

GMHB EXHIBIT 64

2023-07-18 City Council Transcript

0:53

good evening and thank you for joining the July 18th 2023 city council special hybrid meeting

1:01

city council is an executive session until at least 6 30 pm thank you for

1:07

your patience

52:55

I'm gonna hear this one you're good

53:02

yep

54:32

it is

54:40

today

54:48

apparently it's the HVAC system where we're going to see if we can turn it off

55:07

so I'm five minutes from turning on my videos I'll join the video soon

55:12

sounds good

55:39

good evening and welcome to the July 18 2023 city council special hybrid meeting I'm mayor Salim niece and this evening's

55:45

hybrid city council meeting is being brought to you by zoom we're also broadcasting live on mitv channel 21 and

55:52

on the city's YouTube channel before this meeting the city council was an executive session from 5 PM to 6 10 p.m

55:58

during an executive session we discussed with legal counsel one for planning and adopting the strategy or position to be

56:04

taken by the governing body during the course of any collective bargaining professional negotiations or grievance

56:10

or mediation proceedings or reviewing proposals made in the negotiations or proceedings while in progress pursuant

56:17

to RCW 42.30.140.4 closed print little B close

56:23

print and two to discuss with legal counsel litigation or potential litigation pursuant to RCW

56:30

42.30.110 for N1 closed print little I close print and three to review the

56:36

performance of a publicly employee pursuant rcw42.30.110 parent one closed print

56:43

little G close print uh welcome to all and thanks for joining us tonight council members please have your

56:49

microphones turned on for roll call City cleric Andrea Larson please call the roll thank you Mr mayor council member Andrew

57:00

council member Jacobson remember Reynolds here

57:05

councilmember weiker here council member Weinberg here

57:12

Deputy Mayor Rosenbaum I believe is absent yes and mayonnaise here

57:20

thank you Mr Mayor very good we have a quorum uh next we have the Pledge of Allegiance Council please mute and turn

57:25

off your video to ensure the flag is visible and join me in reciting the Pledge of Allegiance

57:31

I pledge allegiance to the flag of the United States of America and to the Republic for which it stands one nation

57:37

under God indivisible with liberty and justice for all

57:48

we now move to approval of tonight's agenda if there's no questions may have a motion to approve the agenda

57:56

one second can't move my customer Jacobson seconded by customer Walker city clerk please call the roll

58:03

okay Mr Mayor Marines all right Deputy Mayor Rosenbaum is

58:08

absent councilmember Reynolds hi councilmember Jacobson

58:15

aye council member Andrew aye council member Waker

58:23

it's unavailable council member Weinberg hi

58:29

thank you Mr Mayor okay [Music] okay councilmember weiker that was a

58:38

I heard I okay pretty good so the agenda is passed and

58:45

next up we have city managers um report and we welcome to see a manager

58:50

Jesse bomb uh good evening Mr Mayor and members of

58:57

the council uh Ali speaks is helping you drive the PowerPoint tonight uh it is Tuesday July

59:04

18th we've uh definitely enjoyed plugging in all the photos from Summer

59:09

celebration this past weekend and I'll talk more about that in just a minute uh let's start where we normally do with

59:16

his which is a look ahead to the upcoming schedule uh Council this is our

59:21

last council meeting before we take uh the month of August off the remaining part of July and August off for our

59:27

August recess we will be back for our next regular council meeting on Tuesday

59:33

September 5th we do have a couple more boarding commission meetings before they also take an August reset excuse me in

59:41

August recess the open space Conservancy trust will meet July 20th the Planning Commission

59:46

July 26th and just as a reminder we keep all of our calendars updated with

59:51

agendas on our website at the link at the bottom of your screen there Council as we head off to the August

59:58

recess I will remind you that we are working to fill one vacancy on the Arts Council we open recruitment up a couple

1:00:05

weeks ago and we will keep it open through August so we appreciate your assistance in filling that spot and

1:00:11

certainly invite any community members that might be interested to jump on our website learn more about the Arts

1:00:17

commission and the current vacancy we will be asking you to make the appointment to fill that position at

1:00:23

your September 5th meeting City updates uh from one major event

1:00:30

weekend to the next I will just remind you that the first weekend in August is

1:00:36

Seafair weekend in uh on Lake Washington pretty heavily impacts Mercer Island and

1:00:43

Seattle we are working we've been working for several weeks to prepare for the crowds that we'll be visiting Mercer

1:00:50

Island this is a team effort the rec division Public Works police and fire are all

1:00:57

working together to plan for this event I did want to alert you and you'll see more Communications going out about this

1:01:03

over the week over the next couple of weeks excuse me we are going to cap the capacity at

1:01:11

Groveland Park to 500 visitors for this event that picture on the right shows

1:01:17

how full the park and the dock are getting because of this event and we we

1:01:23

need to do something different to ensure it's a safe safe space for those visiting so more information coming on

1:01:31

how this is going to be managed essentially will be a first come first serve and once we hit 500 that will be it for

1:01:38

the day so my team is working on pushing this out to our community and you'll see

1:01:44

that again you'll see that announcement coming very soon if you want more information about all of the events in

1:01:50

the region related to Seafarer we plugged in the C4 website there at the bottom of your screen

1:01:56

next slide this is a totally different topic here just a

1:02:02

reminder that we are well underway with the periodic update to our comprehensive

1:02:08

plan this is a requirement of the growth management act we started working on

1:02:13

this actually at the end of last year uh we have a couple work work groups

1:02:19

formed and the Planning Commission is involved and Council as you know this will be a focus of a good portion of

1:02:25

your 2024 work plan we are adding a new Economic Development element the word

1:02:32

element basically means a chapter of our plan and that element has been drafted

1:02:37

and it is currently open for public comment so at the very bottom of your screen if anyone's watching this evening

1:02:45

we have posted the link to our let's talk page where you can review the draft

1:02:50

and provide public comments we are inviting those comments to come in by

1:02:55

July 19th we've got an email address there the Planning Commission will be reviewing the draft Economic Development

1:03:03

element at their July 26th meeting and taking into consideration all of the

1:03:09

comments we receive a council you may be wondering we are pushing out across our Communications Channel

1:03:16

the same invitation to go and review the draft Economic Development element and

1:03:21

provide comments next slide please uh bike skills area also wanted to

1:03:27

remind you that the critical areas review 2 and sipa is open for public

1:03:33

comment through July 20th the information on the project and the permitting process is all posted to the

1:03:41

let's talk page we are very busy getting ready for hopefully fall construction we've had

1:03:48

staff and volunteers out prepping the new site we met with the builder on site

1:03:53

a few weeks ago and began staking the trails and we are still anticipating

1:03:59

permits pending that construction will start later this summer you will see construction fencing going in very soon

1:04:06

that's just another step that we have to take as we get ready for construction

1:04:11

next slide please another Capital project update we've got

1:04:16

some uh a photo to show here we are well underway with a Luther Burbank Park

1:04:21

Waterfront Trail Improvement project restoration project last week we

1:04:28

constructed a walk a rock wall along the trail which leads down to the fishing

1:04:34

dock and you can see that in that picture there once this project is completed Trail users will be able to

1:04:40

walk from the docks to the swim Beach on a new all-weather accessible Trail you

1:04:46

might recall the previous Trail had become very eroded due to wave action so this project stabilizes the

1:04:52

shoreline adds spawning gravels and then you'll see big sections of trees tree stumps

1:04:58

anchored into the shoreline we're also posting project updates on this project on our Luxe talk page and the link is

1:05:05

there at the bottom of your screen Replacements this it's the preview of

1:05:12

what's coming this fall we have retained the burger partnership a local landscape

1:05:17

architect firm that is working with us on a number of projects and also helped us with the last big play playground

1:05:24

replacement at mercerdale Park they are stepping in to help us coordinate public

1:05:30

feedback and design of our playground Replacements you may recall that these

1:05:36

projects are funded through your Parks Levy and we average about one or two playground Replacements a year over the

1:05:43

life of the levy so we are getting ready for a public process on playground

1:05:49

Replacements at Dean's Children's Park and Roanoke Park and we'll have more information on the dates and the public

1:05:55

engagement coming to you and our community this fall

1:06:01

all right one more here I-90 Trail work I will just say um the King County Sewer project is uh

1:06:08

if you've been following it they have completed a good portion of work on North Mercer way and they are now out

1:06:15

onto the I-90 Trail between Southeast 26th and Sherwood Drive so we have trail

1:06:21

closures and detours I was out there a couple times today it's very well marked we'll just say we continue to thank you

1:06:28

all our community members for your patience this is a long-term project that will have really incredible

1:06:34

long-term benefits for our utility system and we appreciate your cooperation as I

1:06:41

know the King County does as well they have a very robust project website which

1:06:47

is linked there at the bottom of your screen

1:06:53

upcoming events before I dive into summer celebration I will just mention that music in the park is back we had

1:06:59

our first concert last Thursday and we have five more weeks of performances on

1:07:04

Thursdays at 6 30 p.m at mercerdale Park it's a ton of fun so we encourage

1:07:10

everybody to come out a special shout out to all of our sponsors for culture

1:07:15

the Mercer Island Community Fund Island treats classic pianos and my bowel

1:07:22

also Shakespeare in the park is back um they are performing all around our

1:07:28

region and we are pleased to announce a couple of upcoming performances July

1:07:33

23rd both an afternoon and an evening show in August 3rd through 5th evening

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shows no tickets are needed it's a first come first serve basis and again that's at Luther Burbank Park Amphitheater

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all right what I've uh what I've been looking for is a huge shout out we had a

1:07:54

fantastic weekend with Summer celebration we were super excited to

1:07:59

have the parade back and I want to thank all the council members and staff that participated there's just a few photos

1:08:06

on your screen I have to tell you it would not have been possible to bring the parade back if we didn't have

1:08:11

amazing partners and volunteers thank you to Island books John L Scott and

1:08:17

Island treats for volunteering your time and staff and coordinating all the

1:08:22

volunteers to bring back this really fun event I also want to thank uh 88.9 FM

1:08:30

radio for providing all the announcements they were absolutely fantastic uh the daytime was just as fun and as

1:08:37

the parade ended the crowds piled into the festival see some of the photos there uh just a

1:08:44

rundown 31 Community groups eight of our 12 sponsors had booths we had art

1:08:49

vendors we had a touch and truck area that is always really popular lots of performances a couple stages running

1:08:56

kids activities and 10 food trucks Mother Nature also showed up in force it

1:09:02

was really hot so we thank everybody that endured and worked the vent it was a lot of fun the estimates are still

1:09:09

rolling in we're thinking that probably more than 6 000 people attended but that's as always just a good educated

1:09:16

guess and next Slide the evening event

1:09:22

as well at Luther Burbank Park the fireworks show is spectacular lots of food trucks lots of positive

1:09:28

feedback this one's a little more difficult to estimate but literally from one Edge

1:09:35

Edge of the park to the other there wasn't a space available on the grass so we're also anticipating we had more than

1:09:41

5 000 at the fireworks show just a little fundraiser we do as part of this event the community center is a

1:09:47

paid parking lot and all of the proceeds from the paid parking goes directly back into supporting the festival

1:09:54

next slide uh let us not forget that while we were celebrating on land particularly as the

1:10:01

fireworks show moved to the water Lake Washington gets very busy and it was

1:10:07

certainly a warm day so Marine Patrol was out providing all of their patrol Services uh in this part of Lake

1:10:15

Washington but what I wanted to show you here is that because we have a barge in the lake with fireworks on it we have

1:10:21

Marine Patrol out securing the perimeter or the exclusion zone for the fireworks

1:10:27

show so what you're seeing here in this image is the red circles are vessels and that kind of pea green color is Luther

1:10:34

Burbank Park so as you can see there's a large mass of boats out on the water for

1:10:39

our show and I want to give a shout out to all of our Public Safety members that

1:10:45

helped support a really successful Festival this weekend

1:10:51

next slide and I think this is my my final shout out

1:10:56

you know we don't do this alone as the city of Mercer Island we have a number of individuals groups businesses and

1:11:03

community members that come together to support this event thank you to our sponsors the Mercer Island Community

1:11:09

Fund Mercer Island martial arts the Mercer Apartments Windermere Luther

1:11:14

Burbank savings John L Scott Jake Jacobson Bell Harbor Heritage wealth

1:11:20

advice advisors excuse me parent map Island books and Island treats thank you

1:11:26

so much for your contributions to the Mercer Island School District who provides shuttles to the Luther Burbank

