

EXHIBIT – D



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

**AB 5469
September 4, 2018
Study Session**

<p>PLANNING COMMISSION'S RECOMMENDATION FOR PROCEDURAL LAND USE (TITLE 19) CODE AMENDMENTS</p>	<p>Action: Conduct Study Session.</p>	<p><input checked="" type="checkbox"/> Discussion Only <input type="checkbox"/> Action Needed: <input type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution</p>
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<p>DEPARTMENT OF</p>	<p>Development Services Group (Evan Maxim)</p>
<p>COUNCIL LIAISON</p>	<p>n/a</p>
<p>EXHIBITS</p>	<p>1. Table A - Land Use Review Type 2. Table B - Review Processing Procedures 3. Permit Processing and Public Notice Comparison Chart 4. Staff Recommended Amendment regarding implementation of Comprehensive Plan amendments</p>
<p>2018-2019 CITY COUNCIL GOAL</p>	<p>6. Update Outdated Codes, Policies and Practices</p>
<p>APPROVED BY CITY MANAGER</p>	

<p>AMOUNT OF EXPENDITURE</p>	<p>\$</p>	<p>n/a</p>
<p>AMOUNT BUDGETED</p>	<p>\$</p>	<p>n/a</p>
<p>APPROPRIATION REQUIRED</p>	<p>\$</p>	<p>n/a</p>

SUMMARY

Following adoption of Ordinance 17C-15, the Residential Development Standards, the City Council directed DSG staff to review procedural and appeals requirements related to land use reviews and approvals and identify recommended amendments. This direction was further memorialized in the 2018-2019 City Council Goal #6.

The proposed amendments to Title 19 of the Mercer Island City Code (MICC) are intended to: A) clarify the review process and language; B) consolidate the procedural requirements and approval criteria; C) ensure compliance with applicable state statutes and case law; and D) simplify the regulations for readability, ease of use, and to eliminate unintended consequences. No amendments to the substance of the criteria for land use approvals is proposed.

Public Process and Planning Commission Review

The Planning Commission reviewed the proposed amendments at five different Planning Commission meetings between January of 2018 through June of 2018, which included public hearings on April 18 and May 16, 2018. Four people provided public comment to the Planning Commission.

Summary of Recommended Amendments:

Title 19 of the Mercer Island City Code establishes the land use, and to some extent the engineering, standards for development on Mercer Island. Title 19 also establishes the procedural requirements for conducting land use reviews and the criteria for land use approvals (e.g., the process and approval criteria for subdivisions, design review, etc.). Title 19 is currently 318 pages long and contains 17 chapters and 6 appendices. Over time, this has resulted in various administrative challenges, as explained below.

1. **Challenge:** Language relevant to land use review processes is contained within nine different chapters, resulting in significantly more than 10 distinct land use review processes. For example, it appears that there are six distinct processes for engaging in design review, and the code implies there are four land use review processes, which creates confusion for the applicant, the community, and occasionally the City staff.
Solution: The land use review process can include the following components: A) Notice, B) a public comment period, C) a public hearing, and D) an opportunity for an administrative appeal. Land use review decisions may be issued by the: 1) Code Official, 2) Design Commission, 3) Hearing Examiner, or 4) City Council (limited circumstances). The City and Planning Commission have developed four distinct processes for land use reviews (Types 1 through 4). The simplest land use review processes are Type 1, and the most complex reviews are Type 4. The code now provides a table that establishes the type of review and establishes the procedural review requirements for each type of review, along with a decision maker. Exhibit 1 identifies which land use reviews will be assigned to which review process. Exhibit 2 summarizes the procedural requirements based on land use review type.

2. **Challenge:** Language relevant to either the land use review process or approval criteria is contained within nine different chapters of Title 19. This increases the chance that City staff and applicants will inadvertently make mistakes in the land use review and/or approval processes.
Solution: Land use review procedural requirements are largely consolidated into a single chapter (Chapter 19.15 – Administration). Land use approval criteria are also largely consolidated into a single chapter (Chapter 19.06 – General Regulations).

3. **Challenge:** In some cases, the procedural requirements for land use approvals described in Title 19 appear to conflict with statutory requirements established in [RCW 36.70B](#). For example, in some circumstances the current code requires two open record hearings before two different decision-making authorities (e.g., Hearing Examiner and Design Commission), which conflicts with [RCW 36.70B.050](#).
Solution: The proposed amendments have been reviewed to ensure the land use approval process is consistent with applicable state statutes and case law.

4. **Challenge:** The current procedural requirements often address several procedural concepts in a single section and in some instances contain conflicting procedural direction. The current requirements also do not provide clear procedural guidance for non-project legislative actions (e.g., code amendments, comprehensive plan amendments, etc.).
Solution: The proposed amendments are intended to clarify the procedural requirements by simplifying sections to address a single procedural concept, which has resulted in the creation of additional sections. The proposed amendments also provide clear procedural guidance for non-project legislative actions.

Public Notice to the Community

The Planning Commission reviewed and discussed the intent of public notice extensively. The Planning Commission has recommended a “public notification” process for selected land use reviews (e.g., lot line revisions, setback deviations, accessory dwelling units, etc.). Public notification is provided as soon as feasible after the submittal of a complete application; while public comment is allowed, a formal public comment period of 30-days is not provided. A chart outlining the current noticing procedures and the proposed procedures is contained in Exhibit 3.

Planning Commission Recommendation

Following review of the proposed amendments with City staff, the Planning Commission recommended that the City Council adopt the proposed code amendments on June 6, 2018. No accompanying recommendations from the Planning Commission were generated.

Staff Recommendation

Staff supports the Planning Commission’s recommendation. Following the Planning Commission’s recommendation in June of 2018, staff identified another procedural area that warranted additional clarification. In particular, the Mercer Island City Code does not establish the timing for the implementation of Comprehensive Plan goals and policies, which may lead to confusion. The state adopted guidelines related to the implementation of Comprehensive Plan goals and policies, which are largely contained in chapter 365-196 of the Washington Administrative Code (WAC).

It is important to note that the state established guidelines that encourage implementation of the Comprehensive Plan in a timely fashion. The guidelines (WAC 365-196-030) also recognize that local control of the implementation of Comprehensive Plans is appropriate. Generally, staff anticipates that relatively simple changes to the goals and policies in the Comprehensive Plan may result in concurrent amendments to the Mercer Island City Code. However, the adoption of regulations that implement entirely new goals and policies that represent a significant policy shift may warrant additional time and review by the community, Planning Commission, and City Council. Staff has prepared proposed language that implements a flexible approach consistent with the applicable WAC guidelines for review by the City Council (Exhibit 4). Subject to City Council approval, this proposed language would be inserted into the proposed code amendment as a new subsection (l) in MICC 19.15.240, on page 72 of Attachment A to Exhibit 1 (Ord. No. 18C-08) in AB 5470, included in this packet.

RECOMMENDATION

Interim Director of Development Services

No action; study session only.

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TABLE A
LAND USE REVIEW TYPE

<u>Type I</u>	<u>Type II</u>	<u>Type III</u>	<u>Type IV</u>
<u>Home business, seasonal development limitation waiver, non-major single-family dwelling building permits, tree removal permit, right of way permit, special needs group housing safety determination, tenant improvement/change of use, shoreline exemption¹, critical areas determination (steep slope alteration), final short plat, temporary commerce on public property, site development permits.</u>	<u>Modified wireless communication facilities (6409 per 47 CFR 1.40001), lot line revision, setback deviations, final plat^{2, 3}, code official design review, accessory dwelling unit, parking variances (reviewed by City Engineer).</u>	<u>New and modified wireless (non-6409) communication facility, SEPA threshold determination, critical areas determination (wetland/watercourse buffer averaging/reduction, temporary encampment⁴, short plat alteration and vacations, preliminary short plat, development code interpretations, major single-family dwelling building permit, shoreline substantial development permit¹, shoreline revision (substantial development)¹.</u>	<u>Preliminary long plat approval, conditional use permit, variance, critical areas reasonable use exception, long plat alteration and vacations, parking variance (reviewed by Design Commission), variance from short plat acreage limitation, wireless communication facility height variance, planned unit development, Design Commission design review, permanent commerce on public property, shoreline conditional use permit (SCUP)⁵, shoreline variance⁵, shoreline revision (variance and SCUP).</u>

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¹ Appeal will be heard by the Shoreline Hearings Board

² Decision is made by City Council after discussion at a public meeting

³ A Notice of Decision will be issued for a final long plat

⁴ A public meeting is required

⁵ Hearing Examiner will forward a recommendation to the Washington State Department of Ecology for Ecology's decision

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TABLE B
REVIEW PROCESSING PROCEDURES

	<u>Type I</u>	<u>Type II</u>	<u>Type III</u>	<u>Type IV</u>
	<u>No Notice of Application</u> <u>No Notice of Decision</u> <u>Code Official</u>	<u>Public Notification</u> <u>No Notice of Application</u> <u>No Notice of Decision</u> <u>Code Official</u>	<u>Notice of Application</u> <u>Notice of Decision</u> <u>Code Official</u>	<u>Notice of Application</u> <u>Public Hearing</u> <u>Notice of Decision</u> <u>Hearing Examiner / Design Commission</u>
<u>Pre-application meeting required</u>	<u>No</u>	<u>No</u>	<u>Yes</u>	<u>Yes</u>
<u>Letter of completion (within 28 days)</u>	<u>No</u>	<u>No</u>	<u>Yes</u>	<u>Yes</u>
<u>Public Notification</u>	<u>No</u>	<u>Yes</u>	<u>No</u>	<u>No</u>
<u>Notice of Application (mailing & posting)</u>	<u>No</u>	<u>No</u>	<u>Yes</u>	<u>Yes</u>
<u>Public Comment Period</u>	<u>None</u>	<u>None</u>	<u>30 days</u>	<u>30 days</u>
<u>Public Hearing (Open Record pre-decision)</u>	<u>No</u>	<u>No</u>	<u>No</u>	<u>Yes</u>
<u>Notice of Decision</u>	<u>Code Official</u>	<u>Code Official</u>	<u>Code Official</u>	<u>Hearing Examiner¹ or Design Commission</u>
<u>Notice of decision</u>	<u>No</u>	<u>No</u>	<u>Yes</u>	<u>Yes</u>
<u>Appeal Authority</u>	<u>Hearing Examiner or Superior Court (TBD)</u>	<u>Hearing Examiner or Design Commission (Code Official Design Review)</u>	<u>Hearing Examiner</u>	<u>Superior Court or Shoreline Hearings Board (Shoreline permits)</u>

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¹ The Hearing Examiner will provide a recommendation to Ecology for decisions on Shoreline Conditional Use Permits and Shoreline Variances.

Permit Processing Comparison Chart

August 28, 2018

Abbreviations

Public Notification	PN
Notice of Application	NOA
Notice of Public Hearing	NOPH
Notice of Decision	NOD

Permit	Current Code	Proposed Code
Tree Removal Permit	Notices: None Decision Maker: Code Official	Notices: None Decision Maker: Code Official
Right-of-Way Permit	Notices: None Decision Maker: City Engineer	Notices: None Decision Maker: Code Official
Home Business Permit	Notices: None Decision Maker: Code Official	Notices: None Decision Maker: Code Official
Special Needs Group Housing Safety Determination	Notices: NOD Decision Maker: Police Chief	Notices: None Decision Maker: Police Chief
Lot Line Revision	Notices: NOD Decision Maker: Code Official	Notices: PN Decision Maker: Code Official
Design Review – Minor Exterior Modification Outside Town Center	Notices: NOD Meeting Body (sometimes): Design Commission Decision Maker: Code Official and sometimes Design Commission	Code Official Design Review Notices: PN Decision Maker: Code Official
Design Review – Minor Exterior Modification in Town Center with a Construction Valuation Less Than \$100,000	Notices: NOD Meeting Body (sometimes): Design Commission Decision Maker: Code Official and sometimes Design Commission Note: The dollar threshold provided in the chart in MICC 19.15.010(E) conflicts with the thresholds provided in text in MICC 19.15.040	Design Commission Design Review Notices: NOA, NOPH and NOD Hearing Body: Design Commission Decision Maker: Design Commission
Design Review – Minor Exterior Modification in Town Center with a Construction Valuation \$100,000 or Greater	Notices: NOD Meeting Body (sometimes): Design Commission	Will either be processed as Code Official Design Review or Design Commission Design Review (above)

	Decision Maker: sometimes Code Official and sometimes Design Commission Note: The dollar threshold provided in the chart conflicts with the thresholds provided in text in 19.15.040	
Final Short Plat Approval	Notices: NOD Decision Maker: Code Official	Notices: PN Decision Maker: Code Official
Seasonal Development Limitation Waiver	Notices: None Decision Maker: Building Official or Arborist	Notices: None Decision Maker: Building Official or Arborist
Shoreline Exemption	Notices: NOD Decision Maker: Code Official	Notices: None Decision Maker: Code Official
Major Single-Family Dwelling Building Permit	Notices: NOA and NOD Decision Maker: Code Official	Notices: NOA and NOD ² Decision Maker: Code Official
Accessory Dwelling Unit Permit	Notices: NOA and NOD Decision Maker: Code Official	Notices: PN Decision Maker: Code Official
Preliminary Short Plat	Notices: NOA and NOD Decision Maker: Code Official	Notices: NOA and NOD Decision Maker: Code Official
Setback Deviation	Notices: NOA and NOD Decision Maker: Code Official	Notices: PN Decision Maker: Code Official
Critical Areas Determination	Notices: NOA and NOD Decision Maker: Code Official	Notices: NOA and NOD Decision Maker: Code Official
Shoreline Substantial Development Permit	Notices: NOA and NOD Decision Maker: Code Official	Notices: NOA and NOD Decision Maker: Code Official
SEPA Threshold Determination	Notices: NOA and NOD Decision Maker: Code Official	Notices: NOA and NOD Decision Maker: Code Official
Short Plat Alteration and Vacations	Notices: NOA and NOD Decision Maker: Code Official	Notices: NOA and NOD Decision Maker: Code Official
Long Plat Alteration and Vacations	Notices: NOA, NOPH and NOD Hearing Body: Hearing Examiner Decision Maker: City Council	Notices: NOA, NOPH and NOD Hearing Body: Hearing Examiner Decision Maker: Hearing Examiner
Temporary Encampment	Notices: NOA, Notice of Informal Public Meeting and NOD Decision Maker: Code Official	Notices: NOA, Notice of Informal Public Meeting and NOD Decision Maker: Code Official
Wireless Communications Facility	Notices: NOA and NOD Decision Maker: Code Official	Notices: NOA and NOD Decision Maker: Code Official
Wireless Communications Facility (6409 Review)	Notices: NOA and NOD Decision Maker: Code Official	Notices: PN Decision Maker: Code Official
Wireless Communications Facility Height Variance	Notices: NOA and NOD Decision Maker: Code Official	Notices: NOA, NOPH and NOD Hearing Body: Hearing Examiner Decision Maker: Hearing Examiner

Minimum Parking Requirement Variances for MF, PBZ, CO, B and P Zones	Notices: NOA, NOPH (for MF, PBZ, and B and sometimes required for CO, P) and NOD. Meeting Body: Design Commission Decision Maker: Code Official	Notices: PN Decision Maker: Code Official Notices NOA, NOPH and NOD Meeting Body: Design Commission Decision Maker: Design Commission
Development Code Interpretations	Notices: NOA and NOD Decision Maker: Code Official	Notices: NOA and NOD Decision Maker: Code Official
Conditional Use Permit	Notices: NOA, NOPH and NOD Hearing Body: Hearing Examiner Decision Maker: Hearing Examiner	Notices: NOA, NOPH and NOD Hearing Body: Hearing Examiner Decision Maker: Hearing Examiner
Reclassification (Rezone)	Notices: Combined NOA / NOPH and NOD Hearing Body: Planning Commission Decision Maker: City Council	Notices: NOPH Hearing Body: Planning Commission Decision Maker: City Council
Formal Design Review – Major New Construction	Notices: NOA, NOPH and NOD Hearing Body: Design Commission Decision Maker: Design Commission	Will either be processed as Code Official Design Review or Design Commission Design Review (above)
Preliminary Long Plat Approval	Notices: NOA, NOPH and NOD Hearing Body: Hearing Examiner Decision Maker: City Council	Notices: NOA, NOPH and NOD Hearing Body: Hearing Examiner Decision Maker: Hearing Examiner
Final Long Plat Approval	Notices: NOA and NOD Meeting Body: City Council Decision Maker: City Council	Notices: PN, NOD Meeting Body: City Council Decision Maker: City Council
Variance	Notices: NOA, NOPH and NOD Hearing Body: Hearing Examiner Decision Maker: Hearing Examiner	Notices: NOA, NOPH and NOD Hearing Body: Hearing Examiner Decision Maker: Hearing Examiner
Variance from Short Plat Acreage Limitation	Notices: NOA and NOD Decision Maker: Code Official	Notices: NOA, NOPH and NOD Hearing Body: Hearing Examiner Decision Maker: Hearing Examiner
Critical Areas Reasonable Use Exception	Notices: NOA, NOPH and NOD Hearing Body: Hearing Examiner Decision Maker: Hearing Examiner	Notices: NOA, NOPH and NOD Hearing Body: Hearing Examiner Decision Maker: Hearing Examiner
Street Vacation	Notices: NOA, NOPH and NOD Hearing Body: Planning Commission Decision Maker: City Council	Notices: NOA, NOPH and NOD Hearing Body: Planning Commission Decision Maker: City Council

Shoreline Conditional Use Permit	Notices: NOA, NOD, and sometimes NOPH Hearing Body(sometimes): Department of Ecology Decision Maker: Code Official and Department of Ecology	Notices: NOA, NOD, and sometimes NOPH Hearing Body(sometimes): Department of Ecology Decision Maker: Code Official and Department of Ecology
Shoreline Variance	Notices: NOA, NOD, and sometimes NOPH Hearing Body(sometimes): Department of Ecology Decision Maker: Code Official and Department of Ecology	Notices: NOA, NOD, and sometimes NOPH Hearing Body(sometimes): Department of Ecology Decision Maker: Code Official and Department of Ecology
Impervious Surface Variance	Currently in the permit processing chart but this permit had been deleted from text with the Residential Design Standards code update.	This permit no longer exists
Code Amendment	Notices: Combined NOA/ NOPH and NOD Hearing Body: Planning Commission Decision Maker: City Council	Notices: NOPH Hearing Body: Planning Commission Decision Maker: City Council
Comprehensive Plan Amendment	Notices: Combined NOA / NOPH and NOD Hearing Body: Planning Commission Decision Maker: City Council	Notices: NOPH Hearing Body: Planning Commission Decision Maker: City Council

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- I. Implementation of Comprehensive Plan Amendments. It is the City's intent to comply with the Growth Management Act (Chapter 36.70A RCW) and the guidelines for implementation of Comprehensive Plan goals and policies contained in Chapter 365-196 WAC. It is also the City's intent to allow sufficient time for review of regulations or programs that are intended to implement new or significantly amended policy direction within the Comprehensive Plan.
1. Where amendments to existing Comprehensive Plan goals and policies represent an adjustment to an existing policy direction, the City should generally prepare, review, and adopt implementing development regulations or programs concurrently with the adoption of the amendments to the Comprehensive Plan.
 2. Where amendments to existing Comprehensive Plan goals and policies represent a new policy direction, or a significant amendment to the current policy direction within the Comprehensive Plan, the City should prepare, review, and adopt implementing development regulations or programs within 18 months of the adoption of the amendments to the Comprehensive Plan.



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

**AB 5467
September 4, 2018
Special Business**

MAYOR'S DAY OF CONCERN FOR THE HUNGRY PROCLAMATION	Action: Proclaim September 15, 2018 as Mayor's Day of Concern for the Hungry	<input type="checkbox"/> Discussion Only <input type="checkbox"/> Action Needed: <input type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution
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DEPARTMENT OF	Youth and Family Services (Cynthia Goodwin)
COUNCIL LIAISON	n/a
EXHIBITS	1. Mayor's Day of Concern for the Hungry Proclamation
2018-2019 CITY COUNCIL GOAL	n/a
APPROVED BY CITY MANAGER	

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

SUMMARY

September 15, 2018 is the 26th annual Mayor's Day of Concern for the Hungry in the Seattle-King County area. Recognition of hunger in King County cities is coordinated by the Emergency Feeding Program (EFP) of Seattle and King County.

Funding for programs addressing hunger has been reduced at the national and state level. Local organizations throughout King County have increased efforts to ensure food pantry and shelters continue to provide food to the 12% of residents facing food insecurity. The EFP works with communities to conduct the largest one-day food drive by volunteers, community and municipal officials, social service agencies, faith communities, schools, food banks, and other feeding programs to call attention to growing community needs.

As part of the Mayor's Day of Concern for the Hungry, two local community organizations will be conducting food drives on behalf of the Department of Youth and Family Services' Food Pantry:

Saturday, September 8 - In lieu of a food drive, the YFS Department will partner with The Daily Method at Mercerdale Park for "Plank in the Park" a yoga and fitness event open to Islanders of all ages from 9 to 10 a.m. Attendees are encouraged to bring a non-perishable food item or cash donation for the Mercer Island Food Pantry.

Throughout September – Each year, members of the Mercer Island Church of Jesus Christ of Latter Day Saints conduct a food drive in support of Mayor's Day of Concern for the Hungry. This year the church will be conducting their annual food drive within their community.

A representative from the Emergency Feeding Program will be present to accept the Proclamation and speak on behalf of the Mayor's Day of Concern for the Hungry.

RECOMMENDATION

Youth and Family Services Director

Mayor presents the proclamation and proclaims September 15, 2018 as Mayor's Day of Concern for the Hungry and encourages all Islanders to join in support of the Emergency Feeding Program and the Island's local food pantry at Youth and Family Services to nourish those who are hungry.

Contact Youth and Family Services at miyfs@mercergov.org or (206) 275-7739 for more information about conducting a food drive or donating food.



The City of Mercer Island, Washington

Proclamation

WHEREAS, our King County cities recognize adequate nutrition as a basic goal for each citizen; and

WHEREAS, no parent should have to send a child to school hungry, no baby should be without the comfort of the feedings needed for mental and physical growth, no elderly person's health should be jeopardized by lack of appropriate foods; and

WHEREAS, 12% of Washington residents experience food insecurity for which, the effects on children are associated with more psychosocial problems, more childhood illnesses and poorer academic achievement; and

WHEREAS, emergency and hot meal programs working with our cities, local churches, social service agencies, food banks, and hundreds of volunteers are striving day in and day out to stem the rising tide of hunger, but still need more help; and

WHEREAS, we believe that when the citizens who are not involved hear of the especially desperate needs of the hungry as winter approaches and their low incomes must stretch to cover increasing fuel, electricity and rental costs—leaving even less money for monthly food purchases, an outpouring of community assistance will follow; and

WHEREAS, the Emergency Feeding Program of Seattle and King County coordinates an annual food drive to help support the efforts of their program and the area's food banks in fighting hunger which will be held at grocery stores throughout King County on Saturday, September 15, 2018; and

NOW, THEREFORE, I, Mayor Debbie Bertlin, CAN do hereby proclaim September 15, 2018 as a

MAYOR'S DAY OF CONCERN FOR THE HUNGRY

and strongly urge all citizens to join the Emergency Feeding Program and our local food banks to nourish those who are hungry.



APPROVED, this 4th day of September 2018

Debbie Bertlin, Mayor

Proclamation No. 227

MAYOR'S DAY OF CONCERN
FOR THE HUNGRY



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

**AB 5464
September 4, 2018
Special Business**

<p>EMERGENCY PREPAREDNESS MONTH PROCLAMATION</p>	<p>Action: Proclaim September 2018 as Emergency Preparedness Month in Mercer Island.</p>	<p><input type="checkbox"/> Discussion Only <input type="checkbox"/> Action Needed: <input type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution</p>
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<p>DEPARTMENT OF</p>	<p>Police (Jennifer Franklin)</p>
<p>COUNCIL LIAISON</p>	<p>n/a</p>
<p>EXHIBITS</p>	<p>1. Emergency Preparedness Month Proclamation</p>
<p>2018-2019 CITY COUNCIL GOAL</p>	<p>5. Emergency Preparedness and Plan</p>
<p>APPROVED BY CITY MANAGER</p>	

<p>AMOUNT OF EXPENDITURE</p>	<p>\$</p>	<p>n/a</p>
<p>AMOUNT BUDGETED</p>	<p>\$</p>	<p>n/a</p>
<p>APPROPRIATION REQUIRED</p>	<p>\$</p>	<p>n/a</p>

SUMMARY

September is National Emergency Preparedness Month. Recognizing Emergency Preparedness each September helps remind the community to prepare for disasters, not just in September, but throughout the entire year. The theme for this year is “*Disasters Happen. Prepare Now. Learn How.*” The City of Mercer Island has several ways to help residents prepare:

- **September 5** - The Community Emergency Response Team Course begins and will teach citizens how to prepare and respond to disasters.
- **September 7** - The City will hold an earthquake exercise designed to test the City’s shelter and Emergency Operation Center response capabilities.
- **September 16** - Staff will organize an emergency preparedness booth at the Farmer’s Market to teach residents how to build their emergency kits and what seven days’ worth of food and water may look like. The City also has ongoing opportunities throughout the year to prepare neighborhoods, businesses, and Mercer Island volunteers.

The mission of Mercer Island’s Emergency Preparedness program is to prepare Mercer Island to be self-sufficient for 7 to 14 days following a major disaster, when public safety and emergency medical services are most overwhelmed. This mission includes residents, businesses, schools, the faith community, and City staff. In addition, Goal 5 of the 2018-2019 City Council Goals and Work Plan is “Enhance City and Community Emergency Preparedness and Planning.”

Devastating disasters, both nationally and internationally, are good reminders of the importance of preparation. Citizen volunteers may be the first ones in the community to respond after a disaster strikes

and before first responders arrive, so it is important to prepare in advance to help both volunteers and neighbors.

Accepting the proclamation on behalf of the community is Emergency Volunteer Jason King, who has been one of the most dedicated volunteers with over 15 years of service to the Mercer Island community.

RECOMMENDATION

Emergency Manager

Mayor presents the proclamation and proclaims September 2018 as Emergency Preparedness Month in the City of Mercer Island and encourages all Mercer Island residents to join the City of Mercer Island in making a commitment to be personally prepared for 7 to 14 days following a disaster.



The City of Mercer Island, Washington

Proclamation

WHEREAS, emergencies both natural and manmade can occur on Mercer Island at any time; and

WHEREAS, the City of Mercer Island, neighborhood groups, businesses, and citizens can work together throughout the year to prepare, respond and recover from these emergencies; and

WHEREAS, National Preparedness Month, September 2018, provides an opportunity for citizens on Mercer Island to get prepared for these emergencies by making a plan, preparing a disaster kit, and taking a preparedness class; and

WHEREAS, during National Preparedness Month, September 2018, community members are invited to:

- Participate in the Annual Earthquake Exercise on September 7;
- Sign up for the annual Community Emergency Response Team (CERT) starting on September 5;
- Visit the emergency preparedness booth at the Mercer Island Farmer's Market on September 16; or
- Host a preparedness meeting for your neighborhood or business; and

WHEREAS, Mercer Island community members and businesses who are prepared can encourage their neighbors by sharing their preparedness story with others, with the goal of having all Mercer Island community members prepared for 7-14 days following a disaster.

NOW, THEREFORE, I, Mayor Debbie Bertlin, do hereby proclaim September 2018, as

NATIONAL PREPAREDNESS MONTH

and encourage all Mercer Island residents and businesses to commit to be prepared for 7-14 days following a disaster by:

1. Creating an emergency plan;
2. Making a disaster kit; and
3. Taking an emergency preparedness course.

APPROVED, September 4, 2018

Mayor Debbie Bertlin

NATIONAL PREPAREDNESS MONTH 2018

The logo for "Disasters Happen" features several green icons: a hand holding a flame, a house with a fire, a snowflake, and a lightning bolt. Below these icons, the words "Disasters" and "Happen" are written in a bold, black, sans-serif font, stacked vertically.
**Disasters
Happen**

PREPARE NOW **LEARN HOW**

The FEMA Ready logo consists of the FEMA eagle head icon, the text "FEMA", and the word "Ready" with a checkmark.
FEMA Ready

CERTIFICATION OF CLAIMS

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

Charles L. Corder
Finance Director

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

Mayor

Date

Report	Warrants	Date	Amount
Check Register	194141 -194215	8/9/2018	\$ 445,456.85 \$ 445,456.85

PO #	Check #	Vendor:	Transaction Description	Check Amount
<i>Org Key: 402000 - Water Fund-Admin Key</i>				
	00194157	FELDMAN,MARK	PERMIT REFUND	3,333.00
P0100403	00194215	WALTER E NELSON CO	INVENTORY PURCHASES	1,501.89
P0100419	00194164	HD SUPPLY CONST & INDSTRL-	INVENTORY PURCHASES	1,412.10
P0100414	00194212	VERITIV OPERATING COMPANY	INVENTORY PURCHASES	1,128.53
	00194157	FELDMAN,MARK	PERMIT REFUND	750.00
P0100400	00194163	H D FOWLER	INVENTORY PURCHASES	807.42
P0100433	00194206	TRAFFIC SAFETY SUPPLY	INVENTORY PURCHASES	575.98
	00194182	NELSON, N B & CLEO	OVERPAYMENT REFUND	520.47
	00194144	BUCKLIN, KERRY	OVERPAYMENT REFUND	463.01
P0100435	00194151	CERTIFIED LABORATORIES	INVENTORY PURCHASES	546.62
P0100301	00194160	GRAINGER	INVENTORY PURCHASES	465.26
	00194171	KERNAN, DEBBY & KEVIN	OVERPAYMENT REFUND	384.74
P0100424	00194177	MID-AMERICA SPORTS ADVANTAGE	INVENTORY PURCHASES	477.47
	00194143	BLAKKAN, ROBERT	OVERPAYMENT REFUND	284.90
	00194146	CARY, JOHN	OVERPAYMENT REFUND	283.73
P0100429	00194211	USABlueBook	INVENTORY PURCHASES	295.92
P0100427	00194211	USABlueBook	INVENTORY PURCHASES	105.47
P0100416	00194160	GRAINGER	INVENTORY PURCHASES	75.81
	00194174	MI 84TH LIMITED PARTNERSHIP	OVERPAYMENT REFUND	53.33
<i>Org Key: CA1200 - Prosecution & Criminal Mngmnt</i>				
P0100436	00194166	HONEYWELL, MATTHEW V	Professional Services - Invoic	1,400.00
<i>Org Key: CM1100 - Administration (CM)</i>				
P0100393	00194148	CASCADE FRAMES	Framed mag cover & article	227.83
<i>Org Key: CR1100 - CORe Admin and Human Resources</i>				
	00194205	TAWNEY, LAURA	TRAVEL EXPENSES	1,000.15
	00194198	SEGLE, KRYSS	WELLNESS GAMES LUNCHEON	93.94
<i>Org Key: CT1100 - Municipal Court</i>				
P0100398	00194162	GREER, J SCOTT	Pro Tem Judge: 7/31/18 - 4 hrs	200.00
P0100381	00194162	GREER, J SCOTT	Pro Tem Judge: 7/30/18 - 1 hr	50.00
<i>Org Key: DS0000 - Development Services-Revenue</i>				
	00194157	FELDMAN,MARK	PERMIT REFUND	265.60
<i>Org Key: FN2100 - Data Processing</i>				
P0100438	00194201	SUPERION LLC	ONESOLUTION ANNUAL MAINT	10,571.34
<i>Org Key: FN4501 - Utility Billing (Water)</i>				
	00194193	RIDDELL, SUZANNE	TONER FOR UTILITY PRINTER	439.88
<i>Org Key: FR0000 - Fire-Revenue</i>				
	00194190	PUGAL, JESSIE O	REFUND-QUALIFIES FOR LEVY FUND	100.00
<i>Org Key: FR1100 - Administration (FR)</i>				
	00194150	CENTURYLINK	PHONE USE JULY 2018	412.28
	00194184	NOVAK, JOHN	STATION TOWELS	391.55
	00194150	CENTURYLINK	PHONE USE AUG 2018	168.23
P0100407	00194154	COMCAST	Internet Charges/Fire	106.35
P0100406	00194154	COMCAST	Internet Charges/Fire	86.40

PO #	Check #	Vendor:	Transaction Description	Check Amount
<i>Org Key: FR2100 - Fire Operations</i>				
P0100405	00194196	SEA WESTERN INC	Bunker Gear	2,677.73
P0100404	00194195	RWC GROUP	Repairs to Midi 92	709.50
<i>Org Key: GGM001 - General Government-Misc</i>				
P0100457	00194186	OPENGOV INC	OPENGOV ANNUAL SUBSCRIPTIONS F	15,525.00
<i>Org Key: GGM005 - Genera Govt-L1 Retiree Costs</i>				
P0100434	00194156	DEEDS, EDWARD G	LEOFF1 Retiree Medical Expense	199.04
<i>Org Key: GX9995 - Employee Benefits-General</i>				
P0100432	00194205	TAWNEY, LAURA	COBRA August premium L. Tawney	1,318.45
<i>Org Key: IS2100 - IGS Network Administration</i>				
	00194150	CENTURYLINK	PHONE USE JULY 2018	2,150.79
	00194150	CENTURYLINK	PHONE USE AUG 2018	510.00
<i>Org Key: MT2100 - Roadway Maintenance</i>				
	00194145	CAIRNS, CAROLYN	ENERGY USE AUG 2018	3,366.85
	00194191	PUGET SOUND ENERGY	ENERGY USE JULY 2018	1,198.56
P0100433	00194206	TRAFFIC SAFETY SUPPLY	"CENTER LANE ONLY W/ARROWS" 24	118.16
<i>Org Key: MT2255 - Urban Forest Management (ROW)</i>				
P0100413	00194204	TARGET SPECIALTY PRODUCTS	EZ JET LANCE & COPPERHEAD	893.22
<i>Org Key: MT2300 - Planter Bed Maintenance</i>				
	00194191	PUGET SOUND ENERGY	ENERGY USE JULY 2018	12.00
<i>Org Key: MT3100 - Water Distribution</i>				
P0100399	00194163	H D FOWLER	12" GATE VALVE, ROMAC ALPHA	4,043.45
P0100422	00194167	INTEGRA CHEMICAL CO	VITA-D-CHLOR SLO-TABS (140)	1,435.81
P0100418	00194165	HOME DEPOT CREDIT SERVICE	COMPACTOR RENTAL	912.00
P0100428	00194211	USABlueBook	1-1/2" FIRE HOSE (50')	274.10
P0100427	00194211	USABlueBook	RAPID GRIP PIPE WRENCH	157.78
P0100428	00194211	USABlueBook	1-1/2" PART D COUPLING	46.09
P0100428	00194211	USABlueBook	1-1/2" PART A COUPLING	20.22
<i>Org Key: MT3150 - Water Quality Event</i>				
P0100451	00194141	AM TEST INC	WATER QUALITY TESTING	300.00
	00194210	UPS	SHIPPING FEE	131.78
<i>Org Key: MT3200 - Water Pumps</i>				
	00194191	PUGET SOUND ENERGY	ENERGY USE JULY 2018	4,192.10
	00194150	CENTURYLINK	PHONE USE AUG 2018	238.76
<i>Org Key: MT3500 - Sewer Pumps</i>				
	00194191	PUGET SOUND ENERGY	ENERGY USE JULY 2018	2,612.30
	00194150	CENTURYLINK	PHONE USE JULY 2018	505.01
<i>Org Key: MT3800 - Storm Drainage</i>				
P0100308	00194142	BEST PARKING LOT CLEANING INC	2018 CCTV STORM INSPECTION INV	1,783.15
P0100425	00194192	REPUBLIC SERVICES #172	7700 EMW	583.29
<i>Org Key: MT4150 - Support Services - Clearing</i>				
P0099091	00194153	CINTAS CORPORATION #460	2018 COVERALL/LAUNDRY SERVICE	1,297.95

PO #	Check #	Vendor:	Transaction Description	Check Amount
<i>Org Key: MT4200 - Building Services</i>				
	00194191	PUGET SOUND ENERGY	ENERGY USE JULY 2018	5,560.73
	00194191	PUGET SOUND ENERGY	ENERGY USE JULY 2018	2,684.83
P0100339	00194203	SUPPRESSION SYSTEMS INC	SERVER ROOM CITY HALL HOSE & S	1,705.00
<i>Org Key: MT4300 - Fleet Services</i>				
P0097948	00194187	OVERLAKE OIL	2018 FUEL DELIVERY	6,163.05
P0100415	00194197	SEATTLE BOAT COMPANY	MARINE FUEL JUNE TO JULY	5,168.03
P0098294	00194175	MI SCHOOL DISTRICT #400	2018 SCHOOL DISTRICT FUEL	1,311.84
P0100299	00194170	KENT D BRUCE CO LLC	REPAIR PARTS INV 3775	198.14
<i>Org Key: MT4501 - Water Administration</i>				
	00194150	CENTURYLINK	PHONE USE JULY 2018	55.17
<i>Org Key: MT4900 - Solid Waste</i>				
P0098751	00194185	OLYMPIC ENVIRONMENTAL RES	2018 ANNUAL RECYCLING EVENT	1,309.44
<i>Org Key: MTBE01 - Maint of Medians & Planters</i>				
	00194191	PUGET SOUND ENERGY	ENERGY USE JULY 2018	770.81
<i>Org Key: PO1100 - Administration (PO)</i>				
P0100411	00194213	VERIZON WIRELESS	Monthly Cellular Bill - Invoic	1,288.91
<i>Org Key: PO1350 - Police Emergency Management</i>				
P0100187	00194178	MINUTEMAN PRESS - BELLEVUE	2,000 Crime Prevention books	4,116.92
<i>Org Key: PO2100 - Patrol Division</i>				
P0100180	00194149	CDW GOVERNMENT INC	Police Patrol Area Printer	245.93
P0100412	00194200	STARBUCK'S TOWING	Impound for DUI Warrant - Invo	192.50
P0100430	00194202	SUPERIOR TOWING INC	Vehicle impound (Stolen Vehicl	192.50
<i>Org Key: PO2200 - Marine Patrol</i>				
	00194168	JOKINEN, DAVID R	SEAFAIR SUPPLIES	35.02
	00194183	NOEL, BRIAN W	BINOCULAR REPAIR SHIPPING	25.29
<i>Org Key: PO2201 - Dive Team</i>				
P0100491	00194207	UNDERWATER SPORTS INC.	Auga repair - Invoice # 200166	888.80
P0100166	00194207	UNDERWATER SPORTS INC.	Dive Comms Equipment	114.40
<i>Org Key: PO2450 - Special Operations Team</i>				
	00194199	SEIFERT, MIKE	NEW TRU OFFICERS UNIFORMS	285.40
<i>Org Key: PR1100 - Administration (PR)</i>				
	00194150	CENTURYLINK	PHONE USE AUG 2018	53.07
	00194150	CENTURYLINK	PHONE USE MAY 2018	51.70
<i>Org Key: PR2101 - Youth and Teen Camps</i>				
P0100392	00194181	NATURE VISION INC	Outdoor adventure camp	4,320.00
P0100388	00194152	CHRISTIANSEN, ANNE	Instructor fees - course #0274	1,602.05
P0100387	00194147	CASCADE ELITE GYMNASTICS	Instructor fees - Course #0284	1,336.40
P0100387	00194147	CASCADE ELITE GYMNASTICS	Instructor fees - course #0281	1,133.76
P0100391	00194158	FIRST STUDENT INC	Transportation NW Trek outing	591.75
<i>Org Key: PR2108 - Health and Fitness</i>				

PO #	Check #	Vendor:	Transaction Description	Check Amount
P0100421	00194192	REPUBLIC SERVICES #172	5500 ICW 4 YRD CONTAINER	172.87
<i>Org Key: PR4100 - Community Center</i>				
	00194145	CAIRNS, CAROLYN	ENERGY USE AUG 2018	5,445.68
	00194191	PUGET SOUND ENERGY	ENERGY USE JULY 2018	226.61
	00194150	CENTURYLINK	PHONE USE JULY 2018	52.77
<i>Org Key: PR5900 - Summer Celebration</i>				
P0100442	00194173	LOUD EDGE	Creative Services Development	2,500.00
P0100390	00194172	LANDMARK EVENT STAFNG SRVS INC	Security at summer celebration	1,128.00
P0100426	00194189	PACIFIC RIM EQUIPMENT RENTAL	COMPACTOR RENTAL	187.17
<i>Org Key: PR6100 - Park Maintenance</i>				
P0100439	00194176	MI UTILITY BILLS	PAYMENT OF UTILITY BILLS FOR W	10,778.03
	00194191	PUGET SOUND ENERGY	ENERGY USE JULY 2018	1,199.98
P0100401	00194180	NATIONAL CONST RENTALS INC	RENTAL OF 6' PANELS FOR SOUTH	257.40
P0100396	00194165	HOME DEPOT CREDIT SERVICE	WHEELBARROW	98.97
<i>Org Key: PR6200 - Athletic Field Maintenance</i>				
P0100439	00194176	MI UTILITY BILLS	PAYMENT OF UTILITY BILLS FOR W	27,949.91
P0100417	00194159	GOODSELL POWER EQUIPMENT	REPAIR BLOWER & TRIMMER	239.23
	00194150	CENTURYLINK	PHONE USE JULY 2018	90.95
	00194150	CENTURYLINK	PHONE USE AUG 2018	86.34
<i>Org Key: PR6500 - Luther Burbank Park Maint.</i>				
P0100439	00194176	MI UTILITY BILLS	PAYMENT OF UTILITY BILLS FOR W	9,072.71
	00194191	PUGET SOUND ENERGY	ENERGY USE JULY 2018	760.12
	00194150	CENTURYLINK	PHONE USE JULY 2018	167.91
P0097870	00194153	CINTAS CORPORATION #460	2018 weekly rug cleaning servi	153.75
<i>Org Key: PR6600 - Park Maint-School Related</i>				
	00194191	PUGET SOUND ENERGY	ENERGY USE JULY 2018	276.50
P0100389	00194209	UNITED SITE SERVICES	Portable restroom rental Islan	77.53
<i>Org Key: PR6700 - I90 Park Maintenance</i>				
P0100439	00194176	MI UTILITY BILLS	PAYMENT OF UTILITY BILLS FOR W	66,143.06
	00194191	PUGET SOUND ENERGY	ENERGY USE JULY 2018	157.98
<i>Org Key: WD130R - Street Related Storm Projects</i>				
P0100308	00194142	BEST PARKING LOT CLEANING INC	2018 CCTV STORM INSPECTION INV	3,603.11
P0100308	00194142	BEST PARKING LOT CLEANING INC	2018 CCTV STORM INSPECTION INV	1,529.50
P0100308	00194142	BEST PARKING LOT CLEANING INC	2018 CCTV STORM INSPECTION INV	1,436.88
P0100308	00194142	BEST PARKING LOT CLEANING INC	2018 CCTV STORM INSPECTION INV	1,266.35
<i>Org Key: WD301S - Neighborhood Spot Drainage Imp</i>				
P0100308	00194142	BEST PARKING LOT CLEANING INC	2018 CCTV STORM INSPECTION INV	4,283.55
P0100308	00194142	BEST PARKING LOT CLEANING INC	2018 CCTV STORM INSPECTION IN	3,279.40
<i>Org Key: WG110T - Computer Equip Replacements</i>				
P0100458	00194155	DAVENPORT GROUP INC	Annual Server Replacements	17,138.00
P0100303	00194149	CDW GOVERNMENT INC	Mounting Hardware Elo MDC A93	180.79
<i>Org Key: WR517R - SE 40th (A) Corridor Improvemnt</i>				
P0099634	00194169	KAMINS CONSTRUCTION	SE 40TH ST. CORRIDOR IMPROVEME	158,603.98

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
P0099700	00194208	UNITED REPROGRAPHICS	SE 40TH CORRIDOR PROJECT	76.52
<i>Org Key: WR517S - SE 40th (B) Overlay</i>				
P0099634	00194169	KAMINS CONSTRUCTION	SE 40TH ST. CORRIDOR IMPROVEME	1,425.00
<i>Org Key: WR716R - ICW (3100 to SE 27th)</i>				
P0100450	00194214	WA ST DEPT OF TRANSPORTATION	ISLAND CREST WAY & SE 28TH	2,985.57
<i>Org Key: WW117R - Street Related Water Impvts</i>				
P0099634	00194169	KAMINS CONSTRUCTION	SE 40TH ST. CORRIDOR IMPROVEME	743.65
<i>Org Key: XR310R - EMW Shoulders - Ph 8-11</i>				
P0097678	00194194	RRJ COMPANY LLC	SCHEDUL A - ROADSIDE SHOULDER	1,866.92
<i>Org Key: YF1100 - YFS General Services</i>				
	00194179	MONTAGUE, LIANA	LICENSE REIMBURSEMENT	498.50
<i>Org Key: YF1200 - Thrift Shop</i>				
	00194191	PUGET SOUND ENERGY	ENERGY USE JULY 2018	841.62
P0100395	00194188	PACIFIC MODULAR	CARPET CLEANING	315.00
P0097797	00194161	GRAND & BENEDICTS INC	Operating supplies for Thrift	226.08
	00194150	CENTURYLINK	PHONE USE AUG 2018	173.59
	00194150	CENTURYLINK	PHONE USE MAY 2018	165.64
Total				<u>445,456.85</u>

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00194141	08/09/2018	AM TEST INC WATER QUALITY TESTING	P0100451	105895	07/18/2018	300.00
00194142	08/09/2018	BEST PARKING LOT CLEANING INC 2018 CCTV STORM INSPECTION INV	P0100308	169770/167853/16	04/30/2018	17,181.94
00194143	08/09/2018	BLAKKAN, ROBERT OVERPAYMENT REFUND		OH010316	08/01/2018	284.90
00194144	08/09/2018	BUCKLIN, KERRY OVERPAYMENT REFUND		OH010315	08/01/2018	463.01
00194145	08/09/2018	CAIRNS, CAROLYN ENERGY USE AUG 2018		OH010332	08/01/2018	8,812.53
00194146	08/09/2018	CARY, JOHN OVERPAYMENT REFUND		OH010320	08/01/2018	283.73
00194147	08/09/2018	CASCADE ELITE GYMNASTICS Instructor fees - Course #0284	P0100387	0284/0281	07/31/2018	2,470.16
00194148	08/09/2018	CASCADE FRAMES Framed mag cover & article	P0100393	878	07/11/2018	227.83
00194149	08/09/2018	CDW GOVERNMENT INC Police Patrol Area Printer	P0100303	NMS3246	07/25/2018	426.72
00194150	08/09/2018	CENTURYLINK PHONE USE JULY 2018		OH010319	08/01/2018	4,882.21
00194151	08/09/2018	CERTIFIED LABORATORIES INVENTORY PURCHASES	P0100435	3206508	07/18/2018	546.62
00194152	08/09/2018	CHRISTIANSEN, ANNE Instructor fees - course #0274	P0100388	0274	07/31/2018	1,602.05
00194153	08/09/2018	CINTAS CORPORATION #460 2018 COVERALL/LAUNDRY SERVICE	P0097870	460428441/460423	07/16/2018	1,451.70
00194154	08/09/2018	COMCAST Internet Charges/Fire	P0100407	OH010308	07/18/2018	192.75
00194155	08/09/2018	DAVENPORT GROUP INC Annual Server Replacements	P0100458	100780	07/26/2018	17,138.00
00194156	08/09/2018	DEEDS, EDWARD G LEOFF1 Retiree Medical Expense	P0100434	OH010310	08/01/2018	199.04
00194157	08/09/2018	FELDMAN, MARK PERMIT REFUND		1407083	07/27/2018	4,348.60
00194158	08/09/2018	FIRST STUDENT INC Transportation NW Trek outing	P0100391	80297123	07/25/2018	591.75
00194159	08/09/2018	GOODSELL POWER EQUIPMENT REPAIR BLOWER & TRIMMER	P0100417	732821/732822	05/31/2018	239.23
00194160	08/09/2018	GRAINGER INVENTORY PURCHASES	P0100416	9852622274	07/20/2018	541.07
00194161	08/09/2018	GRAND & BENEDICTS INC Operating supplies for Thrift	P0097797	0969331IN	07/19/2018	226.08
00194162	08/09/2018	GREER, J SCOTT Pro Tem Judge: 7/30/18 - 1 hr	P0100398	OH010307	07/31/2018	250.00
00194163	08/09/2018	H D FOWLER INVENTORY PURCHASES	P0100399	I4902682	07/26/2018	4,850.87
00194164	08/09/2018	HD SUPPLY CONST & INDSTRLL- INVENTORY PURCHASES	P0100419	50008552585/5000	07/17/2018	1,412.10
00194165	08/09/2018	HOME DEPOT CREDIT SERVICE COMPACTOR RENTAL	P0100396	0244213023065	07/24/2018	1,010.97
00194166	08/09/2018	HONEYWELL, MATTHEW V Professional Services - Invoic	P0100436	1047	07/31/2018	1,400.00

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00194167	08/09/2018	INTEGRA CHEMICAL CO VITA-D-CHLOR SLO-TABS (140)	P0100422	0127978IN	07/18/2018	1,435.81
00194168	08/09/2018	JOKINEN, DAVID R SEAFAIR SUPPLIES		OH010321	08/08/2018	35.02
00194169	08/09/2018	KAMINS CONSTRUCTION SE 40TH ST. CORRIDOR IMPROVEME	P0099634	#1JUNE	06/30/2018	160,772.63
00194170	08/09/2018	KENT D BRUCE CO LLC REPAIR PARTS INV 3775	P0100299	3775	07/20/2018	198.14
00194171	08/09/2018	KERNAN, DEBBY & KEVIN OVERPAYMENT REFUND		OH010322	08/01/2018	384.74
00194172	08/09/2018	LANDMARK EVENT STAFNG SRVS INC Security at summer celebration	P0100390	23739	07/14/2018	1,128.00
00194173	08/09/2018	LOUD EDGE Creative Services Development	P0100442	CMI072318	07/23/2018	2,500.00
00194174	08/09/2018	MI 84TH LIMITED PARTNERSHIP OVERPAYMENT REFUND		OH010327	08/01/2018	53.33
00194175	08/09/2018	MI SCHOOL DISTRICT #400 2018 SCHOOL DISTRICT FUEL	P0098294	2018611	07/20/2018	1,311.84
00194176	08/09/2018	MI UTILITY BILLS PAYMENT OF UTILITY BILLS FOR W	P0100439	OH010312	07/31/2018	113,943.71
00194177	08/09/2018	MID-AMERICA SPORTS ADVANTAGE INVENTORY PURCHASES	P0100424	39034700	07/17/2018	477.47
00194178	08/09/2018	MINUTEMAN PRESS - BELLEVUE 2,000 Crime Prevention books	P0100187	48172	06/29/2018	4,116.92
00194179	08/09/2018	MONTAGUE, LIANA LICENSE REIMBURSEMENT		OH010323	07/31/2018	498.50
00194180	08/09/2018	NATIONAL CONST RENTALS INC RENTAL OF 6' PANELS FOR SOUTH	P0100401	5024683	05/01/2018	257.40
00194181	08/09/2018	NATURE VISION INC Outdoor adventure camp	P0100392	6698	07/26/2018	4,320.00
00194182	08/09/2018	NELSON, N B & CLEO OVERPAYMENT REFUND		OH010326	08/01/2018	520.47
00194183	08/09/2018	NOEL, BRIAN W BINOCULAR REPAIR SHIPPING		OH010324	07/31/2018	25.29
00194184	08/09/2018	NOVAK, JOHN STATION TOWELS		OH010325	08/02/2018	391.55
00194185	08/09/2018	OLYMPIC ENVIRONMENTAL RES 2018 ANNUAL RECYCLING EVENT	P0098751	2018OER4	07/31/2018	1,309.44
00194186	08/09/2018	OPENGOV INC OPENGOV ANNUAL SUBSCRIPTIONS F	P0100457	INV001880	06/30/2018	15,525.00
00194187	08/09/2018	OVERLAKE OIL 2018 FUEL DELIVERY	P0097948	0189434/0189433	07/30/2018	6,163.05
00194188	08/09/2018	PACIFIC MODULAR CARPET CLEANING	P0100395	5682	07/11/2018	315.00
00194189	08/09/2018	PACIFIC RIM EQUIPMENT RENTAL COMPACTOR RENTAL	P0100426	24119	07/18/2018	187.17
00194190	08/09/2018	PUGAL, JESSIE O REFUND-QUALIFIES FOR LEVY FUND		OH010328	07/26/2018	100.00
00194191	08/09/2018	PUGET SOUND ENERGY ENERGY USE JULY 2018		OH010329	07/24/2018	20,494.14
00194192	08/09/2018	REPUBLIC SERVICES #172 7700 EMW	P0100421	0172007520519	06/30/2018	756.16

Accounts Payable Report by Check Number

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00194193	08/09/2018	RIDDELL, SUZANNE TONER FOR UTILITY PRINTER		OH010333	08/01/2018	439.88
00194194	08/09/2018	RRJ COMPANY LLC SCHEDUL A - ROADSIDE SHOULDER	P0097678	#4FINAL	06/25/2018	1,866.92
00194195	08/09/2018	RWC GROUP Repairs to Midi 92	P0100404	165348	07/20/2018	709.50
00194196	08/09/2018	SEA WESTERN INC Bunker Gear	P0100405	206935	07/17/2018	2,677.73
00194197	08/09/2018	SEATTLE BOAT COMPANY MARINE FUEL JUNE TO JULY	P0100415	OH010313	07/16/2018	5,168.03
00194198	08/09/2018	SEGLE, KRYSS WELLNESS GAMES LUNCHEON		OH010330	08/03/2018	93.94
00194199	08/09/2018	SEIFERT, MIKE NEW TRU OFFICERS UNIFORMS		OH010334	07/31/2018	285.40
00194200	08/09/2018	STARBUCK'S TOWING Impound for DUI Warrant - Invo	P0100412	78421	07/31/2018	192.50
00194201	08/09/2018	SUPERION LLC ONESOLUTION ANNUAL MAINT	P0100438	212332	07/24/2018	10,571.34
00194202	08/09/2018	SUPERIOR TOWING INC Vehicle impound (Stolen Vehicl	P0100430	B77245	07/27/2018	192.50
00194203	08/09/2018	SUPPRESSION SYSTEMS INC SERVER ROOM CITY HALL HOSE & S	P0100339	17097	07/23/2018	1,705.00
00194204	08/09/2018	TARGET SPECIALTY PRODUCTS EZ JET LANCE & COPPERHEAD	P0100413	PI0822143	06/25/2018	893.22
00194205	08/09/2018	TAWNEY, LAURA COBRA August premium L. Tawney		OH010331	08/07/2018	2,318.60
00194206	08/09/2018	TRAFFIC SAFETY SUPPLY INVENTORY PURCHASES	P0100433	INV003802	07/19/2018	694.14
00194207	08/09/2018	UNDERWATER SPORTS INC. Dive Comms Equipment	P0100491	20016664	07/31/2018	1,003.20
00194208	08/09/2018	UNITED REPROGRAPHICS SE 40TH CORRIDOR PROJECT	P0099700	9077389IN	06/12/2018	76.52
00194209	08/09/2018	UNITED SITE SERVICES Portable restroom rental Islan	P0100389	1147099064	07/25/2018	77.53
00194210	08/09/2018	UPS SHIPPING FEE		0000T6781T308	07/28/2018	131.78
00194211	08/09/2018	USABlueBook INVENTORY PURCHASES	P0100427	620601	07/10/2018	899.58
00194212	08/09/2018	VERITIV OPERATING COMPANY INVENTORY PURCHASES	P0100414	65522383733	07/23/2018	1,128.53
00194213	08/09/2018	VERIZON WIRELESS Monthly Cellular Bill - Invoic	P0100411	9811478738	07/23/2018	1,288.91
00194214	08/09/2018	WA ST DEPT OF TRANSPORTATION ISLAND CREST WAY & SE 28TH	P0100450	RE41JZ0099L002	07/16/2018	2,985.57
00194215	08/09/2018	WALTER E NELSON CO INVENTORY PURCHASES	P0100403	660649	07/23/2018	1,501.89
					Total	445,456.85

CERTIFICATION OF CLAIMS

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

Charles L. Corder
Finance Director

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

Mayor

Date

<u>Report</u>	<u>Warrants</u>	<u>Date</u>	<u>Amount</u>
Check Register	194215 -194373	8/16/2018	\$ 1,034,556.32 \$ 1,034,556.32

PO #	Check #	Vendor:	Transaction Description	Check Amount
<i>Org Key: 001000 - General Fund-Admin Key</i>				
P0100539	00194358	WA ST TREASURER'S OFFICE	Remit JULY18 MI Court Transmit	5,899.57
P0100539	00194358	WA ST TREASURER'S OFFICE	Remit JULY18 MI Court Transmit	3,101.89
P0100539	00194358	WA ST TREASURER'S OFFICE	Remit JULY18 MI Court Transmit	2,684.87
P0100538	00194359	WA ST TREASURER'S OFFICE	Remit JULY18 NC Court Transmit	1,038.47
P0100539	00194358	WA ST TREASURER'S OFFICE	Remit JULY18 MI Court Transmit	942.47
P0100546	00194360	WALKING ADVENTURES INTERNAT'L	Rental FA-0989 completed. Retu	600.00
P0100538	00194359	WA ST TREASURER'S OFFICE	Remit JULY18 NC Court Transmit	575.63
P0100538	00194359	WA ST TREASURER'S OFFICE	Remit JULY18 NC Court Transmit	493.75
P0100539	00194358	WA ST TREASURER'S OFFICE	Remit JULY18 MI Court Transmit	475.88
P0100498	00194271	HSU, JAMIE	Withdrew from camps	422.00
P0100497	00194286	LEVIN, MICHAEL	Rental FA-0159 completed. Retu	400.00
P0100496	00194287	LITTAUER, ROBERT	Rental FA-1105 completed. Retu	400.00
P0100537	00194334	RIKE, LISA	Rental FA-0320 completed. Retu	400.00
P0100543	00194306	MORELLI, KIM	withdrew from camps	338.00
P0100455	00194275	JENNINGS, PETRA	Camp cancellations	240.00
P0100536	00194361	WALLER, NICOLE	Returning partial Cartoonivers	240.00
P0100538	00194359	WA ST TREASURER'S OFFICE	Remit JULY18 NC Court Transmit	215.30
P0100542	00194363	WEISSMAN, RACHEL	withdrew from camps	201.00
P0100453	00194282	KING COUNTY	Rental FA-0858 completed. Retu	200.00
P0100539	00194358	WA ST TREASURER'S OFFICE	Remit JULY18 MI Court Transmit	173.20
P0100595	00194338	SADEGHI, SARAH	Rental FA-1262 cancelled. Retu	170.00
P0100598	00194322	PRIME ELECTRIC	Rental FA-0951 completed. Retu	150.00
P0100539	00194358	WA ST TREASURER'S OFFICE	Remit JULY18 MI Court Transmit	145.55
P0100538	00194359	WA ST TREASURER'S OFFICE	Remit JULY18 NC Court Transmit	122.76
P0100539	00194358	WA ST TREASURER'S OFFICE	Remit JULY18 MI Court Transmit	122.21
P0100539	00194358	WA ST TREASURER'S OFFICE	Remit JULY18 MI Court Transmit	122.21
P0100501	00194257	FORTNER, LISA	Art for Kids cancelled	120.00
P0100499	00194260	GERSTEL, DEBI	Art for Kids cancelled	120.00
P0100502	00194291	MAY, KAREN	Art for Kids cancelled	120.00
P0100515	00194241	DEMOPULOS, KATE	withdrew from camps	119.00
P0100539	00194358	WA ST TREASURER'S OFFICE	Remit JULY18 MI Court Transmit	118.33
P0100503	00194345	STERNBERG, ASHLEY	withdrew from camps	109.00
P0100538	00194359	WA ST TREASURER'S OFFICE	Remit JULY18 NC Court Transmit	107.29
P0100538	00194359	WA ST TREASURER'S OFFICE	Remit JULY18 NC Court Transmit	94.44
P0100538	00194359	WA ST TREASURER'S OFFICE	Remit JULY18 NC Court Transmit	94.43
P0100596	00194226	BUSACCA, PETER	Rental FA-0838 cancelled. Retu	75.00
P0100597	00194244	DUFFY, ROSLYN	Rental FA-0879 cancelled. Retu	75.00
P0100594	00194348	SWANSON, CRISTINA	Rental FA-1235 cancelled. Retu	75.00
P0100593	00194368	WILLIAMS, MARCIA	Rental FA-1461 cancelled. Retu	75.00
P0100539	00194358	WA ST TREASURER'S OFFICE	Remit JULY18 MI Court Transmit	67.85
P0100538	00194359	WA ST TREASURER'S OFFICE	Remit JULY18 NC Court Transmit	42.80
P0100538	00194359	WA ST TREASURER'S OFFICE	Remit JULY18 NC Court Transmit	38.90
P0100539	00194358	WA ST TREASURER'S OFFICE	Remit JULY18 MI Court Transmit	36.75
P0100538	00194359	WA ST TREASURER'S OFFICE	Remit JULY18 NC Court Transmit	36.41
P0100454	00194302	MICA	Did not use media for rental	35.00
P0100539	00194358	WA ST TREASURER'S OFFICE	Remit JULY18 MI Court Transmit	25.60
P0100452	00194270	HOPE WORLDWIDE	Cancellation fee. Returning	25.00
P0100538	00194359	WA ST TREASURER'S OFFICE	Remit JULY18 NC Court Transmit	18.79
P0100538	00194359	WA ST TREASURER'S OFFICE	Remit JULY18 NC Court Transmit	6.83

PO #	Check #	Vendor:	Transaction Description	Check Amount
P0100538	00194359	WA ST TREASURER'S OFFICE	Remit JULY18 NC Court Transmit	0.14
<i>Org Key: 402000 - Water Fund-Admin Key</i>				
P0100514	00194347	SUPPLY SOURCE INC,THE	INVENTORY PURCHASES	1,908.92
P0100440	00194245	DUNN LUMBER COMPANY	INVENTORY PURCHASES	1,111.44
	00194281	KERSHAW, DANIEL & JOANNE	OVERPAYMENT REFUND	343.07
P0100585	00194259	FU, YIZHEN	1708-077 Refund water service	301.75
P0100586	00194373	ZENZ, SARAH A	1709-061 Refund water service	285.38
P0100588	00194263	GOODLAND DEVELOPMENT & MGMT	1607-113 Refund water service	283.50
P0100576	00194216	A.M. LEONARD INC	INVENTORY PURCHASES	285.68
P0100590	00194274	JAYMARC LUXURY HOMES LLC	1707-017 Refund water service	224.46
P0100589	00194242	DEP HOMES COLUMBIA LLC	1707-144 Refund water service	199.94
P0100587	00194268	HOME PROJECT 96	1712-064 Refund water service	187.89
P0100584	00194292	MI 84TH LIMITED PARTNERSHIP	1708-272 Refund water service	135.45
P0100524	00194267	HOME DEPOT CREDIT SERVICE	INVENTORY PURCHASES	134.20
P0100584	00194292	MI 84TH LIMITED PARTNERSHIP	1703-183 Refund water service	96.95
P0100584	00194292	MI 84TH LIMITED PARTNERSHIP	1703-182 Refund water service	96.95
P0100591	00194312	NEW ASIA ENTERPRISES LLC	1609-192 Refund water service	51.03
P0100584	00194292	MI 84TH LIMITED PARTNERSHIP	1711-229 water service time &	-49.13
<i>Org Key: 814072 - United Way</i>				
	00194352	UNITED WAY OF KING CO	PAYROLL EARLY WARRANTS	100.00
<i>Org Key: 814074 - Garnishments</i>				
	00194233	CHAPTER 13 TRUSTEE	PAYROLL EARLY WARRANTS	1,331.00
<i>Org Key: 814075 - Mercer Island Emp Association</i>				
	00194293	MI EMPLOYEES ASSOC	PAYROLL EARLY WARRANTS	315.00
<i>Org Key: 814077 - Police Association</i>				
	00194321	POLICE ASSOCIATION	PAYROLL EARLY WARRANTS	2,352.38
<i>Org Key: 814085 - GET Program Deductions</i>				
	00194261	GET Washington	PAYROLL EARLY WARRANTS	300.00
<i>Org Key: CA1100 - Administration (CA)</i>				
P0100570	00194330	RELX INC DBA LEXISNEXIS	Library Subscriptions - Invoice	317.90
	00194370	XEROX CORPORATION	PRINTER SUPPLIES	38.68
	00194235	COMPLETE OFFICE	OFFICE SUPPLIES JULY 2018	17.00
<i>Org Key: CA1200 - Prosecution & Criminal Mngmnt</i>				
P0100568	00194304	MOBERLY AND ROBERTS	Professional services - Invoice	6,150.00
P0100569	00194269	HONEYWELL, MATTHEW V	Professional services - Invoice	700.00
<i>Org Key: CM1100 - Administration (CM)</i>				
P0100441	00194289	MASTERMARK	10 Staff & Council Namebadges	103.85
P0100471	00194355	VERIZON WIRELESS	VZ Billing J. Underwood	57.88
<i>Org Key: CM1300 - Sustainability</i>				
P0100567	00194232	CEDAR GROVE COMPOSTING INC	Organic Waste Service 7/18 Cit	27.60
P0100567	00194232	CEDAR GROVE COMPOSTING INC	Organic Waste Service 7/18 Lut	27.60
<i>Org Key: CO6100 - City Council</i>				
P0100547	00194239	DANIEL, KAMARIA	MITV Council Mtg 7/10/2018	360.00

