunity to better themselves and their community. With bipartisan support, the legislature approved legislation that will allow those who were brought to this state as children to pursue a college degree and realize their own American Dream.
- **Improving educational outcomes for homeless students** – We know from research that a child who is worried about their next meal or finding a place to sleep is unlikely to find academic success. While we know that there are more than 30,000 homeless students in the state of Washington, we know very little about what policies could be implemented to help them succeed. That is why we passed legislation this year to begin collecting the data we need to improve the lives and livelihoods of our homeless students.

A Healthier, Safer Washington

This year the legislature made numerous small, but important, steps in the areas of health care, public health, and public safety. The progress made in mental health treatment is particularly noteworthy, however.

The actions that the legislature took this year will help provide better and more comprehensive treatment for individuals with mental health problems. The supplemental budget dedicates millions of dollars towards improving our capacity to treat the mentally ill, mental health treatment for high-needs children, and making critical improvements to our state hospitals. We are also beginning to integrate our mental health system with primary care – an important change that will ensure all Washingtonians have access to the mental health attention they need

Also important are improvements that were made to the new recreational marijuana market that is set to open later this year. These technical corrections will help make the new system safe and secure for those who are old enough to participate while honoring the will of the voters. I will continue to watch this issue closely to ensure the legislature protects Washington families while encouraging sensible business opportunities.



2014 Session Wrap-Up

BUDGET SUMMARY

The supplemental operating budget focused mainly on technical fixes and caseload updates. However, there was progress made in some important areas, including:

- \$58 million investment in K-12 supplies, books and technology
- Significant steps on mental health beds and services at the community level
- 5,000 new slots for services to our developmentally disabled community
- \$5 million for the State Need Grant for college tuition
- \$23 million for payment increases for child care providers and steps towards a tiered reimbursement system that should result in higher quality child care
- TANF program reinvestments to help struggling families achieve economic success
- \$1.5 million for youth tobacco, marijuana, and e-cigarette prevention efforts – up to 70% of which is directed to local community and health departments

JOBS-RELATED

Transportation Budget

The Legislature passed a supplemental transportation budget that keeps existing transportation projects moving forward. However, we did not move forward on a long-term transportation package to address our dated transportation infrastructure. Our clogged freeways and highways, failing or unfinished bridges, overcrowded transit system are a hindrance to our long-term economic outlook. I will continue to push my colleagues to fund infrastructure investments, funded by means other than tolling, which will make our state's economy more competitive in the coming decades.

Capital Budget

The House passed, with a strong bi-partisan vote, a capital budget that would have invested \$700 million dollars in new capital improvements. This budget pays for construction projects that improve our schools and communities in every corner of Washington State. Unfortunately, due to Senate inaction, important programs such as the Public Works Assistance Account and the Housing Trust Fund were left on the table. For the first time in decades, the session ended without passing a capital budget.

Bolstering Small Businesses (HB 2678)

I was proud to sponsor a measure aimed at helping family-owned small businesses and start-ups. By raising the revenue threshold at which small businesses would be required to file B&O taxes, small companies could use precious dollars to hire more workers, expand operations, and return greater value to our communities. While the measure did not pass, I will continue to work to bolster small businesses and support the entrepreneurial spirit in our community. (Died in Committee)

Paid Sick and Safe Leave (HB 1313)

A parent shouldn't have to choose between putting food on the table and staying home with a sick child. Nor should a victim of domestic violence have to choose between going to court to take out a protection order and paying rent. HB 1313 required all employers to provide their workers with paid sick and safe leave. The bill passed out of the House, but never came up for a vote in the Senate. (Died in the Senate)

AB 4949

Exhibit 2

Page 5



EDUCATION & CHILDREN

24 Credit Graduation Requirements (SB 6552)

After much wrangling and discussion, changes to high school graduation and other education policies passed the last day of the session. Starting in 2019, high school students must graduate with 24 credits, but are allowed a 2-credit waiver in certain circumstances. Flexibility was offered to school districts around the 1,080 hours requirements, culminating projects are optional and course equivalencies must be provided to help students pursue their interests. (Signed by Governor)

The DREAM Act (SB 6523)

The DREAM Act (also known as the “Real Hope Act”) grants undocumented students the opportunity to attain higher education by providing access to financial aid. Undocumented students who have graduated with a high school diploma (or its equivalent) and who have lived in Washington State for the previous three years may now apply for funds from the State Need Grant. (Signed by Governor)

A (Proposed) Step Forward in School Construction (HB 2797)

Kids need classrooms. Part of the *McCleary* ruling on fully funding our public schools included addressing overcrowding in kindergarten through third grade classrooms. House Bill 2797 was a strongly bipartisan effort that would have bonded state lottery funds and distributed \$700 million state-wide for classroom construction. I was proud to co-author a bi-partisan op-ed on this topic. However, the bill, which was projected to create 7,000 jobs, died in the Senate. (Died in the Senate)

Quality Early Learning for Kids in the Child Welfare System (HB 2519)

Children in our child welfare system are some of our community’s most vulnerable. This legislation, my first, will help those kids access quality early learning. Families involved in the child welfare system going through the new Family Assessment Response (FAR) program will now be evaluated for child safety and well-being. If deemed in the best interest of the child, the family is referred to a quality early learning program like Early Childhood Education and Assistance Program (ECAEP), home visiting nurse services or Headstart. (Signed by Governor)

Recognizing Faith Observances (SB 5173)

Legislation passed this session granting schoolchildren excused absences (and state employees two unpaid days off a year) for reason of faith or conscience. Now, parents will have the option to excuse their children from school without penalty to observe the most sacred days of their religion.

Suite of Foster Children Legislation

Three measures made important steps toward securing a more hopeful future for Washington’s foster children.

- **Prudent Parent Bill (SB 6479):** This bill allows foster parents to make prudent decisions on behalf of their foster children like participating in after school activities and attending field trips. (Signed by Governor)
- **Legal Representation for Foster Children (SB 6126):** Changes this session ensure that all foster children whose parents no longer have parental rights will be entitled to an attorney. (Signed by Governor)
- **Extended Foster Care (HB 2335):** Youth typically ‘age-out’ of foster care at age 18. This legislation extends foster care for ages 19-21 for those working at least 80 hours per month. (Signed by Governor)



HEALTH & SAFETY

Domestic Violence and Firearms (HB 1840)

For years, advocates for victims of domestic violence have called for laws to remove firearms from domestic violence offenders. More than half of the homicide victims in this country are women killed at the hands of their intimate partners, usually with a firearm. HB 1840 aligns Washington law with federal law by removing firearms from persons subject to protection orders. If the protection order expires or is lifted, or if the offender is acquitted, firearms and rights are then restored. (Signed by Governor)

Reproductive Parity Act (HB 2148)

HB 2148, the Reproductive Parity Act, simply states that any insurance plan in Washington State that covers maternity care services must also offer comparable abortion services. The bottom line is that a woman, not politicians, should make the informed decisions when it comes to her own pregnancy. As in previous years, it passed off the House floor, but received no vote in the Senate. (Died in the Senate)

Oil Transportation Safety Act (HB 2347)

The Oil Transportation Safety Act focused on improving the safety of our dramatically increasing levels of oil transportation across the state by rail and water. One proposed requirement was the release of aggregated information on the type and quantity of petroleum being transported to enable first-responders to be better prepared should an accident occur. (Died in the Senate) In the end, the only related policy passed included a study of oil across the state.

Mercury Light Bulb Stewardship (HB 2246)

Mercury-containing light bulbs remain a significant contributor to the rise in environmental mercury pollution. This bill creates a mechanism to fund a state-wide stewardship program to ensure we keep our families and communities safe from this toxic environmental pollutant. (Signed by Governor)

Liquor Theft Prevention and Reporting (HB 2155)

With the vast expansion of retail outlets selling alcohol under liquor privatization, law enforcement agencies have reported a huge spike in thefts from grocery stores. There have been many stories of cars full of teens caught with bottles of liquor. In order to curtail the harm and danger teens face in illegally acquiring alcohol, HB 2155 creates a system that will allow law enforcement agencies to identify which stores are seeing an unacceptable amount of theft and to work with them and the Liquor Control Board to develop plans to ensure thefts are reduced. (Signed by Governor)

Liquor Revenue Sharing (HB 2314)

With the passage of Initiative 1183 (the privatization of liquor sales) many cities and counties reported an increase in alcohol-related crimes and expressed a need for additional funding to address these issues. This bill would have allocated additional liquor revenues for these purposes. Although this bill did not pass, it began an important discussion on how best to provide localities with the funds they need to keep our families secure. (Died in Committee)

Sealing Juvenile Records (HB 1651)

Washington is one of eight states in the country where juvenile records are not covered by confidentiality, and one of three states where these records are sold. With passage of this bill, the courts must now schedule an administrative hearing to consider sealing court records of a juvenile offender who has completed probation or confinement and parole. Violent and serious offenses are not included. (Signed by Governor)



The City of Mercer Island, Washington

Proclamation

WHEREAS, the first Earth Day was organized on April 22, 1970 to increase awareness of our planet's fragile ecosystems and educate people on responsible environmental stewardship; and

WHEREAS, that same year Mercer Island voters approved \$5 million in park acquisitions and improvements to preserve healthy habitats; and

WHEREAS, in the 1980's, the City enacted development ordinances to protect the environment and preserve the un-crowded wooded character of the Island; and

WHEREAS, the new millennium heralded a far greater understanding of the perils of global climate change; and

WHEREAS, in the absence of a sufficient federal response to address this threat, Americans are increasingly looking to their cities for meaningful action; and

WHEREAS, The City has pursued various energy efficiency and lighting upgrades at its major facilities and improved its fleet fuel efficiency and installed public electric vehicle charging stations; and

WHEREAS, Mercer Island convened a citizen task force in 2012 to draft its first Sustainability Policies; and

WHEREAS, in January 2013, Mercer Island was honored by the U.S. Environmental Protection Agency as national Green Power Community of the Year; and

WHEREAS, Mercer Island launched its first public solar power array last year, and is promoting a mass residential solar installation campaign this year; and

WHEREAS, Mercer Island has become an increasingly active supporter and advocate for state and county-level collaborative greenhouse gas reduction efforts; and

WHEREAS, Earth Day offers an opportunity to commit to building a flourishing sustainable community; and to empowering citizens to live lightly on the local landscape,

NOW, THEREFORE, I, Mayor Bruce Bassett, on behalf of the Mercer Island City Council, do hereby proclaim April 22, 2014 as

EARTH DAY

and I encourage all residents and businesses to become responsible stewards of our Island and our planet. Please learn more by joining us at the *Leap for Green Community Sustainability Fair*, on Saturday, April 26, Noon-4pm, at the Mercer Island Community and Event Center.

APPROVED this 21st day of April 2014.

Bruce Bassett, Mayor



Proclamation No. 178



CITY COUNCIL MINUTES ANNUAL PLANNING SESSION JANUARY 24-25, 2014

Friday, January 24, 2014

CALL TO ORDER

Mayor Bruce Bassett called the Planning Session to order at 5:03 pm in the Luther Burbank Room at the Mercer Island Community and Event Center (8236 SE 24th Street, Mercer Island, Washington):

ROLL CALL

Mayor Bruce Bassett, Deputy Mayor Dan Grausz and Councilmembers Debbie Bertlin, Jane Brahm, Mike Cero, Tana Senn (arrived 5:13 pm), and Benson Wong were present.

Mayor Bassett welcomed the Council and City staff that were present and thanked them for attending.

AGENDA REVIEW

City Manager Noel Treat reviewed the updated agenda noting that the Mercer Island Center for the Arts and the Town Center Visioning items on Saturday were swapped. He noted that the Council would be able to add items to the "parking lot" for Council discussion at the end of the Planning Session. The Council discussed making a decision about continuing the Planning Session on Sunday, as there were no agenda items scheduled; they decided to make the determination at the end of the day on Saturday.

2013 OBJECTIVES AND ACCOMPLISHMENTS

City Manager Treat summarized the accomplishments during 2013 with a review of the Council's 2013 work plan. He noted that during this Planning Session, items would be added to the 2014 work plan as they arose.

CITIZEN OF THE YEAR

The Council discussed the nominations for the 2013 Citizen of the Year. They also discussed the need to review and possibly update the selection criteria for the future. Following lively discussion, the Council voted and made their selection for 2013. The nominee will be honored at an upcoming Council meeting.

The Council broke for social time and dinner. They reconvened at approximately 7:30 pm.

MI LIBRARY PRESENTATION BY KING COUNTY LIBRARY SYSTEM AND DISCUSSION

King County Library System (KCLS) staff and the project architect presented information to the Council regarding the upcoming renovation and remodel project at the Mercer Island library. They spoke about the public input process leading up to the project, which included a meeting in June and a second meeting in January. They showed graphics depicting the proposed alterations to the interior. They noted that the project does not drastically change any of the program areas, but rearranges the layout and allows for study rooms to be added. KCLS staff also spoke about the interior material modifications and how that would change the feel and lighting inside the library.

The Council inquired about the timeline for construction and the project budget. They also discussed the limitations of the proposed temporary site for the library during construction due to traffic impacts and the loss of public computer access. Former Mayor Bryan Cairns and former library advisory board member Marcia Mellinger expressed their concerns to KCLS staff regarding the reduction in the collections due to the renovations, changing the ceiling to improve acoustics, and the proposed furniture. They also noted that there are so many smart, passionate citizens willing to engage in how they would like their library to be.

Council asked KCLS staff about the possibility of asking the KCLS board to put this project on hold until a Council and citizen advisory committee could further review the proposed project and provide input on the proposed renovations. KCLS staff responded that the request would need to be made to the KCLS board. They noted that the KCLS board's next meeting was on January 29, 2014, and that the board would be voting on the Mercer Island Library Renovation Project.

The Council discussed drafting a letter to the KCLS board asking for time for Mercer Island to re-evaluate the project design. They discussed forming a committee of Councilmembers and citizens to review the project and make recommendations.

Mayor Bassett thanked the KCLS staff and the project architect for their presentation and time. He also thanked the citizens for their involvement and passion.

Agreements & Direction:

It was the consensus of the Council to:

- Draft a letter to the King County Library System Board, requesting additional time to review the Mercer Island Library renovation project design and provide recommendations on the proposed alterations.
- Send the letter to the KCLS board and executive director on Monday, to give ample notice of the request in advance of the meeting on January 29, 2014
- Have Deputy Mayor Grausz, Councilmember Bertlin and Councilmember Wong attend the KCLS Board meeting.
- Have Mayor Bassett appoint Councilmembers and citizens to an ad hoc committee to review the proposed library renovation design.

ADJOURNMENT

The Mayor adjourned the Planning Session for the day at 8:56 pm.

Saturday, January 25, 2014

CALL TO ORDER

Mayor Bruce Bassett called the planning session to order at 8:32 am in the Luther Burbank Room at the Mercer Island Community and Event Center (8236 SE 24th Street, Mercer Island, Washington):

ROLL CALL

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

I-90/TRANSPORTATION ISSUES

City Manager Treat presented I-90/transportation issues for the Council to review.

R8A / East Link Project

City Manager Treat reminded the Council that the R8A project adds a transit/HOV lane between Seattle & Bellevue and, upon completion of the project, Sound Transit will take over the center roadway for the East Link project. He noted that the 77th Ave SE westbound ramp would be permanently closed, which means that Islanders will be limited in accessing westbound I-90 and that this may change traffic circulation. He spoke about correspondence with the Governor's office regarding Mercer Island's single occupancy vehicle access in the new HOV lanes and the need for further clarity on the issue.

Staff noted that they will keep the pressure on WSDOT and Sound Transit regarding the R8A and East Link projects timelines. The Council discussed what will happen when the 77th ramp is closed, as traffic wanting to use the HOV lane will have to access westbound I-90 from Island Crest Way. They also expressed concern about how an HOV lane and the center roadway would work at the I-90/I-5 merge.

Agreements & Direction:

Staff will press further with WSDOT on what the I-90/I-5 merge would look like if both R8A and the center roadway open at the same time. Staff will also start looking at traffic counts on 77th to determine the impact on Town Center traffic to access westbound I-90.

Transit Service and Funding

City Manager Treat reported that King County Metro has proposed transit service cuts unless additional funding is found. He also spoke about the proposed Transportation Benefit District (TBD) for transit and roads in King County and that Mercer Island is estimated to receive \$598,000 annually for road purposes.

Mayor Bassett presented a letter that he has been working on with Lake Washington mayors detailing support for the proposed TBD. Councilmember Cero asked about what passing this would mean for a statewide transportation package. Councilmember Senn noted that ideally this TBD would not pass, as the state needs King County votes for a statewide package (that supports projects on both the west and east sides of the state), but in reality King County is in a precarious situation and funding is needed now to maintain current transportation service levels. Mayor Bassett noted that the TBD is about Metro and local roads, not about mega-projects.

Councilmember Senn asked what the \$598,000 can be used for and what it means for Mercer Island. City Manager Treat reminded the Council that the Street Fund will go negative in 2016 and this money could be used to keep up with basic street maintenance. The Council decided to revisit the options after the April 22 vote. City Manager Treat noted that on February 24, staff will be presenting transportation budget issues and the Street Fund analysis to brief the Council on emerging issues.

Agreements & Direction:

The majority of the Council agreed to have the Mayor sign the letter from Lake Washington mayors to the King County Council supporting the proposed Transportation Benefit District for transit and roads in King County.

Bus Intercept & Commuter Parking

City Manager Treat presented a proposal from Sound Transit to have a bus intercept on Mercer Island, which would save construction on the East Link project as the D2 roadway will need to be built to accommodate both buses and trains. He noted that Sound Transit is hiring a consultant to study the impacts of the bus turnaround on Mercer Island, looking at using existing road cutouts on the south side of North Mercer Way and 77th Ave SE. He showed the Council the potential route for buses coming onto the Island, where the buses might “lay over” when waiting, and what roadwork might need to be done to accommodate areas for the buses to turnaround (i.e. roundabout at North Mercer Way and 77th Ave SE).

The Council discussed the bus turnaround being located at the Bellevue Park-and-Ride, but it was noted that buses travelling west on I-90 would have to cross all lanes of traffic to get to the exit for the Bellevue Park-and-Ride.

Council discussed the timing and urgency of a Council decision on this proposal. Mayor Bassett noted that WSDOT needs to make a decision on the D2 roadway construction by July 2014.

City Manger Treat spoke about ongoing discussions with Sound Transit and about payment for loss of mobility for the loss of the center roadway (with the East Link project), which is required under the 1976 I-90 Memorandum of Agreement. The discussions have been in the \$6.3 million range and for 180 commuter-parking stalls. When the former City Manager pressed Sound Transit for a draft term sheet, the bus intercept proposal was included on that draft term sheet. He noted that Sound Transit has been adamant that if they give the City money for parking it has to be open to all drivers, not just Mercer Island drivers. He further noted that a consultant has done an analysis of potential sites in the Town Center for commuter parking, but there are challenges with each of the sites.

Mayor Bassett noted that the Council has been hearing from the public about a lack of parking to access transit. He also noted that the Mercer Island Park-and-Ride is the last stop before Seattle and it is used by many off-island drivers. He suggested a plan to get off-island drivers to go to the South Bellevue Park-and-Ride so that the Mercer Island Park-and-Ride can be used by Mercer Island drivers. City Manager Treat noted that this is a Sound Transit proposal and that King County Metro has still not said if they are on board with the proposal.

Deputy Mayor Grausz suggested that the Council should decide a few basic principles about the bus intercept proposal and loss of mobility before engaging with Sound Transit.

The Council expressed concern about what the response from citizens will be about the bus intercept proposal. They further discussed the details of the buses turning around and waiting on the Island.

The Council discussed specific parameters for an impact study responding to the proposal (see below).

Agreements & Direction:

The Council agreed that:

- Unless Mercer Island dedicated parking is on the table, the bus intercept proposal is not an option.
- \$6.3 million is tied to the loss of mobility from the closing of the center roadway (under the 1976 I-90 Memorandum of Agreement) and is a separate issue from the bus intercept proposal.
- A North Mercer Way roundabout at 77th Ave SE should be added to the impact study along with a roundabout on Sunset Hwy and 77th Ave SE.
- Sound Transit should study options to see if bus layovers can be released from other areas so as not to stack up on Mercer Island.
- No buses are allowed to wait or lay over on SE 27th Street.
- A cap should be set on the number of buses on the Island at one time as well as the number of buses laying over on the Island.

Deputy Mayor Grausz suggested that the City meet with King County Metro to discuss a bus route for just Mercer Island, since ridership from the eastside will increase once the center roadway closes.

Councilmember Senn noted that if Mercer Island has not been aware of all the regional traffic impacts with the implementation of R8A and East Link, then there are probably other regional players who are not aware either. She agreed with a high level meeting about how these projects are going to impact transportation in the entire region.

SUSTAINABILITY

Sustainability & Communications Manager Ross Freeman presented information to the City Council about what sustainability looks like on Mercer Island. He spoke about internal operations and public projects the City has worked on. He noted campaigns, programs and events that have furthered the City's sustainability goals. He spoke about the City of Mercer Island's involvement in regional, state and national efforts and collaborations.

Manager Freeman provided data regarding the City's calculated fleet in miles per gallon as well as normalized energy consumption in City facilities. He noted the early results of the Town Center LED Lamp Retrofit project realizing a savings of \$4,500 in only 5 months. He provided information about the total Island greenhouse gas emissions, including a linear projection of progress toward the City (and County) goal of an 80% reduction in emissions by 2050.

Manager Freeman presented a draft six-year Sustainability Plan for the City. The plan encompasses long-term policy/advocacy positions and long-term sustainability education and community outreach projects and goals. He noted that the Climate Action Plan is a subset of the Sustainability Plan. It will set timelines for new goals and for the development of specific greenhouse gas reduction strategies, and establish mileposts by which to monitor and verify progress. Manager Freeman detailed some of the current action items on the plan, including green building standards, raingarden education, the plastic bag ban, stormwater education, and a residential Solarize campaign as well as a few new items, such as the green revolving fund for energy efficiency and an environmentally-aware procurement policy.

Manager Freeman asked the Council for feedback on the proposed six-year Sustainability Plan, agreement to set new interim milestone goals for the Climate Action Plan, authorization for future contract discussions with consultants to identify GHG reductions expected from specific projects, and about the possibility of hiring a paid graduate intern to catch up on data entry and tracking.

Agreements & Direction:

The Council provided positive feedback on the proposed six-year Sustainability Plan and asked for more specificity about how items would be prioritized. They approved moving forward with the Solarize campaign. They also agreed to discuss setting new milestone goals for the Climate Action Plan. Manager Freeman noted that assistance is needed to catch up on data entry and tracking of sustainability metrics. The Council agreed to staff moving forward with hiring a graduate intern to help with the catch up data entry, and agreed that staff should explore consultant support for GHG reduction strategies. They also asked to have a conversation at an upcoming Sustainability Sub-Committee meeting about what should be tracked by the City.

2015-2016 BUDGET PREVIEW

2015-2016 Budget Process:

Finance Director Chip Corder teed up a discussion for the Council about how they would like to review the operating budget during the 2015-2016 budget hearings this fall. He reviewed the budget calendar and asked if the Council would like to know the key operating budget issues in advance of the budget hearings. The Council agreed.

Deputy Mayor Grausz spoke about what decisions the Council actually makes during the budget process, and noted that the challenge staff faces is framing the questions for Council to make the decisions. He noted that it would be helpful for Council to have enough information to make decisions about the numbers.

He then spoke about the two approaches to reviewing the operating budget: by department (as has been done in the past) or by selected funds (a streamlined approach). He stated that the streamlined approach is an overview of the General Fund, Criminal Justice Fund, Beautification Fund, YFS Fund, Water Fund, Sewer Fund, and Storm Water Fund, encompassing major revenue estimates, summary level expenditures, budget analysis, significant budget policy changes/issues and proposed service reduction and service enhancement packages (changes to the "base" budget). He noted that this budget review approach keeps things at a higher level for the Council compared to the first approach above, drilling down only on the "driving details" of the proposed budget.

Councilmember Wong asked about best practices and how other cities review and approve the budget. Director Corder spoke about how Kirkland reviews the budget. Mayor Bassett noted that dollars flow in and out of funds, and departments are created to divide the people who work for the City. He asked if anything would be lost by switching to the fund review approach. Director Corder noted that 72% of the General Fund is salaries and benefits

and that the Mercer Island population is not growing. If the Council is comfortable with base budget and with a long-term growth trend of 5% per year, then the focus can be on what is actually changing (service packages).

Director Corder presented information about producing a streamlined Council budget binder with the following sections: Budget Message, Recap by Fund (for selected funds only), Budget Policies (only those with significant changes/issues), Service Reduction & Enhancement Packages and Capital Improvement Program. Deputy Mayor Grausz also requested the inclusion of a balance page for all funds.

Director Corder asked the Council if they would like to conduct the biennial citizen survey in February 2014 in advance of the 2015-2016 budget hearings. Deputy Mayor Grausz questioned how the survey influences Council's decisions; he asked to know how the results are used by staff. They also spoke about asking specific questions about the performing arts center. Councilmember Wong noted that it is an opportunity for citizens to be heard and provide feedback. Councilmember Cero brought up the issue with cell phones versus landlines and if the survey results are from a good cross-section of the population. Staff suggested reviewing methodology and validity of the survey and its results. Mayor Bassett noted that it is a tool that helps staff prioritize services and know whether the City is doing well.

Significant Budget Issues:

Director Corder spoke about property tax, noting that it accounts for 43% of General Fund revenues, but is limited to 1% annual growth plus new construction, which puts the burden for General Fund revenue growth on utility tax, sales tax, license/permit/zoning fees, and recreation fees. He also noted that the General Fund budget is primarily tied to development activity, which is currently high and projected to remain so through 2014, but that it is an "elastic" (i.e. more volatile) revenue source.

Director Corder explained two issues with the Community Center budget: increasing the General Fund subsidy for MICEC operations and the need for supplemental funding for the MICEC equipment & furnishings sinking fund.

Director Corder further noted that:

- The annual General Fund Subsidy of YFS will need to be maintained in 2015-2016 even if Thrift Shop Renovation/Expansion project moves forward.
- The Street Fund balance is projected to go negative in 2016.
- Significant water and sewer rate increases are forecast for the coming 6 years.
- Council will need to make decisions about funding LEOFF I retiree long-term care benefits.

Director Corder and City Manager Treat presented position needs that the Council will need to take action on in early 2014:

- Development Services Group needs additional staff to support MISD, if the bond measure passes in February 2014 and to support higher than expected development activity levels unrelated to the MISD bond measure.
- Restore the Fire Marshal position as the current distributed work arrangement between Fire and DSG is not working well and is not cost effective, especially given the current high level of development activity.
- Unfreeze the Patrol "Hire Ahead" Police Officer, due to succession planning and the number of police officers eligible for retirement.

Agreements & Direction:

The Council agreed to:

- a streamlined approach to the budget (detailed above)
- a presentation of key operating budget issues at the Mini-Planning Session on June 14
- dedicating the October 20 and November 3 Council meetings to budget only
- a streamlined budget binder for the Council
- conduct the biennial citizen survey in early 2014 for the 2015-2016 budget process

MERCER ISLAND CENTER FOR THE ARTS

City Manager Treat introduced John Gordon Hill who presented the concept for the Mercer Island Center for the Arts (MICA). Mr. Hill spoke about the need for Youth Theatre Northwest (YTN) to find a new home due to the school district reclaiming the building YTN is in currently. He noted that this need to find a new permanent location was the driver for the development of the concept for a multi-use venue on Mercer Island, a cultural gathering place

for youth, adults and seniors. He spoke about the functions of the proposed building including multiple theaters of different sizes, classrooms and rehearsal spaces, administrative offices for arts organizations for music and dance recitals, choir concerns, and YTN productions. Architect and Urban Planner Leslie Bain spoke to the Council about placing the building on the old recycle center at Mercerdale Park in a public/private partnership. She noted that the building backs into the hillside, but does not encroach on the hillside. She showed concept drawings of the building and how it becomes a hub, a gathering place in the Town Center.

Mr. Hill spoke further about developing schematic plans that fit the footprint and the needs of the groups and fit within the "right" cost scenario. The MICA group is putting together a board of directors, and establishing 501(c)3 status. He noted that they have secured pledges for \$105K in seed money and that they will eventually bring in professional staff to fundraise. He spoke about the project being on a fast track in order to keep YTN on Mercer Island. They will aim for a high-speed capital campaign with the goal of raising a significant amount of money in year one, break ground in year two and open in year three. He noted there will be many hurdles, but they are ambitious and the endorsements they have received are encouraging. He believes this facility will be the missing piece for many of the things that have been put into place in the Town Center.

The Council asked questions about the fast project timeline and the goal for the capital campaign. Mr. Hill noted that there are many people willing to make contributions and that the campaign would be for \$10-12 million. He also spoke about this being a civic facility and how MICA can engage with the City in a public-private partnership for funding and use of the building.

Council asked about the size and scale of the building. Ms. Bain noted that a wish list would be developed and then it would be paired down to fit with the cost and needs identified for the building. Mayor Bassett asked if there would be parking for the facility. Mr. Hill responded that they are striving to create a "green" facility and they do not want to pave over more area for parking. Stowe Sprague also commented on parking for the facility, noting that there are opportunities for re-striping, sharing spaces with the Thrift Shop, working with local property owners to create parking agreements, or a shuttle from the park-and-ride lot.

The Council discussed the location of MICA at the south end of the Town Center and if it really would be "the heart" of the Town Center. They expressed concern that if there is no parking, and patrons were encouraged to use mass transit to visit the facility, the walk to Mercerdale Park may be a deterrent. Mr. Hill and Ms. Bain spoke about a shift in thinking regarding how people get around and that the perception of how far a walk is depends on the walk being aesthetically pleasing. They also mentioned that MICA would be located at the end of 77th, which is the main road through the Town Center from the freeway.

Deputy Mayor Grausz noted that he and Councilmember Wong met with Parks and Recreation staff and MICA to discuss programming and facility management. He stated that since the proposed land for the facility is owned by the City, then the City will need to be involved in the project development to determine the structure of the public/private partnership and work through the financial and legal issues associated with a partnership. He suggested that MICA provide an update at the June Mini-Planning Session to see where the fundraising is at and if the proposed schedule is realistic.

Mayor Bassett asked if there is a need for a formal agreement at this time. Deputy Mayor Grausz noted that discussions still need to take place regarding programming and financial/legal issues. He stated that future agreements would be driven by MICA's fundraising accomplishments and the City's determination as to whether it wants to operate the facility or if that will be MICA's responsibility.

Ms. Stowe provided an update about YTN's efforts to find a new location, as the school district has provided notice to YTN that they will need to be out of their current location by the end of August. She said there are some things in the works, but nothing is definite yet.

Mr. Hill thanked the Council for the opportunity to present the project concept and for their feedback. The Council thanked Mr. Hill and Ms. Bain for their presentation.

Agreements & Direction:

The Council agreed to appoint Deputy Mayor Grausz and Councilmember Wong to work with MICA. Issues to be worked through are developing a structure for a public/private partnership, programming clarifications, and the financial and legal issues of the City or MICA operating the facility. A project update will be provided at the June Mini-Planning Session.

TOWN CENTER VISIONING AND BOOSTER COMMITTEE

Development Services Director Scott Greenberg reviewed the items provided to the Council in the packet: the history of the Mercer Island Town Center (including a chronology of Town Center redevelopment), a map of eligible lots for significant public plazas and significant pedestrian connections, and a map of Mercer Island Town Center development. City Manager Treat summarized the information in these handouts, noting that development of the existing Town Center code was a huge undertaking and that it has taken a lot of work to get what the City has now. He noted there are still a number of parcels that can be developed so there are still opportunities to effect what will happen in the Town Center.

Mayor Bassett noted that the Council has talked about Town Center visioning, but has not made any decisions about any changes in the future. He noted that there seems to be a notion in the minds of the public that there is no "center" in the Town Center. He believes it begs the question, is the plan put in place in the '90s still the right course, or is it the right moment for the Council to review what it could be and what changes could be made to make it better? He noted that the Booster Committee is a near-term idea that can be implemented quickly and changes can be seen relatively soon, but that a review of the Town Center vision is much more long-term. He asked the Council how they would like to move forward and how to provide staff guidance of framing the issue.

Councilmember Brahm discussed looking at the big picture, rather than trying to piecemeal specific elements. She also noted that the Chamber of Commerce's efforts to revitalize the Town Center have been difficult as the vision/goal is not clear. Councilmember Bertlin noted that the principles developed 20 years ago are sound, but that the notion of traveling to the Town Center was not a widely known/accepted concept. She believes that is changing especially as there are more people living downtown. She also noted the difficulty in navigating the Town Center on foot.

Deputy Mayor Grausz noted that he was a supporter of the Town Center vision even though some of the architecture and design may not be ideal, but that the City cannot control that part. He is fascinated that a real community has slowly developed in the Town Center that will support the retail, utilize the parks and create some vibrancy. He thinks it is important to make clear what the Council will do and what the goal is, so as not to scare the property owners who have properties that can still be developed.

Councilmember Wong noted that many people he talked to during his campaign said that the Town Center is lacking character, a "feel". He noted that some spoke about a nice public gathering spot in the Town Center. He noted people stating that economic development is important to attract more business, restaurants, and retailers. He would like to work in a more coordinated fashion to attract business, and devote some City resources to get an outsider/advisor to look at Mercer Island's economic development.

Councilmember Cero believes that the Council should look at the vision, as the current policies are not fulfilling the potential on Mercer Island. He would like the Council to look at the parking issues in the Town Center as he believes that may have an impact on whether someone comes to shop downtown.

Councilmember Senn stated that she sees economic development as (1) supporting existing businesses and new businesses that come (help promote the Shop Local campaign); (2) building neighborhood (how are the people who live in those buildings creating a community); and (3) planning for the future. She spoke about how the new light rail station will attract people to the Town Center, but how will they know where to go, will there be a public space for meeting, how will the Council look at the available spaces and what could they become. She noted that short-term action items could occur now to help support the Chamber and boost local businesses.

Town Center Visioning

The Council discussed creating a committee of Councilmembers and staff to develop a scope and bring it back at the Mini-Planning Session for review. There was a need expressed to understand the goal of the process; is it reviewing development standards, is it to find a public space, or is it to look at what other cities have done? Mayor Bassett noted that if nothing is done, the remaining properties will develop in the same fashion and the opportunity to create the "heart" of the Town Center will be gone. He spoke about creating a vision of a particular public space and about putting a ballot measure to the voters to decide if the space should be created.

The Council continued to discuss the need for a goal in the visioning process and for developing a succinct and well-defined statement for the vision of the Town Center.

Booster Committee (Economic Development)

Councilmember Senn noted that a Booster Committee could help the Chamber implement effective, short-term items to help with economic development in the Town Center. She noted items could include supporting the Shop Local campaign, advertising opportunities for volunteers, how to donate or sponsor and get businesses involved in activities, help with the third Thursday art walks, create a happy hour Friday, and develop a Facebook page or website to help create a business community.

Agreements & Direction:

The Council agreed to form a Town Center Visioning Committee to review the long-term vision of the Town Center. This Committee will work with staff to develop a scope for the Committee and bring it back at the Mini-Planning Session for review. The Mayor will appoint three members at a future date.

The Council agreed to appoint Councilmember Brahm and Councilmember Senn to the Town Center Booster Committee to work with the Chamber of Commerce to support local businesses.

COUNCIL TOPICS (PARKING LOT)

The Council took up items identified for discussion by individual Councilmembers.

Email Disclosure Statement:

Councilmember Cero stated that citizens should be warned that their email is public record if they provide it for a City-maintained list. Councilmember Senn spoke about proposed legislation addressing this issue.

Agreements & Direction:

Staff will develop a disclosure statement for City-maintained email lists regarding email address privacy and will determine the appropriate places to put the statement.

Crime Status Presentation:

Councilmember Cero stated that the crime statistics for 2013 show an increase and he believes that Council attention is needed to get ahead of it. He would like to have the Police Chief present to the Council the proactive steps the City is taking to improve the theft rate and crime rate.

Agreements & Direction:

The Police Chief will present proactive steps the City is taking to improve the theft rate and crime rate to the Public Safety Sub-Committee.

Marijuana Stores Ban:

Councilmember Cero would like to add a ban on marijuana stores to the Council's work plan. Mayor Bassett reminded the Council that there is no place on Mercer Island that a store can locate due to the 1,000-foot rule.

Agreements & Direction:

There was no Council action on this item.

MERCER ISLAND CHILDCARE ISSUES

City Manager Treat explained that if the Mercer Island School District's bond measure passes in February, there are two childcare facilities that will be displaced from the North Mercer campus at the end of August. He noted that relocation options are very limited for these organizations due to the state requirements for childcare facilities and the number of children enrolled at these daycares.

Youth and Family Services Director Cindy Goodwin explained that the City has received a facility lease request from Little Acorn Preschool asking the City to turn the MICEC Art Room into a preschool space. She noted that capital improvements and building upgrades would be required to turn the Art Room into a space that would meet the requirements for a licensed daycare.

Director Goodwin presented information regarding Mercer Island childcare providers and capacity. She noted that she focused on childcare, not just preschools. She noted that the two childcare centers being displaced at the

North Mercer campus (Little Acorn and Country Village) provide over half of the before/after care and over half of the infant care on the Island.

She also spoke about how cities provide financial assistance for childcare. She noted that unlike other eastside cities, the City of Mercer Island, through its Family and Emergency Assistance Coordinator, assists families in accessing funds through the WA State Child Care Subsidy program for parents who are part of the working poor and provides seasonal or temporary vouchers for childcare. These funds are sent directly to the childcare provider.

Tiana Traylor, President of Little Acorn Inc., spoke to the Council about her proposal to use the Art Room at the Mercer Island Community & Event Center for her preschool. She noted that the space is adequate, as she wants the program to stay small, but that capital improvements are needed to comply with licensing restrictions. She also spoke about her exhaustive search for another house or facility for the preschool, but either the cost or the licensing regulations prohibited each option from being viable.

Linda Tepper, Executive Director for County Village Day School, spoke about her program and explained what their programming and facility needs are. She stated that they have been working on the feasibility of the New Hope Church site at the south end of the Island as an option, but that there have been a few roadblocks with the site. There are fire flow issues and the site would not be ready by September 2014. City Manager Treat noted that staff has been looking at upgrading the fire flow system in that area, but have been unable to find a solution for a temporary flow boost. He also spoke about traffic impacts at the church site and that a Conditional Use Permit would need to be obtained to allow a daycare in that residential zone.

Deputy Mayor Grausz asked if portables are a viable option for Country Village in the interim. Ms. Tepper responded that it is very expensive to rent portables and the regulations from the Department of Early Learning are very stringent. Ms. Tepper has also explored two buildings in the Commercial Office zone (next to City Hall) but the property owners have not been as responsive as needed.

Councilmember Senn suggested relocating the school district administration to an office building for a year or two so that Country Village can use the administration building. City Manager Treat noted that he spoke with the Superintendent and they agreed that this request should come from the Council to the School Board to discuss the possibility of using the school administration building.

Mayor Bassett spoke about selectively helping some childcare providers and not others. He questioned what users and programs would be displaced by converting the Art Room to leased preschool space.

Ms. Trainer and Ms. Tepper thanked the Council for listening and for taking the time to help.

Agreements & Direction:

Council directed staff to:

- Review the proposal from Little Acorn to lease the Art Room at MICEC for a preschool.
- Review zoning for home daycares (parking, turnaround, CUP process).
- Continue analysis of utility issues at the New Hope Church property.
- Research temporary space for portables (recycling center property, Luther Burbank south parking lot).
- Meet with owners of two properties next to City Hall about a lease for daycare use.

COUNCIL TOPICS (PARKING LOT) CONTINUED

Recording Executive Sessions:

Councilmember Cero asked that discussion of recording executive sessions be added to the work plan. He believes that the recording will reassure the public so that if there is a question about the appropriateness of an executive session, the recording can be used for review.

Agreements & Direction:

There was no Council action on this item.

