



# GMHB EXHIBIT 98

## CITY COUNCIL MINUTES

### REGULAR HYBRID MEETING

#### SEPTEMBER 3, 2024

---

#### CALL TO ORDER & ROLL CALL

Mayor Salim Nice called the Regular Hybrid Meeting to order at 5:00 pm in the Slater Room Council Chambers at the Mercer Island Community & Event Center, 8236 SE 24<sup>th</sup> Street, Mercer Island, Washington.

Mayor Salim Nice, Deputy Mayor Dave Rosenbaum, and Councilmembers Jake Jacobson Craig Reynolds, and Ted Weinberg attended in person. Councilmembers Lisa Anderl and Wendy Weiker attended via Zoom.

#### PLEDGE OF ALLEGIANCE

The City Council delivered the Pledge of Allegiance.

#### AGENDA APPROVAL

It was moved by Weinberg; seconded by Jacobson to:

**Approve the agenda as presented.**

PASSED: 7-0

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

#### CITY MANAGER REPORT

City Manager Jessi Bon reported on the following items:

- **Council, Boards & Commission Meetings:** Next City Council Meeting – September 17 at 5:00 pm, Parks & Recreation Commission – September 5 at 5:00 pm, Utility Board – September 10 at 5:00 pm, and Arts Council – September 16 at 5:30 pm.
- **City Services Updates:**
  - Summer recap – Thank you to everyone who participated in the numerous summer events including Mostly Music in the Park, Summer Celebration, Shakespeare in the Park, Juneteenth and Pride in the Park! Thank you to all of the Summer event sponsors!
- **Upcoming Events:**
  - Art Uncorked on September 7 from 3:00 – 7:00 pm.
  - Mid-Autum Festival on September 22 from 10:00 am – 2:00 pm.
- **News:** Welcome Officer Luke Bonagofsko who recently graduated from the Law Enforcement Academy and was sworn in by Chief Sutter.

#### APPEARANCES

Carolyn Boatsman, Mercer Island, spoke about the Comprehensive Plan.

Daniel Thompson, Mercer Island, spoke about the Comprehensive Plan.

#### CONSENT AGENDA

Councilmember Jacobson requested removal of AB 6533: Luther Burbank Sport Courts Renovation Change Order Appropriation from the Consent Agenda. Mayor Nice moved it to the first item of Regular Business.

#### **AB 6520: July 12, 2024 Payroll Certification**

**Recommended Action:** Approve the July 12, 2024 Payroll Certification in the amount of \$1,020,781.37 and authorize the Mayor to sign the certification on behalf of the entire City Council.

**AB 6521: July 26, 2024 Payroll Certification**

**Recommended Action:** Approve the July 26, 2024 Payroll Certification in the amount of \$871,077.18 and authorize the Mayor to sign the certification on behalf of the entire City Council.

**AB 6522: August 9, 2024 Payroll Certification**

**Recommended Action:** Approve the August 9, 2024 Payroll Certification in the amount of \$873,073.19 and authorize the Mayor to sign the certification on behalf of the entire City Council.

**AB 6523: August 23, 2024 Payroll Certification**

**Recommended Action:** Approve the August 23, 2024 Payroll Certification in the amount of \$854,156.34 and authorize the Mayor to sign the certification on behalf of the entire City Council.

**Certification of Claims:**

- A. Check Register | 00220310-00220355 | 7/12/2024 | \$460,378.24
- B. Check Register | 00220356-00220410 | 7/19/2024 | \$972,012.63
- C. Check Register | 00220411-00220472 | 7/26/2024 | \$437,459.55
- D. Check Register | 00220473-00220554 | 8/02/2024 | \$1,688,049.36
- E. Check Register | 00220555-00220596 | 8/09/2024 | \$919,896.63
- F. Check Register | 00220597-00220641 | 8/16/2024 | \$814,794.12
- G. Check Register | 00220643-00220714 | 8/23/2024 | \$1,866,813.15
- H. EFT Payments | June 2024 | \$2,514,746.54

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

**City Council Regular Hybrid Meeting Minutes of July 16, 2024**

**Recommended Action:** Approve the City Council Regular Hybrid Meeting Minutes of July 16, 2024.

**AB 6524: National Recovery Month Proclamation No. 341**

**Recommended Action:** Approve Proclamation No. 341 proclaiming September 2024 as National Recovery Month on Mercer Island.

**AB 6525 National Preparedness Month Proclamation, No. 342**

**Recommended Action:** Approve Proclamation No. 342 proclaiming September 2024 National Preparedness Month in Mercer Island.

**AB 6526: Hunger Action Month Proclamation No. 343**

**Recommended Action:** Approve Proclamation No. 343 proclaiming September 2024 as Hunger Action Month on Mercer Island.

**AB 6531: Ratification of MOU with AFSCME Regarding Certification Pay**

**Recommended Action:** Ratify the July 2024 Memorandum of Understanding by and between the City of Mercer Island and the Washington State Council of County and City Employees, AFSCME, SFL-CIO Local #21-M regarding certification pay.