1:11:33

evening event from three different locations and they were also there with a booth and finally a thank you to King

1:11:40

County search and rescue for all their help during the parade and at both locations of the events and finally

1:11:46

before I conclude my presentation I want to say thank you to the city council for supporting this event we were able to

1:11:53

bring it back last year and we've been building on The Comeback since then and certainly to

1:11:59

all the Mercer Island staff that worked lots of hours leading up to and during the event you have my greatest

1:12:06

appreciation and thank you [Music]

1:12:11

and that concludes my presentation this evening [Music]

1:12:34

try that again all right our next item of business is appearances this is an opportunity for anyone to speak to the city council on

1:12:41

any item I'll note that there are three public hearings later this evening if your comments pertain to any of those topics I'll ask you to hold your

1:12:47

comments until we get to the public hearings city clerk is there anyone signed up for appearances that wishes to address the council yes Mr Mayor

1:12:54

okay tonight's agenda will include in-person public appearances and remote public appearances via Zoom individuals

1:13:00

wishing to address the council may do so in person or by Zoom or telephone provided they register with the city clerk by 4 pm today when it's your turn

1:13:07

to speak you'll be called by name where mark supposed to be addressed at the council as a whole and not the individual council members or staff

1:13:13

as it's election season please be reminded that state law specifically RCW

1:13:19

42.17a.555 prohibits the use of City facilities for campaign related purposes

1:13:24

with limited exceptions accordingly please do not make campaign related comments during this time please speak

1:13:30

audibly and state your name in your city of residence for the record there'll be a timer on the screen you have three minutes to speak when your time is ended

1:13:36

I'll thank you for your comments and move to the next speaker item of business city clerk please call the first speaker

1:13:42

our first Speaker tonight is Addie Smith

1:13:59

welcome can everyone hear me welcome yep

1:14:06

in my hand is the copy of the Washington

1:14:11

state county auditor recorder indexing form it is the regulatory agreement and

1:14:16

Declaration of restrictive covenants for the Hadley improvements owner LLC Hadley land owner

1:14:24

as The Grand Tour and the City of Mercer Island as the grantee one of the people

1:14:30

who signed this agreement is Pam Bissonnet she's the former city manager

1:14:35

for Mercer Island I was hired to work for the aforementioned grantees

1:14:43

sorry I was hired to work for the aforementioned grand Tours Hadley

1:14:48

improvements owner and Hadley landowner LLC say you see um Legacy partners and such to be their

1:14:55

uh manager for the Hadley Apartments when I was hired I learned that the city

1:15:03

of Mercer Island City manager was responsible for monitoring the low-income units that were in that

1:15:11

building 30 percent low income in that building that the city manager Pam

1:15:16

disinette was responsible for monitoring as she did not she was responsible for monitoring the wait list and the

1:15:22

applications for the people that we're going to be living there my former employers were allowing white people to

1:15:29

live in the low-income units that they signed a waiver that they signed this contract with to lease to low-income

1:15:37

families so the multi-family tax exemption was for low-income families not wealthy white people that they were

1:15:44

putting in those apartments and all of these people City Council Members with the exception of council member Weinberg

1:15:50

knew this because I continued to send them email after email one particular

1:15:56

woman who rounded up all of the white racists to stalk harass threatened and

1:16:02

attacked my daughter and I um she recruited these people she wanted to live in one of those low-income

1:16:08

apartments because other residents who told her about it said she could do it

1:16:14

and get away with it it is a violation of Hud law it is a violation of the waiver where the city of Mercer Island

1:16:21

gave thousands and thousands and thousands of dollars to my former employers to allow low-income families

1:16:28

to live in that building so these people violated the law with

1:16:34

the exception of council member Weinberg they were all aware and they let those hate crime attacks happen to my daughter

1:16:40

and I they let me be beaten and they let the Mercer Island police arrest me after

1:16:45

defending myself just so that they could keep all of this stuff a secret then got

1:16:51

rid of the multi-family tax exemption all of these people with the exception of council member Weinberg voted to get

1:16:57

rid of the multi-family tax exemption because they didn't want the responsibility and you will all be held

1:17:03

accountable in a court of law eventually is a day good thank you

1:17:09

all right is there anybody else any other public speakers there are no further speakers tonight Mr Mayor thank

1:17:15

you we now move to our next item of business which is approval of consent agenda the consent agenda contains AB

1:17:22

6298 June 30 2023 payroll certification certification of claims for June 30 and

1:17:28

July 7 2023 city council meeting minutes of July 5 special hybrid meeting

1:17:34

ab6299 81st Avenue Southeast backyard sewer improvements phase two project

1:17:39

closeout ab6300 2023 water system improvements project bid award AB 6301 Southeast 22nd

1:17:47

Street and Southeast 22nd Place water system improvements project closeout

1:17:53

ab6302 comprehensive plan periodic review housing element update supplemental scope and schedule AB

1:18:02

6303-404-4004 Island Crest Way property Transportation Improvement Project funding appropriation

1:18:08

ab6309 pickleball court configuration for Luther Burbank Park Sports Court

1:18:13

renovation PA 0143 ab6310 interlocal agreement with Mercer

1:18:20

Island School District number 400 for enrollment of city employees children dependence ab6311

1:18:26

public display of fireworks permit issuance council is there anyone that would like

1:18:31

to pull anything from the consent agenda has written councilmember Reynolds yes I'd like to pull agenda item six agenda

1:18:38

Bill 6303 please 6303 the four zero zero four Island Crest Way property

1:18:43

Transportation okay council is there a motion to approve the consent agenda as presented minus a

1:18:50

b6303-4004 island Crest Way property Transportation Improvement Project funding appropriation

1:18:56

so moved okay moved by customer Reynolds seconded by councilmember Jacobson city

1:19:02

clerk please call the roll thank you Mr Mayor mayonnaise hi

1:19:09

council member Andrew hi councilmember Jacobson all right council

1:19:17

member Weinberg aye councilmember Reynolds aye and council member Weichert

1:19:26

that's member biker I couldn't hear you that's a yes I thank you Mr Mayor all right consent is

1:19:33

approved uh so now our new first item of regular business will be

1:19:38

ab6303 the 4004 honor Crestway property Transportation Improvement Project funding appropriation

1:19:44

and I see Jesse bonus stepped in did you want to comment on this or we go

1:19:50

straight to councilman Reynolds who team members that will be coming on

1:19:56

screen here and we're happy to answer council member Reynolds questions very good
councilman Reynolds I'll start with

1:20:02

a couple of questions first is just a refresher by memory my recollection is

1:20:07

that we acquired this property because we thought it might be necessary for future traffic
improvements is that

1:20:13

essentially correct that's correct okay

1:20:19

um I I guess in what does anyone have and the city staff

1:20:24

have an estimate as to timing on when such improvements might occur or what they might
be or is this just a a

1:20:31

long-range don't know yet I don't um

1:20:37

I said with the knowledge that this is one of the busiest intersections uh I think it

1:20:44

is the busiest intersection on Mercer Island and should we need to do something in the
future at that intersection that

1:20:51

requires additional property either through the widening of the inner stretch intersection
the whitening of an

1:20:58

approach or uh certainly it's on my mind a future roundabout this asset would be

1:21:04

necessary to do that work so councilmember Reynolds I I'm hesitant to attach a timeline to that

1:21:12

um this is you know an approach that's commonly used when you have high volume

1:21:17

intersections and additional real estate may be needed in the future 5 10 20 years out

1:21:22

okay um given that I'd like to propose a motion if I may Mr Mayor

1:21:28

I I would move that we direct City staff to revisit the landscape design for the 4004 Island Crest Way property to

1:21:35

provide options to the council for less expensive Landscaping that might be more consistent with an expected limited

1:21:41

lifespan of any landscape improvements for this property I realize that's very long I've just mailed that out to the

1:21:47

council and the city clerk so that everybody has full wording for it yeah I

1:21:52

see the city clerk has their hand up is that um relative to the hearing the motion yeah

1:21:58

but he I just got the email I'm good okay is there a second second okay moved by customer Reynolds

1:22:06

seconded by customer Weinberg do you want to speak to the motion councilman Reynolds yeah I just I I looked at this

1:22:12

agenda item and I'm all from making the property attractive it's certainly not very attractive now but if I'm not

1:22:17

mistaken the the amount was 250 000 and that just struck me as a significant

1:22:22

amount of money to spend uh for a property that might be bulldozed in a couple of years and I I think it

1:22:29

behooves the council to to consider less expensive options than the ones that are available on the table right now

1:22:36

uh might I ask where did you get this assertion might be bulldozed in a couple years well presumably we bought

1:22:43

the property for potential traffic improvements and we don't know if it'll be a couple of years but in some number

1:22:49

of years it's it's apparently the intent was to make it available for traffic

1:22:54

changes in the area so in The Proposal my understanding is there's a guy poll that's being removed

1:23:01

there was a single-family home that was deleted to improve sight lines there's a Rockery that's being replaced by a short

1:23:07

retaining role there's additional space being provided for the the sidewalks there was a driveway that was life that

1:23:15

was bisecting a bike path a pedestrian path a safe route to school and these

1:23:21

are all traffic improvements it is functioning as it was intended and then it is reserved for some future

1:23:27

additional capacity for traffic improvements at some unknown time I I don't think it's fair to

1:23:35

characterize as as anywhere within six years because you have a tip that gives you a six year visibility and

1:23:41

there's been no discussion of a traffic Improvement there within the context of the tip for as long as I've been on the

1:23:47

council it's fair it may not be two and I don't intend to imply that I think the things

1:23:53

that have been done already aren't an improvement um they certainly are and I'm glad we've

1:23:58

made those I just look at this and still say it's a lot of money to spend for something that may not last and we don't

1:24:05

know how long it will last until we know what the use of that property is and there's a Planned use in a Time Horizon

1:24:11

associated with it okay but we can agree it's at least as long as the CIP Outlook

1:24:16

so it's at least six years um I'm not sure we can necessarily agree on that because there's nothing in the

1:24:23

uh the tip right now but I don't think there's any rule correct if they're wrong that prevents items from being

1:24:29

added to the tip like we're not prohibited from building something more than six years less than six years out

1:24:35

okay but you're not playing curly nothing mentioned yeah councilmember

1:24:40

Weinberg no sorry Jacobson Ben Weinberg

1:24:47

yeah I my sense is this is oh let me back up uh

1:24:54

I concur with uh councilmember Reynolds that uh 250 000 seems a little Rich for

1:25:01

what's proposed uh on the other hand uh I think the likelihood that this is

1:25:07

going to be uh traffic improvements such as a roundabout or something are never

1:25:13

gonna are not going to happen until you get additional property northeast corner is Place Park

1:25:18

Southeast corner is the LDS church and uh it may be quite difficult for the

1:25:26

city to get additional land there that leaves the Northeast northwest corner

1:25:32

was that's uh private residence which butts up pretty close to that intersection so I think it's some in

1:25:40

some distance away before we before this thing is put into uh put into use I say

1:25:45

that as a as a contractor looking at it and and saying you know how quickly

1:25:51

could we really do something significant here so that's it very good council member

1:25:58

Weinberg yeah I I kind of uh torn on this one because uh frankly I I think the design

1:26:04

that's been proposed will look nicer than what we have there currently I think there are a lot of people on the island drive by this every day it would

1:26:11

be nice to have uh a mini uh pocket park uh to look at and perhaps even enjoy it

1:26:18

for those who are walking past there um I I do agree with

1:26:23

um councilman member Reynolds concern about uh investment versus longevity uh

1:26:29

that if we have an intention of eventually using this space for something else uh we should have some

1:26:35

kind of calculus about how much we are willing to invest in what is a

1:26:40

relatively short term I'm not sure exactly how short uh whether we're talking less than a generation or less

1:26:46

than 10 years or however long is it but I'm not I've not really seen uh a

1:26:54

analysis of how much are we investing in for how long uh on them I'm inclined to

1:27:00

support this motion councilmember weiker um I'll just reiterate that this is most

1:27:05

significant intersection in our community and having a safe route to school and having some investment there

1:27:10

to make sure it's an appealing Park a useful Park and a safe Park uh is well worth a 250 000 I don't know when the