Cost Benefit Process & Standards for Sustainability Projects

Councilmember Cero asked how to measure the return on investment for sustainability projects. Mayor Bassett agreed that more analysis is needed on large projects, but that he is not interested in coming up with a process & standards for all projects. City Manager Treat noted that when the sustainability metrics are developed staff would look at rates of return and cost benefit analysis.

Agreements & Direction:

Staff will look at rates of return and cost benefit analysis when developing the sustainability metrics.

5% Impervious Exception

Councilmember Cero stated that a citizen did an analysis of 5% impervious surface exceptions over the last 5 years and 100% of them were approved. Mayor Bassett disagreed with this finding, as the list does not include all of the people who did not apply for the exception because they did not reach the criteria or only went to the limit.

Agreements & Direction:

There was no Council action on this item.

Town Center Parking Regulations Analysis

Councilmember Cero expressed concern about parking at Aviara as there are still storefronts that have not opened and the parking garage is always full. He thinks the assumptions for the parking model for Town Center projects needs to be reviewed. City Manager Treat noted that he has asked staff to look at the issue. Assistant City Manager Kirsten Taylor noted that asking if the current code provides adequate parking is a good question and the right place for staff to start their analysis

Agreements & Direction:

Staff will review the current code to determine if the provisions provide adequate parking for Town Center projects.

Compressed Natural Gas Fleet Conversion

Councilmember Cero asked if staff has researched converting the City's fleet to compressed natural gas vehicles.

Agreements & Direction:

Staff will look into compressed natural gas vehicles for the City's fleet.

Compare and Contrast Kirkland's Records Request Model

Councilmember Cero asked about comparing the City's Public Records Act policies and procedures to Kirkland's newly established records request model. City Manager Treat stated that, while the City has an established program, it would be good to have the new Assistant City Attorney look at Kirkland's program.

Agreements & Direction:

Staff will look at the City of Kirkland's records request model in relation to the City's established policies and procedures.

Thanking Volunteers and Citizen of the Year

Councilmember Brahm expressed her desire to have an annual event for volunteers to say thank you. She would like to ramp up how the City recognizes volunteers and special citizens for their service to the community. City Manager Treat noted that this topic has been discussed for the past few years and that it takes staff time and money to coordinate the event.

Agreements & Direction:

There was no Council action on this item.

WRAP-UP AND FINALIZE WORK PLAN

The Council reviewed its 2014 Work Plan based upon earlier discussions:

1. Legislative Agenda
2. I-90/Transportation Issues
 - WSDOT Tolling

- City Transportation Policy and Budget (if KC TBD does not pass)
 - R8A & East Link
 - Bus Intercept Plan/ST Loss of Mobility (dedicated parking/bus # limit)
3. Town Center Visioning & "Booster" Committee
 - Booster Committee for Town Center Economic Development
 - Create Town Center Visioning Ad Hoc Committee (Scope of Visioning)
 4. Sustainability Work Plan
 - Sustainability Sub-Committee work on 6-Year Sustainability Plan and Metrics
 - Sustainability Sub-Committee work on mileposts for Climate Action Plan
 - Staff prepare info on paid intern/RCM for data entry and tracking
 - Green building
 - Solarize campaign
 - Solar array programs for public buildings (city/school)
 5. 2015-2016 Budget Process
 - Streamlined approach with fund review
 6. Mercer Island Library Renovation
 - Letter to KCLS Board re: project delay
 - Ad Hoc Advisory Committee (council & citizen)
 7. Mercer Island Center for the Arts/Youth Theatre Northwest
 - MICA/Council Reps/Staff discussions re programming and financial/legal (public/private partnership) structure
 8. Mercer Island Childcare Issues
 9. "P" Zone
 10. Coval Long Plat
 11. Townhomes Long Plat
 12. Thrift Shop Expansion Plan

The Council decided to end the 2014 Planning Session and not return on Sunday. The Mayor thanked everyone for their participation.

ADJOURNMENT

The Mayor adjourned the Planning Session at 5:30 pm.

Bruce Bassett, Mayor

Attest:

Allison Spietz, City Clerk



CITY COUNCIL MINUTES STUDY SESSION & REGULAR MEETING FEBRUARY 24, 2014

STUDY SESSION

Mayor Bruce Bassett called the Study Session to order at 6:06 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 at 6:12 PM), Benson Wong, Deputy Mayor Dan Grausz, and Mayor Bruce Bassett, were present.

AB 4928 Transportation and Street Fund Policy and Budget Issues

Finance Director Chip Corder presented the options for addressing the transportation & street fund deficit. He mentioned that there are several reasons for the declining street fund balance, which include: the recession, the decisions to take advantage of a favorable bid environment and to take a calculated risk that REET would recover faster than projected, and fewer available state transportation grants.

City Engineer Patrick Yamashita discussed Option 1: Defer, Cut, or Scale Back Future Projects and stated that it is a stopgap measure, which is not necessarily practical or realistic. He noted that Option 1 alone is not realistic without Options 2 & 3.

Street Engineer Clint Morris discussed the results of the Pavement Condition Index (PCI) project, which was done in the fall of 2013. He reviewed the different types of pavements on Mercer Island and discussed the PCI rating process. He spoke about the pavement life cycle curve and discussed the typical costs for chip sealing, patch and overlay, and rebuilding.

City Engineer Yamashita discussed Option 2: Change current policies. He noted that Mercer Island's comprehensive plan establishes roadway congestion standard at Level of Service (LOS) C, which is better than almost every surrounding community. He mentioned that changing the LOS standard would not necessarily mean lowering everything from LOS C, but could potentially be achieved by identifying specific intersections or certain timeframes.

Finance Director Corder discussed Option 3: Form a Transportation Benefit District (TBD). He noted that the approved uses of a TBD include maintenance of existing city streets and trails, investments in high capacity transportation, public transportation, pedestrian and bicycle facility improvements, and transportation demand management.

Finance Director Corder stated that staff's initial recommendation is to maintain current residential and arterial street repaving cycles and to reduce the traffic LOS standard from C to D or even E. He noted that if the King County ballot measure passes, the Street Fund's deficit situation may or may not be resolved and that if it fails, staff will prepare a 6-year TIP/CIP based on the latest REET forecast with and without a Mercer Island specific TBD. Further, he stated that if the King County ballot measure fails and if Council opts to not create a Mercer Island specific TBD, then a very light TIP will be proposed for 2015-2016.

The Council discussed a 4th option, which is making decisions on funds that have been allocated on less than a priority of government and redirecting those funds to address some of the shortcomings. They also discussed the process for developing a work plan, budget, and timeframe for the school renovation related costs, the possibility of quantifying the level of savings by reducing the LOS traffic standard, and the importance of knowing what to expect if the LOS is reduced.

The Study Session adjourned at 7:50 pm.

CALL TO ORDER & ROLL CALL

Mayor Bruce Bassett called the Regular Meeting to order at 8:03 pm in the Council Chambers of City Hall, 9611 SE 36th Street, Mercer Island, Washington.

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

Mayor Bassett recognized the Boy Scouts from Troop 607 who were in the audience working on their Citizenship in the Community Merit Badge.

MINUTES

Study Session and Regular Meeting Minutes of February 3, 2014

It was moved by Senn; seconded by Brahm to:

Adopt the Study Session and Regular Meeting Minutes of February 3, 2014 as written.

Passed 7-0

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

CONSENT CALENDAR

Payables: \$556,636.75 (01/30/14), \$209,899.11 (02/06/14), & \$174,903.97 (02/13/14)

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

Payroll: \$703,703.71 (02/07/14) & \$687,301.61 (02/21/14)

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

AB 4927 Regional Water Conservation Goal

Recommendation: Adopt Resolution No. 1478 establishing Mercer Island's water conservation goal as required by the Water Use Efficiency rule.

AB 4920 eCityGov Alliance Interlocal Agreement Update

Recommendation: Authorize the City Manager to sign the Amended and Restated Interlocal Agreement Establishing the eCityGov Alliance and approve the Articles of Incorporation of the eCityGov Alliance.

It was moved by Bertlin; seconded by Brahm to:

Approve the Consent Calendar and the recommendations contained therein.

Passed 7-0

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

REGULAR BUSINESS

AB 4926 Coval Closed Record Public Hearing for a Proposed Eighteen Lot Long Plat (SUB13-009 and SEP13-031)

Please see page 5 for the complete transcript of this portion of the meeting.

It was moved by Grausz; seconded by Bertlin to:

Approve the rejection of SUB13-009 pursuant to the statement read by the City Clerk.

Passed 7-0

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

APPEARANCES

Linda Chaves, 8265 SE 30th Place, who spoke on behalf of Mike Grady, mentioned that, with regard to the Coval Property, it is important to look at the 2009 City report on stormwater and the levels of dissolved copper and zinc, and that the City needs to remain below the state standards to comply.

Joni, 3200 81st Place SE, pointed out that notices of public meetings should have gone out to everyone within 300 feet of the Coval property, but that no one in the Ridgewood condominiums was notified. She mentioned that decisions made without complete input may be flawed. She commended the Council for making the right decision regarding the Coval property.

Brian Derdowski, Public Interest Associates, 70 East Sunset Way, Issaquah, supports the Coval property result. He mentioned that, in addition to consulting with legal counsel, the City Council may want to consider asking staff to generate additional findings of fact in order to support the decision. One area to consider may be how to determine critical areas regarding the stream issue.

Trevor Price, asked how neighbors will find out what happens next and how he will be informed.

Beverly Bridge, understands that they do have a right to develop the property. She thanked the council for looking at the neighborhood and the community, and for being sensitive to their needs.

Sue Stewart, noted that the Coval property is a phenomenal property and urged the architects to look at it that way, and to take this as an opportunity to keep some of the property as is.

Robert Thorpe, 5800 West Mercer Way, noted that this is an opportunity for something to happen. He thinks that if the plat was reduced to 14-15 lots, it would be more manageable. He stated that he would never approach a project without neighborhood meetings to work toward compromise. He thanked the Council for their wisdom and service.

OTHER BUSINESS

Councilmember Absences

There were no absences.

Planning Schedule

A Joint Meeting with the MISD School Board is scheduled on April 17, from 5-7 pm.

A joint Study Session with the Planning Commission is scheduled for the next Council meeting regarding the school district rezoning.

Board Appointments

Mayor Bassett spoke about appointing himself and Deputy Mayor Grausz as alternates on the Eastside Transportation Partnership.

Councilmember Reports

Deputy Mayor Grausz spoke about the recent SCA meeting and networking dinner.

EXECUTIVE SESSION

To discuss with legal counsel representing the agency litigation or potential litigation to which the agency is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency pursuant to RCW 42.30.110(1)(i) for approximately 15 minutes.

At 10:48 pm, Mayor Bassett extended the Executive Session for 15 minutes.

At 11:05 pm, Mayor Bassett extended the Executive Session for 5 minutes.

At 11:10 pm, Mayor Bassett extended the Executive Session for 5 minutes.

At 11:15 pm, the Executive Session adjourned and the Council made the following motion.

It was moved by Wong; seconded by Bertlin to:

Approve a settlement proposal for \$45,000, plus mediation costs, for Bob Sterbank.

Passed 5-2

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

AGAINST: 2 (Cero, Senn)

ADJOURNMENT

The Regular Meeting adjourned at 11:16 pm.

Bruce Bassett, Mayor

Attest:

Allison Spietz, City Clerk

**TRANSCRIPTION OF
AB 4926: COVAL CLOSED RECORD PUBLIC HEARING FOR A
PROPOSED EIGHTEEN LOT LONG PLAT (SUB13-009 AND SEP13-031)
FROM THE FEBRUARY 24, 2014 CITY COUNCIL MEETING**

MAYOR BRUCE BASSETT:

Normally this would be the moment were we would do public appearances and we instead are shifting public appearances a bit later in the evening because of the Coval discussion we are going to have. Our previous meeting, we got into a complicated situation with the need not to have public comments and then we had comments, which were sort of comments and not sort of comments and we realized the best thing to do this evening was to move the public comment period a bit later.

We move to regular business. We have one item of regular business this evening, which is Agenda Bill 4926: Coval Closed Record Public Hearing for a Proposed Eighteen Lot Long Plat (SUB 13-009 and SEP 13-031) and I have some opening comments to make about that so bear with me as I wade through that.

So we are about to address Agenda Bill 4926 regarding the Coval property. Vast majority of the time the City Council acts in a legislative capacity. We set public appearances for input on most legislative matters with very few restrictions. Appearances at City Council meetings are a limited public forum. Although the Council is not required to have public comment at the meetings, we greatly value the input of our citizens and believe that the public comment period is an important aspect of how we do business on the island.

Tonight is different. Council is dealing with the other 1% of our job and we will hold a closed public hearing on the proposed preliminary long plat this evening. In this situation, we act more as judges on a specific project. We understand that the citizens want to be sure they are heard on this matter. Please note we have taken the time to carefully review the audio and the written record that have been created before us. If you have any written comments for the Council you can give them to the City Clerk, but they won't come to us until after the hearing. Again, I know the procedure is different from what most folks are used to but this is a part of what we have to do as Councilmembers. Now I am going to take a few minutes and discuss the process for this evening and lay out the ground rules for this closed record hearing.

Under the Mercer Island City Code, the Planning Commission first reviews the preliminary plat and then makes a recommendation to the City Council. The recommendation of the Planning Commission is intended to examine the conformance of the proposed subdivision for the general purposes of the comprehensive plan and the planning standards specifications as adopted by the City. The Planning Commission's recommendations are not binding and are subject to the approval of the City Council. Any approval or denial of this project must determine whether or not the project (and I am going to list three bullets here):

- Makes appropriate provisions for public health, safety and general welfare, open spaces, drainage ways, streets or roads, transit stops, parks and recreation playground and sidewalks and other planning features that ensure safe walking conditions for students walking to and from school. (second bullet)
- Serves the public use and interest. (and third bullet)
- Conforms to applicable zoning and land use regulations. (end of bullet)

Usually at the Council's closed record hearing on a long plat only the staff and the applicant would be permitted to speak. Out of deference for the public interest to speak, although this application is not an appeal, the applicant suggested using structure for appeal hearings set forth in Mercer Island code (19.15.020(J)(5)(a-c) to guide the closed record hearing. We agree that this gives the citizens an opportunity to argue the record to the City Council. Use of this particular process for this project is not intended to create any precedent. The City cannot require an applicant for a long sub-division to use this structure. Now, I would ask could some representative of the applicant just step up to the microphone and confirm whether you are still willing to proceed with this approach to this evening.

JAY DERR:

Good evening, my name is Jay Derr, I am an attorney for the applicant and yes, we are willing to proceed under those circumstances.

BASSETT:

Excellent, thank you. So, per the rules of appeal, which we will be following this evening, both the applicant and the opposition will have equal time for oral argument. For this hearing, each side has been given twenty minutes. Any

speaker presenting oral argument must be designated as a party of record. No experts may testify or offer additional evidence. The hearing will proceed as follows (I am going to list some bullets here again):

- Appearance of Fairness questioning, conducted by the Assistant City Attorney
- (second) staff summary of Planning Commission recommendations (this may take up to 20 minutes)
- (third) applicant summary of record (this again may take up to 20 minutes) but with a reservation of time for rebuttal
- (fourth) citizens summary of the record (up to 20 minutes)
- (fifth) applicant rebuttal if needed and if any of the applicants 20 minutes remain
- (sixth) clarifying questions of staff
- (seventh) discussion by council
- (and eighth) decision by council

The citizens will receive 20 minutes only, regardless of whether the entire group has had an opportunity to speak. This time period is intended for summary of the record and not new testimony. If either the applicant or the citizens attempts to provide new documents or testimony the Council must not consider this new information. Any documents may be provided to the City Clerk, but will not be given to the City Council until after the hearing.

Staff has a list of 21 persons who have signed up to speak in opposition to this project. I am hopeful that you have worked out a way to have fewer people deliver your message succinctly. I suggest you line up when it becomes your turn once it is the public's turn to speak and be prepared to speak immediately after the previous speaker. With twenty minutes available and twenty-one folks signed up that amounts to roughly 57 seconds a person and things will get hectic or frustrating for those later in the lineup if the time runs out. Again, we'll turn off the timer at the end of twenty minutes. I know that's frustrating to hear and so I hope you have worked it out so you can really get your points in without getting to the end of that time period.

The law allows for only one open record hearing on a land use project. This sub-division proposal was subject to an open record hearing already so the hearing before the Council must be closed record. As a result, the Council can only consider the record before it and no new evidence may be presented. The record developed before the Planning Commission includes the recommendations and conditions of approval, written comments submitted during specific comment period, and testimony of those who commented at the open record hearing. The City Council has been provided with all of that information and has reviewed it (and it was a real joy to review, I can tell you).

After considering the record, the Council has two options: adopt or reject the Planning Commission's recommendations. The City Council may adopt its own recommendation if the themes have changed in the Planning Commission's recommendations as needed. If the Council rejects the Planning Commission's recommendations, it may also make its own findings of fact, which must be consistent with the issues discussed in the open hearing and with the oral decision made. I have reached the end of the comments I have. So with that, we move to appearance of fairness questioning conducted by the Assistant City Attorney and we also have a new face, so welcome.

CITY ATTORNEY KATIE KNIGHT:

I am going to introduce her this time. This is Christina Shuck, she has been with us since roughly two months now and she will conduct the appearance of fairness questioning.

ASSISTANT CITY ATTORNEY CHRISTINA SCHUCK:

Good evening Councilmembers, for the record, Christina Shuck Assistant City Attorney. Before you this evening is the Coval Lot Long Plat and as a quasi-judicial land use hearing it must comply with the appearance of fairness. With that in mind, please answer the following questions:

First, do any of you have a personal or financial interest in the project? [All said no.]

Second, have any of you had any ex parte contacts with the applicant or with the citizens of record opposing the project?

COUNCILMEMBER JANE BRAHM:

I had a phone call from a friend of mine who lived in the neighborhood probably in August or so wanting me to know about the project. It was before I knew it was even on our agenda.

COUNCILMEMBER MIKE CERO:

I will clarify and I will just go down the list of disclosures. So with the Youth and Family Services breakfast, I had two folks come up to me and I waived them off as soon as we started talking about the Coval as best I could. I had two or three folks at QFC the last couple of weeks, again same scenario. My wife and I we own property at 8219 SE 35th Street. That's all I have, I don't feel any of those discussions will skew the way I view this situation.

BASSETT:

Dan, do you want to go?

DEPUTY MAYOR DAN GRAUSZ:

I have run into persons on both sides of this, just at various civic functions or just in passing. There were no discussions with those people regarding the project though. If the name came up the discussion ended very quickly. I don't feel in any way in fact my ability to make a decision on this. I also should mention I don't know if this is coming up, but I noticed the Planning Commission several people mentioned that they have driven by the property. I have also from time to time driven by the property and I have never been on the property.

BASSETT:

Debbie?

COUNCILMEMBER DEBBIE BERTLIN:

I have driven by the property and I have been in the pool house, and that is the extent of it.

BASSETT:

[Looks at Councilmember Senn and Councilmember Wong, no comments]

So for me, I did a little more digging. In 2012, I attended an open house at the property and the pool house. I knew it was for sale at that time but of course none of this had transpired. In late 2013 as conversations were going about the possibilities of the pool house being relocated, I stopped at the corner and took a look at the pool house, didn't go onto the property. January 3rd I had an email from a neighbor of the property requesting a meeting. I forwarded that email to Katie and did not read the email. On January 6th I had another email from a neighbor who which I also forwarded to Katie, didn't read that email either. And I did read the Mercer Island Reporter article on the property and I did skim the Seattle Times article on the property this morning. So, I don't think any of those influence my decision making ability to be unbiased on this.

SCHUCK:

So several of you have...

BRAHM:

I'm sorry one more. I confess too, I read the Mercer Island Reporter article and the Seattle Times article and a couple of weeks ago, I went walking all around the property.

BASSETT:

I do feel like we're a bit in the confession booth at church here.

COUNCILMEMBER BENSON WONG:

I have read the articles too in the paper.

SCHUCK:

So, several of you have brought up viewing the property or having some ex parte contacts. Based upon your contacts or viewing the property do you believe this effects your ability to be fair and impartial this evening. [All Councilmembers said no.] Now based upon the contacts that have been disclosed are there any challenges, challenges from the audience to any of the Councilmember's ability to be fair and impartial? [No response from the audience.] Thank you.

BASSETT:

Ok. We move to a staff summary of the planning commission recommendation, which could take up to twenty minutes. Shana, welcome.

SENIOR PLANNER SHANA CRICK:

Good evening, my name is Shana Crick and I am a Senior Planner with the City. I have, hopefully, here a brief

summary of the project. So as you know, the property is located at 3051 84th Avenue SE. It is an 18 lot long plat that is located in R-9.6 zoning with lot sizes proposed between 10,060 square feet and 12,112 square feet. So the proposed density of the project is approximately 3.53 units per acre and the allowed density in the R-9.6 zone is 4.54 units per acre. There is the site location [shown on screen], the plat layout, which we can come back to. I actually don't think I need to go over this [process description] because Mayor Bassett detailed this much better than I have on the slide. Here is a quick timeline. So the application was actually submitted in July of last year, the application for the subdivision. The application was deemed complete in November of 2013. There was an MDNS issued, which was subject to nine conditions and that was issued on December 23, 2013. There was a second optional SEPA comment period provided from December 23, 2013 until January 6, 2014 and the applicant agreed to an extension of that period. So as you know at this point we had an open record public hearing with the planning commission on January 15. The record was closed on January 22 at 5 pm. And then the public hearing continued as a closed record hearing with the Planning Commission on January 29 and here we are today for a closed record hearing.

And there seemed to be questions about comment periods, so just to go through this very quickly, so if you go through a standard long plat process there's a minimum requirement of 30 days for comments because normally for other applications it would be 14 to 30 days however there is a newspaper requirement that was published the notice of application in the newspaper, so that brings it up to sixteen days. Initially, staff did the optional DNS procedure that's allowed under state law, which allows you to combine the notice of application with the DNS likely. And we decided to break that out from the optional process. So SEPA stands for State Environmental Policy Act, and there's a brief breakdown in the agenda bill. So to review under SEPA, we decided to provide another comment period which began on December 23. This second comment period ended on January 6, which this two-week period was run concurrent to the appeal period and it was requested that we extend the appeal period, unfortunately under the code we don't have that latitude. It says 14 days exactly in the code so at this point, there has been 50 days provided for comment and that's at a minimum of 30 days.

So City maps, as you know, they show a type 2 watercourse on the property and this is a really horrible map, but it's taken directly from our code so I don't have a very good high quality version, unfortunately. So according to the Mercer Island City Code the City's critical area maps show the approximate extent and location of the critical areas and they're to be used as a reference. Ultimately, the onus is on the applicant to determine the scope, extent and boundaries of critical areas on site and that it is to the satisfaction of the code official. So that is not tied to any particular sort of permit process.

The original watercourse studies performed by the City on which the maps are based. The Watershed Company performed one in 2003 and then Adolphson followed up in 2005. These particular studies are not based on individual site examination, we weren't looking to gain access to every individual property in the City, and examine the site conditions. They're actually based on aerial photos to a large extent. So identification of critical areas on the site once again is the responsibility of the applicant to do that. Just to back track a bit, that's why our maps are mainly to be used as a reference with the code that way, because they are not individual site explorations. So to be classified as a watercourse or wetland, the site must meet the City's definition in MICC19.16. Ultimately, the Code Official determines whether the applicant's information supports their preferred outcome, their report that they provided the City.

So when we originally saw the application during the pre-application meeting. If you go to the website you will see there is a type 2 watercourse onsite. This was mentioned to the applicant and so if there was indeed a watercourse on the site, then the applicant would have to basically, if it were a type 2 watercourse, the applicant would likely have to apply for a critical areas determination to be able to build on the lots that were proposed. There was a slightly different configuration at the time. So the critical areas determination is a very awkward term, it's misleading, it doesn't mean that you're identifying critical areas on the site. What it is, plain and simple, is two different things. One it's a buffer reduction for a watercourse or wetland so when someone is applying for a critical areas determination what they are doing actually is requesting to reduce the buffer on a watercourse or wetland or it can also come into play when people want to alter steep slopes on their property.

So in this particular case, we identified a type 2 watercourse on the property based on the critical areas studies that we had, that the City had done in 2003 and 2005. And the applicant submitted a report and then applied, well, applied for a critical areas determination and then he submitted the report. The report's dated March 30th, that's why that's on there. So they applied for a critical areas determination to reduce the buffer. In the process of reviewing the critical areas determination, staff decided that because the applicant's report stated that there was no watercourse on site, staff decided to bring in a peer review because, well I am not a wetland biologist and I don't think we have any on staff actually, so we brought in the Watershed Company, the City chose that particular

consultant and we hired them. And so the peer reviewer initially agreed with the applicant about the watercourse, but made some reservations as to whether or not there were potential wetlands on the site. The applicant submitted two reports stating that there were not wetlands on the site. The Watershed Company performed a site visit and followed up with a letter agreeing that there were no wetlands on the site. So on June 18, the City issued a letter that neither watercourse nor any wetlands were present on site.

In October, the City requested that the applicant close the file since it's no longer applicable and it was closed on October 14. So basically to summarize, neither a watercourse nor wetland was found on site, as demonstrated by information provided by qualified professionals and that is a term in the definitions of the City Code. The determinations were based on city definitions, the conditions on site did not meet those required for a watercourse and a wetland. And a code official agreed with the reports submitted by the qualified professionals. So no watercourse or wetland on site, there is no buffer, no buffer reductions needed as the critical areas determination is not applicable.

In order to build on or when you subdivide a property, the emphasis isn't as much on the individual buildings at this particular point, as drawing lines on the map. So something, just quick background, something staff looks for by code, we have to show that there is a building pad present on each site, so just something to keep in mind. The building pads have to be at least 20 feet in width, no cross-section can be less than 20 feet in width, so essentially you're looking at a 20 x 20 building pad. And then something else, just before discussion begins tonight, just putting it out there that the definition of a steep slope could become important. Any slope greater than 40 percent calculated by measuring vertical rise over any 30 foot horizontal line. So that does not include artificially created cut slopes or rockeries and the slope is not at least 30 feet long it is also not considered a steep slope. And, I think that's all I have right now. Thank you.

BASSETT:

Thank you. We move to applicant summary of record. Welcome, you'll have twenty minutes with a reservation of time for rebuttal if you choose.

DERR:

Thank you. My name is Jay Derr. I am attorney for the applicant and I'll be offering our arguments this evening and I would like to reserve ten minutes for rebuttal. I am going to turn just a little if I can so I can see the...oh perfect. Thank you. OK, so what I am going to try and do is just try to give you a quick rundown of what I think you will see in the record and why we think the Planning Commission recommendation should be approved by the City Council.

First by way of introduction, there are kind of four overview or arching comments that I wanted to highlight for you and the first one that is very important that I will come back to several times is this particular project meets the city codes. It meets the city codes 100% and in some cases, it actually exceeds city code requirements, but it meets the city code requirements. If you've read the record, you see a lot of comments about there should be minimums or suggestions, we don't believe that's the way the rule of law works in land use. Once the city has adopted codes for density or how certain things should be regulated, then a project must be measured against that particular requirement.

The second thing I wanted to point out comes up particularly in the traffic and pedestrian safety issues that are in the record based on what is called nexus and that really is the concept that the project should be obligated to mitigate its impacts, but not obligated to address existing conditions or existing deficiencies. Comments about high school traffic, this project can't have conditions imposed on it that address high school traffic. Comments about existing pedestrian activity or the need for pedestrian improvements in a broader sense, this project can't be required to deal with those existing issues. Now when I come back to that topic, we actually have recommended or suggested and the Planning Commission included, an offer by the applicant to actually make a contribution to kind of kick start some investment and pedestrian improvements in this particular neighborhood. So that is one example of how this particular project actually exceeds code.

Other ways that the project has exceeded code, the first one is the internal street. The Planning Commission actually recommended widening the street from the code requirement of 20 feet to 26 feet to provide for parking on the internal street, that was a response to concerns that were raised by the neighborhood and the applicant has agreed to that additional condition. I mentioned already the \$50,000 donation that was really, and I think one of the good things that has come out of this process for the City is an identification by the neighborhood and the Planning Commission that the community, at least this part of the community, wants to invest some more in pedestrian improvements in this area. So the applicant kick started that effort by offering a contribution to one of the program improvements that the City has already identified. We looked at the City's pedestrian plan and listed three

improvements for this particular section at 84th and so any of those improvements we think will be worth considering. We picked a number basically because 38,000 was the only number you had in that table. So we sort of picked 50,000 as a number that we thought would get that process going and in fact we think it might be the beginning of an effort, and perhaps the whole neighborhood wants to put together a fundraising effort to generate additional dollars to do pedestrian improvements in this particular neighborhood.

I want to speak for a minute about the...

BASSETT:

Folks, folks I have to ask you to be quiet.

DERR:

I want to speak for a minute about the process, as the staff has clarified the process, including pointing out that in several incidents the applicant agreed to extend comment periods. We suggested, when we heard there was a lot of concern about the City's process at this stage and having no opportunity for public comment, we actually suggested that the staff consider the appeal process where there is at least an opportunity to argue and to comment from the record that has already been created. So we did not do that to dictate your process, we tried to do that to offer additional opportunity for public comment.

Now I want to turn to some specific aspects of the project to comment on. The first is density and as I mentioned, the density of this project is actually less than what City plans and codes would permit. Again this is sort of identified by the neighbors as a recommendation or a minimum when in fact the law is very clear that once the City makes a legislative decision about what density should be, then the question about appropriate density should not be revisited at the plat stage or at the permit stage. I commend your RCW 36.70b.030, which is the statute that describes that and I want to just read a short excerpt from that which says "Given the extensive investment that public agencies and a broad spectrum of the public are making and will continue to make in comprehensive plans and development regulations for their communities, it is essential that project review start from fundamental land use planning choices made in these plans and regulations." Then continuing on, "these land use planning decisions should not be reanalyzed in making a permit decision". So your 9,600 lot size density that was decided in the comp plan and zoning should not be revisited as a reason to deny or modify this plat. Also just for way of context, there is a lot of discussion this is one of the biggest projects the City has seen in years, at least for a single family and that may be true for Mercer Island, it's not nearly true in the context of urban development. In fact, again I commend your attention to recent amendments to the SEPA regulations, which encourage local governments within urban growth areas, which Mercer Island is, to actually exempt from SEPA review projects up to 30 single-family residential dwelling units. So in the grand scale of development, this is not that large of a development even if it is for this particular neighborhood.

Turning to traffic, the City has consistently used and the applicant used, industry standards to identify trip generation rates and the peak rates. There was a lot of confusion about what, whether it's daily rates or peak rates that are being generated, that the trips identified, the peak hour trips identified for this project are consistent with City standard. Further, there was a lot of discussion about the traffic on 84th and it being much more traffic than the local access street designation. The City Engineer's memo, which is exhibit 158 in your record, sort of addresses those issues and confirms that 84th is a local access street, it's not an arterial, and in fact the estimated memo that the trips on 84th are probably around 950, well within the range for local access as the post arterial. So the evidence in the record, the empirical evidence really doesn't support the conclusion that the traffic is well in excess of what the local access street can handle.

Pedestrian safety, I have talked about this, again I will remind you about the Nexus issue. A lot of discussion about how to deal with this. First, I point out that the MDNS, which is exhibit 7 in the record, that document identified the need and imposed a requirement that the gravel shoulder, the ditch be filled, the gravel shoulder be widened, and the initial right of way be granted which provides more space for pedestrians walking on the Coval side, the west side of 84th Street. As I already mentioned the applicant has offered a contribution to kind of kick start some investment in pedestrian improvements in this neighborhood.

The western slopes, the steep slopes, I want to spend just a couple minutes explaining to you from the record what exactly is and is not going on and reference a couple exhibits for your attention. The applicant, the project is not proposing to strip all the vegetation from the steep slopes. So comments about that in the record are simply incorrect and if you look at sheets 1.8 or exhibits 1.8 and 1.9, which are the landscape sheets in the original application, those identify what is being proposed. And what you'll see in there really illustrates a two-step process with vegetation. The first, at the insistence of the City Arborist, is that only trees and the site will be graded to

accommodate the plat improvement, so that's the internal road, the turnaround, and the utilities that were there. If you look at sheet 1.8 (exhibit 1.8), that's the phase one to the retention plan, you'll see those improvements, you'll see that no trees are proposed to be removed from the steep slope at all during the installation of the plat improvements. Then you look at exhibit 1.9, which is the phase two tree implementation plan, that identifies trees that might be removed when you site individual homes on lots 10-13 which are the lots adjacent to the steep slope. And again the City has imposed a condition, which I want to draw your attention to, the Planning Commission has recommended a condition which says basically "proposed building pads on lots 10-13 must either be removed from the existing steep slope or the applicant shall provide additional information from a geotechnical engineer demonstrating that the soils comprising the steep slopes are not landslide prone." So the condition already says don't touch that slope without further analysis when you go to citing an individual home on those lots. The City Arborist also recommended a two-step process with tree retention, that you don't remove trees on the lots at the early stage, you wait until you site a home on that, you go back out to the site, identify trees to be retained, adjust the placement of the homes to maximize the tree retention. In addition and significantly, because there was also concern about after that, the homeowner might take down the trees. So the applicant offered, and the Planning Commission imposed, an additional condition that exceeds your code, that basically says once we identify those trees when the homes are placed then you place a conservation easement or other protection on the tree that requires even the homeowner to come to the City to seek approval from the City before they can remove those trees in the future. So once identified, once retained, and the home is placed, they stay forever unless the City issues a permit to remove that tree. That is very different than what your code currently does, that is intended to address the concern about tree retention.

Continuing with the steep slopes, the City Code does permit modification of slopes. In fact, the testimony of the Building Official at the Planning Commission indicated that houses are built on steep slopes all the time on Mercer Island sometimes the lots that are left for construction are those with slopes. The geo tech submitted information that identified why they thought that would jeopardize or compromise slope stability. The geo tech reports are exhibit 16 and 17 and in particular, exhibit 16 on page 6 and 7, the geo tech offers this recommendation for the construction on those lots. Basically, recommends lowering the foundations of homes on those lots to be below the top of the slope, but to maintain a 15 foot separation from the face of the slope. So the foundation wall will always have a 15 foot separation from the face of the slope and then the house will build up from that foundation. And that recommendation actually removes soil weight from the slope and in the geo tech recommendations and opinion improves slopes stability rather than reduces it. We are not chopping off the top of the slope, as has been suggested in the comments, the individual homes foundations will be cut into the top of that slope maintaining a 15-foot separation. The geo tech actually indicates that will improve slope stability.

And lastly, I remind you of the condition that basically says that this will be looked at again when individual homes are set on lots 10 -13. So for the purposes of plat, the condition addresses the concern that the project meets code and individual home placement will be addressed again in the future.

Watercourse, I am not going to go into detail because staff has really addressed this and exhausted the review of that issue. I will just point out that even in exhibit 103, which was information submitted by the neighborhood group, that their consultant did not identify a channel, which is what required for a definition of watercourse, had identified more soils. And one of the other consultants for the neighborhood actually confirmed that there was no watercourse on the property. So we think the uncontroverted evidence, and the Planning Commission agreed, that there are no watercourses or wetlands on the site.

Stormwater management. I want to make two quick points and that is the proposed storm water design actually will improve existing conditions. That is based on the requirements the city code in the manual where you must design detentions sufficient to handle volumes from an assumed predevelopment condition that forested, which the site is not forested currently. It has a house on it so you site detention to accommodate that difference. And they are also proposing, which is allowed by code, to divert some of the runoff to the existing drainage on 84th and avoids that runoff going between lots all the way north of the property to Lake Washington. And it also includes...thank you, I will just make one more comment and I will save the rest for rebuttal...it also includes the rain garden design, which provides for transmission of any runoff from property from the south, through the to the site, for additional treatment before it is then discharged further to the north. Thank you.

BASSETT:

Thank you. Katie, I am glad you are watching the time. You and I did not compare notes about that and I am kind of blocked by the podium there. I am glad you got that. Ok, we move now to citizen summary of record for up to twenty minutes. Now again, this is the tough part. I know there are a lot of folks who were hoping to speak and there is not nearly enough time for you to air any kind of a long comment. My hope is that you have all compared

notes amongst yourself and figured out who is going to say what, so that you can be very in sync in the points you want to make. And to reiterate these need to be reiterations of statements that are already part of the record, not new input to the Council at this time. I will give everyone a minute to get themselves organized before we begin. Again unlike regular public comments, out of fairness to the process that has been described, I am not going to have the clock stop in between folks. So I would urge you not to stand on the formality of waiting until the person has stepped away from the microphone very far, before the next person steps up and begins speaking. It is straight twenty minutes, not twenty minutes with breaks in it, okay? Now as we enter into this and as folks are almost ready here, I want to take a moment and say an evening like this where a lot of folks come out is a time when we should I think all the reflecting on the fact that we have a great community here. A community we are all proud of, a community that we all participate in in different fashions trying to make it the best community we can. A lot of smart folks on this island are folks who signed up for these jobs. Folks who do all sorts of other things in our community and I am certainly thankful to all of you for being engaged. And I think you should be equally proud of your neighbors and your friends and everybody else who gets involved in things like this it's a great sign of a strong community. So please as per our normal rules of decorum if you could avoid commenting on other peoples comments too as I asked for no feedback on the applicants comments. If we are quiet as an audience it will allow to those who are speaking to be heard loudly and clearly as we sort of race thru this process. So Karin and Katie are you ready to go. Sue, why don't you come on up and we will get you in the ready position and when you are really ready we will say go, okay. Have at it.

SUE STEWART:

Hello, Sue Stewart, 3205 84th Avenue SE. Mayor Bruce Bassett and Councilmembers, we do not agree with this "Appeal Process". Our neighborhood has been advised that an appeal to a recommendation is not typical, probably not even legal. One may appeal a decision, but a decision has not yet been made. We ask and expect your willingness to hear from your constituents for twenty minutes. We trust you have the wisdom to let us speak uninterrupted from legal counsel, if we can have twenty minutes, please. We have been muzzled through a second public hearing even though the Planning Chairman Adam Cooper had requested that all our experts be present. Not a single question was asked of our experts. Once Adam Cooper announced the public record was closed, the developer's attorney Jay Derr told stories. Although he dismissed our knowledge of the British Columbian investors, he focused on Wes Geisbrecht being an applicant and a Mercer Island resident builder. Unless things have changed drastically, Mr. Geisbrecht told us he has no interest in building any homes. He wants the money that comes from the approval of the long plat. We citizens ask that you not vote on this long plat until you hear all the recordings. We've heard you have heard all the audio recording, I hope that's true that you have. The commissioners' frustration prior to their vote is telling. The minimum code should not dictate at this property, it's not ok. A tree conservation easement was pleaded by Kathy Parker the City's private property arborist. The commission discussed it but it was not acted upon. Not allowing a tree conservation easement on the long plat totally dilutes protection of trees on individual sites. I disagree with Attorney Derr. Please create a tree conservation easement even if you must vote, but again we ask that you wait review and get all the right information before this long plat goes to a Council vote. We fully support Mayor Bryan Cairns no vote and his incisive questions, including how many steep slopes excavations have been done before. Don Cole's answer was "no steep slope excavations". The question from Mayor Cairns to Nell Lund regarding our controversial watercourse was "how did they know where to put the pipe on the south and north boundary". Katie Knight had instructed the commissioners to call it a ravine. Nell Lund stood in silence. The developer's expert had no credible answers. This property has a watercourse running across the center south to north and south wetlands of Luther Burbank Park. Suzanne Skone also voted no, calling this design tract housing. We sympathize with all other planning commissioners who implied that Katie Knight's interpretation tied their hands. We think her interpretation is flawed. Lastly, long plats are not to be decided internally. Long plats in particularly with steep slopes, slide areas and watercourses sit squarely with you, our Mayor and Councilmembers. We applaud your service, we await your wisdom and throughout all of this we ask that you share in our admiration of the Covals they were and are exemplary stewards of the land. Thank you.