PO #	Check #	Vendor:	Transaction Description	Check Amount
P0100547	00194239	DANIEL, KAMARIA	MITV Council Mtg 7/24/2018	300.00
<i>Org Key: CR1100 - CORe Admin and Human Resources</i>				
P0100471	00194355	VERIZON WIRELESS	VZ Billing L. Tawney	40.01
P0100437	00194240	DATAQUEST LLC	Background Check L. Gerheim	21.50
	00194370	XEROX CORPORATION	PRINTER SUPPLIES	12.00
<i>Org Key: CT1100 - Municipal Court</i>				
P0100482	00194272	INTERCOM LANGUAGE SERVICES INC	Interpreter: invoice #18-262	260.00
P0100504	00194276	JUDICIAL CONFERENCE REGISTRAR	Judicial Conference Registrar	260.00
P0100581	00194265	GREER, J SCOTT	Pro Tem Judge. 8/13 - 2 hrs	100.00
	00194235	COMPLETE OFFICE	OFFICE SUPPLIES JULY 2018	85.64
P0100469	00194285	LANGUAGE LINE SERVICES	Language Line invoice #4370390	7.39
<i>Org Key: DS1100 - Administration (DS)</i>				
P0100553	00194251	ESA	Peer review CAO17-010	4,070.34
P0100558	00194254	FCS GROUP	Cost of service & fee analysis	3,565.00
P0100553	00194251	ESA	Peer review Valentin Property	2,192.50
P0100555	00194303	MICRO COM SYSTEMS LTD	Document scanning for import i	1,947.73
P0100558	00194254	FCS GROUP	Cost of service & fee analysis	1,625.00
	00194290	MAXIM, EVAN	2018 ESRI GIS CONFERENCE	416.00
P0100560	00194355	VERIZON WIRELESS	Phone & data charges June 2018	403.93
P0100560	00194355	VERIZON WIRELESS	Phone & Data charges July 2018	403.22
P0100560	00194355	VERIZON WIRELESS	Mobil Hotspots June 2018	160.04
P0100560	00194355	VERIZON WIRELESS	Mobil hotspots July 2018	160.04
P0100550	00194218	ARC DOCUMENT SOLUTIONS	Document scanning	143.82
	00194370	XEROX CORPORATION	PRINTER SUPPLIES	38.70
<i>Org Key: DS1300 - Land Use Planning Svc</i>				
P0100559	00194284	KPG	Transportation update	12,842.19
P0100553	00194251	ESA	CAO Update	9,840.26
P0100552	00194253	FASTSIGNS BELLEVUE	Land Use action signs	1,578.50
P0100561	00194289	MASTERMARK	Name plate for Planning	56.75
<i>Org Key: DS1400 - Development Engineering</i>				
P0100556	00194243	DEPT OF LICENSING	Engineer license renewal for R	116.00
<i>Org Key: FN1100 - Administration (FN)</i>				
	00194235	COMPLETE OFFICE	OFFICE SUPPLIES JULY 2018	249.32
	00194370	XEROX CORPORATION	PRINTER SUPPLIES	24.00
<i>Org Key: FN2100 - Data Processing</i>				
P0100540	00194346	SUPERION LLC	Check signature plate change	200.00
<i>Org Key: FN4501 - Utility Billing (Water)</i>				
P0100508	00194356	VERIZON WIRELESS	CITYWORKS LAPTOP FOR JEEP	40.01
<i>Org Key: FR1100 - Administration (FR)</i>				
P0100541	00194313	NORCOM 911	Code 3 Simulator 11-2017 to 10	3,941.00
P0100526	00194349	SYSTEMS DESIGN WEST LLC	June 2018 Transport Billing	1,229.00
P0100530	00194238	CULLIGAN SEATTLE WA	Water Service/Fire	443.26
P0100408	00194333	RICOH USA INC	Cost Per Copy/Fire	58.67
P0100527	00194295	MI HARDWARE - FIRE	Station Supplies	56.66

PO #	Check #	Vendor:	Transaction Description	Check Amount
	00194370	XEROX CORPORATION	PRINTER SUPPLIES	50.69
<i>Org Key: FR2100 - Fire Operations</i>				
P0097864	00194250	EPSCA	MONTHLY RADIO ACCESS FEES 44 R	1,111.00
P0100533	00194314	O'REILLY AUTOMOTIVE INC	Finance Charges	9.71
P0100531	00194339	SEATTLE AUTOMOTIVE DIST INC	Apparatus Supplies	5.36
<i>Org Key: FR2500 - Fire Emergency Medical Svcs</i>				
P0100529	00194344	STERICYCLE INC	On-Call Charges	10.36
<i>Org Key: GGM001 - General Government-Misc</i>				
P0099466	00194249	EPICENTER SERVICES LLC	SOLID WASTE CONTRACT	14,000.00
P0100544	00194279	KC FINANCE	2018 Regional Animal Services	2,080.00
P0100477	00194372	ZEE MEDICAL	Medical supply cabinet refill	194.23
P0100477	00194372	ZEE MEDICAL	Medical supply cabinet refill	145.81
<i>Org Key: GGM004 - Gen Govt-Office Support</i>				
P0100549	00194332	RESERVE ACCOUNT	Postage refill of reserve acco	2,500.00
P0100562	00194370	XEROX CORPORATION	Print & copy charges for CM co	1,350.90
P0100554	00194318	PITNEY BOWES	Postage machine lease charges	904.47
P0100562	00194370	XEROX CORPORATION	Print & copy charges for Mail	525.23
	00194235	COMPLETE OFFICE	OFFICE SUPPLIES JULY 2018	444.03
	00194235	COMPLETE OFFICE	OFFICE SUPPLIES JULY 2018	439.29
	00194235	COMPLETE OFFICE	OFFICE SUPPLIES JULY 2018	258.56
P0100468	00194236	CONFIDENTIAL DATA DISPOSAL	City Shredding Bill - Invoice	200.00
P0100562	00194370	XEROX CORPORATION	Print & copy charges for DSG c	182.81
	00194370	XEROX CORPORATION	PRINTER SUPPLIES	50.70
	00194235	COMPLETE OFFICE	OFFICE SUPPLIES JULY 2018	26.52
<i>Org Key: GGM005 - Genera Govt-L1 Retiree Costs</i>				
P0100608	00194228	CALLAGHAN, MICHAEL	LEOFF1 Retiree Medical Expense	153.68
P0100607	00194220	AUGUSTSON, THOR	LEOFF1 Retiree Medical Expense	89.82
<i>Org Key: IGBE01 - MI Pool Operation Subsidy</i>				
P0098084	00194300	MI SCHOOL DISTRICT #400	2018 Operational support for M	11,251.82
<i>Org Key: IGMA02 - Alcoholism Program</i>				
P0099453	00194278	KC FINANCE	Remit 2018 Liquor Excise Tax	1,561.73
<i>Org Key: IS2100 - IGS Network Administration</i>				
P0097789	00194288	MAGNAS LLC	MONTHLY LONG DISTANCE JAN-DEC	257.20
P0100507	00194356	VERIZON WIRELESS	ISG WIFI, LOANER, MDC1, SPARE	200.07
	00194370	XEROX CORPORATION	PRINTER SUPPLIES	12.00
<i>Org Key: MT2100 - Roadway Maintenance</i>				
P0099223	00194258	FRUHLING INC	ROW DEBRIS HAUL OUT	6,806.25
	00194328	PUGET SOUND ENERGY	REPLACE WARRANT 194145	3,366.85
P0100480	00194351	TRAFFIC SAFETY SUPPLY	BAND IT, BOLT BRACKETS (2 BOXE	240.58
P0100509	00194297	MI HARDWARE - ROW	MISC. HARDWARE FOR THE MONTH O	120.91
P0100440	00194245	DUNN LUMBER COMPANY	6 X 6 X 14' TREATED LUMBER	87.01
P0100456	00194372	ZEE MEDICAL	FIRST AID SUPPLIES	9.12
<i>Org Key: MT2200 - Vegetation Maintenance</i>				
P0100521	00194264	GOODSELL POWER EQUIPMENT	REPAIR & SERVICE TRIMMERS & CH	857.21

PO #	Check #	Vendor:	Transaction Description	Check Amount
P0100516	00194264	GOODSELL POWER EQUIPMENT	KOMBI POWERHEAD & MISC. PARTS	770.37
P0100456	00194372	ZEE MEDICAL	FIRST AID SUPPLIES	7.81
<i>Org Key: MT2300 - Planter Bed Maintenance</i>				
P0100535	00194301	MI UTILITY BILLS	PAYMENT OF UTILITY BILLS FOR W	1,610.67
P0100456	00194372	ZEE MEDICAL	FIRST AID SUPPLIES	9.12
<i>Org Key: MT2500 - ROW Administration</i>				
P0100402	00194343	SOUND SAFETY PRODUCTS	SAFETY BOOTS	136.41
<i>Org Key: MT3100 - Water Distribution</i>				
P0100535	00194301	MI UTILITY BILLS	PAYMENT OF UTILITY BILLS FOR W	1,507.37
P0100512	00194298	MI HARDWARE - UTILITY	MISC. HARDWARE FOR THE MONTH O	46.85
P0100460	00194223	BEN'S CLEANER SALES INC	UDF 295899	32.25
P0100456	00194372	ZEE MEDICAL	FIRST AID SUPPLIES	9.12
<i>Org Key: MT3150 - Water Quality Event</i>				
P0100460	00194223	BEN'S CLEANER SALES INC	UDF INV 295898	35.89
<i>Org Key: MT3200 - Water Pumps</i>				
P0100513	00194225	BRANOM OPERATING COMPANY LLC	SOLENOID FOR THE RESERVOIR	98.97
P0100456	00194372	ZEE MEDICAL	FIRST AID SUPPLIES	7.81
<i>Org Key: MT3300 - Water Associated Costs</i>				
P0099223	00194258	FRUHLING INC	WATER DEBRIS HAUL OUT	137.02
<i>Org Key: MT3400 - Sewer Collection</i>				
P94698	00194224	BEST PARKING LOT CLEANING INC	2017-18 SANITARY SEWER CCTV	891.00
P0100535	00194301	MI UTILITY BILLS	PAYMENT OF UTILITY BILLS FOR W	702.64
P0100524	00194267	HOME DEPOT CREDIT SERVICE	CEMENT & TOOLS	100.68
P0100534	00194267	HOME DEPOT CREDIT SERVICE	BRASS COUPLINGS	13.13
P0100512	00194298	MI HARDWARE - UTILITY	MISC. HARDWARE FOR THE MONTH O	11.43
P0100456	00194372	ZEE MEDICAL	FIRST AID SUPPLIES	9.12
<i>Org Key: MT3500 - Sewer Pumps</i>				
P0099090	00194252	EVOQUA WATER TECHNOLOGIES LLC	2018 BIOXIDE	1,568.49
P0100376	00194219	ASTRAL COMMUNICATIONS INC	Pump Station Modems/Antennas	1,713.80
P0100472	00194231	CASNE ENGINEERING INC	TELEMETRY SUPPORT INV 31393	604.90
P0100464	00194311	NATIONAL CONST RENTALS INC	PANEL RENTALS FOR 7256 HOLLY H	80.78
P0100456	00194372	ZEE MEDICAL	FIRST AID SUPPLIES	9.12
<i>Org Key: MT3800 - Storm Drainage</i>				
P0099223	00194258	FRUHLING INC	STORM 2018 DEBRIS HAUL OUT	12,988.75
P0100484	00194224	BEST PARKING LOT CLEANING INC	2017-18 ON-CALL STORMWATER CCT	1,959.35
P0100484	00194224	BEST PARKING LOT CLEANING INC	2017-18 ON-CALL STORMWATER CCT	1,808.77
P0100484	00194224	BEST PARKING LOT CLEANING INC	2017-18 ON-CALL STORMWATER CCT	662.62
P0100484	00194224	BEST PARKING LOT CLEANING INC	2017-18 ON-CALL STORMWATER CCT	380.00
P0100484	00194224	BEST PARKING LOT CLEANING INC	2017-18 ON-CALL STORMWATER CCT	313.50
P0100535	00194301	MI UTILITY BILLS	PAYMENT OF UTILITY BILLS FOR W	70.27
P0100456	00194372	ZEE MEDICAL	FIRST AID SUPPLIES	9.12
<i>Org Key: MT4150 - Support Services - Clearing</i>				
P0098189	00194354	UTILITIES UNDERGROUND LOCATION	2018 UTILTY NOTIFICATION	319.92
P0100461	00194308	MULTICARE IMMEDIATE CLINIC	CDL DOT EXAM	300.00

PO #	Check #	Vendor:	Transaction Description	Check Amount
	00194370	XEROX CORPORATION	PRINTER SUPPLIES	141.24
P0097864	00194250	EPSCA	MONTHLY RADIO ACCESS FEES 1 RA	25.25
<i>Org Key: MT4200 - Building Services</i>				
P0100535	00194301	MI UTILITY BILLS	PAYMENT OF UTILITY BILLS FOR W	13,058.61
P0100574	00194329	RAINIER BUILDING SERVICES	JANITORIAL SERVICE CITY BLDGS	5,126.11
P0100573	00194255	FIRE PROTECTION INC	FIRE & SECURITY ALARM MONITORI	399.00
P0100517	00194247	EASTSIDE EXTERMINATORS	CITY HALL PEST CONTROL	230.01
P0100519	00194255	FIRE PROTECTION INC	CHECK TROUBLE ON CITY HALL ALA	71.50
P0100511	00194294	MI HARDWARE - BLDG	MISC. HARDWARE FOR THE MONTH O	76.69
P0100456	00194372	ZEE MEDICAL	FIRST AID SUPPLIES	7.81
<i>Org Key: MT4210 - Building Landscaping</i>				
P0097982	00194305	MONARCH LANDSCAPING WA LLC	City Hall, FS91, FS 92 &	2,623.09
<i>Org Key: MT4300 - Fleet Services</i>				
P0097948	00194315	OVERLAKE OIL	2018 FUEL DELIVERY	2,532.00
P0098166	00194310	NAPA AUTO PARTS	2018 FLEET REPAIR PARTS AND	1,195.73
P0100462	00194221	AUTONATION INC	REPAIR PARTS	226.76
P0100456	00194372	ZEE MEDICAL	FIRST AID SUPPLIES	7.81
<i>Org Key: MT4450 - Cust Resp - Clearing Acct</i>				
P0100475	00194367	WHISTLE WORKWEAR	MISC. WORK CLOTHES	65.87
<i>Org Key: MT4501 - Water Administration</i>				
P0100577	00194341	SEATTLE, CITY OF	July 2018 Water Purchases	322,104.24
<i>Org Key: MT4502 - Sewer Administration</i>				
P0097859	00194283	KING COUNTY FINANCE	MONTHLY SEWER JAN-DEC 2018	402,486.15
<i>Org Key: MTBE01 - Maint of Medians & Planters</i>				
P0100535	00194301	MI UTILITY BILLS	PAYMENT OF UTILITY BILLS FOR W	963.61
P0100509	00194297	MI HARDWARE - ROW	MISC. HARDWARE FOR THE MONTH O	47.76
<i>Org Key: PO1100 - Administration (PO)</i>				
	00194235	COMPLETE OFFICE	OFFICE SUPPLIES JULY 2018	327.74
	00194370	XEROX CORPORATION	PRINTER SUPPLIES	145.31
<i>Org Key: PO1350 - Police Emergency Management</i>				
P0097864	00194250	EPSCA	MONTHLY RADIO ACCESS FEES 13 R	328.25
P0100506	00194342	SKYLINE COMMUNICATIONS INC	EOC INTERNET	206.55
<i>Org Key: PO1650 - Regional Radio Operations</i>				
P0097864	00194250	EPSCA	MONTHLY RADIO ACCESS FEES 57 R	1,414.00
<i>Org Key: PO1700 - Records and Property</i>				
P0100467	00194372	ZEE MEDICAL	Medical Supplies - Invoice #	138.23
	00194370	XEROX CORPORATION	PRINTER SUPPLIES	12.00
<i>Org Key: PO1900 - Jail/Home Monitoring</i>				
P0100397	00194273	ISSAQUAH CITY JAIL	Issaquah Jail Bill - Invoice #	2,910.00
<i>Org Key: PO2100 - Patrol Division</i>				
P0100490	00194364	WESCOM	Radar Unit Repair - Talon II S	288.20
P0100493	00194234	CLEANERS PLUS 1	Uniform Cleaning - Invoice # 7	145.55

PO #	Check #	Vendor:	Transaction Description	Check Amount
P0100494	00194262	GOOD TO GO	Good to Go bill - Invoice #	5.50
<i>Org Key: PO2200 - Marine Patrol</i>				
P0100500	00194335	ROLYAN BUOYS	Buoy Supplies - Invoice # 3666	942.00
P0100463	00194227	CADMAN INC	1 YARD OF CONCRETE FOR MARINE	505.12
P0100466	00194365	WEST MARINE PRO	Dock Cleats - Invoice # 7071	102.39
P0100495	00194296	MI HARDWARE - POLICE	MP Supplies - Invoice # 138915	19.76
<i>Org Key: PR1100 - Administration (PR)</i>				
	00194235	COMPLETE OFFICE	OFFICE SUPPLIES JULY 2018	412.50
	00194353	US POSTMASTER	POSTAGE REC GUIDE MAILING	342.13
P0097711	00194237	CRYSTAL AND SIERRA SPRINGS	Monthly water service for LB B	66.97
	00194235	COMPLETE OFFICE	OFFICE SUPPLIES JULY 2018	47.63
P0100555	00194303	MICRO COM SYSTEMS LTD	Aubrey Davis plans scanning	5.03
<i>Org Key: PR2100 - Recreation Programs</i>				
	00194370	XEROX CORPORATION	PRINTER SUPPLIES	11.99
<i>Org Key: PR2101 - Youth and Teen Camps</i>				
P0100444	00194362	WATSON, MARY	Instructor fees - Course #0178	3,192.00
P0100445	00194371	YOUTH TECH INC	Instructor fees - Course #0199	1,683.50
P0100445	00194371	YOUTH TECH INC	Instructor fees - Course #0198	1,225.00
P0100444	00194362	WATSON, MARY	Instructor fees - Course #0177	646.80
P0100478	00194256	FIRST STUDENT INC	Transportation for Museum of F	526.25
P0100479	00194240	DATAQUEST LLC	Background reports - June	395.50
P0100479	00194240	DATAQUEST LLC	Background reports - July	147.50
<i>Org Key: PR2103 - Aquatics Programs</i>				
P0100483	00194277	KAYAK ACADEMY INC	Instructor fees - course #0784	4,154.36
<i>Org Key: PR2108 - Health and Fitness</i>				
P0100604	00194336	ROSENSTEIN, SUSIE	Betsy Bahn, Sydney Elston, Ter	450.00
P0100443	00194337	ROSENSTEIN, SUSIE	Instructor fees - Course #1348	270.00
P0100443	00194337	ROSENSTEIN, SUSIE	Instructor fees - Course #1344	240.00
<i>Org Key: PR4100 - Community Center</i>				
P0100535	00194301	MI UTILITY BILLS	PAYMENT OF UTILITY BILLS FOR W	8,070.12
	00194328	PUGET SOUND ENERGY	REPLACE WARRANT 194145	5,445.68
P0100574	00194329	RAINIER BUILDING SERVICES	JANITORIAL SERVICE CITY BLDGS	2,496.77
P0097982	00194305	MONARCH LANDSCAPING WA LLC	MICEC - 2018 Landscape Mainten	1,383.69
P0100518	00194316	PACIFIC AIR CONTROL INC	FC1 SERVICE CALL DOWN UNIT	385.00
P0100573	00194255	FIRE PROTECTION INC	FIRE & SECURITY ALARM MONITORI	150.15
	00194370	XEROX CORPORATION	PRINTER SUPPLIES	70.62
P0100580	00194331	REPUBLIC SERVICES #172	Pickup service 7/1/18-7/31/18	33.64
	00194235	COMPLETE OFFICE	OFFICE SUPPLIES JULY 2018	27.26
<i>Org Key: PR5900 - Summer Celebration</i>				
P0097746	00194266	HOLLYWOOD LIGHTS INC	2018 Summer Celebration Electr	9,670.54
P0100446	00194256	FIRST STUDENT INC	Transportation SC shuttle	2,105.00
	00194235	COMPLETE OFFICE	OFFICE SUPPLIES JULY 2018	12.56
<i>Org Key: PR6100 - Park Maintenance</i>				
P0100476	00194367	WHISTLE WORKWEAR	MISC. WORK CLOTHES	219.91

PO #	Check #	Vendor:	Transaction Description	Check Amount
P0100465	00194319	PLATT ELECTRIC	GROUND ROD & HARDWARE	16.29
	00194370	XEROX CORPORATION	PRINTER SUPPLIES	12.00
P0100456	00194372	ZEE MEDICAL	FIRST AID SUPPLIES	9.12
<i>Org Key: PR6200 - Athletic Field Maintenance</i>				
P0100456	00194372	ZEE MEDICAL	FIRST AID SUPPLIES	9.12
<i>Org Key: PR6500 - Luther Burbank Park Maint.</i>				
P0100574	00194329	RAINIER BUILDING SERVICES	JANITORIAL SERVICE CITY BLDGS	2,151.25
P0100486	00194340	SEATTLE MILFOIL	MILFOIL REMOVAL	2,322.82
P0100573	00194255	FIRE PROTECTION INC	FIRE & SECURITY ALARM MONITORI	215.97
P0100456	00194372	ZEE MEDICAL	FIRST AID SUPPLIES	9.12
<i>Org Key: PR6600 - Park Maint-School Related</i>				
P0100522	00194366	WESTERN EQUIPMENT DISTRIBUTORS	TINES-SIDE EJECT	499.69
P0100476	00194367	WHISTLE WORKWEAR	MISC. WORK CLOTHES	108.98
P0100456	00194372	ZEE MEDICAL	FIRST AID SUPPLIES	7.81
<i>Org Key: PR6700 - I90 Park Maintenance</i>				
P0097869	00194229	CAMDEN GARDENS	Aljoya & Aubrey Davis Park Sh	424.88
P0097745	00194350	T2 SYSTEMS CANADA INC	Monthly charges for boat launc	77.00
P0100476	00194367	WHISTLE WORKWEAR	MISC. WORK CLOTHES	59.44
P0100456	00194372	ZEE MEDICAL	FIRST AID SUPPLIES	9.11
<i>Org Key: WD104D - Watercourse Condition Assess</i>				
P0097675	00194230	CARDNO INC	2017-18 WATERCOURSE CONDITION	23,068.75
<i>Org Key: WG105R - Community Center Bldg Repairs</i>				
P0096727	00194307	MOSBRUCKER EXCAVATING INC	RETAINAGE 5%	4,747.45
P0100572	00194316	PACIFIC AIR CONTROL INC	FC1 BLOWER MOTOR &VFD	2,758.80
P0100523	00194222	BARK KING	Medium Bark	1,960.20
P0096727	00194307	MOSBRUCKER EXCAVATING INC	RETAINAGE 5% PP2	1,828.29
<i>Org Key: WG131E - Fire Equipment</i>				
P0100528	00194320	POLAND & SONS LLC	Novacool Foam	1,982.18
<i>Org Key: WP720R - Recurring Park Projects</i>				
P0100448	00194317	PART WORKS INC., THE	STAINLESS STEEL URINAL	1,541.21
P0100480	00194351	TRAFFIC SAFETY SUPPLY	BAND IT, BOLT BRACKETS (2 BOXE	240.58
<i>Org Key: WR111R - Pavement Markings</i>				
P0095418	00194217	APPLY A LINE INC	PAVEMENT MARKING INSTALLATION	13,491.76
P0100516	00194264	GOODSELL POWER EQUIPMENT	CORDLESS BLOWER	208.96
<i>Org Key: WS160R - Street Related Sewer CIP</i>				
P0100378	00194248	EJ USA INC	6 X 24 RINGS & COVERS "SEWER"	3,370.16
<i>Org Key: YF1100 - YFS General Services</i>				
	00194235	COMPLETE OFFICE	OFFICE SUPPLIES JULY 2018	549.96
P0097796	00194357	VERIZON WIRELESS	Broadband services remote acce	158.07
P0097714	00194240	DATAQUEST LLC	Background checks for voluntee	150.50
P0097704	00194299	MI HARDWARE - YFS	Various supplies for	121.28
P0100485	00194309	MYRON CORP	Pens with MIYFS engraved for "	69.27
P0097711	00194237	CRYSTAL AND SIERRA SPRINGS	Monthly water service for LB B	66.96

PO #	Check #	Vendor:	Transaction Description	Check Amount
	00194370	XEROX CORPORATION	PRINTER SUPPLIES	12.00
<i>Org Key: YF1200 - Thrift Shop</i>				
P0100574	00194329	RAINIER BUILDING SERVICES	JANITORIAL SERVICE CITY BLDGS	2,184.74
P0100535	00194301	MI UTILITY BILLS	PAYMENT OF UTILITY BILLS FOR W	663.81
P0100520	00194316	PACIFIC AIR CONTROL INC	UPSTAIRS UNIT COMPRESSOR FAILU	379.50
P0097982	00194305	MONARCH LANDSCAPING WA LLC	Thriftshop- 2018 Landscape	254.27
P0100573	00194255	FIRE PROTECTION INC	FIRE & SECURITY ALARM MONITORI	185.97
	00194370	XEROX CORPORATION	PRINTER SUPPLIES	70.61
<i>Org Key: YF2500 - Family Counseling</i>				
P0097712	00194369	WOOD, JULIE D	Clinical consultations for 201	300.00
<i>Org Key: YF2600 - Family Assistance</i>				
P0097804	00194324	PUGET SOUND ENERGY	Utility Assistance for Emergen	193.87
P0097798	00194280	KC HOUSING AUTHORITY	Rental assistance for Emergen	186.00
P0097804	00194326	PUGET SOUND ENERGY	Utility Assistance for Emergen	156.00
P0100459	00194246	EARLY WORLD MONTESSORI	Campership for EA client LF	150.00
P0097804	00194323	PUGET SOUND ENERGY	Utility Assistance for Emergen	79.78
P0097804	00194325	PUGET SOUND ENERGY	Utility Assistance for Emergen	69.67
P0097804	00194327	PUGET SOUND ENERGY	Utility Assistance for Emergen	28.04
Total				1,034,556.32

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00194216	08/16/2018	A.M. LEONARD INC INVENTORY PURCHASES	P0100576	C118138818	07/16/2018	285.68
00194217	08/16/2018	APPLY A LINE INC PAVEMENT MARKING INSTALLATION	P0095418	11034	06/30/2018	13,491.76
00194218	08/16/2018	ARC DOCUMENT SOLUTIONS Document scanning	P0100550	OH010367	06/18/2018	143.82
00194219	08/16/2018	ASTRAL COMMUNICATIONS INC Pump Station Modems/Antennas	P0100376	172974	07/30/2018	1,713.80
00194220	08/16/2018	AUGUSTSON, THOR LEOFF1 Retiree Medical Expense	P0100607	OH010382	08/15/2018	89.82
00194221	08/16/2018	AUTONATION INC REPAIR PARTS	P0100462	126704/127130/12	07/06/2018	226.76
00194222	08/16/2018	BARK KING Medium Bark	P0100523	12320	07/25/2018	1,960.20
00194223	08/16/2018	BEN'S CLEANER SALES INC UDF 295899	P0100460	195898/295899	07/20/2018	68.14
00194224	08/16/2018	BEST PARKING LOT CLEANING INC 2017-18 ON-CALL STORMWATER CCT	P94698	CIT0638	07/27/2018	6,015.24
00194225	08/16/2018	BRANOM OPERATING COMPANY LLC SOLENOID FOR THE RESERVOIR	P0100513	600832	07/31/2018	98.97
00194226	08/16/2018	BUSACCA, PETER Rental FA-0838 cancelled. Retu	P0100596	FA0838	08/15/2018	75.00
00194227	08/16/2018	CADMAN INC 1 YARD OF CONCRETE FOR MARINE	P0100463	1630911	07/10/2018	505.12
00194228	08/16/2018	CALLAGHAN, MICHAEL LEOFF1 Retiree Medical Expense	P0100608	OH010383	08/15/2018	153.68
00194229	08/16/2018	CAMDEN GARDENS Aljoya & Aubrey Davis Park Sh	P0097869	68670	08/01/2018	424.88
00194230	08/16/2018	CARDNO INC 2017-18 WATERCOURSE CONDITION	P0097675	258203	07/18/2018	23,068.75
00194231	08/16/2018	CASNE ENGINEERING INC TELEMETRY SUPPORT INV 31393	P0100472	31393	07/09/2018	604.90
00194232	08/16/2018	CEDAR GROVE COMPOSTING INC Organic Waste Service 7/18 Cit	P0100567	0000405378	07/31/2018	55.20
00194233	08/16/2018	CHAPTER 13 TRUSTEE PAYROLL EARLY WARRANTS		OH010361	08/17/2018	1,331.00
00194234	08/16/2018	CLEANERS PLUS 1 Uniform Cleaning - Invoice # 7	P0100493	76483	08/01/2018	145.55
00194235	08/16/2018	COMPLETE OFFICE OFFICE SUPPLIES JULY 2018		OH010366	07/31/2018	2,898.01
00194236	08/16/2018	CONFIDENTIAL DATA DISPOSAL City Shredding Bill - Invoice	P0100468	101357	07/31/2018	200.00
00194237	08/16/2018	CRYSTAL AND SIERRA SPRINGS Monthly water service for LB B	P0097711	5277493070118	07/11/2018	133.93
00194238	08/16/2018	CULLIGAN SEATTLE WA Water Service/Fire	P0100530	201808672721	07/31/2018	443.26
00194239	08/16/2018	DANIEL, KAMARIA MITV Council Mtg 7/10/2018	P0100547	017	08/08/2018	660.00
00194240	08/16/2018	DATAQUEST LLC Background Check L. Gerheim	P0097714	6202	07/31/2018	715.00
00194241	08/16/2018	DEMOPULOS, KATE withdrew from camps	P0100515	OH010345	08/08/2018	119.00

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00194242	08/16/2018	DEP HOMES COLUMBIA LLC 1707-144 Refund water service	P0100589	1707144	08/14/2018	199.94
00194243	08/16/2018	DEPT OF LICENSING Engineer license renewal for R	P0100556	OH010368	08/10/2018	116.00
00194244	08/16/2018	DUFFY, ROSLYN Rental FA-0879 cancelled. Retu	P0100597	FA0879	08/15/2018	75.00
00194245	08/16/2018	DUNN LUMBER COMPANY INVENTORY PURCHASES	P0100440	5695916/5725587	07/20/2018	1,198.45
00194246	08/16/2018	EARLY WORLD MONTESSORI Campership for EA client LF	P0100459	OH010335	08/01/2018	150.00
00194247	08/16/2018	EASTSIDE EXTERMINATORS CITY HALL PEST CONTROL	P0100517	399251	08/03/2018	230.01
00194248	08/16/2018	EJ USA INC 6 X 24 RINGS & COVERS "SEWER"	P0100378	110180057619	07/23/2018	3,370.16
00194249	08/16/2018	EPICENTER SERVICES LLC SOLID WASTE CONTRACT PROCUREME	P0099466	2018158	07/20/2018	14,000.00
00194250	08/16/2018	EPSCA MONTHLY RADIO ACCESS FEES 44 R	P0097864	9408	08/01/2018	2,878.50
00194251	08/16/2018	ESA Peer review Valentin Property	P0100553	138343/334/345	07/27/2018	16,103.10
00194252	08/16/2018	EVOQUA WATER TECHNOLOGIES LLC 2018 BIOXIDE	P0099090	903630850	07/20/2018	1,568.49
00194253	08/16/2018	FASTSIGNS BELLEVUE Land Use action signs	P0100552	B94154	06/21/2018	1,578.50
00194254	08/16/2018	FCS GROUP Cost of service & fee analysis	P0100558	282021807042/282	06/15/2018	5,190.00
00194255	08/16/2018	FIRE PROTECTION INC CHECK TROUBLE ON CITY HALL ALA	P0100573	45807	08/01/2018	1,022.59
00194256	08/16/2018	FIRST STUDENT INC Transportation for Museum of F	P0100446	9244167	07/14/2018	2,631.25
00194257	08/16/2018	FORTNER, LISA Art for Kids cancelled	P0100501	OH010346	08/07/2018	120.00
00194258	08/16/2018	FRUHLING INC ROW DEBRIS HAUL OUT	P0099223	30402	07/12/2018	19,932.02
00194259	08/16/2018	FU, YIZHEN 1708-077 Refund water service	P0100585	1708077	08/14/2018	301.75
00194260	08/16/2018	GERSTEL, DEBI Art for Kids cancelled	P0100499	OH010347	08/07/2018	120.00
00194261	08/16/2018	GET Washington PAYROLL EARLY WARRANTS		OH010362	08/17/2018	300.00
00194262	08/16/2018	GOOD TO GO Good to Go bill - Invoice #	P0100494	TB182225798	08/17/2018	5.50
00194263	08/16/2018	GOODLAND DEVELOPMENT & MGMT 1607-113 Refund water service	P0100588	1607113	08/14/2018	283.50
00194264	08/16/2018	GOODSELL POWER EQUIPMENT KOMBI POWERHEAD & MISC. PARTS	P0100516	735159	07/12/2018	1,836.54
00194265	08/16/2018	GREER, J SCOTT Pro Tem Judge. 8/13 - 2 hrs	P0100581	OH010384	08/13/2018	100.00
00194266	08/16/2018	HOLLYWOOD LIGHTS INC 2018 Summer Celebration Electr	P0097746	12560812	07/23/2018	9,670.54
00194267	08/16/2018	HOME DEPOT CREDIT SERVICE BRASS COUPLINGS	P0100524	0080108011495	08/08/2018	248.01

Accounts Payable Report by Check Number

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00194268	08/16/2018	HOME PROJECT 96 1712-064 Refund water service	P0100587	1712064	08/14/2018	187.89
00194269	08/16/2018	HONEYWELL, MATTHEW V Professional services - Invoic	P0100569	1048	08/08/2018	700.00
00194270	08/16/2018	HOPE WORLDWIDE Cancellation fee. Returning	P0100452	OH010336	08/02/2018	25.00
00194271	08/16/2018	HSU, JAMIE Withdrew from camps	P0100498	OH010348	08/07/2018	422.00
00194272	08/16/2018	INTERCOM LANGUAGE SERVICES INC Interpreter: invoice #18-262	P0100482	18262	08/03/2018	260.00
00194273	08/16/2018	ISSAQUAH CITY JAIL Issaquah Jail Bill - Invoice #	P0100397	0450008637	07/26/2018	2,910.00
00194274	08/16/2018	JAYMARC LUXURY HOMES LLC 1707-017 Refund water service	P0100590	1707017	08/14/2018	224.46
00194275	08/16/2018	JENNINGS, PETRA Camp cancellations	P0100455	OH010337	08/02/2018	240.00
00194276	08/16/2018	JUDICIAL CONFERENCE REGISTRAR Judicial Conference Registrar	P0100504	OH010349	08/07/2018	260.00
00194277	08/16/2018	KAYAK ACADEMY INC Instructor fees - course #0784	P0100483	0784	08/07/2018	4,154.36
00194278	08/16/2018	KC FINANCE Remit 2018 Liquor Excise Tax	P0099453	2107363	08/03/2018	1,561.73
00194279	08/16/2018	KC FINANCE 2018 Regional Animal Services	P0100544	2107050	07/30/2018	2,080.00
00194280	08/16/2018	KC HOUSING AUTHORITY Rental assistance for Emergenc	P0097798	OH010338	08/02/2018	186.00
00194281	08/16/2018	KERSHAW, DANIEL & JOANNE OVERPAYMENT REFUND		OH010373	08/16/2018	343.07
00194282	08/16/2018	KING COUNTY Rental FA-0858 completed. Retu	P0100453	FA0858	07/29/2018	200.00
00194283	08/16/2018	KING COUNTY FINANCE MONTHLY SEWER JAN-DEC 2018	P0097859	30024610	08/01/2018	402,486.15
00194284	08/16/2018	KPG Transportation update	P0100559	618318	07/06/2018	12,842.19
00194285	08/16/2018	LANGUAGE LINE SERVICES Language Line invoice #4370390	P0100469	4370390	07/31/2018	7.39
00194286	08/16/2018	LEVIN, MICHAEL Rental FA-0159 completed. Retu	P0100497	FA0159	08/07/2018	400.00
00194287	08/16/2018	LITTAUER, ROBERT Rental FA-1105 completed. Retu	P0100496	FA1105	08/07/2018	400.00
00194288	08/16/2018	MAGNAS LLC MONTHLY LONG DISTANCE JAN-DEC	P0097789	OH010339	07/31/2018	257.20
00194289	08/16/2018	MASTERMARK 10 Staff & Council Namebadges	P0100561	2530771	06/13/2018	160.60
00194290	08/16/2018	MAXIM, EVAN 2018 ESRI GIS CONFERENCE		OH010385	07/16/2018	416.00
00194291	08/16/2018	MAY, KAREN Art for Kids cancelled	P0100502	OH010350	08/07/2018	120.00
00194292	08/16/2018	MI 84TH LIMITED PARTNERSHIP 1703-183 Refund water service	P0100584	1703183/1708272/	08/14/2018	280.22
00194293	08/16/2018	MI EMPLOYEES ASSOC PAYROLL EARLY WARRANTS		OH010358	08/17/2018	315.00

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00194294	08/16/2018	MI HARDWARE - BLDG MISC. HARDWARE FOR THE MONTH O	P0100511	OH010354	07/31/2018	76.69
00194295	08/16/2018	MI HARDWARE - FIRE Station Supplies	P0100527	OH010370	07/31/2018	56.66
00194296	08/16/2018	MI HARDWARE - POLICE MP Supplies - Invoice # 138915	P0100495	138915	07/31/2018	19.76
00194297	08/16/2018	MI HARDWARE - ROW MISC. HARDWARE FOR THE MONTH O	P0100509	OH010353	07/31/2018	168.67
00194298	08/16/2018	MI HARDWARE - UTILITY MISC. HARDWARE FOR THE MONTH O	P0100512	OH010355	07/31/2018	58.28
00194299	08/16/2018	MI HARDWARE - YFS Various supplies for	P0097704	OH010371	07/31/2018	121.28
00194300	08/16/2018	MI SCHOOL DISTRICT #400 2018 Operational support for M	P0098084	OH010351	08/01/2018	11,251.82
00194301	08/16/2018	MI UTILITY BILLS PAYMENT OF UTILITY BILLS FOR W	P0100535	OH010352	07/31/2018	26,647.10
00194302	08/16/2018	MICA Did not use media for rental	P0100454	FA1408	08/02/2018	35.00
00194303	08/16/2018	MICRO COM SYSTEMS LTD Document scanning for import i	P0100555	17186/17187	06/30/2017	1,952.76
00194304	08/16/2018	MOBERLY AND ROBERTS Professional services - Invoic	P0100568	763	08/18/2018	6,150.00
00194305	08/16/2018	MONARCH LANDSCAPING WA LLC City Hall, FS91, FS 92 &	P0097982	50073/4/5/6/7	08/01/2018	4,261.05
00194306	08/16/2018	MORELLI, KIM withdrew from camps	P0100543	OH010369	08/09/2018	338.00
00194307	08/16/2018	MOSBRUCKER EXCAVATING INC RETAINAGE 5%	P0096727	21712R	07/20/2018	6,575.74
00194308	08/16/2018	MULTICARE IMMEDIATE CLINIC CDL DOT EXAM	P0100461	7783	07/02/2018	300.00
00194309	08/16/2018	MYRON CORP Pens with MIYFS engraved for "	P0100485	110807278	06/22/2018	69.27
00194310	08/16/2018	NAPA AUTO PARTS 2018 FLEET REPAIR PARTS AND	P0098166	OH010356	07/31/2018	1,195.73
00194311	08/16/2018	NATIONAL CONST RENTALS INC PANEL RENTALS FOR 7256 HOLLY H	P0100464	5046463	05/23/2018	80.78
00194312	08/16/2018	NEW ASIA ENTERPRISES LLC 1609-192 Refund water service	P0100591	1609192	08/14/2018	51.03
00194313	08/16/2018	NORCOM 911 Code 3 Simulator 11-2017 to 10	P0100541	0000516	07/01/2018	3,941.00
00194314	08/16/2018	O'REILLY AUTOMOTIVE INC Finance Charges	P0100533	OH010372	07/28/2018	9.71
00194315	08/16/2018	OVERLAKE OIL 2018 FUEL DELIVERY	P0097948	0189524IN	08/03/2018	2,532.00
00194316	08/16/2018	PACIFIC AIR CONTROL INC FC1 SERVICE CALL DOWN UNIT	P0100572	13765	07/27/2018	3,523.30
00194317	08/16/2018	PART WORKS INC., THE STAINLESS STEEL URINAL	P0100448	INV29413	07/20/2018	1,541.21
00194318	08/16/2018	PITNEY BOWES Postage machine lease charges	P0100554	3306309135	06/07/2018	904.47
00194319	08/16/2018	PLATT ELECTRIC GROUND ROD & HARDWARE	P0100465	R904631	07/23/2018	16.29

Accounts Payable Report by Check Number

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00194320	08/16/2018	POLAND & SONS LLC Novacool Foam	P0100528	RPS0718LC	07/18/2018	1,982.18
00194321	08/16/2018	POLICE ASSOCIATION PAYROLL EARLY WARRANTS		OH010359	08/17/2018	2,352.38
00194322	08/16/2018	PRIME ELECTRIC Rental FA-0951 completed. Retu	P0100598	FA0951	08/15/2018	150.00
00194323	08/16/2018	PUGET SOUND ENERGY Utility Assistance for Emergen	P0097804	OH010341	08/02/2018	79.78
00194324	08/16/2018	PUGET SOUND ENERGY Utility Assistance for Emergen	P0097804	OH010342	08/02/2018	193.87
00194325	08/16/2018	PUGET SOUND ENERGY Utility Assistance for Emergen	P0097804	OH010343	08/02/2018	69.67
00194326	08/16/2018	PUGET SOUND ENERGY Utility Assistance for Emergen	P0097804	OH010344	08/02/2018	156.00
00194327	08/16/2018	PUGET SOUND ENERGY Utility Assistance for Emergen	P0097804	OH010374	08/12/2018	28.04
00194328	08/16/2018	PUGET SOUND ENERGY REPLACE WARRANT 194145		OH010365	08/13/2018	8,812.53
00194329	08/16/2018	RAINIER BUILDING SERVICES JANITORIAL SERVICE CITY BLDGS	P0100574	18353	07/13/2018	11,958.87
00194330	08/16/2018	RELX INC DBA LEXISNEXIS Library Subscriptions - Invoice	P0100570	3091566895	07/31/2018	317.90
00194331	08/16/2018	REPUBLIC SERVICES #172 Pickup service 7/1/18-7/31/18	P0100580	0172007565126	07/31/2018	33.64
00194332	08/16/2018	RESERVE ACCOUNT Postage refill of reserve acco	P0100549	OH010375	08/10/2018	2,500.00
00194333	08/16/2018	RICOH USA INC Cost Per Copy/Fire	P0100408	5054029735	07/26/2018	58.67
00194334	08/16/2018	RIKE, LISA Rental FA-0320 completed. Retu	P0100537	FA0320	08/09/2018	400.00
00194335	08/16/2018	ROLYAN BUOYS Buoy Supplies - Invoice # 3666	P0100500	3666167	07/27/2018	942.00
00194336	08/16/2018	ROSENSTEIN, SUSIE Betsy Bahn, Sydney Elston, Ter	P0100604	140	08/10/2018	450.00
00194337	08/16/2018	ROSENSTEIN, SUSIE Instructor fees - Course #1344	P0100443	1344/1348	08/02/2018	510.00
00194338	08/16/2018	SADEGHI, SARAH Rental FA-1262 cancelled. Retu	P0100595	FA1262	08/15/2018	170.00
00194339	08/16/2018	SEATTLE AUTOMOTIVE DIST INC Apparatus Supplies	P0100531	SI3419319	08/01/2018	5.36
00194340	08/16/2018	SEATTLE MILFOIL MILFOIL REMOVAL	P0100486	10140	07/31/2018	2,322.82
00194341	08/16/2018	SEATTLE, CITY OF July 2018 Water Purchases	P0100577	OH010376	07/24/2018	322,104.24
00194342	08/16/2018	SKYLINE COMMUNICATIONS INC EOC INTERNET	P0100506	IN44122	08/01/2018	206.55
00194343	08/16/2018	SOUND SAFETY PRODUCTS SAFETY BOOTS	P0100402	981333	07/26/2018	136.41
00194344	08/16/2018	STERICYCLE INC On-Call Charges	P0100529	3004354428	07/31/2018	10.36
00194345	08/16/2018	STERNBERG, ASHLEY withdrew from camps	P0100503	OH010357	08/07/2018	109.00

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00194346	08/16/2018	SUPERION LLC Check signature plate change	P0100540	210284	06/19/2018	200.00
00194347	08/16/2018	SUPPLY SOURCE INC,THE INVENTORY PURCHASES	P0100514	1803698	08/02/2018	1,908.92
00194348	08/16/2018	SWANSON, CRISTINA Rental FA-1235 cancelled. Retu	P0100594	FA1235	08/15/2018	75.00
00194349	08/16/2018	SYSTEMS DESIGN WEST LLC June 2018 Transport Billing	P0100526	MIFD0718	07/31/2018	1,229.00
00194350	08/16/2018	T2 SYSTEMS CANADA INC Monthly charges for boat launc	P0097745	40234	07/24/2018	77.00
00194351	08/16/2018	TRAFFIC SAFETY SUPPLY BAND IT, BOLT BRACKETS (2 BOXE	P0100480	INV002893	06/22/2018	481.16
00194352	08/16/2018	UNITED WAY OF KING CO PAYROLL EARLY WARRANTS		OH010360	08/17/2018	100.00
00194353	08/16/2018	US POSTMASTER POSTAGE REC GUIDE MAILING		OH010363	08/15/2018	342.13
00194354	08/16/2018	UTILITIES UNDERGROUND LOCATION 2018 UTILTY NOTIFICATION	P0098189	8070179	07/31/2018	319.92
00194355	08/16/2018	VERIZON WIRELESS Mobil Hotspots June 2018	P0100471	9811478741	07/23/2018	1,225.12
00194356	08/16/2018	VERIZON WIRELESS CITYWORKS LAPTOP FOR JEEP	P0100507	9811478742	07/23/2018	240.08
00194357	08/16/2018	VERIZON WIRELESS Broadband services remote acce	P0097796	9811478744	07/23/2018	158.07
00194358	08/16/2018	WA ST TREASURER'S OFFICE Remit JULY18 MI Court Transmit	P0100539	OH010378	07/31/2018	13,916.38
00194359	08/16/2018	WA ST TREASURER'S OFFICE Remit JULY18 NC Court Transmit	P0100538	OH010379	07/31/2018	2,885.94
00194360	08/16/2018	WALKING ADVENTURES INTERNAT'L Rental FA-0989 completed. Retu	P0100546	FA0989	08/09/2018	600.00
00194361	08/16/2018	WALLER, NICOLE Returning partial Cartoonivers	P0100536	OH010377	08/09/2018	240.00
00194362	08/16/2018	WATSON, MARY Instructor fees - Course #0177	P0100444	0177/0178	08/02/2018	3,838.80
00194363	08/16/2018	WEISSMAN, RACHEL withdrew from camps	P0100542	OH010381	08/13/2018	201.00
00194364	08/16/2018	WESCOM Radar Unit Repair - Talon II S	P0100490	22997	08/02/2018	288.20
00194365	08/16/2018	WEST MARINE PRO Dock Cleats - Invoice # 7071	P0100466	7071	08/01/2018	102.39
00194366	08/16/2018	WESTERN EQUIPMENT DISTRIBUTORS TINES-SIDE EJECT	P0100522	804789700	07/31/2018	499.69
00194367	08/16/2018	WHISTLE WORKWEAR MISC. WORK CLOTHES	P0100476	164568/69/63/65	07/26/2018	454.20
00194368	08/16/2018	WILLIAMS, MARCIA Rental FA-1461 cancelled. Retu	P0100593	FA1461	08/14/2018	75.00
00194369	08/16/2018	WOOD, JULIE D Clinical consultations for 201	P0097712	OH010380	08/12/2018	300.00
00194370	08/16/2018	XEROX CORPORATION Print & copy charges for Mail		230084609	08/01/2018	2,761.48
00194371	08/16/2018	YOUTH TECH INC Instructor fees - Course #0198	P0100445	0198/0199	08/02/2018	2,908.50

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00194372	08/16/2018	ZEE MEDICAL Medical supply cabinet refill	P0100456	68360593	08/02/2018	608.51
00194373	08/16/2018	ZENZ, SARAH A 1709-061 Refund water service	P0100586	1709061	08/14/2018	285.38
					Total	<u>1,034,556.32</u>

CERTIFICATION OF CLAIMS

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

Charles L. Corder
Finance Director

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

Mayor

Date

<u>Report</u>	<u>Warrants</u>	<u>Date</u>	<u>Amount</u>
Check Register	194374 -194491	8/23/2018	\$ 831,689.60 \$ 831,689.60

PO #	Check #	Vendor:	Transaction Description	Check Amount
Org Key: 001000 - General Fund-Admin Key				
	00194420	GOTO, KELLY	REPLACE WARRANT 192045	879.00
P0100660	00194403	DAUTERMAN, AUSTIN	Rental FA-0525 completed. Retu	450.00
P0100656	00194453	O'NEILL SOCCER ACADEMY	Returning extra rental fees fr	395.00
P0100658	00194410	ENDICOTT, JIM	Returning boat launch fee	70.00
P0100657	00194391	CARE PARTNERS	Rental FA-1405 completed. Retu	50.00
Org Key: 402000 - Water Fund-Admin Key				
	00194412	ESMB INC	PERMIT REFUND	3,614.00
	00194470	SOUNDEARTH STRATEGIES	HYDRANT METER REFUND	2,900.00
	00194412	ESMB INC	PERMIT REFUND	750.00
P0100679	00194375	ACH HOMES LLC	1704-096 Refund water service	335.40
P0100680	00194467	SEATTLE NW RE LLC	1707-140 Refund water service	315.76
P0100473	00194421	GRAINGER	INVENTORY PURCHASES	333.22
P0100592	00194427	HOME DEPOT CREDIT SERVICE	INVENTORY PURCHASES	306.15
P0100681	00194423	GREENBERG, RYAN	1706-156 Refund water service	244.98
P0100644	00194427	HOME DEPOT CREDIT SERVICE	INVENTORY PURCHASES	148.62
P0100532	00194421	GRAINGER	INVENTORY PURCHASES	88.64
Org Key: CA1100 - Administration (CA)				
P0100693	00194440	MARTEN LAW	Professional services - Invoice	410.92
Org Key: CA1200 - Prosecution & Criminal Mngmnt				
P0100696	00194428	HONEYWELL, MATTHEW V	Professional services - Invoice	900.00
P0100695	00194428	HONEYWELL, MATTHEW V	Professional services - Invoice	600.00
P0100691	00194485	WESCOM	Witness fee - Radar Expert for	240.00
Org Key: CM1100 - Administration (CM)				
	00194481	US BANK CORP PAYMENT SYS	INTERNATION	1,150.00
	00194481	US BANK CORP PAYMENT SYS	QFC #5839	100.00
	00194481	US BANK CORP PAYMENT SYS	MIOPOSTO - MERCER ISLAND	40.87
	00194481	US BANK CORP PAYMENT SYS	TST* HOMEGROWN 1008	31.69
	00194481	US BANK CORP PAYMENT SYS	AMZN MKTP US	29.00
	00194481	US BANK CORP PAYMENT SYS	AMAZON.COM	27.73
	00194481	US BANK CORP PAYMENT SYS	GA-CAMPUS PARKING 4	4.00
Org Key: CM1200 - City Clerk				
	00194481	US BANK CORP PAYMENT SYS	ARMA INTERNATIONAL	175.00
Org Key: CM1300 - Sustainability				
	00194481	US BANK CORP PAYMENT SYS	GREGGS CYCLES INC	263.93
	00194481	US BANK CORP PAYMENT SYS	Campout, boat rides, solarized	20.00
Org Key: CO6100 - City Council				
	00194481	US BANK CORP PAYMENT SYS	GARLIC CRUSH	260.12
	00194481	US BANK CORP PAYMENT SYS	SAFEWAY #3006	35.97
	00194481	US BANK CORP PAYMENT SYS	SAFEWAY #3006	12.99
	00194481	US BANK CORP PAYMENT SYS	SHUTTERFLY	6.03
	00194481	US BANK CORP PAYMENT SYS	SAFEWAY #3006	5.99
Org Key: CR1100 - CORe Admin and Human Resources				
	00194481	US BANK CORP PAYMENT SYS	INGALLINAS BOX LUNCH INC	1,092.67
P0100640	00194441	MATZKE, NORMAN	Polygraphs (4) for Police	600.00

PO #	Check #	Vendor:	Transaction Description	Check Amount
	00194481	US BANK CORP PAYMENT SYS	INGALLINAS BOX LUNCH INC	438.98
P0100648	00194491	ZEE MEDICAL	City Hall Refill Invoice #6836	187.21
	00194481	US BANK CORP PAYMENT SYS	CRAIGSLIST.ORG	135.00
P0100632	00194430	JOHNSON ROBERTS & ASSOCIATES	Johnson Roberts PHQ Reports -	75.00
	00194481	US BANK CORP PAYMENT SYS	PD oral boards	66.93
	00194481	US BANK CORP PAYMENT SYS	PD oral boards	59.16
	00194481	US BANK CORP PAYMENT SYS	PD oral boards	55.86
	00194481	US BANK CORP PAYMENT SYS	CRAIGSLIST.ORG	45.00
	00194481	US BANK CORP PAYMENT SYS	ALBERTSONS #0458	18.07
	00194481	US BANK CORP PAYMENT SYS	WA DRIVER LICENSE RENEW	13.00
	00194481	US BANK CORP PAYMENT SYS	USPS PO 5453060253	12.90
Org Key: CT1100 - Municipal Court				
P0100474	00194490	XEROX CORPORATION	Xerox invoice #094138748	158.08
Org Key: DS0000 - Development Services-Revenue				
	00194412	ESMB INC	PERMIT REFUND	483.20
Org Key: DS1100 - Administration (DS)				
	00194481	US BANK CORP PAYMENT SYS	HARD ROCK HOTEL	1,872.18
	00194481	US BANK CORP PAYMENT SYS	MBP.COM MERCHANT ACCT	54.10
	00194481	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS WWW.	43.86
Org Key: DS1300 - Land Use Planning Svc				
	00194481	US BANK CORP PAYMENT SYS	GRUB HUB	168.30
	00194481	US BANK CORP PAYMENT SYS	PAGLIACCI MERCER ISLAND	97.00
Org Key: FN1100 - Administration (FN)				
	00194481	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS	21.90
Org Key: FN4501 - Utility Billing (Water)				
	00194425	HARVEY, OLIVIA	WORK PANTS	30.00
Org Key: FN4502 - Utility Billing (Sewer)				
P0100673	00194435	KC RECORDER	1 SEWER LIEN 1 SEWER LIEN RELE	74.00
	00194425	HARVEY, OLIVIA	WORK PANTS	29.99
Org Key: FR1100 - Administration (FR)				
	00194481	US BANK CORP PAYMENT SYS	KING COUNTY FIRE CHIEFS A	450.00
	00194481	US BANK CORP PAYMENT SYS	WASHINGTON AWARDS	442.04
P0097793	00194395	COMCAST	FIRE STATION 92 FIBER CIRCUIT	410.09
	00194481	US BANK CORP PAYMENT SYS	CROWNE PLAZA DOWNTOWN DAL	167.13
P0100525	00194379	ASPECT SOFTWARE INC	Telestaff Monthly Maintenance/	165.00
	00194481	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS WWW.	81.28
	00194451	NOVAK, JOHN	SHADE FOR STATION 91 DECK	75.11
	00194481	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS	22.34
	00194481	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS WWW.	18.65
	00194481	US BANK CORP PAYMENT SYS	SQ *MERCER ISLAND R	15.00
	00194481	US BANK CORP PAYMENT SYS	LAKEVIEW CLEANERS	12.65
	00194481	US BANK CORP PAYMENT SYS	UPS*1ZTJ447D4300025214	12.46
	00194481	US BANK CORP PAYMENT SYS	UPS*2926K44FJEM	6.90
Org Key: FR2100 - Fire Operations				

PO #	Check #	Vendor:	Transaction Description	Check Amount
	00194481	US BANK CORP PAYMENT SYS	AMAZON.COM	62.64
	00194481	US BANK CORP PAYMENT SYS	UPS*1ZTKY9410300015413	21.58
	00194481	US BANK CORP PAYMENT SYS	RITE AID STORE - 5197	8.12
	00194481	US BANK CORP PAYMENT SYS	UPS*2987B2F894Q	6.90
<i>Org Key: FR5100 - Community Risk Reduction</i>				
	00194481	US BANK CORP PAYMENT SYS	GRANDVIEW ON THE LAKE	137.56
	00194405	DEPT OF ENTERPRISES SERVICES	BUSINESS CARD PRINTING	71.76
<i>Org Key: GGM001 - General Government-Misc</i>				
P0097793	00194395	COMCAST	CITY HALL BACKUP INTERNET	846.99
P0100551	00194461	POT O' GOLD INC	Coffee Supplies August 2018	618.62
P0100551	00194461	POT O' GOLD INC	Coffee supplies July 2018	611.07
P0100677	00194406	DUNBAR ARMORED	AUG18 Armored Car Service	598.99
	00194481	US BANK CORP PAYMENT SYS	Seafair Supplies	497.54
	00194481	US BANK CORP PAYMENT SYS	Seafair Supplies	202.38
	00194481	US BANK CORP PAYMENT SYS	Seafair Supplies	200.39
	00194481	US BANK CORP PAYMENT SYS	Seafair Supplies	167.81
	00194481	US BANK CORP PAYMENT SYS	Seafair Supplies	155.24
	00194481	US BANK CORP PAYMENT SYS	Seafair Supplies	86.07
P0100551	00194461	POT O' GOLD INC	Water filter for water cooler	68.31
	00194481	US BANK CORP PAYMENT SYS	Seafair Supplies	66.97
P0100551	00194461	POT O' GOLD INC	Water cooler July 2018	27.50
P0100551	00194461	POT O' GOLD INC	Water cooler Aug 2018	27.50
	00194481	US BANK CORP PAYMENT SYS	Seafair Supplies	21.96
	00194481	US BANK CORP PAYMENT SYS	Seafair Supplies	17.29
<i>Org Key: GGM005 - Genera Govt-L1 Retiree Costs</i>				
P0100661	00194431	JOHNSON, CURTIS	FRLEOFF1 Retiree Medical Expen	492.00
P0100647	00194388	BOOTH, GLENDON D	LEOFF1 Retiree Medical Expense	117.33
P0100646	00194408	ELSOE, RONALD	LEOFF1 Retiree Medical Expense	43.79
<i>Org Key: IS1100 - IGS Mapping</i>				
	00194481	US BANK CORP PAYMENT SYS	PAGLIACCI MERCER ISLAND	35.74
	00194481	US BANK CORP PAYMENT SYS	FRED-MEYER #0031	14.48
<i>Org Key: IS2100 - IGS Network Administration</i>				
	00194481	US BANK CORP PAYMENT SYS	HARD ROCK HOTEL	651.06
	00194481	US BANK CORP PAYMENT SYS	VIMEO PRO	218.91
	00194481	US BANK CORP PAYMENT SYS	AMAZON.COM	205.69
	00194481	US BANK CORP PAYMENT SYS	MSFT * E040063G3J	177.60
	00194481	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS	163.90
	00194481	US BANK CORP PAYMENT SYS	SUSHI JOA RESTAURANT	71.40
	00194481	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS	47.65
	00194481	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS	37.66
	00194481	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS WWW.	37.38
	00194481	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS	28.58
	00194481	US BANK CORP PAYMENT SYS	THE UPS STORE #1081	22.92
	00194481	US BANK CORP PAYMENT SYS	AMAZON WEB SERVICES	21.42
	00194481	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS	14.28
	00194481	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS WWW.	13.18
	00194481	US BANK CORP PAYMENT SYS	LOGMEIN*GOTOMEETING	9.62

PO #	Check #	Vendor:	Transaction Description	Check Amount
	00194481	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS WWW.	8.79
	00194481	US BANK CORP PAYMENT SYS	HARD ROCK HOTEL	5.17
<i>Org Key: MT2100 - Roadway Maintenance</i>				
P0100625	00194427	HOME DEPOT CREDIT SERVICE	LEVEL & BIT SET	69.23
<i>Org Key: MT2500 - ROW Administration</i>				
P0098360	00194464	REPUBLIC SERVICES #172	2018 PW ROW DISPOSAL/RECYCLING	1,186.86
P0098354	00194464	REPUBLIC SERVICES #172	2018 PW SWEEPER HAUL AWAY	195.20
<i>Org Key: MT3100 - Water Distribution</i>				
P0100629	00194381	BEN'S CLEANER SALES INC	JUMPER HOSE	35.89
<i>Org Key: MT3150 - Water Quality Event</i>				
P91202	00194396	CONFLUENCE ENGINEERING GRP LLC	INV 07-1117 PHASE 3 MICROBIAL	2,308.38
P0100600	00194443	METROPRESORT	JULY BACKFLOW LETTERS	1,360.50
	00194480	UPS	SHIPPING FEE	150.39
<i>Org Key: MT3300 - Water Associated Costs</i>				
P0098360	00194464	REPUBLIC SERVICES #172	2018 PW SEWER DISPOSAL/RECYCLI	131.88
	00194481	US BANK CORP PAYMENT SYS	AWWA.ORG	75.50
<i>Org Key: MT3400 - Sewer Collection</i>				
P94698	00194383	BEST PARKING LOT CLEANING INC	2017-18 SANITARY SEWER CCTV	2,784.38
P94698	00194383	BEST PARKING LOT CLEANING INC	2017-18 SANITARY SEWER CCTV	1,815.00
P94698	00194383	BEST PARKING LOT CLEANING INC	2017-18 SANITARY SEWER CCTV	445.50
<i>Org Key: MT3500 - Sewer Pumps</i>				
P0100420	00194401	CUMMINS INC	PS GENERATOR MAINTENANCE	6,437.94
	00194392	CENTURYLINK	PHONE USE AUGUST 2018	3,599.68
P0100420	00194401	CUMMINS INC	PS 25 MAINTENANCE	383.60
P0100420	00194401	CUMMINS INC	PS 24 MAINTENANCE	383.60
<i>Org Key: MT3600 - Sewer Associated Costs</i>				
P0098360	00194464	REPUBLIC SERVICES #172	2018 PW WATER DISPOSAL/RECYCL	131.87
<i>Org Key: MT3800 - Storm Drainage</i>				
P0100605	00194383	BEST PARKING LOT CLEANING INC	2018 ON CALL STORMWATER CCTV	2,105.67
P0100605	00194383	BEST PARKING LOT CLEANING INC	2018 ON CALL STORMWATER CCTV	2,035.85
P0100605	00194383	BEST PARKING LOT CLEANING INC	2018 ON CALL STORMWATER CCTV	1,950.35
P0100605	00194383	BEST PARKING LOT CLEANING INC	2018 ON CALL STORMWATER CCTV	1,847.27
P0100605	00194383	BEST PARKING LOT CLEANING INC	2018 ON CALL STORMWATER CCTV	1,474.40
P0100605	00194383	BEST PARKING LOT CLEANING INC	2018 ON CALL STORMWATER CCTV	376.20
P0100565	00194471	SUMMIT SAFETY SHOES	SAFETY BOOTS	225.45
<i>Org Key: MT3810 - NPDES Phase 2 Prog Developmt</i>				
	00194481	US BANK CORP PAYMENT SYS	STORMWATER CONFERENCE	900.00
<i>Org Key: MT4150 - Support Services - Clearing</i>				
P0098167	00194482	VERIZON WIRELESS	2018 PW CELLULAR & DATA SERVIC	2,989.55
P0099091	00194393	CINTAS CORPORATION #460	2018 COVERALL/LAUNDRY SERVICE	1,229.10
P0098168	00194489	XEROX CORPORATION	2018 PW BASE AND METER COPY CH	487.07
P0100649	00194488	WORKSAFE SERVICE INC, A	Drug Testing J. Langlois Invoi	55.00
	00194481	US BANK CORP PAYMENT SYS	PARTY CITY	32.97

