

STEPHEN C. FORMAN  
7722 19<sup>TH</sup> AVENUE NORTHEAST  
SEATTLE, WASHINGTON 98115  
206.524.1988 · FAX 206.524.2254  
sforman@nwrain.com

**April 13, 2000**

**Memorandum**

**TO: Mercer Island City Council**

**FR: Steve Forman, Retreat Facilitator**

**RE: Retreat Follow-up and Summary**

Thanks again to you all for a stimulating, challenging weekend!

From my interviews with all of you, a reminder of the three major retreat intentions:

- ❑ The retreat as a vehicle for the development of the Council work plan for year 2000;
- ❑ The retreat as a means to clarifying how you perceive your role as a) an individual council member and b) as members of a larger group of 7 people;
- ❑ The retreat as a chance for individuals to be clear about interests and intentions with respect to the key issues.

The volume of content described below is ample evidence of solid success on all counts!

**I. The Council looks back on last year's retreat outcomes and reviews progress in 1999** (Saturday morning)

Projections. As requested by Council members during the 1999 retreat, City Finance Director Joanne Sylvis did prepare projections that assumed more aggressive sales tax growth rates, rather than the conservative model she has used historically.

Property Ownership. The Council requested an analysis of property ownership statistics that distinguished residential, non-residential and tax-exempt properties. This was provided during 1999.

Parking Issue. The Council reviewed the issues of parking supply and demand as part of several Council study sessions during 1999.

Trees and the Environment. The Council used 1999 to begin a discussion of principles and values regarding the preservation of trees and the environment. Based on the framework of principles and values outlined by Council, the Natural Resources Task Force presented a proposal on tree preservation as part of a supplement to the City's Comprehensive Plan.

City/Schools Community Summit. From a discussion of ways to enhance the Council's communication with the public, the only agreement about external communication was that Staff and Council would create a proposal for a City/Schools Community Summit and include it as a well-developed agenda item for the next City/School meeting. Subsequent to this agreement, City/School District communications have focused on a number of specific issues that have been addressed in discussions between representatives of the City and the School District about areas that affect common interests.

Community Center. Staff engaged a consultant to study the feasibility of a capital fundraising campaign for a Community Center, and recently made an interim report to Council.

City/Schools Relationship. Representatives of the City and the School District have developed a draft written joint resolution that addresses the broader relationship between the City and Schools. In addition, the City and school representatives have developed a draft vision and agreement on facilities scheduling which, once implemented fully by both parties, will address and resolve outstanding facility maintenance issues. The draft agreement appears to be generally satisfactory, but agreement language is still under review. .

Furthermore, the City has purchased the scheduling software necessary for implementing the vision (and remain consistent with the draft resolution), and plans to move forward on implementation. If the agreement with the School District is implemented as envisioned, the two entities will have an effective mechanism for joint scheduling and the creation of community access to all facilities.

Facilities Demand. The City's grant proposal to fund an assessment of facilities demand and capacity was denied. In light of the magnitude of work required on the trees and environment issue, Staff has deferred further work on facilities demand. A new Parks and Recreation Director will soon join City Staff and should be involved from the beginning in further assessment of the demand and capacity for athletic field use.

Affordable Housing. During 1999 City Manager Conrad asked and received Council approval of a one-time contribution to the ARCH Trust Fund from which the preservation of Ellsworth House was authorized and partially funded.

## **II. The Council discusses what it means to be a member of the Mercer Island City Council (Saturday morning)**

The Issue: How can Council members with differing views work effectively together?

- What is the appropriate role of Council members in advocating for specific outcomes?

- What should the relationship be between Council and Staff?
- How should Council business be most efficiently conducted?

First, Council members recognized that agreement over every issue is neither likely nor necessary, and that Council members will always be discussing their positions and beliefs throughout the community. Council members agreed, however, on the need to clearly state when they are expressing personal opinions in conversations outside of Council sessions.

Second, If a constituent should approach a Council member to ask for specific action (especially relating to land use), it is appropriate to explain that there is a process for resolution, to ask Staff about the process, or to direct the constituent to the relevant Staff member. Council members should avoid expressing an opinion about what the outcome of the request should be.