DEB FERSE:

Deb Ferse, 3202 84th Avenue SE. We share a property line with the Covals and totally miss them and wish they would return. I am personally offended to be here tonight having to abide by a process suggested by the applicant. I protest the Council's willingness to allow the developer to suggest who may speak and what we may say to the Council. Your home page says "the Council listens to its constituents" and says "if Council is vitally interested in hearing the voices of all the residents and increasing citizen involvement." It also says in the city code, "that administration shall balance the needs of applicants with those of neighbors." Time for a little balancing here. We have a letter tonight signed by over 150 Mercer Island residents. We're constituents. On behalf of these folks and the dozens of property owners living just below the Covals they never received the required notice about this project. Please read this.

TJ STEWART:

My name is TJ Stewart. I live at 3205 84th Avenue SE. I have that letter that was signed by over a 150 residents that live near and by the Coval property. These people are very upset with the lack of following good procedure for this development. They feel the City has not followed the sound procedures and went on a quick pace rather than following and thinking about this as a big project and not just another development. I think the City needs to take a deep breath, sit back and look at this. I have the letter here I will give it to the City Clerk because I was going to give it to you Mayor, but I understand I can't give you anything so I will turn this over to the City Clerk.

RICHARD ARAMBURU:

Good evening, I am Richard Aramburu representing Mercer Island Friends for Responsible Urban Development. I disagree with you, Mr. Mayor very strongly that you have adopted a fair process whereby citizens are forced to stand up here like some cattle to dash to the microphone to provide twenty minutes of strictly oral comment it's not a fair process. I'm here tonight to ask you not to accept the split recommendation of the Planning Commission. I have a couple of warnings for you. Number one, I have submitted a letter and I have copies for all of you tonight which I'm going to put it in front of you, which objects to this procedure as being unfair and contrary to your own codes. You need to read that letter. Now, the second item I have is that I see there is an executive session scheduled after this meeting tonight. These are not matters to be discussed in executive session. You discuss these matters in executive session at your peril. Now I want to raise very quickly, five issues with you. I am going to go real fast because you have not given us adequate time to do anything either orally or in writing at all.

Critical area of determination. Critical area determination received, code requires notice, code requires comment, code requires appeal. None of that was done. The entire process you saw up on the screen tonight was done in secret and in private between the applicant and the City, not following city codes.

Design review. This project requires design review under the code. Design review that is required for development, any development with any property in the city, development is a division of land into two or more parcels. It hasn't been done. Your proceedings here are illegal. What should the Council do? Remand to the Design Commission to follow the code procedures.

Fundamental problem with what happened here. The Planning Commission, Mr. Cairns was here tonight and others, were given incorrect information about the scope of what they could consider when they made their decision. They were told that there were whole parts of the development code that could not be considered by them. Accordingly the dissenters and even the supporters when they gave their decision said we feel our hands have been tied and we are not capable of working out all those issues. The code requires the entire development code, Title 19 be open for consideration during subdivision review. That was not done, it's a fatal error and fundamental to the problem that we have here. We gave the Planning Commission a notebook of materials and we made some very commonsensical suggestions not to deny the plat as Mr. Derr might exclaim, but to place rehabilitation conditions on the plat. Those conditions and those requests were ignored and not even discussed by the Planning Commission.

Issue number five, so that requires a remand back to have another examination of this issue. Notice. The staff, as you see from some of the notice provisions during Christmas vacation was one of the notice provisions. People in the neighborhood managed to get their notices on Christmas Eve which is a wonderful Christmas present for everyone, but they had the Christmas holidays to provide notice. What kind of a City does that? That's incredible to me.

Now the tree issue. The Planning Commission ignored the recommendations of your long time City Arborist Kathy Parker. Ms. Parker recommended that the trees on the site be put in conservation easement so they would be permanently protected in perpetuity. That was not done. Rather the idea of tree preservation was essentially pushed down the road to some later time when, by the way, there's no public input on the development permit for a single family house or anything of that nature. That's not the way to preserve trees, which is the center of consideration in life on Mercer Island. So I got lots of people standing behind me and I feel that my time has been improperly limited, but I will say that you should not accept the Planning Commission's recommendations. You should remand to the Design Commission, you should remand to staff to do the critical area determination properly and most importantly remand to the Planning Commission so they can consider everything. The Planning Commission was hog tied by bad advice. You've got to correct that tonight because it really does have to do with the future of the City of Mercer Island. Thank you and I know you are not going to ask me any questions. I'll leave the stage to others. Thank you.

RICHARD FERSE:

Richard Ferse, 3203 84th Ave SE, next door to Covals. I would like to point out before I make other remarks that 19.07.020 requires "a critical area determination requires a public notice that maybe appealed to the Planning Commission." We did try to point this out to staff for almost a year now and we have had many excuses why this hasn't happened and I'll leave it at that. Where the debt to the various construction I would like to speak to the Council tonight I did appreciate the opportunity to make comments and provide experts for testimony before the Planning Commission last month. It became apparent early on at the Planning Commission however, that the City staff and an obviously frustrated group of Planning Commissioners were being told by the City Attorney that they could not fully explore alternatives to the applicants plan. Commissioners asked good types of questions to our experts in ecology as well as in storm water management, which began a debate among all of the experts and appeared to be hitting toward the thoughtful question of some of the assumptions that had been made by the City staff at its initial approval of the plat design. The assumption for instance that taking 12 feet of dirt and trees off the top of the ridge to add for hazards somehow made it safer it seemed to me needs further study. That is what my plat copy that I have shows is that the pads are 12 feet from the top of the ridge and I believe that has been the plan all along to lower the altitude of the ridge, but I would be willing to look at another version of that plat if it exists. And the assumption that the water would have previously infiltrated into the ground to the vegetation on the Coval property could safely be dumped into the ditch on 84th with no repercussions is another example. It should be added that these types of alterations seemed to have failed elsewhere on the Island. These assumptions were finally being openly questioned and it appeared there was an opportunity evolving to improve the plans for the site to the benefit of residents and developers alike. But then the discussion was curtailed by the City Attorney reminding the Commissioners that they had to approve what the City staff said it should be done as long as it meets the minimum state standards of the city code. As the first session came to a close, the Commissioners suggested that this line of questioning proceed further at the continuation of the Planning Commission meeting two weeks later. They requested their experts be asked back, in fact they insisted that they should be there to answer more questions. The continued hearing that it was conducted in such a way that only the opinions of the applicant's experts were allowed. Not a single question was asked of anyone whose opinion was not already on the staff report. The attending Mercer Island residents and the Commissioners themselves were clearly frustrated by the inability to seriously question the assumptions made in the staff report that they were about to vote on. As a result, former Mayor Cairns and Commissioner Skone took the unusual step of voting against the entire plan making reference to the inability to make any meaningful suggestions for more study or significant modifications that might preserve some of the amazing natural features of this property. Keeping in mind that this property contains all three hazard areas, described on Mercer Island maps, as well as a watercourse running through it, the wisdom of allowing the flattening and platting of all 18 of the requested lots, seems like a bit too much catering to the minimum requirements. We recognize that the City Attorney has her job to do, to prevent a situation where a developer has a right to ask for damages from the City if he's required to meet unreasonable standards not allowed in the city code. However, the Council taking into consideration all of its varied responsibilities should hold themselves above the minimum standards, act with integrity and not just out of fear of implied litigation. Please make this decision in the best interest of all citizens. Thank you.

CHERYL FRIZZELL:

My name is Cheryl Frizzell. I live in a home on SE 30th Place just north and downhill from the Coval property. The eastside of our property is 84th avenue SE. Alongside our property on 84th is an open culvert, which will take most of the storm water runoff from this 5 acre development. I am here today to repeat my concerns that the increased run off specifically directed to 84th will be a significant burden on my family and could cause damage to our property and the adjoining road. The open culvert already requires regular maintenance to keep it flowing. We currently cut back the vegetation, rake the debris, and dig out the silt that fills the culvert. Mercer Island city code says that the project should not and I quote "adversely impact the health, safety, and welfare of or inflict expense or damage upon residents or property owners within or adjoining the project due to flooding or drainage problems" end quote. I think this project will adversely impact my family as a property owner. This project will drain most of the storm water runoff from the Coval property into this culvert. I think it's quite reasonable to assume that the significant increase in runoff will mean more maintenance of our open culvert to keep the water flowing. If we do not maintain the culvert, it could easily overflow causing erosion and dangerous conditions on 84th. Because the impact of this project I feel the new storm water runoff pipe which the applicant plans to install on the edge of his property on 84th could instead continue down 84th and tie into the existing pipe at 30th Place. This is an additional 150 feet of pipe, which would replace the open culvert and litigate this adverse impact of the storm water runoff. Thank you.

BEVERLY BRIDGE:

Beverly Bridge, 8400 SE 34th Place, I live right off 84th. The industry standard that has been accepted into this development states that there will only be 17 cars added to our road during peak hours and therefore no study of

traffic impact for improvement of 84th street needs to be done before the plats are approved. Peak hours defined by Wikipedia are 6am to 10am and from 4-6 pm which is 6 hours. I find it difficult to believe that is a 6 hour peak period that there will only be 17 additional cars on our road. Yes, we are considered a local access road. On this half mile of access road are 141 house on 13 dead end streets with 6 additional driveways that are built directly onto 84th street within this small half-mile corridor that includes the Coval property. This is our only road. We share this road with joggers, baby strollers, bicyclists, walking groups, dog walkers, and skate boarders. Many children both waiting for buses and coming home after work. And in addition, there are many Mercer Island residents who use our road as a short cut to downtown because there are no sidewalks or pathways, most of us on this corridor, our local access road which is the only road that we have to go back and forth on, we don't have any other road to go, so we go into the middle of the street so that we don't hit anybody. It is a dangerous situation which will get worse with the additional amount of cars, service providers, friends and for the developer to state they don't have to care about our community is offensive.

BASSETT:

I am sorry that is time. For those who are standing in line you have my apologies and I know this is extremely frustrating for you and there is no doubt it is frustrating for us too. We are trying to operate within the rule of law here and that's...I hear the frustration and I feel the frustration too but I can't change that situation. So with that we move to a...so folks who are still standing and do not have a chance to speak I, you can certainly speak during public comments after us if you so choose, but you don't get an opportunity now, my apologies. We move to after rebuttal for 6 minutes and some seconds.

DERR:

Do you want me to wait until 6:45pm is that what you want me to do? Okay, Jay Derr again I just have a few points. I do not think I will needs 6 minutes to make them. I want to respond to comments about whether the Planning Commission applied the full city code and they did apply the full city code that was applicable to the project. I refer you, first regarding the design review issue, to exhibit 83 staff explanation as to why that code process does not apply to this project. That code contains a specific exception for single-family development. This is a single-family development. That only applies to multifamily and commercial development that is explained by your staff in exhibit 83. A lot of concerns and complaints about the critical areas determination. Again, as staff explained tonight no critical area determination is required by your code if you don't have a critical area and you are not you modifying the buffer. When the consultants concluded that there were no critical areas on the site, no watercourse and no wetlands that's when the critical area determination was withdrawn and so there was no determination. There's nothing to appeal and the issues of the watercourse/wetland was fully vetted to the Planning Commission so the plat evaluation considered testimony from the neighbors as to whether they thought there was a watercourse on site or not. The Planning Commission concluded the evidence supported their decision that there was not and so no critical areas determination applied. One code section that was not mentioned specifically but was discussed by the Planning Commission was the provision in your code that allowed for optional design of subdivisions. What's interesting about that section are two things: one optional, that is under your code one that is initiated by the applicant not composed or required by the City, and secondly that particular provision allows smaller lot sizes allows lot sizes 75% of the 9600 square foot minimum required by your code. Based on the comments the Planning Commission received and the comments we heard, the neighbors do not seem to be in favor of smaller lots, they seem to be in favor of retaining the 5 acre lot that is there today. So that code provision does not apply, was not used. We also included in our response to comments, a detailed rebuttal to the various comprehensive plan policies that the neighbors asserted were applicable for this project. The Planning Commission considered the full breadth of the City's code and plans in making its decision.

Storm water, in response to the last speaker I believe it was in particular about the open ditch on her property immediately north of Coval. Again in the storm water design, the amount of detention is such the discharge after the storm water design will be less than the discharge that's occurring today off that site and so again that is already viewed by the City Engineer and part of the plat improvements. And they will confirm the calculations and confirm the design and confirm that the corridor can handle it. If the engineer were confirm the covert that cannot handle it then the engineer would require by the plat improvements that it will be addressed before the plat improvements are constructed and approved. So that is fully addressed.

The last thing I wanted to mention was the peak hour again remains confusion about this. Wikipedia is not the standard for a trip generation for that good analysis that is the IET trip manual that has a very different definition of peak hour then 6 hour period of time. It talks about collecting data on a series of hours and then taking the average to conclude what is highest that is where we get to one additional trip in the peak hour per each single family unit based on the of lots 18 the additional um lots proposed that you will have 17 peak hour trips. That is with the basis of the City's decision that the traffic peak assessment was not required and further that amount of additional traffic

from the City Engineer's opinion in his memo it would not impact traffic on that particular arterial. So that really highlights the issues that were brought up in the public comments that I did not address initially and again we believe that the City has adopted plans and regulations that permit this particular project. And the rule of law is not that the neighborhood does not want it and do something different, but the rule of law is you apply the plans and codes that have been adopted by the City. And the property owners are entitled to sell their property, the property owner is entitled to develop their property consistent with those plans and rules. That is the constraint the Planning Commission felt they had in reaching their decision. We believe that constraint is appropriate and that the City Council should look at the staff assessment, Planning Commission's recommendation, match it against the codes you have adopted and agree with the Planning Commission's recommendation of approval. Thank you.

BASSETT:

Thank you. Katie, says here, clarifying questions of staff, the point we are at in the proceedings here.

KNIGHT:

Correct.

BASSETT:

Do you want to elaborate on permitted, not permitted in that?

KNIGHT:

Basically, if you have some questions and staff can point you to the record where you might find some of the specific answers in that record, they can do that. If there is process questions, staff can clarify process for you as well. Obviously, we cannot create a new record but I think that is probably helpful to look at this exhibit.

BASSETT:

So Council, we have clarifying questions and discussions and then we have to raise a decision. I think we are at the moment here where we probably, I guess what I would ask is the thoughtful, I am not sure how to get into it. We can go directly into the weeds and I am sure we can spend an extra couple of hours in the weeds or we can address this at a higher level. I think for the moment the question becomes do you guys want to go to the weeds or do you want to go to a higher level and try to figure out where we are overall? Before we go there, Dan, do you want to take a shot at this?

GRAUSZ:

I think we all spent a lot of time looking thru the Planning Commission's record and listening to the tape and so I think the information is all there for us. I am sure everyone has more than a few questions on some of it but it's really a fundamental question and that is whether we are going to approve or reject this plat. And whether we have the authority to reject this plat. The Planning Commission, based on my sense, still have many reservations about this plat, but that, as was said by many members of the Planning Commission including some who have voted for this, their hands were tied. And there was a session afterward about having further discussion with the City Council so that something like this would not happen again. So there was this feeling of that they were concerned about it so I spent a fair amount of time looking thru the public record and wondering and thinking if we should first have a discussion whether this is something we want to accept or reject and if we want to accept it then we need to get down and figure out if there are any conditions that we want to change anything. But if we want to reject it and I would submit to you that there is ample testimony and gathering in the public record that support that decision, then we should consider going down that road. I would encourage us, lets first to start out at a very high level and see whether there is an appetite on this Council to consider a rejection of this and if there is an appetite to do that then we should determine what the next step forward is.

BASSETT:

Others, do you want to dive into the weeds or start at a high level?

CERO:

If you are asking Deputy Mayor, I do have interest in rejecting this and at the high level recognizing that it is a result of policies stated in our comp plan on why we are in this position. Now, as one who has not been supportive of our comp plan, I would like to engage the Council, understanding my strong respect for the rule of law and a citizen's right to purchase property and the purchasers right to develop that property, to engage the Council on, within the record that we have. How can we reject this if for no other reason as a notice that our comp plan does more for promoting the objectives of the region at the expense of Mercer Island, and the uniqueness and the unique character of Mercer Island and for that whatever you are willing, Mr. Mayor, to get into the weeds on things questions that I have.

GRAUSZ:

If I may respectfully suggest we need to stick with the record. We can't be talking about the comp plan. We need to stick with the record and we need to determine if there is enough information in the record to reject this if that is the road.

CERO:

I would respectfully disagree that the comp plan is referenced over and over again even on the Planning Commission's conclusion that existing zoning and comprehensive plan designates so the comp plan is by reference, I suggest is part of the record.

GRAUSZ:

I mean the reference of the comp plan is not the way to deal with this.

BASSETT:

Let's leave it there for right now as we try to get the general consensus the rest of the Council before we decide where we are going next. To Jane and Tana, you actually had your hand up so we will go to you next.

BRAHM:

Well, a couple kind of preliminary comments as I listen to the Planning Commission's proceedings and as I went thru this voluminous record very complex, very contradictory is there a watercourse no, yes or no. Lots of conflicting information even whether the attorney is arguing whether there was a meeting on a certain date or not. Lots of complex information, but I kept coming back to "if only" lots of "if onlys". If only the owner, before selling the property, had put covenants or restrictive deed restrictions over the property before selling it. If only some wealthy person or foundation had come along and decided to buy it and turn it into a botanical garden or conference center, we heard lots of ideas like that. If only someone would come along and retain in the wonderful architectural structure that is the 1995 part of the Covals home. If only, but the fact is the property is sold and it is able to be developed into 18 properties or even as Mr. Der mentioned 19 or 20, according to our own city code. So I believe we need to be realists. I think this property...now our charge is to figure out how we can best protect the best interest of the neighbors and Mercer Island as a whole while allowing the kind of development that our own codes do allow. I have some real concerns about certain aspects of the property, we can discuss that later, but I think for me our best process would be to have some conditions for the development of the property. So that is where I stand.

BASSETT:

Ok, Tana?

COUNCILMEMBER TANA SENN:

I guess I will start with clarifying a question. Just if we could repeat what the grounds are for rejection or for acceptance. What the level of information, do we use the is the level of laws, level of following code is it a gut feeling, what is the rule of law here? What is the quasi-judicial process requiring us to do?

KNIGHT:

Quasi judicial. I will talk to you about is the Koontz case which is important to this as well and the Mayor read off again the standard you look to, to make the determination. Let me pull that up. So any approval or denial of this process may determine whether or not the project makes appropriate provisions for the public health, safety and general welfare, open spaces, drainage ways, streets or roads, transit stops, parks and recreation, playgrounds and sidewalks, and other planning features that assure safe walking conditions for students walking to and from school. Whether or not the project has to serve public use or interest and whether or not the project conforms to applicable zoning and land use regulations and that echo's with what the state law says as well. If you do determine that you want to make some conditions, I will have Christina talk again about the requirements to the Koontz case which does impact any decision making that legislative or body in the quasi judicial context make on a land use decision. Go ahead, Christina.

BASSETT:

Let's hold on a minute before we go down that level I think you have given the high level answer to the question. I think getting to where the Council is whether we want to dive to that level or not is probably our next step. Okay, Benson?

WONG:

I guess this is really a question addressed to Katie. It sounds like when you are reading that it is clear that City Council can reach a different conclusion. We have a Planning Commission with a spit vote of 4 to 2 making a recommendation, but based on the record, based only on the record that we have, we certainly can reach a different conclusion.

KNIGHT:

You can approve, reject or amend the recommendation.

WONG:

But obviously, in rejecting it, for instance, we have obviously reached a different conclusion based on the record.

KNIGHT:

Correct.

BERTLIN:

I would like to understand from Deputy Mayor Grausz on what grounds he would propose we could disapprove.

BASSETT:

Go ahead.

GRAUSZ:

So bear with me. There are several code provisions we are operating under. First one is the one that Katie just quoted to you, that is 19.08.020(F)(1)(a) and I would submit we could make a finding that does not make appropriate provisions that we have open spaces because there are none on this plat. Drainage ways of the grading plan assumes we are going to go in the drainage ways. Safety streets or roads that the internal roadway does not service all the lots causing for the need for additional private driveways on 84th. There is another requirement that had other planning features to ensure safe walking due to the conditions for students. The internal road does not include sidewalks or walking areas. And then there is an ominous or general requirement of the relevant fact and I would say within that category in fact the plat what I consider as insufficient treatment of protecting trees which I agree with the City arborist on in her statement as this to be done by a tree conservation easement or designating common areas that are not controlled by individual lot owners and therefore controlling the trees in those common areas.

Secondly, under 19.08.030(F)(2) there is a requirement that it says that the where critical areas meeting criteria in Chapter 19.07 are present within the subdivision the code official or the City Council may require that certain portions of the long subdivision remain undeveloped. I think it is within our authority to say that portions of this subdivision should potentially remain undeveloped such as the west slope where the critical area is and where some of the biggest tree issues are. That does not mean that the developer can not necessarily put 18 lots or whatever in there but they have chosen to plat this in a way in which enforces building lots onto that west side. Or building paths onto the west side and I would submit that we can go back to the developer and say no, you should come up with a different way of plotting this property so you do not end up with a building path on a steep slope. In 19.09.090(A)(2) there is a requirement that a building pads shall not be located within critical areas or as buffers. Provided however, building pads maybe located within landslide hazard areas if all the following are met: one of those requirements is that building pads have minimize the impact to the extent reasonable feasible. I think it is well within our authority to say that the building pads on proposed lots 10–13 are not sited to minimize the impact to the extent reasonable feasible. Now you need to understand the reason there is problem with lots 10–13 in the first instance is because of the way the plat's been drawn. If the plat had been drawn in the first instance not to put those lots up against that west boundary and somehow come up with a more imaginative way of drawing the lot lines then we would never end up with a problem of the pads on lots 10-13. So if, this is not as Mr. Derr said, simply a situation where you have lots and you have building pads so therefore the City has to try and find a way to work with the buffer. These lots do not exist. They only exist in the plans that have been submitted, these lots do not actually exist. It is totally within the power of this developer to create lots, which don't cause the problem in the first instance. So I would suggest, we as a Council do not have to sit here and just accept that fact that they decided to put the lots against the west side of the property and therefore they have created the problem now that now we are being forced to resolve. Going on, the issue of erosion hazard, the landslide hazard, there was a staff discussion Commissioner Cairns engaged in during the Planning Commission proceedings where he was challenging the desire to take 12 feet off the west slope or part of the west slope. And suggested to the Planning Commission to not do that and so the geo tech came up from the developer and said that well it is actually better to do that because if you take off that dirt then the area is more stable. To me it sets a horrible precedence, if we as a City decide the way to deal with steep slopes is to eliminate the way of the steep slopes. And so I think as a matter

of course we, as a matter of precedent, and a matter of policy, we are well within our right to say that you cannot circumvent the requirements of our critical areas ordinance by reducing the size of or somehow eliminating the critical area. And the same goes for issues with building in some of the drainage ways which apparently is part of the grading plan.

There is another requirement in our code 19.08.030(C), that says where 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, etc, etc, the City Council in the case of a long subdivision...shall require the applicant to adequately control such hazards or give adequate security for damages that may result from the project, or both. In my opinion, we are well within our right to say that the suggestions of the experts hired by the applicant maybe completely right or they may not be. Like any human being they might make mistakes also and I would not want this project to proceed unless sufficient financial security was tested so if they are wrong and if you end up with significant damage to properties or adjoining properties that those property owners will have the natural resources to go against. This is not just during the infrastructure work. There's 18 houses being built on this property and the developer presumably will be long out of this property long before those 18 houses are completed so we need to make sure that out of 15, 16, 17, 18 houses, whatever is built that if at the end of the day that we find out all the projections of the experts are wrong, that the adjoining property owners are protected. So finally, two more things. One, under 19.08.020(F)(1)(b), we have to make a determination the public interest will be served by our approval of the project. I would submit to you for the reasons that I have listed above, the public interest would not be served and finally Mr. Derr made reference to 19.08.030(G) which is the alternative development standard and correctly said the only the applicant can vote that. But the point is the applicant can not only vote that and it provides means by which a lot of the issues that I have identified and that were identified in the public record can be addressed so and can be addressed without reducing the overall number of lots. So this is not a situation where we are as a Council having to say to the applicant you have to reduce the 16 lots or 14 lots or any other number. We are saying this plat the way it is written does not work. But our code fortunately gives you the means to. 19.08.030(G) to address these issues and still keep the same number of lots and there maybe ways without involving that prevision too, but by properly by drawing the lot line or asking civilians as the requirements with the goal towards adjusting some of these concerns. So with all I am sure that others might come up with other things from the record that would potentially support rejection, but after my review of the record I think those are the items that came out and struck me as the ones we need to define as rejection and based the rejection determination on.

BASSETT:

So Mike before you go, I am going to take a turn and then we will try to figure out how we move to whatever the next step is here. So speaking for myself at this high level, I listened to the Planning Commission discussion, I read at length. Lots of work with the applicant, worked with the city, lots of public input and what I came away with is a sense while I suppose in the past this might have been the way some subdivision work was done long ago it does not, to my mind, serve the public interest at this day and age to be potentially taking a property like this and leveling it, wiping out the hillside or the hill on the west end of it, filling the ravine in the middle and denuding it to a great degree of trees to achieve the ends that are proposed. I believe, and I guess I did not see in the public comments, I don't think anyone said this property should not be developed. I mean, I think for all of us we would love to see this preserved, but there is no one who has said: City you have to buy this or City you have to do something to preserve this entirely. What they have said is, do this in a fashion that's in keeping with the neighborhood, in a fashion that's is keeping in the values of our community and what's proposed is not. So I come away feeling the same frustration as the Planning Commission that this is a project designed in a way that is not in the public's interest. And for that reason I am supportive of where the Deputy Mayor is going with this. Mike, we will go to you and when all have their say, we have a proposal here that we will...and let me tee that up, Mike and you will have a moment in a sec. We will take a break and try to put a motion together that will reflect that Council is in the mind to go there with the kinds of points that the Deputy Mayor has made.

CERO:

I would like to elaborate on those points and add some more points so I would ask the privilege to speak my peace before the break.

BASSETT:

I just wanted to tee it up, that is where we are going after everyone speaks if you are willing. So with that...

CERO:

I basically agree with the Deputy Mayor although I think some of the solutions may still not reach the character of the neighborhood in which I believe is part of the record as being a credible characteristic of what we should ask for. Sorry, before I get there I do have some questions about the cutting. It seemed like as the Deputy Mayor

mentioned the geo tech engineer Ken Shepard referenced that actually cutting off the slope would actually improve the stability of the slope, but then we are understanding that no they were going to keep the slope, keep the top of the critical area which was cut in which would actually increase the amount of what they called the driving force on that critical area which has a rippling effect of is the retention wall actually robust enough to not only have the full critical area there but also the additional weight of the buildings. And that initially will lead my next area. Once you start chasing these plans which has a ripple effect, I begin to question whether when we change from cutting off the top of the critical area to just complete top of it and minimize the driving force down but just cutting it up for the foundation whether that falls on the design downstream and will be engineered according also. Along that line I had a question on lots 10, 11, 12 where it looked like on the storm water site plan page 6 it said the open space trenches will be utilized for roof and landscape run off where infiltration rates are adequate per the preliminary recommendations that they were feasible to 10, 11, and 12. Which is ok, but later on testimony at 2 hours and 13 min on the second day, geo tech Shepard said the stability subsequently infiltration was not a good idea and can control run off. One time infiltration but its not there now. So now they are changing the plan in mid-stream on having infiltration on the west side and all the calculations for drainage down range does not include that contributing area. Then Mr. Sheppard in the interest of sight stability critical area to know will not have infiltration will tight line it a to go either I assume to the mid drainage basin or on the northern drainage basin which leads me to question have the calculations been done, not only ¼ of the mile down street but until it reaches Lake Washington? I am especially sensitive to that in my present residence where the house north of me, the Gallagher home, always has coverts overflowing the resident uphill from me. The Currow residence again have a covert that during peak periods. It overflows and as the residence beside me, the Levy residence has a wide basin, its overflowing and those are not right of way, so it is not the City's responsibility, but it doesn't help the situation. And the in the Benotho street which is several neighborhoods down from me, we have the same problem which is a City right of way and they fixed it, but it is something I am very sensitive of. I am critical in reviewing the engineering of it. And then the statement, well is that clear. Was that clear why that is a concern to me either changing from infiltration the contributing area will go one place but in this stream the geo tech changed the design to the contributing area to go to the conveyances in the middle of the property or to the north of the property, but I did not see the downstream calculations with that additional contributing area was evaluated. I have one more thing on my list.

BASSETT:

Clear I think, but let me suggest where he's trying to go, I think and I do not want to put words in his mouth is and this is back to the discussion are we down in the weeds or are we operating at a pretty high level, but I think what we will try to do is make an effort to have this statement be a pretty high level statement about code, we I am sure can go past midnight if we go down to...

CERO:

I thought Deputy Mayor was in the weeds and the level that I am and it is kind of like a design project if you show inconsistencies or questions on several different things...

GRAUSZ:

What would help Mike, is that for other people might be talking try to identify specific section in 19.08 that you feel and maybe you want to reference F1 in 19.080.02(F)(1)(a), take a look at that.

CERO:

What I am referencing, as Katie said, is the drainage ways under RCW 5A.17-100, the legal requirements of the drainage way.

GRAUSZ:

So, what you want to say is drainage ways or what I say is the drainage ways does not make the appropriate vision for the drainage ways and in addition to that and what else...

CERO:

And addition to that, the infiltration of lots 10,11,and 12 rather tight lining of lots 10,11, and 12 rather than the original design of the infiltration will have downstream effects that are not clear, that downstream can accommodate that additional contributing area.

GRAUSZ:

Okay.

CERO:

And I use as additional on page 14 of the storm water site plan all I could see, all I could find that on the reliability of the downstream drainage plan was the downstream emergency overflow drainage path has described above appears to have adequate capacity and no current problems were observed. So, I would like more fidelity on adequate capacity,

GRAUSZ:

I got that language in here.

CERO:

Okay, thank you for your patience. The next thing I would like to talk about is on the comp plan, Land Use -12, Outside the Town Center, paragraph one: the community needs to accommodate two important planning values-- maintaining the existing single-family character of the Island. That is reiterated in the statement of facts from on page 7- 29 which is constant with the surrounding development. To me, the way I look at that, I evaluated addresses those bordering Coval: 8225, 8245, 8253, 8265, 8335, 8375, 6221, 6223, 3219, 3205, which gave me an average square foot plat size of 13,705, versus the average Coval plat size of 10,955. That is a 20% difference on it and my way of thinking that is not in keeping with the major objective of our comp plan. Although maybe inconsistent with our zoning, that is to maintain consistency with the surrounding development. Did you get that, is that clear? The other thing I have is the Nexus with the \$50,000 and this could be to the applicants benefit where the \$50,000 came from I am uncertain of that \$50,000 and it is not good will that I am looking from the applicant. It is either the \$50,000 is his duty pay or it is not. Granted those projects in PDF there is only one figure or one number associated with that \$38,000, we need to see what is the true Nexus of this development and it is not good will. What we are looking at necessarily if we are looking for him to pay what is required and no more or no less. So that is another issue I have is the \$50,000 payment.

GRAUSZ:

Okay, I will add that.

BASSETT:

Anyone else? Yes, Benson.

WONG:

I will echo a couple thoughts that the Deputy Mayor mentioned and there is no question for the record nobody ever objecting to the development of the property. I think people are concerned about the character and the design and the scope of the preliminary plat and I think for me as I read through the record again I know we are limited to making a decision here based on the record. The thing that sort of struck me, two things: one was the issue about the trees and the removal of the trees and again I do not feel the way that it was discussed and how the procedures are outlined for protecting the trees again are in the best interest of our community. Because trees are something that we value that each of us value. The other thing that stuck me was looking at again section 19.08.030(C)(1) and again, I think Deputy Mayor mentioned it, was basically says where the project may adversely impact health, safety, welfare it does not say it is a certainty, but its where it may impact, adversely impact. I think given the fact that we have a steep slope, we have a questionable watercourse, I think there is this trigger, gain there maybe adverse impact . And then it goes onto say if that is the case then the City Council shall require the applicant to adequately control such hazards or give adequate security. Again, we have adequate security and I am concerned about the adequate control. I know that actually the developer had an expert, Terra Associates, do the geo tech study and make recommendations. That thing that sort of bothered me about that whole aspect of it is that we are dealing with a battle of experts, and I did not see another expert. I guess I would like at some point, if the Council decides to not accept the recommendation of the Planning Commission that we basically require that the recent peer review which is permitted under the code. I don't have the cite in front of me but it is actually permitted under the code that the City may require a peer review of the geo tech and I am not sure if that one was done, but I would certainly want that and something to be considered.

BASSETT:

Debbie?

BERTLIN:

It's a tough decision that we face up here and I have to say there has been a few sleepless nights, over how we approach this. I think ultimately what has come out during the course of the discussion pretty much articulated where I landed. And that is, the Mayor referenced the value of our community and the importance of applying those to our ordinances to the development of any property large or small. And when I look at his I do understand this platting is the choice of the developer. The problems have been created, to a certain extent, by the choice of the

developer and while as no one here again as advocated for the non-development of the property, I think there is certainly room for improvement. So going back to that principal of the values of our community, this is one I think that holds the environment dearly, it holds its community neighborhood, it highly values the safety and well being of residences, of the children, of everything that make Mercer Island so very special. So I would like us to pursue conversation and dialogue that will allow us to look at this property more on context that is fitting and aligned with the direction the citizens have voted and expressed their opinions thru again sustainability efforts and youth and family services and then proportionate to community responsibility. So I would like us to pursue the avenue recommended by Deputy Mayor Grausz.

BRAHM:

I have some real problems with the steep slope and drainage areas and with all due respect to the experts and the hydrology experts and the all the written testimony we have...I really pay attention to the neighbors who have been in the area and lived near the property for like 30 years. I have a personal experience my own lot and talking to...nevertheless, I do know that springs can happen that may not be on hydrologists map and I just call into question some of the information. And I do pay attention to people who have lived in the area and know the range and the soils are like, so I am concerned about that and the steep slope a lots 10, 11, 12 and 13. I am very concerned about potential for slides and moving of land. So whatever we can do to minimize the grading and excavation that really changes the terrain of, I would be in favor of.

BASSETT:

Okay, probably the wrong time for it and will get me into trouble undoubtedly, but I want to go a little further on my comments earlier before we stop here. Where I went was if it was a property this kind of development is not keeping with the values we hold today, but what occurs to me about this piece of property is its got this amazing pool house on it. It has these amazing other features on it and you have a public surround that don't say don't develop it, just get clever or smart about how you do it so it fits with the community ah there was several people that pointed out the other development down hill from there that has been a success. I it did not develop this sort of frustration that this project generated. The thought that comes to me is maybe you keep the pool house, maybe it becomes the center piece of the community there, that works around that or this is where I kind of hesitate, we went thru this thing on First Hill where there was talk of cottage housing. Something with smaller houses on smaller lots, let's do something unique and different to gets us going in a different direction here. So I point out that I do not think the Council's adverse to developing this property in some fashion nor is the public, but something that is not this, is where we would like to be. [applause] We always say do not applaud but I guess it is for me. So with that...

BRAHM:

I would like to ask the representative or the developer...

BASSETT:

No, you can't. Dan and Katie, how long do you want to put together a motion? 10 minutes enough? 15?

KNIGHT:

Probably 15 minutes.

BASSETT:

Ok, we are going to recess for 15 minutes and we will come back. Let's say come back at 10 after. Let's have the rest of the Council sit tight take a bathroom break, but sit tight.

The Council took a break for 33 minutes.

BASSETT:

Katie, Dan? Does someone want to speak at where we arrived after? Dan.

GRAUSZ:

So, what you see in front of you is an opening paragraph that was worked on with staff and then a table which follows it, which is goes along with the comments I made and some additions I added to it consistent with some of the comments from Mike and to address the various points that were raised. The idea ultimately, we will, if we pass this tonight this is being done quickly. The City Attorney will review this further with outside counsel and if needs to, come back to the City Council at the next meeting next week to clarify anything then we will come back to the City Council to make sure this is constant with legal requirements. So its other than that what the table says it is just a

reference to various applicable code section things and then some of the reasoning why, what lies behind the rejection of the application.

BASSETT:

So with that... Oh, I was going to suggest that there needs to be a reading of it, does there not?

CERO:

We don't want to read this whole thing.

BASSETT:

I agree, but Katie how do we proceed.

KNIGHT:

We will go ahead and have Ali read it into the record.

BASSETT:

Ok .

GRAUSZ:

So, well should I make the motion then.

KNIGHT:

You can do it that way, but I do not know if it is easier to read it as the record and then we can record the motion. It's up to you.

GRAUSZ:

That's fine. Go ahead, read away Ali.

CITY CLERK ALI SPIETZ:

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). 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. Staff is authorized to make additions to the below table consistent with the comments made by the City Council.

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 as internal road does not include sidewalk or walking area 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 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

BASSETT:

Yes, well read. Katie, what is the next step?

KNIGHT:

Go ahead and make a motion.

GRAUSZ:

I move to approve the rejection of SUB13-009 pursuant to the statement read by the City Clerk.

BERTLIN:

Second.

BASSETT:

Discussion?

CERO:

So question...so the \$50,000 nexus is that the, are you referencing the gravel shoulder is that the intent there?

GRAUSZ:

No, to be honest Mike, the \$50,000 payment was a voluntary payment proposed by the applicant. I don't see where that is relevant to our approval or rejection of this. It was voluntary and it wasn't something staff asked for or something anyone had, otherwise I would have applaud anyone to a contribution that would help us out. I would not list that as a reason for objecting it.

CERO:

Ok, what about the consistently surrounding development using average lot sizes of these bordering single-family lots? Is that an element?

GRAUSZ:

What I referenced, if you look at the end of the second to last item on Coval the reference to requirements of the City comp plan. I think that based upon the public record there are several items that have been called out in the public record that question whether this is consistent with the City comp plan so at this point I would rather leave it general and if this does end up in litigation, which I hope it does not, then we have the liberty of referencing all the things in the public record which talked about conformity with the City comp plan.

BASSETT:

Discussion? Seeing none. All those with the motion signify by saying...oh, Tana. I asked for discussion...

SENN:

I feel like there's some discussion. Thank you for working on this, for those who did that I appreciate that. I think these things are hard to do. I think what we are doing here is something that is important and hard to do and there

are some really strong values I think that we uphold and sometimes it's easy to uphold them and sometimes it is really difficult. And something like sustainability, we can talk it, we can say that we're are going to do it, but unless we take action making sure we are doing it, we are not really doing it and I think that were acting on it. We want to keep those steep slopes, we want to keep those natural forms of the land, we want to save those trees at all sustainable. We spend a lot of money as a Council and as a City on safe routes for the schools, making sure that we have pedestrian and bicycle paths. And we spend that money wisely and a lot of time after the fact and we are saying now that we don't to have to deal with it after the fact. Let's make sure we are thinking about it for the fact of planning ahead and I think that is really important. As some of you have been on the utility board for many of years, I also must say we deal with stormwater and sewer issues. We're dealing with flooding and we deal with insurance issues around that and accordance with replacing pipes and dealing with culverts and run offs and all of these things and to really take a strong look at that and in advance of a large project, I think is the key. So for all of those reasons I am very supportive of this and want to thank you for making all these specific issues in such a way that we can be very clear about that. This is overall values and looking ahead and acting on something that is sometimes hard to do but important, I think it is great.

BASSETT:

Any other discussion? All in favor signify by saying aye. [All Councilmembers: Aye]

BASSETT:

Opposed? Motion carries. Well, with that (applause), I would say we take a break, but we already took a long break, so we are going to move to of all things, public appearances.



CITY COUNCIL MINUTES REGULAR MEETING MARCH 31, 2014

CALL TO ORDER & ROLL CALL

Mayor Bruce Bassett called the meeting to order at 7:01 pm in the Council Chambers of City Hall, 9611 SE 36th Street, Mercer Island, Washington.

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

APPEARANCES

Linda Chaves, Mercer Island resident, thanked the Council for declining to adopt the recommendation on the Coval Long Plat. She expressed concern that there has been a long delay in bringing the findings of fact and conclusions of law back to the Council. She noted that there are rumors that there may have been some private, closed-door negotiations between representatives of the City and the sponsors of the Coval plat. She asked for confirmation that staff and council are not engaging in any behind-the-scenes negotiations to change its decision.