1:27:17

last time was you guys tried to hire somebody 250 000 seems like a bargain to me for the scope of work

1:27:23

and I'll just add the Sound Transit reimbursed us for the acquisition Demolition and all the the costs here to

1:27:30

now and we'll be reimbursing us for this Improvement because it's traffic facility with bike pad features uh I'm

1:27:36

inclined to not approve the motion as presented uh because those are time

1:27:41

gated dollars which expire in 2025. well I would rather use them and make a

1:27:47

facility that the community can be proud of that can convey kids to and from school safely and provide some modest

1:27:54

immediate term traffic improvements so I won't be supporting the motion any

1:27:59

further discussion not seeing any city clerk please call the roll

1:28:05

thank you Mr mayor council member Andrew

1:28:10

councilmember weiker mayor niece nay

1:28:16

councilmember Jacobson all right councilmember Weinberg I

1:28:22

and council member Reynolds hi two to four thank you Mr Mayor

1:28:28

emotion does not pass Council may have a motion to appropriate 250 000 from the

1:28:33

street fund balance to fund construction to four thousand and four Island Crest Way
property Transportation Improvement projects

1:28:44

any discussion city manager Jesse Bond no

1:28:52

um not seeing any city clerk please call the roll thank you Mr Mayor councilmember
Weinberg hi

1:28:58

councilmember Reynolds Nate council member biker

1:29:04

aye council member Andrew hi mayor niece

1:29:09

aye council member Jacobson five to one thank you Mr Mayor motion

1:29:15

passes thank you are uh now second item of regular business is ab6312 memorandum

1:29:20

of understanding with iaff local 1762 related to regionalization of fire and

1:29:27

Emergency Medical Services uh sorry councilman Jacobson do you have

1:29:32

a question if we passed the consent agenda yet I don't think we have uh or did we we

1:29:39

did before yeah we did before okay okay great thank you sorry no no worries

1:29:46

okay back to ab6312 uh staff or would you like me to just go straight into the

1:29:51

motion okay yes please uh Council may have a

1:29:57

motion to approve provided the same is also approved and ratified by iaff local

1:30:02

1762 the tentatively agreed upon memorandum of understanding resolving

1:30:07

all matters related to impacts of regionalization of fire and Emergency Medical Services
and pending unfair

1:30:14

Labor practice complaints interest arbitration and collective bargaining agreement
negotiations

1:30:21

so moved okay okay moved by councilmanuel seconded by councilmember Jacobson

1:30:27

any discussion okay not seeing any city clerk please

1:30:33

call the roll thank you Mr mayor council member Weinberg hi council member weiker

1:30:39

aye councilmember Jacobson aye mayor niece right council member Andrew

1:30:47

hi and council member Reynolds Ella Epstein hey motion passes

1:30:54

uh our next item of regular business is ap6304 to conduct a public hearing regarding interim regulations related to

1:31:01

outdoor dining ordinance number 23c-09 [Music] uh this public hearing is now open as of

1:31:08

706 PM individuals who register with the city clerk's office before 4 pm today

1:31:13

may make public comment on this agenda item you'll be called by name when it's your turn to speak please speak audibly

1:31:19

state your name and city of residence for the record limit your comments to three minutes city clerk has anyone

1:31:24

signed up for public comment that wishes to address the council Mr Mayor no one signed up to speak during tonight's

1:31:30

public hearing okay seeing that there's no testimony this evening the public portion of this

1:31:36

hearing is closed as of 706 pm we welcome CPD director Jeff Thomas

1:31:44

hey good evening mayor council um for the record Jeff Thomas with CPD just a few very brief comments uh

1:31:53

regarding this matter um Council will recall dating all the way back to the year 2020 uh we've had

1:32:00

these interim regulations in effect um the last time we came before you

1:32:07

um to talk about these the idea was that we were going to be um

1:32:12

moving forward and sunseting these regulations as the

1:32:19

state appeared like they were going to do the same for their part in this and then we were notified

1:32:25

um here in the spring that there was going to be a two-year extension from the state so

1:32:31

um staff mobilized to run essentially a parallel effort to that so what we were

1:32:36

looking at was extending these regulations um through a couple of different

1:32:41

sessions to the summer of 2025 as we were preparing the agenda bills uh

1:32:49

the agenda bill for this meeting uh here this evening um we were uh we learned that there's

1:32:56

been a permanent action taken by the state now in early July so we did receive some public inquiry

1:33:04

um to the staff as to hey uh what's the city going to do now

1:33:10

with this and the answer to that is with these interim regulations now in effect for uh the next 12 months

1:33:18

um just like everything else that we do uh with interim regulations that will lead to something more permanent

1:33:24

um when we're going to amend our development regulations we need to go through a regular legislative review

1:33:29

process and that starts actually with docketing so um what staff will be doing we did not

1:33:36

discuss this at your planning session in May because again we weren't aware of the permanent rulemaking taking place at

1:33:41

the state level um in addition to all the items we talked about in May at your planning

1:33:46

session we will also be proposing a docket item for permanent regulations for this matter so that will come in the

1:33:53

fall Council will ultimately get a chance to make that decision whether to dock it or not dock it at the end of the

1:33:59

year and should this matter be docketed for permanent uh rule making here at the

1:34:05

city level we will embark on that in 2025 4 and plan to have that back to you

1:34:11

before the interim regulations expire and with that Merit the includes my

1:34:17

comments thank you okay council is there any questions

1:34:22

okay not seeing any questions there's no action on that tonight right now sorry councilman Reynolds thank you

1:34:30

um I just want to acknowledge what I what I think we all know that there is uh

1:34:36

some advantage to the property owner and I think there's only one who would benefit from this to have some long-term

1:34:42

certainty associated with the extension of this is there any action we can take now as a

1:34:48

council to communicate an intent to dock it

1:34:54

even if we don't actually do the docket now in the fall that would have any usefulness

1:35:00

um yeah as I just described staffs and 10 as signaling from you know what we've

1:35:06

learned from the state our intent is to bring a doc Bozo forward if Council would like to direct staff here this

1:35:12

evening to to do that formally um I'd be happy to take that direction and um execute it

1:35:21

so that that would take the shape of a motion council member Reynolds uh directing staff to prepare a docket item

1:35:28

regarding permanent regulations for outdoor dining to be considered by the

1:35:34

council as part of the 2023 docket and is there any downside to that that I

1:35:39

am missing well all you're all you're directing us to do is

1:35:46

be very premature at this point [Music] approve the docket so

1:35:52

it's also not needed I mean we're verbally committing to you at this meeting that we're preparing a docket

1:35:57

item based on the the change in the state rules okay but I'm willing to ride with that thank you

1:36:05

okay Council any other questions all right

1:36:10

our next item of regular business is ab6305 to conduct a public hearing regarding interim regulations related to

1:36:17

permit processing in chapters 19.15 and 19.16 micc ordinance number 23c-10

1:36:25

is public hearing is now open as of 7 11 pm individuals who register with the

1:36:31

city clerk's office before 4 pm today they make a public comment on this agenda item you'll be called by name

1:36:37

when it's your turn to speak please speak audibly state your name and city of residence for the record and limit your comments to three minutes city

1:36:43

clerk is there anyone signed up for public testimony today there is no one who signed up to speak

1:36:48

this evening Mr Mayor okay seeing that there's no testimony no further

1:36:53

testimony this evening the public portion of this hearing is closed as of 7 11 pm and we again welcome CPD

1:37:00

director Jeff Thomas thanks again mayor um joining me for this one is um Adam

1:37:05

Zack our senior planner um Adam's going to share a screen here we are going to run through a very short

1:37:12

slide deck I think there's seven or eight slides in total um just to to brief the Council on this

1:37:18

and before we get started um I'll say it now and I'll say it again at the end we um to adopt an emergency

1:37:26

ordinance uh here this evening we will be looking for uh four plus one a total

1:37:31

of five uh votes for the ordinance from the city council and again that's due to

1:37:37

the emergency um nature of it so with that

1:37:43

um Adam Why Don't We Roll to the next slide please okay so um the purpose here this evening

1:37:49

is to adopt emergency ordinance 23 C10 interim regulations which will allow the

1:37:56

city to comply with SB 5290 which was passed in the legislative session here

1:38:02

this year um there's portions of SB 5290 that become effective on July 23rd in just a

1:38:09

few days hence the emergency nature of the ordinance here this evening there

1:38:14

will be amendments to Mercer Island City code um title 19 including sections 1915030

1:38:21

070 and the definition section in 1916010

1:38:26

the final thing that the ordinance will do here this evening is Adopt a work plan for the next 12 months for

1:38:33

establishing permanent regulations that will bring us into take our interim

1:38:39

regulations and roll them into permanent regulations Adam is actually going to walk you through the next a couple of slides here

1:38:46

that we'll go into a little bit more detail about what these amendments are here this evening and then I'll come

1:38:51

back on to wrap it up so the first set of amendments that

1:38:58

would be made by ordinance 23c-10 is amending micc

1:39:06

1915030 and this would add a new subsection that exempts interior

1:39:11

alterations from site plan review subject to conditions so this isn't

1:39:18

authorizing a new land use but what if what it is doing is

1:39:25

um making it so that those interior alterations aren't going to be reviewed for other site plan issues like setbacks

1:39:33

so that that sort of thing and interior alterations are really we'll see when we get to the definition those are

1:39:40

alterations to the interior of a building that don't change the building footprint or change the use of the

1:39:47

building the other amendment in 1915-030 is to

1:39:52

add a new footnote three to table B that clarifies that determinations of

1:39:57

completeness are subject to 1915070. this is a minor clarification

1:40:05

um made in the footnote there the next set of amendments and the bulk

1:40:10

of the amendments are in micc 1915070 this is the section of code that

1:40:17

regulates the determinations of completeness for land use reviews um the First Amendment there is in

1:40:25

subsection a and it clarifies that the code official can request additional information at any time during the

1:40:31

review even after a determination of completeness is issued

1:40:38

this is a minor clarification it basically allows

1:40:43

so that we can ask for you know a critical area report if new information

1:40:49

comes about during the review of a land use review

1:40:54

the next amendment is in 191507b

1:41:00

070b and it's a minor clarification that we must issue a determination of

1:41:06

completeness for an application within 28 calendar days the original code

1:41:13

um does not specify that it that it's counted as calendar days so this is just

1:41:19

a minor clarification we've already been implementing this as 28 calendar days so

1:41:26

this is just a clarification and then there's another uh addition to

1:41:32

zero seven zero B and that requires the code official to identify any other entities that may have jurisdiction over

1:41:41

um that uh the proposed development um so for example with our Shoreline

1:41:46

codes um the department of oncology also um has jurisdiction over Shoreline

1:41:53

permits so when we issue that determination of completeness we must notify the applicant that ecology would

1:42:00

also be involved in that not reviewed the next set of amendments

1:42:07

um is there's a new zero seven zero B1 that clarifies that the code official

1:42:14

can combine the determination of completeness with some of the addition some other additional information so we

1:42:20

can combine this this clarification would allow the code official to combine the determination of completeness with

1:42:27

like the notice of application for a permit application that sort of thing

1:42:33

um and then finally in 1915-070 [Music] um there are some amendments to

1:42:39

subsection D um that clarify the type of notice the code official must provide for those

1:42:46

incomplete applications um and that's a letter of incompleteness

1:42:52

um and and we have to with that letter identify um what additional reports or

1:42:58

information is necessary for the application to be complete um it doesn't change the the this

1:43:04

section also um sets out that if if we don't provide that notice within the 28 days the

1:43:11

application is automatically deemed complete um that that piece of this doesn't change it just clarifies that what that

1:43:18

notice needs to include then finally uh there's the amendment to

1:43:26

1916010 the definition section and this would adopt a definition for interior

1:43:32

alteration which clarifies that that um interior alteration is construction

1:43:38

activities that do not modify the existing site layout or its current use and involve no exterior work adding to

1:43:45

the building footprint huh and then the the ordinance also

1:43:52

establishes a work plan for developing uh permanent regulations we would begin

1:43:57

that work at the end of this year um and that would be the technical analysis or CPA determination and the

1:44:04

staff recommendation for the permanent regulations and then we're planning to go to the Planning Commission in the

1:44:12

first quarter of 2024 and begin their review and then come back to the council

1:44:19

with the planning commission's recommendation sometime in the second quarter of 2024.