PO #	Check #	Vendor:	Transaction Description	Check Amount
	00194481	US BANK CORP PAYMENT SYS	IPM STADIUM PLACE	9.00
<i>Org Key: MT4200 - Building Services</i>				
P0100665	00194401	CUMMINS INC	GENERATOR MAINT EOC PORTABLE	553.48
P0100651	00194401	CUMMINS INC	SHOP GENERATOR MAINT	388.97
P0100650	00194401	CUMMINS INC	GENERATOR SHOP PORTABLE	385.92
P0100653	00194454	PACIFIC AIR CONTROL INC	TROUBLE SHOOT HP13 CITY HALL	385.00
P0100652	00194454	PACIFIC AIR CONTROL INC	FS92 LEAK REPAIR	314.60
P0100655	00194429	INTERIOR FOLIAGE CO, THE	CITY HALL INTERIOR LANDSCAPING	283.80
P0100654	00194429	INTERIOR FOLIAGE CO, THE	CITY HALL INTERIOR LANDSCAPING	272.58
	00194481	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS	112.22
	00194481	US BANK CORP PAYMENT SYS	PRO PEST PRODUCTS INC	109.15
	00194481	US BANK CORP PAYMENT SYS	WALMART.COM 8009666546	71.86
	00194481	US BANK CORP PAYMENT SYS	SQ *FALLAH MICROANA	55.00
	00194481	US BANK CORP PAYMENT SYS	LOWES #01573*	32.77
<i>Org Key: MT4210 - Building Landscaping</i>				
P0096954	00194418	GARDEN CYCLES	City Shop Vegetation Managemen	8,155.84
P0096954	00194418	GARDEN CYCLES	10% Retainage	573.32
P0098360	00194464	REPUBLIC SERVICES #172	2018 PW FACILITIES	131.88
<i>Org Key: MT4300 - Fleet Services</i>				
P0100599	00194419	GOODYEAR TIRE & RUBBER CO, THE	TIRE INVENTORY	2,025.35
P88915	00194436	KIA MOTORS FINANCE	DSG 2016 KIA SOUL LEASE	263.96
	00194481	US BANK CORP PAYMENT SYS	CHEVRON 0356816	100.00
	00194481	US BANK CORP PAYMENT SYS	SHELL OIL 57424192508	60.82
P0098287	00194462	PRAXAIR DISTRIBUTION INC	2018 ACETYLENE & OXYGEN TANK R	50.99
	00194481	US BANK CORP PAYMENT SYS	GOOD2GO-INTERNET	9.05
	00194481	US BANK CORP PAYMENT SYS	GOOD2GO-INTERNET	3.25
<i>Org Key: MT4420 - Transportation Planner Eng</i>				
	00194481	US BANK CORP PAYMENT SYS	MIOPOSTO - MERCER ISLAND	40.27
<i>Org Key: MT4450 - Cust Resp - Clearing Acct</i>				
	00194424	HARB, SAM	WORK CLOTHES	48.36
<i>Org Key: MT4501 - Water Administration</i>				
	00194481	US BANK CORP PAYMENT SYS	POGACHA RESTAURANT	102.46
<i>Org Key: PO1100 - Administration (PO)</i>				
P0100633	00194385	BLACK KNIGHT EMBLEM &	Department Challenge Coin - In	1,467.00
P0100633	00194385	BLACK KNIGHT EMBLEM &	Department Challenge Coin - In	548.90
P0100690	00194469	SHEPARD TRANSCRIPTION LLC	Transcription of internal	246.00
P0100638	00194484	WASHINGTON STATE PATROL	CPL Backgrounds - Invoice #	84.00
	00194481	US BANK CORP PAYMENT SYS	Fuel for Commander Vehicle	63.00
	00194481	US BANK CORP PAYMENT SYS	QFC #5839	37.29
	00194481	US BANK CORP PAYMENT SYS	Phone battery	31.90
	00194481	US BANK CORP PAYMENT SYS	QFC #5839	26.96
	00194481	US BANK CORP PAYMENT SYS	SQ *MERCER ISLAND R	15.00
	00194481	US BANK CORP PAYMENT SYS	SQ *MERCER ISLAND R	15.00
<i>Org Key: PO1350 - Police Emergency Management</i>				
	00194481	US BANK CORP PAYMENT SYS	NORTH COAST MOVING & S	942.50

PO #	Check #	Vendor:	Transaction Description	Check Amount
	00194417	FRANKLIN, JENNIFER D	NATL NIGHT OUT SUPPLIES	372.97
<i>Org Key: PO1700 - Records and Property</i>				
P0100492	00194490	XEROX CORPORATION	Admin Copier - Invoice # 04913	415.64
	00194481	US BANK CORP PAYMENT SYS	Toner for Records Printer	218.77
P0100492	00194490	XEROX CORPORATION	Records Copier - Invoice # 094	209.25
	00194481	US BANK CORP PAYMENT SYS	Toner for Records FAX machine	82.49
	00194481	US BANK CORP PAYMENT SYS	Registration for Pubic Records	35.00
<i>Org Key: PO1900 - Jail/Home Monitoring</i>				
P0100637	00194466	SCORE	Jail Fees for SCORE - Invoice	6,650.00
<i>Org Key: PO2100 - Patrol Division</i>				
P0100635	00194437	KROESENS UNIFORM COMPANY	Uniforms for New Officer Willi	1,880.35
P0100698	00194472	SUPERIOR TOWING INC	Impound - CS#: 2018-08929 - In	192.50
	00194481	US BANK CORP PAYMENT SYS	Uniform duty pants	109.99
P0100635	00194437	KROESENS UNIFORM COMPANY	Uniforms for Sgt Seifert - Inv	56.08
<i>Org Key: PO2200 - Marine Patrol</i>				
P0100639	00194389	BUMPERCHUTE CO	Dive Flags for MP Boats - Invo	514.78
	00194481	US BANK CORP PAYMENT SYS	Seafair supplies	323.83
	00194481	US BANK CORP PAYMENT SYS	seafair ice	35.02
	00194481	US BANK CORP PAYMENT SYS	Seafair ice	26.27
	00194481	US BANK CORP PAYMENT SYS	Seafair ice	8.76
<i>Org Key: PO2201 - Dive Team</i>				
P0100689	00194478	UNDERWATER SPORTS INC.	Dive Team Equipment Repair -	683.10
P0100641	00194478	UNDERWATER SPORTS INC.	Dive Team Equipment Repair -	478.61
<i>Org Key: PO2450 - Special Operations Team</i>				
	00194481	US BANK CORP PAYMENT SYS	Uniforms for new TRU officers	315.01
<i>Org Key: PO3100 - Investigation Division</i>				
P0100634	00194476	THOMSON REUTERS - WEST	Investigative Service - Invoic	334.48
	00194481	US BANK CORP PAYMENT SYS	Replacement for broken CIS fri	251.90
	00194481	US BANK CORP PAYMENT SYS	Camera-Mercerdale Park	19.99
<i>Org Key: PO3350 - School Resource Officer</i>				
	00194481	US BANK CORP PAYMENT SYS	Munoz-Internet Safety training	316.26
<i>Org Key: PO4100 - Firearms Training</i>				
	00194481	US BANK CORP PAYMENT SYS	Eye/ear protection for new off	43.94
	00194481	US BANK CORP PAYMENT SYS	Filler sandbags for training	18.70
<i>Org Key: PO4300 - Police Training</i>				
	00194481	US BANK CORP PAYMENT SYS	ALICE certification renewal	10.00
<i>Org Key: PR0000 - Parks & Recreation-Revenue</i>				
P0100489	00194473	SUTTON, SCOTT D	Gallery Sales - 75%	375.00
P0100676	00194384	BIELMAN, BEKA	Gallery sales of Kaleidoscope	300.00
P0100488	00194426	HENDRICKS, MORGAN T	Gallery Sales - 75%	131.25
P0100674	00194446	MOLENDIA, CARRIE	Gallery Sales - Spring flowers	37.50
<i>Org Key: PR1100 - Administration (PR)</i>				
P0100613	00194452	NRPA	NRPA Annual Premier Package	650.00

PO #	Check #	Vendor:	Transaction Description	Check Amount
P0097792	00194490	XEROX CORPORATION	Lease and print/copy charges f	516.99
P0100602	00194449	NEW FINISHES INC	SAND BLAST & PAINT PARK BENCH	357.83
P0100667	00194483	VERIZON WIRELESS	P&R Monthly cell phone bill Ju	217.90
P0097873	00194489	XEROX CORPORATION	2018 - Lease charges for LB Ad	144.30
	00194481	US BANK CORP PAYMENT SYS	COSTCO WHSE #0110	135.19
P0097711	00194400	CRYSTAL AND SIERRA SPRINGS	Monthly water service for LB B	72.72
	00194481	US BANK CORP PAYMENT SYS	P&R YFS online E-newsletters	55.00
	00194405	DEPT OF ENTERPRISES SERVICES	BUSINESS CARD PRINTING	47.86
	00194481	US BANK CORP PAYMENT SYS	IKEA SEATTLE	40.66
	00194481	US BANK CORP PAYMENT SYS	ISLANDER	40.24
	00194481	US BANK CORP PAYMENT SYS	WEB*REGISTERWEBSITE	38.00
	00194481	US BANK CORP PAYMENT SYS	Online dept. surveys	35.00
P0097873	00194489	XEROX CORPORATION	Use charge 6-22-18 to 7-20-18	15.84
	00194481	US BANK CORP PAYMENT SYS	AMAZON.COM AMZN.COM/BILL	13.96
Org Key: PR1500 - Urban Forest Management				
	00194481	US BANK CORP PAYMENT SYS	COSTCO WHSE #0001	236.72
	00194481	US BANK CORP PAYMENT SYS	THE HOME DEPOT #8944	12.08
Org Key: PR2100 - Recreation Programs				
	00194481	US BANK CORP PAYMENT SYS	Senior Trip Deposit for lunch	551.00
	00194481	US BANK CORP PAYMENT SYS	CRYSTAL MOUNTAIN	528.00
	00194481	US BANK CORP PAYMENT SYS	THE HOME DEPOT #4711	65.07
	00194481	US BANK CORP PAYMENT SYS	Senior golf	50.00
	00194481	US BANK CORP PAYMENT SYS	Senior golf	16.30
	00194481	US BANK CORP PAYMENT SYS	AMAZON VIDEO ON DEMAND	9.89
Org Key: PR2101 - Youth and Teen Camps				
P0100627	00194432	JOHNSON, JEFFREY WAYNE	Instructor fees - course #1758	2,730.00
P0100670	00194398	COOK LEARN GROW LLC	Summer Camps - whole healthy k	2,142.00
P0100618	00194378	ART FOR KIDS	Instructor fees - Course #0183	1,260.00
	00194481	US BANK CORP PAYMENT SYS	Day Camp Field Trip	594.00
P0100672	00194415	FIRST STUDENT INC	Transportation to Elevated Spo	526.25
P0100617	00194415	FIRST STUDENT INC	Transportation for Cheney Stad	526.25
	00194481	US BANK CORP PAYMENT SYS	Camp Mercer Field Trip.	458.90
	00194481	US BANK CORP PAYMENT SYS	Camp Mercer field trip	441.00
P0100615	00194456	PARKINK	Tshirts & sweatshirts	339.95
	00194481	US BANK CORP PAYMENT SYS	Mini Mercer Supplies	173.97
	00194481	US BANK CORP PAYMENT SYS	Payment to Rent-A-Center for r	139.65
	00194481	US BANK CORP PAYMENT SYS	Mini Mercer Supplies	100.72
	00194481	US BANK CORP PAYMENT SYS	Supplies for Summer Staff Meet	95.01
	00194481	US BANK CORP PAYMENT SYS	Safety Town Supplies	58.03
	00194481	US BANK CORP PAYMENT SYS	Camp supplies	54.84
	00194481	US BANK CORP PAYMENT SYS	Safety Town Supplies	39.48
	00194481	US BANK CORP PAYMENT SYS	Camp supplies	38.20
	00194481	US BANK CORP PAYMENT SYS	Safety Town Supplies	15.26
	00194481	US BANK CORP PAYMENT SYS	Camp supplies	9.98
	00194481	US BANK CORP PAYMENT SYS	Mini Mercer Sports supplies	9.98
	00194481	US BANK CORP PAYMENT SYS	Camp supplies	7.98
	00194481	US BANK CORP PAYMENT SYS	Camp supplies	6.57
	00194481	US BANK CORP PAYMENT SYS	Camp supplies	5.98

PO #	Check #	Vendor:	Transaction Description	Check Amount
	00194481	US BANK CORP PAYMENT SYS	Camp supplies	4.28
	00194481	US BANK CORP PAYMENT SYS	Adventure Playground supplies	1.43
<i>Org Key: PR2103 - Aquatics Programs</i>				
	00194481	US BANK CORP PAYMENT SYS	Otter pops for lifeguard shack	10.00
<i>Org Key: PR2104 - Special Events</i>				
P0100336	00194411	EPIC EVENTS & PROMOTION INC	Outdoor Cinema Services July 2	2,475.00
P0100669	00194474	SWANK MOTION PICTURES INC	Movie usage - A Wrinkle in Tim	422.12
	00194481	US BANK CORP PAYMENT SYS	Tent deposit for Community Cam	300.00
	00194481	US BANK CORP PAYMENT SYS	Movies in the Park supplies	78.52
	00194481	US BANK CORP PAYMENT SYS	Community Campout supplies	64.40
	00194481	US BANK CORP PAYMENT SYS	Movies in the Park supplies	38.26
	00194481	US BANK CORP PAYMENT SYS	Movies in the Park supplies	20.88
	00194481	US BANK CORP PAYMENT SYS	i-phone adapter for sound syst	8.13
<i>Org Key: PR2108 - Health and Fitness</i>				
P0100683	00194409	EMERALD BALLET THEATRE	Instructor fees - course #0315	1,541.75
P0100611	00194438	LEDBETTER-KRAFT, DELORES E	Instructor fees - Course #0599	1,032.52
P0100683	00194409	EMERALD BALLET THEATRE	Instructor fees - course #0317	973.00
P0100609	00194465	SALZETTI, ERIC	Instructor fees - Course #0580	809.20
P0100623	00194455	PACIFIC NW NAGINATA FEDERATION	Instructor fees - course #0631	619.50
	00194481	US BANK CORP PAYMENT SYS	Day camp field trip. Op's ove	603.00
P0100619	00194459	PAULETTO, MAUDE	Instructor fees - Course #0667	570.15
P0100619	00194459	PAULETTO, MAUDE	Instructor fees - Course #0604	502.95
P0100609	00194465	SALZETTI, ERIC	Instructor fees - Course #0574	268.10
P0100616	00194459	PAULETTO, MAUDE	Instructor fees - Course #0666	208.95
P0100610	00194422	GRAY, KATY S.	Instructor fees - course #0298	151.20
	00194481	US BANK CORP PAYMENT SYS	THE HOME COURSE	69.21
	00194481	US BANK CORP PAYMENT SYS	LYNNWOOD GOLF COURSE	46.00
	00194481	US BANK CORP PAYMENT SYS	BATTLE CREEK GOLF COURSE	42.47
	00194481	US BANK CORP PAYMENT SYS	Golf Driver	42.00
	00194481	US BANK CORP PAYMENT SYS	Golf Driver	39.00
	00194481	US BANK CORP PAYMENT SYS	MOUNT SI GOLF COURSE -	29.00
	00194481	US BANK CORP PAYMENT SYS	CITY OF KENT-GOLF COURSE	20.00
	00194481	US BANK CORP PAYMENT SYS	AUBURN GOLF COURSE	18.00
	00194481	US BANK CORP PAYMENT SYS	THE HOME COURSE	14.00
	00194481	US BANK CORP PAYMENT SYS	LYNNWOOD GOLF COURSE	5.00
	00194481	US BANK CORP PAYMENT SYS	LYNNWOOD GOLF COURSE	2.50
<i>Org Key: PR3500 - Senior Services</i>				
	00194481	US BANK CORP PAYMENT SYS	NASCO FORT ATKINSON	740.10
P0100662	00194374	US POSTMASTER	Postage for looking ahead	258.87
P0100667	00194483	VERIZON WIRELESS	P&R Monthly cell phone bill Ju	74.39
	00194481	US BANK CORP PAYMENT SYS	Senior Lunch & Conversation su	70.43
	00194481	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS	35.46
	00194481	US BANK CORP PAYMENT SYS	COSTCO WHSE #0001	27.91
P0097868	00194439	M & M BALLOON CO	Helium Tank rental for MICEC	15.40
	00194481	US BANK CORP PAYMENT SYS	QFC #5839	14.86
	00194481	US BANK CORP PAYMENT SYS	QFC #5839	9.86
	00194481	US BANK CORP PAYMENT SYS	MERCER ISLAND TRUE VALUE	7.68
	00194481	US BANK CORP PAYMENT SYS	QFC #5839	3.69

PO #	Check #	Vendor:	Transaction Description	Check Amount
<i>Org Key: PR4100 - Community Center</i>				
P0100677	00194406	DUNBAR ARMORED	AUG18 Armored Car Service	598.99
P0097878	00194489	XEROX CORPORATION	Use charge 6-21-18 to 7-26-18	419.04
	00194481	US BANK CORP PAYMENT SYS	SIGNAL PERFECTION LTD	385.40
P0097878	00194489	XEROX CORPORATION	2018 Lease charges for MICEC C	267.20
	00194481	US BANK CORP PAYMENT SYS	AMZN MKTP US	192.12
P0097871	00194394	COMCAST	2018 High Speed Internet Conne	163.58
	00194481	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS WWW.	150.52
	00194481	US BANK CORP PAYMENT SYS	DS SERVICES STANDARD COFF	139.46
	00194481	US BANK CORP PAYMENT SYS	DISPLAYS2GO	125.75
	00194481	US BANK CORP PAYMENT SYS	B&H PHOTO 800-606-6969	122.49
	00194481	US BANK CORP PAYMENT SYS	AMAZON.COM	101.46
	00194481	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS	73.08
	00194481	US BANK CORP PAYMENT SYS	AMAZON.COM	55.76
P0100622	00194458	PART WORKS INC., THE	SINK FITTINGS	50.14
	00194481	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS WWW.	43.99
P0100667	00194483	VERIZON WIRELESS	P&R Monthly cell phone bill Ju	32.80
	00194481	US BANK CORP PAYMENT SYS	WEST BEND	23.05
	00194481	US BANK CORP PAYMENT SYS	WALMART.COM	18.28
	00194481	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS	11.32
	00194481	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS	8.99
	00194481	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS WWW.	8.99
	00194481	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS WWW.	7.15
	00194481	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS WWW.	-1.16
<i>Org Key: PR5200 - Public Art</i>				
	00194481	US BANK CORP PAYMENT SYS	Deposit for new signage for Gr	543.00
<i>Org Key: PR5400 - Gallery Program</i>				
P0100675	00194487	WILBORN, DAVID	Gallery Reception Musician 6-1	150.00
	00194481	US BANK CORP PAYMENT SYS	Puget Sound Sumi Artists recep	43.90
<i>Org Key: PR5600 - Cultural & Performing Arts</i>				
P0100666	00194468	SEATTLE SHAKESPEARE COMPANY	Shakespeare in the park	7,000.00
	00194481	US BANK CORP PAYMENT SYS	Zip ties to hang banners at P&	3.27
<i>Org Key: PR5900 - Summer Celebration</i>				
P0100564	00194486	WESTERN DISPLAY FIREWORKS LTD	Fireworks show for 2018 Summer	15,000.00
	00194481	US BANK CORP PAYMENT SYS	SMART FOODSVC 52105517	386.85
	00194481	US BANK CORP PAYMENT SYS	COSTCO WHSE #0001	380.96
	00194481	US BANK CORP PAYMENT SYS	Staff pre event meeting/picnic	370.56
	00194481	US BANK CORP PAYMENT SYS	BEST WESTERN ALDERWOOD	303.93
	00194481	US BANK CORP PAYMENT SYS	BEST WESTERN ALDERWOOD	303.93
	00194481	US BANK CORP PAYMENT SYS	QDOBA 2390	246.40
	00194481	US BANK CORP PAYMENT SYS	QDOBA 2390	246.40
	00194481	US BANK CORP PAYMENT SYS	QFC #5839	135.72
	00194481	US BANK CORP PAYMENT SYS	FRED-MEYER #0180	126.18
	00194481	US BANK CORP PAYMENT SYS	Summer Celebration! 2018 parad	105.76
	00194481	US BANK CORP PAYMENT SYS	SMART FOODSVC 52105574	104.03
	00194481	US BANK CORP PAYMENT SYS	PAYPAL *CARLYCALLAN	100.00
	00194481	US BANK CORP PAYMENT SYS	SC Craft Sand	92.22

PO #	Check #	Vendor:	Transaction Description	Check Amount
P0100631	00194444	MI HARDWARE - MAINT	MISC. HARDWARE FOR THE MONTH O	94.73
	00194481	US BANK CORP PAYMENT SYS	Rebar / supplies for Sat. nigh	71.51
	00194481	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS WWW.	68.25
	00194481	US BANK CORP PAYMENT SYS	NEW SEASONS MARKET	65.00
	00194481	US BANK CORP PAYMENT SYS	Supplies for SC! Parade	61.51
	00194481	US BANK CORP PAYMENT SYS	FRED-MEYER #0180	54.21
	00194481	US BANK CORP PAYMENT SYS	SMART FOODSVC 52105517	48.30
P0100612	00194445	MI HARDWARE - P&R	Misc P&R supplies	46.87
	00194481	US BANK CORP PAYMENT SYS	Campout, boat rides, solarized	39.87
	00194481	US BANK CORP PAYMENT SYS	Supplies for SC! Parade	39.00
	00194481	US BANK CORP PAYMENT SYS	Pizza for Skate Event voluntee	35.79
	00194481	US BANK CORP PAYMENT SYS	AMAZON.COM	35.78
	00194481	US BANK CORP PAYMENT SYS	MOS PIZZA - WA	22.98
	00194481	US BANK CORP PAYMENT SYS	DOLLAR TREE	21.89
	00194481	US BANK CORP PAYMENT SYS	RITE AID STORE - 5197	20.87
	00194481	US BANK CORP PAYMENT SYS	WALGREENS #3733	19.09
	00194481	US BANK CORP PAYMENT SYS	MERCER ISLAND TRUE VALUE	18.35
	00194481	US BANK CORP PAYMENT SYS	TARGET 00011189	16.49
	00194481	US BANK CORP PAYMENT SYS	AMAZON.COM AMZN.COM/BILL	16.45
	00194481	US BANK CORP PAYMENT SYS	HOBBY LOBBY #481	16.31
	00194481	US BANK CORP PAYMENT SYS	Staff pre-event meeting/picnic	15.25
	00194481	US BANK CORP PAYMENT SYS	Wash for SC! Parade parks Truc	14.95
	00194481	US BANK CORP PAYMENT SYS	D batteries	12.42
	00194481	US BANK CORP PAYMENT SYS	QFC #5839	11.74
	00194481	US BANK CORP PAYMENT SYS	RITE AID STORE - 5197	11.52
	00194481	US BANK CORP PAYMENT SYS	Spray paint	9.81
Org Key: PR6100 - Park Maintenance				
P0098360	00194464	REPUBLIC SERVICES #172	2018 PARKS DISPOSAL/RECYCLING	527.49
P0100628	00194381	BEN'S CLEANER SALES INC	REPAIR & SERVICE PRESSURE WASH	375.92
P0100667	00194483	VERIZON WIRELESS	P&R Monthly cell phone bill Ju	188.90
P0100631	00194444	MI HARDWARE - MAINT	MISC. HARDWARE FOR THE MONTH O	138.42
	00194404	DEPARTMENT OF ECOLOGY	WATER RIGHTS PERMIT EXTENSION	50.00
P0100628	00194381	BEN'S CLEANER SALES INC	NOZZLES	32.25
P0100592	00194427	HOME DEPOT CREDIT SERVICE	KNEE PADS	26.34
Org Key: PR6200 - Athletic Field Maintenance				
P0100667	00194483	VERIZON WIRELESS	P&R Monthly cell phone bill Ju	126.03
P0100649	00194488	WORKSAFE SERVICE INC, A	Drug Testing S. Brady Invoice	35.00
Org Key: PR6500 - Luther Burbank Park Maint.				
P0100667	00194483	VERIZON WIRELESS	P&R Monthly cell phone bill Ju	141.21
P0100612	00194445	MI HARDWARE - P&R	Misc P&R supplies	29.68
Org Key: PR6600 - Park Maint-School Related				
P0100667	00194483	VERIZON WIRELESS	P&R Monthly cell phone bill Ju	26.99
Org Key: PR6700 - I90 Park Maintenance				
P0098360	00194464	REPUBLIC SERVICES #172	2018 PARKS DISPOSAL/RECYCLING	527.49
P0100628	00194381	BEN'S CLEANER SALES INC	REPAIR & SERVICE PRESSURE WASH	375.92
	00194481	US BANK CORP PAYMENT SYS	RAINMASTER	328.90
	00194481	US BANK CORP PAYMENT SYS	FISHERIES SUPPLY	167.14

PO #	Check #	Vendor:	Transaction Description	Check Amount
P0100667	00194483	VERIZON WIRELESS	P&R Monthly cell phone bill Ju	141.20
P0100631	00194444	MI HARDWARE - MAINT	MISC. HARDWARE FOR THE MONTH O	41.13
P0097872	00194475	T-MOBILE	2018 Service for Boat Launch T	20.00
<i>Org Key: PR6800 - Trails Maintenance</i>				
P0100667	00194483	VERIZON WIRELESS	P&R Monthly cell phone bill Ju	20.00
<i>Org Key: ST0002 - ST Long Term Parking</i>				
P0100021	00194457	PARKWAY CENTER MANAGEMENT GRP	ST Long Term Parking - Monthl	4,000.00
P0100694	00194440	MARTEN LAW	Professional services - Invoice	480.19
<i>Org Key: WD130R - Street Related Storm Projects</i>				
P0099635	00194387	BONNER BROTHERS CONST INC	2018 STREET RELATED DRAINAGE I	67,798.25
<i>Org Key: WG107R - Luther Burbank Admin Bldg Rep</i>				
P0100663	00194376	AMERICAN RESIDENTIAL SERVICES	LB ADMIN DRAINAGE REPAIR	2,164.80
P0100664	00194376	AMERICAN RESIDENTIAL SERVICES	ADMIN BLDG DRAINAGE REPAIR	2,103.20
<i>Org Key: WG110T - Computer Equip Replacements</i>				
P0100548	00194402	DATEC INC.	Extension brackets for MDC Fir	99.00
	00194481	US BANK CORP PAYMENT SYS	AMZN MKTP US AMZN.COM/BIL	23.75
	00194481	US BANK CORP PAYMENT SYS	AMZN MKTP US	14.29
<i>Org Key: WG130E - Equipment Rental Vehicle Repl</i>				
P94483	00194436	KIA MOTORS FINANCE	DSG 2016 KIA SOUL LEASE	211.36
<i>Org Key: WG141E - MICEC Equipment Replacement</i>				
	00194481	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS WWW.	355.41
<i>Org Key: WG550R - Fuel Clean Up</i>				
P0099477	00194413	FARALLON CONSULTING LLC	PHASE 3 TECHNICAL SERVICES FOR	810.00
<i>Org Key: WP122P - Open Space - Pioneer/Engstrom</i>				
P93946	00194407	EARTHCORPS INC	2017-2018 Earthcorps Volunteer	750.00
P93597	00194448	MOUNTAINS TO SOUND	2017-18 Mountains to Sound Gre	540.00
	00194481	US BANK CORP PAYMENT SYS	THE HOME DEPOT #4711	63.74
<i>Org Key: WP122R - Vegetation Management</i>				
P0098114	00194416	FOREST CLOUDS LLC	Ellis Pond Vegetation Work 201	5,919.07
P93597	00194448	MOUNTAINS TO SOUND	2017-18 Mountains to Sound Gre	5,116.75
P93946	00194407	EARTHCORPS INC	2017 - 2018 EarthCorps Volunt	1,620.00
P0097978	00194447	MONARCH LANDSCAPING WA LLC	Luther Burbank Park Vegetation	1,600.00
P0097782	00194479	UNITED SITE SERVICES	Volunteer Event Portable Restr	66.44
P0100667	00194483	VERIZON WIRELESS	P&R Monthly cell phone bill Ju	20.00
P0100612	00194445	MI HARDWARE - P&R	Misc P&R supplies	11.86
<i>Org Key: WP700P - Aubrey Davis Multiuse Corridor</i>				
P0100614	00194397	CONSOLIDATED PRESS	Printing of ADP Postcards	464.94
<i>Org Key: WP710C - Street End - Lincoln Landing</i>				
P0095391	00194460	PND ENGINEERS INC	Lincoln Landing Design Enginee	150.00
<i>Org Key: WR517R - SE 40th (A) Corridor Improvemt</i>				
P0099634	00194433	KAMINS CONSTRUCTION INC	SE 40TH ST. CORRIDOR IMPROVEME	230,238.59

PO #	Check #	Vendor:	Transaction Description	Check Amount
<i>Org Key: WW117R - Street Related Water Impvts</i>				
P0099634	00194433	KAMINS CONSTRUCTION INC	SE 40TH ST. CORRIDOR IMPROVEME	44,678.54
<i>Org Key: WW523R - EMW 5400-6000 Block Watermain</i>				
P0099055	00194380	B&B UTILITIES & EXCAVATION LLC	EMW 5400-600 BLK WATER SYSTEM	261,659.81
<i>Org Key: WW717R - Main SE 22nd Street</i>				
P0095975	00194386	BLUELINE GROUP	SE 22ND ST SE 22ND WATER	5,658.75
<i>Org Key: XD310C - Basins 10 & 32b Dissol Metal</i>				
P0100557	00194434	KC FINANCE	Oyster Shell Retrofit Effectiv	16,400.29
<i>Org Key: XG150T - Small Tech/Equipment</i>				
	00194481	US BANK CORP PAYMENT SYS	AMZN MKTP US	1,375.00
<i>Org Key: XP710R - Luther BB Minor Capital LEVY</i>				
P0099888	00194477	TRUE NORTH LAND SURVEYING INC	Luther Burbank Topographic Sur	4,694.88
P0100668	00194382	BERGER PARTNERSHIP PS, THE	Luther Burbank Waterfront Plaz	3,851.27
P0096212	00194377	ANCHOR QEA LLC	Luther Burbank South Shoreline	3,233.80
P0095040	00194390	CARDINAL ARCHITECTURE PC	LBP Boiler Building Drainage &	1,242.50
<i>Org Key: YF1100 - YFS General Services</i>				
P0097792	00194490	XEROX CORPORATION	Lease and print/copy charges f	496.15
	00194481	US BANK CORP PAYMENT SYS	SSP*SOFTERWARE, INC.	295.00
P0100677	00194406	DUNBAR ARMORED	AUG18 Armored Car Service	282.93
	00194481	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS	192.12
	00194481	US BANK CORP PAYMENT SYS	COSTCO WHSE #0110	135.19
	00194399	CORK, TAMBI A	VOLUNTEER THANK YOU	75.00
P0097711	00194400	CRYSTAL AND SIERRA SPRINGS	Monthly water service for LB B	72.73
P0097713	00194414	FEDEX OFFICE	Lamination, cutting & other p	66.00
	00194481	US BANK CORP PAYMENT SYS	SMART FOODSVC 52105590	47.80
	00194481	US BANK CORP PAYMENT SYS	AMZN MKTP US AMZN.COM/BIL	26.26
	00194405	DEPT OF ENTERPRISES SERVICES	BUSINESS CARD PRINTING	23.93
	00194481	US BANK CORP PAYMENT SYS	STARBUCKS STORE 03330	18.65
	00194481	US BANK CORP PAYMENT SYS	NEW SEASONS MARKET	18.25
	00194481	US BANK CORP PAYMENT SYS	SQ *MERCER ISLAND R	15.00
	00194481	US BANK CORP PAYMENT SYS	AMZN MKTP US AMZN.COM/BIL	9.89
<i>Org Key: YF1200 - Thrift Shop</i>				
P0100677	00194406	DUNBAR ARMORED	AUG18 Armored Car Service	598.99
P0100620	00194442	MERCER ISLAND GUILD OF	Advertising for the 2018 Merce	450.00
	00194481	US BANK CORP PAYMENT SYS	COSTCO *BUS DELIV 115	302.33
	00194481	US BANK CORP PAYMENT SYS	COSTCO WHSE #0001	100.09
	00194481	US BANK CORP PAYMENT SYS	AMAZON.COM	75.96
	00194481	US BANK CORP PAYMENT SYS	MOOD PANDORA	29.64
<i>Org Key: YF2200 - Senior Outreach Program</i>				
	00194481	US BANK CORP PAYMENT SYS	PESI INC	199.99
<i>Org Key: YF2300 - VOICE Program</i>				
	00194399	CORK, TAMBI A	TEEN FEED SUPPLIES	226.15
	00194481	US BANK CORP PAYMENT SYS	COSTCO WHSE #0110	202.62
	00194481	US BANK CORP PAYMENT SYS	IMP*PAYPARKINGNOTICE	38.00

PO #	Check #	Vendor:	Transaction Description	Check Amount
	00194481	US BANK CORP PAYMENT SYS	COSTCO WHSE #0110	25.54
	00194481	US BANK CORP PAYMENT SYS	RPNW SEATTLE JAMES ST PAR	20.00
	00194481	US BANK CORP PAYMENT SYS	RPNW KEY PARK 2216 3RD AV	19.00
	00194481	US BANK CORP PAYMENT SYS	U-PARK SYSTEM LOT 42	18.39
	00194481	US BANK CORP PAYMENT SYS	U-PARK SYSTEM LOT 42	18.39
	00194481	US BANK CORP PAYMENT SYS	IPM LOT 71	18.39
	00194481	US BANK CORP PAYMENT SYS	IPM LOT 71	14.71
	00194481	US BANK CORP PAYMENT SYS	IPM LOT 71	14.71
	00194481	US BANK CORP PAYMENT SYS	IPM LOT 71	14.71
	00194481	US BANK CORP PAYMENT SYS	IPM LOT 71	14.71
	00194481	US BANK CORP PAYMENT SYS	IPM LOT 71	14.71
	00194481	US BANK CORP PAYMENT SYS	IPM LOT 71	14.71
	00194481	US BANK CORP PAYMENT SYS	QFC #5839	12.25
	00194481	US BANK CORP PAYMENT SYS	U-PARK SYSTEM 56	10.00
	00194481	US BANK CORP PAYMENT SYS	U-PARK SYSTEM 156	10.00
	00194450	NEWMAN, ABE	PARKING FEE	8.58
	00194481	US BANK CORP PAYMENT SYS	U-PARK SYSTEM 014	8.58
	00194481	US BANK CORP PAYMENT SYS	U-PARK SYSTEM 156	7.00
	00194481	US BANK CORP PAYMENT SYS	SEATTLE METER PARKING	5.72
	00194481	US BANK CORP PAYMENT SYS	COSTCO WHSE #0110	-12.98
<i>Org Key: YF2600 - Family Assistance</i>				
	00194481	US BANK CORP PAYMENT SYS	ACT OLYMPICCASCADEAQUA	276.00
	00194481	US BANK CORP PAYMENT SYS	QFC #5839	148.94
	00194481	US BANK CORP PAYMENT SYS	ORCA KCM ONLINE SALES 40	126.00
	00194481	US BANK CORP PAYMENT SYS	QFC #5839	104.00
	00194481	US BANK CORP PAYMENT SYS	SHELL OIL 57424192508	100.00
	00194481	US BANK CORP PAYMENT SYS	ORCA KCM ONLINE SALES 40	99.00
P0097804	00194463	PUGET SOUND ENERGY	Utility Assistance for Emergen	94.16
	00194481	US BANK CORP PAYMENT SYS	QFC #5839	76.55
	00194481	US BANK CORP PAYMENT SYS	BELLEVUE BOYS AND GIRLS	51.90
<i>Org Key: YF2800 - Fed Drug Free Communities Gran</i>				
	00194481	US BANK CORP PAYMENT SYS	PAYPAL *WASAVP	250.00
	00194481	US BANK CORP PAYMENT SYS	CADCA ALEXANDRIA VA	200.00
	00194481	US BANK CORP PAYMENT SYS	FACEBK T94TRFSG42	99.85
	00194481	US BANK CORP PAYMENT SYS	P&R YFS online E-newsletters	82.51
	00194481	US BANK CORP PAYMENT SYS	EIG*HOMESTEAD	21.99
Total				831,689.60

Accounts Payable Report by Check Number

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00194374	08/21/2018	US POSTMASTER Postage for looking ahead	P0100662	OH010387	08/20/2018	258.87
00194375	08/23/2018	ACH HOMES LLC 1704-096 Refund water service	P0100679	1704096	08/14/2018	335.40
00194376	08/23/2018	AMERICAN RESIDENTIAL SERVICES ADMIN BLDG DRAINAGE REPAIR	P0100663	403626	07/26/2018	4,268.00
00194377	08/23/2018	ANCHOR QEA LLC Luther Burbank South Shoreline	P0096212	58199	08/01/2018	3,233.80
00194378	08/23/2018	ART FOR KIDS Instructor fees - Course #0183	P0100618	0183	08/15/2018	1,260.00
00194379	08/23/2018	ASPECT SOFTWARE INC Telestaff Monthly Maintenance/	P0100525	ASI042371	08/05/2018	165.00
00194380	08/23/2018	B&B UTILITIES & EXCAVATION LLC EMW 5400-600 BLK WATER SYSTEM	P0099055	#4	07/31/2018	261,659.81
00194381	08/23/2018	BEN'S CLEANER SALES INC JUMPER HOSE	P0100628	296017/18/295899	07/20/2018	819.98
00194382	08/23/2018	BERGER PARTNERSHIP PS, THE Luther Burbank Waterfront Plaz	P0100668	30720	08/02/2018	3,851.27
00194383	08/23/2018	BEST PARKING LOT CLEANING INC 2017-18 SANITARY SEWER CCTV	P0100605	170685/86/87/37/	07/26/2018	14,834.62
00194384	08/23/2018	BIELMAN, BEKA Gallery sales of Kaleidoscope	P0100676	OH010389	08/21/2018	300.00
00194385	08/23/2018	BLACK KNIGHT EMBLEM & Department Challenge Coin - In	P0100633	225/226	07/23/2018	2,015.90
00194386	08/23/2018	BLUELINE GROUP SE 22ND ST SE 22ND WATER	P0095975	15405	07/30/2018	5,658.75
00194387	08/23/2018	BONNER BROTHERS CONST INC 2018 STREET RELATED DRAINAGE I	P0099635	#1FINAL	06/30/2018	67,798.25
00194388	08/23/2018	BOOTH, GLENDON D LEOFF1 Retiree Medical Expense	P0100647	OH010388	08/20/2018	117.33
00194389	08/23/2018	BUMPERCHUTE CO Dive Flags for MP Boats - Invo	P0100639	180970	08/08/2018	514.78
00194390	08/23/2018	CARDINAL ARCHITECTURE PC LBP Boiler Building Drainage &	P0095040	#5JULY	07/31/2018	1,242.50
00194391	08/23/2018	CARE PARTNERS Rental FA-1405 completed. Retu	P0100657	FA1405	08/20/2018	50.00
00194392	08/23/2018	CENTURYLINK PHONE USE AUGUST 2018		OH010364	08/31/2008	3,599.68
00194393	08/23/2018	CINTAS CORPORATION #460 2018 COVERALL/LAUNDRY SERVICE	P0099091	OH010390	07/09/2018	1,229.10
00194394	08/23/2018	COMCAST 2018 High Speed Internet Conne	P0097871	OH010393	08/11/2018	163.58
00194395	08/23/2018	COMCAST FIRE STATION 92 FIBER CIRCUIT	P0097793	68267029	08/01/2018	1,257.08
00194396	08/23/2018	CONFLUENCE ENGINEERING GRP LLC INV 07-1117 PHASE 3 MICROBIAL	P91202	100718MIWQP3	08/09/2018	2,308.38
00194397	08/23/2018	CONSOLIDATED PRESS Printing of ADP Postcards	P0100614	21856	07/31/2018	464.94
00194398	08/23/2018	COOK LEARN GROW LLC Summer Camps - whole healthy k	P0100670	1254	07/25/2018	2,142.00
00194399	08/23/2018	CORK, TAMBI A VOLUNTEER THANK YOU		OH010398	07/24/2018	301.15

Accounts Payable Report by Check Number

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00194400	08/23/2018	CRYSTAL AND SIERRA SPRINGS Monthly water service for LB B	P0097711	5277493080118	08/01/2018	145.45
00194401	08/23/2018	CUMMINS INC PS GENERATOR MAINTENANCE	P0100665	0018104	06/29/2018	8,533.51
00194402	08/23/2018	DATEC INC. Extension brackets for MDC Fir	P0100548	33814	08/15/2018	99.00
00194403	08/23/2018	DAUTERMAN, AUSTIN Rental FA-0525 completed. Retu	P0100660	FA0525	08/20/2018	450.00
00194404	08/23/2018	DEPARTMENT OF ECOLOGY WATER RIGHTS PERMIT EXTENSION		OH010421	08/22/2018	50.00
00194405	08/23/2018	DEPT OF ENTERPRISES SERVICES BUSINESS CARD PRINTING		73178121	08/06/2018	143.55
00194406	08/23/2018	DUNBAR ARMORED AUG18 Armored Car Service	P0100677	4246384	08/01/2018	2,079.90
00194407	08/23/2018	EARTHCORPS INC 2017-2018 Earthcorps Volunteer	P93946	7081	07/31/2018	2,370.00
00194408	08/23/2018	ELSOE, RONALD LEOFF1 Retiree Medical Expense	P0100646	OH010405	08/20/2018	43.79
00194409	08/23/2018	EMERALD BALLET THEATRE Instructor fees - course #0315	P0100683	0315/0317	08/21/2018	2,514.75
00194410	08/23/2018	ENDICOTT, JIM Returning boat launch fee	P0100658	OH010404	08/20/2018	70.00
00194411	08/23/2018	EPIC EVENTS & PROMOTION INC Outdoor Cinema Services July 2	P0100336	1329B	06/06/2018	2,475.00
00194412	08/23/2018	ESMB INC PERMIT REFUND		OH010403	08/21/2018	4,847.20
00194413	08/23/2018	FARALLON CONSULTING LLC PHASE 3 TECHNICAL SERVICES FOR	P0099477	0029982	08/02/2018	810.00
00194414	08/23/2018	FEDEX OFFICE Lamination, cutting & other p	P0097713	OH010406	08/01/2018	66.00
00194415	08/23/2018	FIRST STUDENT INC Transportation to Elevated Spo	P0100617	80297129	05/01/2018	1,052.50
00194416	08/23/2018	FOREST CLOUDS LLC Ellis Pond Vegetation Work 201	P0098114	17	08/12/2018	5,919.07
00194417	08/23/2018	FRANKLIN, JENNIFER D NAT'L NIGHT OUT SUPPLIES		OH010399	08/10/2018	372.97
00194418	08/23/2018	GARDEN CYCLES 10% Retainage	P0096954	1099	06/18/2018	8,729.16
00194419	08/23/2018	GOODYEAR TIRE & RUBBER CO, THE TIRE INVENTORY	P0100599	1951145597	08/08/2018	2,025.35
00194420	08/23/2018	GOTO, KELLY REPLACE WARRANT 192045		OH010395	08/21/2018	879.00
00194421	08/23/2018	GRAINGER INVENTORY PURCHASES	P0100532	9869408253	08/07/2018	421.86
00194422	08/23/2018	GRAY, KATY S. Instructor fees - course #0298	P0100610	0298	08/15/2018	151.20
00194423	08/23/2018	GREENBERG, RYAN 1706-156 Refund water service	P0100681	1706156	08/21/2018	244.98
00194424	08/23/2018	HARB, SAM WORK CLOTHES		OH010402	08/13/2018	48.36
00194425	08/23/2018	HARVEY, OLIVIA WORK PANTS		OH010400	07/22/2018	59.99

Accounts Payable Report by Check Number

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00194426	08/23/2018	HENDRICKS, MORGAN T Gallery Sales - 75%	P0100488	OH010407	08/07/2018	131.25
00194427	08/23/2018	HOME DEPOT CREDIT SERVICE INVENTORY PURCHASES	P0100592	0141482020736	08/14/2018	550.34
00194428	08/23/2018	HONEYWELL, MATTHEW V Professional services - Invoic	P0100696	1051	08/21/2018	1,500.00
00194429	08/23/2018	INTERIOR FOLIAGE CO, THE CITY HALL INTERIOR LANDSCAPING	P0100655	39870	07/20/2018	556.38
00194430	08/23/2018	JOHNSON ROBERTS & ASSOCIATES Johnson Roberts PHQ Reports -	P0100632	136647	08/06/2018	75.00
00194431	08/23/2018	JOHNSON, CURTIS FRLEOFF1 Retiree Medical Expen	P0100661	OH010408	08/20/2018	492.00
00194432	08/23/2018	JOHNSON, JEFFREY WAYNE Instructor fees - course #1758	P0100627	17586	08/16/2018	2,730.00
00194433	08/23/2018	KAMINS CONSTRUCTION INC SE 40TH ST. CORRIDOR IMPROVEME	P0099634	#2JULY	07/31/2018	274,917.13
00194434	08/23/2018	KC FINANCE Oyster Shell Retrofit Effectiv	P0100557	92958	07/30/2018	16,400.29
00194435	08/23/2018	KC RECORDER 1 SEWER LIEN 1 SEWER LIEN RELE	P0100673	OH010411	08/21/2018	74.00
00194436	08/23/2018	KIA MOTORS FINANCE DSG 2016 KIA SOUL LEASE	P94483	OH010410	08/16/2018	475.32
00194437	08/23/2018	KROESENS UNIFORM COMPANY Uniforms for New Officer Willi	P0100635	51460	08/06/2018	1,936.43
00194438	08/23/2018	LEDBETTER-KRAFT, DELORES E Instructor fees - Course #0599	P0100611	0599	08/15/2018	1,032.52
00194439	08/23/2018	M & M BALLOON CO Helium Tank rental for MICEC	P0097868	34603	08/01/2018	15.40
00194440	08/23/2018	MARTEN LAW Professional services - Invoic	P0100694	44087415	08/14/2018	891.11
00194441	08/23/2018	MATZKE, NORMAN Polygraphs (4) for Police	P0100640	OH010414	08/17/2018	600.00
00194442	08/23/2018	MERCER ISLAND GUILD OF Advertising for the 2018 Merce	P0100620	11255	11/17/2017	450.00
00194443	08/23/2018	METROPRESORT JULY BACKFLOW LETTERS	P0100600	IN600302	08/07/2018	1,360.50
00194444	08/23/2018	MI HARDWARE - MAINT MISC. HARDWARE FOR THE MONTH O	P0100631	OH010413	07/31/2018	274.28
00194445	08/23/2018	MI HARDWARE - P&R Misc P&R supplies	P0100612	OH010412	07/31/2018	88.41
00194446	08/23/2018	MOLENDIA, CARRIE Gallery Sales - Spring flowers	P0100674	OH010394	08/21/2018	37.50
00194447	08/23/2018	MONARCH LANDSCAPING WA LLC Luther Burbank Park Vegetation	P0097978	IN000020268	07/31/2018	1,600.00
00194448	08/23/2018	MOUNTAINS TO SOUND 2017-18 Mountains to Sound Gre	P93597	#6	06/30/2018	5,656.75
00194449	08/23/2018	NEW FINISHES INC SAND BLAST & PAINT PARK BENCH	P0100602	15195	06/06/2018	357.83
00194450	08/23/2018	NEWMAN, ABE PARKING FEE		OH010397	08/12/2018	8.58
00194451	08/23/2018	NOVAK, JOHN SHADE FOR STATION 91 DECK		OH010401	08/17/2018	75.11

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00194452	08/23/2018	NRPA NRPA Annual Premier Package	P0100613	OH010415	08/15/2018	650.00
00194453	08/23/2018	O'NEILL SOCCER ACADEMY Returning extra rental fees fr	P0100656	FA0792	08/21/2018	395.00
00194454	08/23/2018	PACIFIC AIR CONTROL INC FS92 LEAK REPAIR	P0100653	13844	08/03/2018	699.60
00194455	08/23/2018	PACIFIC NW NAGINATA FEDERATION Instructor fees - course #0631	P0100623	0631	08/16/2018	619.50
00194456	08/23/2018	PARKINK Tshirts & sweatshirts	P0100615	26354	07/01/2018	339.95
00194457	08/23/2018	PARKWAY CENTER MANAGEMENT GRP ST Long Term Parking - Monthl	P0100021	OH010423	08/22/2018	4,000.00
00194458	08/23/2018	PART WORKS INC., THE SINK FITTINGS	P0100622	INV28015	06/12/2018	50.14
00194459	08/23/2018	PAULETTO, MAUDE Instructor fees - Course #0666	P0100619	0604/0667	08/15/2018	1,282.05
00194460	08/23/2018	PND ENGINEERS INC Lincoln Landing Design Enginee	P0095391	1807179	07/20/2018	150.00
00194461	08/23/2018	POT O' GOLD INC Coffee supplies July 2018	P0100551	0164580/0169496/	06/20/2018	1,353.00
00194462	08/23/2018	PRAXAIR DISTRIBUTION INC 2018 ACETYLENE & OXYGEN TANK R	P0098287	84362513	07/31/2018	50.99
00194463	08/23/2018	PUGET SOUND ENERGY Utility Assistance for Emergen	P0097804	OH010416	08/15/2018	94.16
00194464	08/23/2018	REPUBLIC SERVICES #172 2018 PW SWEEPER HAUL AWAY	P0098360	0172007566325	07/31/2018	2,832.67
00194465	08/23/2018	SALZETTI, ERIC Instructor fees - Course #0574	P0100609	0574/0580	08/15/2018	1,077.30
00194466	08/23/2018	SCORE Jail Fees for SCORE - Invoice	P0100637	3291	08/10/2018	6,650.00
00194467	08/23/2018	SEATTLE NW RE LLC 1707-140 Refund water service	P0100680	1707140	08/21/2018	315.76
00194468	08/23/2018	SEATTLE SHAKESPEARE COMPANY Shakespeare in the park	P0100666	OH010418	08/20/2018	7,000.00
00194469	08/23/2018	SHEPARD TRANSCRIPTION LLC Transcription of internal	P0100690	I2018162/48/54/5	08/18/2018	246.00
00194470	08/23/2018	SOUNDEARTH STRATEGIES HYDRANT METER REFUND		OH010396	07/30/2018	2,900.00
00194471	08/23/2018	SUMMIT SAFETY SHOES SAFETY BOOTS	P0100565	9011914	08/02/2018	225.45
00194472	08/23/2018	SUPERIOR TOWING INC Impound - CS#: 2018-08929 - In	P0100698	B77400	08/20/2018	192.50
00194473	08/23/2018	SUTTON, SCOTT D Gallery Sales - 75%	P0100489	OH010417	08/07/2018	375.00
00194474	08/23/2018	SWANK MOTION PICTURES INC Movie usage - A Wrinkle in Tim	P0100669	RG2550633	08/10/2018	422.12
00194475	08/23/2018	T-MOBILE 2018 Service for Boat Launch T	P0097872	OH010419	08/09/2018	20.00
00194476	08/23/2018	THOMSON REUTERS - WEST Investigative Service - Invoic	P0100634	838675811	08/01/2018	334.48
00194477	08/23/2018	TRUE NORTH LAND SURVEYING INC Luther Burbank Topographic Sur	P0099888	6274	08/13/2018	4,694.88

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00194478	08/23/2018	UNDERWATER SPORTS INC. Dive Team Equipment Repair -	P0100641	20016260/16318	06/09/2018	1,161.71
00194479	08/23/2018	UNITED SITE SERVICES Volunteer Event Portable Restr	P0097782	1147111138	07/27/2018	66.44
00194480	08/23/2018	UPS SHIPPING FEE		0000T6781T328	08/11/2018	150.39
00194481	08/23/2018	US BANK CORP PAYMENT SYS AMAZON.COM		5539AUG2018	08/06/2018	33,741.88
00194482	08/23/2018	VERIZON WIRELESS 2018 PW CELLULAR & DATA SERVIC	P0098167	9811478739	07/23/2018	2,989.55
00194483	08/23/2018	VERIZON WIRELESS P&R Monthly cell phone bill Ju	P0100667	9811478737	07/23/2018	989.42
00194484	08/23/2018	WASHINGTON STATE PATROL CPL Backgrounds - Invoice #	P0100638	I19000612	08/08/2018	84.00
00194485	08/23/2018	WESCOM Witness fee - Radar Expert for	P0100691	23002	08/14/2018	240.00
00194486	08/23/2018	WESTERN DISPLAY FIREWORKS LTD Fireworks show for 2018 Summer	P0100564	OH010420	06/11/2018	15,000.00
00194487	08/23/2018	WILBORN, DAVID Gallery Reception Musician 6-1	P0100675	2578	07/15/2018	150.00
00194488	08/23/2018	WORKSAFE SERVICE INC, A Drug Testing J. Langlois Invoi	P0100649	261954	07/31/2018	90.00
00194489	08/23/2018	XEROX CORPORATION 2018 PW BASE AND METER COPY CH	P0097878	094138751	08/02/2018	1,333.45
00194490	08/23/2018	XEROX CORPORATION Records Copier - Invoice # 094	P0100474	094138748	08/02/2018	1,796.11
00194491	08/23/2018	ZEE MEDICAL City Hall Refill Invoice #6836	P0100648	68360595	08/02/2018	187.21
					Total	831,689.60



CITY OF MERCER ISLAND CERTIFICATION OF PAYROLL

PAYROLL PERIOD ENDING	8.10.18
PAYROLL DATED	8.17.18
Net Cash	\$ 564,068.74
Net Voids/Manuals	\$ 8,626.25
Net Total	\$ 572,694.99
Federal Tax Deposit - Key Bank	\$ 89,788.75
Social Security and Medicare Taxes	\$ 50,567.98
Medicare Taxes Only (Fire Fighter Employees)	\$ 2,125.61
Public Employees Retirement System 1 (PERS 1)	
Public Employees Retirement System 2 (PERS 2)	\$ 27,407.31
Public Employees Retirement System 3 (PERS 3)	\$ 6,752.14
Public Employees Retirement System (PERSJM)	\$ 764.36
Public Safety Employees Retirement System (PSERS)	\$ 189.73
Law Enforc. & Fire fighters System 2 (LEOFF 2)	\$ 27,447.57
Regence & LEOFF Trust - Medical Insurance	\$ 12,128.26
Domestic Partner/Overage Dependant - Insurance	\$ 1,316.03
Group Health Medical Insurance	\$ 1,223.22
Health Care - Flexible Spending Accounts	\$ 2,285.32
Dependent Care - Flexible Spending Accounts	\$ 1,689.11
United Way	\$ 100.00
ICMA Deferred Compensation	\$ 30,335.87
Fire 457 Nationwide	\$ 9,447.37
Roth - ICMA	\$ 260.00
Roth - Nationwide	\$ 620.00
401K Deferred Comp	\$ 1,000.00
Garnishments (Chapter 13)	\$ 1,331.00
Child Support	\$ 599.99
Mercer Island Employee Association	\$ 315.00
Cities & Towns/AFSCME Union Dues	\$ -
Police Union Dues	\$ 2,352.38
Fire Union Dues	\$ 1,961.40
Fire Union - Supplemental Dues	\$ 154.00
Standard - Supplemental Life Insurance	\$ 340.30
Unum - Long Term Care Insurance	\$ 642.95
AFLAC - Supplemental Insurance Plans	\$ 611.94
Coffee Fund	\$ 94.00
Transportation	\$ 125.00
HRA - VEBA	\$ 4,209.18
Miscellaneous	\$ -
Nationwide Extra	\$ -
GET	\$ 300.00
Tax & Benefit Obligations Total	\$ 278,485.77
TOTAL GROSS PAYROLL	\$ 851,180.76

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

Charles L. Corder

Finance Director

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

Mayor

Date



PAYROLL PERIOD ENDING	8.24.18
PAYROLL DATED	8.31.18
Net Cash	\$ 536,727.56
Net Voids/Manuals	\$ 29,435.17
Net Total	\$ 566,162.73
Federal Tax Deposit - Key Bank	\$ 86,424.65
Social Security and Medicare Taxes	\$ 49,619.45
Medicare Taxes Only (Fire Fighter Employees)	\$ 2,050.99
State Tax (Oregon)	\$ 116.19
Public Employees Retirement System 1 (PERS 1)	
Public Employees Retirement System 2 (PERS 2)	\$ 29,172.74
Public Employees Retirement System 3 (PERS 3)	\$ 7,212.00
Public Employees Retirement System (PERSJM)	\$ 764.36
Public Safety Employees Retirement System (PSERS)	\$ 280.32
Law Enforc. & Fire fighters System 2 (LEOFF 2)	\$ 24,323.44
Regence & LEOFF Trust - Medical Insurance	\$ 83.02
Domestic Partner/Overage Dependant - Insurance	\$ -
Group Health Medical Insurance	\$ -
Health Care - Flexible Spending Accounts	\$ 2,285.32
Dependent Care - Flexible Spending Accounts	\$ 1,689.11
United Way	\$ 100.00
ICMA Deferred Compensation	\$ 31,065.07
Fire 457 Nationwide	\$ 8,126.79
Roth - ICMA	\$ 260.00
Roth - Nationwide	\$ 620.00
401K Deferred Comp	\$ 1,000.00
Garnishments (Chapter 13)	\$ 1,331.00
Child Support	\$ 599.99
Mercer Island Employee Association	\$ 317.50
Cities & Towns/AFSCME Union Dues	\$ 5,176.14
Police Union Dues	\$ -
Fire Union Dues	\$ 1,961.40
Fire Union - Supplemental Dues	\$ 154.00
Standard - Supplemental Life Insurance	\$ -
Unum - Long Term Care Insurance	\$ -
AFLAC - Supplemental Insurance Plans	\$ -
Coffee Fund	\$ -
Transportation	\$ -
HRA - VEBA	\$ 4,377.45
Miscellaneous	\$ (6.34)
Nationwide Extra	\$ -
GET	\$ 300.00
Oregon Transit Tax and Oregon Benefit Tax	\$ 2.47
Tax & Benefit Obligations Total	\$ 259,407.06

TOTAL GROSS PAYROLL	\$ 825,569.79
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I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein, that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation, and that the claim is a just, due and unpaid obligation against the City of Mercer Island, and that I am authorized to authenticate and certify to said claim.

Charles L. Corder

 Finance Director

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

 Mayor

 Date



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

**AB 5460
September 4, 2018
Consent Calendar**

ACCEPTING FUNDS FROM MIYFS FOUNDATION	Action: Accept funds from Mercer Island Youth and Family Services Foundation to fund three one-time projects of the YFS Department	<input type="checkbox"/> Discussion Only <input checked="" type="checkbox"/> Action Needed: <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution
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DEPARTMENT OF	Youth and Family Services (Cynthia Goodwin)
COUNCIL LIAISON	n/a
EXHIBITS	n/a
2018-2019 CITY COUNCIL GOAL	n/a
APPROVED BY CITY MANAGER	

AMOUNT OF EXPENDITURE	\$	50,500
AMOUNT BUDGETED	\$	0
APPROPRIATION REQUIRED	\$	50,500

SUMMARY

The Mercer Island Youth and Family Services Foundation (Foundation) provides funding to support the programs and services of the Department of Youth and Family Services (YFS). This funding is provided in two forms:

1. An annual commitment towards the Department’s operating budget; and
2. One-time or pilot project funds as Foundation reserves allow.

The current proposed grant of \$50,500 to the YFS Department falls in the latter category (2) and will fund:

- **A Community Needs Assessment (CNA) focusing on social and human service needs** (\$25,000); work will be completed in 2018.

The demographics of Mercer Island have been changing steadily which contributes to changes in human service needs of Island residents. Evidence of this shift is seen anecdotally in outpatient counseling services which continue to operate from a waitlist and in the use of the YFS Food Pantry that continues to increase after growing by 300% since 2008. There are an increasing number of residents that are of people of color, immigrants, and people from a variety of economic backgrounds--each with unique needs. Mercer Island is also impacted by regional changes in the cost of rent/housing and the shifting job market that is leaving some sectors of the community behind. The CNA will provide the YFS Department staff with updated data on the current community configuration and the array of human service and mental health needs in the community. Standard practice is for strategic planning in the health and human services sector to rely on data gathered through a formal CNA with the scale and scope to capture population-level data. These data will

allow YFS to scale services to most efficiently and appropriately meet the specific needs of Island residents.

- **Professional services to survey high school youth, provide consultation to community professionals and present findings and recommendations to parents and stakeholders in three community events** to increase youth well-being and resilience in their communities, schools and work settings (\$12,000); work will be conducted in December 2018.

This survey will be the second survey (the first was in 2008) conducted by Dr. Suniya Luthar, Professor Emerita, Columbia University Teacher's College, Foundation Psychology Professor at Arizona State University. Dr. Luthar currently runs *Authentic Connections*, a non-profit organization that works with schools and youth-serving professionals to provide scientific data for use in developing early prevention strategies (elementary and middle school). Unique to Dr. Luthar's work is that it addresses challenges specific to youth from affluent communities. Survey outcomes will be triangulated with the CNA (above) to inform YFS strategic planning for prevention and intervention services for youth.

- **Professional services to survey Mercer Island parents, analyze data and provide consultation regarding the implementation of a Positive Community Norms campaign** to promote healthy youth (\$10,200) and other community prevention activities (\$3,300); work will be completed by the end of 2018.

Community Norms Campaigns use a community's strengths (determined from valid data) to change perceived (negative) community norms to influence the frequency with which individuals choose healthy behaviors. This round of surveys will gather data specifically related to parent behavior as well as their perceptions of peer parent behavior. From these data, the consultants will assist YFS staff in developing relevant messages to be communicated through various traditional and social media channels aimed at changing specific parent behavior(s) by highlighting the alignment with positive parenting norms. Social norms messaging is an evidenced-based prevention strategy that has been employed by YFS for ten years and was instrumental in reducing the past 30-day drinking rates of MIHS seniors. Data from this parent survey will similarly be triangulated with data from the Dr. Luthar survey and CNA (above).

The proposed grant of \$50,500 will fund services provided by three contracted professional entities and work together to assess community-wide, parent-specific and youth-specific public health indicators to inform YFS strategic planning.

RECOMMENDATION

Youth and Family Services Director

MOVE TO: Accept a donation of \$50,500 in funds from the MIYFS Foundation to fund three one-time projects to enhance the work of the YFS Department.



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

**AB 5463
September 4, 2018
Consent Calendar**

INTERLOCAL AGREEMENT WITH THE MERCER ISLAND SCHOOL DISTRICT FOR COUNSELING SERVICES	Action: Authorize the City Manager to sign the Interlocal Agreement with the Mercer Island School District for counseling services during the 2018-2019 school year.	<input type="checkbox"/> Discussion Only <input checked="" type="checkbox"/> Action Needed: <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution
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DEPARTMENT OF	Youth and Family Services (Cynthia Goodwin)
COUNCIL LIAISON	n/a
EXHIBITS	1. 2018-2019 Interlocal Agreement for Counseling Services
2018-2019 CITY COUNCIL GOAL	n/a
APPROVED BY CITY MANAGER	

AMOUNT OF EXPENDITURE	\$	550,225
AMOUNT BUDGETED	\$	550,225
APPROPRIATION REQUIRED	\$	0

SUMMARY

Since 1979, Youth and Family Services (YFS) has maintained a partnership with the Mercer Island School District (District) whereby YFS has placed mental health counselors in each of the District's schools. This model allows for collaborative counseling programs in the four elementary schools, the middle school, and the high school to include the Crest Learning Center.

The proposed Interlocal Agreement (Exhibit 1) reflects an annual payment of \$60,000 from the District to support the equivalent of 7.5 FTE mental health and drug and alcohol school-based counseling professionals from YFS. The staffing mix for the 2018-2019 school year will include 7.0 YFS FTEs (as noted in the table on page 2) and graduate-level interns, who will account for the equivalent of an additional 0.5 FTE. There are no substantive changes in this year's Interlocal as to the provision of services. The personnel salary figures have been adjusted to reflect the budgeted amounts for the 2018-2019 school calendar year.