Third, as for Council interactions with Staff, all confirmed that it is the City Manager's responsibility to manage the work of Staff. It is also the Staff's responsibility to protect against any hindrance in Council's ability to hear appeals from the public about any issue.

Fourth, the Council agenda setting process was discussed. Mayor Merkle explained that Council members may bring items to him or to City Manager Conrad to be added to Council agenda. Items may also be added to the planning agenda considered at the end of Council meetings.

Conrad encouraged Council members to communicate such issues to him so that he can determine the best way to add these issues to the agenda. Staff may not have had an opportunity to investigate the issue, but may want to ask for Council discussion first, even if debate or decision is not appropriate at the time.

Finally, the Council discussed how to create greater clarity regarding the liaison role with boards and commissions

Three broad roles were identified:

- a) listening to board or commission discussion and reporting back to Council on issues and movement on issues;
- b) informing the board or commission what issues Council is generally interested in;
- c) giving guidance from the Council to a board or commission on specific issues.

Council members opposed issuing directives about outcomes, but noted that members could offer input into the work of the board or commission. From time to time, Council members may learn of board or commission initiatives outside the original charge from Council and can confirm whether Council is interested in these new directions.

- Agreement #1: Council members are in agreement about the following guidelines for Council member conduct:
- a. No Council member has portfolio to speak for the Council unless specifically authorized to do so.
  - b. Any Council member taking part in a business interaction the City may have with another agency or entity must clarify that any opinion expressed is his or her own. No member may speak in the name of the Council unless with the Council's approval. However, Council members may agree to take specific issues or requests to the Council.
  - c. When responding to a public issue or demand, Council members should not make any statements of opinion or commitment about outcomes, but should refer others to the City's existing processes for addressing the issue. Council members may offer to refer questions or requests to appropriate Staff.

- Agreement #2: Council members are in agreement about the following guidelines for conduct of Council meetings:
- a. The Council will use an informal mode of address among members, observing respect for the positions and the individuals who hold them. Staff will address Council formally, and Council may address Staff informally.
  - b. The Mayor has the authority to lead Council meetings as he sees fit. Mayor Merkle will attempt to provide each person time to speak, but will close discussion if he believes it warranted.
  - c. The Mayor will exercise his discretion in allowing individuals to speak during the Appearances section of Council meeting on subjects that may or may not relate to items on the published agenda. Any change in the procedure for appearances will be announced.

- Agreement #3: Council members have a fair amount of flexibility both with respect to a) their involvement in the content of board and commission proceedings and b) in insuring the smooth flow of information between the Council and the various boards and commissions.
- a. Council members will clearly state that they have no authority to comment on possible, general Council positions with respect to various issues.

**III. The Council considers policy with respect to preservation of trees and natural resources (Saturday afternoon)**

The Issue: Up to 1999, City codes dealing with land clearing were an uncoordinated collection of regulations that had been put in place one at a time over a 25- or 30-year period, none with comprehensive natural resource preservation in mind. Based on individual readings of the codes, the staff approach to requests and questions about land use could be inconsistent, and there was very little practical enforcement available for code violations short of criminal prosecution.

In 1999, Council authorized staff to undertake a comprehensive review of all ordinances. Staff compiled all regulations into the Interim Tree Ordinance approved in July 1999. The Ordinance now governs how tree protection and land clearing is managed on Mercer Island.

The existing Interim Tree Ordinance makes very few changes to the regulations formerly in place. The changes are:

- 1) A permit is required to cut on public land, undeveloped lots or steep slopes. There are no regulations with respect to private property except steep slopes.
- 2) To be granted a permit to cut on steep slopes, undeveloped lands, or public lands, an applicant must commit to plant five trees for every one cut.
- 3) In response to abuses that occurred under the ordinance, during the interim, Staff also proposed allowing the removal of diseased trees or pruning by permit only.

During this last few years, a significant number of people have been worried that the Island was possibly losing its tree canopy, and have advocated establishing guidelines or policies to govern development and natural resources management (including private lands) on Mercer Island. In 1999, a Tree & Natural Resources Task Force was charged to research possible ways to govern development on the Island.

The Task Force submitted a proposal to the Planning Commission for an addition to Mercer Island's Comprehensive Plan dealing with natural resources. The Planning Commission recommended against including the provision in the Comprehensive Plan and Council took no further action.