Richard Aramburu, attorney for the neighbors of the Coval property, spoke about the Coval Long Plat. He noted that there are some concerns about the legality of the Council's decision. He presented a letter from his law partner stating that the City's decision is on the right track and that there are no legal deficiencies or limitations.

Ira Appelman, 4436 Ferncroft Road, spoke about the email he sent to the Council and the KCLS Board recounting the history of the Mercer Island library annexation into the King County Library System. He stated that the Council and the KCLS Board together are responsible to make sure Islanders are satisfied with any Mercer Island Library capital improvements and for the continuation of library services during construction.

MINUTES

Regular Meeting Minutes of March 17, 2014

It was moved by Bertlin; seconded by Brahm to:

Adopt the Regular Meeting Minutes of March 17, 2014 as written.

Passed 6-0

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

ABSENT: 1 (Grausz)

CONSENT CALENDAR

Councilmember Brahm commended the Arts Council for their work. She noted the number of volunteer hours that have been completed by the board members and staff liaison Amber Britton.

Payables: \$143,212.24 (03/13/14) & \$623,707.13 (03/20/14)

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

Payroll: \$692,155.92 (03/21/14)

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

AB 4939 Resolution Authorizing Investment of City of Mercer Island Monies in the Local Government Investment Pool

Recommendation: Pass Resolution No. 1480 authorizing investment of City of Mercer Island monies in the Local Government Investment Pool.

AB 4941 Authorization for Solarize Mercer Island Grant Agreement with WA Dept. of Commerce

Recommendation: Authorize the City Manager to sign the Interagency Agreement with Washington Department of Commerce, and accept and appropriate the grant of \$10,000 under the State Energy Program.

AB 4936 Arts Council 2013 Annual Report and 2014 Work Plan

Recommendation: Receive Arts Council 2013 Annual Report and approve the Arts Council 2014 Work Plan.

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, Senn, Wong)

ABSENT: 1 (Grausz)

REGULAR BUSINESS

AB 4937 False Alarm Code Amendments (1st Reading)

Assistant City Attorney Christina Schuck presented code amendments regarding the proper operation and maintenance, penalty schedule, and appeal for fire and police false alarms. She noted that the existing code requires registration of alarm systems and provides for penalties for false alarms, but that changes are needed to clarify definitions and set forth an improved false alarm enforcement procedure, updated penalty schedule and appeal process.

The Council discussed the proposed schedule of fines, the 62 and older exemption, how many false alarms are repeats, the merits of alarm users registering with the City, how many alarm users are not registered with the City, the recovery rate of fines, how the false alarm information is collected, if increasing the fines would change behavior, and looking at increasing the fees and fines to cover actual costs.

The Council directed staff to review the fee and fine schedule for possible increases, research any possible exemptions for alarm registration data under the Public Records Act, change the exemption for false alarms from age based to low-income (similar to utility billing exemptions), modify the provision about operating instructions being at every alarm site, and provide data about how many false alarms are repeats.

It was moved by Brahm; seconded by Wong to:

Set Ordinance No. 14C-04 for second reading at the City Council's April 21, 2014 meeting.

Passed 6-0

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

ABSENT: 1 (Grausz)

AB 4940 4th Quarter 2013 Financial Status Report & Budget Adjustments

Finance Director Chip Corder presented the financial status report for the 4th quarter of 2013. He provided a summary budget-to-actual comparison of revenues and expenditures for the General Fund, Utility Funds, all other funds, the Capital Improvement Program, and an ordinance to amend the 2013-2014 budget with budget adjustments from 2013 and the first quarter of 2014.

Staff will bring back information to the Council about the proposed scope increase to the 83rd Ave SE Water System Improvements project, which would extend the water main 225 linear feet from 83rd Ave SE to SE 41st St to create a looped system.

It was moved by Senn; seconded by Bertlin to:

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

Passed 5-1

FOR: 5 (Bassett, Bertlin, Brahm, Senn, Wong)
AGAINST: 1 (Cero)
ABSENT: 1 (Grausz)

It was moved by Senn; seconded by Brahm to:
Adopt Ordinance No. 14-05, amending the 2013-2014 Budget.
Passed 6-0
FOR: 6 (Bassett, Bertlin, Brahm, Cero, Senn, Wong)
ABSENT: 1 (Grausz)

OTHER BUSINESS

Councilmember Absences

Deputy Mayor Grausz' absence was excused.
Councilmember Brahm will be absent April 21.

Planning Schedule

City Manager Treat spoke about changes to the planning schedule and that there will be a few long meetings due to time sensitive issues.

Mayor Bassett noted that there will be a joint meeting with the MISD board on April 17 to discuss the following topics: P zone, Mary Wayte pool interlocal agreement extension, youth risk prevention program, bond project status update, and update on North Mercer campus tenants.

City Attorney Knight noted that staff is bringing back the Coval Long Plat findings of fact and conclusions of law. Councilmember Senn asked to add the state legislative session update to a meeting agenda.

Councilmember Bertlin asked to add a fire station construction project update to a meeting agenda.

Councilmember Brahm asked who will respond to the concerns brought forth by neighbors of the Coval property.

City Attorney Knight responded that the findings of fact and conclusions of law will be presented on April 21 and that the attorney for the neighbors has submitted a public records request for communications.

Board Appointments

There were no appointments.

Councilmember Reports

Councilmember Wong spoke about the recent Town Center Visioning Committee meeting. He also noted that he has been contacted by business owners in Town Center about how to promote local businesses.

Councilmember Senn spoke about the Town Center Merchants Association meeting, who are working to promote the "Shop Local" campaign. She also spoke about the recent Sustainability Sub-Committee meeting and the Solarize campaign. She noted that the Parks and Recreation guide is now online only and will not be mailed to households. She encouraged citizens to vote on April 22 regarding the King County Transportation District.

Councilmember Bertlin noted that there was good participation from the community at the recent KCLS board meeting. She noted that the parties are working well together and the established priorities are being discussed.

Councilmember Brahm spoke about the effort to find a new home for Country Village day care. She encouraged citizens to apply for board and commission positions.

Councilmember Cero encouraged citizens to vote on April 22.

ADJOURNMENT

The Regular Meeting adjourned at 8:51 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.

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	169040-169156	03/27/14	\$ 592,800.64
			\$ 592,800.64

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00169040	03/27/2014	A.M. LEONARD INC POLY SCOOPS & FORK	P81571	CI14020720	03/07/2014	187.96
00169041	03/27/2014	AIRGAS USA LLC Oxygen and Cylinder Rental/Fir	P81617	9916656023/90252	02/28/2014	116.10
00169042	03/27/2014	AKANA, JANELLE H Instruction services for Power	P81646	14279/14285	03/24/2014	2,472.94
00169043	03/27/2014	ALEXANDER, DEBORAH MILEAGE EXPENSES		OH002573	03/26/2014	33.82
00169044	03/27/2014	AWC APRIL 2014		OH002578	03/26/2014	209.40
00169045	03/27/2014	BAY INSULATION SUPPLY CO OF WA INSULATION FOR PIPE REPAIR STA	P81648	BAY1954093	01/03/2014	76.49
00169046	03/27/2014	BECKER, RON FRLEOFF1 Retiree Medical Expen	P81698	OH002582	03/27/2014	6,330.00
00169047	03/27/2014	BELLEVUE, CITY OF 2014 Specialized Recreation	P81598	1	03/17/2014	1,429.00
00169048	03/27/2014	BRAKE AND CLUTCH SUPPLY NORTH Misc. Apparatus Parts	P81637	36783	02/04/2014	25.53
00169049	03/27/2014	BRAUN NORTHWEST INC. Misc. Apparatus Parts	P81635	16261	03/10/2014	167.21
00169050	03/27/2014	BRZUSEK, DANIELLE FLEX SPEND ACCT REIMB		OH002531	03/21/2014	607.98
00169051	03/27/2014	BUILDERS EXCHANGE OF WA PLAN PUBLISH ONLINE - 88th and	P81643	1041056	03/10/2014	45.00
00169052	03/27/2014	BUILDING i iStation Support Agreement	P81641	007310	03/05/2014	2,633.00
00169053	03/27/2014	CALPORTLAND COMPANY #4 X DUST (15.73 TONS)	P81564	92059563	03/05/2014	462.31
00169054	03/27/2014	CENTURYLINK PHONE USE MARCH 2014		OH002574	03/20/2014	1,024.97
00169055	03/27/2014	CHEMAQUA WATER TREATMENT PROGRAM	P81676	1439826	03/16/2014	805.65
00169056	03/27/2014	CINTAS CORPORATION #460 Rug cleaning service for Luthe	P80608	460846616	03/20/2014	105.81
00169057	03/27/2014	CITY OF SEATTLE Crime Stoppers annual fee	P81499	P1105945	03/06/2014	1,522.21
00169058	03/27/2014	COLE, DONALD FLEX SPEND ACCT REIMB		OH002534	03/21/2014	219.95
00169059	03/27/2014	COMCAST Internet Charges/Fire	P80630	OH002535	04/08/2014	170.52
00169060	03/27/2014	COMCAST 2014 Annual High Speed Connect	P80858	OH002537	03/11/2014	117.35
00169061	03/27/2014	COMPTON LUMBER & HARDWARE INC 6) 8 X 8 X 8' TREATED LUMBER	P81515	732463	03/05/2014	456.17
00169062	03/27/2014	CORK, TAMBI A FLEX SPEND ACCT REIMB		OH002533	03/21/2014	177.06
00169063	03/27/2014	CORP INC CONSTRUCTION FS 92 BUILDING CONTRACTOR	P80919	3	02/28/2014	200,973.50
00169064	03/27/2014	CUMMINS NORTHWEST INC LS #10 TROUBLESHOOT	P81467	00197728	03/06/2014	1,306.36
00169065	03/27/2014	DALY, RYAN MILEAGE EXPENSE		OH002540	03/11/2014	292.32

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Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00169066	03/27/2014	DEFTY, YVONNE FLEX SPEND ACCT REIMB		OH002538	03/21/2014	317.50
00169067	03/27/2014	DELASHMUTT, ROBERT FLEX SPEND ACCT REIMB		OH002539	03/21/2014	145.46
00169068	03/27/2014	DUNBAR ARMORED MARCH14 Armored Car Service	P81623	3371991	03/01/2014	1,454.59
00169069	03/27/2014	EARTHWORK ENTERPRISES INC RETAINAGE	P79603	OH002543	03/20/2014	11,558.13
00169070	03/27/2014	EASTSIDE EXTERMINATORS Extermination services for Aub	P81619	OH002542	03/14/2014	101.29
00169071	03/27/2014	EGGEBRECHT, JEANNETTE FLEX SPEND ACCT REIMB		OH002541	03/21/2014	576.80
00169072	03/27/2014	ELLIS, WILLIAM COMMUNICATION ACADEMY EXPENSE		OH002579	03/26/2014	60.00
00169073	03/27/2014	EVERSON'S ECONO-VAC INC ON CALL CATCH BASIN CLEANING 4	P81618	072500	01/30/2014	8,593.86
00169074	03/27/2014	FERGUSON ENTERPRISES INC INVENTORY PURCHASES	P81595	0409150	03/10/2014	1,080.33
00169075	03/27/2014	G&K SERVICES FEB. MAINT. COVERALL/LAUNDRY	P81622	OH002544	02/28/2014	537.92
00169076	03/27/2014	GENTINO, CATHERINE L FLEX SPEND ACCT REIMB		OH002545	03/21/2014	21.91
00169077	03/27/2014	GOVERNMENT FINANCE OFFICERS GAAFR Newsletter Renewal	P81625	0157563S	03/13/2014	50.00
00169078	03/27/2014	GRAINGER INVENTORY PURCHASES	P81603	9381278572	03/05/2014	342.18
00169079	03/27/2014	GREENLINKS SIGN DEPOSIT REFUND		WLF13006	03/07/2014	200.00
00169080	03/27/2014	GREISS, RASHAD S OVERPAYMENT REFUND 2845 67TH A		OH002546	03/20/2014	476.61
00169081	03/27/2014	H D FOWLER INVENTORY PURCHASES	P81596	3576430/8817/969	03/06/2014	6,005.49
00169082	03/27/2014	HARLAN, DORIS OVERPAYMENT REFUND 9852 SE 42N		OH002549	03/20/2014	318.39
00169083	03/27/2014	HARTMAN, RACHEL OVERPAYMENT REFUND		OH002548	03/20/2014	304.47
00169084	03/27/2014	HDR ENGINEERING INC 2015 WATER SYSTEM PLAN UPDATES	P80918	00408189H	03/06/2014	4,645.55
00169085	03/27/2014	HEALTHFORCE PARTNERS LLC Respiratory, Add'l Review	P81636	19036	03/07/2014	25.00
00169086	03/27/2014	HOLLYWOOD LIGHTS INC Holiday Lighting Displays 2011	P69955	5169612	01/17/2014	1,642.50
00169087	03/27/2014	HOLMES, EDWARD J PER DIEM REIMB CHIEFS CONFEREN		OH002547	03/24/2014	116.50
00169088	03/27/2014	HOWSE, ELWOOD D 2 PKS AA BATTERIES FOR FT-60R		OH002580	03/20/2014	32.83
00169089	03/27/2014	HSUEH, ROBERT & MARTHA OVERPAYMENT REFUND 4119 93RD A		OH002550	03/20/2014	497.02
00169090	03/27/2014	IBS INC 3/4" BLACK-HOLE CUTTER	P81551	5559482	03/07/2014	50.57
00169091	03/27/2014	ILLINOIS FIRE & POLICE EQUPT SIGNALMASTER DIRECTIONAL LIGHT	P81457	26196	03/07/2014	164.67

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00169092	03/27/2014	JOHN DEERE COMPANY PARKS NEW UTILITY TRACTOR	P80878	113477976	03/06/2014	49,562.07
00169093	03/27/2014	K&L GATES LLC NEPA I-90 INV #2912605 File #2	P81677	2912605	03/14/2014	161.30
00169094	03/27/2014	KC FINANCE Remit Liquor Profits	P81521	2028946	03/05/2014	1,019.78
00169095	03/27/2014	KC PET LICENSES KC PET LICENSE FEES COLLECTED	P81658	OH002552	02/28/2014	245.00
00169096	03/27/2014	KING CO PROSECUTING ATTORNEY COURT REMITTANCE KC CRIME VICT	P81656	OH002553	02/28/2014	257.69
00169097	03/27/2014	KING COUNTY FINANCE SIGNAL SERVICES SE 40TH AT ICW	P81644	3796237962	02/28/2014	237.63
00169098	03/27/2014	KNOX COMPANY, THE Knox Key Secure for Rescue Tru	P81634	INV00627298	02/20/2014	624.16
00169099	03/27/2014	KRAMP, ROBERT A FLEX SPEND ACCT REIMB		OH002551	03/21/2014	127.97
00169100	03/27/2014	KROESENS INC 4 Bail Out Bags	P81554	18809/18354	03/11/2014	465.31
00169101	03/27/2014	LAKESIDE INDUSTRIES CLASS B ASPHALT (2.04 TONS)	P81452	3249406MB	03/04/2014	158.60
00169102	03/27/2014	LI, XIOLAN SIGN DEPOSIT REFUND		DEV14001	03/04/2014	200.00
00169103	03/27/2014	LIFE ASSIST CO Station/Rig Aid Supplies	P81631	668975/668858	03/11/2014	1,088.24
00169104	03/27/2014	LOO CHAN, PEGGY FLEX SPEND ACCT REIMB		OH002554	03/21/2014	85.00
00169105	03/27/2014	MAIR, STEPHEN FLEX SPEND ACCT REIMB		OH002557	03/21/2014	500.00
00169106	03/27/2014	MANRIQUEZ, CHERYL R FLEX SPEND ACCT REIMB		OH002555	03/21/2014	71.75
00169107	03/27/2014	MAY, TIM OVERPAYMENT REFUND 5227 WMW		OH002558	03/20/2014	341.14
00169108	03/27/2014	MCWATTERS, BRIAN FLEX SPEND ACCT REIMB		OH002556	03/21/2014	370.00
00169109	03/27/2014	METROPRESORT 1ST QUARTER 2014 PRINTING AND	P81666	460909	03/17/2014	206.36
00169110	03/27/2014	MI REPORTER (SUB) Subscription renewal for P&R	P81671	OH002575	03/25/2014	59.00
00169111	03/27/2014	MI SCHOOL DISTRICT #400 FEB. FUEL AT SCHOOL DISTRICT S	P81645	2014214	03/06/2014	1,701.81
00169112	03/27/2014	MICHAEL & ALEXANDER PLLC Invoice 12318 Legal Services	P81624	12318/12335	01/25/2014	32,998.92
00169113	03/27/2014	MICROFLEX February 2014 Tax Audit Progra	P81605	00021757	03/06/2014	507.91
00169114	03/27/2014	MILLER HULL PARTNERSHIP LLC FIRE STATION 92 - DESIGN	P77577	0000014/015	02/20/2014	40,158.93
00169115	03/27/2014	NW ARBORICULTURE LLC 2014 Tree Work Island Crest Pa	P80967	RETAINAGE	03/26/2014	10,262.24
00169116	03/27/2014	OAC SERVICES INC Mercer Island Parks Over-Water	P81672	127713	03/13/2014	202.68
00169117	03/27/2014	PACIFIC RIM EQUIPMENT RENTAL EXCAVATOR RENTAL	P81675	5251	03/19/2014	2,726.77

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00169118	03/27/2014	PITNEY BOWES GLOBAL FINANCIAL POSTAGE MACHINE QUARTERLY RENT	P81586	7198872MR14	03/13/2014	1,071.00
00169119	03/27/2014	PROJECT A INC Privacy Policy Add and News Or	P81441	141050	03/05/2014	95.00
00169120	03/27/2014	PUGET SOUND ENERGY ENERGY USE MARCH 2014		OH002559	03/14/2014	81.81
00169121	03/27/2014	QUINN, THOMAS FLEX SPENDING ACCT REIMB		OH002560	03/21/2014	120.73
00169122	03/27/2014	R A BROWN BACKFLOW TESTING Backflow testing	P81670	14030501	03/05/2014	1,216.00
00169123	03/27/2014	REMOTE SATELLITE SYSTEMS INT'L Sat phone fee	P81583	00063642	03/05/2014	48.95
00169124	03/27/2014	ROBERTS, KARIN PER DIEM REIMB WMCA CONFERENCE		OH002561	03/24/2014	106.55
00169125	03/27/2014	SANDINE, ASEA FLEX SPEND ACCT REIMB		OH002564	03/21/2014	384.62
00169126	03/27/2014	SCHUMACHER, FRED FLEX SPEND ACCT REIMB		OH002565	03/21/2014	164.45
00169127	03/27/2014	SEATTLE PUBLIC UTILITIES February 2014 SPU Service	P81697	OH002581	02/28/2014	13,912.00
00169128	03/27/2014	SEATTLE PUMP WASHDOWN GUN & BULLDOG TIPS	P81513	140734	03/05/2014	408.64
00169129	03/27/2014	SEATTLE, CITY OF Feb 2014 Water Purchases	P81665	OH002569	02/28/2014	117,023.88
00169130	03/27/2014	SERFLING, JIMMI L FLEX SPEND ACCT REIMB		OH002566	03/21/2014	50.00
00169131	03/27/2014	SINGITA PROPERTIES LLC CORR RATE ON UPSIZE METER SPU		1309159	03/26/2014	264.00
00169132	03/27/2014	SOUND PUBLISHING INC Ntc: Council Mtg Date Change 9	P81527	621131	03/28/2014	478.33
00169133	03/27/2014	SPENCER, FREDERICK E CBT Instructor	P81633	OH002568	03/21/2014	375.00
00169134	03/27/2014	SPIETZ, ALLISON PER DIEM REIMB WMCA CONFERENCE		OH002562	03/24/2014	79.00
00169135	03/27/2014	STERICYCLE INC On-Call Charges/Fire	P81629	3002565539	02/28/2014	10.36
00169136	03/27/2014	STEWART, H WAYNE FLEX SPEND ACCT REIMB		OH002563	03/21/2014	1,500.00
00169137	03/27/2014	STQRY INC Annual subscription service	P81679	1024	03/24/2014	874.91
00169138	03/27/2014	SUNBELT RENTALS INC Lift for Station 91 Apparatus	P81616	44384551001	03/03/2014	516.74
00169139	03/27/2014	SWIFT, RICHARD OVERPAYMENT REFUND 8411 SE 47T		OH002567	03/20/2014	208.32
00169140	03/27/2014	SYNC FITNESS Wellness Programming February	P81439	1321	03/05/2014	200.00
00169141	03/27/2014	TACOMA SCREW PRODUCTS MISC. HARDWARE	P81518	16086120	03/06/2014	243.18
00169142	03/27/2014	THOMAS-SCHADT, MERRILL BOAT LAUNCH TICKET TEST		OH002576	03/25/2014	11.00
00169143	03/27/2014	THOMSON REUTERS - WEST Intel database	P81650	829136918	03/01/2014	158.03

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00169144	03/27/2014	TIMM, JANELLE FLEX SPEND ACCT REIMB		OH002571	03/21/2014	384.62
00169145	03/27/2014	TREAT, NOEL FLEX SPEND ACCT REIMB		OH002570	03/21/2014	982.99
00169146	03/27/2014	TUTTLE, LAJUAN FLEX SPEND ACCT REIMB		OH002572	03/21/2014	265.27
00169147	03/27/2014	UNDERWATER SPORTS INC. Scuba com servicing	P81651	20006932	03/20/2014	219.00
00169148	03/27/2014	UNITED SITE SERVICES Portable toilet rental and ser	P80614	1141889297/8/9	03/12/2014	556.30
00169149	03/27/2014	US TIMBER CUTTERS LLC TREE SERVICE - VARIOUS LOCATIO	P81611	Q123	03/10/2014	33,261.72
00169150	03/27/2014	VERIZON WIRELESS Cell Charges/Fire	P81630	9721328271	03/06/2014	16.35
00169151	03/27/2014	WASPC SACOP Conference	P81687	201400329/395/IN	03/01/2014	1,405.45
00169152	03/27/2014	WELLS FARGO ACCT#3632432377 FS 92 RETAINAGE	P80916	3RETAINAGE	02/28/2014	9,615.96
00169153	03/27/2014	WESCOM Radar calibration	P81654	21670	03/18/2014	87.60
00169154	03/27/2014	WESTERN EQUIPMENT DISTRIBUTORS 32) TINE-SIDE EJECT	P81640	745766	03/12/2014	214.44
00169155	03/27/2014	WSAMA Seminar Registration	P81678	OH002577	03/26/2014	470.00
00169156	03/27/2014	WWGCSA Recertification program fee fo	P81669	9349	10/31/2013	90.00
					Total	<u>592,800.64</u>

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
<i>Org Key: 001000 - General Fund-Admin Key</i>				
P81656	00169096	KING CO PROSECUTING ATTORNEY	COURT REMITTANCE KC CRIME VICT	257.69
P81658	00169095	KC PET LICENSES	KC PET LICENSE FEES COLLECTED	245.00
<i>Org Key: 402000 - Water Fund-Admin Key</i>				
P81697	00169127	SEATTLE PUBLIC UTILITIES	February 2014 SPU Service	13,912.00
P81595	00169074	FERGUSON ENTERPRISES INC	INVENTORY PURCHASES	1,080.33
	00169089	HSUEH, ROBERT & MARTHA	OVERPAYMENT REFUND 4119 93RD A	497.02
	00169080	GREISS, RASHAD S	OVERPAYMENT REFUND 2845 67TH A	476.61
P81639	00169081	H D FOWLER	INVENTORY PURCHASES	519.53
	00169107	MAY, TIM	OVERPAYMENT REFUND 5227 WMW	341.14
	00169082	HARLAN, DORIS	OVERPAYMENT REFUND 9852 SE 42N	318.39
P81603	00169078	GRAINGER	INVENTORY PURCHASES	342.18
	00169083	HARTMAN, RACHEL	OVERPAYMENT REFUND	304.47
	00169131	SINGITA PROPERTIES LLC	CORR RATE ON UPSIZE METER SPU	264.00
	00169139	SWIFT, RICHARD	OVERPAYMENT REFUND 8411 SE 47T	208.32
<i>Org Key: 814083 - Vol Life Ins - States West Lif</i>				
	00169044	AWC	APRIL 2014	209.40
<i>Org Key: CA1100 - Administration (CA)</i>				
P81678	00169155	WSAMA	Seminar Registration	470.00
<i>Org Key: CM11SP - Special Projects-City Mgr</i>				
P81677	00169093	K&L GATES LLC	NEPA I-90 INV #2912605 File #2	161.30
<i>Org Key: CM1200 - City Clerk</i>				
	00169124	ROBERTS, KARIN	PER DIEM REIMB WMCA CONFERENCE	106.55
	00169134	SPIETZ, ALLISON	PER DIEM REIMB WMCA CONFERENCE	79.00
P81527	00169132	SOUND PUBLISHING INC	Ntc: Ord #14C-02 987626 02/12	57.30
P81527	00169132	SOUND PUBLISHING INC	Ntc: Council Mtg Date Change 9	49.52
P81527	00169132	SOUND PUBLISHING INC	Ntc: Joint Session PC & Counci	44.33
P81527	00169132	SOUND PUBLISHING INC	Ntc: Council Mtg Date Change 9	28.52
<i>Org Key: CR1100 - CORe Admin and Human Resources</i>				
P81439	00169140	SYNC FITNESS	Wellness Programming February	200.00
<i>Org Key: DS0000 - Development Services-Revenue</i>				
	00169079	GREENLINKS	SIGN DEPOSIT REFUND	200.00
	00169102	LI, XIOLAN	SIGN DEPOSIT REFUND	200.00
<i>Org Key: DS1100 - Administration (DS)</i>				
P81527	00169132	SOUND PUBLISHING INC	Ntc: NOA & Open Record Hearing	111.74
<i>Org Key: FN1100 - Administration (FN)</i>				
P81625	00169077	GOVERNMENT FINANCE OFFICERS	GAAFR Newsletter Renewal	50.00
<i>Org Key: FNBE01 - Financial Services</i>				
P81605	00169113	MICROFLEX	February 2014 Tax Audit Progra	507.91
P81666	00169109	METROPRESORT	1ST QUARTER 2014 PRINTING AND	148.39
P81666	00169109	METROPRESORT	1ST QUARTER 2014 PRINTING AND	57.97
<i>Org Key: FR1100 - Administration (FR)</i>				
P81641	00169052	BUILDING i	iStation Support Agreement	2,633.00

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
P81628	00169059	COMCAST	Internet Charges/Fire	64.62
	00169054	CENTURYLINK	PHONE USE MARCH 2014	44.56
<i>Org Key: FR2100 - Fire Operations</i>				
P81635	00169049	BRAUN NORTHWEST INC.	Misc. Apparatus Parts	167.21
P81637	00169048	BRAKE AND CLUTCH SUPPLY NORTH	Misc. Apparatus Parts	25.53
P81636	00169085	HEALTHFORCE PARTNERS LLC	Respiratory, Add'l Review	25.00
P81630	00169150	VERIZON WIRELESS	Cell Charges/Fire	16.35
<i>Org Key: FR2500 - Fire Emergency Medical Svcs</i>				
P81631	00169103	LIFE ASSIST CO	Station/Rig Aid Supplies	1,088.24
P81271	00169100	KROESENS INC	4 Bail Out Bags	227.72
P81617	00169041	AIRGAS USA LLC	Oxygen and Cylinder Rental/Fir	116.10
P81629	00169135	STERICYCLE INC	On-Call Charges/Fire	10.36
<i>Org Key: FR4100 - Training</i>				
P81633	00169133	SPENCER, FREDERICK E	CBT Instructor	375.00
<i>Org Key: GGM001 - General Government-Misc</i>				
P81624	00169112	MICHAEL & ALEXANDER PLLC	Invoice 12335 Legal Services	31,769.41
P81624	00169112	MICHAEL & ALEXANDER PLLC	Invoice 12318 Legal Services	1,229.51
P81623	00169068	DUNBAR ARMORED	MARCH14 Armored Car Service	416.24
P80630	00169059	COMCAST	CITY HALL HIGH SPEED INTERNET	105.90
P81441	00169119	PROJECT A INC	Privacy Policy Add and News Or	95.00
<i>Org Key: GGM004 - Gen Govt-Office Support</i>				
P81586	00169118	PITNEY BOWES GLOBAL FINANCIAL	POSTAGE MACHINE QUARTERLY	1,071.00
<i>Org Key: GGM005 - Genera Govt-L1 Retiree Costs</i>				
P81698	00169046	BECKER, RON	FRLEOFF1 Retiree Medical Expen	6,330.00
<i>Org Key: IGMA02 - Alcoholism Program</i>				
P81521	00169094	KC FINANCE	Remit Liquor Profits	1,019.78
<i>Org Key: IS2100 - IGS Network Administration</i>				
	00169054	CENTURYLINK	PHONE USE MARCH 2014	445.00
<i>Org Key: MT2100 - Roadway Maintenance</i>				
P81644	00169097	KING COUNTY FINANCE	SIGNAL SERVICES SE 40TH AT ICW	237.63
<i>Org Key: MT2255 - Urban Forest Management (ROW)</i>				
P81638	00169149	US TIMBER CUTTERS LLC	TREE SERVICE - VARIOUS LOCATIO	22,968.72
<i>Org Key: MT3000 - Water Service Upsizes and New</i>				
P81452	00169101	LAKESIDE INDUSTRIES	CLASS B ASPHALT (2.04 TONS)	158.60
<i>Org Key: MT3100 - Water Distribution</i>				
P81516	00169081	H D FOWLER	M&H 929 FIRE HYDRANT, 4' BURY	2,222.48
P81565	00169081	H D FOWLER	HYDRANT PARTS	230.69
<i>Org Key: MT3200 - Water Pumps</i>				
	00169054	CENTURYLINK	PHONE USE MARCH 2014	59.42
<i>Org Key: MT3400 - Sewer Collection</i>				
P81513	00169128	SEATTLE PUMP	WASHDOWN GUN & BULLDOG TIPS	408.64

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
<i>Org Key: MT3500 - Sewer Pumps</i>				
P81467	00169064	CUMMINS NORTHWEST INC	LS #10 TROUBLESHOOT	1,306.36
	00169120	PUGET SOUND ENERGY	ENERGY USE MARCH 2014	81.81
<i>Org Key: MT3800 - Storm Drainage</i>				
P81642	00169081	H D FOWLER	CATCH BASIN RISERS, FRAMES & G	1,588.46
P81613	00169073	EVERSON'S ECONO-VAC INC	ON CALL CATCH BASIN CLEANING 4	874.00
P81613	00169073	EVERSON'S ECONO-VAC INC	ON CALL CATCH BASIN CLEANING 7	397.50
<i>Org Key: MT4150 - Support Services - Clearing</i>				
P81622	00169075	G&K SERVICES	FEB. MAINT. COVERALL/LAUNDRY	537.92
<i>Org Key: MT4200 - Building Services</i>				
P81676	00169055	CHEMAQUA	WATER TREATMENT PROGRAM	805.65
P81648	00169045	BAY INSULATION SUPPLY CO OF WA	INSULATION FOR PIPE REPAIR STA	76.49
<i>Org Key: MT4300 - Fleet Services</i>				
P81645	00169111	MI SCHOOL DISTRICT #400	FEB. FUEL AT SCHOOL DISTRICT S	1,701.81
P81551	00169090	IBS INC	3/4" BLACK-HOLE CUTTER	50.57
<i>Org Key: MT4501 - Water Administration</i>				
P81665	00169129	SEATTLE, CITY OF	Feb 2014 Water Purchases	117,023.88
	00169054	CENTURYLINK	PHONE USE MARCH 2014	45.62
<i>Org Key: MTBE01 - Maint of Medians & Planters</i>				
P69955	00169086	HOLLYWOOD LIGHTS INC	Holiday Lighting Displays 2011	1,642.50
<i>Org Key: PO1100 - Administration (PO)</i>				
P81687	00169151	WASPC	SACOP Conference	1,055.45
P81687	00169151	WASPC	SACOP registration	200.00
	00169087	HOLMES, EDWARD J	PER DIEM REIMB CHIEFS CONFEREN	116.50
P81687	00169151	WASPC	Assoc dues Burns	75.00
P81687	00169151	WASPC	Assoc dues Jokinen	75.00
<i>Org Key: PO1350 - Police Emergency Management</i>				
	00169072	ELLIS, WILLIAM	COMMUNICATION ACADEMY	60.00
P81583	00169123	REMOTE SATELLITE SYSTEMS INT'L	Sat phone fee	48.95
	00169088	HOWSE, ELWOOD D	2 PKS AA BATTERIES FOR FT-60R	32.83
<i>Org Key: PO2100 - Patrol Division</i>				
P81554	00169100	KROESENS INC	Uniforms/Roggenkamp	160.94
P81654	00169153	WESCOM	Radar calibration	87.60
P81554	00169100	KROESENS INC	Uniform/Boyce	76.65
<i>Org Key: PO2201 - Dive Team</i>				
P81651	00169147	UNDERWATER SPORTS INC.	Scuba com servicing	219.00
<i>Org Key: PO3100 - Investigation Division</i>				
P81499	00169057	CITY OF SEATTLE	Crime Stoppers annual fee	1,522.21
P81650	00169143	THOMSON REUTERS - WEST	Intel database	158.03
<i>Org Key: PR1100 - Administration (PR)</i>				
P81598	00169047	BELLEVUE, CITY OF	2014 Specialized Recreation	1,429.00
P81671	00169110	MI REPORTER (SUB)	Subscription renewal for P&R	59.00

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
	00169043	ALEXANDER, DEBORAH	MILEAGE EXPENSES	33.82
<i>Org Key: PR2100 - Recreation Programs</i>				
	00169065	DALY, RYAN	MILEAGE EXPENSE	292.32
<i>Org Key: PR2108 - Health and Fitness</i>				
P81646	00169042	AKANA, JANELLE H	Instruction services for Power	1,240.94
P81646	00169042	AKANA, JANELLE H	Instruction services for Power	1,232.00
<i>Org Key: PR4100 - Community Center</i>				
P81623	00169068	DUNBAR ARMORED	MARCH14 Armored Car Service	416.24
P80858	00169060	COMCAST	2014 Annual High Speed Connect	117.35
	00169054	CENTURYLINK	PHONE USE MARCH 2014	44.56
<i>Org Key: PR5700 - Special Programs</i>				
P81679	00169137	STQRY INC	Annual subscription service	874.91
<i>Org Key: PR6100 - Park Maintenance</i>				
P81669	00169156	WWGCSA	Recertification program fee fo	90.00
<i>Org Key: PR6200 - Athletic Field Maintenance</i>				
	00169054	CENTURYLINK	PHONE USE MARCH 2014	87.00
P81640	00169154	WESTERN EQUIPMENT DISTRIBUTORS	32) TINE-SIDE EJECT	72.91
P81455	00169141	TACOMA SCREW PRODUCTS	MISC. HARDWARE	50.40
P81518	00169141	TACOMA SCREW PRODUCTS	MISC. HARDWARE	32.28
<i>Org Key: PR6500 - Luther Burbank Park Maint.</i>				
	00169054	CENTURYLINK	PHONE USE MARCH 2014	227.86
P81570	00169081	H D FOWLER	1' BURY YARD HYDRANT	74.35
P80608	00169056	CINTAS CORPORATION #460	Rug cleaning service for Luthe	35.27
P80608	00169056	CINTAS CORPORATION #460	Rug cleaning service for Luthe	35.27
P80608	00169056	CINTAS CORPORATION #460	Rug cleaning service for Luthe	35.27
<i>Org Key: PR6600 - Park Maint-School Related</i>				
P81640	00169154	WESTERN EQUIPMENT DISTRIBUTORS	32) TINE-SIDE EJECT	70.77
P81455	00169141	TACOMA SCREW PRODUCTS	MISC. HARDWARE	48.91
P81518	00169141	TACOMA SCREW PRODUCTS	MISC. HARDWARE	31.33
<i>Org Key: PR6700 - I90 Park Maintenance</i>				
P81596	00169081	H D FOWLER	CHECK VALVES, IRRIGATION HEADS	1,369.98
P81670	00169122	R A BROWN BACKFLOW TESTING	Backflow testing	1,216.00
P80614	00169148	UNITED SITE SERVICES	Portable toilet rental and ser	338.65
P81571	00169040	A.M. LEONARD INC	POLY SCOOPS & FORK	187.96
P80614	00169148	UNITED SITE SERVICES	Portable toilet rental and ser	142.05
P81619	00169070	EASTSIDE EXTERMINATORS	Extermination services for Aub	101.29
P81640	00169154	WESTERN EQUIPMENT DISTRIBUTORS	32) TINE-SIDE EJECT	70.76
P81455	00169141	TACOMA SCREW PRODUCTS	MISC. HARDWARE	48.92
P81518	00169141	TACOMA SCREW PRODUCTS	MISC. HARDWARE	31.34
	00169142	THOMAS-SCHADT, MERRILL	BOAT LAUNCH TICKET TEST	11.00
<i>Org Key: PY4613 - Flex Admin 2013</i>				
	00169136	STEWART, H WAYNE	FLEX SPEND ACCT REIMB	1,500.00
	00169145	TREAT, NOEL	FLEX SPEND ACCT REIMB	982.99
	00169062	CORK, TAMBI A	FLEX SPEND ACCT REIMB	177.06

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
	00169067	DELASHMUTT, ROBERT	FLEX SPEND ACCT REIMB	145.46
	00169099	KRAMP, ROBERT A	FLEX SPEND ACCT REIMB	127.97
	00169121	QUINN, THOMAS	FLEX SPENDING ACCT REIMB	120.73
	00169106	MANRIQUEZ, CHERYL R	FLEX SPEND ACCT REIMB	71.75
	00169076	GENTINO, CATHERINE L	FLEX SPEND ACCT REIMB	21.91
<i>Org Key: PY4614 - Flex Spending Admin</i>				
	00169050	BRZUSEK, DANIELLE	FLEX SPEND ACCT REIMB	607.98
	00169071	EGGEBRECHT, JEANNETTE	FLEX SPEND ACCT REIMB	576.80
	00169105	MAIR, STEPHEN	FLEX SPEND ACCT REIMB	500.00
	00169125	SANDINE, ASEA	FLEX SPEND ACCT REIMB	384.62
	00169144	TIMM, JANELLE	FLEX SPEND ACCT REIMB	384.62
	00169108	MCWATTERS, BRIAN	FLEX SPEND ACCT REIMB	370.00
	00169066	DEFTY, YVONNE	FLEX SPEND ACCT REIMB	317.50
	00169146	TUTTLE, LAJUAN	FLEX SPEND ACCT REIMB	265.27
	00169058	COLE, DONALD	FLEX SPEND ACCT REIMB	219.95
	00169126	SCHUMACHER, FRED	FLEX SPEND ACCT REIMB	164.45
	00169104	LOO CHAN, PEGGY	FLEX SPEND ACCT REIMB	85.00
	00169130	SERFLING, JIMMI L	FLEX SPEND ACCT REIMB	50.00
<i>Org Key: WD321R - Drainage System Video Insp</i>				
P81618	00169073	EVERSON'S ECONO-VAC INC	STORMWATER PIPELINE ASSESSMENT	7,322.36
<i>Org Key: WG102R - Maintenance Building Repairs</i>				
P81542	00169149	US TIMBER CUTTERS LLC	MAINT HAZARD TREE REMOVAL	2,286.36
P81536	00169149	US TIMBER CUTTERS LLC	MAINT HAZARD TREE REMOVAL	2,111.16
P81535	00169149	US TIMBER CUTTERS LLC	MAINT HAZARD TREE REMOVAL	2,023.56
P81611	00169149	US TIMBER CUTTERS LLC	MAINT HAZARD TREE REMOVAL	2,023.56
P81537	00169149	US TIMBER CUTTERS LLC	REMOVE HAZARD TREES MAINT SHOP	1,848.36
<i>Org Key: WG106R - North Fire Station Repairs</i>				
P81616	00169138	SUNBELT RENTALS INC	Lift for Station 91 Apparatus	516.74
<i>Org Key: WG130E - Equipment Rental Vehicle Repl</i>				
P80878	00169092	JOHN DEERE COMPANY	PARKS NEW UTILITY TRACTOR	49,562.07
P81457	00169091	ILLINOIS FIRE & POLICE EQUIPT	SIGNALMASTER DIRECTIONAL LIGHT	164.67
P80878	00169092	JOHN DEERE COMPANY	STATE OF WASHINGTON LAWN & GRO	0.00
P80878	00169092	JOHN DEERE COMPANY	QUOTE NUMBER 9085468	0.00
<i>Org Key: WP122R - Vegetation Management</i>				
P80966	00169115	NW ARBORICULTURE LLC	2014 Tree Work Island Crest Pa	4,239.43
P80966	00169115	NW ARBORICULTURE LLC	Retainage 50%	3,562.55
P80967	00169115	NW ARBORICULTURE LLC	Retainage 5%	2,219.63
P80967	00169115	NW ARBORICULTURE LLC	Retainage 5%	240.63
P80614	00169148	UNITED SITE SERVICES	Portable toilet rental and ser	75.60
<i>Org Key: WP720R - Recurring Park Projects</i>				
P81672	00169116	OAC SERVICES INC	Mercer Island Parks Over-Water	202.68
<i>Org Key: WW101P - Water System Plan</i>				
P80918	00169084	HDR ENGINEERING INC	2015 WATER SYSTEM PLAN UPDATES	4,645.55
<i>Org Key: WW113R - Sandy Cove Water Impvts</i>				