1:44:25

um I'll pass it back to Jeff here yeah thanks Adam uh Council I was remiss

1:44:31

in not mentioning at the top of this um this bill 5290 has a lot to do with

1:44:36

uh how we process permits and a lot of minutia that uh of what goes into it uh

1:44:43

what you're getting here tonight is the minimum necessary that we need to do

1:44:50

through an emergency ordinance and interim regulations to comply with the first deadline here of July 23rd there

1:44:57

is more to this bill and there are going to be another package of code amendments that we will need to come back to

1:45:03

um to bring through the regular legislative review process that will be due

1:45:09

Adam remind me it's uh I believe it's mid 2025 six months after our comprehensive plan uh update periodic

1:45:17

update is due to the state so um this is this is the first in a multi

1:45:22

multi-part approach to um completely satisfying SB 5290

1:45:29

um starting with the adoption of the emergency ordinance here this evening um we did talk at your planning session

1:45:35

about needing to dock it um uh permanent regulations for for any

1:45:42

inner measures that we had to take this year things have fleshed themselves out a little bit further since then so um

1:45:49

it's what you're seeing here tonight is a little bit less than what I thought we were going to have to do in May uh when

1:45:54

we did speak at your planning session which is good that we're not having to adopt an entire comprehensive set of

1:46:00

regulations um on an inner basis so in terms of next steps again tonight

1:46:06

uh we're hoping that uh five of you will see to this to adopt the emergency ordinance 23c10 that will get as

1:46:13

compliant with the July 23rd deadline next week uh the next step after that is

1:46:19

a docketing item for 2024 to draft and review permanent regulations and then as

1:46:24

Adam just laid out on the slide previous to this in the little graphic of what uh

1:46:30

the legislative review process would look like in 2024 and we would plan to be back in front of the council before

1:46:37

these interim regulations expire a year from now so with that mirror I'm going to turn it back over to you and um

1:46:44

Adam will be happy to answer all the questions you have all right I'm not sure there'll be any

1:46:49

but I counselor any questions not seeing any uh council is there a

1:46:55

motion to adopt emergency ordinance number 23c-10 for interim regulations related to permit processing in chapter

1:47:01

19.15 and 19.16 micc OS so moved

1:47:08

okay moved by councilman Reynolds seconded by customer Jacobson not seeing any discussion city clerk

1:47:14

please call the roll I have a question oh there we go actually it's more of a comment really I I understand that the

1:47:22

reasoning uh for declaring this in emergency uh I Just Disagree uh that

1:47:27

this should be an emergency uh the fact that the permit reviews take longer than we like is an issue that we should

1:47:34

address but it's not an emergency the fact that the state legislature has given us an unreasonably short timeline

1:47:39

for updating our code is also an issue uh that our legislators need to address

1:47:45

but that is also not an emergency declaring these bureaucratic issues as emergencies cheapens the definition of

1:47:52

emergency in short circuits the due process that are we're supposed to be following uh and it only reinforces the

1:47:59

underlying behaviors at the root cause of these issues that said the only party that would be harmed if we were to not

1:48:06

declare this an emergency would be ourselves a Mercer Island residence so I therefore I'm going to be reluctantly

1:48:12

support supporting this measure but I are this motion but I think that we need to uh be aware of the fact that this is

1:48:19

not really an emergency and this is only because uh we are being forced to do so

1:48:26

very good we did uh we did have a full legislative session with testimony at every housing bill that uh was

1:48:32

imaginable and we did make that stake that uh you know staff need a reasonable Runway to implement anything that comes

1:48:39

out of Olympia it's worth repeating here I think for the Public's knowledge yeah I appreciate

1:48:44

the sentiment it's not falling in deaf ears all right any other discussion

1:48:50

city clerk please call the roll

1:48:55

excuse me thank you Mr mayor council member Jacobson all right council member weiker

1:49:01

aye council member Andrew bye council member Weinberg

1:49:08

aye mayor niece hi and council member Reynolds aye thank you Mr Mayor all right motion

1:49:15

passes our next item of regular business is the ab6306 to conduct a public hearing regarding renewing interim

1:49:21

regulations for micc 19.16.010 related to Emergency Shelters and housing transitional housing and

1:49:27

permanent Supportive Housing first reading of ordinance number 23 c-11

1:49:33

this public hearing is now open as of 7 24 PM individuals who registered with the city clerk's office before 4 pm

1:49:40

today been making public comment on this agenda item you'll be called by name when it's your turn to speak please speak audibly state your name and city

1:49:46

of residence for the record limit your comments to three minutes city clerk has anyone signed up for public comment no

1:49:51

one signed up to speak this evening evening Mr Mayor okay with no further testimony this evening the public

1:49:56

portion of this hearing is closed as of 7 24 PM welcome again CPD director Jeff

1:50:01

Thomas for the final time um mayor just real quick Council a few

1:50:08

quick comments on this one um this these interim regs date back to

1:50:13

first of all these interim regs link back to house bill 1220 so uh a bill

1:50:20

from a couple years now that has had resounding impacts on

1:50:26

um the city code and our comprehensive plan periodic update that's coming up but

1:50:33

these intermares specifically date back to 2021 when Council initially adopted uh them we renewed them in 2022 we were

1:50:41

still waiting for guidance from the State Department of Commerce um another year has passed uh the good

1:50:48

news is is that um we have received what we believe is the necessary information

1:50:53

from the State Department of Commerce at this point and um the ball is now in King County's

1:50:59

Court to go ahead and um approve amendments to countywide

1:51:05

planning policies that will actually set the necessary Targets in play for these types of facilities

1:51:12

um we anticipate that will be approved by the King County Council somewhere around the end of this year and then

1:51:18

that will go out for ratification to all the cities in King County so

1:51:24

um we should be in a place by early spring where we will be able to move forward with uh final a final

1:51:31

legislative review process for what we need to do with the code to Sunset these interim ranks and have

1:51:38

permanent ranks with that mayor I'll turn it back over to you very good Council any questions

1:51:45

no is there a motion to say ordinance number 23c-11 for second reading and

1:51:50

adoption on September 5th 2023 city council meeting

1:51:56

second all right moved by customer Jacobson second invite customer weiker any discussion

1:52:04

not seeing any city clerk please call the roll thank you Mr mayor council member Andrew

1:52:10

hi councilmember Reynolds aye councilmember Jacobson all right

1:52:17

may your niece hi council member weiker aye council member Weinberg hi

1:52:25

thank you Mr Mayor all right motion passes thank you um Jeff and Adam our next uh or last

1:52:31

item at regular business is ab6308 which is a city hall closure update which we welcome State manager Jesse Bond

1:52:39

uh good evening again Mr Mayor and members of the council I will invite my

1:52:45

colleagues who are joining me for this presentation to come on screen

1:52:51

there they are and Consultants there's Tim okay uh I'll introduce the

1:52:59

staff first and I'll introduce our Consulting team in just a moment uh Elaine summergreen is one of the Deputy

1:53:05

Public Works directors she oversees among other things facilities and uh

1:53:12

Jamie page is here she's our support services manager and she has been the

1:53:17

lead staff managing the city hall closure due to asbestos so Elaine why don't you go ahead and start screen

1:53:24

sharing and then I'll introduce our consultants in just a moment

1:53:33

excellent and let's go to the next slide

1:53:40

maybe there we go uh Council just to help us organize ourselves this evening uh we have a two-part presentation uh

1:53:48

part one I'll uh be asking my team members and one of our Consultants to

1:53:54

share with you uh what happened why we closed City Hall uh what we've learned

1:53:59

since we closed City Hall in April due to the discoveries of asbestos our

1:54:05

testing and results and and what this means we will pause there for questions

1:54:11

and then our second part of the presentation will be a really preliminary scenario including a cost

1:54:19

estimate and timeline to reoccupy the city hall building

1:54:25

okay and then at the end of that presentation we will also welcome

1:54:30

comments next slide please uh joining me this evening I've already

1:54:36

introduced Jamie and Elaine I wanted to mention that Tim Ogden is here he's a principal with PBS engineering and

1:54:42

environmental and he and his team have been advising us since almost day one on

1:54:49

the asbestos issues at City Hall Tim is here to answer questions you might have

1:54:55

also joining us this evening are Aaron Young and David Cutler both partners with Northwest Studio I remind you that

1:55:02

our biennial work plan included a facilities conditions assessment for

1:55:09

several of our city buildings and that work was to be followed by a facility's long-range plan in other words what are

1:55:16

we going to do about our aging buildings Northwest Studios was just coming on contract with us this spring when we had

1:55:23

to close City Hall so we have amended their scope of work and asked them to support us on you know some some early

1:55:31

analysis and what will be probably this fall some decision making around the future of City Hall

1:55:37

they have many subconsultants supporting them and one of them is here tonight as

1:55:42

well Alan Montpelier who is a principal with pae engineers and they're specifically supporting us on the what

1:55:49

to do about the HVAC system which we'll talk about in a minute considering that is the problematic area where we have

1:55:57

discovered asbestos all right moving forward Council we have a a long presentation

1:56:04

ahead of us and so what I want to do is just set the stage for the slide deck

1:56:09

we're about to go through as I've already mentioned we're here tonight to provide you with an overview and

1:56:14

certainly our community as well of the city hall closure you know what happened in April

1:56:21

the steps we've taken since then um and at the end of the presentation to

1:56:26

talk about the scope of work that would be necessary with everything we know today to Abate the asbestos that was

1:56:33

detected in the HVAC system and elsewhere in City Hall and reoccupy the building

1:56:39

I'm going to share the punch line uh the asbestos situation at City Hall is more

1:56:44

extensive by a lot than we originally anticipated in April we have a preliminary cost

1:56:51

estimate of 10 million dollars to complete the work we need to Abate

1:56:57

the Asbestos and reoccupy the building I just wanted to put that out there right now for anyone that's watching that's

1:57:04

watching this is a really significant problem we'll walk through this cost estimate

1:57:10

and what we know right now and I want to I want to make sure I highlight that those underlying words preliminary cost

1:57:16

estimate so we'll talk through that at the end of the presentation as I just mentioned we were underway with a

1:57:23

facilities conditions assessment for City Hall and will that work is

1:57:28

is far enough along that we know we have other issues at City Hall such as structural and seismic

1:57:35

issues you know we will need to pull all of this together and that's what we're working towards this fall so that you

1:57:41

have a as complete a picture as we can provide about what it would take to not

1:57:47

only bring the building back online and make it safe to occupy but also to understand some of the other you know

1:57:53

really significant issues related to operating that building this is our first presentation to you on

1:58:01

this issue I felt it was important to get in front of you tonight before we take our August recess

1:58:07

but I'm not looking for a decision tonight or even a recommendation we know we have more work to do

1:58:13

we will be back in the early fall I anticipate September with an update I

1:58:18

think more refined numbers more refined scope of work more refined a timeline and also to talk with you about the

1:58:26

policy decision related to City Hall I think what's on your mind as it is on my

1:58:31

mind is this investment worth it for a building that is at its age and useful

1:58:37

life so no decisions are being made but we are working to get all that information

1:58:43

together in a more comprehensive way and so we'll be back again in September next

1:58:48

slide return the presentation over to Jamie I just want to

1:58:54

say thank you to the staff team that has been severely

1:59:00

disrupted by this closure uh you know we literally shut the building down and we haven't been back it's been really

1:59:07

impactful we've had to um move staff all over the city and even

1:59:13

our Municipal Court is operating out of the Kirkland courtroom on Tuesdays right now

1:59:20

we have a huge team working on short-term Solutions I I will

1:59:26

say we've all had to pack our patients and be very flexible and creative and I

1:59:32

just really appreciate the team that work on short-term Solutions is ongoing

1:59:37

there are some temporary things we may be doing bringing in like a trailer for example to the City Hall parking lot to

1:59:43

help the police department with some operations and possibly some addition additional trailer modular

1:59:50

units this summer and into the fall so thank you staff thank you to the

1:59:56

Consulting team it's it's it's been fast work um just to set any expectations City

2:00:03

Hall will remain closed to employees in the public for the foreseeable future okay next slide please

2:00:10

all right Jamie I think you are going to take it from here great thank you Jesse good evening Mr mayor council for the

2:00:18

record I am support services manager Jamie page um so we're going to start with a little timeline of the discovery of asbestos in