In discussion, Council members expressed varying opinions about what the next steps should be with respect to the Ordinance. The Ordinance was written to expire in July 2000 because Staff and Council believed it would be replaced by a permanent ordinance.

In discussion, the following points were raised:

- Although a number of citizens feel very strongly that preservation of Mercer Island's tree canopy should be addressed, very few believe the City should take any action that would affect already developed private property.

- The Task Force included both builders and preservationists so that different interests could be heard. The Task Force concluded that there is reason for concern about changes in the essential character of Mercer Island, as well as issues with respect to management of public spaces. The Task Force heard testimony that trees are not being kept healthy on public lands, and recommended adoption of guidelines with respect to preservation of public lands.
- Opinions differ about the definition of the “desired character of the Island”, and about the need for further regulation. There is concern on the part of some citizens that new policy will affect both public and private property.

Request: Council members asked that Staff inquire more fully into the process by which a tree is judged to be diseased, and the method for measuring the degree of slope.

Agreement #4: City Manager Conrad will place the following items on the agenda for a Council study session:

- a. Discussion of what specific direction Council should give staff with respect to the Interim Tree Ordinance
- b. Refinement of the four areas in the Interim Tree Ordinance that require further review:
  1. Exemptions
  2. Replacement criteria
  3. City Arborist review
  4. Tree cutting and pruning
- c. Development of a process for managing the trees on public lands (including private views)
- d. The consideration of whether to convene a Task Force to work on the public lands element of the issue

#### **IV. The Council discusses action on the Community Center in the next year (Saturday afternoon)**

The Issue: A study of the feasibility of a capital fundraising campaign for a Community Center is midway toward completion. Staff asked Council for discussion and guidance on a course of action with respect to the Community Center for the year.

The Council agreed that the Community Center is not the highest priority at present. There are a variety of ways to approach the issue, including first considering what funding might be available and at what levels. Mayor Merkle asked Staff to return to the consultant for information about the current funding climate and what level of information specificity concerning the project scope they would need to test the feasibility of private fundraising.

Agreement #5: Mayor Merkle will work in consultation with Council and Staff to convene and charge a Work Group in the coming year.

**V. The Council discusses issues pertaining to downtown parking, Park & Ride lots and general issues affecting the Central Business District (CBD)**  
(Saturday afternoon)

*The Issue:* Assistant City Manager Symmonds reported that the CBD Subcommittee is in discussions with Sound Transit about adding parking spaces in the Sound Transit facility to be designated for Mercer Island residents only. Sound Transit is receptive to such a plan under the assumption that Mercer Island would pay the incremental costs above and beyond the engineering work to add additional spaces. A preliminary engineering study is under way and Sound Transit will report in a letter to the CBD Subcommittee and Council about estimated costs and approaches to the project.

Council approved a recommendation that downtown parking not be restricted until supply is increased. Interim commuter parking may be added to the south parking lot at Luther Burbank Park.

If King County wishes to proceed with the parking lot proposal, it would be required to apply for a conditional use permit. County Staff estimates that the interim commuter parking would be needed for approximately two years, with the South Transit parking garage estimated to be complete in about the same amount of time.

A Parking Committee comprising downtown interests will be formed to advise on parking issues (e.g., time restricted parking, hiring a parking enforcement officer) to the CBD Subcommittee. The Subcommittee is well placed to continue work with Sound Transit on the terms of adding designated spaces to the new facility.

Agreement #6: The CBD Subcommittee will be charged to work with Sound Transit and report to Council.

**VI. Council members express opinions on priorities with respect to City services** (Saturday afternoon)

*The Issue:* Assistant City Manager Symmonds introduced a set of exercises to allow the Council to express opinions on the current mix of revenues and expenses and the level of City services. The intention was to review expectations of revenue, current policy on tax revenues, and thoughts on the current level of City services and how they are funded.

As a part of the introduction, City Manager Conrad also called attention to a list of potential service reductions that may be required because of declines in revenue

stemming from I-695. Staff asked Council members to indicate their opinions about how service priorities should be set, based not on technical feasibility, but on considerations relating purely to service and need.

