



GMHB EXHIBIT 38

CITY COUNCIL MINUTES

REGULAR HYBRID MEETING

NOVEMBER 1, 2022

CALL TO ORDER & ROLL CALL

Mayor Salim Nice called the regular meeting to order at 5:00 pm in the Council Chambers at City Hall, 9611 SE 36th Street, Mercer Island, Washington.

Mayor Salim Nice, Deputy Mayor David Rosenbaum and Councilmembers Lisa Anderl, Jake Jacobson, and Ted Weinberg participated in person in Council Chambers.

Councilmembers Craig Reynolds and Wendy Weiker joined via Zoom.

PLEDGE OF ALLEGIANCE

The City Council delivered the Pledge of Allegiance.

AGENDA APPROVAL

It was moved by Anderl; seconded by Jacobson to:

Approve the agenda.

PASSED: 7-0

FOR: 7 (Anderl, Jacobson, Nice, Reynolds, Rosenbaum, Weiker, and Weinberg)

STUDY SESSION

AB 6156: Briefing on New Growth Management Act Housing Requirements and Implementing E2SHB 1220

Interim CPD Director Jeff Thomas introduced AB 6156: Briefing on New Growth Management Act Housing Requirements and Implementing E2SHB 1220, provided an overview of the purpose of the study session, and presented background on the new Growth Management Act housing requirements and on the implementation of E2SHB 1220.

Senior Planner Adam Zack presented the affordable housing targets from Washington State Department of Commerce (Commerce). Senior Planner Zack discussed the King County Growth Management Planning Council (GMPC) and the GMPC's responsibility for allocating targets to the cities in King County to guide planning. He spoke about the three options for affordable housing targets, and on how the City could potentially accommodate the affordable housing targets once guidance from Commerce has been provided. He spoke about what is moderate density housing and what the City will need to do to plan for moderate density as part of the update to the overall housing strategy. Senior Planner Zack presented about racially disparate impacts, and on how E2SHB 1220 requires the City to identify and amend housing policies to address racially disparate impacts.

City Manager Bon presented on the staff resources that are available in the Community Planning & Development department, what staff are dedicated in CPD to legislative work, and on the potential to likely need to add a 1.0 LTE analyst position to support this additional planning work. City Manager Bon presented an overview of the budget and resources needed for the Comprehensive Plan update.

City Council discussed, asked questions of staff and provided feedback.

CITY MANAGER REPORT

City Manager Bon reported on the following items:

- **Council, Boards & Commission Meetings Update:** MISD School Board Joint Meeting on November 3, and Regular Hybrid Meeting on November 15. Design Commission Regular Hybrid Meeting on November 2, Parks and Recreation Commission Regular Hybrid Meeting on November 3, and Planning Commission Special Hybrid Meeting on November 9.
- **City Services Updates:** Biannual recycling and med take back events this past weekend, MIPD and MIHS partner to create PSA video on bicycle safety, Help us keep the drains clear with the onset of fall, fentanyl awareness event at MIHS last week, Thrift Shop donations, Lincoln Landing has reopened, City facilities will be closed for Veterans Day
- **Upcoming Events:** Community Conversations Events, MI Healthy Youth Forum,
- **News:** Honoring Emergency Management Volunteer Bob Tykulsker, Trick or Treating in Town Center, Pumpkin Walk at Mercedale Park, and Illuminate MI installation has begun.

APPEARANCES

Alex Tsimerman, addressed the City Council.

CONSENT AGENDA

AB 6171: October 21, 2022 Payroll Certification

Recommended Action: Approve the October 21, 2022 Payroll Certification (Exhibit 1) in the amount of \$879,405.99 and authorize the Mayor to sign the certification on behalf of the entire City Council.

Certification of Claims:

A. Check Register | 213449-213543 | 10/14/2022 | \$1,075,295.50

B. Check Register | 213544-213645 | 10/21/2022 | \$806,374.99

C. EFT Payments | September 2022 | \$2,400,181.92

Recommended Action: Certify that the City Council has reviewed the documentation supporting claims paid and approved all checks or warrants issued in payment of claims.

City Council Meeting Minutes of the October 18, 2022 Regular Hybrid Meeting.

Recommended Action: Recommended Action: Approve the minutes of the October 18, 2022 Regular Hybrid Meeting.

AB 6172: Comprehensive Plan Amendment (Remove Figure TC-1) – Second Reading and Adoption of Ord. No. 22-17

Recommended Action: Adopt Ordinance No. 22-17 amending the Comprehensive Plan.

AB 6173: Shop Small Month, Proclamation No. 299

Recommended Action: Proclaim November 2022 Shop Small Month in the City of Mercer Island.