2:00:27

City Hall and it started on April 17th with the discovery of broken tiles and

2:00:32

underlying adhesive in the basement mechanical room of City Hall they were discovered by me in the course of trying

2:00:39

to prepare for a organizing and clean out project in that facility and I was

2:00:45

able to arrange for same-day tests with a abatement contractor that confirmed

2:00:51

that the tiles and asbestos did indeed contain or I'm sorry the tiles and mastic did indeed include asbestos

2:00:59

next uh slide please and you can see those were pictures of

2:01:04

the the tiles in the mechanical room so beginning the next day we undertook

2:01:11

additional investigation in working with the abatement contractor identified some

2:01:18

additional asbestos containing floor tiles that were underneath carpet tiles in the Upper Floor of City Hall that's

2:01:26

what's pictured there on the right um so understanding that we had exposed

2:01:32

and Disturbed floor tiles in the mechanical room and potentially

2:01:38

other asbestos containing materials in other areas of the building the decision was made to close City Hall to employees

2:01:46

and visitors while we undertook additional investigation

2:01:52

um we did begin air quality sampling at that time with the abatement contractor

2:01:57

and there were no positive tests for Airborne asbestos um by the end of that week so this began

2:02:04

on April 17th which was a Monday by April 21st we had engaged PBS to advise

2:02:12

and guide us through navigating this process and understanding how to best

2:02:17

mitigate our risk and begin to understand the extent of the problem next slide please

2:02:24

from April 21st through July 7th we engaged in more in-depth testing

2:02:30

and that included actually opening up many areas of HVAC ducting throughout

2:02:37

City Hall um they can we conducted extensive testing including air samples settled

2:02:44

dust and bulk materials other possible sources of asbestos were

2:02:49

also looked for and we evaluated kind of Standard Building Materials to see if

2:02:55

there were other likely sources of materials um the picture there on the right is the

2:03:02

basement mechanical room post abatement so that's what it currently looks like today for me then that was abated between May

2:03:08

15th and May 19th beginning on June 27th we began the good faith uh inspection so

2:03:15

that involved PBS's team coming in and really looking at the entire building

2:03:22

um from you know inside of the roof structure to the floor of the basement to identify any

2:03:30

accessible materials that may have been contributing to the asbestos that we detected inside the HVAC ducting next

2:03:39

slide please so we wanted to give you a little bit of kind of basic information about asbestos

2:03:44

that we have learned in the course of this project as many of you probably know asbestos was widely used in a range

2:03:52

of goods particularly building materials from the late 1800s through the 1980s it

2:03:57

was common in older buildings including in flooring insulation Roofing adhesives

2:04:02

and ceiling tiles generally if the materials are undisturbed and undamaged they are not a

2:04:09

concern but once they are damaged or disturbed fibers can become airborne and can be inhaled significant exposure over

2:04:16

time may cause serious health issues and in 1989 the EPA issued a ban in most

2:04:21

asbestos containing products next slide please

2:04:27

um asbestos regulations are perhaps not as straightforward as you might expect unlike air and bulk materials there are

2:04:34

no regulatory thresholds to determine safe level levels of asbestos and settled dust which is primarily what

2:04:41

we're dealing with in City Hall research on workers responding to the collapse of the World Trade Centers

2:04:46

established non-regulatory thresholds for asbestos concentrations and settle dust and depending on the environment

2:04:52

quote unquote background levels of asbestos can range from 1 000 structures

2:04:58

per square centimeter to ten thousand structures per square centimeter concentrations over 10 000 structures

2:05:04

per square centimeter are considered above background for any environment each organization must determine their

2:05:11

own allowable threshold with one thousand structure per square centimeter being a commonly Applied Standard

2:05:17

next slide please so testing and results

2:05:23

so since we put together the agenda Bill there have been some updates to the testing data so we wanted to make sure

2:05:29

that we were clear about anything that might differ from what was in the agenda bill so to date we have collected a

2:05:36

total of 180 samples and that is spread across air shuttle dust and bulk

2:05:41

material and what follows is a kind of very high level summary of the testing procedures

2:05:46

and results next slide please so air testing the good news is we've

2:05:52

conducted um you know fairly extensive air testing throughout the interior of City Hall and

2:05:57

we have not detected any Airborne asbestos fibers in any of the samples and so this

2:06:03

picture on the right is a an example of what that looks like those air samples

2:06:10

are collected at a specific pressure and for a specific period of time to be able to quantify the presence of any fibers

2:06:16

that might be in the air next slide please

2:06:21

subtle dust was the majority of the positive results that we found and this

2:06:28

involves um collecting dust from a specific area you can see here it's 10

2:06:36

centimeters by 10 centimeters so 100 square centimeters it's collected with this vacuum device we collected 73

2:06:43

samples and um the results are reported in units of

2:06:50

structures per square centimeter so of the 73 samples that were collected 11

2:06:57

settled dust samples from 10 separate locations came back positive five

2:07:03

samples were greater than 10 000 structures per square centimeter and one sample was greater than 13 million

2:07:09

structures per square centimeter next slide please

2:07:15

so attached to the agenda bill was the exhibit that included the mechanical

2:07:20

drawings of both floors of the building and identified the locations where we had collected dust samples and bulk

2:07:28

samples so I just wanted to quickly go through those results with you to give

2:07:33

kind of an overview of you know where we're seeing the majority of the concentrations so this is the basement

2:07:40

diagram um and you can see that the results are color coded so anything that is white

2:07:47

returned a no asbestos detected result green is a lower concentration of dust

2:07:54

yellow is a slightly higher concentration of dust less between 1 000 structures per centimeter Square

2:08:00

centimeter and ten thousand structures per square centimeter orange is above 10

2:08:06

000 structures per square centimeter and blue is a positive bulk sample

2:08:11

so um just to help Orient you this is the north end of the building the south end of the building

2:08:17

um the south end of the building is primarily um police facilities and the North End

2:08:24

is where the EOC is located in record storage next slide please

2:08:33

so next we have the North End of the first floor this includes CPD Finance

2:08:39

city manager and the Municipal Court um the area around the Municipal Court

2:08:46

primarily in the Attic mechanical room was the location for several of our

2:08:52

Positive Hits including the highest result with the 13 million structures per square centimeter within one of the

2:08:59

air handling units itself in the mechanical room the ceiling Construction in this area of

2:09:06

the building in particular was very challenging and we have a couple of pictures and a couple of slides that

2:09:13

will show you kind of exactly what those conditions look like But it includes multiple layers of ceiling including

2:09:21

hard gypsum board ceiling and also layers of plastic sheeting that are

2:09:28

encapsulating bat insulation that prevents access to

2:09:33

the actual HVAC ducts in that area so you can see on this diagram in the

2:09:39

Northwest end of the building or I'm sorry Northeast end of the building there are large gaps in the areas where

2:09:47

we were actually able to collect the samples and the same is true on the north west

2:09:53

side of the building so that is just to speak to you know the fact that even though we were seeing

2:10:00

negative um results in those areas we would have liked to have been able to more

2:10:08

extensively test in those parts of the building next slide please

2:10:15

this is the south end of the first floor so as you can see we did have a number

2:10:21

of positive results in this area this is primarily the police offices and the

2:10:27

council chambers one of the unique factors about this

2:10:33

area is we also found dust positive dust samples that were outside of the HVAC

2:10:39

system so the sample d57 was actually found on the back side of the ceiling tile which prompted additional

2:10:45

investigation to try to determine how that may have come to reside in that

2:10:50

location next slide please

2:10:55

so just for your um education these are a couple of the

2:11:01

ducts that we looked at so um you know these are fairly indicative of the conditions that we found inside

2:11:08

of the ducts when we cut into them to collect these samples the picture on the

2:11:14

left is a lined duct that was in the Attic mechanical room that

2:11:20

um fibrous insulating material really makes it impossible to try to clean this

2:11:25

duct material it's adhered to the inside of the duct and it just collects and holds any kind of dust that has entered

2:11:33

the the duct the picture on the right is dust buildup that has accumulated

2:11:39

presumably over many many years in a duct in the Attic mechanical room as

2:11:45

well and this actually was a sample that did test positive for asbestos

2:11:51

next slide please so bulk material testing involves

2:11:56

actually collecting a sample of material in our case it was HVAC filters ceiling

2:12:02

tiles both ceiling tile and flooring mastic or adhesive and sheet flooring so the

2:12:10

results of the 10 samples that we selected were that two HVAC system filters return positive results in one

2:12:17

sample of fluorine returned positive results um as previously noted we had

2:12:23

approximately 10 000 square feet of asbestos tiles that were known to be present throughout City Hall but most of

2:12:29

those are undisturbed next slide please so on the heels of the kind of active

2:12:36

investigation we also undertook a good faith inspection so that is the process that is kind of a full building survey

2:12:43

outside of the areas that we had already received positive results from

2:12:50

um and it was again limited by access issues the picture on the upper right

2:12:56

here is an example of one of the areas in the building this is actually from the CPD Wing where there are multiple

2:13:03

layers of ceiling that prevented access to the underlying roof structure and the

2:13:08

HVAC ducting the picture on the bottom is an example of one of the areas where

2:13:14

the ducting was encapsulated within bat insulation and plastic sheeting so you

2:13:20

can also see in that photo the amount of data cabling electrical wiring and just

2:13:27

kind of other building infrastructure that really obscures our ability to get to that upper level of building

2:13:34

infrastructure and then this photo in the middle is a picture of one of the tags on a fire door in the building

2:13:41

which was one of the unknown asbestos containing materials that was uncovered

2:13:47

in the good faith in inspection so the results of that inspection were that 13

2:13:52

of the 77 bulk samples were positive including three types of flooring which was an additional 20 000 square feet of

2:13:59

flooring um above and beyond what we were already aware of flooring adhesive and window putty and

2:14:06

then 31 fire doors next slide please

2:14:12

so findings um just to kind of summarize what we talked about in the agenda bill it is

2:14:18

unlikely that the basement floor tiles are the sole source of the asbestos found in the HVAC system however

2:14:24

additional sources of asbestos were not clearly identified in any of our

2:14:29

additional testing it's possible that the asbestos contamination within the HVAC system occurred prior to City

2:14:36

ownership of the building or during a renovation project in the late 1980s or

2:14:41

early 1990s shortly after the city took possession of the building significant destructive investigation I.E in this

2:14:48

case the full removal of the city hall ceiling and the infrastructure that's obscuring access to that area would be

2:14:55

required to fully access those areas in confirm conditions and the requirements to Abate and

2:15:01

reoccupy the building are anticipated to be costly and extensive and will be further detailed in the second part of

2:15:07

this presentation next slide please back is my remarks thank you

2:15:16

all right we'll stop uh screen sharing

2:15:25

uh Council I will just remind you for this portion of the presentation and certainly the second part as well we

2:15:31

have Tim Ogden here who is our specialist on these matters and by the

2:15:37

way Jamie that was a great presentation uh very thorough

2:15:42

um also not the best news but we are happy to take any questions at this point we

2:15:49

do have a second part of the presentation on you know what does it look like to try to fix this but before

2:15:55

we go there questions comments

2:16:02

I have uh the mayor is uh off my screen right now so

2:16:10

oh the mayor's computer decided to restart itself so uh council member

2:16:15

Reynolds uh Celine will be back with us in a minute yeah just you know thanks uh excellent presentation terrible news

2:16:24

um just like to get a general comment it sounds like the news is really as bad as

2:16:29

it could be is there any good news in this like there's something a way it could have been worse

2:16:35

[Music] [Laughter] um

2:16:40

I I'm not sure we can uh I I'm not sure we can answer that question councilman

2:16:46

Reynolds that I'd be comfortable doing so I I will just say for the community that might be watching this presentation

2:16:53

when we closed City Hall in April it was because we had an error handling unit right next to Broken asbestos Styles it

2:17:00

was with the understanding that we would do some testing we would have bait the

2:17:06

room and we would reopen uh it it's been it has been one of our worst case

2:17:12

scenarios to to start traveling up the HVAC system and realize that it was far

2:17:17

more extensive than we ever anticipated and and likely those tiles well they may

2:17:24

have contributed to some of the contamination it's highly likely there was another source

2:17:30

um so this you may recall in my communication to all of you it was initially a one month closure and then

2:17:37

it was we're going to be closed for the summer and and really I don't have a timeline that we would reopen we have