Upon review of the list of potential service reductions, Council members noted that they would need more information to draw any conclusions about priorities. It was also pointed out that citizens might be willing to explore sources of revenue to maintain some specific services that they particularly value.

The exercise served as an opportunity to review Council members' broad philosophies. The following broad ideas emerged:

- Whether the City will reduce the service mix is dependent on revenue.
- There is willingness to continue to raise property taxes, but only if service priorities warrant.
- The City may use the existing mix of services as a baseline, but should be prepared in the budget development process for the Council to reallocate existing resources to new initiatives.

**VII. The Council considers strategies to make information known to the community and to encourage citizen communication (Sunday morning)**

*The general issue of Citizen involvement:* There is a certain amount of miscommunication and misinformation among the public about City and City Council processes, and these misconceptions are difficult to correct. The City needs ways to present factual material about City government and specific issues in a form easily accessible for citizens. Members of the general public are unlikely to become involved in government unless they are informed about or attracted by an issue (e.g., through leaflets or a web site) because they don't have sufficient knowledge of the processes by which issues are resolved.

As a primary vehicle for improving citizen involvement and communication, Council members expressed interest in further development of the City's web site as the budget permits. It was noted that citizens will use the web site to answer questions about City government and possibly respond interactively to issues posted on the site.

The existing web site is maintained by the City Clerk's office as permitted by available time. As part of the 2001-2002 Budget process, a proposal for enhanced web management will be developed whereby routine responsibilities of the office may be reassigned to permit a greater role as a public information office.

City Manager Conrad suggested a representative of National Information Consortium (NIC) might visit Council in a study session or special meeting to brainstorm how best to implement web services for Mercer Island. NIC is a national technology company

focused on providing web services. While NIC's traditional market has been state government, it now has a new effort aimed at local governments.

Agreement #7:

- a. City Manager Conrad is authorized to invite a representative of National Information Consortium to a Council study session or special meeting to brainstorm implementation of web services in Mercer Island. Conrad will provide a list of web sites illustrative of what other governments have done.
- b. After meeting with the NIC representative, Council will conduct a strategic planning discussion before exploring additional public involvement techniques.

*The Issue: More general citizen input:* Mayor Merkle raised the question of how to create opportunities for citizens to ask questions directly of Council or to communicate their concerns. He proposed two possible avenues: instituting quarterly town meetings at which citizens could talk with the Mayor and perhaps City Council members; and changing the structure of appearances at City Council meetings.

In discussion, Council and Staff members acknowledged that earlier efforts have met with varying degrees of community interest. A lack of information about government process may lead citizens to believe that the Council is not responsive to their questions and concerns. Providing Council members an opportunity to respond briefly to appearances within Council agenda may be helpful.

Agreement #8:

- a. The Mayor will announce and begin the process of instituting quarterly town meetings, advertising that the Mayor and two Council members will attend at a location as announced.
- b. Council members will join the Mayor on a rotating basis, so that all Council members will participate in at least one town meeting per year.

Agreement #9:

- a. The Mayor has the discretion to deal with public appearances as he sees fit.
- b. The general procedure proposed for agenda bill items:
  1. Staff presentation (Council will ask clarifying questions only)
  2. Opportunity for public comment on Staff proposal
  3. Council questions of staff
  4. Council discussion

**VIII. The Council discusses Mercer Island's relationships with State and Regional governments (Sunday morning)**

*The Issue:* Mercer Island is in a strategic location vis-à-vis governmental entities on either side, and historically has had a high level of participation in regional issues, being viewed as a stable entity and in a leadership position. Continuing this involvement will serve Mercer Island interests, especially as the City cultivates connections with legislators and others to educate them on issues of interest to Mercer Island.

Council member Clibborn cited the value of involvement in discussions among suburban cities. She cautioned that the City not become too linked with any one particular element or interest.

Agreement # 10:

- a. The Council reconfirms the importance of participation in regional issues, as stated in the City's Vision Statement.
- b. Council will schedule a regular six-month report on Council members' participation in regional issues.
- c. Council affirms that the work of Council should remain focused on issues of importance to Mercer Island.

**IX. The Council hears status reports and briefly discusses other issues of concern (Sunday morning)**

*Citizen of the Year Award.* Council agreed that the spirit of the award requires a candidate who all Council members support and feel good about. Detailed and complicated discussion led to agreement that there were no candidates this year who met this fundamental requirement.