AB 6174: Luther Burbank Boiler Building Acceptance of Department of Commerce Grant

Recommended Action: Authorize the City Manager to accept and sign the Department of Commerce Luther Burbank Boiler Building Grant contract (see Exhibit 1) in the amount of \$82,450 to fund the design of the Boiler Building Phase 1 project

AB 6175: Sunset Hwy and 77th Ave SE Improvements Bid Award

Recommended Action:

1. Award Bid #22-32 to Active Construction, Inc., for the construction of the Sunset Hwy and 77th Ave SE Intersection Improvement project.
2. Authorize the City Manager to execute a contract with Active Construction, Inc. in an amount not to exceed \$1,181,181
3. Appropriate \$994,568.00 from the East Link Mitigation funds for the Sunset Hwy and 77th Ave SE Intersection Improvements project.

AB 6176: Resolution No. 1634 to Apply for RCO Grant Funding for Luther Burbank Park Dock Reconfiguration Construction Project

Recommended Action: Adopt Resolution No. 1634 authorizing staff to submit grant applications for the Luther Burbank Dock Reconfiguration Construction project.

It was moved by Anderl; seconded by Weinberg to:

Approve the Consent Agenda and the recommended actions contained therein.

PASSED: 7-0

FOR: 7 (Anderl, Jacobson, Nice, Reynolds, Rosenbaum, Weiker, and Weinberg)

REGULAR BUSINESS

AB 6178: 2023 Legislative Priorities

City Manager Jessi Bon presented the 2023 State Legislative Priorities.

City Council discussed the 2023 State Legislative Priorities.

It was moved by Weinberg; seconded by Reynolds to:

Amend the second sentence of No. 5 of the Legislative Priorities to read – The City encourages legislation, partnerships, and funding that incentivizes and supports clean energy, carbon reduction, and the implementation of potential climate action plan programs including but not limited to such as heat pump adoption and electric vehicle charging infrastructure.

PASSED: 6-1

FOR: 6 (Jacobson, Nice, Reynolds, Rosenbaum, Weiker, Weinberg)

AGAINST: 1 (Anderl)

It was moved by Rosenbaum; Weiker to:

Amend No. 4 of the Legislative Priorities to add – the City encourages the legislature to postpone implementation of HB 1220 (add RCW), revisit, amend, and/or repeal components of the law, and fund further study of the financial and regulatory impacts this legislation will have on local jurisdictions to produce housing for all income levels.

PASSED: 7-0

FOR: 7 (Anderl, Jacobson, Nice, Reynolds, Rosenbaum, Weiker, and Weinberg)

It was moved by Jacobson; seconded by Weiker to:

Adopt the 2023 State Legislative Priorities as amended

PASSED: 6-1

FOR: 6 (Anderl, Jacobson, Nice, Rosenbaum, Weiker and Weinberg)

AGAINST: 1 (Reynolds)

City Council was in recess from 7:03pm – 7:13pm.

AB 6177: Receive the 2023-2024 Preliminary Budget

Finance Director Matt Mornick provided an overview of the biennial budget schedule and the remaining process for adoption of the 2023-2024 biennial budget.

Chief of Operations Jason Kintner presented the six capital related budget proposals:

1. SE 27th realignment study

2. Bike share and scooter share pilot program
3. Bike parking pilot program
4. Purchase valve turner/vactor combo machine
5. New 1.0 FTE CIP Program Inspector
6. New 1.0 FTE Utility Engineer

City Council discussed the six capital related budget proposals.

It was moved by Rosenbaum; seconded by Rosenbaum to:

Approve the six budget proposals as presented for inclusion in the Final 2023-2024 Biennial Budget

PASSED: 6-0-1

FOR: 6 (Anderl, Nice, Reynolds, Rosenbaum, Weiker and Weinberg)

ABSTAIN: 1 (Jacobson)

It was moved by Anderl; seconded by Jacobson to:

Move to postpone the consideration for item 1.1 until the main budget proposals are considered in Q2 2023

FAIL: 3-4

FOR: 3 (Anderl, Jacobson and Weinberg)

AGAINST: 4 (Nice, Reynolds, Rosenbaum, Weiker)

OTHER BUSINESS

Planning Schedule

City Manager Bon spoke about the next meeting on November 15

Councilmember Absences and Reports

Anderl

- Open Space Conservancy Trust meeting
- Utility Board meeting

Jacobson

- Disability Board meeting

Nice

- Provided an update on MISD after the McCleary decision

Reynolds

- Participated in the Community Conversations series
- Submitted application for the EPA Local Government Advisory Committee
- Reviewed Millman study of the LEOFF 1 Plan

Rosenbaum

- SCA PIC meeting next week

Weiker

- Thank you staff for Halloween Weekend
- Last Friday toured the King County Wastewater treatment system
- SCA has new Executive Director David Hoffman
- Applications for the regional boards & commissions are due on November 10
- Seattle Chamber Elected Officials reception on December 15
- SCA Annual Meeting on November 30

ADJOURNMENT

The regular Council Meeting adjourned at 7:52pm.

Salim Nice, Mayor

Attest:

Andrea Larson, City Clerk