2:17:42

some we have some policy decisions to make about the building given our findings

2:17:48

so may I ask another one Mr Mayor there's nobody else spinning go for it

2:17:53

just uh for this for the city manager can you give a general observation you know you've obviously got a lot of Staff

2:17:59

working remotely now and and some working in the community center and maybe some elsewhere

2:18:05

um what's the been the general effect on staff efficiency and customer service

2:18:11

and and are there are there things we or you could do to

2:18:16

ameliorate the effects of you know whatever the negative effects are of that remote work while we figure out

2:18:22

what to do here sure um In fairness to the staff as I just

2:18:27

described you know from a four-month from a four-week anticipated closure to three months to we're not sure we can

2:18:33

reopen the building anytime soon I've been moving the goal posts on them a bit

2:18:39

um I I would say we're we're a strong team we've been

2:18:44

through some hard situations together and we're hanging in there

2:18:50

the two teams that are most significantly impacted by this closure are the police department and the

2:18:55

Municipal Court we have relocated the municipal court for court days to the city of Kirkland

2:19:01

and I I just want to give a huge public shout out to the city of Kirkland the

2:19:07

staff and the council for housing us we have an agreement with them through the end of September and we'll need to

2:19:14

talk about what we do beyond that the police department originally moved

2:19:20

most of their operation to the community center but we just relocated them to

2:19:25

Luther Burbank Park the community center again the initial move was thinking the

2:19:30

building would just be closed for a short period of time this this community center is wall-to-wall busy during the

2:19:37

summer and there's just not extra space so the yfs staff helped us move most of

2:19:45

the police department into Luther Burbank but it's important to remember that we have support facilities at City

2:19:50

Hall that we can't duplicate either an existing City facility or even easily like in a lease facility evidence room

2:19:57

secured climate controlled evidence room Armory and even holding cells

2:20:05

so while this is well City Hall has been closed we've been actively working on you know short-term Solutions and and

2:20:12

they are not easy housing re-housing City Hall in a short timeline is quite complicated

2:20:18

over the next month we are investigating mobilizing

2:20:23

um they're basically trailers they're like um a modular a trailered modular unit

2:20:30

that would bring uh some police capacity to the City Hall parking lot so that we

2:20:35

can perform more of our functions adjacent to the spaces that we still need access to while we're continuing to you know test

2:20:43

um on the building and think about how we might start removing some of our items from City Hall

2:20:50

so that's my long way of saying and I thank you for asking about the staff this has been really hard we know how to

2:20:56

work virtually pretty well we did it in covid but during covid we had a we had a city hall that we could still access so

2:21:03

so this is this is stress test we've we've moved everything we could virtually the staff that can work

2:21:08

remotely are doing so uh were doubled and tripled up in offices when the

2:21:14

municipal court is not in Kirkland they are working out of a conference room at fire station 91 so we've gotten very

2:21:20

creative but it's not ideal so I will share with you and my commitment to the

2:21:25

staff is to continue to work on short-term Solutions while we turn our attention to the longer term Horizon

2:21:36

yeah Jesse Jamie I just want to thank you for responding so quickly and effectively and I'm glad we had some

2:21:42

Consultants ready to go so really appreciate that I'm looking forward to phase two what's next

2:21:47

foreign

2:21:52

any more questions we can go to the next presentation sounds good

2:21:58

uh so Council I mentioned this at the beginning let me say it again uh Aaron Young and David Cutler with Northwest

2:22:03

Studios uh their firm was brought on early this year to help with our long-range facility planning efforts

2:22:11

which really comprise one of our biggest work items for this biennium

2:22:16

and then we scrambled up the scope of work almost like the day after the contract was finalized and said by the

2:22:24

way City Hall's closed we need your help thinking through abatement scenarios and

2:22:31

In fairness to them I have pretty consistently moved the goal posts on them as more information was coming in

2:22:36

so it was kind of initially we had an air handling unit impacted and then as

2:22:41

as the impacts throughout the HVAC system were continuing to grow we realized we had a more significant

2:22:48

problem Alan Montpellier is here he's with pae Engineers there some consultant of

2:22:54

Northwest Studio and we brought them on to say

2:22:59

what can we do here um you know some for me the questions are do you have to replace the whole

2:23:05

HVAC system can we just do part so what I'm going to turn the floor over to Aaron and David they're going to walk

2:23:11

through a very brief presentation of what we think right now the scope of

2:23:16

work will be to Abate City Hall and reoccupy as I said at the very beginning

2:23:22

this is preliminary information we have more work to do and we will do that work

2:23:27

and be back in front of you likely in September so Aaron and David I'll I'll turn this over to you to screen share

2:23:35

thank you Jesse I'll share a screen with you all know

2:23:41

please let me know if everyone can see that screen I think you can give me a sign we got it right well thank you for

2:23:49

the opportunity tonight to share some information with you all um Jesse's introduced

2:23:56

um myself my partner David and Alan from pae but I wanted to highlight the fact that also on our team we have main

2:24:03

analysis who are conducting the facility condition assessments DCW cost management we're an independent

2:24:10

cost estimating and management firm here in in Seattle and in Portland Oregon with deep roots in the Pacific Northwest

2:24:19

building and construction industry um the information we'll review with you

2:24:25

tonight will come in kind of two buckets um the first we'll be looking at

2:24:30

um what might be required should the entire HVAC system be replaced um at

2:24:37

City Hall for reoccupancy of the entire building and then we'll take a snapshot of a part

2:24:43

of the building we were asked to study the possibility and the costs associated

2:24:48

with occupying the police department areas for reoccupancies we'll touch on that second

2:24:56

um when we begin though I'll turn it over to Alan so that we can talk about some existing conditions kind of get our

2:25:02

heads around what is there and how it's how it's operating now and how we might

2:25:07

go about replacing that

2:25:17

Alan I can't hear you can everybody else here his audio is not really picking up

2:25:33

Emma now we'll give you a sec to see if we can adjust your audio

2:25:46

yeah that's a little bit better

2:25:54

I lied it's not better

2:26:08

how about now yeah sorry about that uh thanks for being

2:26:14

patient uh so this slide just does a little quick introduction um HVAC systems 101 as you would as you

2:26:24

would think here um Okay so there's two main pieces to your

2:26:30

mechanical systems one is your actual Heating and Cooling and how that happens for for the existing city hall there's a

2:26:37

water loop that circulates through the building and it feeds water source heat

2:26:43

pumps that are located inside the building and those are what delivery Heating and

2:26:49

Cooling to each of the spaces those are heat pumps so they can switch back and forth between Heating and

2:26:55

Cooling as necessary for each space um in the wintertime what will happen is

2:27:01

the heat pumps will operate in heating mode and they'll extract heat from the

2:27:06

water loop so then that's where the boiler comes in turns on and puts the heat back into the loop

2:27:13

conversely then in the summertime uh the heat pumps will reject their heat to The

2:27:18

Loop and then the cooling tower will then turn on and reject the to the outside air

2:27:25

some of the deficiencies that we've noted here include equipment that's near the end of lifespan

2:27:31

as as is the building itself and then uh the uh there's PVC piping that is at

2:27:38

risk of failure as well on the environmental side uh you know

2:27:43

the industry is moving away from fossil fuels for heating and so we have a you know you have a gas

2:27:49

boiler that handles the Heat and then water is also being used for cooling and

2:27:56

there's newer technologies that can avoid that as well next slide

2:28:02

this is a little schematic that shows the section through the building and you can see here in this section how the

2:28:09

Water Source heat pumps are generally located in those fun and spaces above the ceiling there's two air handling

2:28:15

units in this building one serving the basement and one serving the first floor what they do is they provide 100 outside

2:28:22

air to each of the Water Source heat pumps and then again those water source heat

2:28:28

pumps are passing that pressure into the space system deficiencies asbestos has already

2:28:36

spoken about and again the equipment near end of life one of the other deficiencies on the environmental side

2:28:43

is that those air handling units have no air-to-air heat recovery they're simply bringing in 100 air outside air and

2:28:50

supplying it to the building uh if built to current code you would need to have

2:28:57

a recovery as part of your new construction next slide

2:29:05

so when we look at the replacement we can make make some pretty significant

2:29:11

improvements if you go to the next slide uh so very similar system what we're

2:29:17

doing though is we're switching out some equipment so starting with the outside we're

2:29:25

proposing replacing the uh cooling tower with air source heat pumps uh the the

2:29:33

nice thing about air source heat pumps is that they can both do heating and cooling so the magic for them is that they can

2:29:39

pull heat from the outside air and inject it into the loop and then in the summertime they

2:29:47

can reject heat to the outside air as well but they do that without using any

2:29:52

water so not only are we saving water but

2:29:57

we're also not burning any fossil fuels and they're very very efficient compared

2:30:04

to a boiler they're we're still proposing an electric boiler and that would be there

2:30:10

as a backup in case one of the air source heat pump Banks fails

2:30:15

but the improvements would be new connects water piping as you as I noted there

2:30:22

high efficiency heat pumps there's also a benefit with air source heat Puffs and that there's a lot lower maintenance

2:30:28

costs and the uh the other thing that we would do is put in two air source heat pumps

2:30:36

on the outside uh the advantage there is if one fails you're not losing all of the capacity whereas currently right now

2:30:42

with the city hall if you lose the boiler you lose all your heating if you lose the cooling tower you lose all your

2:30:48

Cooling so there's a single planet failure issues right now as well

2:30:54

on the environmental side I mentioned we would if this would be a net zero carbon

2:31:01

HVAC system so we would be burning any fossil fuels and again no water use for cooling so long-term operational cost

2:31:09

savings which we know are important I include reduced energy bills water bills and maintenance

2:31:16

and next slide similarly on the inside of the building

2:31:21

with the actual delivery of heating cooling and ventilation to the space would be new water source heat pumps and

2:31:29

importantly uh new heat recovery air handling units and then you can see how

2:31:35

these are drawn up we would be um crossing the airstreams and before the

2:31:41

exhaust errors vented outside we'd be recovering that energy uh in addition modern code Uh current

2:31:49

code asks for CO2 sensors in high occupancy spaces so for example the

2:31:54

council chamber would have CO2 sensor and when the council is empty the

2:32:00

chamber is empty the outside air would be throttled back not supplied there saving energy and money as well and then

2:32:08

when the chamber fills up senses that and starts providing outside air

2:32:14

so the environmental Improvement would be that air-to-air heat recovery

2:32:21

I think that's the last slide for me thanks Alan so with that basic kind of

2:32:30

overview of the transition from the existing system to new systems um I get

2:32:36

to talk about what's required to make that happen um so removing the HVAC system in its

2:32:44

entirety from the building as you probably gleaned from the photographs that were shown earlier of the ceiling

2:32:50

spaces and above ceiling spaces is no small task um particularly in buildings that

2:32:57

have been renovated over time um I'm going to run through what it requires some in order in order of

2:33:02

demolition replacement that requires the removal and relocation of and storage of

2:33:07

furniture fixtures and equipment of course um the removal of almost all if not all ceilings

2:33:14

light fixtures in the ceiling and the control wiring that runs to those light fixtures data and I.T cabling and

2:33:21

services that are above ceiling security cabling and devices as well that are

2:33:27

above ceiling fire alarm systems any home runs have to be removed

2:33:33

mechanical systems the HVAC system of course the attic installation

2:33:38

partial wall removals at areas where we have penetrations related to the HVAC system or its piping or electrical

2:33:46

control wiring and then floor finishes if not all plus or minus 75 percent as damaged or

2:33:54

damaged during removals those would be removed and replaced in

2:34:00

addition to that you would be patching and repairing select walls that you're not otherwise touching

2:34:08

um repainting uh virtually everything um undertaking interior partition

2:34:14

seismic bracing which was part of a separate study that we've been we've been looking at understanding that if

2:34:20

you're undertaking all of this work you're going to trigger certain actions that are required to conformal seismic

2:34:26

code um installation of Fire Protection Systems specifically sprinklers

2:34:32

um interior replacement of uh ffne or relocation on storage and additional

2:34:39

potential energy code upgrades now I will note that um

2:34:44

that as we've been looking at the scope of work involved and working with our consultant team to develop a very

2:34:51

preliminary cost estimate that hazardous materials abatement has been kind of an

2:34:57

evolving understanding so we have a remediation allowance included for

2:35:02

partial HVAC scope but until sources are identified extension reported and an

2:35:08

abatement plan could be defined we can't really find point on the cost of the abatement program