2018-2019 ESTIMATE:			
	City Share	District Share	Total
4 Elementary School Counselors	276,080.00	60,000.00	336,080.00
1 Middle School Counselor	91,810.00	-	91,810.00
1 High School Drug/Alcohol Specialist	84,671.00	-	84,671.00
1 R&R Place Counselor	95,264.00	-	95,264.00
Tuition & Registrations	2,400.00	-	2,400.00
	550,225.00	60,000.00	610,225.00

RECOMMENDATION

Youth and Family Services Director

MOVE TO: Authorize the City Manager to sign the Interlocal Agreement with the Mercer Island School District for Counseling Services during the 2018-2019 school year.

City of Mercer Island and Mercer Island School District 2018-2019 Interlocal Agreement for Counseling Services

THIS INTERLOCAL AGREEMENT ("Agreement") is entered into by and between Mercer Island School District No. 400 ("District") and the City of Mercer Island, a municipal corporation of the State of Washington ("City") (collectively, "Parties") pursuant to and as authorized by the Interlocal Cooperation Act (Chapter 39.34 RCW).

WHEREAS, the District desires to obtain comprehensive counseling services in an economical and efficient manner; and

WHEREAS, the City has a comprehensive counseling service available within the Department of Youth and Family Services; and

WHEREAS, the City Council has determined that the public health, welfare and safety is enhanced by delivering these services; and

WHEREAS, the Parties desire to enter into this Interlocal Agreement to set forth the terms and conditions under which such counseling services shall be provided by the City to the District;

NOW, THEREFORE, in consideration of the mutual promises and covenants herein contained, to be kept, performed and fulfilled by the respective Parties hereto, and other good and valuable consideration, it is mutually agreed as follows:

Scope of Services

1. Purpose. The purpose of the Interlocal Agreement is to enable the City and the District to cooperatively provide comprehensive counseling services to the students of the District to the mutual advantage of the Parties and the benefit of the community.
2. Duration/Termination. This Agreement shall commence on September 1, 2018 and terminate on August 31, 2019. Provided, however, that the City or the District may terminate the Agreement upon giving thirty (30) days written notice to the other party.

If the contract is terminated as provided in this section, the District shall be liable only for payment in accordance with the terms of this Agreement for services rendered prior to the effective date of termination and the City shall be released from any obligation to provide such further service pursuant to the Agreement as of the effective date of the termination.

The Parties' cost allocation and payment responsibilities for 2018-19, and any subsequent academic years, will be reviewed and discussed during the term of the Agreement by both parties prior to the development and execution of any future Interlocal Agreements.

3. Services to be Provided. The City will provide the equivalent of 7.5 FTE counseling professionals from the Youth & Family Services Department of the City to perform services at District facilities. These counselors will perform their duties from September 1, 2018 to June 30, 2019. The counselors are: four full-time elementary school counselors, one full-time middle school counselor, 20 hours per week of middle school prevention support services, one full-time high school counselor, and one full-time high school alcohol/drug specialist. The counselors shall provide services which include, but shall not be limited to

the following: assistance with personal problems of students; individual and group counseling with students; family and parental counseling on a short term basis; delivering group curricula as requested by school staff and when appropriate; alcohol and other drug intervention services, and consulting with the District staff concerning student behavior, including participation, when appropriate, on Student Study Teams (SST) and/or Building Guidance Teams (BGT).

4. Cost Allocation. The District will pay \$60,000.00 of the total sum for the school-based counseling personnel services during the term of the Agreement (2018-2019 school year), and the City will pay the difference of the total sum, as outlined below:

2018-2019 ESTIMATE:			
	City Share	District Share	Total
4 Elementary School Counselors	276,080.00	60,000.00	336,080.00
1 Middle School Counselor	91,810.00	-	91,810.00
1 High School Drug/Alcohol Specialist	84,671.00	-	84,671.00
1 R&R Place Counselor	95,264.00	-	95,264.00
Tuition & Registrations	2,400.00	-	2,400.00
	550,225.00	60,000.00	610,225.00

5. Premises/Equipment. The District will provide on-site space, equipment, email accounts, and supplies necessary to provide the counseling services, at no cost to the City. Each school counselor must comply with the Acceptable Use Policy of the District.
6. Employees. All persons performing services hereunder shall be employees of the City and not the District. Nothing in this Agreement shall make any employee of the City an employee of the District, and vice versa, for any purpose, including but not limited to, withholding of taxes, payment of benefits, insurance, worker’s compensation pursuant to Title 51 RCW, or any other rights or privileges accorded to either Parties’ employee by virtue of their employment. At all times pertinent hereto, employees of the City are acting as City employees and employees of the District are acting as District employees.
7. Indemnification. The City will protect, defend, indemnify, and save harmless the District, its officers, employees, and agents from and against any costs, claims, actions, liabilities, judgments or awards and damages (including attorney’s fees and costs) arising out of or in any way resulting from the negligent acts or omissions of the City, its officers, its employees, and agents in connection with this Agreement.

The District will protect, defend, indemnify, and save harmless the City, its officers, employees, and agents from and against any and all costs, claims, actions, liabilities, judgments or awards and damages (including attorney’s fees and costs) arising out of or in any way resulting from the negligent acts or omissions of the District, its officers, employees and agents in connection with this Agreement. The District waives any immunity that may be granted to it under the Washington State Industrial Insurance Act, Title 51 RCW. The District’s indemnification shall not be limited in any way by any limitation on the amount of damages, compensation or benefits payable to or by any third party under workers compensation acts, disability benefit acts or any other benefits acts or programs.

This indemnification paragraphs shall survive the expiration or earlier termination of this Agreement.

8. Insurance.

8.1 The City shall maintain in full force throughout the duration of this Agreement comprehensive general liability insurance with a minimum coverage of \$1,000,000 per occurrence/\$2,000,000 aggregate for personal injury and property damage, and name the District as an additional insured thereon. This requirement shall be deemed satisfied by evidence of the City's membership in a municipal self- insurance pool, including evidence of limits of coverage, exclusions, and limits of liability, satisfactory to the District.

8.2 The District shall maintain in full force throughout the duration of this Agreement comprehensive general liability insurance with a minimum coverage of \$1,000,000 per occurrence/\$2,000,000 aggregate for personal injury and property damage, and name the City as an additional insured thereon. This requirement shall be deemed satisfied by evidence of the District's membership in a school district self-insurance pool, including evidence of limits of coverage, exclusions and limits of liability, satisfactory to the City.

9. Standards of Performance. All services performed hereunder by the City shall be performed diligently and competently and in accordance with professional standards. The District will formally meet with the City supervisor of counselors for an end-of-year review on or before June 1 to discuss each counselor's performance. The end of year review will include input from the school principal and the assistant superintendent for learning services and will note annual successes and opportunities for growth and development for the ensuing year(s) should the District and City extend this agreement in successive years. The District will communicate to the City supervisor of the counselors at any time when performance issues arise during the school year. The City will consult with the District when improvement plans may be needed.

The City will provide an end-of-year review that includes a summary of the issues identified that affected a counselor's ability to perform his/her duties. The review will note practices and environments which led to a successful partnership as well as any opportunities for improvement in the partnership and collaboration for the ensuing year should the District and City extend this Agreement in successive years. The District will consult with the City when improvement plans may be needed.

10. Disclosure of Student Information. In the course of consulting with District staff concerning student behavior and participation on Student Study Teams (SST), Building Guidance Teams (BGT), and/or in other formal and informal venues, counselors providing services under this agreement may receive personally identifiable information from the education records of students. Such information remains subject to the control of the District. Counselors are authorized to use this information only for the purpose of consulting with District staff concerning student behavior and participation on Student Study Teams (SST), Building Guidance Teams (BGT), and/or in other formal and informal venues. Counselors may not disclose such information for any other purpose without the consent of the parent or eligible student.

At the conclusion of the academic year, the City will provide a summary document to the assistant superintendent of learning services that will include, but is not limited to the number of District students referred to outside counseling services, the number of students counselors worked with during the year (unduplicated), the number of student contacts counselors had during the year (duplicated), and the broad themes for why students needed counselor support.

11. Severability. Whenever possible, each provision of this Agreement shall be interpreted in such a manner as to be effective and valid under applicable law. Any provisions of this Agreement that are declared invalid, void, or illegal by a court of competent jurisdiction shall in no way affect, impair, or invalidate any other provision hereof, and such other provisions shall remain in full force and effect.
12. Assignability. The rights, duties, and obligations of either party to this Agreement may not be assigned to any third party without the prior written consent of the other party, which consent shall not be unreasonably withheld.
13. No Third-Party Rights. Except as expressly provided herein, nothing in this Agreement shall be construed to permit anyone other than the Parties hereto and their successors and assigns to rely upon the covenants and agreements herein contained nor to give any such third party a cause of action (as a third-party beneficiary or otherwise) on account of any nonperformance hereunder.
14. Entire Agreement. This Agreement constitutes the entire Agreement between the Parties. Either party may request changes in the Agreement. Proposed changes that are mutually agreed upon shall be incorporated by written amendment hereto.
15. Applicable Law, Venue, and Attorney's Fees. This Agreement shall be governed by and construed in accordance with the laws of the State of Washington. In the event of any suit or other proceeding instituted to enforce any term of this Agreement, the venue shall be King County, Washington.
16. Filing Requirement. This Agreement shall be filed/posted in accordance with RCW 39.34.040.
17. Nondiscrimination. The City will not unlawfully discriminate against any employee or applicant for employment in connection with the services provided under this Agreement because of race, creed, color, sex, sexual orientation, age, national origin, marital status, or physical and motor handicap or other unlawful basis unless based upon bona fide occupational qualifications.

The City will ensure that all employees are treated without regard to the race, creed, color, sex, sexual orientation, age, national origin, marital status, and physical and other motor handicap. Such action shall include, but not be limited to the following: employment, upgrading, demotion, transfer, recruitment, or recruiting advertisement, layoff, termination rates of pay or other forms of compensation, selection for training, including any apprenticeship.

18. Administration of Agreement. Each party shall designate an official responsible for the administration of this Agreement and negotiate with regard thereto.

In the case of the City, that official shall be the Director of the Department of Youth and Family Services or his/her designee.

In the case of the District, that official shall be the Assistant Superintendent of Learning Services or his/her designee. These officials shall communicate from time to time, as they deem necessary to discuss the services and performance of this Agreement and other relevant matters.

DATED this _____ day of _____, 2018.

CITY OF MERCER ISLAND

**MERCER ISLAND SCHOOL DISTRICT
NO. 400**

Julie Underwood
City Manager

Donna Colosky
Superintendent

APPROVED AS TO FORM:

APPROVED AS TO FORM:

Kari Sand, City Attorney

Erin Battersby, Attorney for District
Senior Director, Compliance & Legal Affairs



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

**AB 5452
September 4, 2018
Regular Business**

<p>PLANNING COMMISSION'S RECOMMENDATION FOR CODE COMPLIANCE CODE AMENDMENTS (1ST READING)</p>	<p>Action: Conduct first reading of the Code Compliance code amendments and provide staff direction.</p>	<p><input type="checkbox"/> Discussion Only <input checked="" type="checkbox"/> Action Needed: <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution</p>
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<p>DEPARTMENT OF</p>	<p>Development Services Group (Alison Van Gorp)</p>
<p>COUNCIL LIAISON</p>	<p>n/a</p>
<p>EXHIBITS</p>	<p>1. Proposed Ordinance No. 18C-06 with Attachment A 2. Staff Report to Planning Commission</p>
<p>2018-2019 CITY COUNCIL GOAL</p>	<p>6. Update Outdated Codes, Policies and Practices</p>
<p>APPROVED BY CITY MANAGER</p>	

<p>AMOUNT OF EXPENDITURE</p>	<p>\$</p>	<p>n/a</p>
<p>AMOUNT BUDGETED</p>	<p>\$</p>	<p>n/a</p>
<p>APPROPRIATION REQUIRED</p>	<p>\$</p>	<p>n/a</p>

SUMMARY

The City of Mercer Island is proposing amendments to Mercer Island City Code (MICC) Titles 1, 8, 15, 17 and 19, as shown in Exhibit 1, Attachment A. The proposed amendments create a new Chapter 6.10 related to code compliance and amend Chapters 1.16, 8.24, 15.06, 15.14, 17.14 and 19.15 for consistency, to update cross-references, and to remove duplication.

BACKGROUND

On April 3, 2018, City Council directed the Planning Commission and staff to review code compliance provisions from other jurisdictions and propose code amendments to consolidate, update, and strengthen the City's code compliance regulations. On April 4, 2018, the Planning Commission began a process to develop recommendations for proposed code amendments. To support the Commission, staff have reviewed code language from several peer cities, interviewed staff from two cities with code provisions that may be appropriate for Mercer Island, and explored potential policy tools with the City Attorney's Office. The Planning Commission has analyzed lessons learned from other cities, given direction on policy options, and reviewed and heard public comment on draft code amendments. The City provided 30 days' public notice of the public hearing scheduled on June 20, 2018. The public comment period ran from May 21, 2018 through June 20, 2018. No written comments were received.

PROPOSED CODE COMPLIANCE AMENDMENTS

Following the public hearing on June 20, the Planning Commission voted to recommend approval of the proposed amendments to Titles 1, 8, 15, 17 and 19 MICC related to code compliance as shown in Exhibit 1, Attachment A.

A new code chapter, Chapter 6.10 MICC, is proposed to consolidate the code compliance provisions and establish a suite of enforcement tools that are broadly applicable to violations of the nuisance, construction, land development, and water, sewer, and public utility codes. The new Chapter 6.10 does the following:

- Creates broadly applicable enforcement tools including misdemeanors, civil violations, civil infractions, voluntary compliance agreements, stop work orders, and abatement; and
- Adds new monetary penalties intended to spur compliance from people that are responsible for violations and additional penalties for priority violations, repeat, and deliberate violations; and
- Provides a description of the process for each of the enforcement tools, and provisions for appeals and recovery of penalties and costs; and
- Includes a set of definitions for clarity and ease of use, providing definitions for repeat offenders, excessive or frivolous complaints, and broadens the definition of person responsible to include developers, builders, contractors, and other companies doing work on a property.

The amendments to Chapters 1.16, 8.24, 15.06, 15.14, 17.14 and 19.15 create and/or update references to the code compliance provisions that have been consolidated within the new Chapter 6.10. Existing enforcement provisions in these code sections are repealed.

Please note that DSG staff are currently in discussion with Public Works staff regarding the proposed amendments to Chapter 15.14 MICC. Depending on the outcome of that discussion, minor revisions may be offered prior to the second reading of the proposed ordinance.

RECOMMENDATION

Staff (see Exhibit 2) and the Planning Commission recommend that the Council conducts the first reading of Ordinance No. 18C-06, provides staff direction for changes to the Ordinance, and sets the Ordinance to September 17, 2018 for second reading and adoption.

The Planning Commission also recommends that these amendments are reviewed in two to three years to evaluate their effectiveness in reducing the code compliance case load and improving overall code compliance within the City. Staff agrees with this recommendation and plans to develop operating procedures and online and print materials to clarify the City's prioritization and response to code compliance requests for the public. Staff will also establish target times for responding to compliance requests and track actual response times against the target times to collect data for analysis of effectiveness as recommended by the Planning Commission.

In addition, staff recommends that updates of the Animal and Nuisance codes are added to the DSG and Planning Commission work plan for 2019-2020. These codes need modernization, additional clarity, and realignment with the zoning code and the proposed code compliance code.

RECOMMENDATION

DSG Ombudsman/Administrative Services Manager

MOVE TO: Set Ordinance No. 18C-06 to September 17, 2018 for second reading and adoption on the Consent Calendar.

**CITY OF MERCER ISLAND
ORDINANCE NO. 18C-06**

AN ORDINANCE OF THE CITY OF MERCER ISLAND, WASHINGTON AMENDING MERCER ISLAND CITY CODE CHAPTERS 1.16, 8.24, 15.06, 15.14, 17.14 AND 19.15 AND ADOPTING CHAPTER 6.10 TO CONSOLIDATE AND IMPROVE THE CODE COMPLIANCE PROVISIONS; PROVIDING FOR SEVERABILITY AND RATIFICATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, effective code compliance is necessary to maintain public health, welfare and safety, environmental protection and community character; and,

WHEREAS, the Mercer Island City Council determined that the code compliance provisions should be consolidated, updated and strengthened; and,

WHEREAS, code compliance regulations are currently in chapters 1.16, 8.24, 15.06, 15.14, 17.14 and 19.15, and do not provide sufficient authority to resolve code compliance cases in a timely, efficient and effective manner; and,

WHEREAS, the Mercer Island Planning Commission held a public hearing on June 20, 2018, and held two public meetings on April 4 and May 2, 2018, to consider the code text amendments to establish a new Chapter 6.10 and amend chapters 1.16, 8.24, 15.06, 15.14, 17.14 and 19.15; and

WHEREAS, the Washington Department of Commerce granted expedited review of the proposed amendments to the City Code on **July XX, 2018**;

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

Section 1: **Amend Chapters 1.16, 8.24, 15.06, 15.14, 17.14 and 19.15 of the Mercer Island City Code.** Chapters 1.16, 8.24, 15.06, 15.14, 17.14 and 19.15 of the Mercer Island City Code are hereby amended as set forth in Attachment "A."

Section 2: **Adoption of a new Chapter 6.10 to the Mercer Island City Code.** The new Chapter 6.10 to the Mercer Island City Code as set forth in Attachment "A" to this ordinance is hereby adopted.

Section 3: **Codification of the Regulations.** The City Council authorizes the Development Services Group Director and the City Clerk to correct scrivener's errors in Attachment A, codify the regulatory provisions in Chapter 6.10 of the Mercer Island City Code, and publish the amended code.

Section 4: **Interpretation.** The City Council authorizes the Development Services Group Director to adopt administrative rules, interpret, and administer the amended code as necessary to implement the legislative intent of the City Council.

Section 5: **Severability.** If any section, sentence, clause, or phrase of this ordinance or any city code section amended hereby should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of any other section, sentence, clause, or phrase of this ordinance or the amended code section.

Section 6: **Ratification.** Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and affirmed.

Section 7: **Effective Date.** This Ordinance shall take effect and be in full force five days after its passage and publication.

PASSED by the City Council of the City of Mercer Island, Washington at its regular meeting on the _____ day of September 2018 and signed in authentication of its passage.

CITY OF MERCER ISLAND

Debbie Bertlin, Mayor

Approved as to Form:

ATTEST:

Kari Sand, City Attorney

Deborah A. Estrada, City Clerk

Date of Publication: _____

Draft Code Compliance Amendment
July 17, 2018

Chapter 1.16
ENFORCEMENT PROVISIONS

...

1.16.020 Violation of ordinance provision – A misdemeanor, gross misdemeanor or traffic infraction.

A. The violation of any provision of any ordinance or code provision is a misdemeanor unless specifically designated as a gross misdemeanor, civil violation, ~~or~~ traffic infraction, or civil infraction. Each violation may be prosecuted by the city in the name of the people of the state or the city, or may be redressed by civil action at the option of the city, or both.

B. The maximum penalty for a violation designated as a misdemeanor or as a gross misdemeanor is the maximum penalty set forth in RCW 35A.11.020, or as amended.

C. The maximum penalty for a violation designated as a traffic infraction is a fine not to exceed \$500 except where another penalty is provided for by state statute or city code provision.

D. Each day a violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such. (Ord. A-87 § 2, 1991; added during 1980 codification).

...

Chapter 6.10

CODE COMPLIANCE

Sections:

- 6.10.010 Purpose and Scope
- 6.10.020 General Provisions
- 6.10.030 Right of Entry
- 6.10.040 Service of Written Notice
- 6.10.050 Enforcement Provisions
- 6.10.060 Voluntary Compliance Agreements
- 6.10.070 Stop Work Orders
- 6.10.080 Abatement

1 [6.10.090 Appeals](#)

2 [6.10.100 Recovery of Penalties and Costs](#)

3 [6.10.110 Definitions](#)

4
5 **[6.10.010](#)**

6 **[A. Purpose and Intent](#)**

7 [The purpose of this chapter is to ensure compliance with the City's adopted building, land development,](#)
8 [land use, nuisance and related codes as specified in subsection B, enabling the City to fulfil its duty to](#)
9 [protect the health, safety and welfare of the public. These regulations establish procedures and](#)
10 [mechanisms to resolve violations of the City's adopted building, land development, land use, nuisance,](#)
11 [and related codes. Chapter 6.10 MICC establishes penalties for violations, provides an opportunity for a](#)
12 [prompt hearing, decision, and appeal as to alleged code violations, provides for abatement when](#)
13 [necessary, and provides a mechanism to recover the City's costs. This chapter shall be enforced for the](#)
14 [benefit of the general public, not for the benefit of any particular person or class of persons.](#)

15 [It is the intent of this chapter to place the obligation for code compliance on the person responsible for](#)
16 [a violation, within the scope of this chapter, and not to impose any duty upon the City or any of its](#)
17 [officers, officials or employees, which would subject them to damages in a civil action.](#)

18 **[B. Scope](#)**

19 [This chapter may be applied for the purposes of enforcing the Mercer Island City Code \(MICC\) Chapter](#)
20 [8.24 Nuisance Control Code, Title 15 Water, Sewers and Public Utilities, Title 17 Construction Codes,](#)
21 [Title 19 Unified Land Development Code, and other codes, ordinances, resolutions, permit conditions, or](#)
22 [public rules that promote or protect the public health, safety or welfare and the environment. The](#)
23 [provisions of this chapter are not exclusive and may be used, to the fullest extent permitted by law, in](#)
24 [addition to other applicable provisions of the Mercer Island City Code or other applicable law or](#)
25 [regulation.](#)

26
27 **[6.10.020 GENERAL PROVISIONS](#)**

28 **[A. Declaration of Public Nuisance](#)**

29 [All code violations are determined to be detrimental to the public health, safety, welfare and](#)
30 [environment, and are declared to be public nuisances. All conditions determined to be code violations](#)
31 [may be subject to and enforced pursuant to the provisions of this chapter, except where specifically](#)
32 [excluded by law or regulation.](#)

33
34 **[B. Authority and Approach](#)**

35 [The director is authorized to enforce the provisions of the MICC Chapter 8.24 Nuisance Control Code,](#)
36 [Title 15 Water, Sewers and Public Utilities, Title 17 Construction Codes, Title 19 Unified Land](#)
37 [Development Code, and other codes, ordinances, resolutions, or public rules that promote or protect](#)
38 [the public health, safety or welfare and the environment. The violation of any regulation is unlawful,](#)

1 and the director may take reasonable action to bring about compliance through the use of the
2 provisions of this chapter and any other applicable provisions of the Mercer Island City Code, including
3 but not limited to the revocation or modification of permits, and/or through the enforcement, penalty
4 and abatement provisions described in this chapter.

5 Code compliance actions will be pursued at the discretion of the director primarily in a complaint driven
6 manner. Responses to complaints or evidence of a civil violation shall be prioritized based on
7 significance and severity, with potential violations concerning health, safety and welfare of the public or
8 damage to the environment receiving highest priority.

9
10 After a complaint has been investigated, the director will determine the course of action. If a violation is
11 present, the City may pursue compliance with City codes through the provisions of this chapter. The
12 director shall have discretion to follow an incremental approach to securing compliance. This means
13 starting by contacting the person responsible, explaining the violation and requesting voluntary
14 correction. The director has the authority to reasonably determine the level of compliance, mitigation or
15 remediation that is required as well as a reasonable timeline for completing the required actions. When
16 appropriate, the director may secure compliance by proceeding incrementally to higher penalty levels
17 by using the techniques and options in this title. Likewise, the director has the authority to offer
18 reasonable extensions of timelines or other measures as appropriate when extenuating circumstances
19 are present.

20
21 Alternatively, in the course of the investigation, the director may determine: a) no violation exists; or b)
22 the basis of the issue is private in nature; or c) the violation is *de minimus*. In which case, the director
23 may decide to take no further action. Further, the director may find that a complaint or series of
24 complaints between two or more individuals are frivolous, excessive and/or a form of harassment. In
25 this case, the director may work with the complainant(s) to identify alternative means of dispute
26 resolution (e.g. mediation), and may, under consultation with the City Attorney, choose to limit
27 communication with complainants and responses to complaints that are frivolous or excessive. The City
28 does not intend to ignore complaints and will continue to investigate subsequent, unrelated complaints
29 from the complainant.

30
31 Nothing in this section shall preclude the director from taking other appropriate enforcement action to
32 preclude harm to the health, safety or welfare of the public or the environment.

33 **C. Duty to Comply**

34 It shall be the responsibility of any responsible person to cure the violation, and if property is involved,
35 to bring the property into compliance. Payment of fines, applications for permits, acknowledgment of
36 stop work orders, and compliance with other remedies does not substitute for performing the corrective
37 work required and having the property brought into compliance to the maximum extent reasonably
38 possible under the circumstances. The date set for compliance in the notice of violation takes
39 precedence over any date established for the expiration of any required permit(s) and will be
40 subordinate only if modified by a supplemental notice of violation.

41
42
43 The responsible person has a duty to notify the director of any actions taken to achieve compliance. A
44 violation shall be considered ongoing until the responsible person has come into compliance and has

1 notified the director of this compliance, and an official inspection has verified compliance and all
2 assessed penalties and costs have been paid to the City.

3 4 **D. Additional Enforcement Provisions**

5 The procedures set forth in this chapter are not exclusive. These procedures shall not in any manner
6 limit or restrict the City from remedying or abating code violations in any other manner authorized by
7 law.

8 9 **6.10.030 RIGHT OF ENTRY**

10 The director is authorized to enter any property or premises at any reasonable time to determine
11 whether a civil violation has occurred or is occurring, or to enforce any provision of the Mercer Island
12 City Code or any City ordinance, violation of which is a civil violation under this title and could be a
13 criminal violation under the Mercer Island City Code, or to perform follow up inspections related to such
14 a violation. The director may make examinations, surveys, and studies as may be necessary in the
15 performance of his or her duties. These may include, but are not limited to, the taking of photographs,
16 digital images, videotapes, video images, audio recordings, samples, or other physical evidence. If the
17 property or premises is occupied, the director shall first present credentials and request entry. If an
18 owner, occupant, or agent refuses entry, the City may apply to a court of competent jurisdiction for a
19 search warrant authorizing access.

20 **6.10.040 SERVICE OF WRITTEN NOTICE**

21 Service of a notice of violation, stop work order, infraction or other official written notice of violation
22 issued by the director shall be made by one of the following methods:

23 (a) Personal service. By personal service to the person responsible for the code violation, or by leaving a
24 copy of the written notice at such person's place of residence with a person of suitable age and
25 discretion who resides therein, or by leaving it at such person's place of employment with a person in
26 charge.

27 (b) Service by posting. By posting the written notice in a conspicuous place on the property where the
28 violation occurred and concurrently sending a notice either by electronic mail or by first class mail.

29 (c) Service by mail. By mailing the written notice by regular first class mail, to the person responsible for
30 the code violation at his, her or its last known address, at the address of the violation, or at the address
31 of the place of business of the person responsible for the code violation. The taxpayer's address as
32 shown on the tax records of the county shall be deemed to be the proper address for the purpose of
33 mailing such notice to the landowner of the property where the violation occurred. Service by mail shall
34 be presumed effective upon the third business day following the day upon which the official written
35 notice of violation was placed in the mail.

36 (d) Service by publication. For notice of violation only, when the address of the person responsible for
37 the code violation cannot reasonably be determined, service may be made by publishing the abstract of
38 the notice of violation substantially in the manner as set forth in RCW 4.28.110, as currently enacted or
39 hereafter amended.

1 The failure of the director to make or attempt service of written notice shall not invalidate any
2 proceedings as to any other person duly served.

3 4 **6.10.050 ENFORCEMENT PROVISIONS**

5 Violations may be enforced by issuing one or more civil infractions or one or more notices of violation or
6 any combination thereof. The City shall have discretionary authority to enforce a violation by issuing a
7 civil infraction or a notice of violation pursuant to this chapter, or prosecuting it as a criminal matter.

8 Each day during which a code violation is committed, occurs or continues shall be considered a separate
9 offense for purposes of civil infractions or notices of violation.

10 **A. Misdemeanors**

11 Any person who willfully or knowingly causes, aids or abets a code violation by any act of commission or
12 omission is guilty of a misdemeanor, unless specifically designated as a gross misdemeanor, where such
13 code violation results, or is likely to result, in a threat to public health, life, or safety or in significant
14 harm to the environment. Upon conviction, the person shall be punished by a fine not to exceed \$1,000
15 and/or imprisonment in the County jail for a term not to exceed 90 days.

16 **B. Code Violations**

17 Whenever the director has reason to determine that a code violation occurred or is occurring, or that
18 the code violations cited in an infraction have not been corrected, or that the terms of a Voluntary
19 Correction Agreement have not been met, the director is authorized to issue a notice of violation to any
20 person responsible for the code violation.

21 Subsequent violations shall be treated as new violations for purposes of this section.

22 **1. Notice of Violation**

23 A notice of violation shall be completed in a form approved by the director and the City Attorney, and
24 shall be served consistent with MICC 6.10.040 and shall, at minimum, include the following:

25 (a) The tax parcel number(s), address, when available, or description sufficient for identification of the
26 building, structure, premises or land upon which or within which the violation has occurred or is
27 occurring;

28 (b) A statement of each ordinance, regulation, code provision or permit requirement violated, and the
29 facts to support that the violation(s) occurred or is occurring;

30 (c) The name of the City official issuing the notice and order and the name(s), if known, of the
31 responsible party(ies) to whom the notice and order is being issued;

32 (d) An order requiring corrective action to be taken; description of corrective action that is necessary to
33 achieve compliance; and a date by which the correction must be completed;

34 (e) A statement that if the violation is not corrected and the notice is not appealed, the determination is
35 final and monetary penalties shall be due;

36 (f) The amount of penalty that will be assessed; and

1 (g) A statement advising of the right to appeal the notice of violation to the hearing examiner,
2 instructions on how to file an appeal, and the date by which it must be filed.

3 **2. Supplementation, revocation or modification**

4 Whenever there is new information or a change in circumstances, the director may add to, rescind in
5 whole or in part or otherwise modify a notice of violation by issuing a supplemental notice of violation.
6 The supplemental notice shall be governed by the same procedures applicable to all notices of violation
7 contained in this title, including the right to appeal to the hearing examiner. In addition, the director is
8 authorized to issue penalties accrued as a part of the supplemental notice of violation. If the deadline to
9 appeal the notice of violation has expired, only portions from the notice of violation that are modified in
10 the supplemental notice of violation are subject to appeal to the hearing examiner.

11 **3. Failure to correct**

12 Failure to correct the code violation in the manner prescribed in the notice of violation subjects the
13 person responsible to any of the following compliance remedies:

- 14 a. civil penalties and costs;
- 15 b. continued responsibility for abatement, remediation and/or mitigation;
- 16 c. permit suspension, revocation, modification and/or denial;
- 17 d. costs of abatement incurred by the City; and/or
- 18 e. other remedies that may be available to the City.

19 **4. Time Limits**

20 (a) Persons receiving a notice of violation shall rectify the code violations identified within the time
21 period specified by the director in the notice of violation issued pursuant to this chapter.

22 (b) Unless an appeal is filed with the City for a hearing before the hearing examiner in accordance with
23 the provisions of this chapter, the notice of violation shall become the final administrative order of the
24 director, and the civil penalties assessed and accrued shall be immediately due and subject to
25 collection.

26 **5. Appeals**

27 Any person identified in a notice of violation (or supplemental notice of violation) as a person
28 responsible for a violation may appeal the same within 14 days of service, according to the procedures
29 described in MICC 6.10.090. Failure to appeal the notice within 14 days shall render the notice a final
30 determination that the conditions described therein existed and constitutes a code violation, assessed
31 and accrued civil penalties are due, and that the named party is liable as a person responsible.

32 **6. Recording**

33 (1) Whenever a code violation is related to a condition on real property, and a notice of violation is
34 served on a responsible party who owns said property, the City may record a copy of the notice with the
35 King County recorder's office, or its successor agency.

(2) When all violations specified in the notice of violation have been corrected or abated, the director shall record within a reasonable time a release of notice with the King County recorder’s office, or its successor agency, if the underlying notice was recorded.

C. Civil Infractions

Whenever the director has reason to determine that a civil code violation occurred or is occurring, the director is authorized to issue a civil infraction in accordance with chapter 7.80 RCW, which is incorporated herein by this reference, upon the person responsible for the condition and or who committed the civil code violation. First offenses shall be class 2 civil infractions, for which the maximum penalty and the default amount shall be \$125 for each infraction, and second or subsequent violations shall be class 1 civil infractions, for which the maximum penalty and the default amount shall be \$250 for each infraction, not including fees, costs, and assessments. The Mercer Island Municipal Court shall have jurisdiction over all infractions issued under this chapter.

D. Civil Penalties

1. Civil Penalties

A civil penalty for violation of the terms and conditions of a notice of violation, stop work order or voluntary correction agreement shall be imposed at the rate of \$100 per day for each violation, accruing for every day after the compliance date listed in the notice of violation. Thirty days after the compliance date, the penalty will increase to a rate of \$250 per day for each violation. Sixty days after the compliance date, the penalty will increase to a rate of \$500 per day for each violation, up to a maximum total penalty of \$50,000 for each violation.

2. Priority Violations

In addition to the penalties described above in Section A, any person that is responsible for a violation of the provisions of the following regulations will be subject to additional penalties. These penalties for priority violations will be assessed one time, will not accrue daily and are not subject to any maximum, as described below:

<u>Violation</u>	<u>Penalty</u>
<u>Damage or removal of trees in violation of chapter 19.10 MICC</u>	<u>Triple the value of the cut or damaged tree, plus the cost of remediation. See MICC 19.10.160 for details.</u>
<u>Ecological damage in violation of chapter 19.07 MICC</u>	<u>Up to \$25,000, plus the cost of remediation.</u>
<u>Failure to meet storm water, erosion control requirements in violation of chapter 15.09 MICC</u>	<u>Up to \$10,000, plus the cost of remediation.</u>
<u>Fat, oil, grease discharge in violation of chapter 15.06 MICC</u>	<u>Up to \$10,000, plus the cost of remediation.</u>
<u>Violation of stop work order or voluntary compliance agreement in violation of sections 6.10.060 or 6.10.070 MICC</u>	<u>Up to \$10,000</u>

1 When the potential penalty amount is listed as a range, the director will set the penalty based on the
2 following criteria:

- 3 a) The significance and severity of the violation and its impact on the public and the environment.
4 b) The difficulty and time involved in resolving the violation and mitigating or remediating the area
5 impacted by the violation.
6 c) The resulting ill-gotten economic benefit and savings of construction costs realized by the
7 person responsible for the violation.

8 9 **3. Repeat Violations**

10 A repeat violation is a violation that has occurred on the same property or that has been committed by
11 the same person responsible elsewhere within the city, for which voluntary compliance previously has
12 been agreed to or any enforcement action taken that was not timely appealed or if appealed, the appeal
13 was dismissed, within the previous 36-month period. (For purposes of this subsection, repeat violation
14 does not include each day in violation being counted as a separate violation.) To constitute a repeat
15 violation, the violation need not be the same violation as the prior violation. Violation of a written order
16 of the hearing examiner that has been served as provided in this chapter shall also constitute a repeat
17 violation. Repeat violations will incur double the civil penalties set forth in Sections A and B, above. If
18 violations are repeated a third or subsequent time within a 36-month period, the penalties will be five
19 times those set forth above. The City also has authority to suspend or revoke a business license when a
20 responsible party is repeatedly doing work in violation of city regulations (chapter 5.01 MICC).

21 **4. Deliberate Violation**

22 If a violation was deliberate, the result of blatant disregard for direction from the City or knowingly false
23 information submitted by the property owner, agent or their contractor, civil penalties will be incurred
24 at double those set forth above in Sections A, B and C.

25 **5. Voluntary compliance**

26 The director may reduce penalties at their discretion, if voluntary compliance is achieved. The remaining
27 penalty should reflect the significance and severity of the violation, whether or not the violation was
28 deliberate, and the costs incurred by the City in enforcing a notice of violation, stop work order, or
29 voluntary compliance agreement.

30 31 **E. Suspension, Revocation or Limitation of a Permit**

32 The director may suspend, revoke or limit any permit issued whenever:

- 33 a. The permit holder has committed a code violation in the course of performing activities subject
34 to that permit;
35 b. The permit holder has interfered with the director in the performance of his or her duties
36 relating to that permit;
37 c. The permit was issued in error or on the basis of materially incorrect information supplied to
38 the City by the permit holder; or

1 d. Permit fees or costs were paid to the City by check and returned from a financial institution
 2 marked nonsufficient funds (NSF) or cancelled.

3 Such suspension, revocation or modification shall be carried out through the civil violation provisions of
 4 this chapter and shall be effective upon the compliance date established by the notice of violation. Such
 5 revocation, suspension or cancellation may be appealed to the hearing examiner using the appeal
 6 provisions of this chapter. Notwithstanding any provision of this chapter, the director may immediately
 7 suspend operations under any permit by issuing a stop work order.

8 **F. Hold on Future Permits**

9 The director may place a hold on the issuance of future permits on a property if:

- 10 a. A notice of violation or stop work order has been issued, and
 11 b. The appeal period has passed, or an appeal was brought but it was dismissed, and
 12 c. The violation has not been corrected and/or penalties or fines have not been paid, and
 13 d. The permits relate to the violation.

14 A hold on future permits will prevent the issuance of any land use or building permit for the subject
 15 property, and for the person responsible on any other property within the City, until the violation is
 16 resolved, corrective actions are taken and penalties are paid. The director may use their discretion to
 17 issue exceptions to this subsection for emergencies or hazardous situations, or other situation they
 18 deem reasonable.

19 **G. Notice on Title**

20 The director may file a notice with the King County recorder's office, or its successor agency, if:

- 21 a. A notice of violation or stop work order has been issued, and
 22 b. The appeal period has passed, or an appeal was brought but it was dismissed, and
 23 c. The violation has not been corrected and/or penalties or fines have not been paid, and
 24 d. The violation relates to real property owned by the responsible party.

25 The notice shall inform the public of the presence of an unresolved notice of violation or stop work
 26 order on the subject property.

27 **6.10.060 VOLUNTARY COMPLIANCE AGREEMENTS**

28 **A. Timing**

29 A voluntary compliance agreement (VCA) may be used to resolve code compliance cases, and may be
 30 entered into at any time before an administrative appeal is decided.

31 **B. Contents**

32 A VCA is a written contract between the person responsible for the violation and the City, where such
 33 person agrees to abate the violation within a specified time and according to specified conditions. The
 34 VCA shall be completed on a form approved by the director and the City Attorney and shall, at
 35 minimum, include the following:

36 (1) The name and address of the person responsible;
 37

- 1 (2) The street address or other description sufficient for identification of the building, structure,
 2 premises, or land upon which the violation has occurred or is occurring;
- 3 (3) A description of the violation(s) and a reference to the code(s) which has been violated;
- 4 (4) The necessary corrective action to be taken, and the date by which the correction must be
 5 completed;
- 6 (5) An agreement by the person responsible that the City may inspect the premises as may be necessary
 7 to determine compliance with the VCA;
- 8 (6) The reduced amount of the civil penalty, if any, that the person responsible is agreeing to pay to the
 9 City for the violation;
- 10 (7) A statement that the person responsible acknowledges that the violation occurred as described in
 11 the VCA and waives the right to an administrative or judicial hearing for appeal purposes; and
- 12 (8) An agreement by the person responsible that if the City determines that such person does not meet
 13 his or her obligations specified in the VCA, the City may impose any remedy authorized by this chapter,
 14 including, but not limited to:
- 15 (a) Assessment of civil penalties;
- 16 (b) Abatement of the violation;
- 17 (c) Assessment of all costs and expenses incurred by the City to pursue code enforcement and to
 18 abate the violation, including legal and incidental expenses; and
- 19 (d) Suspension, revocation, or limitation of a permit.

20 **C. Waiver of Appeal**

21 In consideration of the City's agreement to enter into a VCA, the person responsible shall completely
 22 surrender and have no right to an administrative or judicial hearing, under this chapter or otherwise,
 23 regarding the matter of the violation and/or the required corrective action. The VCA is a final, binding
 24 agreement, it is not a settlement agreement, and its contents are not subject to appeal.

25 **D. Amendment**

26 The director may amend a VCA to grant an extension of the time limit for compliance, or a modification
 27 of the required corrective action, if the person responsible has shown due diligence and/or substantial
 28 progress in correcting the violation but unforeseen circumstances or circumstances beyond the control
 29 of the person responsible, render full and timely compliance under the original conditions unattainable.
 30 Such request shall be made in writing by the person responsible and clearly establish the need for such
 31 an amendment.

33 **6.10.070 STOP WORK ORDERS**

34 **A. Issuance**

35 The director shall issue a stop work order if the director finds that:

- 36 1. The work is not authorized by a valid permit or inaccurate information was used to obtain the
 37 permit; or

- 1 2. The permittee is not complying with the terms or conditions of the permit or approved plans,
 2 including storm water management and erosion control requirements, conditions of a seasonal
 3 development deviation, tree protection, construction impact mitigation plan; or
- 4 3. Previously unknown contamination of site soils from hazardous materials is encountered and poses
 5 a potential risk to human health and the environment; or
- 6 4. Adverse weather is causing significant problems on or off site; or
- 7 5. The work is adversely affecting the public health, safety, or welfare; or
- 8 6. The work is a hazard to property or is adversely affecting, or could adversely affect, adjacent
 9 property including: a right-of-way, a drainage way, a watercourse, an environmentally critical area, a
 10 storm water facility or a storm water treatment and flow control BMP; or
- 11 7. Otherwise materially impairs the director's ability to secure compliance with the Mercer Island City
 12 Code.

13 The stop work order shall state the reasons for the order, specify the violation(s) and prohibit any work
 14 or other activity at the site. The stop work order may be appended to, or incorporate by reference, a
 15 notice of violation. However, issuance of a notice of violation is not a condition precedent to the
 16 issuance of a stop work order. A stop work order shall be served consistent with MICC 6.10.040 and
 17 shall take effect immediately upon service.

18 **B. Effect**

19 When a stop work order has been issued, posted and/or served pursuant to this section, it is unlawful to
 20 conduct the activity or perform the work covered by the order, even if the order has been appealed,
 21 until the director has removed the copy of the order, if posted, and issued written authorization for the
 22 activity or work to be resumed. Any violation of a stop work order is hereby declared to be a nuisance
 23 and the director is authorized to enjoin or abate such nuisance by any legal or equitable means
 24 available. The costs, specifically including reasonable attorney and expert witness fees, for the injunction
 25 or abatement, shall be recovered by the City from the person responsible for the code violation in the
 26 manner provided by law. Failure to comply with the terms of a stop work order subjects the person
 27 responsible for the code violation to civil penalties and costs as set forth in this chapter, including a
 28 monetary penalty that shall accrue for each day that a violation of a stop work order occurs.

29 **C. Appeal**

30 A stop work order may be appealed according to the procedures prescribed by MICC 6.10.090. During
 31 any such appeal, the stop work order shall remain in effect. Failure to appeal the stop work order within
 32 the applicable time limits renders the stop work order a final determination that the civil code violation
 33 occurred and that work was properly ordered to cease.

34 **D. Removal of a Stop Work Order**

35 When a stop work order has been posted in conformity with the requirements of this chapter, removal
 36 of such order without the authorization of the City, or the hearing examiner if the matter has been
 37 heard by the hearing examiner, is unlawful and a violation. The director will remove the stop work
 38 order and write a letter of authorization to resume work only when the director finds that the reason for
 39 the order has been resolved or abated.

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6.10.080 ABATEMENT

A. Abatement

Upon consultation with the City Attorney and prior approval by the City Manager, the City may abate a condition which was caused by or continues to be a code violation when:

(a) The terms of the Voluntary Correction Agreement pursuant to this chapter have not been met;
or

(b) A notice of violation or stop work order has been issued, the period for filing an appeal with the hearing examiner has expired, and the required correction has not been completed; or

(c) A notice of violation or stop work order has been issued, a timely appeal was filed, the appellant failed to appear at the scheduled hearing or a hearing was held as provided in this chapter and the required correction has not been completed by the date specified by an order of the hearing examiner; or

(d) The condition is subject to abatement as provided for in this chapter or other provisions of City or state law.

B. Summary Abatement

Other provisions in this chapter notwithstanding, when a code violation causes a condition, the continued existence of which constitutes an immediate and emergent threat to the public health, safety, or welfare or to the environment, the City may summarily, and without prior notice to the person responsible, abate the condition. Notice of such abatement, including the reason for it, shall be given to the person responsible for the violation as soon as reasonably possible after the abatement.

C. Authorized Action by the City

Using any lawful means, the City may enter upon the subject property and may remove or correct the condition which is subject to abatement. The City may seek judicial process as it deems necessary to effect the removal or correction of such condition.

D. No Cause of Action Against City

No cause of action shall lie against the City or its agents, officers, or employees for actions reasonably taken, or not taken, to prevent or cure any immediate threats.

6.10.090 APPEALS

A. Administrative Appeal – Filing Requirements

Persons named in a notice of violation or stop work order, or any owner of the land where the violation for which such a notice or order is issued, may file with the City Clerk a notice of appeal within 14 days of the service of the notice or order. The notice of appeal shall be made in writing using the appropriate City form, clearly explaining the basis for the appeal, and shall include the applicable appeal fee as established in a fee schedule adopted by the Mercer Island City Council.

B. Administrative Appeal – Procedures

- 1 1. Upon receipt of the appeal, the City shall schedule an appeal hearing before the hearing examiner.
- 2 The hearing shall be conducted in accordance with the procedures set forth in MICC 3.40 and the
- 3 rules of procedure of the hearing examiner.
- 4 2. Enforcement of a notice of violation issued pursuant to this chapter shall be stayed as to the
- 5 appealing party during the pendency of any administrative appeal under this section, except when
- 6 the director determines that the violation poses a significant threat of immediate and/or irreparable
- 7 harm and so states in any notice issued.
- 8 3. Enforcement of a stop work order issued pursuant to this chapter shall not be stayed during the
- 9 pendency of any administrative appeal under this section.
- 10 4. When multiple stop work orders or notices of violation have been issued for any set of related facts
- 11 constituting various violations, their appeals may be consolidated.

C. Administrative Appeal – Final Order

- 13 1. Following review of the evidence submitted, if the examiner finds that no violation has occurred, the
- 14 hearing examiner shall uphold the appeal and reverse the notice of violation or stop order. If the
- 15 hearing examiner finds that a violation has occurred, the hearing examiner shall issue an order to
- 16 the person responsible for the violation which includes the following information:
 - 17 (a) The decision regarding the alleged violation including findings of fact and conclusions based
 - 18 thereon in support of the decision;
 - 19 (b) The required corrective action;
 - 20 (c) The date by which the correction must be completed; and
 - 21 (d) The civil penalties assessed based on the provisions of this chapter and the fee resolution;
- 22
- 23 2. If an owner of property where a violation has occurred has affirmatively demonstrated that the
- 24 violation was caused by another person or entity not the agent of the property owner and without
- 25 the property owner's knowledge or consent, such property owner shall be responsible only for
- 26 abatement of the violation.

D. Effect of Decision

29 The decision of the hearing examiner shall constitute the final decision of the City, and the failure to
 30 comply with the decision of the hearing examiner, unless the decision is appealed to a court of
 31 competent jurisdiction, shall constitute a misdemeanor punishable by a fine of not more than \$1,000 or
 32 up to 90 days' imprisonment, or both. In addition to criminal punishment pursuant to this section, the
 33 City may pursue collection and abatement as authorized by law.

6.10.100 RECOVERY OF PENALTIES AND COSTS

A. Payment

37 Any monetary penalties or costs assessed pursuant to this chapter constitute a personal obligation of
 38 the person responsible for the violation. In addition, the monetary penalties or costs assessed pursuant

1 to this chapter may be assessed against the property that is the subject of the enforcement action. The
2 City Attorney is authorized to collect the monetary penalty or costs by use of appropriate legal
3 remedies, the seeking or granting of which shall neither stay nor terminate the accrual of additional per
4 diem monetary penalties so long as the violation continues.

5 **B. Recovery of Costs**

6 All reasonable expenses incurred by the City in abating a violation shall be billed to the person
7 responsible for the violation and shall become due and payable to the City within 30 calendar days from
8 the date of the bill. Such costs may include, but are not limited to, the following:

9 1. "Legal expenses," which shall include, but are not limited to:

10 (a) Personnel costs, both direct and indirect, including attorney's fees and all costs incurred by the
11 City Attorney's office or its designee;

12 (b) Actual and incidental expenses and costs incurred by the City in preparing notices, contracts,
13 court pleadings, and all other necessary documents; and

14 (c) All costs associated with retention and use of expert witnesses or consultants.

15 2. "Abatement expenses," which shall include, but are not limited to:

16 (a) Costs incurred by the City for preparation of notices, contracts, and related documents;

17 (b) All costs associated with inspection of the abated property and monitoring of said property
18 consistent with orders of compliance issued by the City's hearing examiner or a court of competent
19 jurisdiction;

20 (c) All costs incurred by the City for hauling, storage, disposal, or removal of vegetation, trash,
21 debris, dangerous structures or structures unfit for occupancy, potential vermin habitat or fire
22 hazards, junk vehicles, obstructions to public rights-of-way, and setback obstructions;

23 (d) All costs incurred by law enforcement or related enforcement agencies;

24 (e) All costs incurred by the City during abatement of nuisance and code violations may include
25 interest in an amount as prescribed by law; and

26 The city manager or designee, or the hearing examiner, may in their discretion waive in whole or part
27 the assessment of any costs upon a showing that abatement has occurred or is no longer necessary or
28 that the costs would cause a significant financial hardship for the person responsible for the violation.
29 Any challenge to the amount of the legal or abatement costs must be made within 14 days of issuance
30 of the bill and shall be heard by the hearing examiner. The hearing examiner shall make a determination
31 as to whether or not the city's costs were accurate and necessary for correcting the violation.

32 **C. Use of Collection Agency**

33 Pursuant to RCW 19.16.500, as currently enacted or hereafter amended, the City may, at its discretion,
34 use a collection agency for the purposes of collecting penalties and costs assessed pursuant to this
35 chapter. The collection agency may add fees or interest charges to the original amount assigned to
36 collections as allowed by law.

37 **D. Continuing Duty to Abate Violations**

1 Payment of a monetary penalty or costs pursuant to this chapter does not relieve the person
2 responsible for the violation of the duty to correct or abate the violation. Additional notices of violation
3 may be issued and/or criminal charges filed for continuing failure to correct or abate a violation.

4 5 **6.10.110 DEFINITIONS**

6 Except where specifically defined in this section, all words used in this title shall carry their customary
7 meanings. The word “shall” is always mandatory, and the word “may” denotes a use of discretion in
8 making a decision. The following words and phrases used in this title shall have the following meanings:

9 “Abate” means to take whatever steps are deemed necessary in the interest of the general health,
10 safety, and welfare of the City by the director to return a property to the condition in which it existed
11 before a civil code violation occurred or to assure that the property complies with applicable code
12 requirements. Abatement may include, but is not limited to, rehabilitation, demolition, removal,
13 replacement or repair.

14 “Appeal hearing” means a hearing requested in response to a notice of violation, stop work order, or
15 other official written notice of violation issued by the director to contest the finding that a violation
16 occurred or to contest that the person cited for a violation is responsible for the violation.

17 “Civil penalty” or “monetary penalty,” means a fine or fee levied as a consequence for a civil violation,
18 civil infraction or stop work order.

19 “Civil violation” or “code violation” or “violation” means and includes one or more of the following:

20 (1) Any act or omission contrary to any ordinance, resolution, regulation or public rule of the City
21 that regulates or protects public health, the environment or the use and development of land or
22 water, whether or not the ordinance, resolution or regulation is codified.

23 (2) Any act or omission contrary to the conditions of any permit, violation notice or stop work or
24 other order issued pursuant to any such ordinance, resolution, regulation or public rule.

25 “Compliance” means the violation has been abated, remediated or otherwise resolved and any
26 applicable penalties or costs have been paid.

27 “Complainant” means the person that makes a complaint to the City reporting a violation or potential
28 violation.

29 “Costs” means, but is not limited to, contract expenses and City employee labor expenses incurred in
30 abating a nuisance; a rental fee for City equipment used in abatement; costs of storage, disposal, or
31 destruction; legal expenses and attorneys’ fees associated with civil judicial enforcement of abatement
32 orders or in seeking abatement orders; and any other costs incurred by the City, excluding fees and
33 expenses associated with appeals authorized by this code or by state law.

34 “De minimus” means a civil violation that is of very low impact and poses low risk to the health, safety
35 and welfare of the public and to the environment.

1 “Development” means the erection, alteration, enlargement, demolition, maintenance or use of any
2 structure or the alteration or use of land above, at, or below ground or water level, and all acts
3 authorized by a City permit or regulation.

4 “Director” means the director of the development services group, or their designee.

5 “Excessive Complaint” means a complainant that repeatedly reports to the City the same or closely
6 related issues in a manner that may be intended to harass or antagonize the alleged responsible person.

7 “Found in violation” means that:

8 (1) A notice of violation, stop work order or infraction has been issued and not timely appealed; or

9 (2) The hearing examiner has determined that the violation has occurred and the hearing examiner’s
10 determination has not been stayed or reversed on appeal.

11 “Frivolous complaint” means a complaint that is based on an issue that is not a code violation or is a *de*
12 *minimus* violation. The complaint may be an attempt to harass or antagonize the alleged responsible
13 person.

14 “Hearing examiner” means the City of Mercer Island hearing examiner, as provided in chapter 3.40
15 MICC.

16 “Infraction” or “civil infraction” means any code violation designated as an infraction or civil infraction
17 by the director pursuant to Chapter 7.80 RCW, incorporated herein by reference.

18 “Mortgagee” means a financial institution, including a bank, credit union or other commercial lender,
19 which holds mortgaged property as security for repayment of a loan.

20 “Notice of violation” means a written statement, issued by the director, that contains the information
21 required under MICC 6.10.050 (B)(1) notifying a person that they are responsible for one or more civil
22 violations of the Mercer Island City Code, orders the timely correction of the same, and/or assesses civil
23 penalty for failure to timely correct.

24 “Nuisance” (also referred to herein as “violation” or “nuisance violation”) means:

25 (1) A violation of any City of Mercer Island development, land use, or public health ordinance;

26 (2) Doing an act, omitting to perform any act or duty, or permitting or allowing any act or omission
27 that annoys, injures, or endangers the comfort, repose, health, or safety of others, is unreasonably
28 offensive to the senses, or that obstructs or interferes with the free use of property so as to
29 interfere with or disrupt the free use of that property by any lawful owner or occupant;

30 (3) Potential vermin habitat or fire hazard; or

1 (4) Junk Vehicles. A “junk vehicle” includes apparent inoperable, immobile, disassembled, or
2 extensively damaged vehicles. In addition, any wrecked inoperable, abandoned, or disassembled
3 trailer, house trailer, boat, tractor, automobile, other vehicle, or any parts thereof.

4 “Owner” means any owner, part owner, joint owner, tenant in common, tenant in partnership, joint
5 tenant, or tenant by the entirety, of the whole or of a part of a building or land.

6 “Permit” means any form of certificate, approval, registration, license or any other written permission
7 issued by the City of Mercer Island. All conditions of approval, and all easements and use limitations
8 shown on the face of an approved final plat which are intended to serve or protect the general public
9 are deemed conditions applicable to all subsequent plat property owners and their tenants and agents
10 as permit requirements enforceable under this chapter.

11 “Person responsible for the violation” or “person responsible” or “violation” means any of the following:
12 the person doing the work, a person who has titled ownership or legal control of the property or
13 structure that is subject to the violation; an occupant or other person in control of the property or
14 structure that is subject to the violation; a developer, builder, business operator, or owner who is
15 developing, building, or operating a business on the property or in a structure that is subject to the
16 violation; a mortgagee that has filed an action in foreclosure on the property that is subject to the
17 violation, based on breach or default of the mortgage agreement, until title to the property is
18 transferred to a third party; a mortgagee of property that is subject to the violation and has not been
19 occupied by the owner, the owner’s tenant, or a person having the owner’s permission to occupy the
20 premises for a period of at least 90 days; or any person who created, caused, participated in, or has
21 allowed a violation to occur.

22 “Public nuisance” means a nuisance that affects equally the rights of an entire community or
23 neighborhood, although the extent of the damage may be unequal.

24 “Resolution” means any resolution adopted by the Mercer Island City Council.

25 “Repeat violation” means a violation that has occurred on the same property or that has been
26 committed by the same person responsible elsewhere within the city, for which voluntary compliance
27 previously has been agreed to or any enforcement action taken that was not timely appealed or if
28 appealed, the appeal was dismissed, within the previous 36-month period. (For purposes of this
29 subsection, repeat violation does not include each day in violation being counted as a separate
30 violation.) To constitute a repeat violation, the violation need not be the same violation as the prior
31 violation. Violation of a written order of the hearing examiner that has been served as provided in this
32 chapter shall also constitute a repeat violation.

33 “Stop work order” means a written order specifying code violations and prohibiting any work or other
34 activity at a particular site.

35 “Voluntary compliance agreement” or “VCA” means a written contract between the person responsible
36 for the violation and the City, under which such person agrees to abate the violation within a specified
37 time and according to specified conditions.

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Chapter 8.24
NUISANCE CONTROL CODE

...

8.24.050 Enforcement ~~notice.~~

Any person who violates any provision of this chapter may be issued a civil infraction, notice of violation, or other penalties as authorized by Chapter 6.10 MICC

~~An enforcement officer appointed by the city manager, having knowledge of any public nuisance, shall cause any owner or other responsible person to be notified of the existence of a public nuisance on any premises and shall direct the owner or other responsible person to abate the condition within 10 days after notice or other reasonable period. The notice shall be substantially in the following form:~~

~~NOTICE TO ABATE UNSAFE OR UNLAWFUL CONDITION~~

~~(Name and address of person notified)~~

~~As owner, agent, lessee or other person occupying or having charge or control of the building, lot or premises at _____ you are hereby notified that the undersigned pursuant to Chapter 8.24 of Mercer Island city code has determined that there exists upon or adjoining said premises the following condition contrary to the provisions of subsection ___ of 8.24.020:~~

~~You are hereby notified to abate said condition to the satisfaction of the undersigned within 10 days of the date of this notice. If you do not abate such condition within ___ days the city will abate the condition at your expense.~~

~~Abatement is to be accomplished in the following manner:~~

~~Dated: _____ (Name of enforcement officer)~~

~~by _____~~

~~(Ord. 486 § 1, 1979).~~

1 ~~8.24.060 Abatement by city.~~

2 ~~In all cases where the enforcement officer has determined to proceed with abatement, 10 days~~
3 ~~after giving notice, the city shall acquire jurisdiction to abate the condition at the person's~~
4 ~~expense as provided in this chapter. Upon the abatement of the condition or any portion thereof~~
5 ~~by the city, all the expenses thereof shall constitute a civil debt owing to the city jointly and~~
6 ~~severally by such of the persons who have been given notice as provided in this chapter. The debt~~
7 ~~shall be collectable in the same manner as any other civil debt owing to the city. (Ord. 486 § 1,~~
8 ~~1979).~~

9 ~~8.24.070 Abatement by owner or other responsible person.~~

10 ~~If and when an owner or other responsible person undertakes to abate any condition described in~~
11 ~~this chapter, whether by order of the enforcement officer or otherwise, all needful and legal~~
12 ~~conditions pertinent to the abatement may be imposed by the enforcement officer. It is unlawful~~
13 ~~for the owner or other responsible person to fail to comply with such conditions. Nothing in this~~
14 ~~chapter shall relieve any owner or other responsible person of the obligation of obtaining any~~
15 ~~required permit to do any work incidental to the abatement. (Ord. 486 § 1, 1979).~~

16 ~~8.24.080 Immediate danger — Summary abatement.~~

17 ~~Whenever any condition on, or use of, property causes or constitutes or reasonably appears to~~
18 ~~cause or constitute an imminent or immediate danger to the health or safety of the public, or a~~
19 ~~significant portion thereof, the enforcement officer shall have the authority to summarily and~~
20 ~~without notice abate the same. The expenses of such abatement shall become a civil debt against~~
21 ~~the owner or other responsible party and be collected as provided in MICC 8.24.060. (Ord. 486 § 1,~~
22 ~~1979).~~

23 ~~8.24.090 Violation a misdemeanor.~~

24 ~~Any person violating any of the provisions of this chapter is guilty of a misdemeanor. (Ord. 486 § 1, 1979).~~

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Title 15
WATER, SEWERS AND PUBLIC UTILITIES

...

15.06.180 Enforcement.

Failure to comply with any applicable provisions under this chapter shall be deemed a violation. Each day that any violation or failure to comply exists may be construed as a separate offense. Enforcement proceeds under this chapter shall follow the processes and procedures set forth in [Chapter 6.10](#) MICC ~~Title 6.19.15.030(C), (D), (E), (F), (G) and (H).~~ (Ord. 14C-03 § 2).

...

15.14.080 Enforcement.

A. The city shall have the authority to terminate water service, take abatement action as set forth in MICC 15.14.090 and impose monetary penalties for violations of the inspection, testing and installation requirements in this chapter.

B. Water Service Termination and Monetary Penalties. In the event that the water purveyor, or his/her designee, determines that an unlawful cross-connection exists and/or that the consumer has failed to meet the inspection and testing requirements for backflow preventers, the consumer shall be subject to the following penalties:

1. Warning. Written notice shall be sent to the consumer or, alternatively, a copy of such written notice shall be posted on the premises involved. The notice shall provide that the unlawful cross-connection shall be corrected by testing or installation within 30 days of the date the notice is mailed or posted on the premises.

2. First Violation. If the consumer does not correct the violation by testing or installation within 30 days of the first written notice, the consumer shall ~~receive a \$100 penalty~~ [be issued an infraction as provided in MICC 6.10.050 \(C\) and a](#) ~~and~~ notice that water service to the premises may be terminated after 30 days.

3. Second Violation. If the consumer does not correct the violation by testing or installation within 30 days of the issuance of the first ~~penalty~~ [infraction](#), the consumer shall [be issued a second infraction as provided in MICC 6.10.050 \(C\)](#) ~~receive an additional \$150 penalty~~ and water service to the premises may be shut off immediately.

1 4. If the water purveyor determines that service should not be interrupted, the city may hire a
 2 contractor to abate the unlawful cross-connection as set forth in MICC 15.14.090. (Ord. 15C-09 § 1;
 3 Ord. A-38 § 1, 1985).

4
 5 ...

6 Chapter 17.14
 7 CONSTRUCTION ADMINISTRATIVE CODE

8 ...

9 SECTION 114

10 VIOLATIONS

11 114.1 Unlawful acts. It shall be unlawful for any person, firm or corporation to erect, construct, alter,
 12 extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by the
 13 construction codes and the Construction Administrative Code, or cause same to be done, in conflict
 14 with or in violation of any of the provisions of the construction codes or the Construction Administrative
 15 Code.

16 114.2 Enforcement. Enforcement of the construction codes and the Construction Administrative Code
 17 shall be in conformance with the procedures set forth in ~~MICC Chapter 6.10 MICC 19.15.030~~; provided,
 18 that references to the development code shall be deemed to refer to the Construction Administrative
 19 Code and the Construction Codes.

20 114.3 Enforcement Authority.

21 1. Development Services Group. The development services group of the city of Mercer Island shall be
 22 responsible for enforcement of the construction codes, under the administrative and operational control
 23 of the building official, who shall be designated by the code official (as defined by MICC [19.16.010](#));
 24 provided, the fire code official or his or her designee shall be responsible for enforcement of the
 25 International Fire Code, IBC Chapter 9 – Fire Protection Systems and IRC Appendix Q related to
 26 residential fire sprinklers.

27 2. Building Official. The building official is responsible for administration and interpretation of the
 28 Construction Administrative Code and the construction codes; provided, the fire code official or his or

1 her designee shall be responsible for administration and interpretation of the fire code, IBC Chapter 9 –
2 Fire Protection Systems and IRC Appendix Q related to residential fire sprinklers.

3 Whenever the term or title “administrative authority,” “responsible official,” “building official,” “chief
4 inspector,” “code enforcement officer” or other similar designation is used in this title or in any of the
5 construction codes, it shall be construed to mean the building official designated by the code official;
6 provided, with regard to the International Fire Code, it shall mean the fire code official or his or her
7 designee.

