

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Extended Study Session

March 24, 2008
6:00 p.m.

Council Conference Room
Bellevue, Washington

PRESENT: Mayor Degginger, Deputy Mayor Balducci, and Councilmembers Chelminiak, and Davidson

ABSENT: Councilmembers Lee and Noble

1. Executive Session

Deputy Mayor Balducci called the meeting to order at 6:00 p.m. and announced recess to Executive Session for approximately one hour to discuss one matter of labor negotiations, one item of property disposition, and the qualifications of candidates for the vacant Council seat.

The meeting resumed at 6:55 p.m., with Mayor Degginger presiding.

2. Oral Communications: None.

3. Study Session

(a) Council Business and New Initiatives

(1) Council Vacancy

Mayor Degginger commented on the challenge of selecting a person to appoint to the vacant Council position due to the experienced and impressive pool of applicants. He reviewed the procedure to be used for nominations and voting, and opened the floor to nominations.

Deputy Mayor Balducci nominated Patsy Bonincontri to fill the vacant Council position.

Councilmember Davidson nominated Mike Creighton.

Councilmember Chelminiak nominated Jennifer Robertson.

Councilmember Noble nominated a placeholder to fill the position to complete the unexpired term, with the condition that the person will not run for re-election. He nominated Mike Creighton to serve as the placeholder.

Mayor Degginger ruled that Mr. Creighton had already been nominated, and that nominating him as a placeholder was out of order. Seeing no further nominations, Mayor Degginger declared the nominations closed.

Ms. Bonincontri received three votes in favor (Mayor Degginger, Deputy Mayor Balducci, and Councilmember Lee) and three opposed (Councilmembers Chelminiak, Davidson, and Noble).

Mr. Creighton received two votes in favor (Dr. Davidson and Mr. Noble) and four opposed.

Ms. Robertson received one vote in favor (Councilmember Chelminiak) and five opposed.

Mayor Degginger declared a brief recess. The meeting resumed at 7:20 p.m. Responding to Mayor Degginger, there were no further nominations.

Councilmember Noble commented on the highly qualified pool of candidates. He described his reluctance to appoint a Councilmember that has not been chosen by a vote of the people. He is comfortable with appointing Mr. Creighton as he was elected by residents in the past to serve on the Council. Mr. Noble believes that the individual appointed to the position should not seek re-election following the fulfillment of the unexpired term, as this provides an advantage to the appointee in the upcoming election.

Councilmember Lee commented on the impressive pool of candidates and Council's difficulty in reaching consensus. He understands Mr. Noble's concerns regarding the selection of a person who was previously elected by Bellevue's citizens. Mr. Lee noted his interest in providing balance within the Council in terms of gender, ethnicity, and overall life experience as these qualities relate to a person best serving the public. He feels Ms. Bonincontri provides this balance.

Noting the strong initial pool of 21 candidates, Councilmember Chelminiak thanked Councilmembers for their careful consideration of the selection process. He praised Ms. Bonincontri's work on the Planning Commission, as well as Mr. Creighton's past service as Mayor and Councilmember. However, he supports Ms. Robertson at this time, in part based on an interest in diversifying the gender makeup of the Council. While gender should not rule any candidate out, no one meets all of the qualifications and gender is therefore one of many criteria to be considered. Ms. Robertson serves on and chairs the Planning Commission. She was appointed by the Council to co-chair the Light Rail Best Practices Committee, which is critical to Council's input into regional light rail planning and ultimately to Bellevue's future. Ms. Robertson is actively involved in schools and her neighborhood association as well.

Dr. Davidson shares Mr. Noble's interest in selecting a candidate that was previously elected by the people. In looking at the major issues for the next couple of years, Dr. Davidson noted Mr. Creighton's recent service as co-chair of the Bel-Red Steering Committee. He feels Mr. Creighton's extensive knowledge of and experience with the City's budgeting process would be

a valuable asset in the mid-biennium budget process occurring this year. Dr. Davidson noted Mr. Creighton's interest in completing the current unexpired term but not in running for re-election, which leaves the future selection of a Councilmember to the electorate.

Noting the impressive experience and dedication of the applicants, Deputy Mayor Balducci is confident that the community will be well served by any of the candidates. She feels Ms. Bonincontri's experience as an immigrant and someone who has lived around the world would be an asset. Her professional expertise as an architect and designer would be beneficial to planning activities including redevelopment of the Bel-Red corridor. Ms. Bonincontri serves on Sound Transit's Citizen Oversight Panel as well.

Mayor Degginger praised the candidates and their qualifications and commitment. All are outstanding individuals who would serve the community well.