2:35:15

but what I would like to share with you is a preliminary cost estimate for the work that was just described for the for

2:35:23

for all of City Hall um our consultant DCW cost management prepared an estimate for replacement of

2:35:30

building-wide HVAC systems along with all of the related work mentioned

2:35:36

to return the building to a serviceable condition um that estimate was developed using

2:35:41

existing documents reports and prior studies and prior and plans for the

2:35:47

building and is based on Gross Square footages multiplied by very accurate

2:35:52

current Regional cost per square foot for the Scopes of work indicated the cost court includes seismic upgrades

2:36:00

those non-structural interior partitions and masonry walls as well as select allowances for asbestos abatement

2:36:08

this report is based on some notes assumptions and inclusions it reflects information on hand at the

2:36:15

time of the estimate of course Jesse mentioned information is being updated and additional findings may

2:36:22

alter the required scope of work and the cost estimate we have not had access to City Hall to

2:36:29

do and uncover and inspect the interiors of conditions due to the closure for asbestos

2:36:36

um so any preliminary figures could be refined on further and deeper inspection

2:36:42

allowances for hazardous material abatement do not reflect initial full scope of work it should be updated

2:36:49

following the development of an abatement plan um we assume that the project would be

2:36:54

delivered via traditional low bid procurement method using a minimum of four qualified General Contractors to

2:37:00

ensure competitive pricing uh work would be performed during regular business hours

2:37:06

um owners soft costs are not included in the estimate that we'll share with you we did include escalation through the

2:37:15

third quarter fourth quarter of 2024 and sales tax is also excluded though we

2:37:21

have added that in as a sideline item for your understanding I do want to

2:37:27

indicate that DCW who we've worked with for a long time is in third party cost consultancy
have a very good track

2:37:34

record of providing accurate cost planning and they're often falling within three to five
percent of project

2:37:41

low bid amounts so we have a lot of confidence in even their preliminary estimates

2:37:47

now hopefully the numbers are not too incredibly small

2:37:52

um here we do have a summary on the next page but I wanted to walk through with you
some of the items within this

2:37:59

estimate on a line item basis so you can see what has been covered and I'm

2:38:05

actually going to start from the back from item 14 which is on the lower right selective
demolition

2:38:10

so this includes demolishing ceiling finishes attic insulation and floor finish

2:38:17

trade demolition only is related to Mechanical HVAC items in the electrical

2:38:23

disservice those hazardous material remediation there's an allowance of five dollars a square

2:38:29

foot which gets us started but we'll need more information um understanding that allows us to

2:38:36

understand the other components that we talked about previously and I'll move up the list fire sprinklers all this work

2:38:43

triggering triggering the likely requirement to install a sprinkler system in the building

2:38:49

um under electrical with the ceilings coming out like I mentioned before the light fixtures would need to be replaced

2:38:57

with new new control wiring fire alarm systems rerun likely triggering a new

2:39:04

fire alarm panel voice and data or it cabling would need to be run throughout

2:39:09

the building and Equipment connections made the HVAC system as Alan described has

2:39:17

been given an allowance targeted at uh systems meeting that description at about 72 dollars a square foot installed

2:39:25

um miscellaneous equipment and Specialties Corner guards wayfinding and signage including

2:39:31

um exit signage interior finishes would need to be replaced including uh lay and tile and

2:39:39

painted gypsum board with select touch-ups to certain areas prepping and

2:39:45

laying down new floor finishes as required we've done some very high level kind of allocations for this

2:39:53

patching and repairing existing uh partitions as needed

2:39:58

and then item number two on the upper left hand corner vertical structure

2:40:04

remediation which is really um the line item budget for the

2:40:10

structural bracing of partial and full height partitions that do not meet did

2:40:16

not extend up to the existing floor or roof decks now when we roll all of that

2:40:22

up to a Consolidated summary we end up with a recommended budget of about 9.3

2:40:29

million dollars um as we mentioned this is preliminary and we're working even today on numbers

2:40:36

but the numbers that we've been editing back and forth constitute about two hundred thousand dollars plus or minus

2:40:42

so plus or minus two percent of this value so 9.3 million dollars

2:40:47

estimated Washington State and Mercer Island sales tax equivalent to about 940

2:40:52

000 brings a recommended total hard cost budget to about 10.2 million

2:40:57

now we mentioned this does not include owner soft costs did not include costs related to uh engineering and design and

2:41:04

permitting um or other logistics or ffne related items

2:41:09

the estimated duration for a project like this with all things lining up as

2:41:15

we would like them to we would estimate about six to eight months for design and permitting and then an abatement

2:41:22

timeline to be determined based on the plan that's outlined once further

2:41:28

sourcing and identification has been undertaken with construction reconstruction as you

2:41:35

say at about six to eight months allowing about a month to move in so 13 to 17 months plus whatever the abatement

2:41:43

period is between design and construction timelines

2:41:50

now in addition to looking at the entire city hall building we were asked to study a potential

2:41:57

solution for the use of the police department areas for five to seven years as an alternative to reoccupying all of

2:42:03

City Hall as Jesse mentioned the PD areas are one of the more difficult to relocate based on the special nature of

2:42:10

some of the programs in those areas um as an initial option we looked at

2:42:16

partitioning those existing spaces I'm here we're looking at the basement floor plan from the remainder of the building

2:42:22

abating those spaces removing the system installing a temporary system with other

2:42:27

related work to serve that occupancy and that telegraphs up through to the

2:42:33

first floor Police Department spaces as well now the spaces on both the first floor

2:42:38

and the basement constitute I'm sorry I'm sorry I jumped ahead of myself I'm going to let Alan jump in and talk about

2:42:43

the system that was identified because it's a bit of a different system for such a targeted area

2:42:50

hi Sharon um for this one we because of the lower or reduced amount of time

2:42:57

expected to occupy the space we looked at a lower cost solution and it's based

2:43:04

around variable refrigerant flow or brf as it's known in the industry and as you can see on a little schematic

2:43:12

diagram on the right we still have some outdoor heat pumps uh

2:43:17

but and then we have indoor units and those uh you might have come across those in your lives with like wall

2:43:24

mounted assets or even ceiling mounted cassettes they can also be fan coil units but

2:43:32

again to have the lowest cost we'd probably go with a cassette solution

2:43:37

and then that would be married up because that would be providing all the heating and cooling for the space and

2:43:43

one of the side benefits with it is that it comes with its own control system

2:43:49

so be a pretty straightforward uh quick solution for a reduced number of years

2:43:56

of use and then we marry that up with a new

2:44:01

um uh outside air system that would be providing ventilation for the space

2:44:07

so uh very quick summary thank you um I think the the good news

2:44:15

is that there's a there's a potential lower cost more direct system available for a small area like that the bad news

2:44:22

is that for that area all the same work is involved that I described before you've got to really do everything that

2:44:28

was described just for a smaller area and that area on the basement and ground floor accounts are about 40 percent of

2:44:35

the overall city hall building so without getting into a lot of finer

2:44:42

detail which we will get into and bring back to you we just took a very high level look at about 40 percent of the

2:44:49

prior costs for the entire building understanding that we need some refinements for the simpler HVAC system

2:44:56

and then we need to understand more specifically the proportion of masonry

2:45:02

walls to drywall partitions in this particular these particular zones of the building and what might need to be

2:45:09

um what might need to be specifically braced and not braced but that brings the rough total with Washington state

2:45:15

sales tax to about 4.1 million dollars for the police police department areas

2:45:21

um holding the same design and permitting time frame of about six months of six to seven months

2:45:28

um again the abatement period to be determined based on the plan for that space

2:45:34

um likely a shorter duration since you're not evading the entire building

2:45:40

with the construction timeline of about six to eight months moving of one month so the neighborhood of 13 to 15 months

2:45:48

maybe a little less so relative to the PD areas I would expect both the

2:45:53

recommended hard costs to come down a little bit based on some further work and the estimated duration to maybe come

2:46:01

down about a month not including a base abatement timelines

2:46:07

um I believe that's everything we had for the presentation uh Jesse

2:46:19

not a great way to start our August recess uh Council I apologize for that but I wanted as I mentioned earlier I

2:46:25

wanted to be you know transparent about the scenario so that when we come back

2:46:31

in September we can start talking about options

2:46:37

all right we got some questions so council member Jacobson [Music]

2:46:43

on music [Music]

2:46:49

uh I guess you give them an observation uh

2:46:54

it or maybe I should just ask the question suppose we did all 14 million dollars worth of work that's uh forecast

2:47:02

here what's you know what's the life expectancy or what's the useful life of

2:47:08

what we have just improved um

2:47:14

as you're learning uh or as you know I should say with all due respect you also ever Jacobson you spent

2:47:20

a lot of time in that building you know City Hall is at the end of its useful life so and you know investing in in the

2:47:29

systems that we describe doesn't even begin to address many of the other issues

2:47:34

and Northwest Studios is well underway with that comprehensive conditions assessment and so the next time we see

2:47:41

you we can identify you know the other things that we would likely want to

2:47:46

improve to extend the life of the building but your point is well taken

2:47:52

you know we started we you all added to your biennial work plan the long-range

2:47:57

facility plan because both City Hall and the Public Works building are at the end of their

2:48:03

useful life and we needed to start thinking about the replacement plan

2:48:11

you said it not me all right

2:48:18

so if there's one thing I've learned about remodels and new construction is it's that the surprises end up costing

2:48:24

more money and having more uh unexpected surprises As you move along that take more time so is it safe to say this is

2:48:31

kind of a baseline estimate there might be potentially more given what we don't know once any work was started right

2:48:39

okay yeah for sure as your city manager when we start capital projects I know there's

2:48:44

always the risk that you know we'll something will go wrong and and we'll need to do a change order uh this

2:48:50

building has me incredibly nervous uh we can't even access uh fully the attic

2:48:56

which which also means uh you know Tim and his firm PBS we did asbestos testing

2:49:03

as far as we could and then we stopped because the next round of asbestos

2:49:09

testing will likely involve full removal of the ceiling to get to the materials

2:49:16

um and so we just can't we can't do that so I I think you're you're my gut is telling me this this is

2:49:24

those costs will go up as we get into uh further design and and probably even run

2:49:31

into a lot of problems once we get into construction I'm very concerned about that

2:49:36

that's my Reynolds um just start by saying I share council

2:49:42

members Jacobson's concern about lipstick on a pig and and uh councilmember weikers

2:49:47

observation that there may be some significant uncertainty in this price but I want to make sure I understand how expensive the lipstick is uh council

2:49:55

member Jacobson threw out a number of 14 million which I'm thinking he probably got is ten plus four but is that the

2:50:01

right thing I thought it was 10 for the total or four just to do the police part so really 10 is the total is that

2:50:07

correct yeah and we haven't gotten there yet Aaron and David are going to help us get to these numbers but the full building

2:50:15

um very preliminary abatement scope uh is 10 million if we just did the police

2:50:22

swing and we somehow delineated that it would be 4 million but I do want to point out we haven't added in the soft

2:50:28

cows yet so there was also engineering and design services and project management that we'll we'll add add to

2:50:36

those costs and Aaron uh Aaron probably wants to jump in here

2:50:42

all right thank you Jesse I did just want to add for clarity that the cost that we've looked at were for removal

2:50:48

and Replacements of equipment and materials and finishes they were not for

2:50:55

the abatement itself necessarily of the the entire scope of debate so we had a

2:51:00

small allowance in for that but I expect that allow us to grow and and what does abatement mean does that mean disposal

2:51:07

of the contaminated materials is that what we're talking about or something else well we'll have Tim come on here it's

2:51:13

generally the removal and safe disposal of hazardous materials Tim anything else you'd like to add

2:51:18

yeah that's correct that's the appropriate term and what that would mean council members uh basically

2:51:23

determining the extent of the HVAC system that is contaminated our testing to date shows a few Trends but

2:51:30

unfortunately the detections we've had don't paint a very consistent picture of

2:51:36

a source and path of travel of contamination um in general the north end of the

2:51:41

building has shown relatively clean data on the first floor I should say and

2:51:47

after that it gets a little muddled we've also had some detections that don't necessarily line up with linear

2:51:54

HVAC distribution if that makes sense so the abatement aspect of this is still

2:51:59

TBD and part of that is determining just how much of the duct work in HVAC system