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
P79603	00169069	EARTHWORK ENTERPRISES INC	RETAINAGE	11,558.13
<i>Org Key: WW311R - 88th Ave and 86th Ave Water</i>				
P81527	00169132	SOUND PUBLISHING INC	Ntc: Bids 88th & 86th Ave SE W	186.92
P81643	00169051	BUILDERS EXCHANGE OF WA	PLAN PUBLISH ONLINE - 88th and	45.00
<i>Org Key: XG300R - Fire Station 92 Replacement</i>				
P80919	00169063	CORP INC CONSTRUCTION	FS 92 BUILDING CONTRACTOR	200,973.50
P77577	00169114	MILLER HULL PARTNERSHIP LLC	FIRE STATION 92 - DESIGN	40,158.93
P80916	00169152	WELLS FARGO ACCT#3632432377	FS 92 RETAINAGE	9,615.96
	00169054	CENTURYLINK	PHONE USE MARCH 2014	70.95
<i>Org Key: XG710F - Fire Fleet Update</i>				
P81634	00169098	KNOX COMPANY, THE	Knox Key Secure for Rescue Tru	624.16
<i>Org Key: XR140D - N-S Bike Route</i>				
P81564	00169053	CALPORTLAND COMPANY	#4 X DUST (15.73 TONS)	462.31
<i>Org Key: XR320R - Safe Routes to School</i>				
P81675	00169117	PACIFIC RIM EQUIPMENT RENTAL	EXCAVATOR RENTAL	2,726.77
P81515	00169061	COMPTON LUMBER & HARDWARE INC	6) 8 X 8 X 8' TREATED LUMBER	456.17
<i>Org Key: YF1100 - YFS General Services</i>				
P81623	00169068	DUNBAR ARMORED	MARCH14 Armored Car Service	205.87
<i>Org Key: YF1200 - Thrift Shop</i>				
P81623	00169068	DUNBAR ARMORED	MARCH14 Armored Car Service	416.24
Total				592,800.64

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	169157-169262	04/03/14	\$ 272,075.43
			\$ 272,075.43

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00169157	04/03/2014	ABBOTT, RICHARD LEOFF1 Medicare		MAY2014B	04/02/2014	104.90
00169158	04/03/2014	ACCESS DATA ENTRY, CONTAINER DEL & PI	P81706	14021492	02/28/2014	232.00
00169159	04/03/2014	ADAMS, RONALD E LEOFF1 Medicare		MAY2014B	04/02/2014	104.90
00169160	04/03/2014	ANCHOR QEA LLC Shoreline Restoration Design f	P78290	36498	01/13/2014	4,710.50
00169161	04/03/2014	APPLIED ECOLOGY Phase 1 - Luther Burbank Shore	P80814	132	03/02/2014	8,731.09
00169162	04/03/2014	AUGUSTSON, THOR LEOFF1 Medicare		MAY2014B	04/02/2014	104.90
00169163	04/03/2014	BARNES, WILLIAM LEOFF1 Medicare		MAY2014A	04/02/2014	1,419.61
00169164	04/03/2014	BECKER, RON LEOFF1 Medicare		MAY2014A	04/02/2014	580.26
00169165	04/03/2014	BEN'S CLEANER SALES INC REPAIR PRESSURE WASHER	P81594	245941	03/12/2014	457.24
00169166	04/03/2014	BOOTH, GLENDON D LEOFF1 Medicare		MAY2014B	04/02/2014	104.90
00169167	04/03/2014	BROOKS, KENNETH PARKING PERMIT UW CLINIC		OH002589	03/28/2014	15.00
00169168	04/03/2014	BUBBLES BELOW Dive equip maint.	P81764	39429/39430	03/28/2014	7,913.15
00169169	04/03/2014	CALLAGHAN, MICHAEL LEOFF1 Medicare		MAY2014B	04/02/2014	104.90
00169170	04/03/2014	CASCADE KENDO-KAI Instruction services for Kendo	P81721	14353	03/31/2014	373.80
00169171	04/03/2014	CDW GOVERNMENT INC VM Lincense for 4 different li	P81440	KJ79172	03/07/2014	6,091.49
00169172	04/03/2014	CENTURYLINK PHONE USE MARCH 2014		OH002592	03/23/2014	1,974.76
00169173	04/03/2014	CHIEF SUPPLY CORP Flashlight equipment	P81683	415762	03/18/2014	339.99
00169174	04/03/2014	CLASSIC PIANOS WA LLC Piano	P81751	4851/A1552	02/26/2014	7,460.63
00169175	04/03/2014	CODE PUBLISHING CO MICC E-update thru Ord 14C-02	P81680	45984	03/17/2014	173.56
00169176	04/03/2014	CONFIDENTIAL DATA DISPOSAL Shredding service	P81723	73199	03/27/2014	100.00
00169177	04/03/2014	COOPER, ROBERT LEOFF1 Excess Benefit		MAY2014A	04/02/2014	1,278.01
00169178	04/03/2014	CRYSTAL AND SIERRA SPRINGS Monthly water service to Thrif	P80611	5279422031614	03/16/2014	105.74
00169179	04/03/2014	DEEDS, EDWARD G LEOFF1 Medicare		MAY2014B	04/02/2014	104.90
00169180	04/03/2014	DEVENY, JAN P LEOFF1 Medicare		MAY2014B	04/02/2014	104.90
00169181	04/03/2014	DOWD, PAUL LEOFF1 Medicare		MAY2014B	04/02/2014	104.90
00169182	04/03/2014	DUFOUR, PETER & LISA ANN OVERPAYMENT REFUND 1 BROOK BAY		OH002594	03/02/2014	377.21

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00169183	04/03/2014	EISEN, CHLOE L Instruction services for Frenc	P81699	14324/14325	03/27/2014	1,028.30
00169184	04/03/2014	ELSOE, RONALD LEOFF1 Medicare		MAY2014B	04/02/2014	104.90
00169185	04/03/2014	ESRI Community Analyst	P81496	92787341	03/10/2014	481.50
00169186	04/03/2014	FONG, PUI YEE Contract 17494 complete, retai	P81700	17494	03/27/2014	350.00
00169187	04/03/2014	GET Program PAYROLL EARLY WARRANTS		APR42014	04/02/2014	1,034.50
00169188	04/03/2014	GLISAN, ANDREW LEOFF1 Medicare		MAY2014B	04/02/2014	104.90
00169189	04/03/2014	GOLDER ASSOCIATES INC GROUNDWATER COMPLIANCE MONITOR	P77173	379848	03/24/2014	24,115.83
00169190	04/03/2014	GOODMAN, J C LEOFF1 Medicare		MAY2014B	04/02/2014	104.90
00169191	04/03/2014	GRAINGER DISPOSABLE LATEX GLOVES	P81693	9388025505/93950	03/12/2014	1,116.01
00169192	04/03/2014	GREEN EARTHWORKS CONST INC RETAINAGE	P79536	OH002595	04/01/2014	5,754.62
00169193	04/03/2014	HAGSTROM, JAMES LEOFF1 Medicare	P81735	OH002598	04/01/2014	250.23
00169194	04/03/2014	HARPER, SENECA Model payment for Sculpture Cl	P81686	OH002584	03/26/2014	102.00
00169195	04/03/2014	HART, DAVID R MILEAGE EXPENSE		OH002599	03/31/2014	89.60
00169196	04/03/2014	HERRERA ENVIRONMENTAL CONSULT DECANT FACILITY RETROFIT	P81684	34445	03/10/2014	1,605.00
00169197	04/03/2014	HONEYWELL, MATTHEW V Public Defender	P81750	788	03/25/2014	550.00
00169198	04/03/2014	HUGHES FIRE EQUIPMENT INC App. Parts for E91	P81632	484250	03/12/2014	313.02
00169199	04/03/2014	JAYMARC HOMES LLC OVERPAYMENT REFUND 2212 71ST A		OH002601	04/02/2014	228.76
00169200	04/03/2014	JOHN DEERE LANDSCAPES MOUND CLAY (1 TON)	P81514	67241102	02/28/2014	753.36
00169201	04/03/2014	JOHNSON, BRADLEY PARKING FOR SEMINAR		OH002600	03/28/2014	15.00
00169202	04/03/2014	JOHNSON, CURTIS LEOFF1 Medicare		MAY2014A	04/02/2014	719.83
00169203	04/03/2014	KIDS COMPANY Childcare payment for EA clien	P81690	OH002585	03/26/2014	200.00
00169204	04/03/2014	KING COUNTY FINANCE SIGNAL SERVICES	P81744	3146031464	10/31/2013	1,735.29
00169205	04/03/2014	KNOTT, KENNETH MILEAGE EXPENSE		OH002605	04/01/2014	1,389.98
00169206	04/03/2014	KUHN, DAVID LEOFF1 Medicare		MAY2014B	04/02/2014	104.90
00169207	04/03/2014	LACY, ALAN P LEOFF1 Medicare		MAY2014B	04/02/2014	104.90
00169208	04/03/2014	LAMB, LESSA JAY Model payment for Clothed Mode	P81685	OH002586	03/26/2014	51.00

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00169209	04/03/2014	LARGE, KEN SIGN DEPOSIT REFUND		SHL14002	03/31/2014	200.00
00169210	04/03/2014	LEE, WALLACE LEOFF1 Medicare		MAY2014B	04/02/2014	104.90
00169211	04/03/2014	LEOFF HEALTH & WELFARE TRUST LEOFF H&W TRUST RETIREES APR14		OH002596	04/01/2014	54,041.87
00169212	04/03/2014	LEOPOLD, FREDERIC LEOFF1 Medicare		MAY2014B	04/02/2014	104.90
00169213	04/03/2014	LEXISNEXIS Library Subscription	P81752	3090006937	02/28/2014	222.22
00169214	04/03/2014	LORILLA ENGINEERING INC P.S. GEO-TECH SERVICES - MARCH 1-28	P81757	108	03/28/2014	925.68
00169215	04/03/2014	LYONS, STEVEN LEOFF1 Medicare		MAY2014B	04/02/2014	103.90
00169216	04/03/2014	MCCRACKEN, ANNA ALEXANDRA OVERPAYMENT REFUND 00941443002		OH002607	03/25/2014	128.67
00169217	04/03/2014	MI CHAMBER OF COMMERCE MONTHLY BILLING FOR SERVICES	P80628	OH002606	02/26/2014	1,200.00
00169218	04/03/2014	MI DIRECTORY 2014 MI Directories for Employ	P81681	5156	03/20/2014	1,000.00
00169219	04/03/2014	MI EMPLOYEES ASSOC PAYROLL EARLY WARRANTS		APR42014	04/02/2014	145.00
00169220	04/03/2014	MI SCHOOL DISTRICT #400 Preschool scholarships for EA	P81692	2014301/2014401	03/01/2014	437.32
00169221	04/03/2014	MYERS, JAMES S LEOFF1 Medicare		MAY2014B	04/02/2014	104.90
00169222	04/03/2014	NOVAK, JOHN REPAIR CHAIR FOR STATION 91		OH002608	03/26/2014	43.52
00169223	04/03/2014	NW ARBORICULTURE LLC Stump removal on SE 62nd trail	P81413	5453	03/04/2014	4,890.85
00169224	04/03/2014	OGDEN MURPHY WALLACE PLLC Legal Services	P81749	711148	03/24/2014	6,512.36
00169225	04/03/2014	OVERLAKE OIL 300 GAL. DIESEL DELIVERY TO MA	P81747	0165476IN/77IN	03/26/2014	9,704.65
00169226	04/03/2014	PAULETTO, MAUDE Instruction services for Yoga	P81711	14271/14267	03/31/2014	1,093.06
00169227	04/03/2014	PEBBLE @ MIPC, THE Preschool scholarships for EA	P81691	OH002587	03/26/2014	480.40
00169228	04/03/2014	PETTY CASH FUND YOUTH SERVICES PETTY CASH REIMBURSEMENT		OH002610	03/28/2014	134.72
00169229	04/03/2014	POT O' GOLD INC MARCH 2014 EQUIPMENT RENTAL	P81725	24307	03/31/2014	27.38
00169230	04/03/2014	POTTERF, MARK PARKING FEES		OH002609	04/01/2014	24.00
00169231	04/03/2014	PRECISION COLLISION-BELLEVUE REPAIRS TO FL-0420	P81668	4791	03/27/2014	2,734.18
00169232	04/03/2014	PROVOST, ALAN LEOFF1 Excess Benefit		MAY2014A	04/02/2014	1,165.65
00169233	04/03/2014	PUGET SOUND ENERGY ENERGY USE MARCH 2014		OH002611	03/25/2014	20,713.78
00169234	04/03/2014	PUGET SOUND SR SOFTBALL ASSOC League Fee for 2014 Season	P81713	COEDNR00414	03/20/2014	150.00

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00169235	04/03/2014	R A BROWN BACKFLOW TESTING Backflow testing services	P81715	14032704	03/27/2014	160.00
00169236	04/03/2014	RAMSAY, JON LEOFF1 Medicare		MAY2014A	04/02/2014	437.73
00169237	04/03/2014	RESULTS GROUP LTD, THE Executive & Employee Leadershi	P81766	6232	02/24/2014	16,500.00
00169238	04/03/2014	RHOADES, LANCE Facilitation services for Lite	P81722	OH002612	03/31/2014	1,200.00
00169239	04/03/2014	ROBERTS, KARIN MILEAGE EXPENSES		OH002588	03/26/2014	244.06
00169240	04/03/2014	SANDERSON SAFETY SUPPLY LED LANTERN (PELICAN)	P81707	612808301/02/03	02/28/2014	351.80
00169241	04/03/2014	SCHOENTRUP, WILLIAM LEOFF1 Medicare		MAY2014A	04/02/2014	793.81
00169242	04/03/2014	SMITH, RICHARD LEOFF1 Medicare		MAY2014B	04/02/2014	104.90
00169243	04/03/2014	SOREANO'S PLUMBING INC REPAIR SINK LEAK COMM CNTR KIT	P81709	36901	03/18/2014	131.40
00169244	04/03/2014	STANTEC CONSULTING SRVS INC 88TH AVE & 86TH AVE SE WATER S	P79784	777116	03/26/2014	5,319.86
00169245	04/03/2014	SUNDSTROM, ROBERT Instruction Services for Bird	P81712	14292	03/18/2014	505.65
00169246	04/03/2014	SUNGARD PUBLIC SECTOR INC ONESOLUTION MAINTENANCE MAY 01	P81708	78896	03/15/2014	8,720.90
00169247	04/03/2014	TACOMA SCREW PRODUCTS HAMMER DRILL BITS	P81597	16087044	03/14/2014	152.25
00169248	04/03/2014	TEXAS CHILD SUPPORT SDU 70060312518910521S/J BLAIR		APR42014	04/04/2014	225.00
00169249	04/03/2014	TOOLEY, NORMAN LEOFF1 Medicare		MAY2014B	04/02/2014	104.90
00169250	04/03/2014	TRUGREEN-LANDCARE 2014 Annual Color at City Hall	P81113	7691158	03/14/2014	1,091.72
00169251	04/03/2014	TUBBS, CHRISTIAN MEMBERSHIP DUES IFE		OH002613	03/27/2014	156.00
00169252	04/03/2014	UNITED WAY OF KING CO PAYROLL EARLY WARRANTS		APR42014	04/02/2014	151.00
00169253	04/03/2014	US TIMBER CUTTERS LLC TREE SERVICE WEST MERCER	P81745	Q119	02/21/2014	4,266.12
00169254	04/03/2014	WA ASPHALT PAVEMENT ASSOC ASPHALT CONFERENCE FOR	P81736	19393	03/17/2014	220.00
00169255	04/03/2014	WA ST TREASURER'S OFFICE MARCH14 NC Court Transmittal	P81773	OH002615	03/31/2014	21,146.95
00169256	04/03/2014	WALLACE, THOMAS LEOFF1 Medicare		MAY2014B	04/02/2014	104.90
00169257	04/03/2014	WALZER, STEVE Rental compensation for 3/15 r	P81701	18348	03/27/2014	50.00
00169258	04/03/2014	WEGNER, KEN LEOFF1 Medicare		MAY2014B	04/02/2014	104.90
00169259	04/03/2014	WESTERN EQUIPMENT DISTRIBUTORS NEW PARKS EQUIPMENT - AERA-VAT	P80877	743516	03/26/2014	16,630.87
00169260	04/03/2014	WILLIAMS, ANGIE Interview transcript	P81655	14020	03/07/2014	348.00

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00169261	04/03/2014	WIMACTEL INC PAY PHONE IN POLICE LOBBY	P81705	000676332	03/01/2014	60.23
00169262	04/03/2014	WRPA Registration fee for Annual	P81740	200000028/42/21	01/13/2014	817.00
					Total	<u>272,075.43</u>

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
<i>Org Key: 001000 - General Fund-Admin Key</i>				
P81773	00169255	WA ST TREASURER'S OFFICE	MARCH14 MI Court Transmittal	7,815.00
P81773	00169255	WA ST TREASURER'S OFFICE	MARCH14 MI Court Transmittal	4,255.45
P81773	00169255	WA ST TREASURER'S OFFICE	MARCH14 MI Court Transmittal	3,097.50
P81773	00169255	WA ST TREASURER'S OFFICE	MARCH14 MI Court Transmittal	1,579.71
P81773	00169255	WA ST TREASURER'S OFFICE	MARCH14 MI Court Transmittal	800.56
P81774	00169255	WA ST TREASURER'S OFFICE	MARCH14 NC Court Transmittal	665.24
P81773	00169255	WA ST TREASURER'S OFFICE	MARCH14 MI Court Transmittal	628.59
P81773	00169255	WA ST TREASURER'S OFFICE	MARCH14 MI Court Transmittal	427.74
P81773	00169255	WA ST TREASURER'S OFFICE	MARCH14 MI Court Transmittal	427.73
P81774	00169255	WA ST TREASURER'S OFFICE	MARCH14 NC Court Transmittal	389.94
P81700	00169186	FONG, PUI YEE	Contract 17494 complete, retai	350.00
P81773	00169255	WA ST TREASURER'S OFFICE	MARCH14 MI Court Transmittal	292.24
P81773	00169255	WA ST TREASURER'S OFFICE	MARCH14 MI Court Transmittal	243.26
P81774	00169255	WA ST TREASURER'S OFFICE	MARCH14 NC Court Transmittal	127.11
P81774	00169255	WA ST TREASURER'S OFFICE	MARCH14 NC Court Transmittal	74.84
P81773	00169255	WA ST TREASURER'S OFFICE	MARCH14 MI Court Transmittal	68.12
P81773	00169255	WA ST TREASURER'S OFFICE	MARCH14 MI Court Transmittal	52.51
P81773	00169255	WA ST TREASURER'S OFFICE	MARCH14 MI Court Transmittal	51.38
P81701	00169257	WALZER, STEVE	Rental compensation for 3/15 r	50.00
P81774	00169255	WA ST TREASURER'S OFFICE	MARCH14 NC Court Transmittal	43.49
P81774	00169255	WA ST TREASURER'S OFFICE	MARCH14 NC Court Transmittal	37.38
P81774	00169255	WA ST TREASURER'S OFFICE	MARCH14 NC Court Transmittal	37.23
P81774	00169255	WA ST TREASURER'S OFFICE	MARCH14 NC Court Transmittal	14.96
P81774	00169255	WA ST TREASURER'S OFFICE	MARCH14 NC Court Transmittal	10.41
P81774	00169255	WA ST TREASURER'S OFFICE	MARCH14 NC Court Transmittal	6.56
<i>Org Key: 402000 - Water Fund-Admin Key</i>				
P81693	00169191	GRAINGER	INVENTORY PURCHASES	986.54
	00169182	DUFOUR, PETER & LISA ANN	OVERPAYMENT REFUND 1 BROOK	377.21
	00169199	JAYMARC HOMES LLC	OVERPAYMENT REFUND 2212 71ST A	228.76
	00169216	MCCRACKEN, ANNA ALEXANDRA	OVERPAYMENT REFUND 00941443002	128.67
<i>Org Key: 814072 - United Way</i>				
	00169252	UNITED WAY OF KING CO	PAYROLL EARLY WARRANTS	151.00
<i>Org Key: 814074 - Garnishments</i>				
	00169248	TEXAS CHILD SUPPORT SDU	70060312518910521S/J BLAIR	225.00
<i>Org Key: 814075 - Mercer Island Emp Association</i>				
	00169219	MI EMPLOYEES ASSOC	PAYROLL EARLY WARRANTS	145.00
<i>Org Key: 814085 - GET Program Deductions</i>				
	00169187	GET Program	PAYROLL EARLY WARRANTS	1,034.50
<i>Org Key: CA1100 - Administration (CA)</i>				
P81749	00169224	OGDEN MURPHY WALLACE PLLC	Legal Services	1,428.21
P81752	00169213	LEXISNEXIS	Library Subscription	222.22
<i>Org Key: CA1200 - Prosecution & Criminal Mngmnt</i>				
P81750	00169197	HONEYWELL, MATTHEW V	Public Defender	550.00
<i>Org Key: CM1200 - City Clerk</i>				

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
	00169239	ROBERTS, KARIN	MILEAGE EXPENSES	244.06
P81680	00169175	CODE PUBLISHING CO	MICC E-update thru Ord 14C-02	173.56
<i>Org Key: DS0000 - Development Services-Revenue</i>				
	00169209	LARGE, KEN	SIGN DEPOSIT REFUND	200.00
<i>Org Key: DS1200 - Bldg Plan Review & Inspection</i>				
P81757	00169214	LORILLA ENGINEERING INC P.S.	GEO-TECH SERVICES - MARCH 1-28	925.68
	00169230	POTTERF, MARK	PARKING FEES	24.00
<i>Org Key: FN2100 - Data Processing</i>				
P81708	00169246	SUNGARD PUBLIC SECTOR INC	ONESOLUTION MAINTENANCE MAY	8,720.90
<i>Org Key: FNBE01 - Financial Services</i>				
P80628	00169217	MI CHAMBER OF COMMERCE	MONTHLY BILLING FOR SERVICES	1,200.00
<i>Org Key: FR1100 - Administration (FR)</i>				
P81749	00169224	OGDEN MURPHY WALLACE PLLC	Legal Services with outside co	5,084.15
	00169251	TUBBS, CHRISTIAN	MEMBERSHIP DUES IFE	156.00
	00169222	NOVAK, JOHN	REPAIR CHAIR FOR STATION 91	43.52
<i>Org Key: FR2100 - Fire Operations</i>				
P81632	00169198	HUGHES FIRE EQUIPMENT INC	App. Parts for E91	313.02
<i>Org Key: FR4100 - Training</i>				
	00169205	KNOTT, KENNETH	MILEAGE EXPENSE	441.73
	00169205	KNOTT, KENNETH	MILEAGE EXPENSE	332.28
	00169205	KNOTT, KENNETH	MILEAGE EXPENSE	331.30
	00169205	KNOTT, KENNETH	MILEAGE EXPENSE	284.67
<i>Org Key: GGM001 - General Government-Misc</i>				
P81766	00169237	RESULTS GROUP LTD, THE	Executive & Employee Leadershi	5,115.00
P81725	00169229	POT O' GOLD INC	MARCH 2014 EQUIPMENT RENTAL	27.38
<i>Org Key: GGM004 - Gen Govt-Office Support</i>				
P81681	00169218	MI DIRECTORY	2014 MI Directories for Employ	1,000.00
<i>Org Key: GGM005 - Genera Govt-L1 Retiree Costs</i>				
	00169211	LEOFF HEALTH & WELFARE TRUST	LEOFF H&W TRUST RETIREES APR14	6,273.93
	00169193	HAGSTROM, JAMES	LEOFF1 Medicare	209.80
	00169157	ABBOTT, RICHARD	LEOFF1 Medicare	104.90
	00169159	ADAMS, RONALD E	LEOFF1 Medicare	104.90
	00169162	AUGUSTSON, THOR	LEOFF1 Medicare	104.90
	00169163	BARNES, WILLIAM	LEOFF1 Medicare	104.90
	00169164	BECKER, RON	LEOFF1 Medicare	104.90
	00169166	BOOTH, GLENDON D	LEOFF1 Medicare	104.90
	00169169	CALLAGHAN, MICHAEL	LEOFF1 Medicare	104.90
	00169179	DEEDS, EDWARD G	LEOFF1 Medicare	104.90
	00169180	DEVENY, JAN P	LEOFF1 Medicare	104.90
	00169181	DOWD, PAUL	LEOFF1 Medicare	104.90
	00169184	ELSOE, RONALD	LEOFF1 Medicare	104.90
	00169188	GLISAN, ANDREW	LEOFF1 Medicare	104.90
	00169190	GOODMAN, J C	LEOFF1 Medicare	104.90
	00169202	JOHNSON, CURTIS	LEOFF1 Medicare	104.90

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
	00169206	KUHN, DAVID	LEOFF1 Medicare	104.90
	00169207	LACY, ALAN P	LEOFF1 Medicare	104.90
	00169210	LEE, WALLACE	LEOFF1 Medicare	104.90
	00169212	LEOPOLD, FREDERIC	LEOFF1 Medicare	104.90
	00169221	MYERS, JAMES S	LEOFF1 Medicare	104.90
	00169236	RAMSAY, JON	LEOFF1 Medicare	104.90
	00169241	SCHOENTRUP, WILLIAM	LEOFF1 Medicare	104.90
	00169242	SMITH, RICHARD	LEOFF1 Medicare	104.90
	00169249	TOOLEY, NORMAN	LEOFF1 Medicare	104.90
	00169256	WALLACE, THOMAS	LEOFF1 Medicare	104.90
	00169258	WEGNER, KEN	LEOFF1 Medicare	104.90
	00169215	LYONS, STEVEN	LEOFF1 Medicare	103.90
P81735	00169193	HAGSTROM, JAMES	FRLEOFF1 Retiree Medical Expen	40.43
Org Key: GGM606 - Excess Retirement-Fire				
	00169163	BARNES, WILLIAM	LEOFF1 Excess Benefit	1,314.71
	00169177	COOPER, ROBERT	LEOFF1 Excess Benefit	1,278.01
	00169232	PROVOST, ALAN	LEOFF1 Excess Benefit	1,165.65
	00169241	SCHOENTRUP, WILLIAM	LEOFF1 Excess Benefit	688.91
	00169202	JOHNSON, CURTIS	LEOFF1 Excess Benefit	614.93
	00169164	BECKER, RON	LEOFF1 Excess Benefit	475.36
	00169236	RAMSAY, JON	LEOFF1 Excess Benefit	332.83
Org Key: GX9997 - Employee Benefits-Fire				
	00169211	LEOFF HEALTH & WELFARE TRUST	LEOFF H&W TRUST ACTIVE APR2014	47,767.94
Org Key: IS1100 - IGS Mapping				
P81496	00169185	ESRI	Community Analyst	481.50
Org Key: IS2100 - IGS Network Administration				
P81440	00169171	CDW GOVERNMENT INC	VM Lincense for 4 different li	2,540.03
	00169172	CENTURYLINK	PHONE USE MARCH 2014	791.72
	00169172	CENTURYLINK	PHONE USE MARCH 2014	680.29
P81706	00169158	ACCESS	DATA ENTRY, CONTAINER DEL & PI	232.00
P81705	00169261	WIMACTEL INC	PAY PHONE IN POLICE LOBBY	60.23
Org Key: MT2100 - Roadway Maintenance				
P81744	00169204	KING COUNTY FINANCE	SIGNAL SERVICES	1,735.29
	00169233	PUGET SOUND ENERGY	ENERGY USE MARCH 2014	302.35
Org Key: MT2255 - Urban Forest Management (ROW)				
P81667	00169253	US TIMBER CUTTERS LLC	TREE SERVICE WEST MERCER	2,373.96
P81745	00169253	US TIMBER CUTTERS LLC	TREE SERVICE	1,892.16
Org Key: MT2300 - Planter Bed Maintenance				
	00169233	PUGET SOUND ENERGY	ENERGY USE MARCH 2014	12.84
Org Key: MT3100 - Water Distribution				
P81597	00169247	TACOMA SCREW PRODUCTS	HAMMER DRILL BITS	152.25
Org Key: MT3200 - Water Pumps				
	00169233	PUGET SOUND ENERGY	ENERGY USE MARCH 2014	2,267.22
Org Key: MT3400 - Sewer Collection				

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PO #	Check #	Vendor:	Transaction Description	Check Amount
P81707	00169240	SANDERSON SAFETY SUPPLY	LED LANTERN (PELICAN)	330.63
<i>Org Key: MT3500 - Sewer Pumps</i>				
	00169233	PUGET SOUND ENERGY	ENERGY USE MARCH 2014	4,021.57
	00169172	CENTURYLINK	PHONE USE MARCH 2014	502.75
<i>Org Key: MT3800 - Storm Drainage</i>				
P81707	00169240	SANDERSON SAFETY SUPPLY	DIRECT WIRE RIG	21.17
<i>Org Key: MT4200 - Building Services</i>				
	00169233	PUGET SOUND ENERGY	ENERGY USE MARCH 2014	4,862.54
	00169233	PUGET SOUND ENERGY	ENERGY USE MARCH 2014	722.79
<i>Org Key: MT4210 - Building Landscaping</i>				
P81113	00169250	TRUGREEN-LANDCARE	2014 Annual Color at City Hall	1,091.72
<i>Org Key: MT4300 - Fleet Services</i>				
P81660	00169225	OVERLAKE OIL	878 GAL. UNLEADED DELIVERY TO	3,027.95
P81747	00169225	OVERLAKE OIL	800 GAL. UNLEADED DELIVERY TO	2,819.12
P81668	00169231	PRECISION COLLISION-BELLEVUE	REPAIRS TO FL-0420	2,734.18
P81747	00169225	OVERLAKE OIL	300 GAL. DIESEL DELIVERY TO FI	1,075.20
P81660	00169225	OVERLAKE OIL	300 GAL. DIESEL DELIVERY TO MA	1,058.25
P81660	00169225	OVERLAKE OIL	250 GAL. DIESEL DELIVERY TO FI	881.88
P81747	00169225	OVERLAKE OIL	235 GAL. DIESEL DELIVERY TO MA	842.25
P81712	00169245	SUNDSTROM, ROBERT	Instruction Services for Bird	69.32
<i>Org Key: MT4450 - Cust Resp - Clearing Acct</i>				
	00169195	HART, DAVID R	MILEAGE EXPENSE	89.60
<i>Org Key: MT4501 - Water Administration</i>				
P81766	00169237	RESULTS GROUP LTD, THE	Executive & Employee Leadershi	5,115.00
<i>Org Key: MT4502 - Sewer Administration</i>				
P81766	00169237	RESULTS GROUP LTD, THE	Executive & Employee Leadershi	3,465.00
<i>Org Key: MT4503 - Storm Water Administration</i>				
P81766	00169237	RESULTS GROUP LTD, THE	Executive & Employee Leadershi	2,805.00
<i>Org Key: MTBE01 - Maint of Medians & Planters</i>				
	00169233	PUGET SOUND ENERGY	ENERGY USE MARCH 2014	1,233.56
<i>Org Key: PO1700 - Records and Property</i>				
P81723	00169176	CONFIDENTIAL DATA DISPOSAL	Shredding service	100.00
<i>Org Key: PO2100 - Patrol Division</i>				
P81683	00169173	CHIEF SUPPLY CORP	Flashlight equipment	339.99
<i>Org Key: PO2201 - Dive Team</i>				
P81764	00169168	BUBBLES BELOW	Dive equip maint	927.54
P81724	00169168	BUBBLES BELOW	Dive equip maint.	922.14
P81764	00169168	BUBBLES BELOW	Dive equip maint.	894.42
P81724	00169168	BUBBLES BELOW	Dive equip maint.	883.44
P81724	00169168	BUBBLES BELOW	Dive equip maint.	773.31
P81724	00169168	BUBBLES BELOW	Dive equip maint.	660.55
P81724	00169168	BUBBLES BELOW	Dive equip maint.	642.31

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
P81724	00169168	BUBBLES BELOW	Dive equip maint.	585.95
P81724	00169168	BUBBLES BELOW	Dive equip maint.	545.54
P81724	00169168	BUBBLES BELOW	Dive equip maint.	543.24
P81724	00169168	BUBBLES BELOW	Dive equip maint.	534.71
<i>Org Key: PO3100 - Investigation Division</i>				
P81655	00169260	WILLIAMS, ANGIE	Interview transcript	348.00
<i>Org Key: PR1100 - Administration (PR)</i>				
P81740	00169262	WRPA	Registration fee for Annual	269.00
<i>Org Key: PR2100 - Recreation Programs</i>				
P81699	00169183	EISEN, CHLOE L	Instruction services for Frenc	622.30
P81740	00169262	WRPA	Registration fees for Annual	548.00
P81712	00169245	SUNDSTROM, ROBERT	Instruction Services for Bird	436.33
P81699	00169183	EISEN, CHLOE L	Instruction services for Frenc	406.00
<i>Org Key: PR2108 - Health and Fitness</i>				
P81711	00169226	PAULETTO, MAUDE	Instruction services for Yoga	664.13
P81711	00169226	PAULETTO, MAUDE	Instruction services for Yoga	428.93
P81721	00169170	CASCADE KENDO-KAI	Instruction services for Kendo	373.80
P81713	00169234	PUGET SOUND SR SOFTBALL ASSOC	League Fee for 2014 Season	150.00
<i>Org Key: PR3500 - Senior Services</i>				
P81751	00169174	CLASSIC PIANOS WA LLC	Piano	7,117.50
P81751	00169174	CLASSIC PIANOS WA LLC	Fully adjustable digital dolly	343.13
<i>Org Key: PR4100 - Community Center</i>				
	00169233	PUGET SOUND ENERGY	ENERGY USE MARCH 2014	1,210.86
P81709	00169243	SOREANO'S PLUMBING INC	REPAIR SINK LEAK COMM CNTR KIT	131.40
P81686	00169194	HARPER, SENECA	Model payment for Sculpture CI	51.00
P81686	00169194	HARPER, SENECA	Model payment for Sculpture CI	51.00
P81685	00169208	LAMB, LESSA JAY	Model payment for Clothed Mode	51.00
P81663	00169191	GRAINGER	DISPOSABLE LATEX GLOVES	49.39
<i>Org Key: PR5500 - Literary Program</i>				
P81722	00169238	RHOADES, LANCE	Facilitation services for Lite	1,200.00
<i>Org Key: PR6100 - Park Maintenance</i>				
	00169233	PUGET SOUND ENERGY	ENERGY USE MARCH 2014	3,092.95
P81594	00169165	BEN'S CLEANER SALES INC	REPAIR PRESSURE WASHER	457.24
<i>Org Key: PR6200 - Athletic Field Maintenance</i>				
P81514	00169200	JOHN DEERE LANDSCAPES	MOUND CLAY (1 TON)	256.14
	00169167	BROOKS, KENNETH	PARKING PERMIT UW CLINIC	15.00
	00169201	JOHNSON, BRADLEY	PARKING FOR SEMINAR	15.00
<i>Org Key: PR6500 - Luther Burbank Park Maint.</i>				
	00169233	PUGET SOUND ENERGY	ENERGY USE MARCH 2014	1,407.26
<i>Org Key: PR6600 - Park Maint-School Related</i>				
	00169233	PUGET SOUND ENERGY	ENERGY USE MARCH 2014	762.18
P81514	00169200	JOHN DEERE LANDSCAPES	MOUND CLAY (1 TON)	248.61
<i>Org Key: PR6700 - I90 Park Maintenance</i>				

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
	00169233	PUGET SOUND ENERGY	ENERGY USE MARCH 2014	262.82
P81514	00169200	JOHN DEERE LANDSCAPES	MOUND CLAY (1 TON)	248.61
P81715	00169235	R A BROWN BACKFLOW TESTING	Backflow testing services	160.00
P81664	00169191	GRAINGER	ORANGE GARBAGE LINERS	80.08
<i>Org Key: VCP104 - CIP Streets Salaries</i>				
P81736	00169254	WA ASPHALT PAVEMENT ASSOC	ASPHALT CONFERENCE FOR	220.00
<i>Org Key: WD310C - Sub Basin 4 Watercourse</i>				
P79536	00169192	GREEN EARTHWORKS CONST INC	RETAINAGE	5,754.62
<i>Org Key: WG110T - Computer Equip Replacements</i>				
P81440	00169171	CDW GOVERNMENT INC	VM Lincense for 4 different li	3,551.46
<i>Org Key: WG130E - Equipment Rental Vehicle Repl</i>				
P80877	00169259	WESTERN EQUIPMENT DISTRIBUTORS	NEW PARKS EQUIPMENT - AERA-VAT	16,630.87
<i>Org Key: WG550R - Fuel Clean Up</i>				
P77173	00169189	GOLDER ASSOCIATES INC	GROUNDWATER COMPLIANCE	19,332.43
P77173	00169189	GOLDER ASSOCIATES INC	GROUNDWATER COMPLIANCE	4,783.40
<i>Org Key: WP122R - Vegetation Management</i>				
P80814	00169161	APPLIED ECOLOGY	Phase 1 - Luther Burbank Shore	4,744.29
P80814	00169161	APPLIED ECOLOGY	50% Retainage	3,986.80
<i>Org Key: WP310D - Street End - Calkins Landing</i>				
P78290	00169160	ANCHOR QEA LLC	Shoreline Restoration Design f	2,610.50
P78290	00169160	ANCHOR QEA LLC	Change Order #2	1,100.00
P78290	00169160	ANCHOR QEA LLC	Change order #1	1,000.00
<i>Org Key: WW311R - 88th Ave and 86th Ave Water</i>				
P79784	00169244	STANTEC CONSULTING SRVS INC	88TH AVE & 86TH AVE SE WATER S	5,319.86
<i>Org Key: XD313C - Decant Facility</i>				
P81684	00169196	HERRERA ENVIRONMENTAL CONSULT	DECANT FACILITY RETROFIT	1,605.00
<i>Org Key: XR140D - N-S Bike Route</i>				
P81413	00169223	NW ARBORICULTURE LLC	Stump removal on SE 62nd trail	4,890.85
<i>Org Key: YF1100 - YFS General Services</i>				
	00169228	PETTY CASH FUND YOUTH SERVICES	PETTY CASH REIMBURSEMENT	98.50
	00169228	PETTY CASH FUND YOUTH SERVICES	PETTY CASH REIMBURSEMENT	13.00
	00169228	PETTY CASH FUND YOUTH SERVICES	PETTY CASH REIMBURSEMENT	7.99
<i>Org Key: YF1200 - Thrift Shop</i>				
	00169233	PUGET SOUND ENERGY	ENERGY USE MARCH 2014	554.84
P80611	00169178	CRYSTAL AND SIERRA SPRINGS	Monthly water service to Thrif	105.74
<i>Org Key: YF2600 - Family Assistance</i>				
P81692	00169220	MI SCHOOL DISTRICT #400	Preschool scholarships for EA	437.32
P81691	00169227	PEBBLE @ MIPC, THE	Preschool scholarships for EA	246.40
P81691	00169227	PEBBLE @ MIPC, THE	Preschool scholarships for EA	234.00
P81690	00169203	KIDS COMPANY	Childcare payment for EA clien	200.00
<i>Org Key: YF2800 - Fed Drug Free Communities Gran</i>				