8
9 [...](#)

10 Chapter 19.15
11 ADMINISTRATION

12 **19.15.030 Enforcement.**

13 A. Violations.

14 1. It is a violation of the development code, MICC Title 19, for any person to initiate or maintain or
15 cause to be initiated or maintained the use of any structure, land or real property within the city of
16 Mercer Island without first obtaining proper permits or authorizations required for the use by the
17 development code.

18 2. It is a violation of the development code for any person to use, construct, locate, demolish or
19 cause to be used, constructed, located, or demolished any structure, land or property within the city
20 of Mercer Island in any manner that is not permitted by the terms of any permit or authorization
21 issued pursuant to the development code or previous codes.

22 3. It is a violation of the development code to misrepresent any material fact in any application,
23 plans or other information submitted to obtain any land use authorization.

24 4. It is a violation of the development code for anyone to fail to comply with the requirements of the
25 development code, as set out in the specific sections of the code.

26 [5. Any person who violates any provision of this chapter may be issued a civil infraction, notice of
27 violation, or other penalties as authorized by Chapter 6.10 MICC-~~Title 6.~~](#)

28 ~~B. Duty to Enforce.~~

1 ~~1. It shall be the duty of the director of the development services group to enforce the development~~
2 ~~code. The director may call upon the police, fire, health or other appropriate city departments to~~
3 ~~assist in enforcement.~~

4 ~~2. Upon presentation of proper credentials, the director or duly authorized representative of the~~
5 ~~director may, with the consent of the owner or occupier of a building or premises, or pursuant to a~~
6 ~~lawfully issued inspection warrant, enter at reasonable times any building or premises subject to the~~
7 ~~consent or warrant to perform the duties imposed by the development code.~~

8 ~~3. The development code shall be enforced for the benefit of the health, safety and welfare of the~~
9 ~~general public, and not for the benefit of any particular person or class of persons.~~

10 ~~4. It is the intent of the development code to place the obligation of complying with its requirements~~
11 ~~upon the owner, occupier or other person responsible for the condition of the land and buildings~~
12 ~~within the scope of this code.~~

13 ~~5. No provisions or term used in this code is intended to impose any duty upon the city or any of its~~
14 ~~officers or employees, which would subject them to damages in a civil action.~~

15 ~~C. Investigation.~~

16 ~~1. The director or his/her designee, shall investigate any structure or use which the director~~
17 ~~reasonably believes does not comply with the standards and requirements of this development~~
18 ~~code.~~

19 ~~2. If, after investigation, the director determines that the standards or requirements have been~~
20 ~~violated, the director shall serve a notice of violation upon the owner, tenant or other person~~
21 ~~responsible for the condition. The notice of violation shall state separately each standard or~~
22 ~~requirement violated; shall state what corrective action, if any, is necessary to comply with the~~
23 ~~standards or requirements; and shall set a reasonable time for compliance. The notice shall state~~
24 ~~that any further violation may result in criminal prosecution and civil penalties.~~

25 ~~3. The notice shall be served upon the owner, tenant or other person responsible for the condition~~
26 ~~by personal service, registered mail, or certified mail with return receipt requested addressed to the~~
27 ~~last known address of such person. If, after a reasonable search and reasonable efforts are made~~
28 ~~to obtain service, the whereabouts of the person or persons is unknown or service cannot be~~
29 ~~accomplished and the director makes an affidavit to that effect, then service of the notice upon such~~
30 ~~person or persons may be made by publication and mailing to the last known address.~~

1 ~~D. Stop Work/Emergency Orders.~~

2 ~~1. Stop Work Order. Whenever a continuing violation of the development code will materially impair~~
3 ~~the director's ability to secure compliance with this code, or when the continuing violation threatens~~
4 ~~the health or safety of the public, the director may issue a stop work order specifying the violation~~
5 ~~and prohibiting any work or other activity at the site. A failure to comply with a stop work order shall~~
6 ~~constitute a violation of this development code.~~

7 ~~2. Emergency Order. Whenever any use or activity in violation of this code threatens the health and~~
8 ~~safety of the occupants of the premises or any member of the public, the director may issue an~~
9 ~~emergency order directing that the use or activity be discontinued and the condition causing the~~
10 ~~threat to the public health and safety be corrected. The emergency order shall specify the time for~~
11 ~~compliance and shall be posted in a conspicuous place on the property, if posting is physically~~
12 ~~possible. A failure to comply with an emergency order shall constitute a violation of this~~
13 ~~development code.~~

14 ~~3. Any condition described in the emergency order which is not corrected within the time specified~~
15 ~~is hereby declared to be a public nuisance and the director is authorized to abate such nuisance~~
16 ~~summarily by such means as may be available. If the city declines to bring an abatement action,~~
17 ~~then such action may be brought by any person who owns or resides on property within 300 feet of~~
18 ~~the structure or whose use and enjoyment of property is impaired by the structure or use~~
19 ~~complained of.~~

20 ~~E. Extension of Compliance Date.~~

21 ~~1. The director may grant a reasonable extension of time for compliance with any notice or order,~~
22 ~~whether pending or final, upon the director's finding that substantial progress toward compliance~~
23 ~~has been made and that the public will not be adversely affected by the extension. Such extension~~
24 ~~of time shall not exceed 180 days.~~

25 ~~2. An extension of time may be revoked by the director if it is shown that the conditions at the time~~
26 ~~the extension was granted have changed, the director determines that a party is not performing~~
27 ~~corrective actions as agreed, or if the extension creates an adverse effect on the public. The date of~~
28 ~~revocation shall then be considered as the compliance date.~~

29 ~~F. Civil Penalty.~~

1 ~~1. In addition to any other sanction or remedial procedure which may be available, any person~~
2 ~~violating or failing to comply with any of the provisions of the development code, stop work order or~~
3 ~~emergency order shall be subject to a cumulative monetary penalty. Each separate day of~~
4 ~~noncompliance shall be a separate and distinct violation of the development code and shall be~~
5 ~~subject to a separate notice of civil infraction. The penalty shall be:~~

6 ~~a. Fifty dollars (\$50) for the first day of noncompliance after the compliance date set in the~~
7 ~~notice.~~

8 ~~b. Seventy five dollars (\$75) for the second day of noncompliance after the compliance date~~
9 ~~set in the notice.~~

10 ~~c. One hundred dollars (\$100) for the third and each following additional day of~~
11 ~~noncompliance after the compliance date set in the notice.~~

12 ~~2. The penalty imposed by this section shall be collected by notice of civil infraction, as authorized~~
13 ~~by Chapter 7.80 RCW.~~

14 ~~3. The director of development services, and his/her designees, are the authorized enforcement~~
15 ~~officers for purposes of issuing a notice of infraction for violation of the development code.~~

16 ~~4. A notice of infraction issued under this section represents a determination that a civil infraction~~
17 ~~has been committed, and the determination is final unless contested.~~

18 ~~5. The city's notice of infraction shall include the following:~~

19 ~~a. A statement that the notice represents a determination that a civil infraction has been~~
20 ~~committed by the person named and the determination is final unless contested.~~

21 ~~b. A statement that a civil infraction is a noncriminal offense for which imprisonment may not~~
22 ~~be imposed.~~

23 ~~c. A statement of the specific violation of the development code for which the notice is issued.~~

24 ~~d. A statement of the monetary penalty for the violation.~~

25 ~~e. A statement of the options available for responding to the notice of infraction and the~~
26 ~~procedures necessary to exercise those options.~~

1 ~~f. A statement that at the hearing to contest the notice the city has the burden of proving, by a~~
2 ~~preponderance of the evidence, that the civil infraction was committed and that the person~~
3 ~~may subpoena witnesses, including the enforcement officer issuing the notice.~~

4 ~~g. A statement that at any hearing requested to explain mitigating circumstances surrounding~~
5 ~~the commission of the civil infraction, the person will be deemed to have committed the~~
6 ~~infraction and may not subpoena witnesses.~~

7 ~~h. A statement that the person must respond to the notice within 14 days.~~

8 ~~i. A statement that failure to respond to the notice or to appear at a hearing, if requested, will~~
9 ~~result in a default judgment in the amount of the penalty and may be referred for criminal~~
10 ~~prosecution for failure to appear.~~

11 ~~j. A statement, which the person shall sign, that the person promises to respond to the notice~~
12 ~~of civil infraction in one of the ways set forth in this section.~~

13 ~~6. Any person who receives a notice of infraction for violation of the development code shall~~
14 ~~respond to the notice as provided in this section within 14 days of the date of the notice.~~

15 ~~a. If the person does not contest the determination, he/she shall respond by completing the~~
16 ~~appropriate portion of the notice and sending it, with a check or money order in the amount of~~
17 ~~the penalty, to the court specified on the notice.~~

18 ~~b. If the person wishes to contest the civil infraction, the person shall complete the portion of~~
19 ~~the notice requesting a hearing and submit it to the court specified on the notice. The court~~
20 ~~shall notify the person of the time and place of the hearing.~~

21 ~~c. If the person does not contest the violation but wishes to explain mitigating circumstances~~
22 ~~surrounding the violation, the person shall complete the portion of notice requesting a hearing~~
23 ~~for that purpose and submit it to the court specified on the notice. The court shall notify the~~
24 ~~person of the time and place of the hearing.~~

25 ~~d. The court shall enter a default judgment for the amount of the penalty for the civil infraction~~
26 ~~if a person fails to respond within 15 days or to appear at the hearing.~~

27 ~~7. The violator may show as full or partial mitigation of the infraction:~~

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~~a. That the violation giving rise to the action was caused by the willful act, or neglect, or abuse of another; or~~

~~b. That correction of the violation was commenced promptly upon receipt of the notice thereof, but that full compliance within the time specified was prevented by inability to obtain necessary materials or labor, inability to gain access to the subject structure, or other condition or circumstance beyond the control of the defendant.~~

~~8. Failure to respond to a civil citation within 14 days or to appear for a requested hearing is a misdemeanor, punishable by fine or imprisonment in jail.~~

~~G. Criminal Penalties. Any person violating or failing to comply with any of the provisions of this development code shall be subject to criminal prosecution and upon conviction shall be fined in a sum not exceeding \$1,000 or be imprisoned in the city jail for a term not exceeding 90 days or be both fined and imprisoned. Each day of noncompliance with any of the provisions of this development code shall constitute a separate offense. However, the aggregate penalty for all days of noncompliance shall not exceed \$5,000 or one year in the city jail.~~

~~H. Additional Relief. The director may seek legal or equitable relief to enjoin any actions or practices and abate any condition which constitutes or will constitute a violation of this development code when civil or criminal penalties are inadequate to effect compliance. (Ord. 99C-13 § 1).~~



**CITY OF MERCER ISLAND
PLANNING COMMISSION**

**AGENDA ITEM NO. 1
DATE: June 14, 2018**

File No.:	ZTR18-004
Description:	This is a proposal to amend the code compliance regulations. This proposal creates a new Chapter 6.10 and amends portions of several chapters of the MICC including Chapters 1.16, 8.24, 15.06, 15.14, 17.14 and 19.15.
Sponsor:	City of Mercer Island, Development Services Group
Attachments:	1. Proposed Code Amendments
Staff Contact:	Alison Van Gorp, Administrative Services Manager

I. SUMMARY

The City of Mercer Island is proposing amendments to Mercer Island City Code (MICC) Titles 1, 8, 15, 17 and 19, see Attachment 1. The proposed amendments would create a new Chapter 6.10 related to code compliance and amend Chapters 1.16, 8.24, 15.06, 15.14, 17.14 and 19.15.

A code amendment is designated as a legislative action, as set forth in MICC 19.15.010(E). Applicable procedural requirements for a legislative action are contained within MICC 19.15.020, including the provision that the Planning Commission conduct an open record public hearing for all legislative actions. On June 20, 2018, the Planning Commission will hold an open record public hearing on this matter to obtain comments from the public and deliberate on the proposed amendment. The Planning Commission will forward a recommendation on the proposed amendments to the City Council for consideration and action. As the final decision-making authority for legislative actions, the City Council will consider the matter in a public meeting prior to taking final action.

The City issued a Public Notice of Application and Open Record Hearing which was published in the Mercer Island Reporter on May 16, 2018 and in the City's weekly permit bulletin on May 21, 2018. The public comment period ran from May 21, 2017 through June 20, 2018. Through June 14, 2018, the City did not receive any written comments concerning the proposed zoning text amendment.

The application is exempt from review under the State Environmental Policy Act (SEPA), WAC 197-11-800(19).

II. STAFF FINDINGS, ANALYSIS AND CRITERIA FOR REVIEW

Background

During the process to update the Residential Development Standards in 2017, the City began hearing from the community that there is a desire to increase the effectiveness and timely resolution of code compliance cases. Anecdotal comments received by the City Council and staff indicate frustration from residents around enforcement of codes and the time it takes to achieve compliance. These complaints span a wide range of issues, including both active construction sites and residential or commercial properties that are not under construction.

Currently, the City's code compliance staff struggle with a large caseload, with some cases being very difficult and time-consuming to bring into compliance. Limited staff time (1.0 FTE dedicated to code compliance) is prioritized on life safety and environmental protection, with a queue of lower priority issues being addressed as time allows. Overtime, a backlog of cases has built up, made up of lower priority cases as well as higher priority issues that are taking a longer time to resolve.

The existing city code contains code compliance regulations in several sections. Cross-referencing these code sections can be confusing, particularly when violations cross multiple categories. In addition, many of these sections have not been updated since they were originally adopted in the 1970s and 80s. Each of these code sections has its own provisions for penalties, all of which are inconsistent. Penalties range from misdemeanor charges for nuisance violations to potentially large monetary fines for tree violations. There are several issues with these provisions. First, the limited number of tools are not flexible enough to fit all situations. For example, nuisance violations can only be charged as misdemeanors, a criminal violation. This may be somewhat out of scale for many of the nuisance violations in Mercer Island. Secondly, the penalty structure in the development code is impractical, with fines based on a per day structure that requires citations to be delivered daily. Finally, based on the interpretation of the code by past city attorneys, staff practice has not included issuing civil penalties or citations. Without strong "teeth" in the code, the City's practice to-date has been focused on gaining voluntary compliance through working with property owners, which is often time consuming. It is rare that the City will levy fines or penalties, except in extreme cases.

A code amendment is proposed to provide a clear and simple process as well as additional regulatory tools to aid in achieving compliance efficiently and effectively. The goal with code compliance cases is always to attain voluntary compliance and close the case. However, when a responsible party is resistant to compliance, additional tools will enable staff to spur action more quickly and bring cases to resolution. Achieving compliance in a timely manner is important for giving residents surety that city regulations will be upheld to maintain safety, environmental protection and community character.

Over the last several months, staff have reviewed code language from several peer cities, interviewed staff from two cities with code provisions that may be appropriate for Mercer Island, and explored potential policy tools with the City Attorney's office. Based on this research and conversations with peer cities, staff believe that strategic code updates could provide additional tools to assist staff in attaining compliance more quickly in many of the lower priority cases, which would substantially decrease the amount of time spent on "tough" cases with property owners that are resistant to coming into compliance. On March 21, 2018 the Planning Commission began a process to develop recommendations for a proposed code amendment. Since then, the Commission has analyzed lessons learned from other cities, given direction on policy options and reviewed a draft code amendment.

Proposed Amendment

The proposed amendments to MICC Titles 1, 8, 15, 17 and 19 related to code compliance are shown in Attachment 1. Please note that the code amendment has been updated from the version provided previously, dated May 21. That version omitted the amendments to Titles 8 and 17, which are now included.

A new code section, Chapter 6.10 MICCC, is proposed to consolidate the code compliance provisions and establish a suite of enforcement tools that are broadly applicable to violations of the nuisance, construction, land development and water, sewer and public utility codes.

- It creates broadly applicable enforcement tools including misdemeanors, civil violations, civil infractions, voluntary compliance agreements, stop work orders and abatement.
- It includes new monetary penalties intended to spur compliance from people that are responsible for violations. Also included are additional penalties for priority violations, repeat and deliberate violations.
- It provides a description of the process for each of the enforcement tools, as well as provisions for appeals and recovery of penalties and costs.
- Finally, it includes a set of definitions for clarity and ease of use, providing definitions for repeat offenders, excessive or frivolous complaints and broadens the definition of person responsible to include developers, builders, contractors and other companies doing work on a property.

The amendments to Chapters 1.16, 8.24, 15.06, 15.14, 17.14 and 19.15 create and/or update references to the code compliance provisions that have been consolidated within the new Chapter 6.10. Existing enforcement provisions in these code sections are repealed.

Criteria for Review

There are no specific criteria listed in the Mercer Island City Code for a code amendment. However, in accordance with RCW 36.70A.040, the proposed amendments shall be consistent with and implement the City's Comprehensive Plan.

Staff Findings

The proposed amendments are contained within Attachment 1. The proposed new language is underlined, and language proposed for repeal is shown in strike through.

The proposed amendments would:

1. Re-organize and consolidate code compliance-related code language;
2. Clarify the code compliance process and penalties;
3. Simplify the regulations for readability and ease of use;
4. Add regulatory tools to aid staff in effectively and efficiently gaining compliance.

The proposed amendments are consistent with and implement the Comprehensive Plan.

III. STAFF RECOMMENDATION

Based on the analysis and findings included herein, staff recommends that the Planning Commission pass the recommended motion below:

Recommended Motion: Move to recommend that the City Council approve the request for an amendment to Mercer Island City Code (MICC) Titles 1, 8, 15, 17 and 19, as detailed in Attachment 1.

First Alternative Motion: Move to recommend that the City Council approve the request for an amendment to Mercer Island City Code (MICC) Titles 1, 8, 15, 17 and 19, as detailed in Attachment 1, provided that the proposal shall be modified as follows: *[describe modifications]*.

Second Alternative Motion: Move to recommend that the City Council deny the request for an amendment to Mercer Island City Code (MICC) Titles 1, 8, 15, 17 and 19, as detailed in Attachment 1.

Staff Contact: Alison Van Gorp, Administrative Services Manager



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

**AB 5470
September 4, 2018
Regular Business**

<p>PLANNING COMMISSION'S RECOMMENDATION FOR TITLE 19 PROCEDURAL CODE AMENDMENTS</p>	<p>Action: Conduct First Reading of Ordinance No. 18C-08 and advance Ordinance No. 18C-08 to second reading.</p>	<p><input type="checkbox"/> Discussion Only <input checked="" type="checkbox"/> Action Needed: <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution</p>
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<p>DEPARTMENT OF</p>	<p>Development Services Group (Evan Maxim)</p>
<p>COUNCIL LIAISON</p>	<p>n/a</p>
<p>EXHIBITS</p>	<p>1. Ordinance No. 18C-08 with Attachment A 2. Staff Recommended Amendment regarding implementation of Comprehensive Plan amendments</p>
<p>2018-2019 CITY COUNCIL GOAL</p>	<p>6. Update Outdated Codes, Policies and Practices</p>
<p>APPROVED BY CITY MANAGER</p>	<p><i>Julie Under</i> 8/30/18</p>

<p>AMOUNT OF EXPENDITURE</p>	<p>\$</p>	<p>n/a</p>
<p>AMOUNT BUDGETED</p>	<p>\$</p>	<p>n/a</p>
<p>APPROPRIATION REQUIRED</p>	<p>\$</p>	<p>n/a</p>

SUMMARY

Following adoption of Ordinance No. 17C-15, the Residential Development Standards, the City Council directed DSG staff to review its procedural and appeals requirements for land use reviews and approvals and identify recommended amendments. This direction was further memorialized in the 2018-2019 City Council Goal #6.

The public process and the substance of the proposed amendments contained in Ordinance No. 18C-08 (Exhibit 1 and Attachment A) is described in more detail in AB5469, as presented during the September 4, 2018 Study Session. In essence, the amendments are intended to:

- 1) Clarify the land use review and approval process;
- 2) Consolidate the procedural requirements and approval criteria;
- 3) Ensure compliance with applicable state regulations and recent case law; and
- 4) Simplify the regulations for readability, ease of use, and to eliminate inconsistencies and unintended consequences.

No amendments to the criteria for land use approvals are proposed.

The Planning Commission has reviewed the proposed amendments, held a public hearing, and recommended that the City Council adopt the proposed process and appeal amendments (Exhibit 1 and Attachment A) on June 6, 2018.

Following the Planning Commission's review, staff identified an additional clarification needed related to the City's approach to adopting Comprehensive Plan amendments and implementing regulations or programs. This additional, proposed amendment is intended to clarify the City's approach to implementation of Comprehensive Plan amendments (Exhibit 2).

In the case of minor adjustments, development regulations will be prepared concurrently with the adoption of the Comprehensive Plan amendment. In the case of a significant change or a new policy direction, the implementing regulations may require additional review by the community, Planning Commission, and City Council and should be implemented within 18 months of adoption of the Comprehensive Plan amendment. Staff will confirm this follow-on work plan item to implement the Comprehensive Plan amendment at the City Council's annual planning session.

RECOMMENDATION

Interim Director of Development Services

Conduct first reading and provide staff with direction for any changes to Ordinance No. 18C-08.

MOVE TO: Set Ordinance No. 18C-08 for second reading and adoption on September 18, 2018.

Attachment A

**CITY OF MERCER ISLAND
ORDINANCE NO. 18C-08**

**AN ORDINANCE OF THE CITY OF MERCER ISLAND AMENDING
MERCER ISLAND CITY CODE TITLE 19 MICC REGARDING CODE
AMENDMENTS TO CLARIFY DEVELOPMENT STANDARDS**

WHEREAS, the Mercer Island City Code (MICC) establishes procedures for the processing of permits as part of its development regulations that are intended to result in the implementation of the Mercer Island Comprehensive Plan pursuant to RCW 36.70A.040; and,

WHEREAS, the Mercer Island City Council determined that amendments to the permit processing procedures were necessary to ensure that permit processing was clear to staff and to the public and was occurring consistent with the provisions of the Mercer Island Comprehensive Plan; and,

WHEREAS, the Mercer Island City Council directed the Planning Commission to periodically review Title 19 of the Mercer Island City Code and recommend amendments to clarify the regulations to the City Council; and,

WHEREAS, on April 16, 2018, a Public Notice of Application was published in the City of Mercer Island Permit Bulletin regarding the code amendment proposal to give public notice of the proposed text amendment; and

WHEREAS, a public comment period was provided from April 16, 2018 through May 16, 2018 to obtain public comments regarding the proposed code amendment; and

WHEREAS, the adoption of procedures related to the processing of permits is exempt from SEPA review pursuant to WAC 197-11-800(19)(a), which states that procedural actions relating solely to governmental procedures, and containing no substantive standards respecting use or modification of the environment are exempt from SEPA review.

WHEREAS, on March 14, 2018, a Notice of Public Hearing was published in the Mercer Island Reporter, giving public notice of the open record hearing in front of the Planning Commission and encouraging public participation; and

WHEREAS, the Mercer Island Planning Commission held a public hearing on April 18, 2018, and held two public meetings to consider clarifying amendments to the development standards; and

WHEREAS, the Washington Department of Commerce granted expedited review of the proposed amendments to the development regulations on August 20, 2018;

First Reading – September 4, 2018

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

Section 1: Adoption of Amendments to Title 19 of the Mercer Island City Code. The amendments to the Mercer Island City Code as set forth in Attachment “A” to this Ordinance are hereby adopted.

Section 2: Codification of the Regulations. The City Council authorizes the Development Services Group Interim Director and the City Clerk to correct scrivener’s errors in Attachment A, codify the regulatory provisions of the amendment into Title 19 of the Mercer Island City Code, and publish the amended code.

Section 3: Interpretation. The City Council authorizes the Development Services Group Interim Director to adopt administrative rules, interpret, and administer the amended code as necessary to implement the legislative intent of the City Council.

Section 4: Severability. If any section, sentence, clause or phrase of this ordinance or any municipal code section amended hereby should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of any other section, sentence, clause or phrase of this ordinance or the amended code section.

Section 5: Ratification. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and affirmed.

Section 6: Effective Date. This Ordinance shall take effect and be in force on 5 days after its passage and publication.

PASSED by the City Council of the City of Mercer Island, Washington at its regular meeting on the _____ day of September 2018 and signed in authentication of its passage.

CITY OF MERCER ISLAND

Debbie Bertlin, Mayor

Approved as to Form:

ATTEST:

Kari L. Sand, City Attorney

Deborah A. Estrada, City Clerk

Date of Publication: _____

CITY COUNCIL REVIEW DRAFT
First Reading
Zoning Text Amendments
Procedural Code Amendments

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RESIDENTIAL

19.02.030 Accessory dwelling units.

GENERAL REGULATIONS

19.06.040 Wireless communications.

19.06.110 Criteria for approval - conditional use permits, variances, and setback deviations. (New section)

19.06.120 Criteria for approval - design review. (New section)

ENVIRONMENT

19.07.040 Review and construction requirements.

19.07.060 Geologic hazard areas.

19.07.110 Shoreline master program.

SUBDIVISIONS

19.08.010 General provisions for long and short subdivisions.

19.08.020 Application procedures and requirements for long and short subdivisions.

19.08.050 Final plats.

19.08.070 Lot line revisions. (New section)

PROPERTY DEVELOPMENT

19.09.010 Preapplication and intake screening meetings.

TOWN CENTER DEVELOPMENT AND DESIGN STANDARDS

19.11.150 Administration.

DESIGN STANDARDS FOR OUTSIDE TOWN CENTER

19.12.010 General

ADMINISTRATION

19.15.010 Purpose, intent, and roles.

19.15.020 Land use review types.

19.15.030 Legislative actions. (New section)

19.15.040 Summary of reviews and authorities. (New section)

19.15.050 Review procedures.

19.15.060 Preapplication. (New section)

19.15.070 Application.

19.15.080 Determination of Completeness and Letter of Completion (New section)

19.15.090 Public notification. (New section)

19.15.100 Notice of Application (New section)

19.15.110 Notice of Public Hearing (New section)

19.15.120 Request for Information and Extensions (New section)

- 1 19.15.130 Notice of Decision (New section)
- 2 19.15.140 Appeals. (New section)
- 3 19.15.150 Open Record Public Hearing. (New section)
- 4 19.15.160 Expiration of Approvals. (New section)
- 5 19.15.170 Code Interpretations.
- 6 19.15.180 Vesting. (New section)
- 7 19.15.190 Additional procedures for shoreline review. (New section)
- 8 19.15.200 Permit review for 6409 eligible wireless communication facilities. (New section)
- 9 19.15.210 Revisions.
- 10 19.15.220 Compliance required.
- 11 19.15.230 Design review and the design commission.
- 12 19.15.240 Comprehensive plan amendments.
- 13 19.15.250 Reclassification of property (rezones).
- 14 19.15.260 Code amendment.
- 15 19.15.270 Review procedures for comprehensive plan amendments, reclassification of property,
16 and code amendments.
- 17 19.15.280 Enforcement.

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19 DEFINITIONS

- 20 19.16.010 Definitions.

- 21
- 22 "Normal Text" is existing code language
- 23 "~~Strikethrough Text~~" is existing code language that will be deleted
- 24 "Underline Text" is new code language that will be added
- 25 "... " represents that existing code language is omitted and will not be amended

1 **RESIDENTIAL**

2 19.02.030 Accessory dwelling units.

3 ...

4 C. Exceptions – Ceiling Height. All existing accessory dwelling units that are located within a single-family
5 dwelling, which was legally constructed but does not now comply with current ceiling height
6 requirements of the construction codes set forth in MICC Title 17, shall be allowed to continue in their
7 present form.

8
9 D. ~~Permitting and Enforcement~~Notice on title.

10 ~~1. Application. The property owner shall apply for an accessory dwelling unit permit with the~~
11 ~~development services group. The application shall include an affidavit signed by the property~~
12 ~~owner affirming that the owner or an immediate family member will occupy the principal~~
13 ~~dwelling unit or accessory dwelling unit for more than six months per year.~~

14 ~~2. Notice. The city shall provide notice of the intent to issue a permit for an accessory dwelling~~
15 ~~unit as required by MICC 19.15.020(D) and (E).~~

16 ~~3. Applicable Codes. The accessory dwelling unit shall comply with all construction codes set~~
17 ~~forth in MICC Title 17 and any other applicable codes, except as provided in this chapter. The~~
18 ~~ADU shall comply with all development code provisions for single-family dwellings including~~
19 ~~height and setbacks, and the ADU shall be included as part of the impervious surface and floor~~
20 ~~area limitations for a building site.~~

21 ~~4. Inspection. After receipt of a complete application and prior to approval of an accessory~~
22 ~~dwelling unit, the city shall inspect the property to confirm that all applicable requirements of~~
23 ~~this code and other codes are met.~~

24
25 ~~5. Recording Requirements – Permits.~~ Approval of the accessory dwelling unit shall be subject to
26 the applicant recording a document with the King County department of records and elections
27 which runs with the land and identifies the address of the property, states that the owner(s)
28 resides in either the principal dwelling unit or the accessory dwelling unit, includes a statement
29 that the owner(s) will notify any prospective purchasers of the limitations of this section, and
30 provides for the removal of the accessory dwelling unit if any of the requirements of this
31 chapter are violated.

32
33 ~~6. Permit. Upon compliance with the provisions of this section, a permit for an accessory~~
34 ~~dwelling unit will be issued.~~

35 ~~7. Enforcement. The city retains the right with reasonable notice to inspect the ADU for~~
36 ~~compliance with the provisions of this section.~~

37
38 E. Elimination/Expiration. Elimination of an accessory dwelling unit may be accomplished by the owner
39 recording a certificate with the King County department of records and elections and development
40 services stating that the accessory dwelling unit no longer exists on the property.

41
42 ~~F. Variance. Variances to this chapter shall require variance approval as outlined in MICC~~
43 ~~19.15.020(G)(4).~~

44 ~~G. Violations. Any violation of any provision hereof is a criminal violation under MICC 19.15.030.~~

45

1 **GENERAL REGULATIONS**

2 19.06.040 Wireless communications.

3 A. Town Center, Commercial/Office, Business and Planned Business Zones.

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5 1. Permitted Use. Attached WCFs are permitted in the Town Center, commercial/office, business
6 and planned business zones. WCFs with support structures are permitted in the
7 commercial/office and planned business zone districts, and are not permitted in the Town
8 Center district.

9 a. Town Center Zone (TC). The height of attached WCFs shall not exceed the height of
10 the structure it is attached to by more than 15 feet. Wireless support structures are not
11 allowed in the TC zone.

12 b. Commercial/Office Zone (C-O). The height of attached WCFs shall not exceed the
13 height of the structure it is attached to by more than 10 feet. Structures shall not be
14 located within front yard setbacks. Structures in the side and rear yards must be set
15 back from adjacent property a distance equal to the height of the pole. New WCFs may
16 be located on a monopole and shall not exceed 60 feet in height.

17 c. Planned Business Zone (PBZ) and Business Zone (B). The height of attached WCFs shall
18 not exceed the height of the structure it is attached to by more than 10 feet. Structures
19 shall not be located within the setbacks. New WCFs may be located on a monopole and
20 shall not exceed 60 feet in height.

21
22 2. ~~Approval Process/Review Performance standards.~~ Wireless communications facilities ~~are~~
23 ~~subject to review by the code official as outlined shall comply with the standards~~ in subsection E
24 of this section ~~and MICC 19.15.010(E). When there are more than six antennas at one site, the~~
25 ~~code official may deem that site full and deny additional antennas.~~

26
27 B. Public Institution Zone (I-90 Corridor).

28
29 1. Permitted Use. Wireless communications facilities, including antenna support structures and
30 equipment cabinets, are permitted. Facilities must meet all of the following criteria:

31 a. Antennas shall not project more than two feet in height over the nearest I-90
32 retaining wall, unless they are located on an existing structure, and must be screened as
33 much as possible from public views;

34 b. Equipment cabinet dimensions shall not exceed 480 cubic feet, should be placed
35 underground if feasible and shall be completely screened from pedestrian and park
36 activities with landscaping;

37 c. Facilities shall be within 15 feet of the pedestrian side of the I-90 retaining wall, unless
38 they are located on an existing structure. Facilities may be located between the
39 retaining walls in the traffic corridor;

40 d. Facilities shall be at least 300 feet from any single-family dwelling, unless located
41 between and below the top of the retaining walls in the traffic corridor;

42 e. Applicants shall demonstrate that they have attempted to collocate on existing
43 structures such as other wireless support structures, rooftops, light poles, utility poles,
44 walls, etc.

45
46 2. ~~Approval Process/Review Location.~~

~~a. Wireless communications facilities are subject to review by the code official as outlined in subsection E of this section and MICC 19.15.010(E). When there are more than six antennas at one site, the code official may deem that site full and deny additional antennas.~~

~~b. No wireless communications facilities are allowed along the Mercer Island Artway Greta Hackett Outdoor Sculpture Gallery, defined as the south side of I-90 between 76th Avenue SE and 80th Avenue SE.~~

C. Island Crest Way Corridor.

1. WCFs are permitted within the right-of-way boundary along Island Crest Way from SE 40th Street to SE 53rd Place and from SE 63rd to SE 68th Street. WCFs must be attached directly to and incline with existing utility poles, with minimal overhang. WCF antennas shall not exceed 96 inches in length, 12 inches in width, and 12 inches in depth. The WCF must not project over the height of the pole, but a pole with a height of up to 70 feet may replace an existing pole or a pole with a height of up to 110 feet may replace an existing pole if the WCF is being collocated with another WCF consistent with subsection F of this section. All WCFs shall be set back from adjacent residential structures by a minimum of 40 feet.

~~2. Approval Process/Review. WCFs in the Island Crest right-of-way must be reviewed and approved by the code official in accordance with subsection E of this section and MICC 19.15.010(E) and be approved by the city engineer. When there are more than six antennas at one site, the code official may deem that site full and deny additional antennas. Proponents must shall provide an agreement with the utility pole owner granting access to the pole.~~

D. Residential Districts.

...

~~2. Approval Process/Review. Wireless communications facilities are subject to review by the code official as outlined in subsection E of this section and MICC 19.15.010(E). When there are more than six antennas at one site, the code official may deem that site full and deny additional antennas.~~

...

~~H. When there are more than six antennas at one site, the code official shall deem that site full and deny additional antennas. Height Variance. If strict application of these provisions would preclude an antenna from receiving or transmitting a usable signal, or, if the property owner believes that an alternative exists which is less burdensome to adjacent property owners, an application for a variance may be filed under the provisions of MICC 19.15.020. The code official may grant a height variance upon finding that the criteria in MICC 19.15.020(G)(4) are met, and that one of the following criteria are also met:~~

~~1. Compliance with the above provisions would prevent the antenna from receiving or transmitting a usable signal; and the alternative proposed constitutes the minimum necessary to permit acquisition or transmission of a usable signal; or~~

~~2. The alternative proposed has less impact on adjacent property owners than strict application of the above provisions; or~~

~~3. In Island Crest Park if the parks director supports the variance because there will be a significant benefit to the park by either the retention of trees and/or vegetation or improvement of park uses.~~

I. 6409 eligible facilities. 6409 eligible wireless facilities shall be reviewed in accordance with 47 CFR § 1.40001 Wireless Facility Modifications or as hereafter amended.

J. Removal of WCFs. If a WCF becomes obsolete or unused, it must be removed within six months of cessation of operation at the site.

~~J. Administration and Appeals. Applications to construct WCFs shall follow the permit review procedures in MICC 19.15.020. Appeals shall follow the appeal process outlined in MICC 19.15.020(J).~~

...

19.06.110 Criteria for approval - conditional use permits, variances, and setback deviations.

A. Conditional Use Permits

1. Purpose. A use may be authorized by a conditional use permit for those uses listed in chapters 19.02 and 19.11 MICC. The intent of the conditional use permit review process is to evaluate the particular characteristics and location of certain uses relative to the development and design standards established in this title. The review shall determine if the development proposal should be permitted after weighing the public benefit and the need for the use with the potential impacts that the use may cause.

2. Criteria for conditional use permits that are not located in Town Center. An applicant must demonstrate how the development proposal meets the following criteria.

- a. The permit is consistent with the regulations applicable to the zone in which the lot is located;
- b. The proposed use is determined to be acceptable in terms of size and location of site, nature of the proposed uses, character of surrounding development, traffic capacities of adjacent streets, environmental factors, size of proposed buildings, and density;
- c. The use is consistent with policies and provisions of the comprehensive plan; and
- d. Conditions shall be attached to the permit assuring that the use is compatible with other existing and potential uses within the same general area and that the use shall not constitute a nuisance.

3. Criteria for conditional use permits that also require design review and are located in Town Center. An applicant must demonstrate how the development proposal meets the following criteria.

a. General Criteria.

- (i) The proposed use complies with all the applicable development and design provisions of this chapter.
- (ii) The proposed use is consistent with the comprehensive plan.
- (iii) The proposed use is harmonious and appropriate in design, character, and appearance with the existing or intended uses within the surrounding area.

(iv) The proposed use will not generate excessive fumes, odor, dust, light, radiation, or refuse that would be injurious to surrounding uses.

(v) The proposed use will not generate levels of noise that adversely impact the health, safety, or general welfare of surrounding uses.

(vi) The proposed use will be served by adequate public services, including streets, fire and public safety protection, water, sewer, and storm water control, and will not adversely impact the level of service standards for such facilities.

(vii) The proposed location, size, design, and operating characteristics of the proposed use will not be detrimental to the public interest, health, safety, convenience, or welfare of the city.

b. Additional Criteria for Approval of a Conditional Use for Adult Entertainment in Town Center.

(i) The point of entry into the structure housing the adult entertainment use shall be located at least 100 feet, measured in a straight line, from the property line of: (1) any R-zoned property; (2) any public institution zoned property; (3) any property containing one or more of the following uses: residential uses including single- or multiple-family dwellings, or residential care facilities; schools including public, private, primary or secondary, preschool, nursery school, day care; recreational uses including publicly owned park or open space, commercial or noncommercial or private recreation facility; religious institutions; public institutions; or uses which cater primarily to minors.

(ii) No adult entertainment use shall be located closer than 400 feet to another adult entertainment use. Such distance shall be measured by following a straight line from the nearest point of entry into the proposed adult entertainment to the nearest point of entry into another adult entertainment use.

(iii) The point of entry into adult entertainment use shall not be located along 78th Avenue SE.

(iv) Signing shall be limited to words and letters only. Window or exterior displays of goods or services that depict, simulate, or are intended for use in connection with specified sexual activities as defined by Chapter 5.30 MICC are prohibited.

4. No building permit, business license, or other permits related to the use of the land shall be issued until final approval of the conditional use permit.

5. Change After Conditional Use Permit Granted.

a. Change of Ownership. Conditional use permits granted shall continue to be valid upon change of ownership of the site.

b. Change of Use. Modifications to the use shall require an amendment to the conditional use permit and shall be subject to the review process in chapter 19.15 MICC.

B. Variances.

1. Purpose. An applicant or property owner may request a variance from any numeric standard, except for the standards contained within Chapter 19.07 MICC. A variance shall be granted by the city only if the applicant can meet all criteria in subsections (B)(2)(a) through (h) of this section. A variance for increased lot coverage for a regulated improvement pursuant to

1 subsection (B)(2)(i) of this section shall be granted by the city only if the applicant can meet
2 criteria in subsections (B)(2)(a) through (i) of this section:
3

4 2. Criteria.

5 a. The strict enforcement of the provisions of this title will create an unnecessary
6 hardship to the property owner. For the purposes of this criterion, in the R-8.4, R-9.6, R-
7 12, and R-15 zoning designations, an “unnecessary hardship” is limited to those
8 circumstances where the adopted standards of this title prevent the construction of a
9 single-family dwelling on a legally created, residentially zoned lot;

10 b. The variance is the minimum necessary to grant relief to the property owner;

11 c. No use variance shall be allowed;

12 d. There are special circumstances applicable to the particular lot such as the size,
13 shape, topography, or location of the lot; or factors necessary for the successful
14 installation of a solar energy system such as a particular orientation of a building for the
15 purposes of providing solar access;

16 e. The granting of the variance will not be materially detrimental to the public welfare or
17 injurious to the property or improvements in the vicinity and zone in which the property
18 is situated;

19 f. The granting of the variance will not alter the character of the neighborhood, nor
20 impair the appropriate use or development of adjacent property;

21 g. The variance is consistent with the policies and provisions of the comprehensive plan
22 and the development code;

23 h. The basis for requesting the variance is not the direct result of a past action by the
24 current or prior property owner; and

25 i. Public and private schools, religious institutions, private clubs and public facilities in
26 single-family zones with slopes of less than 15 percent may request a variance to
27 increase the impervious surface to a maximum 60 percent impervious surface and such
28 variance application will be granted if the hearing examiner determines that the
29 applicant has demonstrated that the following criteria are satisfied:

30 i. There will be no net loss of permeable surface from the existing permeable
31 surface. No net loss will be determined by the code official and may be achieved
32 by off-site mitigation and/or by reconstructing existing parking areas to allow
33 stormwater penetration. This replacement will be an exception to subsection
34 (D)(2)(b) of this section prohibiting parking areas from being considered as
35 permeable surfaces;

36 ii. All storm water discharged shall be mitigated consistent with the most recent
37 Washington State Department of Ecology Stormwater Management Manual for
38 Western Washington, including attenuation of flow and duration. Mitigation will
39 be required for any and all new and replaced impervious surfaces. In designing
40 such mitigation, the use of a continuous simulation hydrologic model such as
41 KCRTS or WWHM shall be required; event based models will not be allowed. In
42 addition, mitigation designs shall utilize flow control best management practices
43 (BMPs) and low impact development (LID) techniques to infiltrate, disperse and
44 retain stormwater on site to mitigate the increased volume, flow and pollutant
45 loading to the maximum extent feasible;

46 iii. The director must approve a storm drainage report submitted by the
47 applicant and prepared by a licensed civil engineer assuring the city that city
48 infrastructure, in concert with the project design, is adequate to accommodate

1 storm drainage from the project site, or identifying appropriate improvements
 2 to public and/or private infrastructure to assure this condition is met, at the
 3 applicant's expense; and
 4 iv. The variance may not be used with other provisions to exceed this maximum
 5 60 percent impervious surface coverage.

6
 7 3. Height Variance for a Wireless Communication Facility. If strict application of the provisions of
 8 MICC 19.06.040 would preclude an antenna from receiving or transmitting a usable signal, or, if
 9 the property owner believes that an alternative exists which is less burdensome to adjacent
 10 property owners, an application for a variance may be filed under the provisions of MICC
 11 19.15.020. The code official may grant a height variance upon finding that the criteria in MICC
 12 19.15.020(G)(4) are met, and that one of the following criteria are also met:

- 13 a. Compliance with the above provisions would prevent the antenna from receiving or
- 14 transmitting a usable signal; and the alternative proposed constitutes the minimum
- 15 necessary to permit acquisition or transmission of a usable signal; or
- 16 b. The alternative proposed has less impact on adjacent property owners than strict
- 17 application of the above provisions; or
- 18 c. In Island Crest Park if the parks director supports the variance because there will be a
- 19 significant benefit to the park by either the retention of trees and/or vegetation or
- 20 improvement of park uses.

21
 22 4. The code official may grant a variance, with restrictions if deemed necessary, from the four-
 23 acre limitation for purpose of permitting short subdivision of property containing more than
 24 four acres into four or less lots when all of the following circumstances shall be found to apply:

- 25 a. That there are special circumstances applicable to the particular lot, such as type of
- 26 ownership, restrictive covenants, physiographic conditions, location or surroundings, or
- 27 other factors;
- 28 b. That the granting of the variance will not result in future uncoordinated development
- 29 nor alter the character of the neighborhood; and
- 30 c. That granting the variance will not conflict with the general purposes and objectives
- 31 of the comprehensive plan or the development code.

32
 33 C. Setback Deviations

34 1. Purpose. The purpose of a setback deviation is to increase protection of a critical area or
 35 critical area buffer. A setback deviation provides flexibility in design a development proposal to
 36 allow for increased protection of critical areas or critical area buffer.

37 2. Criteria. A setback deviation shall be granted by the city only if the applicant demonstrates all
 38 of the following:

- 39 a. No use deviation shall be allowed;
- 40 b. The granting of the deviation will not be materially detrimental to the public welfare
- 41 or injurious to the property or improvements in the vicinity and zone in which the
- 42 property is situated;
- 43 c. The granting of the deviation will not alter the character of the neighborhood, nor
- 44 impair the appropriate use or development of adjacent property;
- 45 d. The deviation is consistent with the policies and provisions of the comprehensive plan
- 46 and the development code;
- 47 e. The basis for requesting the deviation is not the direct result of a past action by the
- 48 current or prior property owner;

1 f. The setback deviation is associated with the approval of development of a single lot or
2 subdivision that is constrained by critical areas or critical area buffers;

3 g. The building pad resulting from the proposed deviation will result in less impact to
4 critical areas or critical area buffers; and

5 h. Yard setbacks shall not be reduced below the following minimums:

6 (i) Front and rear setbacks may not be reduced to less than 10 feet each;

7 (ii) Side setbacks may not be reduced to less than five feet.

8
9
10 19.06.120 Criteria for approval - design review.

11 A. Intent and Purpose. These regulations are intended to implement and further the comprehensive
12 plan of the city and are adopted for the following purposes:

13
14 1. To promote the public health, safety and general welfare of the citizens of the city.

15
16 2. To recognize that land use regulations aimed at the orderliness of community growth, the
17 protection and enhancement of property values, the minimization of discordant and unsightly
18 surroundings, the avoidance of inappropriateness and poor quality of design and other
19 environmental and aesthetic objectives provide not only for the health, safety and general
20 welfare of the citizens, but also for their comfort and prosperity and the beauty and balance of
21 the community, and as such, are the proper and necessary concerns of local government.

22
23 3. To protect, preserve and enhance the social, cultural, economic, environmental, aesthetic,
24 and natural values that have established the desirable quality and unique character of Mercer
25 Island.

26
27 4. To promote and enhance construction and maintenance practices that will tend to promote
28 visual quality throughout Mercer Island.

29
30 5. To recognize environmental and aesthetic design as an integral part of the planning process

31
32 B. Criteria for Design Review Decisions. Design objectives and standards for regulated improvements
33 within the Town Center are set forth in Chapter 19.11 MICC. Design objectives and standards for
34 regulated improvements in all zones outside the Town Center are set forth in Chapter 19.12 MICC.
35 Following the applicable review process in chapter 19.15 MICC, the design commission or code official
36 shall deny an application if it finds that all the following criteria have not been met, or approve an
37 application, or approve it with conditions, based on finding that all the following criteria have been met:

38
39 1. The proposal conforms with the applicable design objectives and standards of the design
40 requirements for the zone in which the improvement is located, provided further:

41 a. In the Town Center, particular attention shall be given to whether:

42 i. The proposal meets the requirements for additional building height, if the
43 proposal is for a building greater than two stories; and

44 ii. The proposal adheres to the required parking standards and a parking plan
45 has been provided that demonstrates that the proposal meets the objectives of
46 MICC 19.11.130.

1 **ENVIRONMENT**

2 19.07.040 Review and construction requirements.

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4 ...

5
6 C. Setback Deviation. An applicant may seek a deviation from required front, side, and back yard setbacks pursuant to MICC 19.15.~~020~~050.

7
8
9 D. Variances. Variances are not available to reduce any numeric requirement of this chapter. However, the allowed alterations and the reasonable use exception allowed pursuant to MICC 19.07.030 may result in city approvals with reduced numeric requirements.

10
11
12
13 E. Appeals. Appeals of decisions made under the provisions of this chapter shall follow the procedures described in MICC 19.15.~~020~~(J).

14
15
16 F. Fees.

17 1. Fees shall be set forth in a schedule adopted by city council resolution. The fee should be based on a submittal fee and the time required to review development applications for alterations within critical areas and buffers.

18
19
20
21 2. ~~The code official may require peer review of any report or study by a second qualified professional to verify the adequacy of the information and analysis. The applicant shall bear the cost of the peer review.~~

22
23
24 ...

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27
28 19.07.060 Geologic hazard areas.

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30 ...

31
32 C. Geotechnical Review.

33
34 1. The applicant must submit a geotechnical report concluding that the proposal can effectively mitigate risks of the hazard. Consistent with MICC 19.07.050, the report shall suggest appropriate design and development measures to mitigate such hazards.

35
36
37
38 ~~2. The city may require peer review of the geotechnical report by a second qualified professional to verify the adequacy of the information and analysis. The applicant shall bear the cost of the peer review.~~

39
40
41
42 32. The code official may waive the requirement for a geotechnical report when the proposed alteration does not pose a threat to the public health, safety and welfare in the sole opinion of the code official.

43
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45 ...

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1 19.07.110 Shoreline master program.

2 ...

3
4
5 F. Shoreline Permits.

6
7 1. Administrative Responsibility. Except as otherwise stated in this section, the code official is
8 responsible for:

9 a. Administering shoreline permits.

10 b. Approving, approving with conditions or denying shoreline exemption permits,
11 substantial development permits, shoreline conditional use permits, shoreline variances
12 and permit revisions in accordance with applicable provisions.

13 c. Determining compliance with the State Environmental Policy Act.

14 d. No development shall be undertaken within the shorelands without first obtaining a
15 shoreline exemption permit, substantial development permit, conditional use permit,
16 and/or a variance permit in accordance with all applicable procedures unless it qualifies
17 under a categorical exemption. In addition, such permit shall be in compliance with
18 permit requirements of all other agencies having jurisdiction within the shorelands.

19 Compliance with all applicable federal and state regulations is also required.

20
21 2. Shoreline Categorical Exemption. Any development that qualifies as being a shoreline
22 categorical exemption, as specified in MICC 19.07.110, shall not require a shoreline permit, but
23 must still meet all requirements of the Mercer Island Unified Land Development Code.

24
25 3. Shoreline Exemption.

26 a. Shoreline Exemption Criteria. A shoreline exemption shall be granted to the following
27 development as long as such development proposal is in compliance with all applicable
28 requirements of Title 19 of the Mercer Island City Code and any of the following:

29 i. Any development of which the total cost or fair market value, whichever is
30 higher, does not exceed \$7,047 or as periodically revised by the Washington
31 State Office of Financial Management, if such development does not materially
32 interfere with the normal public use of the water or shorelines of the state; or

33 ii. Normal maintenance or repair of existing structures or developments,
34 including damage by accident, fire or elements. "Normal maintenance" includes
35 those usual acts established to prevent a decline, lapse, or cessation from a
36 lawfully established condition. "Normal repair" means to restore a development
37 to a state comparable to its original condition within a reasonable period after
38 decay or partial destruction, including complete replacement of legally existing
39 structures. Normal maintenance of single-family dwellings is categorically
40 exempt as stated above; or

41 iii. Construction of the normal protective bulkhead common to single-family
42 dwellings. A "normal protective" bulkhead is constructed at or near the ordinary
43 high water mark to protect a single-family dwelling and is for protecting land
44 from erosion, not for the purpose of creating land. Where an existing bulkhead
45 is being replaced, it shall be constructed no further waterward of the existing
46 bulkhead than is necessary for construction of new footings; or

47 iv. Emergency construction necessary to protect property from damage by the
48 elements. An "emergency" is an unanticipated and imminent threat to public

- health, safety, or the environment which requires immediate action within a time too short to allow full compliance with this section; or
- v. Construction or modification of navigational aids such as channel markers and anchor buoys; or
- vi. Construction of a dock, designed for pleasure craft only, for the private noncommercial use of the owners, lessee, or contract purchaser of a single-family dwelling, for which the cost or fair market value, whichever is higher, does not exceed \$10,000; or
- vii. Any project with a certification from the governor pursuant to Chapter 80.50 RCW; or
- viii. Projects for the restoration of ecological functions; or
- ix. Any development proposal that meets the shoreline substantial development exemptions identified in WAC 173-27-040 or RCW 90.58, as amended.

b. Shoreline Exemption Process. The city shall send the shoreline letter of exemption decisions to the applicant and all applicable local, state, or federal agencies as required by state or federal law.

4. Substantial Development Permit Application Decision Criteria. A substantial development permit (SDP) is required for any development within shorelands that does not qualify as shoreline exempt. All requirements of the Mercer Island Unified Land Development Code shall apply to the approval of a shoreline substantial development permit.

5. Shoreline Conditional Use Permit. The purpose of a shoreline conditional use permit is to provide a system which allows flexibility in the application of use regulations in a manner consistent with the policies of RCW 90.58.020. In authorizing a shoreline conditional use, special conditions may be attached to the permit by the city of Mercer Island or the Department of Ecology to prevent undesirable effects of the proposed use and/or to assure consistency of the project with the Shoreline Management Act and the applicable city regulations.

a. Shoreline Conditional Use Permit Application Decision Criteria. All requirements of the Mercer Island Unified Land Development Code shall apply to the approval of a shoreline conditional use permit. Uses that require a shoreline conditional use permit may be authorized; provided, that the applicant demonstrates all of the following:

- i. That the proposed use is consistent with the policies of RCW 90.58.020 and the Mercer Island Uniform Land Development Code;
- ii. That the proposed use will not detrimentally interfere with the normal public use of shorelands within the “urban park environment” shoreline environment designation;
- iii. That the proposed use of the site and design of the project is compatible with other authorized uses within the area and with uses allowed for the area by the Mercer Island Uniform Land Development Code;
- iv. That the proposed use will cause no significant adverse effects to the shoreline environment in which it is to be located; and
- v. That the public interest suffers no substantial detrimental effect.
- vi. In applying the above criteria when reviewing shoreline conditional use applications, consideration shall be given to the cumulative impact of additional requests for like actions in the area. For example, if shoreline conditional use permits were granted for other developments in the area where similar circumstances exist, the total of the shoreline conditional uses shall also remain

1 consistent with the policies of RCW 90.58.020 and shall not produce substantial
2 adverse effects to the shoreline environment.

3
4 6. Shoreline Variance Criteria. Shoreline variances are strictly limited to granting relief from
5 specific bulk, dimensional or performance standards set forth in the applicable regulations
6 where there are extraordinary circumstances relating to the physical character or configuration
7 of property such that the strict implementation of the regulations will impose unnecessary
8 hardships on the applicant or thwarting of the policy enumerated in RCW 90.58.020. Shoreline
9 variances for use regulations are prohibited. In addition, in all instances the applicant for a
10 shoreline variance shall demonstrate strict compliance with all variance criteria set out in
11 subsection (G)(4) of this section and the following additional criteria:

12 a. In the granting of all shoreline variance permits, consideration shall be given to the
13 cumulative impact of additional requests for like actions in the area. For example, if
14 shoreline variances were granted to other developments in the area where similar
15 circumstances exist, the total of the shoreline variances shall also remain consistent
16 with the policies of RCW 90.58.020 and shall not produce substantial adverse effects to
17 the shoreline environment.

18 b. Shoreline variance permits for development that will be located landward of the
19 ordinary high water mark, and/or landward of any associated wetland, may be
20 authorized; provided, the applicant can demonstrate all of the following:

21 i. That the strict application of the bulk, dimensional or performance standards
22 set forth in the applicable regulations precludes or significantly interferes with
23 reasonable use of the property not otherwise prohibited;

24 ii. That the hardship in this subsection (G)(6)(f)(i) is specifically related to the
25 property, and is the result of unique conditions such as irregular lot shape, size,
26 or natural features and the application of the applicable regulations, and not,
27 for example, from deed restrictions or the applicant's own actions;

28 iii. That the design of the project is compatible with other authorized uses in the
29 area and will not cause adverse effects to adjacent properties or the shoreline
30 environment;

31 iv. That the requested shoreline variance does not constitute a grant of special
32 privilege not enjoyed by the other properties in the area, and is the minimum
33 necessary to afford relief; and

34 v. That the public interest will suffer no substantial detrimental effect.

35 c. Shoreline variance permits for development that will be located waterward of the
36 ordinary high water mark or within any associated wetland may be authorized;
37 provided, the applicant can demonstrate all of the following:

38 i. That the strict application of the bulk, dimensional or performance standards
39 set forth in the applicable regulations precludes reasonable use of the property;

40 ii. That the proposal is consistent with the criteria established under subsections
41 (G)(6)(f)(i)(B)(1) through (5) of this section; and

42 iii. That the public rights of navigation and use of the shorelines will not be
43 adversely affected.

44
45 7. Revisions. When an applicant seeks to revise a substantial development permit, shoreline
46 conditional use permit and/or shoreline variance permit, the requirements of WAC 173-27-100,
47 as amended, shall be met.
48

1 **SUBDIVISIONS**

2 19.08.010 General provisions for long and short subdivisions.

3 A. No person shall subdivide land, either through a long subdivision or a short subdivision, ~~or make a lot~~
 4 ~~line revision~~, without first obtaining official approval as herein provided.

5
 6 B. All applications for long subdivisions, ~~or~~ short subdivisions, ~~or lot line revisions~~ are governed by the
 7 permit review procedures set out in MICC 19.15.020 except where superseded by language contained in
 8 this chapter.

9
 10 ...

11
 12 E. Preliminary long subdivision, and short subdivision, ~~and lot line revision~~ applications shall be
 13 processed simultaneously with all applications for rezones, variances, planned unit developments, and
 14 site plan approvals to the extent the procedural requirements of those actions allow simultaneous
 15 action.

16
 17 ...

18
 19
 20 19.08.020 Application procedures and requirements for long and short subdivisions.

21 A. Applications for short subdivisions or alterations or vacation thereof and lot line revisions shall be
 22 reviewed by the code official. Applications for long subdivisions or alteration or vacation thereof shall be
 23 reviewed by the hearing examiner, who shall make recommendations to the city council.

24
 25 ~~B. The code official may grant a variance, with restrictions if deemed necessary, from the four-acre~~
 26 ~~limitation for purpose of permitting short subdivision of property containing more than four acres into~~
 27 ~~four or less lots when all of the following circumstances shall be found to apply:~~

- 28
 29 ~~1. That there are special circumstances applicable to the particular lot, such as type of~~
 30 ~~ownership, restrictive covenants, physiographic conditions, location or surroundings, or other~~
 31 ~~factors;~~
 32
 33 ~~2. That the granting of the variance will not result in future uncoordinated development nor~~
 34 ~~alter the character of the neighborhood; and~~
 35
 36 ~~3. That granting the variance will not conflict with the general purposes and objectives of the~~
 37 ~~comprehensive plan or the development code.~~

38
 39 ~~B.~~ Applicants shall prepare a concept sketch of the proposal for the preapplication meeting required
 40 under MICC 19.09.010(A).

41
 42 ~~D.C.~~ Preliminary Application Contents. In addition to any documents, information, or studies required
 43 under Chapter 19.07 MICC, Environment, Chapter 19.10 MICC, Trees, or any other chapter of this title,
 44 an application for a long subdivision, or short subdivision, ~~or a lot line revision~~ shall include the
 45 documents set forth below and any other document or information deemed necessary by the code
 46 official upon notice to the applicant. All documents shall be in the form specified by the code official and
 47 shall contain such information as deemed necessary by the code official. The applicant shall submit the
 48 number of copies of each document specified by the code official.

1
2 1. Development Application Cover Form. The development application cover form shall be
3 signed by all current property owners listed on the plat certificate, and shall list the legal parcel
4 numbers of all property involved in the project.
5

6 2. Long Subdivision, ~~or Short Subdivision, or Lot Line Revision~~ Plans. The applicant shall provide
7 copies of fully dimensioned plans of the project prepared by a Washington registered civil
8 engineer or land surveyor, meeting the requirements of Chapter 19.07 MICC, Environment, and
9 containing any other information deemed necessary by the code official. The city engineer may
10 waive the requirement that an engineer or surveyor prepare the plans for a short subdivision ~~or~~
11 ~~lot line revision~~. The submitted plans shall identify the proposed building pad location for each
12 proposed lot pursuant to MICC 19.09.090.
13

14 3. Plat Certificate. Applicant shall provide a plat certificate issued by a qualified title insurance
15 company not more than 30 days before filing of the application showing the ownership and title
16 of all parties interested in the plat. If the plat certificate references any recorded documents
17 (i.e., easements, dedications, covenants, etc.) copies of those documents shall also be provided.
18

19 ...

20
21 E. Preliminary Application Procedure.

22
23 1. Findings of Fact. All preliminary approvals or denials of long subdivisions or short subdivisions
24 shall be accompanied by written findings of fact demonstrating that:

- 25 a. The project does or does not make appropriate provisions for the public health,
26 safety, and general welfare and for such open spaces, drainage ways, streets or roads,
27 alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks
28 and recreation, playgrounds, schools and schoolgrounds and all other relevant facts,
29 including sidewalks and other planning features that assure safe walking conditions for
30 students who only walk to and from school;
- 31 b. The public use and interest will or will not be served by approval of the project; and
- 32 c. The project does or does not conform to applicable zoning and land use regulations.
33

34 2. Short Subdivisions ~~and Lot Line Revisions~~. The code official shall grant preliminary approval
35 for a short subdivision ~~or lot line revision~~ if the application is in proper form and the project
36 complies with the design standards set out in MICC 19.08.030, the comprehensive plan, and
37 other applicable development standards.
38

39 3. Long Subdivisions.

- 40 a. At an open record hearing the hearing examiner shall review the proposed long
41 subdivision for its conformance with the requirements of MICC 19.08.030, the
42 comprehensive plan, and other applicable development standards.
- 43 b. The hearing examiner shall make ~~a written recommendation on the long subdivision,~~
44 ~~containing findings of fact and conclusions, to the city council not later than 14 days~~
45 ~~following action by the hearing examiner.~~
- 46 ~~c. Upon receipt of the hearing examiner's recommendation, the city council shall at its~~
47 ~~next public meeting set the date for the public hearing where it may adopt or reject the~~
48 ~~hearing examiner's recommendations.~~

~~d. Preliminary approval of long subdivision applications shall be governed by the time limits and conditions set out in MICC 19.15.020(E); except the deadline for preliminary plat approval is 90 days, unless the applicant consents to an extension of the time period.~~

4. Conditions for Preliminary Approval. As a condition of preliminary approval of a project, the ~~city council~~hearing examiner in the case of a long subdivision, or the code official in the case of a short subdivision, may require the installation of plat improvements as provided in MICC 19.08.040 which shall be conditions precedent to final approval of the subdivision.

5. ~~No Construction before Application Approval~~Construction Limitations.

~~a. No construction, tree removal, grading, installation of utilities on land within a proposed long or short subdivision shall be allowed prior to preliminary approval of the long or short subdivision and until the applicant has secured the permits required under the Mercer Island City Code. Following preliminary approval, tree removal, grading, and installation of utilities shall be the minimum necessary to allow for final plat approval of the long or short subdivision. No construction of structures, utilities, storm drainage, grading, excavation, filling, or land clearing on any land within the proposed long subdivision, short subdivision, or lot line revision shall be allowed prior to preliminary approval of the application and until the applicant has secured the permits required under the Mercer Island City Code.~~

~~b. An existing lot, created through the final plat approval of a long or short subdivision, shall be a condition precedent for determination of complete application for a building permit to construct a new single-family dwelling.~~

19.08.050 Final plats.

A. Required Signatures.

1. Before the original or extended deadline for recording the final plat as set forth in MICC 19.15.020(K), the applicant may file with the city the final plat of the proposed long subdivision, ~~or short subdivision, or lot line revision~~ in the form prescribed by subsection C of this section.

B. Recording of the Final Plat.

1. The applicant shall deliver the ~~mylars~~signed plat to King County for recording.

C. Contents of the Final Plat. All final plats submitted to the city shall meet the requirements set out in Chapter 58.09 RCW, Chapter 332-130 WAC, and those requirements set out below.

Final plat documents submitted to the city shall contain the information set out below. The final plat documents shall be drawn on an 18-inch by 24-inch sheet size, allowing one-half inch for

1 borders. The index sheet must show the entire subdivision, with street and highway names and
2 block numbers.

3
4 1. Identification and Description.

- 5 a. Name of the long subdivision, ~~or~~ short subdivision ~~or lot line revision~~.
- 6 b. A statement that the long subdivision or short subdivision has been made with the
- 7 free consent and in accordance with the desires of the owner or owners.

8
9 ...

10
11 3. Other Marginal Data on Final Plat.

- 12 a. If the plat is subject to dedications to the city or any other party, the dedications shall
- 13 be shown and shall be duly acknowledged. The plat shall also contain a waiver of all
- 14 claims for damages against the city which may be occasioned to the adjacent land by
- 15 the established construction, drainage and maintenance of any streets dedicated to the
- 16 city.
- 17 b. A copy of the protective covenants, if any.
- 18 c. Certification by a Washington-registered civil engineer or land surveyor to the effect
- 19 that the plat represents a survey made by that person and that the monuments shown
- 20 thereon exist as located and that all dimensional and geodetic details are correct.
- 21 d. Proper forms for the approvals of the city engineer and the mayor, on behalf of the
- 22 city council, in the case of a long subdivision; or the city engineer and the code official in
- 23 the case of short subdivisions ~~or lot line revisions~~, with space for signatures.
- 24 e. Certificates by the county assessor showing that the taxes and assessments on the
- 25 land to be submitted have been paid in accordance with law, including a deposit for the
- 26 taxes for the following year.
- 27 f. Approval by the county department of records.
- 28 g. Conditions of approval created at preliminary subdivision approval that affect
- 29 individual lots or tracts.