2:52:05

would get demolished and also what's a little bit more of a wild card right now

2:52:11

is what other potential uh cleaning and decontamination would be required uh not

2:52:17

just to potentially reoccupy but that would be required in the case of demolition as well it just seems like

2:52:23

that you're you're leaving out what is potentially a huge number of him being naive but I assume you can't just take

2:52:30

the contaminated stuff and drop it off of these good transfer station there's probably a a very complicated and

2:52:35

expensive disposal protocol correct right and then to Northwest Studios credit

2:52:40

um they they needed to plug something in and I expect that number to grow significantly okay um and we need to do

2:52:48

some homework to get there all right councilmember Jacobson well I

2:52:55

can't remember Weinberg take a crack at it since he's hasn't had his chance yet go for it

2:53:01

councilman Weimer find my mute button okay well I I think

2:53:07

in the big skier things all buildings eventually need replacement it's just a matter of how much useful life we can

2:53:13

get uh from the building and lead to one concluding that it's uh necessary for

2:53:20

its replacement so in that context uh I get the impression that the city has

2:53:26

gotten over 40 years of use from the 60-year building uh and furthermore I think the uh event of us discovering

2:53:34

asbestos uh has reduced the uncertainty uh for the council and the public that

2:53:41

it may be time to consider a once in a century facilities investment in Florida

2:53:47

City my spot just to be later on but I'm just trying to set the stage

2:53:54

okay councilman Jacobson

2:54:00

yes I uh this is not really a question but it's I have a very difficult time seeing uh

2:54:09

thinking of spending any more money aside from West what has to be done to kind of close the chapter here for this

2:54:16

building uh because I don't think in the end the the injected investment let's

2:54:22

just say it's 10 million bucks and I think that's is there are some variables

2:54:27

that aren't even allowed for which there aren't even allowances here I think it's just a bad investment I

2:54:33

think we have we've looked started looking at other ways of uh dealing

2:54:38

maximizing the values of our properties we have at least two and maybe three developers who are anxious to approach

2:54:46

us about a glass walk of some sort um the City of Marysville as I

2:54:51

understand it just went and just has gone through this process and and uh so

2:54:57

there's a template out there for us to look at but it's a applicable template or not I don't know because uh

2:55:04

I I for one am very reluctant to spend more than any necessary money to close

2:55:10

the chapter on this and get some temporary quarters because even if we had a developer who would it was a city

2:55:16

hall that's going to be three four five years out anyway so we're gonna have to do something in temporary course we're

2:55:22

gonna have to do something in temporary quarters for at least uh one and a quarter years and I think

2:55:28

that time has been is very very uh very optimistic for the scope of work with some of the amount of coordination has

2:55:34

to be done because much of that work is not concurrent work because I understand the construction process available

2:55:41

evolved so yeah but that's my opinion worth nothing but uh I I'm I'm really

2:55:47

reluctant to expend any more money than it's absolutely necessary on this building we're just wasting

2:55:55

councilmember Weinberg I I agree strongly with what you said uh and I

2:56:00

think 100 years from now we are definitely not going to be looking at the same building uh probably on the

2:56:06

same street even I think if we uh this gives us an opportunity to think longer

2:56:12

term and think about what do we want to build for future Generations

2:56:17

Mr Mayor go ahead I had an unfortunate computer reboot that couldn't be avoided

2:56:24

I'm gonna ask a question might have been answered but you know Tim and maybe Aaron you mentioned that

2:56:30

additional work has to be done with like chipping away the building to figure out the puzzle but we have all our

2:56:37

belongings in there right all of our records all of our computers at what point are we like further contaminating

2:56:44

things that are not currently contaminated trying to establish the extent of the the asbestos when when is

2:56:53

that inflection point where you just get your stuff out

2:56:59

Mr Mayor I will maybe take a stab at that and then Tim could chime in on how he's advising us I think we are there

2:57:06

right now I'm not asking the council to make a formal recommendation tonight and what

2:57:11

to do with the building we needed to present this information but based on your comments and certainly the news of

2:57:17

tonight it's unlikely that I will be returning in the fall recommending that we make any further investments in the

2:57:22

building so I I think we're I think we're on their absent formal Direction so we're now turning our attention to

2:57:31

um getting belongings out of the building we do have positive uh settled dust

2:57:39

samples particularly in some areas of the basement and so Tim's firm is working with us on how we address that

2:57:46

there's one room in particular where we have records stored and so we we don't

2:57:51

have a plan yet but we can't just go in and take that out we have to work with

2:57:57

our our technicians to ensure that we're safe and um that we're properly handling items

2:58:04

but to your point going and poking around in the ceilings anymore is is not is not advised Tim do you want to say

2:58:11

any more about unpacking the building or some things that you're advising us on right now

2:58:18

uh sure thanks Jesse and and what I'll try to do is frame it in discussion points

2:58:24

um surrounding a potential renovation uh right because there's multiple tasks ahead one is to get belongings out of

2:58:33

the building and we are still figuring out specifically how that might work

2:58:39

um records in one area have a detection on top of a storage box and so we need

2:58:46

to look at that a little bit further and we do have some methods that can basically scan those documents these are

2:58:54

all costs that would be separate from a construction estimate um so there's there's advanced work to

2:59:00

be done in any scenario with a reminder that even if the building is to be bulldozed the Hazardous Materials or

2:59:08

abatement costs are still going to be real to clear that path

2:59:14

yeah I appreciate that I was focused on that soft cost number that nobody's estimating and just making sure

2:59:20

we're not cutting our nose off despite our face councilmember Jacobson

2:59:28

the comment that I should have made before first of all Kudos was city manager for for riding the bullet and

2:59:34

taking a hard look at this and I I was very impressed with what our Consultants have had to say in terms of the

2:59:39

thoroughness and the uh organized manner in which they've gone

2:59:44

through their work and I'm grateful because I think it gives us excellent bases to make further or make

2:59:51

decisions about what we want to do further with this building and in our city hall for so thank you

2:59:58

so Mr Mayor one of the things that may be helpful then in the spirit of not

3:00:04

not burning Consulting dollars just to get six more weeks into the same place

3:00:10

we are today we know that there's further refinement that can be done to those abatement and

3:00:18

reoccupancy costs I am not hearing from the council that that is Meaningful work

3:00:24

at this time and so I might recommend that we just conclude with the

3:00:29

preliminary cost estimates we have today I think Aaron and David would agree that they're not going to come down

3:00:35

significantly and change the findings but alternatively if you feel that

3:00:40

having refined uh costs and scope that that will certainly be how we spend our Attention our time otherwise we are we

3:00:47

are turning to the long-term planning I'm not seeing anyone argue with that so

3:00:55

okay so we will likely be back I'll be doing

3:01:02

some work over the August recess then we are again working on a short-term uh

3:01:08

Housing Solutions and we will then now be turning our attention to well making

3:01:13

sure we're housed um trying to address particularly the police department needs in the most

3:01:19

meaningful comprehensive way that we can looking at Municipal Court needs again

3:01:24

we're I shared with the staff were out on kind of a medium-term horizon now like one to two years while we're trying

3:01:30

to figure out um the longer term I also need to mention that our building

3:01:36

the HVAC system cannot be operated as we head into the winter in fact this is

3:01:42

something that I will be asking our Consultants to help with now is um assuming that we are making a

3:01:47

decision to condemn the building uh we we do not have HVAC we don't have heat

3:01:52

so we're going to have to address potential frozen pipes and things so that is something that we'll be working

3:01:58

in to stabilize the facility the building still houses I.T infrastructure that is something that we're working on

3:02:05

right now it's certainly um as I mentioned earlier the evidence room the armory

3:02:10

and some other police facilities so we have some very near-term work needs and that will be working on

3:02:18

that what else what else can I tell you

3:02:24

answered everyone's questions so we appreciate the thorough update and thanks everyone for the work on this

3:02:32

all right thank you Council all right we now moved to other business in the

3:02:37

planning schedule so don't go far Jesse I am still here and we have almost

3:02:45

arrived at our August recess I do not have uh any updates for you except that

3:02:51

likely when we come back from the recess we'll have some um agenda changes as work items develop over the next five or

3:02:58

six weeks I believe Mr Mayor somewhere in your script is a motion to um

3:03:08

oh is there more councilman I have a motion to cancel August one and August 15 regular City

3:03:15

Council meetings second all right move by councilman Reynolds seconded by customer weiker no

3:03:22

discussion please call the roll thank you Mr mayor council member Andrew aye

3:03:27

councilmember weiker aye Fair niece aye councilmember Reynolds

3:03:34

aye councilmember Jacobson all right councilmember Weinberg hi

3:03:40

thank you Mr Mayor good motion passes uh Council may I have a motion to uh

3:03:46

to uh dismiss uh sorry we do approve Council uh Deputy Mayor

3:03:52

rosenbaum's absence this evening so moved second all right moved by customer weikers
taking it by customer Weinberg

3:03:59

please call the role uh councilmember Jacobson you have

3:04:04

something on this no I know I'm just trying to get myself Mr Mayor was that councilmember
weiker

3:04:11

and who is the second Weinberg thank you councilmember Jacobson hi

3:04:18

council member Andrew hi mayor niece hi

3:04:24

councilmember Reynolds aye council member weiker aye councilmember Weinberg I
thank you

3:04:31

Mr Mayor Brian Deputy mayor's absence has approved any other Council offices upcoming
no uh I may be late on

3:04:40

September 5th it's not not a problem uh Council reports councilman Miranda on

3:04:45

anything report nothing uh councilman Jacobson yes I uh

3:04:52

the Utility Board met on July 11th and they don't meet every month like some of our other boards and commissions there

3:04:59

are several items they did first of all was to elect a new leadership or elect leadership for the succeeding year and

3:05:06

Tim O'Connell agreed to serve again as the uh uh chair of that and it certainly

3:05:13

appears to me that he has a very firm hand on that teller and will quantz uh volunteered to be the deputy uh chair of

3:05:22

that board and he was unanimously uh elected the other uh

3:05:29

we also uh some months ago had asked uh the public works department and various

3:05:36

people in there to get a better idea how all the things that they're doing interacted nice earlier today I sent you

3:05:42

a map that was took up lots of our discussion at the Utility Board I'm not

3:05:48

going to go through it even item by item but it shows the all the stuff in the 23

3:05:53

CIP and related kinds of things that's going on in Mercer Island and you can get

3:05:59

from that you'll get the idea that there's a lot going on and that this is a a very very busy part of our uh City

3:06:07

Enterprise and uh having gone through that and we spent I

3:06:12

don't know three hours we're still in our meeting in a considerable period of time it's very clear that the that

3:06:18

there's uh firm management of those projects they've got people who know what they're know what the Bulls and of

3:06:24

those projects are and how to go about doing them and uh so if nobody got that

3:06:30

if somebody didn't get that map you can look at it I can answer questions about it if you want but it plots out uh not

3:06:37

only CIP stuff but utilities some things that aren't quite uh you know CIP but

3:06:43

better work that's going on and it's a busy summer and busy remainder you know

3:06:49

uh five months and five and a half months left in this year and it's in

3:06:54

good hands thanks for saying that it was good now I have nothing to report councilman Reynolds yeah there's a couple quick

3:07:00

things one it's the time to renew change officers I

3:07:07

guess the Parks Commission met a week or so ago they have a new chair now Peter

3:07:12

struck and a new Vice chair I believe is Paul Bernstein and I'm sure they'll do a great job then I just also wanted to

3:07:18

extend a big thanks to City staff for all their great work on summer celebration seemed like a fantastic event smiling everybody's face they

3:07:24

could tell they were having fun uh which is pretty amazing to get people into work on Saturday but uh thank you for ruining your culture that makes that uh

3:07:31

something they want to do very good councilman weiker yeah just huge shout out to staff thank you very

3:07:37

much for fantastic summer celebration everyone was thrilled all day long well done

3:07:42

very good uh councilmember Weinberg a great summer celebration uh and

3:07:48

looking forward to next year uh and uh all preparations uh there too

3:07:55

very good the next hybrid meeting of the city council is scheduled for Tuesday September 5 2023 5 p.m the time is now 8

3:08:02

43 p.m as a reminder of the council please stay seated into City staff determinate the broadcast good evening

3:08:08

good evening and thank you for joining us we'll see you in September

English (auto-generated)