Agreement #11:

- The selection process is tabled until next year. As part of planning for next year's process:
- a. Council will consider new methods of selection (e.g., written nominations circulated among Council before the retreat).
  - b. Council member Clibborn will research the historical background of selections in past years and report to Council.
  - c. City Manager Conrad will continue to support the Council's long-standing practice to recognize citizens in other ways during Council meetings.

*City/School Relationships.* Council will have an opportunity to review the joint resolution on cooperation and collaboration now being negotiated between the City and the School District and will be asked to consider its approval. Council member Blake recommended

adding the issue of the timing of bond issues to the agenda for the semi-annual meeting between the City and the School District.

Agreement #12: City Staff will provide Council a draft or outline of the proposed resolution with the School District.

Customer Service. Council member Goldmanis emphasized that responses by all City staff to citizens should continually reflect the understanding that government serves the people.

School Bus Safety. In response to safety concerns about school buses turning south on Island Crest Way, Assistant City Manager Symmonds reported that a six-year transportation improvement plan will include improvements to Island Crest Way south of 53<sup>rd</sup>. The City and School District have jointly conducted a design study of traffic circulation at Island Park School. The results of the study will be presented to School District staff and then to Council.

Agreement #13: City Staff will investigate options and report to Council on short-term measures to alleviate safety concerns about left-hand turns by school buses onto Island Crest Way.

Southend Fire Station. Council members had questions about the need to maintain the Southend fire station with personnel trained in both fire suppression and emergency medical response.

City Manager Conrad did agree that upgrades in building codes in the past 50 years have effectively reduced the number of fires. However, it is unlikely that attempts to replace firefighters with less expensive medical personnel at the station is feasible. The second fire station was established in response to concerns about a structure fire on the Southend during the early 1980's. Subsequent Councils have added to staffing in the Fire Division to improve its ability to respond to simultaneous calls, which have increased in large part because the population has aged. For example, an increasing number of assisted living facilities do not have medical staff on site, and the City provides a form of low-level response service to retirement homes and the older population.

Agreement #14: Staff will provide statistics to Council about the number and types of responses from the Southend fire station. Council will consider the question at a later time.

Authority of Planning and Design Commissions. Council member Jahncke questioned the level of authority of planning and design commissions. There is concern that citizen

complaints which might be quickly resolved become major issues when referred to a commission.

Agreement #15:

- a. Staff will meet with Council members to provide information about the work of commissions, their authority, and the reasons behind their work.
- b. During 2000, the Council will consider whether the Boards and Commissions process itself needs modifications.

*Parks and Recreation Director Retirement.* City Manager Conrad noted that Parks and Recreation Director Gary Feroglia is retiring this year, having served with the Department since the mid-1970's. Feroglia has been instrumental in designing and creating Mercer Island's park system, a legacy he will leave behind. Conrad asked whether Council would consider naming a park or other space in Feroglia's honor upon his retirement.

Agreement #16: The Council supports the intention of naming a park or other space in honor of Gary Feroglia upon his retirement as Parks and Recreation Director with Mercer Island. City Manager Conrad will confer with Council members Clibborn and Blake and return to Council with recommendations on location and planning.

**X. The Council summarizes priorities among work items for the year**  
(Sunday morning)

1. Fiscal responsibility drives all other issues and responses. Service levels are to be matched to the revenue budget, and the budget is to be revenue-driven.
2. Under that overarching standard, tasks are to:
  - Determine what to do with Community Center
  - Conduct further work on park and ride and other transit center issues
  - Explore the community involvement enhancements that have been identified, including Web site expansions
  - Continue the trees & natural resources study and clarification process
3. Staff will develop a summary of costs associated with each of these tasks.
4. Revenue-neutral items will proceed.

**List of Retreat Participants**

Alan Merkle	Mayor
Susan Blake	Council Member
Bryan Cairns	Council Member
Judy Clibborn	Council Member
Sven Goldmanis	Council Member
Dan Grauaz	Council Member
El Jahncke	Council Member

City Staff:

Rich Conrad	City Manager
Deb Symmonds	Assistant City Manager

Consultant	Steve Forman
Assistant	Gretchen Reade