30 ...

31
32 19.08.070 Lot line revisions.

33 A. Purpose. The purpose of this section is to provide procedures and criteria for the review and approval
34 of revisions to lot lines of legal lots or tracts.

35
36 B. Requirements for a complete application.

- 37 1. A map at a scale of not less than one inch equal to 100 feet which depicts the existing and
- 38 proposed property configuration, including all lot line dimensions.
- 39 2. Legal descriptions of the existing and proposed property configurations, prepared by a
- 40 licensed professional land surveyor.
- 41 3. A completed application form.
- 42 4. Project Narrative. Applicants shall provide a clear and concise written description and
- 43 summary of the proposed project.
- 44 5. Any other information required pursuant to Chapter 19.15 MICC.

45
46 C. Approval criteria. The code official shall approve an application for a lot line revision if it is determined
47 that:

- 48 1. No additional lot, tract, parcel, site or division will be created by the proposed revision;

- 1 2. No lot is created or modified which contains insufficient area and dimensions to meet the
2 minimum requirements of the zone in which the affected lots are situated;
- 3 3. No lot is created or modified which does not have adequate drainage, water supply and
4 sanitary sewage disposal, and access for vehicles, utilities and fire protection, and no existing
5 easement in favor of the public is rendered impractical to serve its purpose;
- 6 4. No lot line revision shall reduce the overall area in a plat or short plat devoted to open space;
- 7 5. No lot line shall result in the creation of a lot or structure that is non-conforming with the
8 provisions of Title 19 MICC;
- 9 6. The lot line revision shall be consistent with any restrictions or conditions of approval for a
10 recorded plat or short plat; and
- 11 7. The lot line revision and the lots resulting from the lot line revision isare consistent with the
12 applicable provisions of Title 19 MICC.

13
14 D. Requirements for Recording Documents.

- 15 1. A title insurance certificate updated not more than 30 days prior to recording of the revision,
16 which includes all parcels within the revision, must be submitted to the Code Official with the
17 final recording documents.
- 18 2. All persons having an ownership interest within the lot line revision shall sign the lot line
19 revision documents that will be recorded in the presence of a notary public.
- 20 3. Lot line revision documents that will be recorded shall be in a form prescribed by the code
21 official and be reviewed and approved by the code official prior to recording with the King
22 County Recorder's office. Lot line revision approvals shall expire if the lot line revision
23 documents and real estate conveyance documents transferring ownership of the adjusted land
24 area are not recorded and a copy submitted to the City within one year from the date of
25 approval.
- 26 4. Lot line revision documents, including a record-of-survey document, must be prepared by a
27 land surveyor in accordance with Chapter 332-130 WAC and Chapter 58.09 RCW. The document
28 must contain a land surveyor's certificate and a recording certificate.
- 29 5. The lot line revision documents shall contain the following approval blocks:
 - 30 a. The King County department of assessments;
 - 31 b. The City of Mercer Island City Engineer; and
 - 32 c. The City of Mercer Island Code Official.

33

1 **DEVELOPMENT**

2 19.09.010 ~~Preapplication and i~~ntake screening meetings.

3 ~~A. Preapplication meetings between the applicant, members of the applicant's project team, and city~~
4 ~~staff are required for all subdivisions or lot line revisions, shoreline substantial development permits,~~
5 ~~shoreline deviations, variances, temporary encampments, and for any alteration of a critical area or~~
6 ~~buffer, except those alterations that are identified as allowed uses under MICC 19.07.030(A)(1) through~~
7 ~~(5), (8) and (12). Preapplication meetings may be held for any other development proposal at the~~
8 ~~request of the applicant.~~

9
10 ~~B. The preapplication meeting will include a preliminary examination of the proposed project and a~~
11 ~~review of codes as described in MICC 19.15.020(A). The purpose of a preapplication meeting is to~~
12 ~~provide the applicant with information that will assist in preparing a formal development application~~
13 ~~meeting city development standards and permit processing requirements.~~

14
15 ~~C.~~ City staff are not authorized to approve any plan or design offered by the applicant at a ~~preapplication~~
16 ~~or~~ intake meeting.

17
18 ~~D.~~ Intake screenings between the applicant and city staff are required for all building permits involving
19 the following: expansion of a building footprint by 500 square feet or more; an increase in impervious
20 surface of 500 square feet or more; or any alteration of a critical area or buffer, except those alterations
21 that are identified as allowed uses under MICC 19.07.030(A)(1) through (5), (8) and (12). Applicants are
22 encouraged to bring their project team. The purpose of an intake screening is to resolve issues that may
23 cause delay in processing a permit prior to formal acceptance of a permit application. The intake
24 screening will include a preliminary examination of the proposed project and a review of any applicable
25 codes. City staff are not authorized to approve any plan or design offered by the applicant at an intake
26 screening.
27

1 **TOWN CENTER DEVELOPMENT AND DESIGN STANDARDS**

2 19.11.150 Administration

3 A. Design Review.

4 1. Authority. Design review shall be conducted by the city’s design commission or code official
5 consistent with the procedure set forth in MICC 19.15.040(F). The design commission or the
6 code official shall review the applicability of the development and design standards and
7 determine the project’s conformance with this chapter. The degree of conformance with all of
8 the development and design standards will vary on a project by project basis. The design
9 commission shall review each project on the project’s degree of overall conformity with the
10 objectives, standards and the comprehensive plan. The design commission or the code official
11 has the authority to approve, approve with conditions, or deny projects based on the criteria set
12 forth in MICC 19.15.040(F).

13
14 2. Applicant’s Responsibility. It is the responsibility of the applicant to design a project in
15 compliance with the objectives and development and design standards of this chapter.

16
17 3. Shall/Should. When a standard uses the word “shall,” the standard is mandatory. When a
18 standard uses the word “should,” the standard is mandatory unless the applicant can
19 demonstrate, to the satisfaction of the design commission, an equal or better means of
20 satisfying the standard and objective.

21
22 4. Development Agreements. An applicant may request modifications to any development and
23 design standards set forth in this chapter by requesting a development agreement consistent
24 with RCW 36.70B.170 through 36.70B.210. All development agreements shall be in form and
25 content acceptable to the city attorney and shall be reviewed and either approved or rejected
26 by the city council after a public hearing pursuant to RCW 36.70B.200.

27
28 5. Changes of Use and Tenant Improvements. It is the property owners’ and tenants’
29 responsibility to ensure compliance with applicable development regulations when a change of
30 use and/or a tenant improvement occurs.

31
32 ~~B. Conditional Use Permit Review.~~

33
34 ~~1. General.~~

35 ~~a. Intent. The intent of the conditional use permit review process is to evaluate the~~
36 ~~particular characteristics and location of certain uses relative to the development and~~
37 ~~design standards established in this chapter. The review shall determine if the proposal~~
38 ~~should be permitted after weighing the public benefit and the need for the use with the~~
39 ~~potential impacts that the use may cause.~~

40 ~~b. Scope. The conditional use permit review process shall apply to all uses identified as~~
41 ~~requiring a conditional use permit in the chart of permitted uses set forth in MICC~~
42 ~~19.11.020(A). No building permit, business license or other permits related to the use of~~
43 ~~the land shall be issued until final approval of the conditional use permit.~~

44 ~~c. Review Authority. The hearing examiner shall conduct the conditional use permit~~
45 ~~review process and determine whether the proposed conditional use shall be allowed.~~

46 ~~d. Process.~~

1 i. Time Frame and Procedure. Conditional use permit review shall be conducted in
2 accordance with the timelines and procedures set forth in MICC 19.15.020, Permit
3 review procedures, except as the notice provisions are modified below.

4 ii. Notice.

5 (a) Public notice of any proposal in the Town Center which involves a conditional
6 use shall be posted on the project site and mailed to all property owners within
7 500 feet of the proposed project site.

8 (b) Legal notice shall be published in the official city newspaper (Chapter 2.10
9 MICC).

10 (c) The notice shall identify the general project proposal and the date, time and
11 location of the hearing examiner open record hearing, and shall be provided a
12 minimum of 30 days prior to the hearing.

13 iii. Written Decisions. All decisions of the hearing examiner shall be reduced to writing
14 and shall include findings of fact and conclusions that support the decisions.

15 iv. Expiration of Approval. If the activity approved by the conditional use permit has not
16 been exercised within two years from the date of the notice of decision setting forth the
17 conditional use decision, or if a complete application for a building permit has not been
18 submitted within two years from the date of the notice of the conditional use decision,
19 or within two years from the decision on appeal from the conditional use decision,
20 conditional use approval shall expire. The design commission or code official may grant
21 an extension for no longer than 12 months, for good cause shown, if a written request is
22 submitted at least 30 days prior to the expiration date. The applicant is responsible for
23 knowledge of the expiration date.

24
25 **2. Review Process.**

26 a. Application Submittal. A complete conditional use permit application, on forms provided by
27 the city development services group (DSG), shall be submitted at the same time as the
28 application and materials for design review. The applicant shall provide a written narrative of
29 the proposed conditional use and explain how the proposed use complies with the criteria for
30 conditional use permit approval in subsection (B)(2)(e) of this section. Depending on the type of
31 conditional use proposed, the code official may require additional information.

32 b. SEPA Determination. If the project is not categorically exempt pursuant to WAC 197-11-800,
33 the city environmental official will review the SEPA environmental checklist, the proposal and
34 other information required for a complete application to assess the project's probable
35 environmental impacts and issue a determination pursuant to MICC 19.07.120.

36 c. Acceptance. DSG staff shall determine if the required materials have been provided for review
37 of the conditional use permit, in conjunction with the applicable design review process. If so, the
38 application will be accepted and the process for determination of completeness and review set
39 forth in MICC 19.15.020 shall commence.

40 d. Review. The hearing examiner shall conduct an open record hearing to consider a conditional
41 use permit application. The hearing examiner may approve the application, or approve it with
42 conditions, only if all of the applicable criteria set forth below are met. The hearing examiner
43 shall deny the application if it finds that the applicable criteria set forth below have not been
44 met. Conditions may be attached to assure that the use is compatible with other existing and
45 potential uses within the same general area and that the use shall not constitute a nuisance.
46 Conditional use permit application review shall be coordinated with design review as follows:

47 i. Major New Construction. If the conditional use permit application is part of a major new
48 construction project, design review shall commence in accordance with the time frames and

1 procedures set forth in MICC 19.15.040(F), except as follows: The hearing examiner shall review
 2 the conditional use permit application at an open record hearing after the design commission's
 3 preliminary design review at a public meeting. If the hearing examiner approves the conditional
 4 use permit (without or with conditions), then the hearing examiner will forward the project to
 5 the design commission for the final design review.

6 ii. Change in Use and Minor Exterior Modifications. If the conditional use permit application
 7 proposes a change in use but is not part of a major new construction project, or is part of a
 8 minor exterior modification, then design review shall proceed administratively in accordance
 9 with the provisions in MICC 19.15.040(F), and the hearing examiner shall review the conditional
 10 use permit application at an open record hearing. If the staff determines that the minor exterior
 11 modification should be reviewed by the design commission as provided for in MICC
 12 19.15.040(F), then the design commission's review and decision shall be conducted at an open
 13 record hearing separate from the hearing examiner's open record hearing on the conditional
 14 use permit application.

15 e. Criteria for Approval of a Conditional Use Permit. Consistent with the applicable review
 16 process above, the hearing examiner shall approve, approve with conditions or deny a
 17 conditional use permit application based on finding that all of the following criteria have been
 18 met:

19 i. General Criteria.

20 (a) The proposed use complies with all the applicable development and design
 21 provisions of this chapter.

22 (b) The proposed use is consistent with the comprehensive plan.

23 (c) The proposed use is harmonious and appropriate in design, character, and
 24 appearance with the existing or intended uses within the surrounding area.

25 (d) The proposed use will not generate excessive fumes, odor, dust, light,
 26 radiation, or refuse that would be injurious to surrounding uses.

27 (e) The proposed use will not generate levels of noise that adversely impact the
 28 health, safety, or general welfare of surrounding uses.

29 (f) The proposed use will be served by adequate public services, including
 30 streets, fire and public safety protection, water, sewer, and storm water control,
 31 and will not adversely impact the level of service standards for such facilities.

32 (g) The proposed location, size, design, and operating characteristics of the
 33 proposed use will not be detrimental to the public interest, health, safety,
 34 convenience, or welfare of the city.

35 ii. Additional Criteria for Approval of a Conditional Use for Adult Entertainment.

36 (a) The point of entry into the structure housing the adult entertainment use
 37 shall be located at least 100 feet, measured in a straight line, from the property
 38 line of: (1) any R-zoned property; (2) any public institution-zoned property; (3)
 39 any property containing one or more of the following uses: residential uses
 40 including single- or multiple-family dwellings, or residential care facilities;
 41 schools including public, private, primary or secondary, preschool, nursery
 42 school, day care; recreational uses including publicly owned park or open space,
 43 commercial or noncommercial or private recreation facility; religious
 44 institutions; public institutions; or uses which cater primarily to minors.

45 (b) No adult entertainment use shall be located closer than 400 feet to another
 46 adult entertainment use. Such distance shall be measured by following a
 47 straight line from the nearest point of entry into the proposed adult

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~~entertainment to the nearest point of entry into another adult entertainment use.~~

~~(c) The point of entry into adult entertainment use shall not be located along 78th Avenue SE.~~

~~(d) Signing shall be limited to words and letters only. Window or exterior displays of goods or services that depict, simulate, or are intended for use in connection with specified sexual activities as defined by Chapter 5.30 MICC are prohibited.~~

~~f. Appeal. The hearing examiner's decision is final unless appealed pursuant to MICC 19.15.020(J).~~

~~g. Change After Conditional Use Permit Granted.~~

~~i. Change of Ownership. Conditional use permits granted shall continue to be valid upon change of ownership of the site.~~

~~ii. Change of Use. Modifications to the use shall require an amendment to the conditional use permit and shall be subject to the above review process.~~

1 **DESIGN STANDARDS FOR ZONES OUTSIDE TOWN CENTER**

2

3 19.12.010 General.

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7 F. Development Agreements. An applicant may request modifications to any design and development
8 standards set forth in this chapter by requesting a development agreement consistent with RCW
9 36.70B.170 through 36.70B.210. All development agreements shall be in form and content acceptable to
10 the city attorney and will be reviewed and either approved or rejected by the city council after a public
11 hearing pursuant to RCW 36.70B.200.

12

13 G. Changes of Use and Tenant Improvements. It is the property owners and tenants' responsibility to
14 ensure compliance with applicable development regulations when a change of use and/or a tenant
15 improvement occurs.

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1 **ADMINISTRATION**

2
3 19.15.010 ~~General procedures~~ Purpose, intent and roles.

4 A. Purpose. Administration of the development code is intended to be expedient and effective. The
5 purpose of this chapter is to identify the processes, authorities and timing for administration of
6 development permits. Public noticing and hearing procedures, decision criteria, appeal procedures,
7 dispute resolution and code interpretation issues are also described.

8
9 B. Objectives. Guide customers confidently through the permit process; process permits equitably and
10 expediently; balance the needs of permit applicants with neighbors; allow for an appropriate level of
11 public notice and involvement; make decisions quickly and at the earliest possible time; allow for
12 administrative decision-making, except for those decisions requiring the exercise of discretion which are
13 reserved for appointed decision makers; ensure that decisions are made consistently and predictably;
14 and resolve conflicts at the earliest possible time.

15
16 C. Roles and Responsibilities. The roles and responsibilities for carrying out the provisions of the
17 development code are shared by appointed boards and commissions, elected officials and city staff. The
18 authorities of each of these bodies are set forth below.

19
20 1. City Council. The city council is responsible for establishing policy and legislation affecting land
21 use within the city. The city council acts on recommendations of the planning commission and
22 hearing examiner ~~in legislative and quasi-judicial matters.~~

23 2. Planning Commission. The role of the planning commission in administering the development
24 code is governed by Chapter 3.46 MICC. In general, the planning commission is the designated
25 planning agency for the city (see Chapter 35A.63 RCW). The planning commission makes
26 recommendations to the city council on land use legislation, comprehensive plan amendments
27 and quasi-judicial matters.

28 3. Design Commission. The role of the design commission in administering the development
29 code is governed by Chapter 3.34 MICC and MICC 19.15.040. In general, the design commission
30 is responsible for maintaining the city's design standards and action on sign, commercial and
31 multiple-family design applications.

32 4. Development Services Group. The responsible officials in the development services group act
33 upon ministerial and administrative permits.

34 a. The code official is responsible for administration, interpretation and enforcement of
35 the development code.

36 b. The building official is responsible for administration and interpretation of the
37 building code, except for the International Fire Code.

38 c. The city engineer is responsible for the administration and interpretation of
39 engineering standards.

40 d. The environmental official is responsible for the administration of the State
41 Environmental Policy Act and shoreline master program.

42 e. The fire code official is responsible for administration and interpretation of the
43 International Fire Code.

44 5. Hearing Examiner. The role of the hearing examiner in administering the development code is
45 governed by Chapter 3.40 MICC.

46
47 ~~D. Actions. There are four categories of actions or permits that are reviewed under the provisions of the~~
48 ~~development code.~~

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- 1. Ministerial Actions. Ministerial actions are based on clear, objective and nondiscretionary standards or standards that require the application of professional expertise on technical issues.
- 2. Administrative Actions. Administrative actions are based on objective and subjective standards that require the exercise of discretion about nontechnical issues.
- 3. Discretionary Actions. Discretionary actions are based on standards that require substantial discretion and may be actions of broad public interest. Discretionary actions are only taken after an open record hearing.
- 4. Legislative Actions. Legislative actions involve the creation, amendment or implementation of policy or law by ordinance. In contrast to the other types of actions, legislative actions apply to large geographic areas and are of interest to many property owners and citizens. Legislative actions are only taken after an open record hearing.

E. Summary of Actions and Authorities. The following is a nonexclusive list of the actions that the city may take under the development code, the criteria upon which those decisions are to be based, and which boards, commissions, elected officials, or city staff have authority to make the decisions and to hear appeals of those decisions.

ACTION	DECISION AUTHORITY	CRITERIA	APPEAL AUTHORITY
Ministerial Actions			
Tree Removal Permit	Code official	Chapter 19.10-MICC	Hearing examiner ¹
Right-of-Way Permit	City engineer	Chapter 19.09-MICC	Hearing examiner
Home Business Permit	Code official	MICC 19.02.010	Hearing examiner
Special Needs Group Housing Safety Determination	Police chief	MICC 19.06.080(A)	Hearing examiner
Lot Line Revision	Code official	Chapter 19.08-MICC	Hearing examiner
Design Review – Minor Exterior Modification Outside Town Center	Code official	MICC 19.15.040, Chapters 19.11 and 19.12-MICC	Design commission
Design Review – Minor Exterior Modification in Town Center with a Construction Valuation (as defined	Code official	Chapters 19.11 and 19.12-MICC, MICC 19.15.040	Design commission

ACTION	DECISION AUTHORITY	CRITERIA	APPEAL AUTHORITY
by MICC 17.14.010) Less Than \$100,000			
Design Review – Minor Exterior Modification in Town Center with a Construction Valuation (as defined by MICC 17.14.010) \$100,000 or Greater	Design commission	Chapters 19.11 and 19.12 MICC, MICC 19.15.040	Hearing examiner
Final Short Plat Approval	Code official	Chapter 19.08 MICC	Superior court
Seasonal Development Limitation Waiver	Building official or city arborist	MICC 19.10.110, 19.07.060(D)(4)	Hearing examiner
Shoreline Exemption	Code official	MICC 19.07.110 and 19.15.020(G)(6)(c)(i)	Hearing examiner ²
Major Single Family Dwelling Building Permit	Code official	Chapter 19.02 MICC but not MICC Title 15 or 17	Hearing examiner
Administrative Actions			
Accessory Dwelling Unit Permit	Code official	MICC 19.02.030	Hearing examiner
Preliminary Short Plat	Code official	Chapter 19.08 MICC	Hearing examiner
Deviation	Code official	MICC 19.15.020(G)	Hearing examiner
Critical Areas Determination	Code official	Chapter 19.07 MICC	Hearing examiner

ACTION	DECISION AUTHORITY	CRITERIA	APPEAL AUTHORITY
Shoreline— Substantial Development Permit	Code official	MICC 19.07.110 and 19.15.020(G)(6)	Shoreline hearings board
SEPA Threshold Determination	Code official	MICC 19.07.120	Hearing examiner
Short Plat Alteration and Vacations	Code official	MICC 19.08.010(G)	Hearing examiner
Long Plat Alteration and Vacations	City council via hearing examiner	MICC 19.08.010(F)	Superior court
Temporary Encampment	Code official	MICC 19.06.090	Superior court
Wireless Communications Facility	Code official	MICC 19.06.040	Hearing examiner
Wireless Communications Facility Height Variance	Code official	MICC 19.06.040(H) and 19.15.020(G)	Hearing examiner
Minimum Parking Requirement Variances for MF, PBZ, C-O, B and P Zones	Code official via design commission and city engineer	MICC 19.03.020(B)(4), 19.04.040(B)(9), 19.05.020(B)(9) and 19.15.020(G)	Hearing examiner
Development Code Interpretations	Code official	MICC 19.15.020(L)	Hearing examiner ⁵
Discretionary Actions			
Conditional Use Permit	Hearing examiner	MICC 19.11.150(B), 19.15.020(G)	Superior court
Reclassification (Rezone)	City council via planning commission ³	MICC 19.15.020(G)	Superior court

ACTION	DECISION AUTHORITY	CRITERIA	APPEAL AUTHORITY
Formal Design Review – Major New Construction	Design commission	MICC 19.15.040, Chapters 19.11 and 19.12 MICC	Hearing examiner
Preliminary Long Plat Approval	City council via hearing examiner ³	Chapter 19.08 MICC	Superior court
Final Long Plat Approval	City council via code official	Chapter 19.08 MICC	Superior court
Variance	Hearing examiner	MICC 19.15.020(G)	Superior court
Variance from Short Plat Acreage Limitation	Code official	MICC 19.08.020	Hearing examiner
Critical Areas Reasonable Use Exception	Hearing examiner	MICC 19.07.030(B)	Superior court
Street Vacation	City council via planning commission ³	MICC 19.09.070	Superior court
Shoreline Conditional Use Permit	Code official and Department of Ecology ⁴	MICC 19.15.020(G)(6)	State Shorelines Hearings Board
Shoreline Variance	Code official and Department of Ecology ³	MICC 19.15.020(G)(6)	State Shorelines Hearings Board
Impervious Surface Variance	Hearing examiner	MICC 19.02.050	Superior court
Legislative Actions			
Code Amendment	City council via planning commission ³	MICC 19.15.020(G)	Growth management hearings board

ACTION	DECISION AUTHORITY	CRITERIA	APPEAL AUTHORITY
Comprehensive Plan Amendment	City council via planning commission ²	MICC 19.15.020(G)	Growth management hearings board
<p>¹Tree removal associated with a development proposal and authorized through the issuance of a tree removal permit shall not commence until the later of the end of the appeal period associated with the tree removal permit, or a decision is issued on an administrative appeal of the tree removal permit.</p>			
<p>²Final rulings granting or denying an exemption under MICC 19.15.020(G)(6) are not appealable to the shoreline hearings board (SHB No. 98-60).</p>			
<p>³The original action is by the planning commission or hearing examiner which holds a public hearing and makes recommendations to the city council which holds a public meeting and makes the final decision.</p>			
<p>⁴Must be approved by the city of Mercer Island prior to review by DOE per WAC 173-27-200 and RCW 90.58.140(10).</p>			
<p>⁵The development code interpretation may be appealed as applied to a project review as part of an appeal of the land use action.</p>			

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19.15.030 Legislative Actions.

Legislative actions involve the creation, amendment or implementation of policy or law by ordinance. In contrast to the other types of actions, legislative actions apply to geographic areas and implement adopted City policy, promote the community interest, and are normally of interest to many property owners and citizens. Legislative actions are only adopted after an open record public hearing. Review procedures for legislative actions are located in subsection 19.15.270 of this chapter. Legislative actions include street vacations, comprehensive plan amendments, reclassification of property (rezones), and code amendments.

19.15.040 Land Use Review Types.

There are four categories of land use review that occur under the provisions of the development code.
A. Type I. Type I reviews are based on clear, objective and nondiscretionary standards or standards that require the application of professional expertise on technical issues.
B. Type II. Type II reviews are based on clear, objective and nondiscretionary standards or standards that require the application of professional expertise on technical issues. The difference between Type I and Type II review is that a Notice of Decision Public Notification shall be issued for Type II decisions
C. Type III. Type III reviews require the exercise of discretion about nontechnical issues.
D. Type IV. Type IV reviews require discretion and may be actions of broad public interest. Decisions on Type IV reviews are only taken after an open record hearing.
E. The types of land use approvals are listed in Table A of this section. The required public process for each type of land use approval are listed in Table B of this section.

1 F. Consolidated Permit Processing. An application for a development proposal that involves the
2 approval of two or more Type II, III and IV reviews, may be processed and decided together, including
3 any administrative appeals, using the highest numbered land use decision type applicable to the project
4 application. The following permits and land use reviews are excluded from consolidated review and
5 approval:

6 1. Building permits associated with the construction of one or more new single family dwellings
7 on lots resulting from the final plat approval of a short subdivision or long subdivision.

8 2. Building permits associated with shoreline conditional use permits and shoreline variance.

9 3. Project SEPA reviews shall be processed as a Type III land use review.

10 4. When a review is heard by multiple decision bodies, the higher decision body will make the
11 final decision, and the lower decision body will review the project at a public meeting and issue
12 a recommendation that will be reviewed by the higher decision body. The higher decision body
13 will either adopt the recommendation as part of the permit conditions, will remand the
14 recommendation back to the lower body for further consideration, will amend the
15 recommendation, or will deny adoption of the recommendation and will adopt their own permit
16 conditions. The hierarchy of decision bodies is as follows, from highest to lowest:

17 (a) City council

18 (b) Hearing examiner

19 (c) Design commission

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TABLE A

LAND USE REVIEW TYPE

<u>Type I</u>	<u>Type II</u>	<u>Type III</u>	<u>Type IV</u>
<p><u>Home business, seasonal development limitation waiver, non-major single-family dwelling building permits, tree removal permit, right of way permit, special needs group housing safety determination, tenant improvement/change of use, shoreline exemption¹, critical areas determination (steep slope alteration), final short plat, temporary commerce on public property, site development permits.</u></p>	<p><u>Modified wireless communication facilities (6409 per 47 CFR 1.40001), lot line revision, setback deviations, final plat^{2, 3}, code official design review, accessory dwelling unit, parking variances (reviewed by City Engineer).</u></p>	<p><u>New and modified wireless (non-6409) communication facility, SEPA threshold determination, critical areas determination (wetland/watercourse buffer averaging/reduction, temporary encampment⁴, short plat alteration and vacations, preliminary short plat, development code interpretations, major single-family dwelling building permit, shoreline substantial development permit¹, shoreline revision (substantial development)¹.</u></p>	<p><u>Preliminary long plat approval, conditional use permit, variance, critical areas reasonable use exception, long plat alteration and vacations, parking variance (reviewed by Design Commission), variance from short plat acreage limitation, wireless communication facility height variance, planned unit development, Design Commission design review, permanent commerce on public property, shoreline conditional use permit (SCUP)⁵, shoreline variance⁵, shoreline revision (variance and SCUP).</u></p>

¹ Appeal will be heard by the Shoreline Hearings Board

² Decision is made by City Council after discussion at a public meeting

³ A Notice of Decision will be issued for a final long plat

⁴ A public meeting is required

⁵ Hearing Examiner will forward a recommendation to the Washington State Department of Ecology for Ecology's decision

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2

TABLE B
REVIEW PROCESSING PROCEDURES

	<u>Type I</u>	<u>Type II</u>	<u>Type III</u>	<u>Type IV</u>
	<u>No Notice of Application</u> <u>No Notice of Decision</u> <u>Code Official</u>	<u>Public Notification</u> <u>No Notice of Application</u> <u>No Notice of Decision</u> <u>Code Official</u>	<u>Notice of Application</u> <u>Notice of Decision</u> <u>Code Official</u>	<u>Notice of Application</u> <u>Public Hearing</u> <u>Notice of Decision</u> <u>Hearing Examiner / Design Commission</u>
<u>Pre-application meeting required</u>	<u>No</u>	<u>No</u>	<u>Yes</u>	<u>Yes</u>
<u>Letter of completion (within 28 days)</u>	<u>No</u>	<u>No</u>	<u>Yes</u>	<u>Yes</u>
<u>Public Notification</u>	<u>No</u>	<u>Yes</u>	<u>No</u>	<u>No</u>
<u>Notice of Application (mailing & posting)</u>	<u>No</u>	<u>No</u>	<u>Yes</u>	<u>Yes</u>
<u>Public Comment Period</u>	<u>None</u>	<u>None</u>	<u>30 days</u>	<u>30 days</u>
<u>Public Hearing (Open Record pre-decision)</u>	<u>No</u>	<u>No</u>	<u>No</u>	<u>Yes</u>
<u>Notice of Decision</u>	<u>Code Official</u>	<u>Code Official</u>	<u>Code Official</u>	<u>Hearing Examiner¹ or Design Commission</u>
<u>Notice of decision</u>	<u>No</u>	<u>No</u>	<u>Yes</u>	<u>Yes</u>
<u>Appeal Authority</u>	<u>Hearing Examiner or Superior Court (TBD)</u>	<u>Hearing Examiner or Design Commission (Code Official Design Review)</u>	<u>Hearing Examiner</u>	<u>Superior Court or Shoreline Hearings Board (Shoreline permits)</u>

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4
5
6

¹ The Hearing Examiner will provide a recommendation to Ecology for decisions on Shoreline Conditional Use Permits and Shoreline Variances.

1 19.15.0250 ~~Permit r~~Review procedures.

2 The following are general requirements for processing a permit application under the development
3 code. Additional or alternative requirements may exist for actions under specific code sections (see
4 MICC 19.07.080, 19.07.110, ~~and~~19.08.020, and 19.08.070).

5
6 19.15.060. Preapplication.

7 A. Purpose. Meetings with the staff provide an opportunity to discuss the proposal in concept terms,
8 identify the applicable city requirements and the project review process. Meetings or correspondence
9 with the neighborhood to inform the neighborhood of the project proposal are encouraged prior to the
10 formal notice provided by the city.

11 B. Optional Pre-application meetings. Applicants for development proposals are encouraged to
12 participate in informal meetings with city staff. Pre-application meetings may be held for any other
13 development proposal at the request of the applicant.

14 C. Required Pre-application meetings. Pre-application meetings are required for Type III and Type IV
15 land use reviews. Pre-application meetings may be held for any other development proposal at the
16 request of the applicant. This requirement may be waived by the code official.

17 D. Application. Applicants shall prepare a concept sketch of the development proposal for the pre-
18 application meeting along with any other information specified by the code official in the pre-application
19 meeting form.

20 E. Validity. Successful completion of a pre-application meeting does not constitute approval of any plan
21 or design. Pre-application meetings shall occur within one year of application submittal, or after a code
22 change affecting the application has occurred.

23
24 ~~Application. All applications for permits or actions by the city shall be submitted on forms provided by~~
25 ~~the development services group. An application shall contain all information deemed necessary by the~~
26 ~~code official to determine if the proposed permit or action will comply with the requirements of the~~
27 ~~applicable development regulations. The applicant for a development proposal shall have the burden of~~
28 ~~demonstrating that the proposed development complies with the applicable regulations and decision~~
29 ~~criteria. All land use applications shall include the following:~~32 ~~All applications for permits or actions by~~
30 ~~the city shall be accompanied by a filing fee in an amount established by city ordinance.~~

31
32 19.15.070. Application.

33 A. The department shall not commence review of any application until the applicant has submitted the
34 materials and fees specified for complete applications. An application shall contain all information
35 deemed necessary by the code official to determine if the proposed permit or action will comply with
36 the requirements of the applicable development regulations. The applicant for a development proposal
37 shall have the burden of demonstrating that the proposed development complies with the applicable
38 regulations and decision criteria. All land use applications shall include at a minimum, the following:

39 1. All applications for permits or land use reviews by the city shall be submitted on forms
40 provided by the City;

41 2. A site plan, prepared in a form prescribed by the code official;

42 3. A completed SEPA environmental checklist, if required;

43 4. Any studies or reports required for the processing of the application;

44 5. A list of any permits or land use review types necessary for approval of the development
45 proposal that have been obtained prior to filing the application or that are pending before the
46 City or any other governmental entity;

47 6. Drainage plans and documentation required by the Stormwater Management Manual for
48 Western Washington as adopted by MICC Chapter 15.09, if applicable;

1 7. Legal description of the site;

2 8. Verification that the property affected by the application is in the exclusive ownership of the
 3 applicant, or that the applicant has a right to develop the site and that the application has been
 4 submitted with the consent of all owners of the affected property; provided, that compliance
 5 with subsection (1)(l) of this section shall satisfy the requirements of this subsection (1)(j); and
 6 9. For Type II, III, and IV reviews, a title report from a reputable title company indicating that the
 7 applicant has either sole marketable title to the development site or has a publicly recorded
 8 right to develop the site (such as an easement). If the title report does not clearly indicate that
 9 the applicant has such rights, then the applicant shall include the written consent of the record
 10 holder(s) of the development site. The code official may waive this requirement if the title
 11 report will not substantively inform the review of the development proposal.

12 10. All applications for preliminary design review shall contain all information and materials
 13 deemed necessary by the code official to determine if the proposal complies with this chapter.
 14 Such materials may include a site survey; site plans; elevations; sections; architectural plans;
 15 roof plans; renderings and/or models; landscaping plan; parking plan; color and materials board;
 16 vicinity maps; site photographs; SEPA checklist; traffic study; pedestrian and vehicle circulation
 17 plans; and written narrative describing the project proposal and detailing how the project is
 18 meeting the applicable design objectives and standards established in Chapters 19.11 or 19.12
 19 MICC. For new construction, submittal of lighting and sign master plans may be deferred to the
 20 public hearing if applicable.

21
 22 B. A determination of completeness shall not preclude the code official from requesting additional
 23 information or studies either at the time of determination of completeness or subsequently if new or
 24 additional information is required or substantial changes in the proposed action occur, as determined by
 25 the code official.

26
 27 C. All applications for permits or land use review by the city shall be accompanied by a filing fee in an
 28 amount established by city ordinance.

29
 30 19.15.080. Determination of Completeness and Letter of Completion.

31 A. Complete Application Required. The city will not accept an incomplete application for processing and
 32 review. An application is complete only when all information required on the application form and all
 33 submittal items required by the development code have been provided to the satisfaction of the code
 34 official.

35
 36 B. Determination of Completeness. Within 28 days after receiving an application for a Type III and Type
 37 IV land use review, the city shall mail, email, or provide in person a written Letter of Completion or
 38 Letter of In-Completion to the applicant, stating either that the application is complete or that the
 39 application is incomplete. If an application is incomplete, the Letter of In-Completion shall identify what
 40 additional documentation is necessary to result in a complete application. An application shall be
 41 deemed complete if the city does not provide a written determination to the applicant stating that the
 42 application is incomplete within 28 days after receiving an application.

43
 44 C. Response to Letter of In-Completion. Within 14 days after an applicant has submitted all additional
 45 information identified as being necessary for a complete application, the city shall notify the applicant
 46 that the application is complete, or indicate that the application is incomplete and specify additional
 47 documentation as specified in section B. above that is necessary to result in a complete application.

1 D. Completion Date. The date an application is determined complete is the date of receipt by the
2 department of all of the information necessary to make the application complete as provided in this
3 chapter. The department's issuance of a Letter of Complete application, or the failure of the department
4 to provide such a letter as directed by this section, shall cause an application to be conclusively deemed
5 to be complete as provided in this section.

6
7 E. If the applicant fails to provide the required information within 90 days of the Letter of In-Completion,
8 the application shall lapse.

9
10 19.15.090. Public Notification.

11 A. Public notification is distinct from a notice of application, a notice of decision, and a notice of public
12 hearing. The purpose is to inform and notify the community of projects. No comment period is
13 required for a Public Notification, although public comment is allowed.

14
15 B. Timing. A Public Notification will be issued for Type II permits listed in MICC 19.15.010(E) prior to
16 issuance of a decision, and as soon as reasonably feasible after submittal of a complete application.

17
18 C. Distribution. A Public Notification shall be posted in the weekly DSG Bulletin.

19
20 D. Content. A Public Notification shall include the following information:

- 21 1. Permit number;
- 22 2. The name of the applicant;
- 23 3. The location and description of the project;
- 24 4. A link to a website where additional information about the project can be found; and
- 25 5. Any other information that the city determines appropriate.

26
27 19.15.100. Notice of Application.

28 A. Timing. Within 14 days of the determination of completeness, the city shall issue a notice of
29 application for all Type III and Type IV permits listed in MICC 19.15.010(E).

30
31 B. Distribution. Notice shall be provided in the weekly DSG bulletin, mailed to all property
32 owners within 300 feet of the property, posted on the site in a location that is visible to the
33 public right-of-way, and made available to the general public upon request.
34 If the owner of a proposed long subdivision owns land contiguous to the proposed long
35 subdivision, that contiguous land shall be treated as part of the long subdivision for notice
36 purposes, and notice of the application shall be given to all owners of lots located within 300
37 feet of the proposed long subdivision and the applicant's contiguous land. The city shall provide
38 written notice to the Department of Transportation of an application for a long subdivision or
39 short subdivision that is abutting the right-of-way of a state highway.

40
41 C. Content. The notice of application shall include the following information:

- 42 a. The dates of the application, the determination of completeness, and the notice of
- 43 application;
- 44 b. The name of the applicant;
- 45 c. The location and description of the project;
- 46 d. The requested actions and/or required studies;
- 47 e. The date, time, and place of the open record hearing, if one has been scheduled;
- 48 f. Identification of environmental documents, if any;

1 g. A statement of the public comment period, which shall be not less than 30 days
2 following the date of notice of application; and a statement of the rights of individuals
3 to comment on the application, receive notice and participate in any hearings, request a
4 copy of the decision once made and any appeal rights.

5 h. The city staff contact and contact information;

6 i. The identification of other permits not included in the application to the extent known
7 by the city;

8 j. A description of those development regulations used in determining consistency of
9 the project with the city's comprehensive plan;

10 k. A link to a website where additional information about the project can be found; and

11 l. Any other information that the city determines appropriate.

12 D. Open Record Hearing. If an open record hearing is required on the land use approval, the city
13 shall provide the notice of application at least 30 days prior to the hearing.

14
15 E. Public Comment. The city shall accept public comments at any time prior to the closing of the
16 record of an open record pre-decision hearing, if any, or if no open record pre-decision hearing
17 is provided, prior to the decision on the project land use review.

18
19 F. Except for a determination of significance, the city shall not issue a threshold determination
20 under MICC 19.07.120 or issue a decision on an application until the expiration of the public
21 comment period on the notice of application.

22
23 19.15.110. Public Hearing Notice.

24 A. A public hearing notice is required for land use reviews requiring a public hearing. A Public Hearing
25 Notice may be combined with a Notice of Application.

26
27 B. Public hearing notice shall be provided at least 30 days prior to any required open record hearing

28
29 C. The public hearing notice shall include the following:

30 1. A general description of the proposed project and the action to be taken by the city;

31 2. A address or parcel number of the property and a vicinity map or sketch;

32 3. The time, date and location of the open record public hearing;

33 4. A contact name and number where additional information may be obtained;

34 5. A statement that only those persons who submit written comments or testify at the open
35 record hearing will be parties of record; and only parties of record will receive a notice of the
36 decision and have the right to appeal;

37 6. A link to a website where additional information about the project can be found.

38
39 D. Public hearing notices shall be provided in the following manner:

40 1. Notice shall be mailed to parties of record, all property owners within 300 feet of the
41 property, published in the weekly DSG bulletin, and posted on the site in a location that is visible
42 to the public right-of-way.

43 a. Long Subdivisions. Additional notice for the public hearing for a preliminary long
44 subdivision approval shall be provided as follows:

45 (1) Notice of public hearing shall also be published in a newspaper of general
46 circulation within the city.

47 (2) If the owner of a proposed long subdivision owns land contiguous to the
48 proposed long subdivision, that contiguous land shall be treated as part of the

1 long subdivision for notice purposes, and the Public Hearing Notice shall be
2 given to all owners of lots located within 300 feet of the proposed long
3 subdivision and the applicant's contiguous land.

4
5 E. Every complete application for which notice is to be provided under subsection (D)(1) of this section
6 together with all information provided by the applicant for consideration by the decision authority shall
7 be posted by the city to a website accessible without charge to the public. Information shall be posted at
8 the time the city issues the notice of application under subsection (D)(1) of this section and shall be
9 updated within seven days after additional information is received from the applicant.

10
11
12 19.15.120. Response to Comments and Extensions.

13 A. Request authorized. The official or entity reviewing a development proposal may request additional
14 information or studies if:

- 15 1. New or additional information is required to complete a land use review and issue a decision;
16 2. Substantial changes in the development proposal are proposed by the applicant; or
17 3. The official or entity reviewing the development proposal determines additional information
18 is required prior to issuance of a decision.

19
20 B. Deadline for response. The official or entity requesting information shall establish a time limit for the
21 applicant to respond. The time limit for an applicant to respond to a request for information shall not
22 be less than 30 days, provided an extension to applicant's time limit to respond may be authorized
23 pursuant to section 3., below. If responses are not received within the established time limit and no
24 extension has been authorized, the code official may cancel the land use review for inactivity.

25
26 C. Deadline extension. Applicants may request an extension to provide requested materials. Extension
27 requests shall be in writing, shall include a basis for the extension and shall be submitted in writing prior
28 to expiration of the time limit. The code official is authorized to extend the time limit in writing. There
29 is no limit to the number of extensions an applicant may be granted, however the total time limit for a
30 response shall not exceed 180 days unless there is an extenuating circumstance. An extenuating
31 circumstance must be unexpected and beyond the control of the applicant.

32
33 19.15.130. Notice of Decision.

34 The city will make an effort to process permits and land use reviews in a reasonable time subject to
35 constraints related to staff workload and resources. The city shall provide notice in a timely manner of
36 its final decision or recommendation on development proposals requiring Type II, III and IV land use
37 decisions, including the SEPA threshold determination, if any, the dates for any public hearings, and the
38 procedures for administrative appeals, if any. Notice shall be provided to the applicant, parties of
39 record, agencies with jurisdiction. Notice of decision shall also be provided to the public as provided in
40 MICC 19.15.100. The notice of decision may be provided by email or a hard copy may be mailed.

41
42 19.15.140. Appeals.

43 A. Appeals to Shoreline Hearings Board. Appeals to any shoreline substantial development permit,
44 shoreline conditional use permit, or shoreline variance decision, shall be in accordance with RCW
45 90.58.180. Appeals to shoreline exemptions permits shall be filed in accordance with subsection 2 of this
46 section.

1 B. Administrative Appeals. Any decision may be administratively appealed by filing a written appeal on
2 the decision. Administrative appeals shall be filed with the city clerk within 14 days after the notice of
3 decision is made available to the public and applicant pursuant to MICC 19.15.130 , if a notice of
4 decision is required, or after the effective date of the decision subject to appeal if no notice of decision
5 is required.

6
7 C. The burden of proof is on the appellant to demonstrate that there has been substantial error, or the
8 proceedings were materially affected by irregularities in procedure, or the decision was unsupported by
9 evidence in the record, or that the decision is in conflict with the standards for review of the particular
10 action;

11
12 D. Written appeals shall include the following information:

- 13 1. The decision(s) being appealed;
- 14 2. The development code interpretation, if any, associated with the proposed appeal;
- 15 3. The name and address of the appellant and his/her interest in the matter;
- 16 4. The specific reasons why the appellant believes the decision to be wrong. The burden of proof
17 is on the appellant to demonstrate that there has been substantial error, or the proceedings
18 were materially affected by irregularities in procedure, or the decision was unsupported by
19 evidence in the record, or that the decision is in conflict with the standards for review of the
20 particular action;
- 21 5. The desired outcome or changes to the decision; and
- 22 6. Payment of the appeals fee, if any.

23
24 E. Authority for appeals is specified in MICC 19.15.040(E).

25
26 F. Notice of an open record public hearing for an appeal shall be provided consistent with the notice of
27 public hearing provisions of MICC 19.15.110.

28
29 G. The hearing body may adopt rules of procedure in addition to the following required provisions. At a
30 minimum, rules of procedure for appeal hearings shall be as follows provide that:

- 31 1. If the hearing body finds that there has been substantial error, or the proceedings were
32 materially affected by irregularities in procedure, or the decision was unsupported by material
33 and substantial evidence in view of the entire record, or the decision is in conflict with the city's
34 applicable decision criteria, it may:
 - 35 a. Reverse the decision.
 - 36 b. Modify the decision and approve it as modified.
 - 37 c. Remand the decision back to the decision maker for further consideration.
- 38 2. If the hearing body finds that none of the procedural or factual bases listed above exist and
39 that there has been no substantial error, the hearing body may adopt the findings and/or
40 conclusions of the decision body, concur with the decision of the decision body and approve the
41 development proposal as originally approved, with or without modifications.
- 42 3. Final decision on the appeal shall be made within 30 days from the last day of the appeal
43 hearing.
- 44 4. The city's final decision on a development proposal may be appealed by a party of record with
45 standing to file a land use petition in King County superior court. Such petition must be filed
46 within 21 days of the issuance of the decision.

1 H. When an applicant has opted for consolidated permit processing pursuant to subsection I of this
 2 section, administrative appeals of Type I, II, or III approvals listed in MICC 19.15.010(E) for a single
 3 project shall be consolidated and heard together in a single appeal by the hearing examiner the highest
 4 level hearing body. For example, an appeal of a consolidated decision for a Type I and III decision, shall
 5 be heard by the Hearing Examiner.

6
 7 19.15.150. Open Record Public Hearing.

8 A. Only one open record public hearing shall be required prior to action on all Type IV actions or to hear
 9 an appeal of a Type I, II, or III decision.

10
 11 B. Open record public hearings shall be conducted in accordance with the hearing body's rules of
 12 procedures. In conducting an open record public hearing, the hearing body's chair shall, in general,
 13 observe the following sequence:

- 14 1. Staff presentation, including the submittal of any additional information or correspondence.
- 15 Members of the hearing body may ask questions of staff.
- 16 2. Applicant and/or applicant representative's presentation. Members of the hearing body may
- 17 ask questions of the applicant.
- 18 3. Testimony by the public. Questions directed to the staff, the applicant or members of the
- 19 hearing body shall be posed by the chairperson at his/her discretion.
- 20 4. Rebuttal, response or clarifying statements by the applicant and/or the staff and/or the
- 21 public.
- 22 5. The public comment portion of the hearing is closed and the hearing body shall deliberate on
- 23 the action before it.

24
 25 C. Following the hearing procedure described above, the hearing body shall:

- 26 1. Approve;
- 27 2. Conditionally approve;
- 28 3. Continue the hearing;
- 29 4. Remand the application to staff; or
- 30 5. Deny the application.

31
 32 19.15.160. Expiration of Approvals.

33 A. General. Except as stated below, or as otherwise conditioned in the approval process, land use
 34 review approvals shall expire three years from the date of notice of decision if the development
 35 proposal authorized by the land use review is not commenced. For the purposes of this section, the
 36 development proposal shall be considered established if construction or substantial progress toward
 37 construction of a development proposal for which a land use review approval has been granted must be
 38 undertaken within two years of the date of notice of decision of the land use review. Where no
 39 construction activities are involved, the use or activity shall be commenced within three years of the
 40 date of notice of decision of the land use review.

41
 42 B. Renewal. Renewal of expired land use approvals shall require a new application.

43
 44 C. Long and Short Subdivisions. A final plat application meeting all requirements of this chapter shall be
 45 submitted to the code official and recorded within five years of the date of preliminary plat approval.

46
 47 D. Shoreline Land Use Reviews. The following time limits shall apply to all substantial development
 48 permits, shoreline conditional use permits and shoreline variance permits:

- 1 1. Construction or substantial progress toward construction of a development for which a
- 2 permit has been granted must be undertaken within two years of the effective date of a
- 3 shoreline permit. Where no construction activities are involved, the use or activity shall be
- 4 commenced within two years of the effective date of a substantial development permit. The
- 5 effective date of a shoreline permit shall be the date of the last action required on the shoreline
- 6 permit and all other government permits and approvals that authorize the development to
- 7 proceed, including all administrative and legal actions on any such permit or approval.
- 8 2. A single extension before the end of the time limit, with prior notice to parties of record, for
- 9 up to one year, based on reasonable factors may be granted, if a request for extension has been
- 10 filed before the expiration date and notice of the proposed extension is given to parties of
- 11 record and to the Department of Ecology.

12
13 E. Design Review. If the applicant has not submitted a complete application for a building permit within
14 three years from the date of the notice of the final design review decision, or within three years from
15 the decision on appeal from the final design review decision, design review approval shall expire.

16
17 F. Responsibility for knowledge of the expiration date shall be with the applicant.

18
19 19.15.170. Code Interpretations.

20 A. Upon formal application or as determined necessary, the code official may issue a written
21 interpretation of the meaning or application of provisions of the development code. In issuing the
22 interpretation, the code official shall consider the following:

- 23 1. The plain language of the code section in question;
- 24 2. Purpose and intent statement of the chapters in question;
- 25 3. Legislative intent of the city council provided with the adoption of the code sections in
- 26 question;
- 27 4. Policy direction provided by the Mercer Island comprehensive plan;
- 28 5. Relevant judicial decisions;
- 29 6. Consistency with other regulatory requirements governing the same or similar situation;
- 30 7. The expected result or effect of the interpretation; and
- 31 8. Previous implementation of the regulatory requirements governing the situation.

32
33 B. The code official may also bring any issue of interpretation before the planning commission for
34 determination. Anyone in disagreement with an interpretation by the code official may also appeal the
35 code official's interpretation to the hearing examiner.

36
37 19.15.180. Vesting

38 A. Purpose. The purpose of this section is to identify certain points in the land use approval process at
39 which an applicant's rights become "vested." Vested rights is defined as the guarantee that an
40 application will be reviewed and a development proposal can be developed (if a permit is issued) under
41 regulations and procedures existing at one moment in time and regardless of changes that may have
42 been made later and prior to final completion of a project or use.

43
44 B. Vesting for Land Use Reviews. Complete applications for land use review of Type I land use reviews,
45 building permits, conditional use permits, design review, short subdivisions and long subdivisions, shall
46 vest on the date a complete application is filed. The department's issuance of a Letter of Completion for
47 Type III and IV land use decisions, as provided in this chapter, or the failure of the department to provide

1 such a letter as provided in this chapter, shall cause an application to be conclusively deemed to be
2 vested as provided herein.

3
4 C. Scope of Vested Rights.

5 1. Land use reviews that are subject to the provisions of this section shall be considered under
6 the zoning and land use control ordinances (Titles 15 and 19 MICC) in effect on the date of
7 complete application. Supplemental information and revisions to a development proposal
8 design required by the City after vesting of a complete application shall not affect the validity of
9 the vesting for such application.

10 2. An applicant must specifically identify a proposed land use or uses in the land use review
11 application as the intended use of the development proposal site in order to vest the right to
12 engage in a specific land use against an ordinance implementing a change in permitted land
13 uses.

14 3. An application for a land use review may be denied or approved with conditions under the
15 authority of the City to protect and enhance the public safety, health and welfare, and under the
16 State Environmental Policy Act (SEPA) and the City of Mercer Island's SEPA regulations and
17 policies as of the date of vesting, notwithstanding the fact that the applicant has attained a
18 vested right against enforcement of an ordinance implementing changes in regulations, codes or
19 procedures affecting that land use review application.

20
21 D. Termination of Vested Rights.

22 1. Termination of vested rights associated with a land use review for a development proposal
23 shall occur at the time of expiration of land use review approval, as established in MICC
24 19.15.160 or when an applicant withdraws the land use application.

25 2. Applicant-generated modifications or requests for revision(s) to building permits, short
26 subdivision, or long subdivisions which are not made in response to staff review, public process,
27 appeal, or conditions of approval, and which result in substantial changes to a development
28 proposal design, which includes but is not limited to include the creation of additional lots,
29 substantial change in access, substantial changes in project design, or additional impacts to
30 critical areas shall be treated as new applications for purposes of vesting.

31 3. Applicant-generated proposals to create additional lots, substantially change access, increase
32 critical area impacts, or change conditions of approval on an approved preliminary short
33 subdivision or long subdivision shall also be treated as a new application for purposes of vesting.

34
35 19.15.190. Additional Procedures for Shoreline Review.

36 A. Open record public hearing. An open record public hearing before the code official shall be
37 conducted on the shoreline substantial development permits, shoreline conditional use permits, and
38 shoreline variances when within the 30-day comment period, 10 or more interested citizens file a
39 written request for a public hearing.

40
41 B. Ecology filing. The applicant shall not begin construction until after 21 days from the date of receipt
42 by the Department of Ecology and Attorney General and/or any appeals are concluded. The applicant
43 shall also comply with all applicable federal, state and city standards for construction.

44
45 C. Shoreline Substantial Development Permit Decisions. The city's action in approving, approving with
46 conditions, or denying any substantial development permit or shoreline exemption is final unless an
47 appeal is filed in accordance with applicable laws. The city shall send the shoreline permit decisions to
48 the applicant, the Department of Ecology, the Washington State Attorney General and to all other

1 applicable local, state, or federal agencies. The decision shall be sent to the Department of Ecology by
2 return receipt requested mail or as regulated by WAC 173-27-130.

3
4 D. Shoreline Conditional Use Permits and Shoreline Variances. The final decision in approving,
5 approving with conditions, or denying a shoreline conditional use permit or shoreline variance is
6 rendered by the Department of Ecology in accordance with WAC 173-27-200, and all other applicable
7 local, state, or federal laws. The city shall send the shoreline permit decision to the applicant, the
8 Department of Ecology, the Washington State Attorney General and to all other applicable local, state,
9 or federal agencies. The decision shall be sent to the Department of Ecology by return receipt requested
10 mail or as regulated by WAC 173-27-130.

11
12 ~~1. All applications for permits or actions by the city shall be submitted on forms provided by the~~
13 ~~development services group. An application shall contain all information deemed necessary by the code~~
14 ~~official to determine if the proposed permit or action will comply with the requirements of the~~
15 ~~applicable development regulations. The applicant for a development proposal shall have the burden of~~
16 ~~demonstrating that the proposed development complies with the applicable regulations and decision~~
17 ~~criteria.~~

18
19 ~~2. All applications for permits or actions by the city shall be accompanied by a filing fee in an amount~~
20 ~~established by city ordinance.~~

21
22 ~~C. Determination of Completeness.~~

23
24 ~~1. The city will not accept an incomplete application. An application is complete only when all~~
25 ~~information required on the application form and all submittal items required by code have been~~
26 ~~provided to the satisfaction of the code official.~~

27
28 ~~2. Within 28 days after receiving a development permit application, the city shall mail or provide in~~
29 ~~person a written determination to the applicant, stating either that the application is complete or that~~
30 ~~the application is incomplete and what is necessary to make the application complete. An application~~
31 ~~shall be deemed complete if the city does not provide a written determination to the applicant stating~~
32 ~~that the application is incomplete.~~

33
34 ~~3. Within 14 days after an applicant has submitted all additional information identified as being~~
35 ~~necessary for a complete application, the city shall notify the applicant whether the application is~~
36 ~~complete or what additional information is necessary.~~

37
38 ~~4. If the applicant fails to provide the required information within 90 days of the determination of~~
39 ~~incompleteness, the application shall lapse. The applicant may request a refund of the application fee~~
40 ~~minus the city's cost of determining the completeness of the application.~~

41
42 ~~D. Notice of Application.~~

43
44 ~~1. Within 14 days of the determination of completeness, the city shall issue a notice of application for all~~
45 ~~administrative, discretionary, and legislative actions listed in MICC 19.15.010(E) and major single-family~~
46 ~~dwelling building permits.~~

47
48 ~~2. The notice of application shall include the following information:~~

- 1
- 2 ~~a. The dates of the application, the determination of completeness, and the notice of application;~~
- 3
- 4 ~~b. The name of the applicant;~~
- 5
- 6 ~~c. The location and description of the project;~~
- 7
- 8 ~~d. The requested actions and/or required studies;~~
- 9
- 10 ~~e. The date, time, and place of the open record hearing, if one has been scheduled;~~
- 11
- 12 ~~f. Identification of environmental documents, if any;~~
- 13
- 14 ~~g. A statement of the public comment period, which shall be not less than 30 days following the date of~~
- 15 ~~notice of application; and a statement of the rights of individuals to comment on the application, receive~~
- 16 ~~notice and participate in any hearings, request a copy of the decision once made and any appeal rights.~~
- 17 ~~The city shall accept public comments at any time prior to the closing of the record of an open record~~
- 18 ~~predecision hearing, if any, or if no open record predecision hearing is provided, prior to the decision on~~
- 19 ~~the project permit;~~
- 20
- 21 ~~h. The city staff contact and contact information;~~
- 22
- 23 ~~i. The identification of other permits not included in the application to the extent known by the city;~~
- 24
- 25 ~~j. A description of those development regulations used in determining consistency of the project with~~
- 26 ~~the city's comprehensive plan;~~
- 27
- 28 ~~k. A link to a website where additional information about the project can be found; and~~
- 29
- 30 ~~l. Any other information that the city determines appropriate.~~
- 31
- 32 ~~3. Open Record Hearing. If an open record hearing is required on the permit, the city shall:~~
- 33
- 34 ~~a. Provide the notice of application at least 30 days prior to the hearing; and~~
- 35
- 36 ~~b. Issue any threshold determination required under MICC 19.07.110 at least 30 days prior to the~~
- 37 ~~hearing.~~
- 38
- 39 ~~4. Notice shall be provided in the bi-weekly DSG bulletin, posted at City Hall and made available to the~~
- 40 ~~general public upon request.~~
- 41
- 42 ~~5. All comments received on the notice of application must be received by the development services~~
- 43 ~~group by 5 pm on the last day of the comment period.~~
- 44
- 45 ~~6. Except for a determination of significance, the city shall not issue a threshold determination under~~
- 46 ~~MICC 19.07.110 or issue a decision on an application until the expiration of the public comment period~~
- 47 ~~on the notice of application.~~
- 48

1 ~~7. A notice of application is not required for the following actions; provided, the action is either~~
2 ~~categorically exempt from SEPA or an environmental review of the action in accordance with SEPA has~~
3 ~~been completed:~~

4
5 ~~a. Building permit other than a major single family dwelling building permit;~~

6
7 ~~b. Lot line revision;~~

8
9 ~~c. Right of way permit;~~

10
11 ~~d. Storm drainage permit;~~

12
13 ~~e. Home occupation permit;~~

14
15 ~~f. Design review — minor new construction;~~

16
17 ~~g. Final plat approval;~~

18
19 ~~h. Shoreline exemption permit;~~

20
21 ~~i. Seasonal development limitation waiver; and~~

22
23 ~~k. Tree removal permit.~~

24
25 ~~E. Public Notice and Information Availability.~~

26
27 ~~1. In addition to the notice of application, a public notice is required for all administrative, discretionary,~~
28 ~~and legislative actions listed in MICC 19.15.010(E) and major single family dwelling building permits.~~

29
30 ~~2. Public notice shall be provided at least 30 days prior to any required open record hearing. If no such~~
31 ~~hearing is required, public notice shall be provided 14 days prior to the decision on the application.~~

32
33 ~~3. The public notice shall include the following:~~

34
35 ~~a. A general description of the proposed project and the action to be taken by the city;~~

36
37 ~~b. A nonlegal description of the property, vicinity map or sketch;~~

38
39 ~~c. The time, date and location of any required open record hearing;~~

40
41 ~~d. A contact name and number where additional information may be obtained;~~

42
43 ~~e. A statement that only those persons who submit written comments or testify at the open record~~
44 ~~hearing will be parties of record; and only parties of record will receive a notice of the decision and have~~
45 ~~the right to appeal;~~

46
47 ~~f. A description of the deadline for submitting public comments;~~
48

1 ~~g. A link to a website where additional information about the project can be found.~~

2
3 ~~4. Public notice shall be provided in the following manner:~~

4
5 ~~a. Administrative and Discretionary Actions and Major Single Family Dwelling Building Permits. Notice~~
6 ~~shall be mailed to parties of record, all property owners within 300 feet of the property and posted on~~
7 ~~the site in a location that is visible to the public right of way.~~

8
9 ~~i. Long Subdivisions. Additional notice for long subdivisions shall be provided as follows:~~

10
11 ~~(a) Public notice of an application for a long subdivision shall also be published at least 30 days prior to~~
12 ~~the open record hearing on the application in a newspaper of general circulation within the city.~~

13
14 ~~(b) If the owner of a proposed long subdivision owns land contiguous to the proposed long subdivision,~~
15 ~~that contiguous land shall be treated as part of the long subdivision for notice purposes, and notice of~~
16 ~~the application shall be given to all owners of lots located within 300 feet of the proposed long~~
17 ~~subdivision and the applicant's contiguous land.~~

18
19 ~~(c) The city shall provide written notice to the Department of Transportation of an application for a long~~
20 ~~subdivision or short subdivision that is located adjacent to the right-of-way of a state highway. The~~
21 ~~notice shall include a legal description of the long subdivision or short subdivision and a location map.~~

22
23 ~~b. Legislative Action. Notice shall be published in a newspaper of general circulation within the city.~~

24
25 ~~5. Every complete development permit application for which notice is to be provided under subsection~~
26 ~~(D)(1) of this section together with all information provided by the applicant for consideration by the~~
27 ~~decision authority shall be posted by the city to a website accessible without charge to the public.~~
28 ~~Information shall be posted at the time the city issues the notice of application under subsection (D)(1)~~
29 ~~of this section and shall be updated as needed and in any event within seven days after additional~~
30 ~~information is received from the applicant. The provisions of this subsection (E)(5) shall only apply to~~
31 ~~development permit applications filed on or after May 29, 2017.~~

32
33 ~~F. Open Record Hearing.~~

34
35 ~~1. Only one open record hearing shall be required prior to action on all discretionary and legislative~~
36 ~~actions except design review and street vacations.~~

37
38 ~~2. Open record hearings shall be conducted in accordance with the hearing body's rules of procedures.~~
39 ~~In conducting an open record hearing, the hearing body's chair shall, in general, observe the following~~
40 ~~sequence:~~

41
42 ~~a. Staff presentation, including the submittal of any additional information or correspondence. Members~~
43 ~~of the hearing body may ask questions of staff.~~

44
45 ~~b. Applicant and/or applicant representative's presentation. Members of the hearing body may ask~~
46 ~~questions of the applicant.~~

1 ~~c. Testimony by the public. Questions directed to the staff, the applicant or members of the hearing~~
2 ~~body shall be posed by the chairperson at his/her discretion.~~

3
4 ~~d. Rebuttal, response or clarifying statements by the applicant and/or the staff.~~

5
6 ~~e. The public comment portion of the hearing is closed and the hearing body shall deliberate on the~~
7 ~~action before it.~~

8
9 ~~3. Following the hearing procedure described above, the hearing body shall:~~

10
11 ~~a. Approve;~~

12
13 ~~b. Conditionally approve;~~

14
15 ~~c. Continue the hearing; or~~

16
17 ~~d. Deny the application.~~

18
19 ~~G. Decision Criteria. Decisions shall be based on the criteria specified in the Mercer Island City Code for~~
20 ~~the specific action. An applicant for a development proposal shall have the burden of demonstrating~~
21 ~~that the proposed development complies with the applicable regulations and decision criteria. A~~
22 ~~reference to the code sections that set out the criteria and standards for decisions appears in MICC~~
23 ~~19.15.010(E). For those actions that do not otherwise have criteria specified in other sections of the~~
24 ~~code, the following are the required criteria for decision:~~

25
26 ~~1. Comprehensive Plan Amendment.~~

27
28 ~~a. The amendment is consistent with the Growth Management Act, the county wide planning policies,~~
29 ~~and the other provisions of the comprehensive plan and city policies; and:~~

30
31 ~~i. There exists obvious technical error in the information contained in the comprehensive plan; or~~

32
33 ~~ii. The amendment addresses changing circumstances of the city as a whole.~~

34
35 ~~b. If the amendment is directed at a specific property, the following additional findings shall be~~
36 ~~determined:~~

37
38 ~~i. The amendment is compatible with the adjacent land use and development pattern;~~

39
40 ~~ii. The property is suitable for development in conformance with the standards under the potential~~
41 ~~zoning; and~~