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
	00169228	PETTY CASH FUND YOUTH SERVICES	PETTY CASH REIMBURSEMENT	15.23
			Total	<u>272,075.43</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	169263-169389	04/10/14	\$ 193,737.88
			\$ 193,737.88

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00169263	04/07/2014	WA DEPT OF FISH & WILDLIFE HYDRAULIC PERMIT REVIEW FEE		OH002617	04/07/2014	150.00
00169264	04/10/2014	ADT LLC PERMIT REFUND		1309050	04/09/2014	83.04
00169265	04/10/2014	AIRGAS USA LLC Oxygen/Fire	P81804	9025502453	03/14/2014	148.93
00169266	04/10/2014	AKANA, JANELLE H Personal training services 4/2	P81779	OH002621	04/02/2014	101.25
00169267	04/10/2014	ALEXANDER, DEBORAH AMAZON PRIME MEMBERSHIP FEE		OH002619	04/07/2014	79.00
00169268	04/10/2014	ALL TECH SYSTEMS INC PERMIT REFUND		1403120	04/09/2014	83.04
00169269	04/10/2014	ANDERSON, MARILYN K FLEX SPEND ACCT REIMB		OH002620	04/04/2014	600.08
00169270	04/10/2014	ARC - PACIFIC NORTHWEST COPY CHARGES FEBRUARY & MARCH	P81791	OH002618	03/31/2014	73.21
00169271	04/10/2014	ARGOSY CRUISES Summer Celebration Boat Rides	P81107	2252051	02/03/2014	1,800.00
00169272	04/10/2014	ARSCENTIA Bag Ban Poster	P81780	201402711	04/01/2014	183.96
00169273	04/10/2014	AT&T MOBILITY Cell Charges/Fire	P81818	2831338X04022014	04/19/2014	235.93
00169274	04/10/2014	BARNES, HARVEY L FLEX SPEND ACCT REIMB		OH002624	04/04/2014	95.00
00169275	04/10/2014	BELLEVUE TREASURER, CITY OF ARCH - 1ST QUARTER CONTRIBUTIO	P81783	28844/28853	03/24/2014	14,941.00
00169276	04/10/2014	BILLER, MICHAEL 2014 gallery reception	P80775	OH002616	04/02/2014	200.00
00169277	04/10/2014	BLIND ALLEY, THE BLINDS FOR LAURA TAWNEY'S OFFI	P81827	13228	02/25/2014	427.05
00169278	04/10/2014	BOETTCHER, GLENN FLEX SPEND ACCT REIMB		OH002623	04/04/2014	440.00
00169279	04/10/2014	BOYS & GIRLS CLUB OF KC (MI) Campership for EA client LB/JB	P81689	OH002583	03/24/2014	150.00
00169280	04/10/2014	CADMAN INC 5/8"-MINUS ROCK (46.64 TONS)	P81756	5278178/8973/919	03/06/2014	3,618.80
00169281	04/10/2014	CAMDEN GARDENS 2014 Shared Maintenance Costs	P81115	47172	03/01/2014	410.63
00169282	04/10/2014	CASCADE MACHINERY & ELECTRIC PUMP STATION ASSESSMENTS	P81755	409857	03/19/2014	7,412.06
00169283	04/10/2014	CDW GOVERNMENT INC Replacement batteries for F5v	P81599	KR40355	03/24/2014	370.04
00169284	04/10/2014	CEDAR GROVE COMPOSTING INC LANDSCAPE MULCH (30 YDS)	P81694	0000164898	03/20/2014	958.57
00169285	04/10/2014	CENTURYLINK PHONE USE APRIL 2014		OH002627	04/01/2014	808.91
00169286	04/10/2014	CINTAS CORPORATION #460 Rug cleaning service for Luthe	P80608	460101442/5939	03/27/2014	70.54
00169287	04/10/2014	CLAASSEN, PETER Model payment for Sculpture C	P81758	OH002630	04/02/2014	51.00
00169288	04/10/2014	CLEANERS PLUS 1 March uniform cleaning	P81819	73616	04/01/2014	210.54

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00169289	04/10/2014	COLLIER, BARRY FLEX SPEND ACCT REIMB		OH002625	04/04/2014	2,499.90
00169290	04/10/2014	COLUMBIA STATE BANK REFUND OVERPAYMENT 8798 NMW		OH002666	04/09/2014	141.20
00169291	04/10/2014	COMCAST Internet Charges/Fire	P81803	OH002629	03/14/2014	95.80
00169292	04/10/2014	COOK, KEVIN FRLEOFF1 Retiree Medical Expen	P81842	OH002667	04/08/2014	255.14
00169293	04/10/2014	CORK, TAMBI A FLEX SPEND ACCT REIMB		OH002626	04/04/2014	213.00
00169294	04/10/2014	CRIMINAL JUSTICE TRAINING COMM Firearms Inst. Training	P81688	20113246	03/21/2014	3,725.00
00169295	04/10/2014	CRYSTAL AND SIERRA SPRINGS 2014 Water Service for MICEC	P81106	8259218032914	03/29/2014	157.20
00169296	04/10/2014	CRYSTAL SPRINGS Coffee supplies for MICEC	P81704	13123243032114	03/21/2014	538.60
00169297	04/10/2014	DAVIS, ALVIAS WORK SHOES		OH002632	04/05/2014	118.26
00169298	04/10/2014	DEACH, THOMAS FLEX SPEND ACCT REIMB		OH002631	04/04/2014	997.79
00169299	04/10/2014	DICK HOWARD & SONS ELECTRIC PERMIT REFUND		1402154	04/09/2014	104.56
00169300	04/10/2014	DIRECT MATTERS Forms, Judgment & Sentence	P81858	53028	03/18/2014	279.50
00169301	04/10/2014	EASTSIDE PLUMBING SERVICES PERMIT REFUND		1401179	04/09/2014	35.04
00169302	04/10/2014	EGGEBRECHT, JEANNETTE FLEX SPEND ACCT REIMB		OH002634	04/04/2014	551.20
00169303	04/10/2014	EMERALD RECYCLING USED OIL RECYCLE	P81737	I277931	03/21/2014	128.50
00169304	04/10/2014	ENERSPECT MEDICAL SOLUTIONS FR3 Smart Pads (5 sets)	P81674	14826	03/21/2014	449.08
00169305	04/10/2014	FIELDS, CATHY Tennis wall mural proposal	P81844	OH002668	04/09/2014	200.00
00169306	04/10/2014	FIRE PROTECTION INC CCMV FIRE ALARM MONITORING	P81831	17670	04/01/2014	84.75
00169307	04/10/2014	FISHERIES SUPPLY MP equipment	P81653	2637417	03/19/2014	54.16
00169308	04/10/2014	GENTINO, CATHERINE L FLEX SPEND ACCT REIMB		OH002635	04/04/2014	212.00
00169309	04/10/2014	GLENN CONSULTING INC CHIP SEAL CONFERENCE REGISTRAT	P81748	5	01/10/2014	220.00
00169310	04/10/2014	GOODSELL POWER EQUIPMENT IGNITION MODULE & FUEL PUMPS	P81727	657001	03/25/2014	112.23
00169311	04/10/2014	GRAINGER INVENTORY PURCHASES	P81695	9393782611	03/19/2014	208.74
00169312	04/10/2014	GRATING PACIFIC FLATTENED EXPANDED METAL	P81662	0132348IN	03/19/2014	602.25
00169313	04/10/2014	GREER, J SCOTT Protém Judge	P81860	OH002669	03/10/2014	300.00
00169314	04/10/2014	GROUP HEALTH COOPERATIVE Employment physical-Boyce	P81815	74004533	04/01/2014	284.00

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00169315	04/10/2014	GURZINSKY, JOEL OVERPAYMENT REFUND 8703 SE 50T		OH002636	04/04/2014	266.90
00169316	04/10/2014	H D FOWLER 2' BURY YARD HYDRANT	P81788	I3590922	03/28/2014	79.71
00169317	04/10/2014	HEITZBERG, JOE E SIGN DEPOSIT REFUND		DEV14010	04/08/2014	200.00
00169318	04/10/2014	HEWLETT PACKARD COMPANY 2014 Desktop Replacements	P81264	54039434	03/11/2014	3,510.57
00169319	04/10/2014	HOME DEPOT CREDIT SERVICE INVENTORY PURCHASES	P81805	0044875100215	04/04/2014	26.19
00169320	04/10/2014	HONEYWELL, MATTHEW V Public Defender	P81839	789	04/02/2014	230.00
00169321	04/10/2014	HUGHES FIRE EQUIPMENT INC Misc. Apparatus Parts	P81800	484377/572/634	03/14/2014	491.74
00169322	04/10/2014	INTERCOM LANGUAGE SERVICES INC interpreting Services		12225/1344REP	04/09/2014	800.00
00169323	04/10/2014	INTERIOR FOLIAGE CO, THE INTERIOR LANDSCAPE CITY HALL	P81829	32355	04/01/2014	271.34
00169324	04/10/2014	JUNIOR LEAGUE OF SEATTLE, THE Contracts 17884, 18368 & 18189	P81760	1784/18368/18189	04/02/2014	250.00
00169325	04/10/2014	KASER, MICHAEL FLEX SPEND ACCT REIMB		OH002638	04/04/2014	999.96
00169326	04/10/2014	KC RECORDS RECORDING FEES	P81795	OH002639	04/04/2014	750.00
00169327	04/10/2014	KC RECORDS RECORDING FEES	P81794	OH002640	04/04/2014	749.00
00169328	04/10/2014	KC RECORDS RECORDING FEES	P81793	OH002641	04/04/2014	768.00
00169329	04/10/2014	KRAMP, ROBERT A PER DIEM REIMB CYBER GPS INVES		OH002637	04/04/2014	253.00
00169330	04/10/2014	KROESENS INC Duty Uniforms for 19 FF's	P81652	18272/18406	03/19/2014	1,859.58
00169331	04/10/2014	LAKESIDE INDUSTRIES CLASS B ASPHALT (2.5 TONS)	P81714	3249553/3249698	03/18/2014	629.09
00169332	04/10/2014	LAMB, LESSA JAY Model payment for Clothed Mode	P81759	OH002645	04/02/2014	51.00
00169333	04/10/2014	LEVINSON, GREGORY S FLEX SPEND ACCT REIMB		OH002644	04/04/2014	163.70
00169334	04/10/2014	LEXISNEXIS Library Subscriptions	P81840	3090016518	03/31/2014	228.46
00169335	04/10/2014	LIFE ASSIST INC Aid Supplies	P81812	669614	03/18/2014	636.72
00169336	04/10/2014	LIFE TEK INC CPR/FA Cards	P81798	14340	03/26/2014	519.58
00169337	04/10/2014	LLOYD ENTERPRISES INC PLAYFIELD SAND (32.54 TONS)	P81790	177813	03/31/2014	759.66
00169338	04/10/2014	LN CURTIS & SONS Blue/White 1/2" Rope	P81164	211258901/902	03/19/2014	5,267.55
00169339	04/10/2014	LOO CHAN, PEGGY FLEX SPEND ACCT REIMB		OH002643	04/04/2014	76.00
00169340	04/10/2014	MATHESON, SHAWN FLEX SPEND ACCT REIMB		OH002653	04/04/2014	948.64

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00169341	04/10/2014	MCWATTERS, BRIAN FLEX SPEND ACCT REIMB		OH002654	04/04/2014	400.00
00169342	04/10/2014	MERIDIAN CENTER ELECTRIC PERMIT REFUND		1309195	04/09/2014	322.96
00169343	04/10/2014	METROPRESORT Printing and Mailing March 201	P81806	461071	03/24/2014	4,130.64
00169344	04/10/2014	MI HARDWARE - BLDG MISC. HARDWARE FOR THE MONTH O	P81743	OH002648	03/31/2014	132.57
00169345	04/10/2014	MI HARDWARE - MAINT MISC. HARDWARE FOR THE MONTH O	P81741	OH002652	03/31/2014	226.64
00169346	04/10/2014	MI HARDWARE - P&R Custodial and misc supplies fo	P81775	OH002651	04/10/2014	100.19
00169347	04/10/2014	MI HARDWARE - POLICE Batteries for MP	P81823	OH002646	03/31/2014	9.14
00169348	04/10/2014	MI HARDWARE - UTILITY MISC. HARDWARE FOR THE MONTH O	P81742	OH002649	03/31/2014	148.31
00169349	04/10/2014	MI HARDWARE - YFS Operating supplies for Rotary	P81767	OH002650	03/31/2014	187.17
00169350	04/10/2014	MI SCHOOL DISTRICT #400 2014 Mary Wayte Pool Agreement	P80616	OH002647	04/07/2014	10,416.67
00169351	04/10/2014	MICHAEL SKAGGS ASSOCIATES JANITORIAL SERVICE CITY HALL,	P81851	14159	03/25/2014	272.88
00169352	04/10/2014	MOBERLY AND ROBERTS Contract Prosecutor	P81837	445	04/01/2014	5,000.00
00169353	04/10/2014	MOLLY G OTTER TRUST SPU FEE REDUCED		1401172	04/03/2014	264.00
00169354	04/10/2014	MORGAN SOUND COUNCIL CHAMBERS	P81854	MSI77382	03/19/2014	279.23
00169355	04/10/2014	ON SITE FITNESS LLC Quarterly Maintenance	P81801	3616	03/24/2014	490.13
00169356	04/10/2014	PACIFIC AIR CONTROL INC N FIRE APPARATUS BAY	P81848	172049	03/24/2014	1,281.15
00169357	04/10/2014	PACIFIC MODULAR CARPET MAINTENANCE NORTH FIRE	P81814	I10437	03/20/2014	750.75
00169358	04/10/2014	PACIFIC NW NAGINATA FEDERATION Instruction services for Nagin	P81777	14341	04/03/2014	756.00
00169359	04/10/2014	PACIFIC POWER PRODUCTS NEW PARKS TURF MOWER	P81016	673630100	03/20/2014	47,796.75
00169360	04/10/2014	PROJECT A INC Website Hosting 4/1-6/30	P80718	141328	04/01/2014	900.00
00169361	04/10/2014	PUGET SOUND ALARM PERMIT REFUND		1402005	04/09/2014	90.24
00169362	04/10/2014	PUGET SOUND ENERGY Utility Ass't for EA client D	P81770	OH002657	04/02/2014	619.63
00169363	04/10/2014	PUGET SOUND ENERGY ENERGY USE APRIL 2014		OH002658	04/01/2014	7,999.12
00169364	04/10/2014	PUGET SOUND SOLAR CO PERMIT REFUND		1401118	04/09/2014	90.24
00169365	04/10/2014	RICOH USA INC Cost Per Copy/Fire	P81802	5029972818	03/19/2014	108.45
00169366	04/10/2014	RODDA PAINT PAINT AND TAPE	P81828	19845579	03/19/2014	240.77

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00169367	04/10/2014	SANDINE, ASEA FLEX SPEND ACCT REIMB		OH002661	04/04/2014	192.31
00169368	04/10/2014	SCHOENTRUP, WILLIAM FRLEOFF1 Retiree Medical Expen	P81841	OH002670	04/08/2014	328.30
00169369	04/10/2014	SEA WESTERN INC Bunker Gear	P81797	175651/519/772	03/25/2014	706.81
00169370	04/10/2014	SEATTLE PUBLIC UTILITIES SPU SERVICE CONNECTION FEE FOR	P81782	OH002662	03/31/2014	11,604.00
00169371	04/10/2014	SEATTLE STORM Tickets for Kids Day	P81835	OH002663	04/07/2014	100.00
00169372	04/10/2014	SIRENNET.COM Misc. Apparatus Parts	P81799	0167989IN	03/24/2014	103.75
00169373	04/10/2014	SISKO JR, JOHN WILLIAM Fire Station 92 Public Art	P78880	OH002659	04/07/2017	20,000.00
00169374	04/10/2014	SOUND SAFETY PRODUCTS MISC. WORK CLOTHES	P81733	423210201	03/24/2014	208.25
00169375	04/10/2014	STERLING REFERENCE LAB Lab fees for C.Harnish clients	P81771	F2029094	03/14/2014	19.95
00169376	04/10/2014	SYLVETSKY, LESLIE SENIOR SOCIAL SUPPLIES		OH002660	04/01/2014	179.19
00169377	04/10/2014	TIMM, JANELLE FLEX SPEND ACCT REIMB		OH002664	04/04/2014	192.31
00169378	04/10/2014	US TIMBER CUTTERS LLC HAZARDOUS TREE REMOVEAL SHOP	P81850	Q120	03/10/2014	4,309.92
00169379	04/10/2014	USA MOBILITY WIRELESS INC Pagers	P81816	X3739542D	03/31/2014	78.88
00169380	04/10/2014	VERIZON WIRELESS DSG Phone and Data Charges Feb	P81732	9722322913	03/23/2014	296.42
00169381	04/10/2014	VERIZON WIRELESS Parks cell phone charges Feb 2	P81824	9722322910	03/23/2014	2,237.06
00169382	04/10/2014	WA ASSN OF BUILDING OFFICIALS CONTINUING EDUCATION - PAUL SK	P81753	28559	03/21/2014	175.00
00169383	04/10/2014	WALTER E NELSON CO INVENTORY PURCHASES	P81696	437025/437033	03/21/2014	1,254.56
00169384	04/10/2014	WEDGE, CATHERINE REFUND OVERPAYMENT 8285 SE 82N		OH002671	04/09/2014	639.61
00169385	04/10/2014	WIMACTEL INC POLICE LOBBY PAY PHONE	P81852	000683223	04/01/2014	60.23
00169386	04/10/2014	WORKSAFE SERVICE INC, A Pre Employment Drug Test R. Ha	P81867	189372	03/31/2014	52.00
00169387	04/10/2014	WRPA WRPA Software Symposium	P81702	200000323/312	03/26/2014	196.00
00169388	04/10/2014	X5 SOLUTIONS INC Telephone - Long Distance	P80621	OH002665	04/01/2014	262.89
00169389	04/10/2014	ZEE MEDICAL First aid supplies for Luther	P81781	68255289	04/03/2014	469.94
					Total	193,737.88

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
<i>Org Key: 001000 - General Fund-Admin Key</i>				
P81760	00169324	JUNIOR LEAGUE OF SEATTLE, THE	Contracts 17884, 18368 & 18189	250.00
<i>Org Key: 402000 - Water Fund-Admin Key</i>				
P81782	00169370	SEATTLE PUBLIC UTILITIES	SPU SERVICE CONNECTION FEE FOR	11,604.00
P81696	00169383	WALTER E NELSON CO	INVENTORY PURCHASES	1,254.56
	00169384	WEDGE, CATHERINE	REFUND OVERPAYMENT 8285 SE 82N	639.61
	00169315	GURZINSKY, JOEL	OVERPAYMENT REFUND 8703 SE 50T	266.90
	00169353	MOLLY G OTTER TRUST	SPU FEE REDUCED	264.00
	00169290	COLUMBIA STATE BANK	REFUND OVERPAYMENT 8798 NMW	141.20
P81695	00169311	GRAINGER	INVENTORY PURCHASES	133.41
P81786	00169311	GRAINGER	INVENTORY PURCHASES	75.33
P81805	00169319	HOME DEPOT CREDIT SERVICE	INVENTORY PURCHASES	26.19
<i>Org Key: CA1100 - Administration (CA)</i>				
P81840	00169334	LEXISNEXIS	Library Subscriptions	228.46
<i>Org Key: CA1200 - Prosecution & Criminal Mngmnt</i>				
P81837	00169352	MOBERLY AND ROBERTS	Contract Prosecutor	5,000.00
P81839	00169320	HONEYWELL, MATTHEW V	Public Defender	230.00
<i>Org Key: CM1400 - Communications</i>				
P81806	00169343	METROPRESORT	Plastic Bag Ban Flyers	1,533.42
P81780	00169272	ARSCENTIA	Bag Ban Poster	183.96
<i>Org Key: CR1100 - CORe Admin and Human Resources</i>				
P81827	00169277	BLIND ALLEY, THE	BLINDS FOR LAURA TAWNEY'S OFFI	427.05
P81815	00169314	GROUP HEALTH COOPERATIVE	Employment physical-Boyce	284.00
P81732	00169380	VERIZON WIRELESS	March 2014 VZ Billing/Kryss Se	40.01
<i>Org Key: CT1100 - Municipal Court</i>				
	00169322	INTERCOM LANGUAGE SERVICES INC	REPLACE WARRANT 162039	300.00
P81856	00169322	INTERCOM LANGUAGE SERVICES INC	interpreting Services	300.00
P81858	00169300	DIRECT MATTERS	Forms, Judgment & Sentence	279.50
P81860	00169313	GREER, J SCOTT	Protem Judge	200.00
P81856	00169322	INTERCOM LANGUAGE SERVICES INC	Interpreting Services	200.00
P81860	00169313	GREER, J SCOTT	Protem Judge	100.00
<i>Org Key: DS0000 - Development Services-Revenue</i>				
P81793	00169328	KC RECORDS	RECORDING FEES	768.00
P81795	00169326	KC RECORDS	RECORDING FEES	750.00
P81794	00169327	KC RECORDS	RECORDING FEES	749.00
	00169342	MERIDIAN CENTER ELECTRIC	PERMIT REFUND	239.92
	00169317	HEITZBERG, JOE E	SIGN DEPOSIT REFUND	200.00
	00169299	DICK HOWARD & SONS ELECTRIC	PERMIT REFUND	104.56
	00169361	PUGET SOUND ALARM	PERMIT REFUND	90.24
	00169364	PUGET SOUND SOLAR CO	PERMIT REFUND	90.24
	00169264	ADT LLC	PERMIT REFUND	83.04
	00169268	ALL TECH SYSTEMS INC	PERMIT REFUND	83.04
	00169342	MERIDIAN CENTER ELECTRIC	PERMIT REFUND	83.04
	00169301	EASTSIDE PLUMBING SERVICES	PERMIT REFUND	35.04
<i>Org Key: DS1100 - Administration (DS)</i>				

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
P81792	00169380	VERIZON WIRELESS	DSG Phone and Data Charges Feb	256.41
P81791	00169270	ARC - PACIFIC NORTHWEST	COPY CHARGES FEBRUARY & MARCH	73.21
<i>Org Key: DS1200 - Bldg Plan Review & Inspection</i>				
P81753	00169382	WA ASSN OF BUILDING OFFICIALS	CONTINUING EDUCATION - PAUL SK	175.00
	00169297	DAVIS, ALVIAS	WORK SHOES	118.26
<i>Org Key: FN4501 - Utility Billing (Water)</i>				
P81434	00169343	METROPRESORT	Printing and Mailing March 201	498.75
P81434	00169343	METROPRESORT	Printing and Mailing March 201	366.99
<i>Org Key: FN4502 - Utility Billing (Sewer)</i>				
P81434	00169343	METROPRESORT	Printing and Mailing March 201	498.76
P81434	00169343	METROPRESORT	Printing and Mailing March 201	366.98
<i>Org Key: FN4503 - Utility Billing (Storm)</i>				
P81434	00169343	METROPRESORT	Printing and Mailing March 201	498.76
P81434	00169343	METROPRESORT	Printing and Mailing March 201	366.98
<i>Org Key: FR1100 - Administration (FR)</i>				
P81801	00169355	ON SITE FITNESS LLC	Quarterly Maintenance	490.13
	00169285	CENTURYLINK	PHONE USE APRIL 2014	146.37
P81802	00169365	RICOH USA INC	Cost Per Copy/Fire	108.45
P81803	00169291	COMCAST	Internet Charges/Fire	95.80
<i>Org Key: FR2100 - Fire Operations</i>				
P81344	00169330	KROESENS INC	Duty Uniforms for 19 FF's	849.98
P81813	00169381	VERIZON WIRELESS	Cell Charges/Fire	690.35
P81800	00169321	HUGHES FIRE EQUIPMENT INC	Misc. Apparatus Parts	491.74
P81797	00169369	SEA WESTERN INC	SCBA Supplies	413.10
P81599	00169283	CDW GOVERNMENT INC	Replacement batteries for F5v	370.04
P81797	00169369	SEA WESTERN INC	Bunker Gear	293.71
P81796	00169273	AT&T MOBILITY	Cell Charges/Fire	190.44
P81799	00169372	SIRENNET.COM	Misc. Apparatus Parts	103.75
<i>Org Key: FR2400 - Fire Suppression</i>				
P81164	00169338	LN CURTIS & SONS	Blue/White 1/2" Rope	1,555.20
P81164	00169338	LN CURTIS & SONS	Red/White 1/2" Rope	1,555.20
P81164	00169338	LN CURTIS & SONS	Rit Line	610.20
P81164	00169338	LN CURTIS & SONS	CMC Pro Series Carabiners	483.75
P81164	00169338	LN CURTIS & SONS	Radio Harness	483.50
P81164	00169338	LN CURTIS & SONS	Tax	457.00
P81164	00169338	LN CURTIS & SONS	Orange Stuff Bag	74.10
P81164	00169338	LN CURTIS & SONS	1" Red Tubular Webbing	48.60
<i>Org Key: FR2500 - Fire Emergency Medical Svcs</i>				
P81812	00169335	LIFE ASSIST INC	Aid Supplies	636.72
P81674	00169304	ENERSPECT MEDICAL SOLUTIONS	FR3 Smart Pads (5 sets)	449.08
P81804	00169265	AIRGAS USA LLC	Oxygen/Fire	148.93
<i>Org Key: FR5100 - Community Risk Reduction</i>				
P81798	00169336	LIFE TEK INC	CPR/FA Cards	519.58
<i>Org Key: GGM001 - General Government-Misc</i>				

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
P80718	00169360	PROJECT A INC	Website Hosting 4/1-6/30	900.00
P81810	00169389	ZEE MEDICAL	First aid supplies for MICEC	204.52
P81810	00169389	ZEE MEDICAL	First aid supplies for Luther	93.61
<i>Org Key: GGM005 - Genera Govt-L1 Retiree Costs</i>				
P81841	00169368	SCHOENTRUP, WILLIAM	FRLEOFF1 Retiree Medical Expen	328.30
P81842	00169292	COOK, KEVIN	FRLEOFF1 Retiree Medical Expen	185.53
P81842	00169292	COOK, KEVIN	FRLEOFF1 Retiree Medical Expen	29.61
P81842	00169292	COOK, KEVIN	FRLEOFF1 Retiree Medical Expen	20.00
P81842	00169292	COOK, KEVIN	FRLEOFF1 Retiree Medical Expen	20.00
<i>Org Key: IGBE01 - MI Pool Operation Subsidy</i>				
P80616	00169350	MI SCHOOL DISTRICT #400	2014 Mary Wayte Pool Agreement	10,416.67
<i>Org Key: IGVO02 - ARCH</i>				
P81783	00169275	BELLEVUE TREASURER, CITY OF	ARCH - 1ST QUARTER CONTRIBUTIO	7,470.50
P81783	00169275	BELLEVUE TREASURER, CITY OF	ARCH - 2ND QUARTER CONTRIBUTIO	7,470.50
<i>Org Key: IS2100 - IGS Network Administration</i>				
	00169285	CENTURYLINK	PHONE USE APRIL 2014	319.81
P80621	00169388	X5 SOLUTIONS INC	Telephone - Long Distance	262.89
P81853	00169381	VERIZON WIRELESS	IGS WIFI AND ALFREDO'S PHONE	135.49
	00169285	CENTURYLINK	PHONE USE MARCH 2014	73.89
P81852	00169385	WIMACTEL INC	POLICE LOBBY PAY PHONE	60.23
<i>Org Key: MT2100 - Roadway Maintenance</i>				
	00169363	PUGET SOUND ENERGY	ENERGY USE APRIL 2014	2,977.97
P81756	00169280	CADMAN INC	5/8"-MINUS ROCK (46.64 TONS)	489.01
P81781	00169389	ZEE MEDICAL	FIRST AID SUPPLIES	12.02
<i>Org Key: MT2200 - Vegetation Maintenance</i>				
P81781	00169389	ZEE MEDICAL	FIRST AID SUPPLIES	10.30
<i>Org Key: MT2300 - Planter Bed Maintenance</i>				
P81781	00169389	ZEE MEDICAL	FIRST AID SUPPLIES	12.02
<i>Org Key: MT3000 - Water Service Upsizes and New</i>				
P81756	00169280	CADMAN INC	5/8"-MINUS ROCK (125.36 TONS)	475.34
<i>Org Key: MT3100 - Water Distribution</i>				
P81756	00169280	CADMAN INC	5/8"-MINUS ROCK (125.36 TONS)	501.75
P81714	00169331	LAKESIDE INDUSTRIES	CLASS B ASPHALT (2.5 TONS)	194.37
P81742	00169348	MI HARDWARE - UTILITY	MISC. HARDWARE FOR THE MONTH O	74.02
P81781	00169389	ZEE MEDICAL	FIRST AID SUPPLIES	12.02
<i>Org Key: MT3200 - Water Pumps</i>				
P81781	00169389	ZEE MEDICAL	FIRST AID SUPPLIES	10.30
<i>Org Key: MT3400 - Sewer Collection</i>				
P81742	00169348	MI HARDWARE - UTILITY	MISC. HARDWARE FOR THE MONTH O	36.88
P81781	00169389	ZEE MEDICAL	FIRST AID SUPPLIES	12.02
<i>Org Key: MT3500 - Sewer Pumps</i>				
P81742	00169348	MI HARDWARE - UTILITY	MISC. HARDWARE FOR THE MONTH O	37.41
P81781	00169389	ZEE MEDICAL	FIRST AID SUPPLIES	12.02

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
<i>Org Key: MT3600 - Sewer Associated Costs</i>				
P81733	00169374	SOUND SAFETY PRODUCTS	MISC. WORK CLOTHES	208.25
<i>Org Key: MT3800 - Storm Drainage</i>				
P81756	00169280	CADMAN INC	5/8"-MINUS ROCK (46.64 TONS)	489.03
P81714	00169331	LAKESIDE INDUSTRIES	CLASS B ASPHALT, TACK & LIQUID	434.72
P81781	00169389	ZEE MEDICAL	FIRST AID SUPPLIES	12.02
<i>Org Key: MT4200 - Building Services</i>				
P81814	00169357	PACIFIC MODULAR	CARPET MAINTENANCE NORTH FIRE	750.75
P81851	00169351	MICHAEL SKAGGS ASSOCIATES	JANITORIAL SERVICE CITY HALL,	272.88
P81829	00169323	INTERIOR FOLIAGE CO, THE	INTERIOR LANDSCAPE CITY HALL	271.34
P81743	00169344	MI HARDWARE - BLDG	MISC. HARDWARE FOR THE MONTH O	78.55
P81781	00169389	ZEE MEDICAL	FIRST AID SUPPLIES	10.30
<i>Org Key: MT4300 - Fleet Services</i>				
P81737	00169303	EMERALD RECYCLING	USED OIL RECYCLE	128.50
P81781	00169389	ZEE MEDICAL	FIRST AID SUPPLIES	10.30
<i>Org Key: PO1100 - Administration (PO)</i>				
P81824	00169381	VERIZON WIRELESS	Cell phone bill	1,121.96
P81816	00169379	USA MOBILITY WIRELESS INC	Pagers	78.88
P81652	00169330	KROESENS INC	Mag/cuff holder	27.38
<i>Org Key: PO2100 - Patrol Division</i>				
P81652	00169330	KROESENS INC	BP vest/shock plates	982.22
P81819	00169288	CLEANERS PLUS 1	March uniform cleaning	210.54
<i>Org Key: PO2200 - Marine Patrol</i>				
P81653	00169307	FISHERIES SUPPLY	MP equipment	54.16
P81823	00169347	MI HARDWARE - POLICE	Batteries for MP	9.14
<i>Org Key: PO3100 - Investigation Division</i>				
	00169329	KRAMP, ROBERT A	PER DIEM REIMB CYBER GPS INVES	253.00
P81818	00169273	AT&T MOBILITY	Air card service	45.49
<i>Org Key: PO4100 - Training</i>				
P81688	00169294	CRIMINAL JUSTICE TRAINING COMM	Firearms Inst. Training	750.00
<i>Org Key: PO4200 - Training (CJ)</i>				
P81688	00169294	CRIMINAL JUSTICE TRAINING COMM	Police Academy tuition	2,975.00
<i>Org Key: PR1100 - Administration (PR)</i>				
P81264	00169318	HEWLETT PACKARD COMPANY	2014 Desktop Replacements	99.54
	00169267	ALEXANDER, DEBORAH	AMAZON PRIME MEMBERSHIP FEE	79.00
	00169285	CENTURYLINK	PHONE USE APRIL 2014	44.58
P81729	00169381	VERIZON WIRELESS	Parks cell phone charges Feb 2	-40.51
<i>Org Key: PR2100 - Recreation Programs</i>				
P81702	00169387	WRPA	WRPA Software Symposium	49.00
P81702	00169387	WRPA	WRPA Software Symposium	49.00
<i>Org Key: PR2101 - Youth and Teen Camps</i>				
P81835	00169371	SEATTLE STORM	Tickets for Kids Day	100.00

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
P81729	00169381	VERIZON WIRELESS	Parks cell phone charges Feb 2	90.39
<i>Org Key: PR2108 - Health and Fitness</i>				
P81777	00169358	PACIFIC NW NAGINATA FEDERATION	Instruction services for Nagin	756.00
P81779	00169266	AKANA, JANELLE H	Personal training services 4/2	101.25
<i>Org Key: PR3500 - Senior Services</i>				
	00169376	SYLVETSKY, LESLIE	SENIOR SOCIAL SUPPLIES	179.19
P81729	00169381	VERIZON WIRELESS	Parks cell phone charges Feb 2	50.62
<i>Org Key: PR4100 - Community Center</i>				
	00169363	PUGET SOUND ENERGY	ENERGY USE APRIL 2014	5,021.15
P81704	00169296	CRYSTAL SPRINGS	Coffee supplies for MICEC	538.60
P81702	00169387	WRPA	WRPA Software Symposium	98.00
P81831	00169306	FIRE PROTECTION INC	CCMV FIRE ALARM MONITORING	84.75
P81106	00169295	CRYSTAL AND SIERRA SPRINGS	2014 Water Service for MICEC	81.46
P81758	00169287	CLAASSEN, PETER	Model payment for Sculpture C	51.00
P81759	00169332	LAMB, LESSA JAY	Model payment for Clothed Mode	51.00
P81775	00169346	MI HARDWARE - P&R	Custodial and misc supplies fo	40.37
P81729	00169381	VERIZON WIRELESS	Parks cell phone charges Feb 2	32.54
P81775	00169346	MI HARDWARE - P&R	Custodial and misc supplies fo	8.86
<i>Org Key: PR5400 - Gallery Program</i>				
P80775	00169276	BILLER, MICHAEL	2014 gallery reception	200.00
<i>Org Key: PR5900 - Summer Celebration</i>				
P81107	00169271	ARGOSY CRUISES	Summer Celebration Boat Rides	1,800.00
P81729	00169381	VERIZON WIRELESS	Parks cell phone charges Feb 2	32.54
<i>Org Key: PR6100 - Park Maintenance</i>				
P81727	00169310	GOODSELL POWER EQUIPMENT	IGNITION MODULE & FUEL PUMPS	112.23
P81106	00169295	CRYSTAL AND SIERRA SPRINGS	2014 Water Service for Parks	75.74
P81741	00169345	MI HARDWARE - MAINT	MISC. HARDWARE FOR THE MONTH O	42.37
P81781	00169389	ZEE MEDICAL	FIRST AID SUPPLIES	12.02
P81729	00169381	VERIZON WIRELESS	Parks cell phone charges Feb 2	-6.84
<i>Org Key: PR6200 - Athletic Field Maintenance</i>				
P81790	00169337	LLOYD ENTERPRISES INC	PLAYFIELD SAND (32.54 TONS)	759.66
	00169285	CENTURYLINK	PHONE USE APRIL 2014	85.32
P81741	00169345	MI HARDWARE - MAINT	MISC. HARDWARE FOR THE MONTH O	71.44
P81729	00169381	VERIZON WIRELESS	Parks cell phone charges Feb 2	30.47
P81781	00169389	ZEE MEDICAL	FIRST AID SUPPLIES	12.02
<i>Org Key: PR6500 - Luther Burbank Park Maint.</i>				
P81756	00169280	CADMAN INC	5/8"-MINUS ROCK (125.36 TONS)	818.63
P81694	00169284	CEDAR GROVE COMPOSTING INC	LANDSCAPE MULCH (30 YDS)	479.29
P81741	00169345	MI HARDWARE - MAINT	MISC. HARDWARE FOR THE MONTH O	110.28
P81788	00169316	H D FOWLER	2' BURY YARD HYDRANT	79.71
P80608	00169286	CINTAS CORPORATION #460	Rug cleaning service for Luthe	70.54
P81867	00169386	WORKSAFE SERVICE INC, A	Pre Employment Drug Test R. Ha	52.00
P81743	00169344	MI HARDWARE - BLDG	MISC. HARDWARE FOR THE MONTH O	39.95
P81729	00169381	VERIZON WIRELESS	Parks cell phone charges Feb 2	16.19
P81781	00169389	ZEE MEDICAL	FIRST AID SUPPLIES	12.02

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
<i>Org Key: PR6600 - Park Maint-School Related</i>				
P81781	00169389	ZEE MEDICAL	FIRST AID SUPPLIES	10.30
P81729	00169381	VERIZON WIRELESS	Parks cell phone charges Feb 2	5.96
<i>Org Key: PR6700 - I90 Park Maintenance</i>				
P81694	00169284	CEDAR GROVE COMPOSTING INC	LANDSCAPE MULCH (30 YDS)	479.28
P81115	00169281	CAMDEN GARDENS	2014 Shared Maintenance Costs	410.63
P81729	00169381	VERIZON WIRELESS	Parks cell phone charges Feb 2	17.64
P81781	00169389	ZEE MEDICAL	FIRST AID SUPPLIES	12.13
<i>Org Key: PY4613 - Flex Admin 2013</i>				
	00169269	ANDERSON, MARILYN K	FLEX SPEND ACCT REIMB	600.08
	00169302	EGGEBRECHT, JEANNETTE	FLEX SPEND ACCT REIMB	23.20
<i>Org Key: PY4614 - Flex Spending Admin</i>				
	00169289	COLLIER, BARRY	FLEX SPEND ACCT REIMB	2,499.90
	00169325	KASER, MICHAEL	FLEX SPEND ACCT REIMB	999.96
	00169298	DEACH, THOMAS	FLEX SPEND ACCT REIMB	997.79
	00169340	MATHESON, SHAWN	FLEX SPEND ACCT REIMB	948.64
	00169302	EGGEBRECHT, JEANNETTE	FLEX SPEND ACCT REIMB	528.00
	00169278	BOETTCHER, GLENN	FLEX SPEND ACCT REIMB	440.00
	00169341	MCWATTERS, BRIAN	FLEX SPEND ACCT REIMB	400.00
	00169293	CORK, TAMBI A	FLEX SPEND ACCT REIMB	213.00
	00169308	GENTINO, CATHERINE L	FLEX SPEND ACCT REIMB	212.00
	00169367	SANDINE, ASEA	FLEX SPEND ACCT REIMB	192.31
	00169377	TIMM, JANELLE	FLEX SPEND ACCT REIMB	192.31
	00169333	LEVINSON, GREGORY S	FLEX SPEND ACCT REIMB	163.70
	00169274	BARNES, HARVEY L	FLEX SPEND ACCT REIMB	95.00
	00169339	LOO CHAN, PEGGY	FLEX SPEND ACCT REIMB	76.00
<i>Org Key: VCP104 - CIP Streets Salaries</i>				
P81748	00169309	GLENN CONSULTING INC	CHIP SEAL CONFERENCE REGISTRAT	220.00
<i>Org Key: WD312C - Sub Basin 6 Watercour Ph 2</i>				
	00169263	WA DEPT OF FISH & WILDLIFE	HYDRAULIC PERMIT REVIEW FEE	150.00
<i>Org Key: WG102R - Maintenance Building Repairs</i>				
P81850	00169378	US TIMBER CUTTERS LLC	HAZARDOUS TREE REMOVAL SHOP	2,286.36
P81849	00169378	US TIMBER CUTTERS LLC	HAZARDOUS TREE REMOVEAL SHOP	2,023.56
<i>Org Key: WG106R - North Fire Station Repairs</i>				
P81848	00169356	PACIFIC AIR CONTROL INC	N FIRE APPARATUS BAY	1,281.15
P81828	00169366	RODDA PAINT	PAINT AND TAPE	240.77
<i>Org Key: WG110T - Computer Equip Replacements</i>				
P81264	00169318	HEWLETT PACKARD COMPANY	2014 Desktop Replacements	3,211.94
<i>Org Key: WG130E - Equipment Rental Vehicle Repl</i>				
P81016	00169359	PACIFIC POWER PRODUCTS	NEW PARKS TURF MOWER	47,796.75
<i>Org Key: WG335B - LB Tennis Court Wall Mural</i>				
P81844	00169305	FIELDS, CATHY	Tennis wall mural proposal	200.00
<i>Org Key: WP122R - Vegetation Management</i>				