**AB 6532: Ratification of Proclamation No. 344 Ending Local Emergencies**

**Recommended Action:** Ratify Proclamation No. 344 ending the local emergencies issued by the City

Manager on April 3, 2024 and May 1, 2024.

#### **AB 6535: Childhood Cancer Awareness Month Proclamation No. 345**

**Recommended Action:** Approve Proclamation No. 345 Proclaiming September 2024 as Childhood Cancer Awareness Month on Mercer Island.

It was moved by Weinberg; seconded by Reynolds to:

**Approve the Consent Agenda as amended, and the recommended actions contained therein.**

PASSED: 7-0

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

#### **REGULAR BUSINESS**

#### **AB 6533: Luther Burbank Sport Courts Renovation Change Order Appropriation**

City Council discussed the change order appropriation and asked questions of staff.

It was moved by Jacobson seconded by Reynolds to:

**Appropriate \$264,912 from available ARPA funds to remediate subgrade failure and finish constructing the Luther Burbank Park Sport Courts Renovation.**

MAIN MOTION PASSED: 7-0

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

#### **AB 6528: Bond Ordinance Authorizing the Issuance of One or More Series of Limited Tax General Obligation and Refunding Bonds to Finance and Refinance Projects of the Water Utility (Ord. No. 24-09, First Reading)**

Finance Director Matt Mornick spoke about the recommendation to finance the Water Utility through issuance of Limited Tax General Obligation (LTGO) Bonds, provided an overview of the water distribution system from source through distribution, discussed the historical way of 'pay-as-you-go' funding for the water utility, and how staff and the Utility Board strategized how to implement and pay for major water infrastructure projects. He discussed about the key financing considerations to balance water infrastructure and operational needs, how selected capital projects are well-suited for outside funding, and the recommendation to issue a not to exceed amount of \$29,000,000 in LTGO Bonds.

Chief of Operations Jason Kintner presented upcoming Water Utility projects including:

- Water Reservoir Improvements – structural improvements and recoating inside and outside of both tanks. Work is on track for completion of Q2 2025.
- 2023 Water System Improvements – installation of 6,660 linear feet of new ductile iron water main on the northwest portion of the island.
- 2024 Water System Improvements – replacement of 3,500 linear feet of old cast iron water mains with 8-inch ductile iron mains in prioritized locations.
- AC Water Main Replacement – new ongoing program to systematically replace antiquated asbestos cement (AC) water mains with ductile iron mains.
- Advanced Water Meters – replace ~7,900 old water meters with new advanced metering infrastructure.
- Pressure Reducing Valves (PRV) – ongoing program to systematically replace PRV stations.

Finance Director Mornick presented the recommendation of approval of the bond ordinance to issue LTGO Bonds to finance the Water Utility and spoke about next steps.

City Council discussed the proposal and asked questions.

It was moved by Rosenbaum; seconded by Weinberg to:

**Schedule Ordinance No. 24-09 for second reading and adoption at the September 17, 2024 City Council meeting.**

MOTION PASSED: 7-0

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

**AB 6519: 2024 Comprehensive Plan Periodic Update: City Council Deliberations on the Proposed Amendments and Direction to Staff to Prepare the 2024 City Council Draft Comprehensive Plan**

CPD Director Jeff Thomas spoke about the process for deliberations and provided an update on the work that has been completed since the July 16 City Council meeting. He spoke about the packet materials including a City Council Amendment Matrix, an Agency/City Amendment Matrix, and an updated Question and Answer Matrix that were sent to the City Council on August 21. He presented the six proposed motions, the proposed meeting dates and times for the ad-hoc committee if formed, and the comments that were received from outside agencies and staff findings in response to those agency comments.

It was moved by Reynolds; seconded by Rosenbaum to:

**Direct staff to incorporate all approved amendments into the 2024 City Council Draft Comprehensive Plan and make this draft available for public review and comment for a period of not less than thirty (30) calendar days prior to the City Council completing the first reading of an adopting ordinance scheduled for November 5, 2024.**

MOTION PASSED: 7-0

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

It was moved by Rosenbaum; seconded by Weinberg to:

**Form an Ad-Hoc Committee comprised of Councilmembers Reynolds and Weinberg and Mayor Nice to work with staff to formulate recommendations on the proposed Economic Development Element amendments contained in Exhibit 1 as well as any other proposed amendments referred by the City Council. The Ad-Hoc Committee shall commence work immediately and present their recommendations to the full City Council at the September 17, 2024 Regular City Council meeting.**

It was moved by Jacobson; seconded by Weiker to:

**Add Mercer Island Chamber of Commerce Executive Director or her designee to the Ad-Hoc Committee, if available.**

MOTION PASSED: 7-0

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

MAIN MOTION PASSED AS AMENDED: 7-0

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

It was moved by Rosenbaum; seconded by Jacobson to:

**Approve the recommended amendments and findings to respond to agency comments as well as the City staff proposed amendments in Exhibit 2.**

It was moved by Reynolds seconded by Weinberg to:

**Remove AC-9 and remand it to the Ad-Hoc Committee.**

MOTION FAILED: 2-5

FOR: 2 (Reynolds and Weinberg)

AGAINST: 5 (Anderl, Jacobson, Nice, Rosenbaum, and Weiker)

MAIN MOTION PASSED: 7-0

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

It was moved by Weinberg; seconded by Rosenbaum to:

**Approve the City Council non-substantive proposed amendments in Exhibit 3A except CC-16, CC-44, CC-31, CC-125, and CC-145.**

MOTION PASSED: 7-0

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

It was moved by Jacobson; seconded by Weinberg to:

**Move items CC-16, CC-44, CC-31, CC-125, and CC-145 from Exhibit 3A to the end of Exhibit 3B.**

MOTION PASSED: 7-0

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

City Council was in recess from 6:37 – 6:43 pm.

City Council reviewed the City Council substantive amendments and provided consensus on which items to move forward to the 2024 City Council Draft Comprehensive Plan or to be referred to the Ad-Hoc Committee for further review to return to the City Council on September 17.

City Council was in recess from 8:37 – 8:54 pm.

It was moved by Weinberg; seconded by Rosenbaum to:

**Approve the City Council substantive proposed substantive amendments Log Nos.:**

- **CC-79**
- **CC-5**
- **CC-43 – Amend to add “at least” after maintaining**
- **CC-60**
- **CC-67**
- **CC-70**
- **CC-12**
- **CC-14 – Strike “commercial office” from goal 15.3**
- **CC-47**
- **CC-49 – Strike 16.6**
- **CC-50**
- **CC-51**
- **CC-52**
- **CC-53**
- **CC-21**
- **CC-25**
- **CC-26 – Only to remove reference to “CO Zone”**
- **CC-32**
- **CC-33 – Add “consider ways to” to beginning of goals 2.3 and 2.4**
- **CC-39 – Strike ‘multifamily’ and substitute “residential” before development standards**
- **CC-4**
- **CC-128**
- **CC-81**
- **CC-129**
- **CC-130 – Delete goal 5.4**
- **CC-85 – Strike “require adequate parking and other” and add “evaluate” automobile**
- **CC-119**
- **CC-121**
- **CC-82**
- **CC-83 – Add in “consideration of” and change “material” to “significate”**
- **CC-123**
- **CC-124**
- **CC-135**
- **CC-98 – Strike “over the west channel bridge”**
- **CC-142**
- **CC-144**
- **CC-114**
- **CC-16 – Amend 18.11 to change “people in” to “residents of”**
- **CC-44**

**in Exhibit 3B.**

MOTION PASSED: 7-0

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

It was moved by Weinberg; seconded by Reynolds to:

**In addition to the proposed Economic Development Element items already referred, move to refer City Council substantive proposed amendments Log No. CC-88 – to consider adopting the Town Center Parking Plan by reference, in Exhibit 3B, to the Ad-Hoc Committee.**

MOTION PASSED: 7-0

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

## **OTHER BUSINESS**

### **Councilmember Absences and Reports**

Councilmember Reynolds thanked staff for all of the work on the Comprehensive Plan and thanked the Utility Billing staff for the service they provided with a recent leak at his residence.

City Council was in recess from 11:01 pm to 11:08 pm.

## **EXECUTIVE SESSION**

At 11:08 pm, Mayor Nice convened an Executive Session in Room 104 at the Mercer Island Community & Event Center, 8236 SE 24th Street, Mercer Island, WA and via Microsoft Teams.


The Executive Session was for planning or adopting the strategy or position to be taken by the City Council during the course of any collective bargaining, professional negotiations, or grievance or mediation proceedings, or reviewing the proposals made in the negotiations or proceedings while in progress pursuant to RCW 42.30.140(4)(b) and to review the performance of a public employee pursuant to RCW 42.30.110(1)(g)

Mayor Salim Nice, Deputy Mayor Dave Rosenbaum, and Councilmembers Jake Jacobson, Craig Reynolds, and Ted Weinberg participated in person. Councilmember Wendy Weiker attended via Microsoft Teams. Councilmember Lisa Anderl was absent.

Mayor Nice adjourned the Executive Session at 11:40 pm.

## **ADJOURNMENT**

The Regular Hybrid Council Meeting adjourned at 11:40 pm.

  
\_\_\_\_\_  
Salim Nice, Mayor

Attest:

  
\_\_\_\_\_  
Andrea Larson, City Clerk