42
43 ~~iii. The amendment will benefit the community as a whole and will not adversely affect community~~
44 ~~facilities or the public health, safety, and general welfare.~~

45
46 ~~2. Reclassification of Property (Rezoning).~~

47

1 ~~a. The proposed reclassification is consistent with the policies and provisions of the Mercer Island~~
2 ~~comprehensive plan;~~

3
4 ~~b. The proposed reclassification is consistent with the purpose of the Mercer Island development code~~
5 ~~as set forth in MICC 19.01.010;~~

6
7 ~~c. The proposed reclassification is an extension of an existing zone, or a logical transition between zones;~~

8
9 ~~d. The proposed reclassification does not constitute a “spot” zone;~~

10
11 ~~e. The proposed reclassification is compatible with surrounding zones and land uses; and~~

12
13 ~~f. The proposed reclassification does not adversely affect public health, safety and welfare.~~

14
15 ~~3. Conditional Use Permit.~~

16
17 ~~a. The permit is consistent with the regulations applicable to the zone in which the lot is located;~~

18
19 ~~b. The proposed use is determined to be acceptable in terms of size and location of site, nature of the~~
20 ~~proposed uses, character of surrounding development, traffic capacities of adjacent streets,~~
21 ~~environmental factors, size of proposed buildings, and density;~~

22
23 ~~c. The use is consistent with policies and provisions of the comprehensive plan; and~~

24
25 ~~d. Conditions shall be attached to the permit assuring that the use is compatible with other existing and~~
26 ~~potential uses within the same general area and that the use shall not constitute a nuisance.~~

27
28 ~~4. Variances. An applicant or property owner may request a variance from any numeric standard, except~~
29 ~~for the standards contained within Chapter 19.07 MICC. A variance shall be granted by the city only if~~
30 ~~the applicant can meet all criteria in subsections (G)(4)(a) through (h) of this section. A variance for~~
31 ~~increased lot coverage for a regulated improvement pursuant to subsection (G)(4)(i) of this section shall~~
32 ~~be granted by the city only if the applicant can meet criteria in subsections (G)(4)(a) through (i) of this~~
33 ~~section:~~

34
35 ~~a. The strict enforcement of the provisions of this title will create an unnecessary hardship to the~~
36 ~~property owner. For the purposes of this criterion, in the R-8.4, R-9.6, R-12, and R-15 zoning~~
37 ~~designations, an “unnecessary hardship” is limited to those circumstances where the adopted standards~~
38 ~~of this title prevent the construction of a single family dwelling on a legally created, residentially zoned~~
39 ~~lot;~~

40
41 ~~b. The variance is the minimum necessary to grant relief to the property owner;~~

42
43 ~~c. No use variance shall be allowed;~~

44
45 ~~d. There are special circumstances applicable to the particular lot such as the size, shape, topography, or~~
46 ~~location of the lot; or factors necessary for the successful installation of a solar energy system such as a~~
47 ~~particular orientation of a building for the purposes of providing solar access;~~

1 ~~e. The granting of the variance will not be materially detrimental to the public welfare or injurious to the~~
2 ~~property or improvements in the vicinity and zone in which the property is situated;~~

3
4 ~~f. The granting of the variance will not alter the character of the neighborhood, nor impair the~~
5 ~~appropriate use or development of adjacent property;~~

6
7 ~~g. The variance is consistent with the policies and provisions of the comprehensive plan and the~~
8 ~~development code;~~

9
10 ~~h. The basis for requesting the variance is not the direct result of a past action by the current or prior~~
11 ~~property owner; and~~

12
13 ~~i. Public and private schools, religious institutions, private clubs and public facilities in single family~~
14 ~~zones with slopes of less than 15 percent may request a variance to increase the impervious surface to a~~
15 ~~maximum 60 percent impervious surface and such variance application will be granted if the hearing~~
16 ~~examiner determines that the applicant has demonstrated that the following criteria are satisfied:~~

17
18 ~~i. There will be no net loss of permeable surface from the existing permeable surface. No net loss will be~~
19 ~~determined by the code official and may be achieved by off-site mitigation and/or by reconstructing~~
20 ~~existing parking areas to allow stormwater penetration. This replacement will be an exception to~~
21 ~~subsection (D)(2)(b) of this section prohibiting parking areas from being considered as permeable~~
22 ~~surfaces;~~

23
24 ~~ii. All storm water discharged shall be mitigated consistent with the most recent Washington State~~
25 ~~Department of Ecology Stormwater Management Manual for Western Washington, including~~
26 ~~attenuation of flow and duration. Mitigation will be required for any and all new and replaced~~
27 ~~impervious surfaces. In designing such mitigation, the use of a continuous simulation hydrologic model~~
28 ~~such as KCRS or WWHM shall be required; event based models will not be allowed. In addition,~~
29 ~~mitigation designs shall utilize flow control best management practices (BMPs) and low impact~~
30 ~~development (LID) techniques to infiltrate, disperse and retain stormwater on site to mitigate the~~
31 ~~increased volume, flow and pollutant loading to the maximum extent feasible;~~

32
33 ~~iii. The director must approve a storm drainage report submitted by the applicant and prepared by a~~
34 ~~licensed civil engineer assuring the city that city infrastructure, in concert with the project design, is~~
35 ~~adequate to accommodate storm drainage from the project site, or identifying appropriate~~
36 ~~improvements to public and/or private infrastructure to assure this condition is met, at the applicant's~~
37 ~~expense; and~~

38
39 ~~iv. The variance may not be used with other provisions to exceed this maximum 60 percent impervious~~
40 ~~surface coverage.~~

41
42 ~~5. Setback Deviation. A setback deviation shall be granted by the city only if the applicant demonstrates~~
43 ~~all of the following:~~

44
45 ~~a. Setback Deviation Criteria. Setback deviations shall be subject to the following criteria:~~

46
47 ~~i. No use deviation shall be allowed;~~

1 ~~ii. The granting of the deviation will not be materially detrimental to the public welfare or injurious to~~
2 ~~the property or improvements in the vicinity and zone in which the property is situated;~~

3
4 ~~iii. The granting of the deviation will not alter the character of the neighborhood, nor impair the~~
5 ~~appropriate use or development of adjacent property;~~

6
7 ~~iv. The deviation is consistent with the policies and provisions of the comprehensive plan and the~~
8 ~~development code;~~

9
10 ~~v. The basis for requesting the deviation is not the direct result of a past action by the current or prior~~
11 ~~property owner;~~

12
13 ~~vi. The setback deviation is associated with the approval of development of a single lot or subdivision~~
14 ~~that is constrained by critical areas or critical area buffers;~~

15
16 ~~vii. The building pad resulting from the proposed deviation will result in less impact to critical areas or~~
17 ~~critical area buffers; and~~

18
19 ~~viii. Yard setbacks shall not be reduced below the following minimums:~~

20
21 ~~(a) Front and rear setbacks may not be reduced to less than 10 feet each;~~

22
23 ~~(b) Side setbacks may not be reduced to less than five feet.~~

24
25 ~~6. Shoreline Permits Administration and Procedures.~~

26
27 ~~a. Administrative Responsibility. Except as otherwise stated in this section, the code official is~~
28 ~~responsible for:~~

29
30 ~~i. Administering shoreline permits.~~

31
32 ~~ii. Approving, approving with conditions or denying shoreline exemption permits, substantial~~
33 ~~development permits, shoreline conditional use permits, shoreline variances and permit revisions in~~
34 ~~accordance with applicable provisions.~~

35
36 ~~iii. Determining compliance with the State Environmental Policy Act.~~

37
38 ~~iv. No development shall be undertaken within the shorelands without first obtaining a shoreline~~
39 ~~exemption permit, substantial development permit, conditional use permit, and/or a variance permit in~~
40 ~~accordance with all applicable procedures unless it qualifies under a categorical exemption. In addition,~~
41 ~~such permit shall be in compliance with permit requirements of all other agencies having jurisdiction~~
42 ~~within the shorelands. Compliance with all applicable federal and state regulations is also required.~~

43
44 ~~b. Shoreline Categorical Exemption Decision Criteria and Process. Any development that qualifies as~~
45 ~~being a shoreline categorical exemption, as specified in MICC 19.07.110, shall not require a shoreline~~
46 ~~permit, but must still meet all requirements of the Mercer Island Unified Land Development Code.~~

47
48 ~~c. Shoreline Exemption Permit Decision Criteria and Process.~~

1
2 ~~i. Shoreline Exemption Permit Application Criteria. A shoreline exemption permit may be granted to the~~
3 ~~following development as long as such development is in compliance with all applicable requirements of~~
4 ~~the Mercer Island Unified Land Development Code and any of the following:~~

5
6 ~~(A) Any development of which the total cost or fair market value, whichever is higher, does not exceed~~
7 ~~\$6,416 or as periodically revised by the Washington State Office of Financial Management, if such~~
8 ~~development does not materially interfere with the normal public use of the water or shorelines of the~~
9 ~~state; or~~

10
11 ~~(B) Normal maintenance or repair of existing structures or developments, including damage by accident,~~
12 ~~fire or elements. "Normal maintenance" includes those usual acts established to prevent a decline,~~
13 ~~lapse, or cessation from a lawfully established condition. "Normal repair" means to restore a~~
14 ~~development to a state comparable to its original condition within a reasonable period after decay or~~
15 ~~partial destruction, including complete replacement of legally existing structures. Normal maintenance~~
16 ~~of single-family dwellings is categorically exempt as stated above; or~~

17
18 ~~(C) Construction of the normal protective bulkhead common to single-family dwellings. A "normal~~
19 ~~protective" bulkhead is constructed at or near the ordinary high water mark to protect a single-family~~
20 ~~dwelling and is for protecting land from erosion, not for the purpose of creating land. Where an existing~~
21 ~~bulkhead is being replaced, it shall be constructed no further waterward of the existing bulkhead than is~~
22 ~~necessary for construction of new footings; or~~

23
24 ~~(D) Emergency construction necessary to protect property from damage by the elements. An~~
25 ~~"emergency" is an unanticipated and imminent threat to public health, safety, or the environment~~
26 ~~which requires immediate action within a time too short to allow full compliance with this section; or~~

27
28 ~~(E) Construction or modification of navigational aids such as channel markers and anchor buoys; or~~

29
30 ~~(F) Construction of a dock, designed for pleasure craft only, for the private noncommercial use of the~~
31 ~~owners, lessee, or contract purchaser of a single-family dwelling, for which the cost or fair market value,~~
32 ~~whichever is higher, does not exceed \$10,000; or~~

33
34 ~~(G) Any project with a certification from the governor pursuant to Chapter 80.50 RCW; or~~

35
36 ~~(H) Projects for the restoration of ecological functions.~~

37
38 ~~ii. Shoreline Exemption Permit Application Process. The city shall issue or deny the shoreline exemption~~
39 ~~permit within 10 calendar days of receiving a complete application, or 10 days after issuance of a DNS,~~
40 ~~MDNS or EIS if SEPA review is required. The city shall send the shoreline permit decisions to the~~
41 ~~applicant and all applicable local, state, or federal agencies as required by state or federal law.~~

42
43 ~~d. Substantial Development Permit Application Decision Criteria and Process. A substantial development~~
44 ~~permit (SDP) is required for any development within shorelands not qualifying as being subject to a~~
45 ~~categorical exemption or shoreline exemption permit. Requirements and procedures for securing a~~
46 ~~substantial development permit are established below.~~

47

1 ~~i. SDP Application Decision Criteria. All requirements of the Mercer Island Unified Land Development~~
2 ~~Code shall apply to the approval of a shoreline development permit.~~

3
4 ~~ii. SDP Application Process. The applicant shall attend a preapplication meeting prior to submittal of a~~
5 ~~substantial development permit. Upon completion of the preapplication meeting, a complete~~
6 ~~application, filing fees and SEPA checklist, if applicable, shall be filed with the city on approved forms to~~
7 ~~ensure compliance with development codes and standards.~~

8
9 ~~(A) Once a complete application has been submitted, public notice of an application for a substantial~~
10 ~~development permit shall be made in accordance with the procedures set forth in the Mercer Island~~
11 ~~Uniform Land Development Code for administrative actions; provided, such notice shall be given at least~~
12 ~~30 days before the date of final action by the city. The notices shall include a statement that any person~~
13 ~~desiring to submit written comments concerning an application, or desiring to receive notification of the~~
14 ~~final decision concerning an application as expeditiously as possible after the issuance of the decision,~~
15 ~~may submit the comments or request a copy of the decision(s) to the city within 30 days from the last~~
16 ~~date the notice is published. If a hearing is to be held on an application, notices of such hearing shall~~
17 ~~include a statement that any person may submit oral or written comments on an application at the~~
18 ~~hearing.~~

19
20 ~~(B) Within 30 days of the final publication, posting or mailing of the notice, whichever comes last, any~~
21 ~~interested person may submit written comments on the proposed application. The city will not make a~~
22 ~~decision on the permit until after the end of the comment period. An open record hearing before the~~
23 ~~code official, as set out in subsection F of this section, shall be conducted on the shoreline substantial~~
24 ~~development permits when the following factors exist:~~

25
26 ~~(1) The proposed development has broad public significance; or~~

27
28 ~~(2) Within the 30-day comment period, 10 or more interested citizens file a written request for a public~~
29 ~~hearing; or~~

30
31 ~~(3) At the discretion of the code official.~~

32
33 ~~(C) The technical review of shoreline substantial development permits must ensure that the proposal~~
34 ~~complies with the criteria of the Shoreline Management Act policies and all requirements of the city of~~
35 ~~Mercer Island Unified Land Development Code.~~

36
37 ~~(D) The city's action in approving, approving with conditions, or denying any substantial development~~
38 ~~permit or shoreline exemption is final unless an appeal is filed in accordance with applicable laws. The~~
39 ~~city shall send the shoreline permit decisions to the applicant, the Department of Ecology, the~~
40 ~~Washington State Attorney General and to all other applicable local, state, or federal agencies.~~

41
42 ~~(E) The applicant shall not begin construction until after 21 days from the date of receipt by the~~
43 ~~Department of Ecology and Attorney General and/or any appeals are concluded. The applicant shall also~~
44 ~~comply with all applicable federal, state and city standards for construction.~~

45
46 ~~e. Shoreline Conditional Use Permit Application Decision Criteria and Process. The purpose of a shoreline~~
47 ~~conditional use permit is to provide a system which allows flexibility in the application of use regulations~~
48 ~~in a manner consistent with the policies of RCW 90.58.020. In authorizing a shoreline conditional use,~~

1 ~~special conditions may be attached to the permit by the city of Mercer Island or the Department of~~
2 ~~Ecology to prevent undesirable effects of the proposed use and/or to assure consistency of the project~~
3 ~~with the Shoreline Management Act and the applicable city regulations.~~

4
5 ~~i. Shoreline Conditional Use Permit Application Decision Criteria. All requirements of the Mercer Island~~
6 ~~Unified Land Development Code shall apply to the approval of a shoreline conditional use permit. Uses~~
7 ~~that require a shoreline conditional use permit may be authorized; provided, that the applicant~~
8 ~~demonstrates all of the following:~~

9
10 ~~(A) That the proposed use is consistent with the policies of RCW 90.58.020 and the Mercer Island~~
11 ~~Uniform Land Development Code;~~

12
13 ~~(B) That the proposed use will not detrimentally interfere with the normal public use of shorelands~~
14 ~~within the "urban park environment" shoreline environment designation;~~

15
16 ~~(C) That the proposed use of the site and design of the project is compatible with other authorized uses~~
17 ~~within the area and with uses allowed for the area by the Mercer Island Uniform Land Development~~
18 ~~Code;~~

19
20 ~~(D) That the proposed use will cause no significant adverse effects to the shoreline environment in~~
21 ~~which it is to be located; and~~

22
23 ~~(E) That the public interest suffers no substantial detrimental effect.~~

24
25 ~~(F) In applying the above criteria when reviewing shoreline conditional use applications, consideration~~
26 ~~shall be given to the cumulative impact of additional requests for like actions in the area. For example, if~~
27 ~~shoreline conditional use permits were granted for other developments in the area where similar~~
28 ~~circumstances exist, the total of the shoreline conditional uses shall also remain consistent with the~~
29 ~~policies of RCW 90.58.020 and shall not produce substantial adverse effects to the shoreline~~
30 ~~environment.~~

31
32 ~~ii. Shoreline Conditional Use Permit Application Process. The applicant shall attend a preapplication~~
33 ~~meeting prior to submittal of a shoreline conditional use permit. Upon completion of the preapplication~~
34 ~~meeting, a complete application, filing fees and SEPA checklist, if applicable, shall be filed with the city~~
35 ~~on approved forms to ensure compliance with development codes and standards.~~

36
37 ~~(A) Once a complete application has been submitted, public notice of an application for a shoreline~~
38 ~~conditional use permit shall be made in accordance with the procedures set forth in the Mercer Island~~
39 ~~Uniform Land Development Code for discretionary actions; provided, such notice shall be given at least~~
40 ~~30 days before the date of decision by the city.~~

41
42 ~~The notices shall include a statement that any person desiring to submit written comments concerning~~
43 ~~the application, receive notice of and participate in any hearings, or desiring to receive notification of~~
44 ~~the final decision concerning the application as expeditiously as possible after the issuance of the~~
45 ~~decision may submit the comments or request a copy of the decision(s) to the city within 30 days of the~~
46 ~~last date the notice is published, and any appeal rights.~~

1 ~~If a hearing is to be held on an application, notices of such a hearing shall include a statement that any~~
2 ~~person may submit oral or written comments on an application at the hearing.~~

3
4 ~~(B) Within 30 days of the final publication, posting or mailing of the notice, whichever comes last, any~~
5 ~~interested person may submit written comments on the proposed application. The city will not make a~~
6 ~~decision on the permit until after the end of the comment period.~~

7
8 ~~(C) The technical review of shoreline conditional use permit must ensure that the proposal complies~~
9 ~~with the criteria of the Shoreline Management Act policies and all requirements of the city of Mercer~~
10 ~~Island Unified Land Development Code. An open record hearing before the code official, as set out in~~
11 ~~subsection F of this section, shall be conducted on the shoreline conditional use permits when the~~
12 ~~following factors exist:~~

13
14 ~~(1) The proposed development has broad public significance; or~~

15
16 ~~(2) Within the 30-day comment period, 10 or more interested citizens file a written request for a public~~
17 ~~hearing; or~~

18
19 ~~(3) At the discretion of the code official.~~

20
21 ~~(D) The final decision in approving, approving with conditions, or denying a shoreline conditional use~~
22 ~~permit is rendered by the Department of Ecology in accordance with WAC 173-27-200, and all other~~
23 ~~applicable local, state, or federal laws. The city shall send the shoreline permit decision to the applicant,~~
24 ~~the Department of Ecology, the Washington State Attorney General and to all other applicable local,~~
25 ~~state, or federal agencies.~~

26
27 ~~(E) The applicant shall not begin construction until after 21 days from the date of receipt by the~~
28 ~~Department of Ecology and Attorney General and/or any appeals are concluded. The applicant shall also~~
29 ~~comply with all applicable federal, state and city standards for construction.~~

30
31 ~~f. Shoreline Variance Permit Decision Criteria and Process.~~

32
33 ~~i. Shoreline Variance Criteria. Shoreline variances are strictly limited to granting relief from specific bulk,~~
34 ~~dimensional or performance standards set forth in the applicable regulations where there are~~
35 ~~extraordinary circumstances relating to the physical character or configuration of property such that the~~
36 ~~strict implementation of the regulations will impose unnecessary hardships on the applicant or~~
37 ~~thwarting of the policy enumerated in RCW 90.58.020. Shoreline variances for use regulations are~~
38 ~~prohibited. In addition, in all instances the applicant for a shoreline variance shall demonstrate strict~~
39 ~~compliance with all variance criteria set out in subsection (G)(4) of this section and the following~~
40 ~~additional criteria:~~

41
42 ~~(A) In the granting of all shoreline variance permits, consideration shall be given to the cumulative~~
43 ~~impact of additional requests for like actions in the area. For example, if shoreline variances were~~
44 ~~granted to other developments in the area where similar circumstances exist, the total of the shoreline~~
45 ~~variances shall also remain consistent with the policies of RCW 90.58.020 and shall not produce~~
46 ~~substantial adverse effects to the shoreline environment.~~

1 ~~(B) Shoreline variance permits for development that will be located landward of the ordinary high water~~
2 ~~mark, and/or landward of any associated wetland, may be authorized; provided, the applicant can~~
3 ~~demonstrate all of the following:~~

4
5 ~~(1) That the strict application of the bulk, dimensional or performance standards set forth in the~~
6 ~~applicable regulations precludes or significantly interferes with reasonable use of the property not~~
7 ~~otherwise prohibited;~~

8
9 ~~(2) That the hardship in this subsection (G)(6)(f)(i) is specifically related to the property, and is the result~~
10 ~~of unique conditions such as irregular lot shape, size, or natural features and the application of the~~
11 ~~applicable regulations, and not, for example, from deed restrictions or the applicant's own actions;~~

12
13 ~~(3) That the design of the project is compatible with other authorized uses in the area and will not cause~~
14 ~~adverse effects to adjacent properties or the shoreline environment;~~

15
16 ~~(4) That the requested shoreline variance does not constitute a grant of special privilege not enjoyed by~~
17 ~~the other properties in the area, and is the minimum necessary to afford relief; and~~

18
19 ~~(5) That the public interest will suffer no substantial detrimental effect.~~

20
21 ~~(C) Shoreline variance permits for development that will be located waterward of the ordinary high~~
22 ~~water mark or within any associated wetland may be authorized; provided, the applicant can~~
23 ~~demonstrate all of the following:~~

24
25 ~~(1) That the strict application of the bulk, dimensional or performance standards set forth in the~~
26 ~~applicable regulations precludes reasonable use of the property;~~

27
28 ~~(2) That the proposal is consistent with the criteria established under subsections (G)(6)(f)(i)(B)(1)~~
29 ~~through (5) of this section; and~~

30
31 ~~(3) That the public rights of navigation and use of the shorelines will not be adversely affected.~~

32
33 ~~ii. Shoreline Variance Permit Application Process. The applicant shall attend a preapplication meeting~~
34 ~~prior to submittal of a shoreline variance. Upon completion of the preapplication meeting, a complete~~
35 ~~application, filing fees and SEPA checklist, if applicable, shall be filed with the city on approved forms to~~
36 ~~ensure compliance with development codes and standards.~~

37
38 ~~(A) Once a complete application has been submitted, public notice of an application for a shoreline~~
39 ~~variance shall be made in accordance with the procedures set forth in the Mercer Island Uniform Land~~
40 ~~Development Code for discretionary actions; provided, such notice shall be given at least 30 days before~~
41 ~~the date of decision by the city.~~

42
43 ~~The notices shall include a statement that any person desiring to submit written comments concerning~~
44 ~~the application, receive notice of and participate in any hearings, or desiring to receive notification of~~
45 ~~the final decision concerning the application as expeditiously as possible after the issuance of the~~
46 ~~decision may submit the comments or request a copy of the decision(s) to the city within 30 days of the~~
47 ~~last date the notice is published, and any appeal rights.~~

1 ~~If a hearing is to be held on an application, notices of such a hearing shall include a statement that any~~
2 ~~person may submit oral or written comments on an application at the hearing.~~

3
4 ~~(B) Within 30 days of the final publication, posting or mailing of the notice, whichever comes last, any~~
5 ~~interested person may submit written comments on the proposed application. The city will not make a~~
6 ~~decision on the permit until after the end of the comment period.~~

7
8 ~~(C) The technical review of shoreline variance permit must ensure that the proposal complies with the~~
9 ~~criteria of the Shoreline Management Act policies and all requirements of the city of Mercer Island~~
10 ~~Unified Land Development Code. An open record hearing before the code official, as set out in~~
11 ~~subsection F of this section, shall be conducted on the shoreline variance permits when the following~~
12 ~~factors exist:~~

13
14 ~~(1) The proposed development has broad public significance; or~~

15
16 ~~(2) Within the 30-day comment period, 10 or more interested citizens file a written request for a public~~
17 ~~hearing; or~~

18
19 ~~(3) At the discretion of the code official.~~

20
21 ~~(D) The final decision in approving, approving with conditions, or denying a shoreline conditional use~~
22 ~~permit is rendered by the Department of Ecology in accordance with WAC 173-27-200, and all other~~
23 ~~applicable local, state, or federal agencies. The city shall send the shoreline permit decision to the~~
24 ~~applicant, the Department of Ecology, the Washington State Attorney General and to all other~~
25 ~~applicable local, state, or federal agencies.~~

26
27 ~~(E) The applicant shall not begin construction until after 21 days from the date of receipt by the~~
28 ~~Department of Ecology and Attorney General and/or any appeals are concluded. The applicant shall also~~
29 ~~comply with all applicable federal, state and city standards for construction.~~

30
31 ~~iii. The reasonable use exemption provided in MICC 19.07.030(B) does not apply in the shorelands. The~~
32 ~~provision of reasonable use in the shorelands shall be accomplished through a shoreline variance.~~

33
34 ~~g. Time Limits of Permits. The following time limits shall apply to all shoreline exemption, substantial~~
35 ~~development, shoreline conditional use permits and shoreline variance permits:~~

36
37 ~~i. Construction or substantial progress toward construction of a development for which a permit has~~
38 ~~been granted must be undertaken within two years of the effective date of a shoreline permit. Where~~
39 ~~no construction activities are involved, the use or activity shall be commenced within two years of the~~
40 ~~effective date of a substantial development permit. The effective date of a shoreline permit shall be the~~
41 ~~date of the last action required on the shoreline permit and all other government permits and approvals~~
42 ~~that authorize the development to proceed, including all administrative and legal actions on any such~~
43 ~~permit or approval.~~

44
45 ~~ii. A single extension before the end of the time limit, with prior notice to parties of record, for up to one~~
46 ~~year, based on reasonable factors may be granted, if a request for extension has been filed before the~~
47 ~~expiration date and notice of the proposed extension is given to parties of record and to the~~
48 ~~Department of Ecology.~~

1
2 ~~h. Appeals. Appeals to any shoreline permit decision, except shoreline exemption permits, shall be in~~
3 ~~accordance with RCW 90.58.180. Appeals to shoreline exemptions permits shall be filed in accordance~~
4 ~~with subsection J of this section.~~

5
6 ~~i. Suspension of Permits. The city may suspend any shoreline exemption permit, substantial~~
7 ~~development permit, shoreline conditional use permit, or shoreline variance permit when the permittee~~
8 ~~has not complied with the conditions of the permit. Such noncompliance may be considered a public~~
9 ~~nuisance. The enforcement shall be in conformance with the procedures set forth in MICC 19.15.030,~~
10 ~~Enforcement.~~

11
12 ~~j. Revisions. When an applicant seeks to revise a substantial development permit, shoreline conditional~~
13 ~~use permit and/or shoreline variance permit, the requirement of WAC 173-27-100, as amended, shall be~~
14 ~~met.~~

15
16 ~~H. Notice of Decision.~~

17
18 ~~1. Unless the city and applicant have mutually agreed in writing to an extension of time, project review~~
19 ~~shall be completed within 120 days from the date the application is determined to be complete. Time~~
20 ~~required for the submittal of additional information, preparation of environmental impact statement,~~
21 ~~and hearing of appeals shall be excluded from this 120-day period.~~

22
23 ~~2. Written notice of the decision shall be provided to the applicant and all parties of record. Notice of~~
24 ~~decision shall also be provided in the biweekly DSG bulletin.~~

25
26 ~~I. Optional Consolidated Permit Processing.~~

27
28 ~~1. An application that involves two or more permits may be processed concurrently and the decision~~
29 ~~consolidated at the request of the project applicant. If an applicant elects the consolidated permit~~
30 ~~processing, the code official shall determine the appropriate application and review procedures for the~~
31 ~~project.~~

32
33 ~~2. If a project requires action from more than one hearing body, the decision authority in the~~
34 ~~consolidated permit review shall be by the decision body with the broadest discretionary powers.~~

35
36 ~~J. Administrative Appeals.~~

37
38 ~~1. Any party of record on a decision that may be administratively appealed may file a letter of appeal on~~
39 ~~the decision. Administrative appeals shall be filed with the city clerk within 14 days after the notice of~~
40 ~~decision, if a notice of decision is required, or after the effective date of the decision subject to appeal if~~
41 ~~no notice of decision is required. The term "party of record," for the purposes of this chapter, shall~~
42 ~~mean any of the following:~~

43
44 ~~a. The applicant and/or property owner;~~

45
46 ~~b. Any person who testified at the open record public hearing on the application;~~
47

1 ~~c. Any person who individually submits written comments concerning the application for the open~~
2 ~~record public hearing, or to the code official prior to a decision on the project permit if there is no open~~
3 ~~record public hearing. Persons who have only signed petitions are not parties of record;~~
4

5 ~~d. The city of Mercer Island.~~
6

7 ~~2. Appeals shall include the following information:~~
8

9 ~~a. The decision being appealed;~~
10

11 ~~b. The development code interpretation, if any, associated with the proposed appeal;~~
12

13 ~~c. The name and address of the appellant and his/her interest in the matter;~~
14

15 ~~d. The specific reasons why the appellant believes the decision to be wrong. The burden of proof is on~~
16 ~~the appellant to demonstrate that there has been substantial error, or the proceedings were materially~~
17 ~~affected by irregularities in procedure, or the decision was unsupported by evidence in the record, or~~
18 ~~that the decision is in conflict with the standards for review of the particular action;~~
19

20 ~~e. The desired outcome or changes to the decision; and~~
21

22 ~~f. The appeals fee, if required.~~
23

24 ~~3. Authority for appeals is specified in MICC 19.15.010(E).~~
25

26 ~~4. Public notice of an appeal shall be provided in the manner specified in subsection E of this section.~~
27

28 ~~5. The rules of procedure for appeal hearings shall be as follows:~~
29

30 ~~a. For development proposals that have been subject to an open record hearing, the appeal hearing~~
31 ~~shall be a closed record appeal, based on the record before the decision body, and no new evidence~~
32 ~~may be presented.~~
33

34 ~~b. For development proposals that have not been subject to an open record hearing, the appeal hearing~~
35 ~~shall be an open record appeal and new information may be presented.~~
36

37 ~~c. If the hearing body finds that there has been substantial error, or the proceedings were materially~~
38 ~~affected by irregularities in procedure, or the decision was unsupported by material and substantial~~
39 ~~evidence in view of the entire record, or the decision is in conflict with the city's applicable decision~~
40 ~~criteria, it may:~~
41

42 ~~i. Reverse the decision.~~
43

44 ~~ii. Modify the decision and approve it as modified.~~
45

46 ~~iii. Remand the decision back to the decision maker for further consideration.~~
47

1 ~~d. If the hearing body finds that none of the procedural or factual bases listed above exist and that there~~
2 ~~has been no substantial error, the hearing body may adopt the findings and/or conclusions of the~~
3 ~~decision body, concur with the decision of the decision body and approve the development proposal as~~
4 ~~originally approved, with or without modifications.~~

5
6 ~~e. Final decision on the appeal shall be made within 30 days from the last day of the appeal hearing.~~

7
8 ~~f. The city's final decision on a development proposal may be appealed by a party of record with~~
9 ~~standing to file a land use petition in King County superior court. Such petition must be filed within 21~~
10 ~~days of the issuance of the decision.~~

11
12 ~~6. When an applicant has opted for consolidated permit processing pursuant to subsection I of this~~
13 ~~section, administrative appeals of ministerial, administrative or discretionary actions listed in MICC~~
14 ~~19.15.010(E) for a single project shall be consolidated and heard together in a single appeal by the~~
15 ~~hearing examiner.~~

16
17 ~~K. Expiration of Approvals.~~

18
19 ~~1. General. Except for long and short subdivisions, building permits or as otherwise conditioned in the~~
20 ~~approval process, permits shall expire one year from the date of notice of decision if the activity~~
21 ~~approved by the permit is not exercised.~~

22
23 ~~2. Long and Short Subdivision.~~

24
25 ~~a. Once the preliminary plat for a long subdivision has been approved by the city, the applicant has five~~
26 ~~years to submit a final plat meeting all requirements of this chapter to the city council for approval.~~

27
28 ~~b. Once the preliminary plat for a short subdivision has been approved by the city, the applicant has one~~
29 ~~year to submit a final plat meeting all requirements of this chapter. A plat that has not been recorded~~
30 ~~within one year after its preliminary approval shall expire, becoming null and void. The city may grant a~~
31 ~~single one-year extension, if the applicant submits the request in writing before the expiration of the~~
32 ~~preliminary approval.~~

33
34 ~~c. In order to renew an expired preliminary plat, a new application must be submitted.~~

35
36 ~~3. Responsibility for knowledge of the expiration date shall be with the applicant.~~

37
38 ~~L. Code Interpretations.~~

39
40 ~~1. Upon formal application or as determined necessary, the code official may issue a written~~
41 ~~interpretation of the meaning or application of provisions of the development code. In issuing the~~
42 ~~interpretation, the code official shall consider the following:~~

43
44 ~~a. The plain language of the code section in question;~~

45
46 ~~b. Purpose and intent statement of the chapters in question;~~

47
48 ~~c. Legislative intent of the city council provided with the adoption of the code sections in question;~~

1
2 ~~d. Policy direction provided by the Mercer Island comprehensive plan;~~

3
4 ~~e. Relevant judicial decisions;~~

5
6 ~~f. Consistency with other regulatory requirements governing the same or similar situation;~~

7
8 ~~g. The expected result or effect of the interpretation; and~~

9
10 ~~h. Previous implementation of the regulatory requirements governing the situation.~~

11
12 ~~2. The code official may also bring any issue of interpretation before the planning commission~~
13 ~~for determination. Anyone in disagreement with an interpretation by the code official may also~~
14 ~~appeal the code official's interpretation to the hearing examiner.~~

15
16 19.15.200 Permit review for 6409 eligible wireless communications facilities

17 A. Timeframe for review. Within 60 days of the date on which an applicant submits a request seeking
18 approval under this section, the city shall approve the application unless it determines that the
19 application is not covered by 47 CFR 1.40001.

20
21 B. Tolling of the timeframe for review. The 60-day period begins to run when the application is filed, and
22 may be tolled only by mutual agreement or in cases where the city determines that the application is
23 incomplete. The timeframe for review is not tolled by a moratorium on the review of applications.

24 1. To toll the timeframe for incompleteness, the city must provide written notice to the applicant
25 within 30 days of receipt of the application, clearly and specifically delineating all missing
26 documents or information. Such delineated information is limited to documents or information
27 meeting the standard under paragraph (l)(1) of this section.

28 2. The timeframe for review begins running again when the applicant makes a supplemental
29 submission in response to the city's notice of incompleteness.

30 3. Following a supplemental submission, the city will have 10 days to notify the applicant that the
31 supplemental submission did not provide the information identified in the original notice
32 delineating missing information. The timeframe is tolled in the case of second or subsequent
33 notices pursuant to the procedures identified in this paragraph (l)(3). Second or subsequent
34 notices of incompleteness may not specify missing documents or information that were not
35 delineated in the original notice of incompleteness.

36
37 C. Failure to act. In the event the city fails to approve or deny a request seeking approval under this
38 section within the timeframe for review (accounting for any tolling), the request shall be deemed
39 granted. The deemed grant does not become effective until the applicant notifies the city in writing
40 after the review period has expired (accounting for any tolling) that the application has been deemed
41 granted.

42
43 19.15.210 Revisions.

44 Revisions of approved permits are as follows. A complete application, filing fees and SEPA checklist, if
45 applicable, shall be filed with the city on approved forms to ensure compliance with development codes
46 and standards except for building permits which shall be reviewed in accordance with Title 17. All
47 revisions shall be subject to the vesting provisions in MICC 19.15.170.

1 A. Revisions for approved Type I, II, and III land use permits, except shoreline permits, are as follows:

2 1. Revisions that result in substantial changes, as determined by the code official, shall be treated
 3 as a new application for purposes of vesting. For the purposes of this section, substantial change
 4 includes changes to conditions of approval.

5 2. Approval of typographical errors, minor omissions, or minor corrections, by the code official shall
 6 not be considered revisions.

7
 8 B. Revisions for approved Type IV land use permits, except shoreline permits, are as follows:

9 1. Revisions that result in substantial changes, as determined by the code official, shall be treated
 10 as a new application for purposes of vesting. For the purposes of this section, substantial change
 11 includes the creation of additional lots, the elimination of open space, substantial changes in
 12 access, or changes to conditions of approval. Additionally, the need for the modification was not
 13 known and could not have been reasonably known before the approval was granted.

14 2. Approval of the following modifications by the code official shall not be considered revisions:

15 a. Engineering design, unless the proposed design alters or eliminates features required as a
 16 condition of preliminary approval.

17 b. Changes in lot or tract dimensions that are consistent with MICC 19.02.

18 c. A decrease in the number of lots to be created.

19 d. Typographical errors and minor omissions.

20 3. The code official shall have the authority to administratively review and approved modifications
 21 described in subsection (2) of this section through review procedures established by the
 22 department.

23
 24 C. Revisions for shoreline permits are as follows. When an applicant seeks to revise an approved
 25 shoreline substantial development permit, shoreline conditional use permit and/or shoreline variance
 26 permit, the requirement of WAC 173-27-100, as amended, shall be met. If these requirements are met,
 27 the decision will be processed per the following.

28 1. Revision of substantial development permit:

29 a. A decision will be provided to the applicant and parties of record and posted in DSG's
 30 weekly permit bulletin.

31 b. The city shall send the revised permit to all applicable local, state or federal agencies
 32 including the Attorney General, as required by state or federal law within eight days of
 33 issuing he decision.

34 c. Appeals shall be in accordance with RCW 90.58.180.

35 2. Revision of a shoreline CUP or shoreline variance:

36 a. The application for a revision shall be submitted to the Washington State Department
 37 of Ecology. Within 15 days of receipt, Ecology will issue a decision of approval, approval
 38 with conditions, or denial of the revision.

39
 40 19.15.220 Compliance required.

41 A. It is the intent of this section to require that non-conforming sites, structures, lots, and uses,
 42 which were created without prior City approval, comply with the applicable provisions of Title 19 MICC.

43
 44 B. If development inconsistent with the purposes and requirements of this Title 19 has occurred on
 45 a development proposal site without prior City approval, the City shall not issue any land use review
 46 approvals for the development proposal site unless the land use review approval requires the
 47 restoration of the site to a state that complies with the purposes and requirements of Title 19 MICC are
 48 addressed.

1
2 C. Suspension of Land Use Approvals. When the conditions of a permit have been violated, the city may
3 suspend any land use review approval, including shoreline permits. Such noncompliance may be
4 considered a code violation. The enforcement shall be in conformance with the procedures set forth in
5 MICC 19.15.280, Enforcement.

6
7 19.15.040230 Design Review and the Design commission.

8 ~~A. Intent and Purpose. These regulations are intended to implement and further the comprehensive~~
9 ~~plan of the city and are adopted for the following purposes:~~

10
11 ~~1. To promote the public health, safety and general welfare of the citizens of the city.~~

12
13 ~~2. To recognize that land use regulations aimed at the orderliness of community growth, the protection~~
14 ~~and enhancement of property values, the minimization of discordant and unsightly surroundings, the~~
15 ~~avoidance of inappropriateness and poor quality of design and other environmental and aesthetic~~
16 ~~objectives provide not only for the health, safety and general welfare of the citizens, but also for their~~
17 ~~comfort and prosperity and the beauty and balance of the community, and as such, are the proper and~~
18 ~~necessary concerns of local government.~~

19
20 ~~3. To protect, preserve and enhance the social, cultural, economic, environmental, aesthetic, and~~
21 ~~natural values that have established the desirable quality and unique character of Mercer Island.~~

22
23 ~~4. To promote and enhance construction and maintenance practices that will tend to promote visual~~
24 ~~quality throughout Mercer Island.~~

25
26 ~~5. To recognize environmental and aesthetic design as an integral part of the planning process.~~

27
28 ~~B. Creation of Design Commission. A design commission is established as provided for in Chapter 3.34~~
29 ~~MICC.~~

30
31 ~~CA.~~ Rules and Records.

- 32 1. The design commission shall adopt rules and regulations for the conduct of its business,
33 subject to the approval of the city council.
34 2. A majority of the membership shall constitute a quorum for the purpose of transacting
35 business. Action by the design commission shall be by majority vote of the members
36 constituting the quorum. A tie vote on a motion to approve shall constitute a failure of the
37 motion and a denial of the application.
38 3. The code official shall serve as executive secretary of the design commission and shall be
39 responsible for all records. All meetings of the design commission shall be open to the public.
40 The design commission shall keep minutes of its proceedings and such minutes and a copy of its
41 rules shall be kept on file in the office of the city clerk and open to inspection by the public.
42

43 ~~BD.~~ Powers of the Design Commission and Additional Functions.

- 44 1. No building permit or other required permit shall be issued by the city for any major new
45 construction or minor exterior modification of any regulated improvement without prior
46 approval of the design commission or code official as authorized pursuant to MICC 19.15.010(E).
47 Certain development and activities that do not require a permit are subject to design review as
48 provided in MICC 19.15.230(C)(1)(c).

2. The design commission or code official may require a bond or assignment of funds as set out in MICC 19.01.060(C) to secure the installation and maintenance of landscaping, screens, and other similar site improvements.

3. When the city council deems it necessary to retain consultants for a proposed capital improvement, the council shall seek recommendations from the design commission as to the selection of consultants to provide design services.

4. Consultants or city officials charged with the design responsibility for a major capital improvement shall hold preliminary discussions on the proposed project with the design commission to obtain its preliminary recommendations as to aesthetic, environmental and design principles and objectives. In addition, the design commission shall review major capital improvements at the completion of the design development phase. A capital improvement approved by the city council after review and recommendations by the design commission may be implemented on a phasing basis without further review so long as the improvement is developed in substantial conformity with the reviewed plan. Significant deviations from an approved plan shall be submitted to the design commission for its further review and recommendations.

5. The design commission or code official shall complete its review and make its decision and/or recommendations pursuant to the process set forth in subsection F of this section, and the review an decision and/or recommendations shall be based upon the design objectives and standards set forth in subsection G of this section, with such amendments as may be made from time to time.

6E. Additional Functions. The Design Commission may undertake the following additional functions as needed:

1a. The design commission may assist any person, group, or agency who requests design advice on matters not requiring formal commission action.

b2. The design commission shall consult and cooperate with the planning commission and other governmental bodies on matters affecting the appearance of the Island. The design commission may offer recommendations to the appropriate city agencies and officials on legislation to promote aesthetic and environmental values.

c3. The design commission shall act as the appeal authority for design review decisions made by the code official for minor exterior modifications.

FC. Design Review Procedure.

1. General.

a. Intent. The intent of the design review process is to ensure that regulated development in all land use zones complies with design objectives and standards established in Chapters 19.11 and 19.12 MICC.

b. Scope. No building permit or other required permit shall be issued by the city for ~~any major new construction or minor exterior modification of development of~~ any regulated improvement without prior approval of the design commission or code official as authorized pursuant to MICC 19.15.010(E). Deviations from a plan approved by the design commission or code official shall be permitted only upon the filing and approval of an amended plan. In no instance shall the design commission's or code official's action conflict with the city's development code or other applicable city ordinances or with state or federal requirements. Certain development and activities that do not require a permit are subject to design review as provided in MICC 19.15.240(C)(1)(c).

c. Review Authority.

i. The following development proposals shall require Design Commission review:

- (A). New buildings;
- (B). Any additions of gross floor area to an existing building(s)
- (C). Any alterations to an existing building that will result in a change of 50%, or more, of the exterior surface area;
- (D). Any alterations to a site, where the alteration will result in a change to the site design that affects more than 50% of the development proposal site; and,
- (E). Any alterations to existing facades, where the building is identified by the City as an historic structure.

ii. All other development proposals requiring design review and not requiring Design Commission review under subsection (A) of this section shall be reviewed by the Code Official. The Code Official shall have the authority to determine that an application normally reviewed by Code Official shall require Design Commission review and approval, based on factors such as the scope, location, context, and visibility of the proposed change or modification; and
iii. Exemptions from Design Review – The following activities shall be exempt from either Design Commission or Code Official Design Review:

- (A) Any activity which does not require a building permit; or
- (B) Interior work that does not alter the exterior of the structure; or
- (C) Normal building and site maintenance including repair and replacement that involves no material expansion or material change in design. For example, replacement in kind of roof mounted heating and cooling equipment or ventilation equipment does not require design review.

d. Process.

- i. Time Frame and Procedure. Design review shall be conducted in accordance with the timelines and procedures set forth in MICC 19.15.020, Permit review procedures. Design review is not subject to the one open record hearing requirement or consolidated permit review processing.
- ii. Written Recommendations. All decisions of the design commission shall be reduced to writing and shall include findings of fact and conclusions that support the decisions.

2. Review Process.

- a. Study Session. In addition to the preapplication meeting, an applicant for a project that will require design review and approval by the design commission shall meet with the design commission in a study session to discuss project concepts before the plans are fully developed. At this session, which will be open to the public, the applicant should provide information regarding its site, the intended mix of uses, and how it will fit into the focus area objectives. The design commission may provide feedback to be considered in the design of the project.
- b. Plan Submittal. All materials shall be submitted a minimum of 30 days prior to any meeting dates including study sessions, public meetings, and public hearings. The final plans shall be in substantial conformity with approved preliminary plans.

~~i. Major New Construction. The design commission shall conduct the design review and make compliance determinations regarding major new construction.~~

1 ~~ii. Minor Exterior Modifications. The design commission or the code official shall conduct the design~~
 2 ~~review and make compliance determinations regarding minor exterior modifications to existing~~
 3 ~~structures and sites.~~

4 ~~d. Process.~~

5 ~~i. Time Frame and Procedure. Design review shall be conducted in accordance~~
 6 ~~with the timelines and procedures set forth in MICC 19.15.020, Permit review~~
 7 ~~procedures. Design review is not subject to the one open record hearing~~
 8 ~~requirement or consolidated permit review processing.~~

9 ~~ii. Written Recommendations. All decisions of the design commission and code~~
 10 ~~official shall be reduced to writing and shall include findings of fact and~~
 11 ~~conclusions that support the decisions.~~

12 ~~iii. Expiration of Approvals. If the applicant has not submitted a complete application for a building~~
 13 ~~permit within two years from the date of the notice of the final design review decision, or within two~~
 14 ~~years from the decision on appeal from the final design review decision, design review approval shall~~
 15 ~~expire. The design commission or code official may grant an extension for no longer than 12 months, for~~
 16 ~~good cause shown, if a written request is submitted at least 30 days prior to the expiration date. The~~
 17 ~~applicant is responsible for knowledge of the expiration date.~~

18 ~~2. Review Process for Major New Construction.~~

19 ~~a. Scope of Review. Design review of major new construction shall include new structures, new~~
 20 ~~additions, remodeled structures, and site plan layout, and other improvements such as paving and~~
 21 ~~landscaping when they are made in conjunction with changes to a structure.~~

22 ~~b. Presubmittal Concept Review.~~

23 ~~i. Required: Predesign Meeting. A predesign meeting must be scheduled with staff from the~~
 24 ~~development services group (DSG) prior to formal project development and application. The applicant~~
 25 ~~may present schematic sketches and a general outline of the proposed project. This meeting will allow~~
 26 ~~city staff to acquaint the applicant with the design standards, submittal requirements, and the~~
 27 ~~application procedures and provide early input on the proposed project.~~

28 ~~ii. Optional: Study Session. In addition to the predesign meeting, an applicant may meet with the design~~
 29 ~~commission or code official in a study session to discuss project concepts before the plans are fully~~
 30 ~~developed. At this session, which will be open to the public, the applicant should provide information~~
 31 ~~regarding its site, the intended mix of uses, and how it will fit into the focus area objectives. The~~
 32 ~~commission may provide feedback to be considered in the design of the project.~~

33 ~~c. Preliminary Design Review Submittal.~~

34 ~~i. Preapplication Meeting. A complete application on forms provided by the development services group~~
 35 ~~(DSG) and all materials pertaining to the project shall be submitted at a formal preapplication meeting~~
 36 ~~with DSG staff. A preapplication meeting shall not be required if the applicant is only seeking an~~
 37 ~~exemption from formal design review pursuant to MICC 19.15.040(F)(3)(a).~~

38 ~~ii. Materials. All applications for preliminary design review shall contain all information and materials~~
 39 ~~deemed necessary by DSG staff to determine if the proposal complies with this chapter. Such materials~~
 40 ~~may include a site survey; site plans; elevations; sections; architectural plans; roof plans; renderings~~
 41 ~~and/or models; landscaping plan; parking plan; color and materials board; vicinity maps; site~~
 42 ~~photographs; SEPA checklist; traffic study; pedestrian and vehicle circulation plans; and written narrative~~
 43 ~~describing the project proposal and detailing how the project is meeting the applicable design objectives~~
 44 ~~and standards established in Chapters 19.11 or 19.12 MICC. Submittal of lighting and sign master plans~~
 45 ~~may be deferred to final design review.~~

1 ~~iii. Acceptance. DSG staff shall determine if the required materials have been provided for preliminary~~
 2 ~~design review. If so, the application will be accepted and the process for determination of completeness~~
 3 ~~and review set forth in MICC 19.15.020 shall commence.~~

4 ~~d. SEPA Determination. The city environmental official will review the SEPA environmental checklist (if~~
 5 ~~one is required), the project proposal and other information required for a complete application to~~
 6 ~~assess the project's probable environmental impacts and issue a determination pursuant to MICC~~
 7 ~~19.07.120. Any SEPA appeal shall be pursuant to MICC 19.07.120. The design commission's decision on~~
 8 ~~the preliminary plans shall represent an action on the proposal for SEPA appeal purposes.~~

9
 10 ~~e. Preliminary Design Commission Review.~~

11
 12 ~~i. Public Meeting. The design commission shall hold a public meeting to consider the completed~~
 13 ~~preliminary design review application. The design commission may approve, approve with conditions or~~
 14 ~~deny an application or continue the meeting. The commission may identify additional submittal items~~
 15 ~~required for the final design review.~~

16
 17 ~~ii. Additional Requirements. If additional submittal items are required, or the preliminary design~~
 18 ~~application is approved with conditions, the conditions must be addressed and any additional items~~
 19 ~~must be submitted at least 21 days prior to the final design commission review.~~

20
 21 ~~f. Final Design Commission Review.~~

22
 23 ~~i. Submittal of Final Plan. All materials pertaining to the final plan shall be submitted a minimum of 37~~
 24 ~~days prior to the design commission final review hearing date. The final plans shall be in substantial~~
 25 ~~conformity with approved preliminary plans.~~

26
 27 ~~ii. Open Record Hearing. The design commission shall hold an open record hearing to consider the final~~
 28 ~~proposal, at the conclusion of which it may approve, approve with conditions, deny the proposed final~~
 29 ~~plans, or continue the hearing.~~

30
 31 ~~g. Appeal. Only the final design commission review decision may be appealed, in a closed record appeal~~
 32 ~~to the hearing examiner, pursuant to MICC 19.15.020(J).~~

33
 34 ~~3. Review Process for Minor Exterior Modification.~~

35
 36 ~~a. Scope of Review. Design review of minor exterior modifications shall include review of exterior~~
 37 ~~modifications to any existing structures including paint, material, minor roof or facade changes, new~~
 38 ~~additions, landscaping changes, and site plan modifications that do not qualify as major new~~
 39 ~~construction or are undertaken independently from modification of an existing structure, and new or~~
 40 ~~modified signs.~~

41
 42 ~~The code official shall have the authority to determine if a minor exterior modification is not significant,~~
 43 ~~and therefore does not require formal design review, based on factors such as the scope, location,~~
 44 ~~context and visibility of the change or modification. The code official may determine that formal design~~
 45 ~~review is not required for minor exterior modifications including, but not limited to: repainting~~
 46 ~~structures to similar colors; relocating, modifying or adding mechanical equipment; reorganization of~~
 47 ~~portions of parking lots involving less than five spaces; modifications to existing signs pertaining to sign~~
 48 ~~locations or minor changes to color or text; modifications to locations of existing lighting; or minor~~

1 changes to existing, approved landscaping. There shall be a rebuttable presumption of nonsignificance,
 2 and therefore no requirement of a formal design review, if all of the following conditions are met: (1)
 3 the cost of the work does not exceed 15 percent of the structure's current King County assessed value as
 4 of the time the initial application for the work is submitted, (2) there is no additional structure or
 5 parking lot, or any enlargement of or addition to an existing structure or parking lot, (3) the work does
 6 not cause the landscape area to fall below or further below the minimum landscape area requirements
 7 in MICC 19.12.040(B)(4), (4) the work does not remove or diminish an existing perimeter landscape
 8 screen, (5) the work does not include new or additional service or mechanical areas referred to in MICC
 9 19.12.060, and (6) the work does not include additional exterior lighting or a new or enlarged exterior
 10 sign. If there is no current King County assessed value for a structure, a current appraisal of the
 11 structure, which shall be provided by the applicant and acceptable to the code official, shall be used as
 12 the value point of reference.

13
 14 **b. Application Submittal.** A development application, accompanied by supporting materials, shall be
 15 submitted to the city, on a form provided by the development services group (DSG), for any proposed
 16 minor exterior modification. DSG staff shall meet with the applicant prior to submission of the
 17 application to determine, depending on the scope of the project, what supporting materials are
 18 required. Such materials may include site survey; site plans; elevations; sections; architectural plans;
 19 roof plans; renderings and/or models; landscaping plan; lighting plan, sign master plan, parking plan;
 20 color and material samples; vicinity maps; site photographs; SEPA checklist; traffic study; pedestrian and
 21 vehicle circulation plans; and written narrative describing the project proposal and detailing how the
 22 project is meeting the applicable design objectives and standards set forth in subsection G of this
 23 section. No applicant shall be required to provide materials unless they are both necessary for design
 24 review and reflect a change in, or consequence of a change in, the existing development. For the
 25 purpose of making a determination of nonsignificance under MICC 19.15.040(F)(3)(a) under
 26 circumstances where the project is presumed to be nonsignificant as therein provided, the code official
 27 shall only require the submittal of materials demonstrating the entitlement to the presumption and the
 28 absence of other material impacts.

29
 30 **c. Review.** The designated DSG staff shall determine administratively if the proposal is in compliance
 31 with the requirements of this chapter and may approve, approve with conditions, or deny the
 32 application. Staff has the discretion to send any minor exterior modification proposal to the design
 33 commission for review and decision at an open record hearing.

34
 35 **d. Appeal.** The code official's decision on an application for minor exterior modification is final unless
 36 appealed to the design commission pursuant to MICC 19.15.020(J). The design commission's decision on
 37 an application (not an appeal) for minor exterior modification is final unless appealed to the hearing
 38 examiner pursuant to MICC 19.15.020(J).

39
 40 **4. Criteria for Design Review Decisions.** Following the applicable review process above, the design
 41 commission or code official shall deny an application if it finds that all the following criteria have not
 42 been met, or approve an application, or approve it with conditions, based on finding that all the
 43 following criteria have been met:

44
 45 **a.** The proposal conforms with the applicable design objectives and standards of the design
 46 requirements for the zone in which the improvement is located, as set forth in subsection G of this
 47 section:
 48

~~i. In the Town Center, particular attention shall be given to whether:~~

~~(A) The proposal meets the requirements for additional building height, if the proposal is for a building greater than two stories; and~~

~~(B) The proposal adheres to the required parking standards and a parking plan has been provided that demonstrates that the proposal meets the objectives of MICC 19.11.130.~~

~~b. The proposal is consistent with the comprehensive plan.~~

~~c. The proposal does not increase the project's degree of nonconformity.~~

~~G. Design Objectives and Standards.~~

~~1. Town Center. Design objectives and standards for regulated improvements within the Town Center are set forth in Chapter 19.11 MICC.~~

~~2. Zones Outside Town Center. Design objectives and standards for regulated improvements in all zones outside the Town Center are set forth in Chapter 19.12 MICC.~~

~~H. Appeals. Appeals shall be consistent with the appeal procedures specified in MICC 19.15.020(J).~~

19.15.050240 Comprehensive plan amendments.

A. Purpose. The Growth Management Act (GMA), Chapter 36.70A RCW, requires that the city include within its development regulations a procedure for any interested person to suggest plan amendments. The suggested amendments will be docketed for consideration. The purpose of this section is to establish a procedure for amending the city's comprehensive plan text and maps. Amendments to the comprehensive plan are the means by which the city may modify its 20-year plan for land use, development or growth policies in response to changing city needs or circumstances. All plan amendments will be reviewed in accordance with the GMA and other applicable state laws, the countywide planning policies, the adopted city of Mercer Island comprehensive plan, and applicable capital facilities plans.

B. Application Requirements. Proposed amendment requests may be submitted by the public, city manager, city department directors or by majority vote of the city council, planning commission or other city board or commission. Proposed amendments submitted by the public shall be accompanied by application forms required by this title and by the code official and the filing fees established by resolution. All application forms for amendments to the comprehensive plan shall include a detailed description of the proposed amendment in nontechnical terms.

C. Frequency of Amendments.

1. Periodic Review. The comprehensive plan shall be subject to continuing review and evaluation by the city ("periodic review"). The city shall take legislative action to review and, if needed, revise its comprehensive plan to ensure the plan complies with the requirements of the GMA according to the deadlines established in RCW 36.70A.130.

2. Annual Amendment Cycle. Updates, proposed amendments, or revisions to the comprehensive plan may be considered by the city council no more frequently than once every calendar year as established in this section (the "annual amendment cycle"). During a year when

1 periodic review of the comprehensive plan is required under RCW 36.70A.130, the annual
2 amendment cycle and the periodic review shall be combined.

3 3. More frequent amendments may be allowed under the circumstances set forth within RCW
4 36.70A.130(2). Amendments processed outside of the annual amendment cycle under RCW
5 36.70A.130(2) may be initiated by action of the city council. The city council shall specify the
6 scope of the amendment, identify the projected completion date, and identify and, if necessary,
7 fund resources necessary to accomplish the work. Amendments allowed to be processed
8 outside of the annual amendment cycle are not subject to the docketing process outlined within
9 subsection D of this section.

10
11 D. Docketing of Proposed Amendments. For purpose of this section, docketing refers to compiling and
12 maintaining a list of suggested changes to the comprehensive plan in a manner that will ensure such
13 suggested changes will be considered by the city and will be available for review by the public. The
14 following process will be used to create the docket:

15 1. Preliminary Docket Review. By September 1, the city will issue notice of the annual
16 comprehensive plan amendment cycle for the following calendar year. The amendment request
17 deadline is October 1. Proposed amendment requests received after October 1 will not be
18 considered for the following year's comprehensive plan amendment process but will be held for
19 the next eligible comprehensive plan amendment process.

20 a. The code official shall compile and maintain for public review a list of suggested
21 amendments and identified deficiencies as received throughout the year.

22 b. The code official shall review all complete and timely filed applications proposing
23 amendments to the comprehensive plan and place these applications on the preliminary
24 docket along with other city-initiated amendments to the comprehensive plan.

25 c. The planning commission shall review the preliminary docket at a public meeting and
26 make a recommendation on the preliminary docket to the city council each year.

27 d. The city council shall review the preliminary docket at a public meeting. By December
28 31, the city council shall establish the final docket based on the criteria in subsection E
29 of this section. Once approved, the final docket defines the work plan and resource
30 needs for the following year's comprehensive plan amendments.

31 2. Final Docket Review.

32 a. Placement on the final docket does not mean a proposed amendment will be
33 approved. The purpose of the final docket is to allow for further analysis and
34 consideration by the city.

35 b. All items on the final docket shall be considered concurrently so that the cumulative
36 effect of the various proposals can be ascertained. Proposed amendments may be
37 considered at separate meetings or hearings, so long as the final action taken considers
38 the cumulative effect of all proposed amendments to the comprehensive plan.

39 c. The code official shall review and assess the items placed on the final docket and
40 prepare ~~a staff report~~ including recommendations for each proposed amendment. The
41 code official shall be responsible for developing an environmental review of the
42 combined impacts of all proposed amendments on the final docket, except that
43 applicants seeking a site-specific amendment shall be responsible for submittal of a
44 SEPA environmental checklist and supporting information. The applicant will need to
45 submit SEPA and any other accompanying permits legislative actions such as a rezone or
46 a zoning code text amendment at this time. The code official may require an applicant
47 to pay for peer review and/or additional resources needed to review the proposal. The
48 code official shall set a date for consideration of the final docket by the planning

1 commission and timely transmit the staff ~~report(s)~~ recommendation prior to the
 2 scheduled date.

3 d. The planning commission shall review the proposed amendments contained in the
 4 final docket based on the criteria set forth in MICC 19.15. ~~022400(GF)~~(1). The planning
 5 commission shall hold at least one public hearing on the proposed amendments. The
 6 planning commission shall make a recommendation on the proposed amendments and
 7 transmit the recommendation to the city council.

8 e. After issuance of the planning commission’s recommendation, the code official shall
 9 set a date for consideration of the final docket by the city council. The city council shall
 10 review the proposed amendments taking into consideration the recommendations of
 11 the planning commission and code official. The city council may deny, approve, or
 12 modify the planning commission’s recommendations consistent with the criteria set
 13 forth in MICC 19.15. ~~020240(GF)~~(1). The city council’s establishment of a final docket of
 14 proposed amendments is not appealable.

15 f. The planning commission and the city council may hold additional public hearings,
 16 meetings, or workshops as warranted by the proposed amendments.

17 E. Docketing Criteria. The following criteria shall be used to determine whether a proposed amendment
 18 is added to the final docket in subsection D of this section:

- 19 1. The request has been filed in a timely manner, and either:
 - 20 a. State law requires, or a decision of a court or administrative agency has directed, such
 - 21 a change; or
 - 22 b. All of the following criteria are met:
 - 23 i. The proposed amendment presents a matter appropriately addressed through
 - 24 the comprehensive plan;
 - 25 ii. The city can provide the resources, including staff and budget, necessary to
 - 26 review the proposal, or resources can be provided by an applicant for an
 - 27 amendment;
 - 28 iii. The proposal does not raise policy or land use issues that are more
 - 29 appropriately addressed by an ongoing work program item approved by the city
 - 30 council;
 - 31 iv. The proposal will serve the public interest by implementing specifically
 - 32 identified goals of the comprehensive plan or a new approach supporting the
 - 33 city’s vision; and
 - 34 v. The essential elements of the proposal and proposed outcome have not been
 - 35 considered by the city council in the last three years. This time limit may be
 - 36 waived by the city council if the proponent establishes that there exists a
 - 37 change in circumstances that justifies the need for the amendment.

38 F. Decision Criteria. Decisions to amend the Comprehensive Plan shall be based on the criteria specified
 39 below. An applicant for a comprehensive plan amendment -proposal shall have the burden of
 40 demonstrating that the proposed amendment complies with the applicable regulations and decision
 41 criteria

42 1. The amendment is consistent with the Growth Management Act, the county-wide planning
 43 policies, and the other provisions of the comprehensive plan and city policies; and:

44 a. There exists obvious technical error in the information contained in the
 45 comprehensive plan; or

46 bi. The amendment addresses changing circumstances of the city as a whole.

47 2. If the amendment is directed at a specific property, the following additional findings shall be
 48 determined:

- a. The amendment is compatible with the adjacent land use and development pattern;
- b. The property is suitable for development in conformance with the standards under the potential zoning; and
- c. The amendment will benefit the community as a whole and will not adversely affect community facilities or the public health, safety, and general welfare.

G. Combined Comprehensive Plan Amendment and Rezone. In cases where both a comprehensive plan amendment and a rezone are required, both shall be considered together, and all public notice must reflect the dual nature of the request.

GH. Expansion of Land Use Map Amendment. The city may propose to expand the geographic scope of an amendment to the comprehensive plan land use map to allow for consideration of adjacent property, similarly situated property, or area-wide impacts. The following criteria shall be used in determining whether to expand the geographic scope of a proposed land use map amendment:

1. The effect of the proposed amendment on the surrounding area or city;
2. The effect of the proposed amendment on the land use and circulation pattern of the surrounding area or city; and
3. The effect of the proposed amendment on the future development of the surrounding area or city.

19.15.250. Reclassification of Property (Rezoning).

A. Purpose. The purpose of this section is to establish the process and criteria for a rezone of property from one zoning designation to another.

B. Process. A rezone shall be considered as provided in MICC 19.15.270.

C. Criteria. The city council may approve a rezone only if all of the following criteria are met:

1. The proposed reclassification is consistent with the policies and provisions of the Mercer Island comprehensive plan;
2. The proposed reclassification is consistent with the purpose of the Mercer Island development code as set forth in MICC 19.01.010;
3. The proposed reclassification is an extension of an existing zone, or a logical transition between zones;
4. The proposed reclassification does not constitute an illegal site-specific rezone;
5. The proposed reclassification is compatible with surrounding zones and land uses; and
6. The proposed reclassification does not adversely affect public health, safety and welfare.
7. If a Comprehensive Plan amendment is required in order to satisfy MICC 19.15.250(C)(1), approval of the Comprehensive Plan amendment is required prior to or concurrent with the granting of an approval of the rezone.