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
P81662	00169312	GRATING PACIFIC	FLATTENED EXPANDED METAL	602.25
P81756	00169280	CADMAN INC	5/8"-MINUS ROCK (125.36 TONS)	79.22
P81775	00169346	MI HARDWARE - P&R	Tools and supplies for open sp	50.96
P81729	00169381	VERIZON WIRELESS	Parks cell phone charges Feb 2	30.13
P81741	00169345	MI HARDWARE - MAINT	MISC. HARDWARE FOR THE MONTH O	2.55
<i>Org Key: WS901D - Sewer Sys Pump Sta Repairs</i>				
P81755	00169282	CASCADE MACHINERY & ELECTRIC	PUMP STATION ASSESSMENTS	7,412.06
<i>Org Key: XG150T - Small Tech/Equipment</i>				
P81854	00169354	MORGAN SOUND	COUNCIL CHAMBERS	279.23
P81264	00169318	HEWLETT PACKARD COMPANY	2014 Desktop Replacements	99.54
<i>Org Key: XG300R - Fire Station 92 Replacement</i>				
P78880	00169373	SISKO JR, JOHN WILLIAM	Fire Station 92 Public Art	20,000.00
<i>Org Key: XP720R - KC Levy Projects</i>				
P81729	00169381	VERIZON WIRELESS	Parks cell phone charges Feb 2	30.13
<i>Org Key: XR320R - Safe Routes to School</i>				
P81756	00169280	CADMAN INC	5/8"-MINUS ROCK (125.36 TONS)	765.82
<i>Org Key: YF1100 - YFS General Services</i>				
P81767	00169349	MI HARDWARE - YFS	Operating supplies for Rotary	187.17
P81264	00169318	HEWLETT PACKARD COMPANY	2014 Desktop Replacements	99.55
<i>Org Key: YF1200 - Thrift Shop</i>				
	00169285	CENTURYLINK	PHONE USE APRIL 2014	138.94
P81743	00169344	MI HARDWARE - BLDG	MISC. HARDWARE FOR THE MONTH O	14.07
<i>Org Key: YF2100 - School/City Partnership</i>				
P81771	00169375	STERLING REFERENCE LAB	Lab fees for C.Harnish clients	19.95
<i>Org Key: YF2600 - Family Assistance</i>				
P81768	00169362	PUGET SOUND ENERGY	Utility ass't for EA client VN	347.39
P81769	00169362	PUGET SOUND ENERGY	Utility Ass't for EA client D	172.93
P81689	00169279	BOYS & GIRLS CLUB OF KC (MI)	Campership for EA client LB/JB	150.00
P81770	00169362	PUGET SOUND ENERGY	Utility Ass't for EA client DM	99.31
Total				193,737.88



CITY OF MERCER ISLAND
CERTIFICATION OF PAYROLL

PAYROLL PERIOD ENDING
PAYROLL DATED

3/28/2014
4/4/2014

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	62714060 - 62714071		18,675.40
Direct Deposits			441,209.16
Void/Manual Adjustments			19,437.20
Tax & Benefit Obligations			234,663.57
Total Gross Payroll		4/4/14	713,985.33



CITY OF MERCER ISLAND PAYROLL SUMMARY

PAYROLL PERIOD ENDING	3/28/2014
PAYROLL DATED	4/4/2014
Net Cash	459,884.56
Net Voids/Manuals	19,437.20
Federal Tax Deposit - Key Bank	85,064.27
Social Security and Medicare Taxes	41,504.70
Medicare Taxes Only (Fire Fighter Employees)	1,573.30
Public Employees Retirement System 1 (PERS 1)	361.49
Public Employees Retirement System 2 (PERS 2)	15,836.20
Public Employees Retirement System 3 (PERS 3)	3,393.51
Public Employees Retirement System 2 (PERSJBM)	471.76
Public Safety Employees Retirement System (PSERS)	152.59
Law Enforc. & Fire fighters System 2 (LEOFF 2)	23,886.86
Regence & LEOFF Trust - Medical Insurance	12,847.62
Domestic Partner/Overage Dependant - Insurance	1,616.72
Group Health Medical Insurance	1,129.88
Health Care - Flexible Spending Accounts	3,563.31
Dependant Care - Flexible Spending Accounts	1,523.08
United Way	151.00
ICMA Deferred Compensation	35,276.98
ROTH IRA	262.00
Child Support/Garnishment Payments	1,096.48
MI Employees' Association	145.00
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	1,115.00
AFLAC - Supplemental Insurance Plans	781.20
GET - Guarantee Education Tuition of WA	1,034.50
Coffee Fund	40.00
Transportation	25.00
Miscellaneous	0.00

TOTAL GROSS PAYROLL	\$ 713,985.33
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CITY OF MERCER ISLAND
CERTIFICATION OF PAYROLL

PAYROLL PERIOD ENDING

4/11/2014

PAYROLL DATED

4/18/2014

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	62718669 - 62718684		24,152.84
Direct Deposits			451,405.68
Void/Manual Adjustments			32,686.25
Tax & Benefit Obligations			247,492.25
Total Gross Payroll		4/18/14	755,737.02



CITY OF MERCER ISLAND PAYROLL SUMMARY

PAYROLL PERIOD ENDING	4/11/2014
PAYROLL DATED	4/18/2014
Net Cash	475,558.52
Net Voids/Manuals	32,686.25
Federal Tax Deposit - Key Bank	88,729.89
Social Security and Medicare Taxes	43,008.24
Medicare Taxes Only (Fire Fighter Employees)	1,926.31
Public Employees Retirement System 1 (PERS 1)	361.49
Public Employees Retirement System 2 (PERS 2)	16,867.41
Public Employees Retirement System 3 (PERS 3)	3,827.91
Public Employees Retirement System 2 (PERSJBM)	471.76
Public Safety Employees Retirement System (PSERS)	152.59
Law Enforc. & Fire fighters System 2 (LEOFF 2)	25,192.99
Regence & LEOFF Trust - Medical Insurance	12,847.62
Domestic Partner/Overage Dependant - Insurance	1,616.72
Group Health Medical Insurance	1,129.88
Health Care - Flexible Spending Accounts	3,563.31
Dependant Care - Flexible Spending Accounts	1,523.08
United Way	151.00
ICMA Deferred Compensation	34,343.66
ROTH IRA	262.00
Child Support/Garnishment Payments	1,795.18
MI Employees' Association	145.00
Cities & Towns/AFSCME Union Dues	2,018.98
Police Union Dues	2,541.01
Fire Union Dues	1,678.12
Fire Union - Supplemental Dues	133.00
AWC - Voluntary Life Insurance	209.40
Unum - Long Term Care Insurance	1,115.00
AFLAC - Supplemental Insurance Plans	781.20
GET - Guarantee Education Tuition of WA	1,034.50
Coffee Fund	40.00
Transportation	25.00
Miscellaneous	0.00

TOTAL GROSS PAYROLL	\$ 755,737.02
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**BUSINESS OF THE CITY COUNCIL
CITY OF MERCER ISLAND, WA**

**AB 4938
April 21, 2014
Consent Calendar**

**KING COUNTY PROPOSITION 1 PARKS LEVY
FUNDING INTERLOCAL AGREEMENT**

Proposed Council Action:

Authorize the City Manager to sign the Parks Property Tax Levy Agreement

DEPARTMENT OF	Parks and Recreation (Paul West)
COUNCIL LIAISON	Dan Grausz Tana Senn Debbie Bertlin
EXHIBITS	1. Parks Property Tax Levy Agreement
APPROVED BY CITY MANAGER	

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

SUMMARY

On August 6, 2013, King County voters approved Proposition 1, Parks Levy that authorized an additional six-year property tax levy to replace the expiring Proposition 2 Levy from 2006. Seven percent of the proceeds from this levy will be distributed to King County cities for parks and trail capital projects. The cities' portion of the levy will be distributed based on assessed property values and population in each city. Mercer Island's revenue from this levy is expected to be approximately \$90,000 per year. These revenues will become part of the Parks and Recreation portion of the biennial CIP budgets for the next three biennia. The levy will enable the Parks and Recreation Department to continue to improve the Mercer Island trail system.

The King County ordinance establishing the levy requires recipient cities to enter into a contract for the use of the funds. This interlocal agreement is attached as Exhibit 1. Staff recommends that this agreement be authorized by the City Council.

RECOMMENDATION

Natural Resources Manager

MOVE TO: Authorize the City Manager to sign the Parks Property Tax Levy Agreement to receive the King County Proposition 1 Levy funds.

PARKS PROPERTY TAX LEVY AGREEMENT

between

KING COUNTY & CITY OF MERCER ISLAND

This Parks Property Tax Levy Agreement (the "Agreement") is made and entered into as of April 21, 2014, by and between KING COUNTY, a political subdivision of the state of Washington (the "County") and the City of Mercer Island, a State of Washington municipal corporation ("CITY").

RECITALS

- A. The County owns and operates a park system with over twenty-eight thousand (28,000) acres of regional parks and open spaces and over one hundred seventy-five (175) miles of regional trails. In addition, the County is the provider of local parks in the rural area and is the transitional provider of local parks in the urban incorporated areas.
- B. Since 2003, on recommendation of the Metropolitan Parks Task Force and direction from the County Executive and County Council, the County's Parks and Recreation Division has focused on managing a system of regional parks, open spaces and trails and a limited set of regional active recreation assets.
- C. Consistent with its role as a regional and local rural service provider under Countywide Planning Policies and the State Growth Management Act, the County has divested itself of local parks and facilities in urban unincorporated areas as these areas incorporate or annex to cities.
- D. In November 2006, the County Executive created the Parks Futures Task Force to recommend a funding plan for the current County park system, and to examine what steps should be taken, if any, regarding future park system acquisitions.
- E. In June of 2012, the County Executive convened the King County Parks Levy Task Force to recommend a funding plan for the current park system and to examine how to address the parks and recreation needs of King County residents in the future.
- F. The King County Parks Levy Task Force recommended that the County replace the expiring levies and put a ballot measure before the voters in 2013 that requests a six-year inflation adjusted property tax levy lift at a total rate of \$0.1901 per one thousand dollars of assessed value with a percentage of the levy proceeds to be distributed to cities for their local parks system projects.
- G. On April 30, 2013, the King County Council adopted Ordinance 17568 which called for a special election in accordance with RCW 29A.04.321 to authorize an additional 6-year property tax levy for specified park purposes..

H. On August 6, 2013, King County voters approved Proposition No. 1 Parks Levy that authorized an additional six year property tax levy at a rate of \$0.1877 in the first year, with subsequent levies adjusted by inflation for the purpose of: maintaining and operating King County's parks system, improving parks, recreation and mobility by acquiring open space, expanding park and recreation opportunities, continuing to develop regional trails; repairing, replacing, and improving local parks and trails in King County's cities; and funding environmental educations, maintenance, conservation, and capital programs at the Woodland Park Zoo.

NOW, THEREFORE, in consideration of the mutual promises and undertakings hereinafter set forth and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

AGREEMENT

- 1.1 Definitions. As used in this Agreement, the following terms shall have the following meanings:
- A. "Annual Report" shall mean the annual report prepared by the CITY and provided to the County annually by May 1 beginning in 2015 setting forth a summary of city projects for the preceding year, along with a complete financial accounting for the use of County Levy Proceeds, and a listing of all capital investments made at the CITY funded in whole or in part by County Levy Proceeds, and for the 2015 annual report the CITY shall identify the dollar amount of the CITY's Existing Funds.
 - B. "CITY" shall mean the City of Mercer Island, State of Washington, and all of its boards, commissions, departments, agencies and other subdivisions.
 - C. "CITY Proceeds" shall mean seven percent (7%) of the total County Levy Proceeds collected by King County and any interest earnings on these funds
 - D. "CITY Projects" shall mean the City's local park system projects consistent with Ordinance 17568.
 - E. "County" shall mean King County, State of Washington, and all of its boards, commissions, departments, agencies and other subdivisions.
 - F. "County Council" shall mean the County Council of King County, State of Washington.
 - G. "County Levy" means the annual King County property tax levy for park purposes imposed by the King County Council and authorized by Proposition No. 1 Parks Levy that was approved by the County voters on August 6, 2013 that replaced two levies expiring at the end of 2013.

- H. "County Levy Proceeds" shall mean the principal amount of the County Levy collected by the County.
 - I. "Executive" shall mean the King County Executive or his or her functional successor.
 - J. "Existing funds" shall have the meaning, as defined by RCW 84.55.050.
 - K. "Regional trail system" shall mean the system-wide non-motorized network of designated off-road, shared-use paths, trails, or greenways for recreation and regional mobility.
2. Term of Agreement. The term of this Agreement (the "Term") shall be for a period commencing on the Effective Date (the "Commencement Date"), and expiring on December 31, 2019 (the "Termination Date").
3. Receipt of County Levy Proceeds.
- A. Generally. Each year the County shall distribute the CITY's proportionate share of the CITY Proceeds to the CITY as authorized by Ordinance 17568, subject to Council appropriation.
 - B. Receipt and Distribution of Levy Proceeds.
 - 1. Payment Schedule. Beginning in 2014 and through 2019, the County shall transfer the CITY Proceeds to the CITY on a monthly basis. The annual amounts transferred shall never exceed the CITY's proportionate share of the CITY Proceeds actually collected and appropriated by King County.
 - 2. Administrative Fee. The Parties agree that the County has authority to deduct a portion from CITY Proceeds for eligible expenditures related to the administration of the distribution of County Levy Proceeds, consistent with Ordinance 17568.
4. Use of County Levy Proceeds. The City shall only use the transferred City Proceeds for its City Projects. On or before May 1 of each year throughout the Term of this Agreement, the CITY shall provide the County with a copy of the Annual Report and provide any further documentation showing that the City Proceeds were expended on CITY Projects. The City shall maintain financial records to account separately for the City Proceeds.
5. Representations and Warranties. The CITY represents and warrants that all CITY Proceeds received by the CITY shall be used only for specific CITY Projects as defined in this Agreement and that such funds shall not be used to supplant Existing Funds. The CITY represents and warrants that all CITY Projects shall be consistent with the requirements in King County Ordinance 17568. The CITY represents and warrants that in addition to the CITY's proportionate share of the CITY's Proceeds, the CITY shall annually expend on CITY Projects an amount equal to the CITY's Existing Funds.

6. Title to Improvements. All appurtenances, fixtures, improvements, equipment, additions and other property attached to or installed in the City's local parks system during the Term shall be and remain the properties of CITY and shall not be deemed property of the County under any circumstances.
7. Notices. All notices required to be given hereunder shall be in writing and either delivered personally or sent by certified mail to the appropriate address listed below, or at such other address as shall be provided by written notice. Notice shall be deemed communicated upon actual receipt. For convenience of the parties, copies of notices may also be given by other means; however, neither party may give official or binding notice except by personal delivery or by certified mail.

If to the CITY:

Paul West, Natural Resources Manager
City of Mercer Island
2040 84th Ave SE
Mercer Island, WA 98040

If to King County:

Kevin R. Brown, Division Director
King County Parks and Recreation Division
Department of Natural Resources and Parks
201 South Jackson
Mailstop: KSC-NR-0700
Seattle, WA 98104

8. Compliance with Laws. The CITY shall comply and conform with all applicable laws and all governmental regulations, rules and orders.
9. CITY Agreement to Comply with Audit Finding or Repay. The CITY agrees that it is financially responsible for the lawful use of the levy funds distributed under this contract. The City agrees that if the State Auditor makes an audit finding that the levy proceeds have not been spent properly, the City shall comply with the State Auditor's audit finding and correct any improper expenditure or, at the sole discretion of the County, repay any indicated amounts to the County. This duty to comply with the audit finding or repay shall not be diminished or extinguished by the prior termination of the Agreement pursuant to the Duration of Agreement or the Termination Sections.
10. Miscellaneous.
 - A. Liability of the County. The County's obligations to the CITY under this Agreement shall be limited to the terms and conditions set forth herein. Notwithstanding any other provision in this Agreement to the contrary, in no event shall the County be liable, regardless of whether any claim is based on contract or tort, for any special, consequential, indirect or incidental damages, including without limitation lost

profits, arising out of or in connection with this Agreement or the services performed in connection with this Agreement.

- B. Dispute Resolution. In the event of a dispute between the CITY and the County regarding any term of this Agreement, the parties shall attempt to resolve the matter informally through the following mechanism: the CITY (reps.) or their respective designee(s), shall meet with County (reps) or their respective designee(s) to review and discuss the matter(s) in dispute; if the CITY (reps) and County (reps) are unable to reach a mutual resolution, the Executive and the mayor, or their respective designee(s) shall meet to review and discuss the matter(s) in dispute. If such persons are unable to resolve the matter informally, either party may submit the matter to a non-binding, structured mediation procedure fashioned by persons or organizations experienced in alternative dispute resolution ("ADR") procedures. The mediation may be requested by any party and shall be initiated within thirty (30) days from the date of the request unless extended by agreement of both parties. The alternative dispute resolution procedures utilized for the mediation shall include the exchange of written claims and responses, with supporting information, at least seven (7) days prior to the actual mediation. The positions expressed and mediator's recommendations shall not be admissible as evidence in any subsequent ADR or legal proceeding. If the matter is submitted to mediation and the matter is not resolved, an affected party shall be entitled to pursue any legal remedy available. Any disputes involving the lawful expenditure of levy proceeds shall be resolved by King County Superior Court if the parties cannot agree.
- C. No Implied Waiver. No failure by either party hereto to insist upon the strict performance of any obligation of the other party under this Agreement or to exercise any right, power or remedy arising out of a breach thereof, irrespective of the length of time for which such failure continues (except in cases where this Agreement expressly limits the time for exercising rights or remedies arising out of a breach), shall constitute a waiver of such breach or of that party's right to demand strict compliance such term, covenant or condition or operate as a surrender of this Agreement. No waiver of any default or the performance of any provision hereof shall affect any other default or performance, or cover any other period of time, other than the default, performance or period of time specified in such express waiver. One or more written waivers of a default or the performance of any provision hereof shall not be deemed to be a waiver of a subsequent default or performance. The consent of either party hereto given in any instance under the terms of this Agreement shall not relieve the other party of any obligation to secure the consent of the other party in any other or future instance under the terms of this Agreement.
- D. Headings and Subheadings. The captions preceding the articles and sections of this Agreement and in the table of contents have been inserted for convenience of reference and such captions in no way define or limit the scope or intent of any provision of this Agreement.
- E. Successors and Assigns. The terms, covenants and conditions contained in this Agreement shall bind and inure to the benefit of the County and the CITY and, except

as otherwise provided herein, their personal representatives and successors and assigns. There are no third party beneficiaries to this Agreement.

- F. Agreement made in Washington. This Agreement shall be deemed to be made in and shall be construed in accordance with the laws of the State of Washington. Venue of any action brought by one party against the other to enforce or arising out of this Agreement shall be in King County Superior Court.
- G. Integrated Agreement; Modification. This Agreement contains all the agreements of the parties hereto relating to the subject matter addressed herein, and cannot be amended or modified except by a written agreement approved by the King County Council and mutually executed between each of the parties hereto.
- H. Counterparts. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which taken together shall constitute one and the same instrument.
- I. Time of Essence. Time is of the essence of each provision of this Agreement.
- J. Signage. For each capital project funded with County Levy Proceeds, the CITY shall provide a sign including the following language: This project was funded (or as applicable, funded in part) with proceeds from the Proposition No. 1 Parks Levy approved by King County voters in August 2013 under an Agreement with King County Parks and Recreation Division.

DATED this ____ day of _____, 2014.

KING COUNTY, a Washington municipal corporation

CITY OF MERCER ISLAND, a Washington municipal corporation

By _____

By Noel Treat

Its _____

Its City Manager

By authority of Ordinance No. 17568



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

**AB 4943
April 21, 2014
Consent Calendar**

**OPEN SPACE CONSERVANCY TRUST BOARD
2013 ANNUAL REPORT AND 2014 WORK PLAN**

Proposed Council Action:

Receive reports. No action necessary.

DEPARTMENT OF

Parks and Recreation (Paul West)

COUNCIL LIAISON

Tana Senn

EXHIBITS

1. 2013 Annual Report
2. 2014 Work Plan

APPROVED BY CITY MANAGER

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

SUMMARY

The Open Space Conservancy Trust holds Pioneer Park and Engstrom Open Space in trust as public open space. The ordinance which established the Open Space Conservancy Trust requires its Board of Trustees to report to City Council annually on the status of their properties. The Trust is presenting its 2013 Annual Report (Exhibit 1).

The Trust is also presenting its work plan calendar for 2014 (Exhibit 2) with this report. Staff estimates that the full work plan will require up to 200 hours of staff time for research, preparation, attendance and follow up of Trust board meetings, including Trustee-initiated inquiries and requests.

RECOMMENDATION

Open Space Conservancy Trust Board Chair

Receive report. No action necessary

2013 Open Space Conservancy Trust Annual Report

Forest Health and Management

The state of the forest in Pioneer Park continues to improve. Over 1400 trees were planted in 2013. Every acre has received some type of restoration. The work of volunteers and paid contractors has been profound. However, with more losses of trees from root diseases this fall, the Trust is considering whether these activities are sufficient to insure that tree canopy and native habitat remain the defining features of the trust properties in perpetuity. The Trust received annual updates on restoration efforts and root rot management from Parks and Recreation staff in the spring. In the fall, Parks and Recreation staff reported that an unexpected number of new trees along Island Crest Way had been found to have a root disease that is particularly damaging to tree roots. A number of mature, healthy looking trees were removed as a result. The Trust remains concerned about the widespread and ongoing impact that root diseases are having in its properties. The Trust will pursue this topic further in 2014.

Trails and Trail Use

While the Trust is charged with protecting and preserving its properties, it recognizes that recreational use is integral to that mission. The Trust has the responsibility of finding the balance of activity and protection that will sustain the forest character over the long term. In May 2013, the Trust received a trail work plan from Parks and Recreation. Additionally, Boy Scouts contributed substantially to trail access. One scout installed directional signs in the northeast quadrant to help direct trail users in and out of the ravine. In August, a scout and his troop resurfaced a portion of the Woodpecker Trail in the northwest quadrant to earn his Eagle rank. Another scout earned his Eagle rank by constructing a new boardwalk in the Engstrom Open Space to replace a fallen log that had been used as a boardwalk.

Looking ahead, the Trust considered additional needs for trail signage in the park. The trustees concluded that they needed more information about trail use from trail users. The trust also considered an accessible parking proposal from Parks and Recreation staff at the trailhead on 84th Ave SE. The trust declined to formalize accessible parking there. The Trust also declined an offer of a bike rack in Pioneer Park as part of the Station 92 project. However, the trustees reiterated to Development Services Group their desire for a mid-block crossing on SE 68th Street at the South End shopping center.

Early in 2013, the trust discussed how to best guide the Parks and Recreation Department in addressing problems with dogs that are not under voice control. Two temporary signs were installed in the northwest quadrant alerting park users about the ordinance that requires voice control. The Trust continues to monitor the level and type of complaints that Parks and Recreation is receiving.

Policy and Programs

The Trust adopted a significant new policy on special events in Pioneer Park. The work expanded on an existing Trust policy which allowed educational walks in the park without a special events permit. After several meetings which included public input on orienteering events, the trust adopted a policy that requires certain protections for the types of events that are likely to cause damage to the forest

ecosystem. This policy will be administered by Parks and Recreation under its existing Special Events Program.

Letterboxing was again hosted in Pioneer Park for the fourth year in a row. This successful program launched on National Trails Day and concluded with a celebration of the participants at the November 2013 Trust board meeting. Fifteen boxes were placed, and some boxes had over 50 unique visits. This continues to be an important way to introduce people to Pioneer Park. The Trust appreciates the work of the volunteers with Mercer Island Letterboxing Adventures for producing this program.

The Trust recognizes that the Leap for Green event at Mercer Island Community and Events Center is an ideal venue for raising awareness and involvement in the trust properties. It began planning for its participation in the 2014 event in the fall. The trustees expect to staff an information table there.



**MERCER ISLAND
OPEN SPACE CONSERVANCY TRUST
2014 Work Plan**

January 16

CANCELLED

March 20

- Election of Officers – The Trust is required by its by-laws to elect officers at its January meeting each year.
- Annual Report to Council – The Trust is required in its by-laws to report to City Council each year on the status of Trust properties.
- 2014 Work Plan The Trust develops a list of topics that it intends to address during the year (this document). This work plan is submitted to City Council with the Annual Report as a courtesy.
- Leap for Green participation – Trustees will decide on materials and activities for the information table at Leap for Green
- Dogs off Leash – the Trust will receive updates on off-leash dogs and discuss with staff solutions to user conflicts.
- Letterboxing – The Trust board will continue to sponsor and support an annual Letterboxing program for youth on Mercer Island.
- Quadrant Reports – Trustees report on the condition of certain quadrants at Trust board meetings.

May 22

- Summer Work Plan – City staff report to the Trust its intended maintenance activities in the spring of each year.
- 2013-2014 Forest Health Work Plan – City staff will present to the Trust the restoration work planned for the next biennium.
- Evaluation of canopy sustainability – evaluation of the survival and growth of planted trees to determine whether canopy cover will be maintained over the long term.
- Herbicide Application Report – Trust adopted a herbicide use protocol that requires City staff to report on the use of herbicides in Trust properties each year.
- Trail User Survey – determine the needs of trail users for directional signs in the park.

July 17

- 10 year Open Space Vegetation Plan update - report to the Trust from staff on the analysis of the progress in City open space with regard to the Trust properties.
- Review of root rot intervention and treatment options – an overview of the historical decisions the trust has made with regard to root rot and new information on possible interventions.
- Public education about root diseases – discussion of a public education effort to inform the public of the root disease prevalence in Pioneer Park and prepare for possible future interventions.

September 18

- Eagle Project recognition – The Trust will recognize Eagle projects that have benefitted Trust Properties.
- Preschool Program Development – Are there any ways that the Trust properties could be more useful to preschoolers?

November 20

- Letterboxing recognition of participants

Note: The listing of an item under a particular month means that the item will be introduced at that meeting. There will be follow-up discussions and decisions at subsequent meetings as directed by the Chair.



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

**AB 4946
April 21, 2014
Consent Calendar**

**RESOLUTIONS AUTHORIZING RECREATION &
CONSERVATION GRANT APPLICATIONS FOR
CALKINS POINT SHORELINE AND ISLAND
CREST PARK**

Proposed Council Action:

Adopt Resolutions No. 1483 and No. 1484 to apply for grants for Calkin's Point Shoreline and Island Crest Park.

DEPARTMENT OF

Parks and Recreation (Jason Kintner)

COUNCIL LIAISON

Debbie Bertlin Tana Senn Jane Brahm

EXHIBITS

1. Proposed Resolution No. 1483
2. Proposed Resolution No. 1484

APPROVED BY CITY MANAGER

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

SUMMARY

Background

Parks & Recreation staff has been investigating opportunities that would enable the City of Mercer Island to apply for grant funding to improve park infrastructure and usability. After looking into grant funding opportunities through the Washington State Recreation and Conservation Office (RCO), staff has identified two projects, the Calkins Point shoreline stabilization project and the Island Crest Park South synthetic turf conversion project as possible grant applications. The proposed resolutions are required by the RCO to allow the City to be eligible to apply for grants under the funding sources.

Calkins Point at Luther Burbank Park

In April 2006, the City Council approved the Luther Burbank Park Master Plan. The approved plan included a public process and presented a preferred plan for projects and facility upgrades at Luther Burbank Park. Calkins Point, located at the northernmost tip of Luther Burbank Park, currently consists of an open grass meadow with a small, steep embankment at the water's edge. The majority of the approximate 600 linear feet of lakeshore is not vegetated and suffers from rapid erosion from continual wave and wake action. This proposed project, currently 100% designed, was approved in the 2013-2014 City's Adopted Budget (CIP), with about half of the project funding to come from grants.

Identified in the Master Plan, this project includes improving vegetation along the shoreline to improve habitat and reduce erosion, the creation of an improved beach and access to the lake, as well as an improved viewing area. Interpretive signage will detail the ecological function of the lake and help environmental stewardship for park users as they view the restoration area. The goal of this project is to create a shoreline that maintains long-term functionality, improves lake water quality, enhances wildlife habitat (including juvenile salmon) and maintains the character and serenity of the park.

After looking into grant funding opportunities through the RCO, staff has identified the Aquatic Lands Enhancement Account (ALEA) as a possible matching funding source for this project. If the grant application is successful, staff is optimistic that construction would begin in July 2015 as required by the in-water work permits.

Island Crest Park South Field Conversion

Staff continues to work with our Ballfield User Group (BUG) to identify improvements that will increase playability and usability of our sports fields. Currently, Island Crest Park is being used to support the Mercer Island School District baseball teams, various Mercer Island Boys & Girls Club teams, City leagues, soccer, and other ballfield users. The existing infield is comprised of a dirt and clay mixture and the outfield is comprised of a sand-based natural grass field. Both playing surfaces are impacted each year by inclement weather, especially in early spring and fall. An upgraded field to synthetic turf would improve playability, minimize rainouts, minimize field maintenance costs, and would help maximize field availability year-round (currently scheduled February through November). The results from the 2013 north infield project have all but eliminated cancelled games due to adverse weather conditions, and staff is optimistic similar results will be found if the south field is converted. This project was identified as a preferred project from BUG and was identified as a priority in the failed 2008 Parks Bond. BUG members have committed to work with the City in fundraising efforts to assist with this project.

This proposed project would use the CIP funded replacement of the field light fixtures at Island Crest Park (planned for replacement in 2015-2016) as the grant match through the Washington Wildlife and Recreation Program (WWRP). If funded, construction of both components of this project (lights and synthetic turf) would begin in 2015. By completing this field conversion, staff anticipates improved playability for all users, reduced maintenance, and increased usability. If funded, it would also help in addressing the impact of the loss of the Sunken Field at the South Mercer Playfields due to the construction of the middle school.

RECOMMENDATION

Parks Superintendent

- MOVE TO:
1. Adopt Resolution No. 1483, authorizing the City Manager to apply for funding for Aquatic Lands Enhancement Account project to the Recreation and Conservation Office as provided in Chapter 79.105.150, Washington Administrative Code 286, and subsequent legislative action.
 2. Adopt Resolution No. 1484, authorizing the City Manager to apply for Washington Wildlife and Recreation Program Account project to the Recreation and Conservation Office as provided in Chapter 79A.15 RCW.

**CITY OF MERCER ISLAND
RESOLUTION NO. 1483**

**A RESOLUTION OF THE CITY OF MERCER ISLAND, WASHINGTON
AUTHORIZING APPLICATION FOR AQUATIC LANDS ENHANCEMENT
ACCOUNT FOR THE CALKINS POINT SHORLINE PROJECT AT LUTHER
BURBANK PARK.**

WHEREAS, this is a resolution that authorizes submitting application(s) for grant funding assistance for an Aquatic Lands Enhancement Account project(s) to the Recreation and Conservation Office as provided in Chapter 79.105.150, Washington Administrative Code 286, and subsequent Legislative action.

WHEREAS, under the provisions of Aquatic Lands Enhancement Account (ALEA), state grant assistance is requested to aid in financing the cost of development and restoration; and

WHEREAS, the City of Mercer Island considers it in the best public interest to complete the project described in the application;

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

1. The City Manager is authorized to make formal application to the Recreation and Conservation Office for grant assistance;
2. Any grant assistance received will be used for direct costs associated with implementation of the project referenced above;
3. The City of Mercer Island hereby certifies that our matching share of project funding will be from the Capital Improvement Fund (CIP) derived from the City of Mercer Island's Real Estate Excise Tax (REET 1) and that we are responsible for supporting all non-cash commitments to this project should they not materialize.
4. We acknowledge that the grant assistance, if approved, will be paid on a reimbursement basis, meaning we will only request payment from the Recreation and Conservation Office after eligible and allowable costs have been incurred and payment remitted to our vendors, and that the Recreation and Conservation Office will hold retainage until the project is deemed complete.
5. We acknowledge that any facility developed and/or property restored through grant assistance from the Recreation and Conservation Funding Board must be reasonably maintained and made available to the general public unless other restrictions have been agreed to by the Recreation and Conservation Office Director of the Recreation and Conservation Funding Board.
6. We acknowledge that any facility developed and/or property restored with grant assistance from the Recreation and Conservation Funding Board must be dedicated for public purposes and be retained and maintained for perpetuity unless otherwise provided and agreed to by our organization and the Recreation and Conservation Funding Board.
7. This resolution becomes part of a formal application to the Recreation and Conservation Office for grant assistance; and
8. We provided appropriate opportunity for public comment on the application.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL OF THE CITY OF MERCER ISLAND, WASHINGTON, AT ITS REGULAR MEETING ON THE 21ST DAY OF APRIL, 2014.

CITY OF MERCER ISLAND

Bruce Bassett, Mayor

ATTEST:

Allison Spietz, City Clerk

**CITY OF MERCER ISLAND
RESOLUTION NO. 1484**

**A RESOLUTION OF THE CITY OF MERCER ISLAND, WASHINGTON
AUTHORIZING APPLICATION FOR A WASHINGTON WILDLIFE AND
RECREATION PROGRAM GRANT FOR THE ISLAND CREST PARK SOUTH
FIELD CONVERSION.**

WHEREAS, this is a resolution that authorizes submitting application(s) for grant funding assistance for Washington Wildlife and Recreation Program project(s) to the Recreation and Conservation Office as provided in Chapter 79A.15 RCW, Acquisition of habitat conservation and outdoor recreation lands, WAC 286 and subsequent Legislative action.

WHEREAS, the City of Mercer Island has approved a comprehensive parks and recreation plan or habitat conservation plan that includes this project; and

WHEREAS, under the provisions of Washington Wildlife and Recreation Program (WWRP), state grant assistance is requested to aid in financing the cost of facility development; and

WHEREAS, the City of Mercer Island considers it in the best public interest to complete the project described in the application;

NOW, THEREFORE, BE IT RESOLVED, that

1. The City Manager is authorized to make formal application to the Recreation and Conservation Office for grant assistance;
2. Any grant assistance received will be used for direct costs associated with implementation of the project referenced above;
3. The City of Mercer Island hereby certifies that our matching share of project funding will be from the Capital Improvement Fund (CIP) derived from the City of Mercer Island's Real Estate Excise Tax (REET 1) and that we are responsible for supporting all non-cash commitments to this project should they not materialize.
4. We acknowledge that the grant assistance, if approved, will be paid on a reimbursement basis, meaning we will only request payment from the Recreation and Conservation Office after eligible and allowable costs have been incurred and payment remitted to our vendors, and that the Recreation and Conservation Office will hold retainage until the project is deemed complete.
5. We acknowledge that any facility developed through grant assistance from the Recreation and Conservation Funding Board must be reasonably maintained and made available to the general public at reasonable hours and times of the year according to the type of area or facility unless other restrictions have been agreed to by the Recreation and Conservation Office Director of the Recreation and Conservation Funding Board.
6. We acknowledge that any facility developed with grant assistance from the Recreation and Conservation Funding Board must be dedicated for public outdoor recreation purposes, and be retained and maintained for such use for perpetuity unless otherwise provided and agreed to by our organization and the Recreation and Conservation Funding Board.

7. This resolution becomes part of a formal application to the Recreation and Conservation Office, for grant assistance; and
8. We provided appropriate opportunity for public comment on the application.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL OF THE CITY OF MERCER ISLAND, WASHINGTON, AT ITS REGULAR MEETING ON THE 21ST DAY OF APRIL, 2014.

CITY OF MERCER ISLAND

Bruce Bassett, Mayor

ATTEST:

Allison Spietz, City Clerk



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

**AB 4947
April 21, 2014
Regular Business**

**FALSE ALARM CODE AMENDMENTS (2ND
READING)**

Proposed Council Action:

Conduct second reading of Ordinance No. 14C-04, amending Chapter 8.10 MICC Alarms Responded to by the Police and Fire Departments.

DEPARTMENT OF City Attorney (Christina Schuck)

COUNCIL LIAISON n/a

EXHIBITS 1. Proposed Ordinance No. 14C-04, Option 1
2. Proposed Ordinance No. 14C-04, Option 2

APPROVED BY CITY MANAGER

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

SUMMARY

Background

Chapter 8.10 of the Mercer Island City Code (MICC) governs the use and registration of alarm systems. This Chapter requires updating to clarify definitions, reflect current practices and to set forth an improved false alarm enforcement procedure, including a new penalty schedule and appeal process.

The purpose of this Chapter is to reduce false alarms and ensure the City is efficiently using emergency response resources, including time and money. Chapter 8.10 incentivizes alarm users to register their alarm system, providing the police and/or fire departments with current and accurate alarm system information and contact information.

Staff brought proposed ordinance No. 14C-04 for first reading on March 31, 2014. The City Council discussed the proposed ordinance, and set it for second reading on April 21.

Proposed Amendments

At the first reading of the proposed ordinance on March 31, 2014, Council raised the following issues:

- Registration of alarm systems
 - Collection of information
 - Disclosure of alarm registrations under the Public Records Act
- Requirement to maintain written operating instructions for alarms systems on-site

- Imposition of a flat penalty schedule versus a graduated penalty schedule
- Exemption from fines
 - Ages 62 and above
 - Residents qualifying for the City's utilities service discount program

With this in mind, Staff has completed additional research and amended the proposed changes as follows. Changes between first and second reading are highlighted in yellow on Exhibits 1 and 2.

REGISTRATION OF ALARM SYSTEMS

Information Collected

Currently, the police department collects and maintains alarm registration forms. Alarm users are asked to provide:

- Contact information – name, address, phone numbers (personal, business, cell)
- Monitoring company information
- Emergency contacts – contact information and whether or not s/he has a key and can reset the alarm
- Other information or directions
- Recurring services – housecleaners, gardeners, etc.

This information helps the police and fire departments provide better customer service, enabling them to contact the homeowner or an emergency contact to respond to an emergency situation and/or help secure the premises.

Public Records Act

“Personally identifying information” collected by law enforcement under security alarm system registrations is exempt from public records requests. [RCW 42.46.240(9)] Although each record request must be individually analyzed, this provision likely exempts the most sensitive information from alarm registration forms from disclosure.

WRITTEN OPERATING INSTRUCTIONS

Currently, MICC 8.10.060 requires an alarm user to maintain a written set of operating instructions for each alarm on-site. Another section, MICC 8.10.040, addresses alarm system operation and maintenance and enumerates actions alarm users must take to operate and maintain alarm systems. Maintaining a written set of operating instructions fits most appropriately into this “best practices” section and the proposed amendments now make this change.

PENALTY SCHEDULE

The penalty schedule encourages registration of the alarm systems, recovers costs for false alarm dispatches and promotes the proper use and maintenance of alarm systems. Under the current code, the penalties range from a warning letter for the first false alarm dispatch to \$100.00. The proposed amendments set forth a simple, uniform penalty schedule of \$75.00 per false alarm dispatch. (See Exhibit 1, Ordinance Option 1.) Registered alarm users receive a warning letter for the first false alarm. This penalty schedule recovers the actual dispatch fee and the administrative costs per false alarm. A flat fee also simplifies the invoicing completed by the finance department.

An alternative to a flat fee is keeping a graduated penalty schedule, but raising the first fine imposed to \$75.00 and increasing the fine by \$25.00 for each subsequent false alarm. (See Exhibit 2, Ordinance Option 2). This also recovers costs and provides a greater incentive for alarm users to avoid repeated false alarm dispatches.

Number of False Alarm Dispatches	Fine
1	Warning letter if registered
2	\$75.00
3	\$100.00
4	\$125.00
5 or more	\$150.00

EXEMPTIONS FROM FINES

During the March 31, 2014 meeting, Council directed staff to remove a proposed exemption from fines for residents ages 62 and above. Accordingly, the exemption for those ages 62 and above has been deleted.

Council also directed staff to research an exemption for individuals who qualify for the City’s utility discount program. To address Council’s direction, MICC 8.10.090(B) has been amended. Specifically, this section allows the alarm administrator to waive or modify the fine if the alarm user is eligible for the City’s utility discount program.

DEFINITION UPDATES

The definition of “alarm user” in MICC 8.10.020(F) was updated by deleting redundant references to firms, partnership, corporations and entities that are already included in the definition of “person” in MICC 8.10.020(K).

The amendments to proposed Ordinance No. 14C-04 address the questions and concerns raised by Council in the first reading on March 31, 2014 and provide effective, clear and up-to-date regulations to encourage alarm users to properly maintain alarm systems, thereby reducing or eliminating false alarms.

Staff recommends adoption of this ordinance.

RECOMMENDATION

Assistant City Attorney

MOVE TO: Adopt Ordinance No. 14C-04 (Option __) amending MICC 8.10, Alarms Responded to by the Police and Fire Departments.

OPTION 1

**CITY OF MERCER ISLAND
ORDINANCE NO. 14C-04**

**AN ORDINANCE OF THE CITY OF MERCER ISLAND AMENDING
CHAPTER 8.10 OF THE MERCER ISLAND CITY CODE REGARDING
ALARMS RESPONDED TO BY THE POLICE AND FIRE
DEPARTMENTS**

WHEREAS, the City of Mercer Island Municipal Code (MICC) contains Title 8, Health and Safety and Chapter 8.10, Alarms Responded to by the Police and Fire Departments, adopted as Ordinance No. 99C-02 and amended by Ordinance No. 06C-06; and

WHEREAS, false alarm dispatches to the police and/or fire department burden emergency response teams; and

WHEREAS, alarm system registration and a clear enforcement process encourages alarm users to properly use and maintain alarm systems, reducing the number of false alarm dispatches; and

WHEREAS, the provisions of Chapter 8.10 contain definitions that are unclear and terms that are used inconsistently throughout the chapter; and

WHEREAS, MICC 8.10.020 and MICC 8.10.080 contain references to the now obsolete alarm hearing examiner and false alarm user awareness class; and

WHEREAS, proposed Ordinance No. 14C-04 updates and amends Chapter 8.10 of the Mercer Island City Code by clarifying and updating definitions and ensuring language is consistently used throughout the chapter; and

WHEREAS, proposed Ordinance No. 14C-04 amends the enforcement section to establish a new fine schedule for false alarm dispatches and new appeal process.

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

Section 1. **Amend MICC Chapter 8.10, Alarms Responded to by the Police and Fire Departments.** MICC Chapter 8.10, Alarms Responded to by the Police and Fire Departments is hereby amended as follows:

**Chapter 8.10
ALARMS RESPONDED TO BY THE POLICE AND FIRE DEPARTMENTS**

Sections:

8.10.010 Purpose.

8.10.020 Definitions.

8.10.030 ~~Alarm registration form~~ ~~Emergency response card~~ required.

8.10.040 ~~Proper a~~Alarm systems operation and maintenance.

8.10.050 Monitoring procedures.

~~8.10.060 Alarm system operating instructions.~~

~~8.10.070 8.10.060~~ Alarm dispatch request records.

~~8.10.080 8.10.070 False alarm user awareness class~~ Enforcement.

~~8.10.090 Fines and penalties.~~

~~8.10.100 8.10.080~~ Appeal ~~from fines and penalties~~ procedure.

~~8.10.110 8.10.090~~ Exceptions.

8.10.010 Purpose.

A. The purpose of this chapter is to encourage alarm users and alarm businesses to maintain ~~the~~ operational reliability, ~~and~~ to properly use alarm systems, and to reduce or eliminate police and/or fire false alarm dispatches ~~requests~~.

B. This chapter governs systems intended to summon emergency response, establishes alarm registration and false alarm dispatch fines ~~fees, provides for penalties for violations~~ and establishes a system of administration.

8.10.020 Definitions.

A. “Alarm administrator” means a person designated by the police chief and/or fire chief to review emergency alarm response ~~cards/forms, alarm dispatch requests~~, respond to inquiries, and maintain alarm registration and false alarm dispatch databases ~~and hear alarm fine appeals.~~ and hear alarm fine appeals. ~~schedule and conduct alarm fine appeal hearings.~~

B. “Alarm business” means the business, by an individual, partnership, corporation or other entity of selling, leasing, maintaining, servicing, repairing, altering, replacing, moving, installing or monitoring an alarm system.

C. “Alarm dispatch request” means a notification to the police and/or fire department ~~dispatch center~~ by the alarm business that an alarm, either manual or automatic, has been activated at a particular alarm site.

~~D. “Alarm hearing examiner” shall be appointed by the chief to rule on alarm fine appeals.~~

~~E~~D. “Alarm site” means a single premises or location served by an alarm system or systems. Each tenancy, if served by a separate alarm system in a multitenant building or complex, shall be considered a separate alarm site.

~~F~~E. “Alarm system” means a device or series of devices including, but not limited to, systems interconnected with radio frequency signals, which are designed to discourage crime, report fires or water flow from fire sprinklers by emitting or transmitting a remote or local audible, visual or electronic signal indicating an alarm condition. “Alarm system” does not include:

1. An alarm installed on a vehicle unless the vehicle is permanently located at a site; or
2. An alarm designed to alert only the inhabitants of a premises that does not have a sounding device that can be heard on the exterior of the alarm site.

GF. “Alarm user” means any person, firm, partnership, corporation or other entity using operating an alarm system at its alarm site.

~~H. “Chief” means the director of the police and/or fire departments of the city or an authorized representative.~~

IG. “Duress alarm” means a silent alarm signal generated by the manual activation of a device intended to signal a crisis situation requiring police and/or fire response.

JH. “False alarm dispatch” means an alarm dispatch request to the police and/or fire departments when the responding police officer/firefighter who, after completing a timely investigation of the alarm site, finds no evidence of a criminal or attempted criminal offense or risk from fire, heat, water or smoke. An alarm dispatch request that is canceled by the alarm business or the alarm user prior to the time the responding police officer/firefighter reaches the alarm site shall not be considered a false alarm dispatch.

~~K. “False alarm user awareness class” means a class operated by the Mercer Island police and/or fire departments for the purpose of educating alarm users about the problems created by false alarm dispatches and in the responsible use of their alarm system.~~

LI. “Holdup alarm” means a silent alarm signal generated by the manual activation of a device intended to signal a robbery in progress.

~~M. “Keypad” means a device that allows control of an alarm system by the manual entering of a coded sequence of numbers or letters.~~

NJ. “Monitoring” means the process by which an alarm business receives signals from alarm systems and relays an alarm dispatch request to the city police and/or fire department for the purpose of summoning police or fire response to the alarm site.

~~O. “One plus duress alarm” means the manual activation of a silent alarm signal by entering at a keypad a code that adds one to the last digit of the normal arm/disarm code (Normal code—1234, One Plus Duress Code—1235).~~

PK. “Person” means an individual, corporation, partnership, association, organization or similar entity.

~~Q. “Six month period” is computed as follows: A response at which no other false alarm has occurred within the preceding six months is referred to as “first response”. A “second response” occurs within six months of the “first response”. A “third response” occurs within six months of the “second response”. A “fourth response” occurs within six months of the “third response” and so on.~~

RL. “Verify” means an attempt, by the alarm business, or its representative, to contact the alarm site by telephonic or other electronic means, whether or not actual contact with a person is

made, before requesting a police and/or fire dispatch, in an attempt to avoid an ~~unnecessary false~~ alarm dispatch request.

8.10.030 ~~Emergency response card~~ Alarm registration form required.

A. No alarm user shall operate, or cause to be operated, an alarm system at its alarm site without an alarm registration form~~emergency response card~~ on file with the alarm administrator. A separate ~~card~~ alarm registration form is required for each alarm site. Alarm users may obtain an alarm registration form from the city website or by mail, fax, e-mail or in-person request from the police department.

B. Each ~~emergency response card~~ alarm registration form must include, but is not limited to, the following information:

1. The name(s), address, and ~~telephone number(s)~~ alarm user~~person who will be responsible for the proper maintenance and operation of the alarm system.~~

2. The classification of the alarm site as either residential, commercial or apartment.

3. For each alarm system located at the alarm site, the purpose of the alarm system, i.e., burglary, holdup, duress, fire or other.

4. The names, address, and phone number of the alarm business ~~monitoring the alarm system if different from the installing alarm business.~~

5. Whether the alarm site is equipped or non-equipped for duress alarm.

6. Emergency contact(s) of the alarm user, to include name(s) and phone number(s).

~~C. All employees or representatives of the city shall hold information contained in emergency response card in confidence.~~

8.10.040 ~~Proper a~~ Alarm systems operation and maintenance.

A. An alarm user shall:

1. Maintain the premises and the alarm system in a manner that will minimize or eliminate false alarm dispatches; and

2. Make every reasonable effort to respond or cause a representative to respond to the alarm system's location within one hour when notified by the city to deactivate a malfunctioning alarm system, to provide access to the premises alarm site, and/or to provide security for the premises alarm site; and

3. Not manually activate an alarm for any reason other than an occurrence of an event that the alarm system was intended to report; and

4. Make every reasonable effort to insure that the alarm will not be activated due to transient pressure changes, electrical power surges or failures, short flashes of light, normal room temperature changes, wind noises, rattling or vibrating door or windows, vehicular noises, or other causes unrelated to genuine signals. Other causes can include animals, birds, balloons, ~~in~~ proper/improper food preparation, construction dust or steam in bath/kitchen areas; and

5. Notify any workers on the alarm site of the existence of an alarm system and/or take precautions so they will not activate the alarm; and

~~6. Notify police department dispatch prior to and after having work done on the alarm system.~~

~~B6. An alarm user shall Make any necessary adjust~~ments the mechanism or cause the mechanism to be adjusted~~ so that an alarm signal audible on the exterior of an alarm site will sound for no longer than 10 minutes after being activated (or 15 minutes for systems operating under Underwriters Laboratories, Inc. Standards 365 or 609).~~

~~C7. An alarm user shall have a properly licensed alarm business inspect his alarm system after two false alarm dispatches in a six-month period, and shall provide documentation of that inspection to the department alarm administrator.~~

8. An alarm user shall maintain a set of written operating instructions for each alarm at each alarm site.

8.10.050 Monitoring procedures.

An alarm business ~~performing monitoring services~~ shall:

~~A. Not request dispatch for police/fire personnel response during the first week after installation of an alarm system, but rather use that week to train the alarm user on proper use of the alarm system unless extenuating circumstances necessitate immediate requests for response;~~

~~B.A.~~ Attempt to verify every alarm signal, except a duress or hold-up alarm activation before requesting a police/fire response to an alarm signal;

~~C.B.~~ Ensure that all alarm users of alarm systems equipped with a duress alarm are given adequate training as to the proper use of the duress alarm.

8.10.060 Alarm system operating instructions.

An alarm user shall maintain a set of written operating instructions for each alarm system at each alarm site.

8.10.070-060 Alarm dispatch request records.

A. The police officer and/or firefighter responding to an alarm dispatch request shall record such information as necessary on the alarm response form to permit the alarm administrator to maintain records.

B. The responding police officer and/or firefighter shall indicate on the alarm response form dispatch record whether the dispatch was caused by a criminal or attempted criminal offense, or risk from fire, heat, water or smoke, or was a false alarm dispatch.

C. In the case of an assumed false alarm dispatch, the responding police officer and/or firefighter shall leave notice at the alarm site, or notify the alarm user by mail, that the police and/or fire department has responded to a false alarm dispatch. If there is reason to believe that an alarm system is not being used or maintained in a manner that ensures proper operation and suppresses false alarm dispatches, the alarm administrator may require a conference with an alarm user and the alarm business responsible for the repair of the alarm system to review the circumstances of each false alarm dispatch.

8.10.080 False alarm user awareness class.

~~The alarm administrator shall oversee the creation and implementation of a false alarm user awareness class. The one-hour program shall inform alarm users of the problems created by false alarm dispatches and teach alarm users how to operate their alarm systems without generating false alarm dispatches.~~

8.10.090 070 Fines and penalties Enforcement.

A. An alarm user shall be subject to fines, a warnings and penalties or fines, depending on the number of false alarm dispatches emitted from an alarm system within a calendar year six-month period based upon the following schedule:

Number of False Alarm Dispatches	Action Taken	Fines
1	On-Site Written Notice & Warning Letter #1	0
2	On-Site Written Notice & Notice of Fine	\$50
3	On-Site Written Notice & Notice of Fine	\$75
4 & up	On-Site Written Notice & Notice of Fine	\$100

B. Notice of a warning or fee shall be given to the alarm user based upon the following schedule:

1. First false alarm dispatch: Registered alarm users shall receive a warning letter only. Non-registered alarm users shall be fined \$75.00. Registration shall be required.

2. Second false alarm dispatch: The alarm user shall receive a \$75.00 fine.

3. Third false alarm dispatch: The alarm user shall receive a \$75.00 fine.

4. Fourth and additional false alarm dispatches: The alarm user shall receive a \$75.00 fine.

~~An alarm user shall, after the second false alarm dispatch, have the option of attending a false alarm user awareness class in lieu of paying the prescribed fine.~~

~~C. A fine may be imposed on the first false alarm when such alarm is proven to have been caused by negligence or failure to use due care, i.e., failure to bag the alarm during construction. This section refers specifically to construction sites, including but not limited to new and/or remodel.~~

~~D. Alarm dispatch requests caused by actual criminal offense or with evidence of a criminal attempt, or risk from fire, heat, water or smoke, shall not be counted as a false alarm dispatch.~~

~~E. Any person violating any provision of this chapter is guilty of a misdemeanor except that repeated false alarms are infractions and are subject to civil penalties.~~

~~F. Any false alarms resulting from a failure to take the necessary corrective action to prevent reoccurrence and/or non payment of any false alarm fine assessment may result in the director providing a written notice ordering disconnection of such alarm until such corrective action or payment of fine assessment is made. The department will not respond to any alarm at this site unless it is a human activated panic, medical or holdup alarm.~~

8.10.100-080 Appeal from fines and penalties procedure.

A. An alarm user may appeal assessment of a fine to the alarm administrator by filing a written request for consideration hearing setting forth the reasons for the appeal within 10 ten days after of receipt of notice of a fine. ~~The filing of a request for an appeal hearing with the alarm hearing examiner stays the assessment of the fine until the alarm hearing examiner makes a final decision.~~

B. The alarm administrator shall consider the explanation provided by the alarm user and conduct a formal hearing with the alarm hearing examiner and appellant to consider the evidence by any interested person(s). The alarm hearing examiner shall make his/her decision on the basis of the explanation of the alarm dispatch request and steps taken to reduce the likelihood of future false alarm dispatches of the preponderance of evidence presented at the hearing including, but not limited to, that an alarm dispatch request was caused by a criminal offense. The alarm hearing examiner/administrator shall affirm, reverse or modify the assessment of the fine. The alarm administrator may also waive or modify the fine if the alarm user is eligible for the City's utility discount program. ~~The decision of the alarm hearing examiner is final as to administrative remedies with the city.~~

C. An alarm user may appeal the alarm administrator's decision by filing a written notice of appeal to the city clerk within fourteen days of the alarm administrator's decision. The city's hearing examiner shall hear the appeal. The decision of the hearing examiner is final as to administrative remedies with the city. ~~The alarm administrator and alarm hearing examiner may waive the formal hearing and imposition of the fine if the alarm user submits written evidence that a false alarm dispatch was caused by a defective part that has been repaired or replaced.~~

8.10.110-090 Exceptions.

This chapter shall not apply to the police chief or fire chief, members of the police and/or fire departments, or other persons duly authorized to activate an alarm when such may be deemed proper.

Section 2. **Severability.** If any section, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality does not affect the validity of any other section, sentence, clause or phrase of this ordinance.

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

Section 4. **Effective Date.** This ordinance shall take effect and be in force 30 days after its passage and publication.

PASSED by the City Council of the City of Mercer Island, Washington at its regular meeting on the ____ day of _____ 2014 and signed in authentication of its passage.

CITY OF MERCER ISLAND

Bruce Bassett, Mayor

Approved as to Form:

ATTEST:

Katie H. Knight, City Attorney

Allison Spietz, City Clerk

Date of Publication: _____

OPTION 2

**CITY OF MERCER ISLAND
ORDINANCE NO. 14C-04**

**AN ORDINANCE OF THE CITY OF MERCER ISLAND AMENDING
CHAPTER 8.10 OF THE MERCER ISLAND CITY CODE REGARDING
ALARMS RESPONDED TO BY THE POLICE AND FIRE
DEPARTMENTS**

WHEREAS, the City of Mercer Island Municipal Code (MICC) contains Title 8, Health and Safety and Chapter 8.10, Alarms Responded to by the Police and Fire Departments, adopted as Ordinance No. 99C-02 and amended by Ordinance No. 06C-06; and

WHEREAS, false alarm dispatches to the police and/or fire department burden emergency response teams; and

WHEREAS, alarm system registration and a clear enforcement process encourages alarm users to properly use and maintain alarm systems, reducing the number of false alarm dispatches; and

WHEREAS, the provisions of Chapter 8.10 contain definitions that are unclear and terms that are used inconsistently throughout the chapter; and

WHEREAS, MICC 8.10.020 and MICC 8.10.080 contain references to the now obsolete alarm hearing examiner and false alarm user awareness class; and

WHEREAS, proposed Ordinance No. 14C-04 updates and amends Chapter 8.10 of the Mercer Island City Code by clarifying and updating definitions and ensuring language is consistently used throughout the chapter; and

WHEREAS, proposed Ordinance No. 14C-04 amends the enforcement section to establish a new fine schedule for false alarm dispatches and new appeal process.

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

Section 1. **Amend MICC Chapter 8.10, Alarms Responded to by the Police and Fire Departments.** MICC Chapter 8.10, Alarms Responded to by the Police and Fire Departments is hereby amended as follows:

**Chapter 8.10
ALARMS RESPONDED TO BY THE POLICE AND FIRE DEPARTMENTS**

Sections:

8.10.010 Purpose.

8.10.020 Definitions.

8.10.030 ~~Alarm registration form~~ ~~Emergency response card~~ required.

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~~8.10.060 Alarm system operating instructions.~~

~~8.10.070 8.10.060~~ Alarm dispatch request records.

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~~8.10.110 8.10.090~~ Exceptions.

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B. This chapter governs systems intended to summon emergency response, establishes alarm registration and false alarm dispatch fines ~~fees, provides for penalties for violations~~ and establishes a system of administration.

8.10.020 Definitions.

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C. “Alarm dispatch request” means a notification to the police and/or fire department ~~dispatch center~~ by the alarm business that an alarm, either manual or automatic, has been activated at a particular alarm site.

~~D. “Alarm hearing examiner” shall be appointed by the chief to rule on alarm fine appeals.~~

~~E~~D. “Alarm site” means a single premises or location served by an alarm system or systems. Each tenancy, if served by a separate alarm system in a multitenant building or complex, shall be considered a separate alarm site.

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1. An alarm installed on a vehicle unless the vehicle is permanently located at a site; or
2. An alarm designed to alert only the inhabitants of a premises that does not have a sounding device that can be heard on the exterior of the alarm site.

GF. “Alarm user” means any person, firm, partnership, corporation or other entity using operating an alarm system at its alarm site.

~~H. “Chief” means the director of the police and/or fire departments of the city or an authorized representative.~~

IG. “Duress alarm” means a silent alarm signal generated by the manual activation of a device intended to signal a crisis situation requiring police and/or fire response.

JH. “False alarm dispatch” means an alarm dispatch request to the police and/or fire departments when the responding police officer/firefighter who, after completing a timely investigation of the alarm site, finds no evidence of a criminal or attempted criminal offense or risk from fire, heat, water or smoke. An alarm dispatch request that is canceled by the alarm business or the alarm user prior to the time the responding police officer/firefighter reaches the alarm site shall not be considered a false alarm dispatch.

~~K. “False alarm user awareness class” means a class operated by the Mercer Island police and/or fire departments for the purpose of educating alarm users about the problems created by false alarm dispatches and in the responsible use of their alarm system.~~

LI. “Holdup alarm” means a silent alarm signal generated by the manual activation of a device intended to signal a robbery in progress.

~~M. “Keypad” means a device that allows control of an alarm system by the manual entering of a coded sequence of numbers or letters.~~

NJ. “Monitoring” means the process by which an alarm business receives signals from alarm systems and relays an alarm dispatch request to the city police and/or fire department for the purpose of summoning police or fire response to the alarm site.

~~O. “One plus duress alarm” means the manual activation of a silent alarm signal by entering at a keypad a code that adds one to the last digit of the normal arm/disarm code (Normal code—1234, One Plus Duress Code—1235).~~

PK. “Person” means an individual, corporation, partnership, association, organization or similar entity.

~~Q. “Six month period” is computed as follows: A response at which no other false alarm has occurred within the preceding six months is referred to as “first response”. A “second response” occurs within six months of the “first response”. A “third response” occurs within six months of the “second response”. A “fourth response” occurs within six months of the “third response” and so on.~~

RL. “Verify” means an attempt, by the alarm business, or its representative, to contact the alarm site by telephonic or other electronic means, whether or not actual contact with a person is

made, before requesting a police and/or fire dispatch, in an attempt to avoid an ~~unnecessary false~~ alarm dispatch request.

8.10.030 ~~Emergency response card~~ Alarm registration form required.

A. No alarm user shall operate, or cause to be operated, an alarm system at its alarm site without an alarm registration form~~emergency response card~~ on file with the alarm administrator. A separate ~~card~~ alarm registration form is required for each alarm site. Alarm users may obtain an alarm registration form from the city website or by mail, fax, e-mail or in-person request from the police department.

B. Each ~~emergency response card~~ alarm registration form must include, but is not limited to, the following information:

1. The name(s), address, and ~~telephone number(s)~~ alarm user~~person who will be responsible for the proper maintenance and operation of the alarm system.~~

2. The classification of the alarm site as either residential, commercial or apartment.

3. For each alarm system located at the alarm site, the purpose of the alarm system, i.e., burglary, holdup, duress, fire or other.

4. The names, address, and phone number of the alarm business ~~monitoring the alarm system if different from the installing alarm business.~~

5. Whether the alarm site is equipped or non-equipped for duress alarm.

6. Emergency contact(s) of the alarm user, to include name(s) and phone number(s).

~~C. All employees or representatives of the city shall hold information contained in emergency response card in confidence.~~

8.10.040 ~~Proper a~~ Alarm systems operation and maintenance.

A. An alarm user shall:

1. Maintain the premises and the alarm system in a manner that will minimize or eliminate false alarm dispatches; and

2. Make every reasonable effort to respond or cause a representative to respond to the alarm system's location within one hour when notified by the city to deactivate a malfunctioning alarm system, to provide access to the premises alarm site, and/or to provide security for the premises alarm site; and

3. Not manually activate an alarm for any reason other than an occurrence of an event that the alarm system was intended to report; and

4. Make every reasonable effort to insure that the alarm will not be activated due to transient pressure changes, electrical power surges or failures, short flashes of light, normal room temperature changes, wind noises, rattling or vibrating door or windows, vehicular noises, or other causes unrelated to genuine signals. Other causes can include animals, birds, balloons, ~~in~~ proper/improper food preparation, construction dust or steam in bath/kitchen areas; and

5. Notify any workers on the alarm site of the existence of an alarm system and/or take precautions so they will not activate the alarm; and

~~6. Notify police department dispatch prior to and after having work done on the alarm system.~~

~~B6. An alarm user shall Make any necessary adjustments ~~the mechanism or cause the mechanism to be adjusted~~ so that an alarm signal audible on the exterior of an alarm site will sound for no longer than 10 minutes after being activated (or 15 minutes for systems operating under Underwriters Laboratories, Inc. Standards 365 or 609).~~

~~C7. An alarm user shall have a properly licensed alarm business inspect his alarm system after two false alarm dispatches in a six-month period, and shall provide documentation of that inspection to the department alarm administrator.~~

8. An alarm user shall maintain a set of written operating instructions for each alarm at each alarm site.

8.10.050 Monitoring procedures.

An alarm business ~~performing monitoring services~~ shall:

~~A. Not request dispatch for police/fire personnel response during the first week after installation of an alarm system, but rather use that week to train the alarm user on proper use of the alarm system unless extenuating circumstances necessitate immediate requests for response;~~

~~B.A.~~ Attempt to verify every alarm signal, except a duress or hold-up alarm activation before requesting a police/fire response to an alarm signal;

~~C.B.~~ Ensure that all alarm users of alarm systems equipped with a duress alarm are given adequate training as to the proper use of the duress alarm.

8.10.060 Alarm system operating instructions.

~~An alarm user shall maintain a set of written operating instructions for each alarm system at each alarm site.~~

8.10.070-060 Alarm dispatch request records.

A. The police officer and/or firefighter responding to an alarm dispatch request shall record such information as necessary on the alarm response form to permit the alarm administrator to maintain records.

B. The responding police officer and/or firefighter shall indicate on the alarm response form dispatch record whether the dispatch was caused by a criminal or attempted criminal offense, or risk from fire, heat, water or smoke, or was a false alarm dispatch.

C. In the case of an assumed false alarm dispatch, the responding police officer and/or firefighter shall leave notice at the alarm site, or notify the alarm user by mail, that the police and/or fire department has responded to a false alarm dispatch. If there is reason to believe that an alarm system is not being used or maintained in a manner that ensures proper operation and suppresses false alarm dispatches, the alarm administrator may require a conference with an alarm user and the alarm business responsible for the repair of the alarm system to review the circumstances of each false alarm dispatch.

8.10.080 False alarm user awareness class.

~~The alarm administrator shall oversee the creation and implementation of a false alarm user awareness class. The one-hour program shall inform alarm users of the problems created by false alarm dispatches and teach alarm users how to operate their alarm systems without generating false alarm dispatches.~~

8.10.090 070 Fines and penalties Enforcement.

A. An alarm user shall be subject to fines, a warnings and penalties or fines, depending on the number of false alarm dispatches emitted from an alarm system within a calendar year six-month period based upon the following schedule:

Number of False Alarm Dispatches	Action Taken	Fines
1	On-Site Written Notice & Warning Letter #1	0
2	On-Site Written Notice & Notice of Fine	\$50
3	On-Site Written Notice & Notice of Fine	\$75
4 & up	On-Site Written Notice & Notice of Fine	\$100

B. Notice of a warning or fee shall be given to the alarm user based upon the following schedule:

1. First false alarm dispatch: Registered alarm users shall receive a warning letter only. Non-registered alarm users shall be fined \$75.00. Registration shall be required.

2. Second false alarm dispatch: The alarm user shall receive a \$75.00 fine.

3. Third false alarm dispatch: The alarm user shall receive a \$100.00 fine.

4. Fourth false alarm dispatch: The alarm user shall receive a \$125.00 fine.

5. Fifth **or more** false alarm dispatches: The alarm user shall receive a \$150.00 fine.

~~An alarm user shall, after the second false alarm dispatch, have the option of attending a false alarm user awareness class in lieu of paying the prescribed fine.~~

~~C. A fine may be imposed on the first false alarm when such alarm is proven to have been caused by negligence or failure to use due care, i.e., failure to bag the alarm during construction. This section refers specifically to construction sites, including but not limited to new and/or remodel.~~

~~D. Alarm dispatch requests caused by actual criminal offense or with evidence of a criminal attempt, or risk from fire, heat, water or smoke, shall not be counted as a false alarm dispatch.~~

~~E. Any person violating any provision of this chapter is guilty of a misdemeanor except that repeated false alarms are infractions and are subject to civil penalties.~~

~~F. Any false alarms resulting from a failure to take the necessary corrective action to prevent reoccurrence and/or non payment of any false alarm fine assessment may result in the director providing a written notice ordering disconnection of such alarm until such corrective action or payment of fine assessment is made. The department will not respond to any alarm at this site unless it is a human activated panic, medical or holdup alarm.~~

8.10.100-080 Appeal from fines and penalties procedure.

~~A. An alarm user may appeal assessment of a fine to the alarm administrator by filing a written request for consideration hearing setting forth the reasons for the appeal within 10 ten days after of receipt of notice of a fine. The filing of a request for an appeal hearing with the alarm hearing examiner stays the assessment of the fine until the alarm hearing examiner makes a final decision.~~

~~B. The alarm administrator shall consider the explanation provided by the alarm user and conduct a formal hearing with the alarm hearing examiner and appellant to consider the evidence by any interested person(s). The alarm hearing examiner shall make his/her decision on the basis of the explanation of the alarm dispatch request and steps taken to reduce the likelihood of future false alarm dispatches of the preponderance of evidence presented at the hearing including, but not limited to, that an alarm dispatch request was caused by a criminal offense. The alarm hearing examiner administrator shall affirm, reverse or modify the assessment of the fine. The alarm administrator may also waive or modify the fine if the alarm user is eligible for the City's utility discount program. The decision of the alarm hearing examiner is final as to administrative remedies with the city.~~

~~C. An alarm user may appeal the alarm administrator's decision by filing a written notice of appeal to the city clerk within fourteen days of the alarm administrator's decision. The city's hearing examiner shall hear the appeal. The decision of the hearing examiner is final as to administrative remedies with the city. The alarm administrator and alarm hearing examiner may~~

~~waive the formal hearing and imposition of the fine if the alarm user submits written evidence that a false alarm dispatch was caused by a defective part that has been repaired or replaced.~~

8.10.110-090 Exceptions.

This chapter shall not apply to the police chief or fire chief, members of the police and/or fire departments, or other persons duly authorized to activate an alarm when such may be deemed proper.

Section 2. **Severability.** If any section, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality does not affect the validity of any other section, sentence, clause or phrase of this ordinance.

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

Section 4. **Effective Date.** This ordinance shall take effect and be in force 30 days after its passage and publication.

PASSED by the City Council of the City of Mercer Island, Washington at its regular meeting on the ____ day of _____ 2014 and signed in authentication of its passage.

CITY OF MERCER ISLAND

Bruce Bassett, Mayor

Approved as to Form:

ATTEST:

Katie H. Knight, City Attorney

Allison Spietz, City Clerk

Date of Publication: _____



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

AB 4932
April 21, 2014
Regular Business

CITY COUNCIL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR THE COVAL LONG PLAT (SUB13-009/SEP13-041)	Proposed Council Action: Authorize the Mayor to sign the Findings of Fact and Conclusions of Law rejecting the Planning Commission's recommendation for the Coval eighteen lot preliminary long plat.
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DEPARTMENT OF	Development Services Group (Shana Crick)
COUNCIL LIAISON	n/a
EXHIBITS	1. City Council Findings of Fact and Conclusions of Law for the Coval Preliminary Long Plat
APPROVED BY CITY MANAGER	

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

SUMMARY

BACKGROUND

The Coval Long Plat proposed to create eighteen residential building lots from one existing parcel. The subject property is located at 3051 84th Ave SE (King County Tax Parcel No. 122404-9010) and 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 applicant had requested an eighteen lot long plat that would have contained a private dead-end road serving lots with areas ranging from 10,060 square feet to 12,112 square feet.

PROJECT CHRONOLOGY

The following table provides a summary of the review process and history of the Coval long plat application (SUB13-009):

Action(s)	Description of Action(s) Taken	Date(s) of Action(s)
Application Received	The application for the long subdivision was received by the City.	7/30/2013
Determination of Completeness	The long plat application was determined to be complete.	11/8/2013

Public Notice of Application, Notice of Open Record Hearing, and Public Notice that issuance of a State Environmental Policy Act (SEPA) Mitigated Determination of Nonsignificance (MDNS) is likely	This notice was 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
	The notice was published at least 10 days prior to the public hearing in a newspaper of general circulation within the city	11/27/2013
	A 23 day public comment period was provided.	11/18/2013 through 5:00 P.M. on 12/11/2013
MDNS Issued	The MDNS was issued subject to nine mitigation conditions. It was sent to all property owners within 300 feet of the subject property and published in the City Weekly Permit Bulletin. 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.	12/23/2013
MDNS Additional Comment Period	A 21 day optional public comment period was provided. The applicant agreed to extend the original optional comment period from 14 days to 21 days.	12/23/2013 through 5:00 P.M. on 1/13/2014
MDNS Appeal Period	A 14 day appeal period provided per MICC 19.07.120(T) and MICC 19.15.020(J).	12/23/2013 through 5:00 P.M. on 1/6/2014
Planning Commission Open Record Public Hearing	The open record public hearing was held in front of the Planning Commission. An opportunity for public testimony on the record was provided.	1/15/2014
Record Closed	No additional materials or testimony were allowed after the record closed.	1/22/2014 at 5:00 P.M.
Continuation of Planning Commission Public Hearing	The Planning Commission opted to continue the hearing until January 29, 2014 in order to consider new information submitted to the record between the opening of the public hearing on January 15, 2014 and the closing of the record on 5:00 P.M. on January 22, 2014. The Planning Commission voted 4 – 2 to recommend approval of the Coval long plat to the City Council.	1/29/2014
City Council Sets Date for Closed Record Public Hearing	The City Council set a date of February 24, 2014 for the closed record public hearing and action on the preliminary subdivision application.	2/3/2014
City Council Closed Record Public Hearing	The City Council held a closed record public hearing and made a decision on the Planning Commission's recommendation.	2/24/2014

CITY COUNCIL ACTION

On February 24, 2014, the City Council voted unanimously (7-0) to reject the Planning Commission's recommendation for the Coval long plat. Attached are the City Council's Findings of Fact and Conclusions of Law (Exhibit 1) that detail the conclusions of the Council. The Council raised several questions of fact. Upon request of the Council, the City Attorney's Office researched the Council's authority to remand the

matter back to the Planning Commission to re-open the open-record hearing and have the Planning Commission do additional fact-finding on the issues raised by the City Council. The City Council is empowered to remand the matter back to the Planning Commission to re-open the open record hearing.

CITY COUNCIL'S AUTHORITY TO REMAND

The MICC supports the City Council's authority to remand this matter back to the Planning Commission. First, the code does not forbid the 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 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 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 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 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.

SUMMARY

Staff recommends that the City Council adopt the Findings of Fact and Conclusions of Law attached as Exhibit 1. In addition, staff recommends that the City Council remand the matter to the Planning Commission to reopen the open record hearing and to complete fact finding on the issues identified by the City Council.

RECOMMENDATION

Senior Planner

- MOVE TO:
1. Authorize the Mayor to sign the Findings of Fact and Conclusions of Law for the Coval Preliminary Long Plat (as presented in Exhibit 1 of AB 4932) on behalf of the City Council.
 2. Remand the project to the Planning Commission to reopen the open-record hearing, and 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.



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 though 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 though 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



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.

APRIL 17 – SPECIAL JOINT MEETING - 5:00-7:00 PM

Joint Meeting with the Mercer Island School District Board (Council Chambers)

APRIL 21

Item Type	Topic/Presenter	Time
Study Session	Fleet Management – C. Corder	60
Special Business	Legislative Session Recap – T. Senn	30
Special Business	Earth Day Proclamation – R. Freeman	5
Consent Calendar	King County Proposition 1 Levy Funding Interlocal Agreement – P. West	--
Consent Calendar	Open Space Conservancy Trust Board 2013 Annual Report and 2014 Work Plan – P. West	--
Consent Calendar	Resolutions Authorizing Recreation & Conservation Grant Applications for Calkin's Point Shoreline and Island Crest Park – J. Kintner	--
Regular Business	City Council Findings of Fact and Conclusions of Law for the Coval Long Plat (SUB13-009/SEP13-041) – S. Crick	30
Regular Business	False Alarm Code Amendments (2nd Reading & Adoption) – C. Schuck	15

MAY 5

Item Type	Topic/Presenter	Time
Study Session	2014 Biennial Citizen Survey Results – C. Corder	60
Consent Calendar	Schedule Conner Townhomes/Trellis Long Plat for Public Meeting – G. Steirer	--
Regular Business	Kiwanis Fireworks Sales Permit – C. Tubbs	10
Regular Business	Fire Station 92 Project Update – G. Boettcher	40

MAY 19

Item Type	Topic/Presenter	Time
Regular Business	1st Quarter 2014 Financial Status Report & Budget Adjustments—C. Corder	30
Regular Business	Disposition of 2013 Year-End Revenue Surplus—C. Corder	30
Public Hearing	Public Hearing and Resolution to Surplus a Portion of Clarke Beach Park – P. West and C. Schuck	30
Public Hearing	2015-2020 Transportation Improvement Program Preview & Public Hearing – P. Yamashita	90
Closed Record Hearing	Conner Townhomes/Trellis Long Plat for Public Meeting – G. Steirer	120
Regular Business	(tentative) School Property Rezones and P Zone Code Text Amendment (1st Reading) – S. Greenberg	60

JUNE 2

Item Type	Topic/Presenter	Time
Regular Business	Code Enforcement Provisions—K. Knight	45

<i>Regular Business</i>	2013 Mercer Island Dashboard Report—C. Corder	60
<i>Regular Business</i>	Chelan County Regional Justice Center Jail Contract—L. Burns	20
<i>Regular Business</i>	Shoreline Master Program Update—S. Greenberg	30
<i>Regular Business</i>	(tentative) School Property Rezones and P Zone Code Text Amendment (2nd Reading) – S. Greenberg	30
<i>Regular Business</i>	Fire Marshal – C. Tubbs	45

JUNE 14 – (SATURDAY, 8:30 AM-5:00 PM)

	2013 Mini-Planning Session (MICEC – Groveland Room)	
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JUNE 16

Item Type	Topic/Presenter	Time
<i>Special Business</i>	“Day of Play” Playful City U.S.A. Proclamation—D. Mortenson	5
<i>Special Business</i>	Parks & Recreation Month Proclamation—D. Mortenson	5
<i>Regular Business</i>	2015-2020 Capital Improvement Program (CIP) Budget “Preview”—C. Corder	120
<i>Regular Business</i>	2015-2020 Transportation Improvement Program Adoption—P. Yamashita	45

JULY 7

Item Type	Topic/Presenter	Time
<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

JULY 21

Item Type	Topic/Presenter	Time
<i>Regular Business</i>	Luther Burbank Park Playground Mosaic 1% for the Arts Project – A. Britton	30

AUGUST 4

Item Type	Topic/Presenter	Time
<i>Regular Business</i>	Code Enforcement Provisions—K. Knight	45

AUGUST 18

Item Type	Topic/Presenter	Time
	Potentially Canceled	

SEPTEMBER 2		
Item Type	Topic/Presenter	Time
<i>Regular Business</i>	2nd Quarter 2014 Financial Status Report & Budget Adjustments—C. Corder	45

SEPTEMBER 15		
Item Type	Topic/Presenter	Time

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)	

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

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

Item Type	Topic/Presenter	Time
	Potentially Canceled	

OTHER ITEMS TO BE SCHEDULED:

- 2014 Budget Hearings – C. Corder
- Comcast Franchise – K. Knight
- PSE Electric Franchise – K. Knight
- Joint Meeting with MISD – April 30, 2015

COUNCILMEMBER ABSENCES:

- Brahm: April 21