D. Map change. Following approval of a rezone, the City shall amend the zoning map to reflect the change in zoning designation. The City shall also indicate on the zoning map the number of the ordinance adopting the rezone.

19.15.260. Code Amendment.

A. Purpose. The purpose of this section is to establish the process and criteria for amendment of this Code.

B. Process. Zoning Code amendments shall be considered as provided in MICC 19.15.270.

1
2 C. Initiation of zoning code amendment request. A zoning code amendment request may be initiated by
3 the City Council, Planning Commission, or Code Official.

4
5 D. Criteria. The City may approve or approve with modifications a proposal to amend the text of this
6 Code if:

- 7 1. The amendment is consistent with the Comprehensive Plan; and
8 2. The amendment bears a substantial relation to the public health, safety, or welfare; and
9 3. The amendment is in the best interest of the community as a whole.

10
11 E. Codification. Following approval of an amendment, the City shall amend this Code to reflect the
12 amendment.

13
14 19.15.270 Review procedures for Comprehensive Plan Amendments, Reclassification of Property, and
15 Code Amendments

16 A. The city shall issue a notice for comprehensive plan amendments, reclassifications of property, and
17 zoning code text amendments as described in MICC 19.15.240, 19.15.250, and 19.15.260. Notice shall be
18 provided in the weekly DSG bulletin, made available to the general public upon request, and, if the
19 proposed amendment will affect a specific property or defined area of the City, mailed to all property
20 owners within 300 feet of the affected property or defined area, and posted on the site in a location
21 that is visible to the public right-of-way.

22 1. The notice shall include the following information:

- 23 i. The name of the party proposing the proposed amendment or change;
24 ii. The location and description of the project, if applicable;
25 iii. The requested actions and/or required studies;
26 iv. The date, time, and place of the open record hearing;
27 v. Identification of environmental documents, if any;
28 vi. A statement of the public comment period which shall not be less than 30 days. The
29 city shall accept public comments at any time prior to the closing of the record of an
30 open record pre-decision hearing; and a statement of the rights of individuals to
31 comment on the application, receive notice and participate in any hearings, request a
32 copy of the decision once made and any appeal rights.;
33 vii. The city staff contact and contact information;
34 viii. The identification of other reviews or permits that are associated with the review of
35 the proposed Comprehensive Plan, zoning text, or zoning map amendment, to the
36 extent known by the city;
37 ix. A description of those development regulations used in determining consistency of
38 the review with the city's comprehensive plan;
39 x. A link to a website where additional information about the project can be found; and
40 xi. Any other information that the city determines appropriate.

41 2. Timing of notice. The city shall provide the notice at least 30 days prior to the hearing.

42 3. The city shall accept public comments at any time prior to the closing of the record of an open
43 record public hearing.

44
45 D. Review after Public Hearing

46 1. Following the completion of the open record public hearing the planning commission shall
47 consider the proposed amendment for conformance with the criteria as listed in the applicable
48 section, the comprehensive plan and other applicable development standards.

1 2. The planning commission shall make a written recommendation on the review to the city
2 council.

3 3. The city council shall consider the planning commission's recommendation at a public meeting
4 where it may adopt or reject the planning commission's recommendations or remand the
5 review back to the planning commission.

6
7 19.15. ~~030280~~ Enforcement.
8 ...

1 **DEFINITIONS**

2 19.16.010 Definitions.

3
4 Base station: A structure or equipment at a fixed location that enables Commission-licensed or
5 authorized wireless communications between user equipment and a communications network. The
6 term does not encompass a tower as defined in this subpart or any equipment associated with a tower.

7 1. The term includes, but is not limited to, equipment associated with wireless communications
8 services such as private, broadcast, and public safety services, as well as unlicensed wireless
9 services and fixed wireless services such as microwave backhaul.

10 2. The term includes, but is not limited to, radio transceivers, antennas, coaxial or fiber-optic
11 cable, regular and backup power supplies, and comparable equipment, regardless of
12 technological configuration (including Distributed Antenna Systems and small-cell networks).

13 3. The term includes any structure other than a tower that, at the time the relevant application
14 is filed with the State or local government under this section, supports or houses equipment
15 described in this section that has been reviewed and approved under the applicable zoning or
16 siting process, or under another State or local regulatory review process, even if the structure
17 was not built for the sole or primary purpose of providing such support.

18 4. The term does not include any structure that, at the time the relevant application is filed with
19 the State or local government under this section, does not support or house equipment
20 described in this section.

21 ...

22 ...
23
24 Change of Use: When a change in the specified land use of a property, building, or portion of a building
25 occurs

26 ...

27 ...
28
29 Eligible facilities request (6409 Wireless Communication Facility): Any request for modification of an
30 existing tower or base station that does not substantially change the physical dimensions of such tower
31 or base station, involving:

32 1. Collocation of new transmission equipment;

33 2. Removal of transmission equipment; or

34 3. Replacement of transmission equipment

35 ...

36 ...
37
38 Existing Wireless Communication Facility: A constructed tower or base station is existing for purposes of
39 this section if it has been reviewed and approved under the applicable zoning or siting process, or under
40 another State or local regulatory review process, provided that a tower that has not been reviewed and
41 approved because it was not in a zoned area when it was built, but was lawfully constructed, is existing
42 for purposes of this definition.

43 ...

44 ...
45
46 Substantial change, Wireless Communication Facility: A modification substantially changes the physical
47 dimensions of an eligible support structure if it meets any of the following criteria:

1 1. For towers other than towers in the public rights-of-way, it increases the height of the tower
2 by more than 10% or by the height of one additional antenna array with separation from the
3 nearest existing antenna not to exceed twenty feet, whichever is greater; for other eligible
4 support structures, it increases the height of the structure by more than 10% or more than ten
5 feet, whichever is greater;

6 a. Changes in height should be measured from the original support structure in cases
7 where deployments are or will be separated horizontally, such as on buildings' rooftops;
8 in other circumstances, changes in height should be measured from the dimensions of
9 the tower or base station, inclusive of originally approved appurtenances and any
10 modifications that were approved prior to the passage of the Spectrum Act.

11 2. For towers other than towers in the public rights-of-way, it involves adding an appurtenance
12 to the body of the tower that would protrude from the edge of the tower more than twenty
13 feet, or more than the width of the tower structure at the level of the appurtenance, whichever
14 is greater; for other eligible support structures, it involves adding an appurtenance to the body
15 of the structure that would protrude from the edge of the structure by more than six feet;

17 3. For any eligible support structure, it involves installation of more than the standard number
18 of new equipment cabinets for the technology involved, but not to exceed four cabinets; or, for
19 towers in the public rights-of-way and base stations, it involves installation of any new
20 equipment cabinets on the ground if there are no pre-existing ground cabinets associated with
21 the structure, or else involves installation of ground cabinets that are more than 10% larger in
22 height or overall volume than any other ground cabinets associated with the structure;

24 4. It entails any excavation or deployment outside the current site;

26 5. It would defeat the concealment elements of the eligible support structure; or

28 6. It does not comply with conditions associated with the siting approval of the construction or
29 modification of the eligible support structure or base station equipment, provided however that
30 this limitation does not apply to any modification that is non-compliant only in a manner that
31 would not exceed the thresholds identified in § 1.40001(b)(7)(i) through (iv).

33 ...

35 Tenant Improvement: Changes made to the interior of a commercial or industrial property by its owner
36 to accommodate the needs of a tenant such as floor and wall coverings, ceilings, partitions, air
37 conditioning, fire protection, and security. A tenant improvement is not a change of use of the building
38 or tenant space; however, it often occurs when a new tenant occupies a building.

40 ...

42 Transmission equipment. Equipment that facilitates transmission for any Commission-licensed or
43 authorized wireless communication service, including, but not limited to, radio transceivers, antennas,
44 coaxial or fiber-optic cable, and regular and backup power supply. The term includes equipment
45 associated with wireless communications services including, but not limited to, private, broadcast, and
46 public safety services, as well as unlicensed wireless services and fixed wireless services such as
47 microwave backhaul.

1 Wireless Communication Facility Site: For towers other than towers in the public rights-of-way, the
2 current boundaries of the leased or owned property surrounding the tower and any access or utility
3 easements currently related to the site, and, for other eligible support structures, further restricted to
4 that area in proximity to the structure and to other transmission equipment already deployed on the
5 ground.

6
7 ...

8
9 Wireless Communication Facility Tower. Any structure built for the sole or primary purpose of
10 supporting any Commission-licensed or authorized antennas and their associated facilities, including
11 structures that are constructed for wireless communications services including, but not limited to,
12 private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless
13 services such as microwave backhaul, and the associated site.

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- I. Implementation of Comprehensive Plan Amendments. It is the City's intent to comply with the Growth Management Act (RCW 36.70A) and the guidelines for implementation of Comprehensive Plan goals and policies contained in WAC 365-196. It is also the City's intent to allow sufficient time for review of regulations or programs that are intended to implement new or significantly amended policy direction within the Comprehensive Plan.
1. Where amendments to existing Comprehensive Plan goals and policies represent an adjustment to an existing policy direction, the City should generally prepare, review, and adopt implementing development regulations or programs concurrently with the adoption of the amendments to the Comprehensive Plan.
 2. Where amendments to existing Comprehensive Plan goals and policies represent a new policy direction, or a significant amendment to the current policy direction within the Comprehensive Plan, the City should generally prepare, review, and adopt implementing development regulations or programs within 18 months of the amendments to the Comprehensive Plan.



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

**AB 5461
September 4, 2018
Regular Business**

<p>BUSINESS LICENSE MODEL ORDINANCE CODE AMENDMENTS (1ST READING)</p>	<p>Action: Conduct first reading of Ordinance No. 18C-09.</p>	<p><input type="checkbox"/> Discussion Only <input checked="" type="checkbox"/> Action Needed: <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution</p>
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DEPARTMENT OF	City Manager (Ali Spietz & Deb Estrada)
COUNCIL LIAISON	n/a
EXHIBITS	1. Proposed Ordinance No. 18C-09, including Exhibit A
2018-2019 CITY COUNCIL GOAL	n/a
APPROVED BY CITY MANAGER	

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

SUMMARY

There are 281 incorporated cities and towns in Washington State and of those, 230 have business license requirements and 46 have adopted local business and occupation (B&O) tax regulations.

EHB 2005, which was passed last year by the legislature, is intended to simplify the administration of municipal general business licenses for the applicant and improve the business climate. The legislation requires cities and towns with either business licenses requirements and/or local B&O tax regulations to:

1. Adopt a model business license ordinance
2. Administer business licensing through the state’s business license system (BLS) by 2027 or through the FileLocal system by 2020

MODEL BUSINESS LICENSE ORDINANCE

EHB 2005 required cities and towns with business license regulations to establish a workgroup that would create a model business license with a minimum threshold and a definition of “engaging in business” by July 2018. The model business license ordinance created by the workgroup must be adopted by all cities who have business licensing regulations by January 1, 2019.

The final model business license language addresses:

- A new uniform definition of engaging in business; and
- Registration with no fee for businesses without a location in the city who report gross revenues of under \$2,000 per year (minimum threshold)

The definition of “engaging in business” includes examples of what constitutes business activities in cities that would subject a business to license requirements, as well as those activities that would not. The model language is adapted from the definition that the 45 cities with local B&O taxes have already adopted for the definition of “engaging in business” in the B&O tax model ordinance.

The license threshold exemption language will do the following:

- Apply a minimum threshold of \$2,000 per year in the City for businesses that do not have a location in the City
- Require a license for businesses with a location in the City without regard to the threshold;
- Allow cities the option to require registration with no fee for businesses under the threshold; and
- Only apply to general business licenses, not regulatory licenses or local taxes.

What does this mean for Mercer Island?

All businesses (or persons) engaging in business in the City of Mercer Island are required to have a City of Mercer Island business license. The fees beginning in 2019, would be as follows:

Business Location	Annual Gross Income	Annual License Fee
In Mercer Island	>\$2,000	\$30
Outside Mercer Island	>\$2,000	\$30
In Mercer Island	<\$2,000	\$30
Outside Mercer Island	<\$2,000	\$0

While a higher threshold exemption can be enacted, staff recommends using the minimum threshold of \$2,000 per year to continue to collect license revenue to administer the business license program.

From March 2017 to March 2018, 1,880 businesses licensed with the City reported revenue less than \$2,000. Of those businesses, 1,192 were off-Island businesses. The City will lose approximately \$35,760 (1,192 businesses x \$30) in revenue due to the code amendments required by the model ordinance.

Staff will revise the business license application and renewal forms to include a checkbox for the business owners to confirm if they are (1) an off-Island business and (2) they make less than \$2,000 gross revenue annually to be exempted from the business license fee.

Additional Code Amendments

In addition to the changes above, staff is recommending additional amendments to chapter 5.01 MICC, Business Licensing as follows:

- **Types of licenses** (MICC 5.01.060, License Fees - Payment)
These amendments help to clarify each type of license and remove the “temporary business” category as it has not been used in the past twenty years.
- **Exemptions** (MICC 5.01.080)
Staff also recommends deleting the section regarding exemptions. This section was added when the business license code was created in 1983. It is unclear why these three exemptions (national banks, WA state government entities, and farmers/peddlers, et.al.) were specifically added to the code. Staff reviewed the minutes and agenda bills from 1982 and 1983 and was unable to find any mention of these exemptions in the proceedings. [RCW 35.90.050](#) allows cities to provide exemptions for business licenses, but at this time all businesses engaging in business in Mercer Island, except those that are exempt under another state law, must have a city of Mercer Island business license.

BUSINESS LICENSE PROGRAM ADMINISTRATION

EHB 2005 also requires all cities and towns with business licenses to administer their business licensing through the state's business license system ([BLS](#)) by 2027 or through the [FileLocal](#) system by 2020.

The BLS currently has over 70 cities/towns that use their system (BLS City Partners) and is in the process of onboarding 24 additional cities in 2018-2019. The FileLocal system administers licenses and/or all local taxes and has five city partners (Seattle, Tacoma, Bellevue, Everett, and Lake Forest Park).

Staff has researched each of the systems and recommends BLS as it is a free service to the City. Since there are 230 cities that must onboard with BLS or FileLocal, not everyone can do it at the same time. Mercer Island is slotted for onboarding in late 2019. Staff will return to Council in mid-2019 with additional information about the BLS transition. The goal is to begin the new business licensing administration process with BLS in January 2020.

B&O TAX CITIES

EHB 2005 also required that a task force on local B&O tax service apportionment under [RCW 35.102.130](#) be established in order to report to the legislature by October 2018. A task force was formed and consists of 3 city representatives, 3 business representatives, and 1 member from the Department of Revenue who serves as a non-voting chair.

The task force must prepare a report with recommendations to simplify the 2-factor service income formula in RCW 35.102.130 using a market-based model and information typically available in business. The task force has been meeting monthly since August 2017 and has included tax apportionment models in other states as part of its analysis for reporting back to the legislature by October 31, 2018.

Since the City of Mercer Island does have B&O taxes, staff will be monitoring the task force's report and will be looking into whether FileLocal could administer Mercer Island's B&O taxes.

RECOMMENDATION

Assistant to the City Manager & City Clerk

MOVE TO: Set Ordinance No. 18C-09 to September 17, 2018 for second reading and adoption on the Consent Calendar.

**CITY OF MERCER ISLAND
ORDINANCE NO. 18C-09**

**AN ORDINANCE OF THE CITY OF MERCER ISLAND, WASHINGTON
UPDATING CHAPTER 5.01 MICC TO INCLUDE AMENDMENTS REQUIRED
UNDER CHAPTER 35.90 RCW FOR BUSINESS LICENSE, PROVIDING FOR
SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE FOR THE
AMENDMENTS AND THE ORDINANCE.**

WHEREAS, the City of Mercer Island’s business license requirements, including fees, are adopted in chapter 5.01 MICC; and

WHEREAS, RCW 35.90 RCW requires the City to update its business license code by January 1, 2019 to include a new definition of what constitutes “engaging in business” in the city and licensing fee exemptions for certain businesses that do not maintain a place of business within the city; and

WHEREAS, chapter 5.01 MICC includes classification of certain types of business license and exemption that are no longer relevant or desired;

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

Section 1: **Amended.** Chapter 5.01 MICC, Business License Code, shall be amended as set forth in Exhibit A to this Ordinance. Exhibit A is incorporated herein by this reference as if set forth in full.

Section 2: **Effective Date of Amendments.** Chapter 5.01 MICC, Business License Code, as amended in Section 1 of this Ordinance, shall become effective on December 31, 2018.

Section 3: **Severability.** If any section, sentence, clause or phrase of this ordinance or any municipal code section amended hereby should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of any other section, sentence, clause or phrase of this ordinance or the amended code section.

Section 4: **Effective Date of Ordinance.** This Ordinance shall take effect and be in force on 5 days after its passage and publication.

PASSED by the City Council of the City of Mercer Island, Washington at its regular meeting on the _____ day of September 2018 and signed in authentication of its passage.

CITY OF MERCER ISLAND

Debbie Bertlin, Mayor

Approved as to Form:

ATTEST:

Kari Sand, City Attorney

Deborah A. Estrada, City Clerk

Date of Publication: _____

EXHIBIT A**Chapter 5.01 MICC****BUSINESS LICENSE CODE**

Sections:

- 5.01.010 Short title.
- 5.01.020 Purpose.
- 5.01.030 Scope.
- [5.01.035 Definition of “engaging in business.”](#)
- 5.01.040 Business license – Required.
- 5.01.050 Separate general business license required.
- 5.01.060 License fees – Payment.
- 5.01.070 Duration of license.
- 5.01.080 License renewal – Filing date.
- 5.01.090 Late charge.
- 5.01.100 Refund request.
- 5.01.110 General business license – Application.
- 5.01.120 License issuance and renewal – Appeal from denial.
- 5.01.130 Denial, suspension, or revocation of licenses.
- 5.01.140 Appeal.
- 5.01.150 Display of licenses – Transferability.
- 5.01.160 Notice of right to suspend or revoke.
- 5.01.170 Licenses subject to specific controls.
- ~~5.01.180 Exemptions.~~
- 5.01.1890 Separate offenses.
- 5.01.20190 Penalty for violations – Principal offender.
- 5.01.2100 Effect on pending or past prosecutions.

5.01.010 Short title.

This chapter shall be known as “the business license code” of the city of Mercer Island and may be cited as such.

5.01.020 Purpose.

The provisions of this chapter shall be an exercise of the power of the city to license for the purpose of revenue and regulation.

5.01.030 Scope.

All persons ~~and businesses who engage~~ in business ~~activities or occupations~~ within ~~the~~ city of Mercer Island ~~as set forth in MICC 4.10.030~~ shall be subject to the provisions of this chapter ~~regardless of whether or not a place of business within the city is maintained~~, unless a specific business license is required to be obtained under the provisions of another chapter of the city code or unless specifically exempted from licensing herein.

[5.01.035 Definition of “engaging in business.”](#)

[\(1\) The term "engaging in business" \(or variations thereof\) as used in this chapter means commencing, conducting, or continuing in business, and also the exercise of corporate or franchise powers, as well as liquidating a business when the liquidators thereof hold themselves out to the public as conducting such business.](#)

[\(2\) This section sets forth examples of activities that constitute engaging in business in the city, and establishes safe harbors for certain of those activities so that a person who meets the criteria may engage in de minimus business activities in the city without having to pay a business license fee. The activities listed in this section are illustrative only and are not intended to narrow the definition of "engaging in business" in subsection \(1\). If an activity is not](#)

listed, whether it constitutes engaging in business in the city shall be determined by considering all the facts and circumstances and applicable law.

(3) Without being all inclusive, any one of the following activities conducted within the city by a person, or its employee, agent, representative, independent contractor, broker or another acting on its behalf constitutes engaging in business and requires a person to register and obtain a business license.

(a) Owning, renting, leasing, maintaining, or having the right to use, or using, tangible personal property, intangible personal property, or real property permanently or temporarily located in the city.

(b) Owning, renting, leasing, using, or maintaining, an office, place of business, or other establishment in the city.

(c) Soliciting sales.

(d) Making repairs or providing maintenance or service to real or tangible personal property, including warranty work and property maintenance.

(e) Providing technical assistance or service, including quality control, product inspections, warranty work, or similar services on or in connection with tangible personal property sold by the person or on its behalf.

(f) Installing, constructing, or supervising installation or construction of, real or tangible personal property.

(g) Soliciting, negotiating, or approving franchise, license, or other similar agreements.

(h) Collecting current or delinquent accounts.

(I) Picking up and transporting tangible personal property, solid waste, construction debris, or excavated materials.

(j) Providing disinfecting and pest control services, employment and labor pool services, home nursing care, janitorial services, appraising, landscape architectural services, security system services, surveying, and real estate services including the listing of homes and managing real property.

(k) Rendering professional services such as those provided by accountants, architects, attorneys, auctioneers, consultants, engineers, professional athletes, barbers, baseball clubs and other sports organizations, chemists, consultants, psychologists, court reporters, dentists, doctors, detectives, laboratory operators, teachers, veterinarians.

(l) Meeting with customers or potential customers, even when no sales or orders are solicited at the meetings.

(m) Training or recruiting agents, representatives, independent contractors, brokers or others, domiciled or operating on a job in the city, acting on its behalf, or for customers or potential customers.

(n) Investigating, resolving, or otherwise assisting in resolving customer complaints.

(o) In-store stocking or manipulating products or goods, sold to and owned by a customer, regardless of where sale and delivery of the goods took place.

(p) Delivering goods in vehicles owned, rented, leased, used, or maintained by the person or another acting on its behalf.

(4) If a person, or its employee, agent, representative, independent contractor, broker or another acting on the person's behalf, engages in no other activities in or with the city but the following, it need not register and obtain a business license.

(a) Meeting with suppliers of goods and services as a customer.

(b) Meeting with government representatives in their official capacity, other than those performing contracting or purchasing functions.

(c) Attending meetings, such as board meetings, retreats, seminars, and conferences, or other meetings wherein the person does not provide training in connection with tangible personal property sold by the person or on its behalf. This provision does not apply to any board of director member or attendee engaging in business such as a member of a board of directors who attends a board meeting.

(d) Renting tangible or intangible property as a customer when the property is not used in the city.

(e) Attending, but not participating in a "trade show" or "multiple vendor events". Persons participating at a trade show shall review the city's trade show or multiple vendor event ordinances.

(f) Conducting advertising through the mail.

(g) Soliciting sales by phone from a location outside the city.

(5) A seller located outside the city merely delivering goods into the city by means of common carrier is not required to register and obtain a business license, provided that it engages in no other business activities in the city. Such activities do not include those in subsection (4).

The city expressly intends that engaging in business include any activity sufficient to establish nexus for purposes of applying the license fee under the law and the constitutions of the United States and the State of Washington. Nexus is presumed to continue as long as the taxpayer benefits from the activity that constituted the original nexus generating contact or subsequent contacts.

5.01.040 Business license – Required.

It is unlawful for any person or business, whether or not a place of business within the city is maintained, to ~~conduct, operate,~~ engage in ~~or practice any~~ business in the city without having first obtained and being the holder of a valid and subsisting license to do so, to be known as a “business license,” and paying the fees, if any, prescribed herein; provided that, persons under the age of 18 years shall not be required to have a business license.

5.01.050 Separate general business license required.

A separate license shall be obtained for each branch, establishment or location at which the business-related activity is carried on, and each license shall authorize the licensee to carry on or pursue, or conduct only that business, or business-related activity at that location.

5.01.060 License fees – Payment.

A. There is levied to be collected from those persons engaging in business in the city annual license fees in such amounts as are established by city council resolution for the following types of licenses:

1. Original License or Renewal License.

- a. Home occupation (business conducted within a home in the city of Mercer Island);
- b. Resident ~~commercial~~ business (business conducted from place of business located in the nonresidential zone in the city of Mercer Island);
- c. Nonresident ~~commercial~~ business (business conducted from place of business located outside city of Mercer Island – no license fee shall be required for nonresident business whose annual value of products, gross proceeds of sales, or gross income of business in the city is equal to or less than \$2,000 to obtain a business license);
- ~~d. Temporary business (original only – for period of less than one month).~~

2. Master Exhibitor’s License. This license is available for persons who sponsor carnivals, exhibitions or like events where such events do not extend beyond seven days and no more often than twice a year and where multiple individuals are participating. In such cases the master exhibitor must provide to the city a complete and accurate list of participants with names and addresses of those participating. If participants also do business in the city other than during the events covered by the master exhibitor’s license, such participants are required to have a separate business license.

B. Such annual license fee shall become due and payable on the first day of each calendar year as to any business required to have a business license under this chapter and in existence on said date. As to any business commenced during the year, the annual license fee shall be due and payable on the first day that business is transacted or carried on. The business license fee shall not be prorated for any part of the year.

C. Payment made by draft or check shall not be deemed a payment of the fee unless and until the same has been honored in the usual course of business, nor shall acceptance of any such check or draft operate as an acquittance or discharge of the fee unless and until the same is honored.

5.01.070 Duration of license.

All licenses issued pursuant to the provision of this chapter shall expire on December 31 of the year for which they were issued, unless sooner suspended or revoked in the manner provided in this chapter.

5.01.080 License renewal – Filing date.

Applications for renewal of a license shall be made on or before the expiration date provided for herein. All licenses issued subsequent to the original license shall be deemed renewal licenses if there has been no discontinuance of the licensee’s operations or activities.

5.01.090 Late charge.

There shall be assessed by the clerk an additional charge on applications not filed on or before said expiration date as follows:

Days Past Due	Percent of License Fee
16 to 30	25
31 to 60	50
61 or more	75

5.01.100 Refund request.

If pursuant to the provisions of this chapter, the applicant’s request for a license is denied, either upon original application or renewal, 100 percent of the fee tendered shall be refunded to the applicant no later than 90 days following such denial; provided, that no refund shall be made where during the pendency of the original application the applicant has engaged in the business activity for which the license was intended, and in that case such amount shall be forfeited to the city.

5.01.110 General business license – Application.

A. An application for a business license shall be made to the city clerk.

B. The application shall be on a form prescribed by the city clerk and shall include:

1. The name of the applicant;
2. His/her residence;
3. The address of the principal place of business of the applicant;
4. The nature and/or type of business to be conducted;
5. The applicant’s state employer number, if applicable;
6. The applicant’s state sales tax number, if applicable;
7. The number of current employees;
8. A statement, executed under the penalty of perjury, that the facts stated in the application are true and correct to the best of the applicant’s knowledge.

5.01.120 License issuance and renewal – Appeal from denial.

A. The city clerk shall issue a business license to the applicant within 10 working days, if the information supplied to the city clerk is complete and the required license fee is paid; otherwise the license application shall be denied. Upon denial of the application, written notice shall be sent to the applicant as set forth in MICC 5.01.140.

B. Any applicant whose application has been denied may file an appeal and request a hearing as set forth in MICC 5.01.140.

5.01.130 Denial, suspension, or revocation of licenses.

A. Revocation by City Clerk. The city clerk shall have the right to revoke or suspend any license at any time on the following grounds:

1. That the license was procured by fraud or false representation of facts;
2. That the applicant or licensee or any of his servants, agents or employees, while acting within the scope of their employment, has violated or failed to comply with any of the ordinances of the city; provided, that this section shall not apply to traffic violations or to violations of ordinances when said violations are corrected within a period of 30 days from the date of the violation or when said violations are deemed not significant by the city clerk;
3. That the licensee or any of his servants, agents or employees has been convicted of either a felony or misdemeanor involving moral turpitude, or involving fraud or an attempt to defraud while acting within the scope of their employment; or
4. Conviction of a violation of any provision of this title shall be prima facie evidence to warrant or suspension or revocation of the license.

The city clerk, upon finding that one or more of the above cited conditions exist, shall suspend the business license for a period of 30 days in case of a first violation and revoke the business license in cases involving a second violation.

5.01.140 Appeal.

A. Notice of Denial, Suspension or Revocation. The city clerk shall notify the applicant or licensee in writing of the denial, suspension or revocation of the business license.

The notice shall contain:

1. A statement by the city clerk setting forth the grounds for such action;
2. A statement of any action required to be taken as determined by the city clerk;
3. Statements advising:
 - a. That the applicant or licensee may appeal from the notice of any action taken by the city clerk to the city council, provided the appeal is made in writing, specifically sets forth the grounds for appeal and is filed with the city clerk within 10 days, excluding legal holidays, from the date of service of such notice, and
 - b. That failure to appeal will constitute a waiver of all rights to an administrative hearing and determination of the matter.
4. The notice shall be served upon the applicant or licensee either personally or by mailing a copy of such notice by certified or registered mail, postage prepaid, return receipt requested, to such applicant or licensee at his address as it appears on the application or license. Service by mail in the manner herein provided shall be effective on the date of mailing.

B. Filing of Appeal. Within 10 days, excluding legal holidays, from the date of service of the foregoing notice, the applicant may file an appeal for a hearing before the city council and shall specify an address at which the appellant may be given notice of the hearing date. The notice of appeal must be in writing and be filed with the city clerk.

Upon receipt of such notice of appeal, the applicant or licensee shall be afforded a public hearing on appeal before the city council at the second regular council meeting after the filing of notice of appeal, unless the city council orders the hearing to be held at some earlier date. A regular meeting falling on the date of filing shall be counted in computing the hearing date.

C. Hearing – Notice to Appellant. Upon the setting of such matter for hearing, the city clerk shall notify the appellant at least 10 days before the date fixed for the hearing, unless appellant waives notice in writing. The notice of such hearing shall be delivered to the address specified by the appellant pursuant to this section and in the manner specified in subsection (A)(4) of this section. The notice shall include:

1. A statement of the time, place and nature of the proceeding;
2. A short and plain statement of the matters under appeal;
3. Advice that the appellant may elect to appear pro se before the city council or be represented by legal counsel; and
4. That the appellant may elect to testify orally before the city council or furnish a written statement.

D. Hearing – Procedure. The hearing on appeal shall be conducted as provided in MICC 2.30.060.

E. City Council – Final Decision. The city council shall within 30 days after the conclusion of such hearing, reduce to writing its findings and conclusions. A copy of such written findings shall be furnished to the appellant at his request. The city council may affirm, modify, or reverse the denial, suspension or revocation and grant or reinstate the license, and may impose any terms or conditions upon the granting, continuance or retention of the business license which the city council may deem advisable under the circumstances. Such decision of the city council shall be final. Proceedings to review the decision of the city council in superior court must be instituted within 15 days of final action of the city council.

F. Effective Date of Denial, Suspension or Revocation. No denial, suspension or revocation of a license shall take effect until 10 days have passed after service of the notice thereof on the applicant or licensee, and if an appeal is taken as herein prescribed, the denial, suspension or revocation shall be stayed pending final action by the city council.

G. Effect of Denial, Suspension or Revocation. All licenses which are denied, suspended or revoked shall be immediately surrendered to the city clerk on the effective date of such denial, suspension or revocation. When revoked, the business license shall be canceled, and when suspended the city clerk shall retain the same during the period of suspension. Revocation or suspension of a business license shall not relieve the licensee of the other penalties provided in this chapter.

H. Revocation – Return of License Fee. Upon revocation of a business license, no portion of the license fee shall be returned to the licensee.

5.01.150 Display of licenses – Transferability.

A. Licenses – To Be Posted – Exception. All licenses issued pursuant to this chapter authorizing the maintenance or conducting of any occupation, business, trade or entertainment at a specified location, shall be posted in a conspicuous place at such location, and such license shall not be tampered with in any manner; provided however, that when the licensee has no established place of business and goes from place to place or from house to house, then such license must be carried on the person of such licensee while actually engaged in the licensed occupation, business or trade.

B. License – Unlawful Use.

1. It is unlawful for any person to use, or permit to be used, any license, except those issued by the city clerk in conformity with the provisions of this chapter.
2. It is unlawful for any person to make, or manufacture, any licenses, except upon order of the city clerk.

C. Licenses – Not Transferable. No license issued under provisions of this chapter shall be transferable or assignable, unless specifically provided otherwise. All licenses issued by the city clerk are and remain the property of the city and if found in the possession of any person other than the licensee or his servants, agents or employees, such license shall be forthwith confiscated by officials of the city.

5.01.160 Notice of right to suspend or revoke.

Every license issued pursuant to the provisions of this chapter shall state thereon in substance that such license is issued in consideration of the fee paid therefor and that the same is subject to suspension or revocation in the manner provided in this chapter.

5.01.170 Licenses subject to specific controls.

The issuance of a license pursuant to the terms of this chapter and all activities of any licensee granted a license hereunder shall at all times be subject to all ordinances and regulations of the city enacted in the exercise of its police power, and the prohibition or regulation of any specific activity or sale of commodity by specific ordinance shall prevail over the terms and conditions of this chapter wherever they may conflict.

~~**5.01.180 Exemptions.**~~

~~The provisions of this chapter shall not apply to:~~

~~A. National banks, state banks, trust companies, mutual savings banks, building and loan associations with respect to their banking business, trust business or savings and loan business but not with respect to engaging in any other business subject to the provisions of this chapter;~~

~~B. Any instrumentality of the United States, state of Washington, or political subdivision thereof with respect to the exercise of governmental functions;~~

~~C. Any farmer, gardener, or other person who shall sell, deliver, or peddle any fruits, vegetables, berries, butter, eggs, fish, milk, poultry, meats, or any farm produce or edibles raised, caught, produced or manufactured by such person in this state.~~

5.01.190~~180~~ Separate offenses.

Each day that any person, firm, corporation or association shall operate any device, vehicle or thing, or engage in any business, calling, profession, trade, occupation or activity licensed herein without having procured a valid existing license as provided for by this chapter shall constitute a separate offense and be punished as such.

5.01.200~~190~~ Penalty for violations – Principal offender.

A. Violations – Penalty. Any person violating or failing to comply with any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine in a sum not to exceed \$500 or by imprisonment for a period not exceeding 90 days or both such fine and imprisonment.

B. Principal Offender Defined. Every person concerned in any act or omission in violation of this chapter, or who aids or abets the same, whether present or absent, and every person who directly or indirectly counsels, encourages, hires, commands, induces or otherwise procures another to commit such violation is, and shall be a principal under the terms of this title and shall be proceeded against and prosecuted as such.

5.01.210~~200~~ Effect on pending or past prosecutions.

No prosecution now pending and no offense heretofore committed under any ordinance heretofore enacted shall be affected in any way by the passage of this chapter, but all such prosecutions shall be conducted to final judgment and all such offenses shall be prosecuted in the same manner as if this chapter had not been enacted.



PLANNING SCHEDULE

Please email the City Manager & City Clerk when an agenda item is added, moved or removed.

Special Meetings and Study Sessions begin at 6:00 pm. Regular Meetings begin at 7:00 pm. Items are not listed in any particular order. Agenda items & meeting dates are subject to change.

SEPTEMBER 4 (6:00 PM)		DUE TO:	8/24 D/P	8/27 FN	8/27 CA	8/28 Clerk
ITEM TYPE TIME TOPIC			STAFF		SIGNER	
EXECUTIVE SESSION (5:00-6:00 pm)						
60	Executive Session to discuss with legal counsel pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 60 minutes.					
STUDY SESSION (6:00-7:00 pm)						
60	AB 5469: Planning Commission's Recommendation for Procedural Land Use (Title 19) Code Amendments		Evan Maxim		Julie	
SPECIAL BUSINESS (7:00 pm)						
5	AB 5467: Mayor's Day of Concern for the Hungry Proclamation		Cindy Goodwin		Ali	
5	AB 5464: Emergency Preparedness Month Proclamation		Jennifer Franklin		Ali	
CONSENT CALENDAR						
--	AB 5460: Accepting Funds from MIYFS Foundation		Cindy Goodwin		Ali	
--	AB 5463: Interlocal Agreement with the Mercer Island School District for Counseling Services		Cindy Goodwin		Julie	
REGULAR BUSINESS						
30	AB 5470: Planning Commission's Recommendation for Title 19 Procedural Code Amendments (1st Reading)		Evan Maxim		Julie	
60	AB 5452: Planning Commission's Recommendation for Code Compliance Code Amendments (1st Reading)		Alison Van Gorp		Julie	
15	AB 5461: Business License Model Ordinance Code Amendments (1 st Reading)		Deb Estrada		Ali	
OTHER BUSINESS						
15	AB 5471: Design Commission Vacancies Appointments		Evan Maxim			

MONDAY, SEPTEMBER 17 (6:00 PM) (CHANGED FROM SEPT 18 DUE TO YOM KIPPUR)		DUE TO:	9/7 D/P	9/10 FN	9/10 CA	9/11 Clerk	
ITEM TYPE TIME TOPIC			STAFF		SIGNER		
STUDY SESSION (6:00-7:00 pm)							
60	Update on City Council Goal 4: Preserve, Promote, and Enhance Mercer Island's Focus on Arts and Culture					Julie Underwood	Ali
SPECIAL BUSINESS (7:00 pm)							
5	AB xxxx: National Recovery Month Proclamation		Derek Franklin		Ali		
5	International Peace Day Proclamation		Diane Mortenson		Ali		
CONSENT CALENDAR							
--	Code Compliance Code Amendments (2nd Reading & Adoption)		Alison Van Gorp		Ali		
--	Procedural Zoning Code Amendments (2nd Reading & Adoption)		Evan Maxim		Ali		
--	Business License Model Ordinance Code Amendments (2nd Reading & Adoption)		Deb Estrada		Ali		
PUBLIC HEARING							

60	Council Position on I-1631 (NEED TO CONFIRM)	Ross Freeman	
REGULAR BUSINESS			
30	AB xxxx: 2nd Quarter 2018 Financial Status Report & Budget Adjustments (include Thrift Store Revenue/Expenditure Update)	Chip Corder	
20	Aubrey Davis Park Master Plan Update	Paul West	

OCTOBER 2 (6:00 PM)		DUE TO:	9/21 D/P	9/24 FN	9/24 CA	9/25 Clerk
ITEM TYPE TIME TOPIC				STAFF		SIGNER
EXECUTIVE SESSION (6:00 pm)						
60	Executive Session to discuss with legal counsel pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 60 minutes.					
STUDY SESSION (6:00-7:00 pm)						
				Evan Maxim		
SPECIAL BUSINESS (7:00 pm)						
5	Domestic Violence Action Month Proclamation			Derek Franklin		Ali
5	National Community Planning Month Proclamation			Evan Maxim		Ali
CONSENT CALENDAR						
PUBLIC HEARING						
REGULAR BUSINESS						
90	2018 Comprehensive Plan Amendments (1st Reading)			Evan Maxim		
30	Transportation Concurrency Ordinance (3rd Reading & Adoption)			Evan Maxim		

OCTOBER 16 (6:00 PM)		DUE TO:	10/5 D/P	10/8 FN	10/8 CA	10/9 Clerk
ITEM TYPE TIME TOPIC				STAFF		SIGNER
STUDY SESSION (6:00-7:00 pm)						
60	2019-2020 Preliminary Budget: Budget Message Presentation & Distribution			Julie Underwood & Chip Corder		Julie
SPECIAL BUSINESS (7:00 pm)						
CONSENT CALENDAR						
PUBLIC HEARING						
REGULAR BUSINESS						
45	2018 Comprehensive Plan Amendments (2nd Reading & Adoption)			Evan Maxim		
20	Luther Burbank Dock Reconfiguration Authorization to Apply for RCO grant funding			Paul West		
30	Draft Code of Ethics			Ali Spietz		

30	2019 Comprehensive Plan Docket	Evan Maxim			
EXECUTIVE SESSION					
OCTOBER 23 (SPECIAL MEETING, 5:00 PM)		DUE TO:	10/12 D/P	10/15 FN	10/15 CA
ITEM TYPE TIME TOPIC		STAFF		SIGNER	
PUBLIC HEARING (5:00 pm)					
240	2019-2020 Preliminary Budget Review: Operating Budget	Chip Corder			Julie
NOVEMBER 5 (SPECIAL MEETING, 6:00 PM)		DUE TO:	10/26 D/P	10/29 FN	10/29 CA
ITEM TYPE TIME TOPIC		STAFF		SIGNER	
SPECIAL BUSINESS (6:00 pm)					
5	Veteran's Day Proclamation	Ali Spietz			
180	2019-2020 Preliminary Budget Review: Capital Improvement Program	Chip Corder			Julie
NOVEMBER 6 (ELECTION NIGHT)					
CANCELED					
NOVEMBER 8 (SPECIAL MEETING, 4:45-6:00 PM)					
Joint Meeting with MISD Board					
NOVEMBER 20 (TUESDAY BEFORE THANKSGIVING)		DUE TO:	11/9 D/P	11/12 FN	11/12 CA
ITEM TYPE TIME TOPIC		STAFF		SIGNER	
STUDY SESSION (6:00-7:00 pm)					
SPECIAL BUSINESS (7:00 pm)					
CONSENT CALENDAR					
PUBLIC HEARING					
90	2019-2020 Preliminary Budget Review: Finalize Changes, Pass 2019 NORCOM Budget Resolution, Adopt 2019 Property Tax Ordinances, Beautification Fund Ordinance, DSG Fee Structure Resolution, and Pass 2019 Utility Rate Resolutions	Chip Corder			Julie
REGULAR BUSINESS					
60	Private Community Facilities Code Amendment (1st Reading)	Evan Maxim			Julie
30	First/Last Mile Solutions: Rideshare Pilot Next Steps	Kirsten Taylor			Julie
EXECUTIVE SESSION					

DECEMBER 4		DUE TO:	11/23 D/P	11/26 FN	11/26 CA	11/27 Clerk
ITEM TYPE TIME TOPIC			STAFF		SIGNER	
STUDY SESSION (6:00-7:00 pm)						
SPECIAL BUSINESS (7:00 pm)						
10	Mercer Island Library Board Service Award			Diane Mortenson		
CONSENT CALENDAR						
PUBLIC HEARING						
REGULAR BUSINESS						
30	2019-2020 Final Budget Adoption			Chip Corder		Julie
15	3rd Quarter 2018 Financial Status Report & Budget Adjustments			Chip Corder		Julie
45	Private Community Facilities Code Amendment (2nd Reading)			Evan Maxim		
45	Solid Waste Contract			Jason Kintner		
30	Draft 2019 State Legislative Priorities			Ali Spietz		
EXECUTIVE SESSION						

DECEMBER 11 (SPECIAL MEETING, 6:00 PM)		DUE TO:	12/7 D/P	12/10 FN	12/10 CA	12/11 Clerk
ITEM TYPE TIME TOPIC			STAFF		SIGNER	
SPECIAL BUSINESS						
90	(TENTATIVE) Joint Meeting with Planning Commission			Evan Maxim		Julie

DECEMBER 18		DUE TO:	12/7 D/P	12/10 FN	12/10 CA	12/11 Clerk
ITEM TYPE TIME TOPIC			STAFF		SIGNER	
EXECUTIVE SESSION (6:00-7:00 pm)						
60	Executive Session to review the performance of a public employee pursuant to RCW 42.30.110(1)(g) for one hour					
SPECIAL BUSINESS (7:00 pm)						
CONSENT CALENDAR						
PUBLIC HEARING						
REGULAR BUSINESS						
30	Fiscal Sustainability Plan			Julie Underwood		

2019

JANUARY 2 (WEDNESDAY)		DUE TO:	12/21 D/P	12/24 FN	12/24 CA	12/26 Clerk
CANCELED by Council Vote						

JANUARY 8 (SPECIAL MEETING, 6:00 PM)		DUE TO:	12/21 D/P	12/24 FN	12/24 CA	12/26 Clerk
(Tentative)						

JANUARY 15		DUE TO:	1/4 D/P	1/7 FN	1/7 CA	1/8 Clerk
ITEM TYPE TIME TOPIC				STAFF		SIGNER
STUDY SESSION (6:00-7:00 pm)						
60	AB xxxx: Sound Transit Park-and-Ride Parking Permit Program			Kirsten Taylor		Ali
SPECIAL BUSINESS (7:00 pm)						
5	AB xxxx: Martin Luther King Jr. Day Proclamation					
CONSENT CALENDAR						
PUBLIC HEARING						
REGULAR BUSINESS						
30	Final 2019 State Legislative Priorities			Ali Spietz		Julie
EXECUTIVE SESSION						
	Tentative - Executive Session to review the performance of a public employee pursuant to RCW 42.30.110(1)(g) for one hour					

FEBRUARY 1 (FRIDAY) – 8:30 AM-5:30 PM						
2018 Planning Session (TBD)						

FEBRUARY 2 (SATURDAY) – 8:30 AM-5:30 PM						
2018 Planning Session (TBD)						

FEBRUARY 5		DUE TO:	1/25 D/P	1/28 FN	1/28 CA	1/29 Clerk
ITEM TYPE TIME TOPIC				STAFF		SIGNER
STUDY SESSION (6:00-7:00 pm)						
SPECIAL BUSINESS (7:00 pm)						
	AB xxxx: Black History Month Proclamation					
CONSENT CALENDAR						

PUBLIC HEARING			
REGULAR BUSINESS			
	King County Comprehensive Solid Waste Management Plan		Jason Kinter
EXECUTIVE SESSION			

FEBRUARY 19	DUE TO:	2/8 D/P	2/11 FN	2/11 CA	2/12 Clerk
ITEM TYPE TIME TOPIC	STAFF			SIGNER	
STUDY SESSION (6:00-7:00 pm)					
SPECIAL BUSINESS (7:00 pm)					
CONSENT CALENDAR					
PUBLIC HEARING					
REGULAR BUSINESS					
EXECUTIVE SESSION					

MARCH 5	DUE TO:	2/22 D/P	2/25 FN	2/25 CA	2/26 Clerk
ITEM TYPE TIME TOPIC	STAFF			SIGNER	
STUDY SESSION (6:00-7:00 pm)					
SPECIAL BUSINESS (7:00 pm)					
	AB xxxx: Women’s History Month & International Women’s Day Proclamation				
CONSENT CALENDAR					
PUBLIC HEARING					
REGULAR BUSINESS					
EXECUTIVE SESSION					

MARCH 19		DUE TO:	3/8 D/P	3/11 FN	3/11 CA	3/12 Clerk
ITEM TYPE TIME TOPIC				STAFF		SIGNER
STUDY SESSION (6:00-7:00 pm)						
SPECIAL BUSINESS (7:00 pm)						
CONSENT CALENDAR						
PUBLIC HEARING						
REGULAR BUSINESS						
EXECUTIVE SESSION						

APRIL 2		DUE TO:	3/22 D/P	3/25 FN	3/25 CA	3/26 Clerk
ITEM TYPE TIME TOPIC				STAFF		SIGNER
STUDY SESSION (6:00-7:00 pm)						
SPECIAL BUSINESS (7:00 pm)						
AB xxxx: Sexual Assault Awareness Month Proclamation						
CONSENT CALENDAR						
PUBLIC HEARING						
REGULAR BUSINESS						
EXECUTIVE SESSION						

APRIL 16		DUE TO:	4/5 D/P	4/8 FN	4/8 CA	4/9 Clerk
ITEM TYPE TIME TOPIC				STAFF		SIGNER
STUDY SESSION (6:00-7:00 pm)						
SPECIAL BUSINESS (7:00 pm)						
AB xxxx: Earth Day Proclamation						
AB xxxx: Volunteer Appreciation Week Proclamation						

CONSENT CALENDAR					
PUBLIC HEARING					
REGULAR BUSINESS					
EXECUTIVE SESSION					

MAY 7			DUE TO:	4/26 D/P	4/29 FN	4/29 CA	4/30 Clerk
ITEM TYPE TIME TOPIC				STAFF		SIGNER	
STUDY SESSION (6:00-7:00 pm)							
SPECIAL BUSINESS (7:00 pm)							
		AB xxxx: Building Safety Month Proclamation					
CONSENT CALENDAR							
PUBLIC HEARING							
REGULAR BUSINESS							
EXECUTIVE SESSION							

MAY 21			DUE TO:	5/10 D/P	5/13 FN	5/13 CA	5/14 Clerk
ITEM TYPE TIME TOPIC				STAFF		SIGNER	
STUDY SESSION (6:00-7:00 pm)							
SPECIAL BUSINESS (7:00 pm)							
		AB xxxx: Safe Boating and Paddling Week Proclamation					
		AB xxxx: Public Works Week Proclamation					
CONSENT CALENDAR							
PUBLIC HEARING							
REGULAR BUSINESS							

EXECUTIVE SESSION					

JUNE 4	DUE TO:	5/24 D/P	5/27 FN	5/27 CA	5/28 Clerk
ITEM TYPE TIME TOPIC	STAFF			SIGNER	
STUDY SESSION (6:00-7:00 pm)					
SPECIAL BUSINESS (7:00 pm)					
CONSENT CALENDAR					
PUBLIC HEARING					
REGULAR BUSINESS					
EXECUTIVE SESSION					

JUNE 18	DUE TO:	6/7 D/P	6/10 FN	6/10 CA	6/11 Clerk
ITEM TYPE TIME TOPIC	STAFF			SIGNER	
STUDY SESSION (6:00-7:00 pm)					
SPECIAL BUSINESS (7:00 pm)					
CONSENT CALENDAR					
PUBLIC HEARING					
REGULAR BUSINESS					
EXECUTIVE SESSION					

JULY 2	DUE TO:	6/21 D/P	6/24 FN	6/24 CA	6/25 Clerk
ITEM TYPE TIME TOPIC	STAFF			SIGNER	
STUDY SESSION (6:00-7:00 pm)					

SPECIAL BUSINESS (7:00 pm)					
AB xxxx: Parks & Recreation Month & Summer Celebration Proclamation					
CONSENT CALENDAR					
PUBLIC HEARING					
REGULAR BUSINESS					
EXECUTIVE SESSION					

JULY 16				DUE TO:	7/5 D/P	7/8 FN	7/8 CA	7/9 Clerk
ITEM TYPE TIME TOPIC						STAFF		SIGNER
STUDY SESSION (6:00-7:00 pm)								
SPECIAL BUSINESS (7:00 pm)								
AB xxxx: National Night Out Proclamation								
CONSENT CALENDAR								
PUBLIC HEARING								
REGULAR BUSINESS								
EXECUTIVE SESSION								

OTHER ITEMS TO BE SCHEDULED:

- Parks Waterfront Structures Long-Term Planning – P. West
- Land Conservation Work Plan Update – A. Sommargren
- Open Space Vegetation Management – A. Sommargren
- Parks & Recreation Commission & Charter – J. Bon
- Citizen of the Year Criteria – A. Spietz
- Cybersecurity Presentation – M. Kaser
- YTN Update – J. Underwood
- Beautification Fund Ordinance – C. Corder
- Comprehensive Mobility Plan (ST Settlement) – K. Taylor
- *Tentative* Special Meeting January 7 or January 28 in lieu of January 2 (Wednesday)
- Sound Transit Park-and-Ride Parking Permit Program
- Developer Selection for Transit Commuter Parking and a Public-Private, Mixed-Use Development Project on the Tully’s/Parcel 12 Site

COUNCILMEMBER ABSENCES:

- October 16 & 23: Bassett

MISD BOARD JOINT MEETING DATES:

- Thursday, November 8, 2018
- Thursday, April 25, 2019

ANNUAL (ROUTINE) ITEMS:

Council/City Manager:

- Legislative Agenda (Q4 & Q1)
- City Council Annual Planning Session (Q1)
- Adoption of City Council Goals (Q2)
- Mini-Planning Session (Q2)
- Sustainability Update (Q1 & Q3)

Development Services Group:

- ARCH Budget and Work Program (Q1)
- ARCH Trust Fund Recommendations (Q1)
- Comprehensive Plan Amendments (Q4)
- Comprehensive Plan Docket (Q4)

Finance/Budget:

- Every Year:
 - General Fund & REET Surplus Disposition (Q2)
 - Mercer Island Report Card (Q3)
 - 4th Quarter Financial Status Report & Budget Adjustments (Q2)
 - 1st Quarter Financial Status Report & Budget Adjustments (Q2)
 - 2nd Quarter Financial Status Report & Budget Adjustments (Q3)
 - 3rd Quarter Financial Status Report & Budget Adjustments (Q4)
- Odd Years:
 - Mid-Biennial Budget Review (3rd Quarter Financial Status Report & Budget Adjustments, Utility Rates, and Property Tax Levy) (Nov Mtg)
- Even Years:
 - Capital Improvement Program (CIP) Budget Kick-Off (2nd Mar Mtg)
 - Operating Budget Kick-Off (Mini-PS)
 - Preliminary Budget: Presentation & Distribution (1st Oct Mtg)
 - Preliminary Budget: Operating Budget Review (2nd Oct Mtg)
 - Preliminary Budget: Capital Improvement Program Review (1st Nov Mtg)
 - Preliminary Budget: Finalize Changes & Adopt Tax Ordinances and Fee Resolutions (2nd Nov Mtg)
 - Final Budget Adoption (1st Dec Mtg)

Fire Department:

- Summer Celebration Fireworks Display Permit (Q2)

Human Resources:

- Police & Police Support Collective Bargaining Agreements
- Fire Collective Bargaining Agreement
- AFSCME Collective Bargaining Agreement

Parks & Recreation:

- Arts Council Annual Report and Work Plan (Q2)
- Open Space Conservancy Trust Board Annual Report and Work Plan (Q2)

Public Works:

- Bid Awards & Project Close-Outs
- Public Hearing: Preview of 6-Year Transportation Improvement Program (Q2)
- Adoption of 6-Year Transportation Improvement Program (Q2)

Youth & Family Services:

- Interlocal Agreement with MISD for School Mental Health Counselors (Q3)

Proclamations

- Martin Luther King Jr. Day Proclamation (1st Jan)
- Black History Month Proclamation (1st Feb)
- Women's History Month & International Women's Day Proclamation (1st Mar)
- Sexual Assault Awareness Month Proclamation (1st Apr)
- Earth Day Proclamation (2nd Apr)
- Volunteer Appreciation Week Proclamation (2nd Apr)
- Building Safety Month Proclamation (1st May)
- Safe Boating and Paddling Week Proclamation (2nd May)
- Public Works Week Proclamation (2nd May)
- Parks and Recreation Month & Summer Celebration! Proclamation (1st Jul)
- National Night Out Proclamation (2nd Jul)
- Women's Equality Day Proclamation (1st Aug)
- National Recovery Month Proclamation (1st Sep)
- Emergency Preparedness Month Proclamation (1st Sep)
- Day of Concern for the Hungry Proclamation (1st Sep)
- Domestic Violence Action Month Proclamation (1st Oct)
- National Community Planning Month Proclamation (1st Oct)
- Veteran's Day Proclamation (1st Nov)



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

**AB 5471
September 4, 2018
Other Business**

DESIGN COMMISSION VACANCIES APPOINTMENTS	Action: Affirm the Mayor and Deputy Mayor's appointments to the vacant positions on the Design Commission.	<input type="checkbox"/> Discussion Only <input checked="" type="checkbox"/> Action Needed: <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution
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DEPARTMENT OF	City Manager (Deb Estrada) & City Council (Mayor Debbie Bertlin and Deputy Mayor Salim Nice)
COUNCIL LIAISON	n/a
EXHIBITS	1. McPherson & Soeprono Applications
2018-2019 CITY COUNCIL GOAL	6. Update Outdated Codes, Policies and Practices
APPROVED BY CITY MANAGER	

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

SUMMARY

In early June, Design Commissioners Susanne Foster and Tami Szerlip notified staff of their intended resignation in late August, early September. At the June 19 Regular Meeting, Mayor Bertlin notified Council that two Design Commissioners intended to resign, and that staff anticipated that new appointments would be made at the September 4 Regular Meeting. To meet that date, the following schedule was developed and followed:

Emails sent to past applicants	Monday, June 18
Vacancies advertised on Web/Weekly/MI Reporter	Website - Wednesday, June 20 MI Weekly - Wednesday, June 27 MI Reporter - Wednesday, June 27 & July 18
Application deadline	Friday, August 10
Recommendation and all applications forwarded to City Council	Thursday, August 16
Mayor and Deputy Mayor recommendation forwarded to City Clerk	Wednesday, August 23
Council affirms Mayor and Deputy Mayor's recommendations for appointments	Tuesday, September 4
Appointment and/or Thank you letters sent to all applicants.	No later than Thursday, September 6

Nine applications were received by the August 10 deadline. All nine applications were forwarded to City Council on August 16 for review. The Mayor and Deputy Mayor, in consultation with other Councilmembers, put forth a recommendation to appoint Claire McPherson and Thomas Soeprono (see attached applications as Exhibit 1). These two appointments fill the role of lay person on the Design Commission.

Design Commission Membership

The Design Commission purpose and membership is defined by [Chapter 3.34](#) of the Mercer Island City Code (MICC) and its role in land development is outlined in [Chapter 19.15.040](#) MICC.

RECOMMENDATION

City Clerk of behalf of the Mayor and Deputy Mayor

MOVE TO: Affirm the Mayor and Deputy Mayor's appointments of Claire McPherson and Thomas Soeprono to the City's Design Commission.



CITY OF MERCER ISLAND Advisory Board or Commission Application

I am interested in the following Board(s)/Commission(s):

- | | | |
|---|---|---|
| <input type="checkbox"/> Mercer Island Arts Council | <input type="checkbox"/> Open Space Conservancy Trust Board | <input type="checkbox"/> Community Advisory Board |
| <input checked="" type="checkbox"/> Design Commission | <input checked="" type="checkbox"/> Utility Board | <input type="checkbox"/> Senior (65 years or older) |
| <input type="checkbox"/> Mercer Island Library Board | | <input type="checkbox"/> Adult |
| <input checked="" type="checkbox"/> Planning Commission | | <input type="checkbox"/> Youth - Grade: _____ |

<p>Name <u>Claire McPherson</u></p> <p>Address <u>[REDACTED]</u> <u>Mercer Island WA 98040</u></p> <p>Email <u>[REDACTED]</u></p>	<p>Home Phone <u>[REDACTED]</u></p> <p>Cell Phone <u>[REDACTED]</u></p> <p>Work Phone <u>[REDACTED]</u></p> <p>Length of Residency <u>Since 8/14</u></p>
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(If you need more space, please attach additional sheets)

Please provide brief background information about yourself including job experience, education, hobbies, and special areas of interest:

I have lived in the Puget Sound area my whole life. After graduating from the University of Washington with two degrees - in Design from the School of Art and Accounting from Foster Business School - and a minor in African Studies from the Johnson School, I have worked for the past seven years as a forensic accountant specializing in construction litigation consulting with FTI Consulting in downtown Seattle. I am currently working on my CPA. After we married, my husband and I moved to Mercer Island in 2014. I enjoy reading and we like to get outside with hiking, biking around the Island, backpacking and camping.

What special skills or experience do you have to contribute to this particular board or commission?

As a consultant, designer and accountant I am acutely familiar with the project planning process, working on deadlines, budgets, and financial terminology. As member of the construction industry I have spent my career working with interpreting contracts and analyzing claims for both owners and contractors as well as providing damage analyses and working in conjunction with architectural and engineering professionals. As a younger working professional I can naturally take a longer term view with regards to sustainability and carrying on the suitability and livability of the Island for many years to come.

What community activities have you participated in during the past five years?

I have been the volunteer Communications Director for Christ Our Hope Catholic Church in downtown Seattle for the past 5 years and volunteer weekly with the Seattle Public Library Central Branch as an Adult Education tutor (since April 2017). I am a founding and active member in our Women's Initiative at my firm's Seattle office and a regular supporter, along with my husband, of many education and housing causes in the greater Seattle area including events like Seattle Works Day.

Have you previously served on one of our boards or commissions? Yes No **If yes, please explain:**

Why are you seeking appointment to this particular board or commission?

I am interested in becoming more involved with my community through a Mercer Island Board or Commission. I enjoy the community and have a vested interest in preserving the wonderful atmosphere for families. I would find it fascinating to learn more about the existing methodologies of the boards and contribute my personal and professional lens to the items Mercer Island is considering now and in the future.

Please submit your application via email to ellie.hooman@mercergov.org or mail to/drop-off at City Hall (9611 SE 36th Street, Mercer Island, WA 98040)

Questions? Please contact Deputy City Clerk Ellie Hooman at 206-275-7795 or ellie.hooman@mercergov.org.

Please be advised that personal information provided on this form may be disclosed to requestors under the Public Records Act (RCW 42.56).



CITY OF MERCER ISLAND Advisory Board or Commission Application

I am interested in the following Board(s)/Commission(s):

- | | | |
|---|---|---|
| <input type="checkbox"/> Mercer Island Arts Council | <input type="checkbox"/> Open Space Conservancy Trust Board | <input type="checkbox"/> Community Advisory Board |
| <input checked="" type="checkbox"/> Design Commission | <input type="checkbox"/> Utility Board | <input type="checkbox"/> Senior (65 years or older) |
| <input type="checkbox"/> Mercer Island Library Board | | <input type="checkbox"/> Adult |
| <input checked="" type="checkbox"/> Planning Commission | | <input type="checkbox"/> Youth - Grade: _____ |

Name	Thomas Soeprono	Home Phone	
Address	[REDACTED]	Cell Phone	[REDACTED]
	Mercer Island, WA 98040	Work Phone	
Email	[REDACTED]	Length of Residency	9 years

(If you need more space, please attach additional sheets)

Please provide brief background information about yourself including job experience, education, hobbies, and special areas of interest:

I earned a bachelors degree in architecture from the Univeristy of California, Berkeley. I went on to medical school at Loma Linda University followed by a residency in psychiatry at the University of Washington. At that time (2010) I purchased a condo on Mercer Island and have been happily living here ever since. I continued my education in psychosomatic medicine at UW which led to my current job as the director of transplant psychiatry at UWMC. My wife and I have two young boys whom we enjoy hikes, parks, and biking with here on the island. I am especially interested in city planning, urban design, and transportation.

What special skills or experience do you have to contribute to this particular board or commission?

I believe that my unique combination of education in design and psychology are aptly suited to help preserve Mercer Island's thriving community that serves a diversity of needs and demographics while providing a safe environment for residents and visitors alike. My design experience and passion for transportation issues will likely be useful as the Link rail prepares to connect to the east side through Mercer Island. But even great design is not complete if the reasons that the public behaves the way that it does is not fully understood. This is where my education in mental health and psychology can play a strong role in guiding design with the human scale and building community ties in mind.

What community activities have you participated in during the past five years?

I am annual participant and supporter in all the incredible festivals and activiest that Mercer Island has to offer each year including: Summer Celebration, Spring Egg Hunt, Mercer Island Half Marathon, Escape MI Triathlon, Holiday events, Summer Music in the Park. I am also a regular patron of the community center, community pool, and library. Most of all I spend plenty of time in the wonderful parks that Mercer Island has to offer. I would love the opportunity to share my expertise with the community that affords me such a wonderful life.

Have you previously served on one of our boards or commissions? Yes No If yes, please explain:

Why are you seeking appointment to this particular board or commission?

I hope to give back to the community through the use of my knowledge, passion, and effort. I hope that I can contribute to the Mercer Island community and maintain a bright future for my children and generations to come. I have a unique combination of skills and knowledge that I would like to make available to our community if there is an opportunity for me to help.

City Boards and Commissions require regular attendance of members to be able to conduct business. By checking the box, I am acknowledging that I have reviewed the meeting schedule for the boards or commissions I am applying for and confirm that I am committing to attend regularly scheduled meetings.

ARTS COUNCIL

Eleven members meet on the second Wednesday of each month at 6:30 pm at the Mercer Island Community & Event Center.

COMMUNITY ADVISORY BOARD

Twenty-four members meet on the fourth Tuesday of each month at 6 pm at the Community Center.

DESIGN COMMISSION

Seven members meet on the second and fourth Wednesday of the month at 7:00 pm in the Council Chambers at City Hall.

MERCER ISLAND LIBRARY BOARD

Seven members meet on the fourth Monday of Jan, Mar, May, Jul, Sep, & Nov at 6:00 pm at the Mercer Island Library.

OPEN SPACE CONSERVANCY TRUST

Seven members meet on the second Thursday of the month at 6:00 pm in the Council Chambers at City Hall (as needed).

PLANNING COMMISSION

Seven members meet on the first and third Wednesday of each month at 7:00 pm in the Council Chambers at City Hall.

UTILITY BOARD

Seven members meet on the second Tuesday of the month at 7:00 pm in the Council Chambers at City Hall (as needed).

**Questions? Please contact City Clerk Ali Spietz at
206-275-7795 or ali.spietz@mercergov.org.
Applications can be returned via email, dropped off or mailed to
City Hall at 9611 SE 36th St Mercer Island, WA 98040.**