Mr. Degginger called for a second vote on the three nominees.

Ms. Bonincontri received three votes in favor (Mayor Degginger, Deputy Mayor Balducci, and Councilmember Lee) and three opposed (Councilmembers Chelminiak, Davidson, and Noble).

Mr. Creighton received three votes in favor (Mayor Degginger and Councilmembers Davidson and Noble) and three opposed.

Ms. Robertson received two votes in favor (Mayor Degginger and Councilmember Chelminiak) and four opposed.

Mayor Degginger suggested moving forward with the meeting agenda and returning to this item at the end of the meeting. Councilmembers concurred.

(b) Regional Issues

Paul Inghram, Comprehensive Planning Manager, introduced Robin McClelland and Charlie Howard from the Puget Sound Regional Council (PSRC), who are involved in the Vision 2040 Update to the Vision 2020 Plan. PSRC's Growth Management Policy Board recommends adoption of Vision 2040, which goes to the Executive Board on March 27. Following the Board's action, the plan will be forwarded to the PSRC General Assembly for consideration.

Ms. McClelland thanked Councilmembers for their service on PSRC boards and committees. She reviewed the public involvement activities associated with the Vision 2040 update process, which included three formal written comment periods. The plan focuses on people, prosperity and the planet, and represents an integration of growth management, transportation, economy, and environmental issues. Implementation involves 68 actions to carry out the Regional Growth Strategy and Multi-county Planning Policies, as well as 20 measures to monitor progress and assess results.

The PSRC Executive Board is expected to approve the Vision 2040 plan this week for recommendation to the General Assembly, which is scheduled to take action on April 24. The Final Environmental Impact Statement (FEIS) will be released the first week in April.

Councilmember Noble is pleased to see that the plan includes language articulating that resources will be allocated to areas that are accommodating the growth. He hopes this concept will be implemented more fully than it has in the past.

Deputy Mayor Balducci commended the extensive work behind updating the previous plan to create the Vision 2040 plan. She thanked PSCR for considering and incorporating the interests of Bellevue and other local jurisdictions. Ms. Balducci is pleased with efforts to streamline and reduce the number of policies. She looks forward to seeing the outcome of this effort.

Councilmember Chelminiak feels the addition of the housing element is important in terms of overall planning, particularly in planning for different types of housing for the future. He commended Mr. Inghram's work with PSRC staff and the City Council throughout this effort.

Mayor Degginger thanked the planning team for careful attention to ensuring the plan is based on accurate data and assumptions that are supported by all affected entities. He likes the inclusion of a sustainability perspective in terms of transportation infrastructure, land use, water supply, and other regional elements.

Ms. McClelland recognized Connie Marshall's role as Chair of the Growth Management Policy Board at the beginning of the Vision 2040 update process. She hopes Mrs. Marshall will be able to attend the General Assembly meeting, and she thanked the Council for their support of this work.

Moving to the next topic, Deputy Mayor Balducci noted her employment with King County related to jail operations. She recused herself from participating in Council discussion of this issue, but will return for the remainder of the agenda.

Diane Carlson, Director of Intergovernmental Relations, noted the briefing in Council's meeting packet providing an update on the jail planning feasibility study and the March Jail Oversight Assembly meeting. She noted ongoing discussions between multiple jurisdictions and both King County and Yakima County about the potential for extending current contracts. The Yakima contract expires in 2010, and the King County contract for jail services expires in 2012. King County has said it cannot guarantee jail capacity beyond 2012. Discussions continue with Yakima County regarding the capacity for jail services beyond 2010.

The North and East King County cities have issued a request for proposals (RFP) for a consultant to conduct a feasibility analysis of jail needs. The North/East County cities will present to the Jail Oversight Assembly its recommendation to proceed with a feasibility analysis of two options: 1) 640-bed jail, and 2) 200-bed jail. A third option for a larger facility that would have also housed some King County inmates was discussed in November. However, King County has since determined it does not wish to participate in a regional feasibility study with the cities. The cities recommend eliminating consideration of this third option.

Ms. Carlson referred to page 3-11 of the meeting packet for details on the feasibility study. Bellevue's additional assessment related to the study is estimated to be approximately \$13,000-26,000. Staff is seeking Council input regarding the proposed feasibility analysis. Ms. Carlson noted that proceeds from the sale of previously designated jail property will assist all cities in funding the study. The Jail Advisory Group (staff group representing cities) recommends that all

North and East County cities receive an assessment for participation in the feasibility analysis. The 640-bed option includes the City of Seattle, which is excluded in the 200-bed option. The first phase of the feasibility analysis would provide a preliminary capital and operating costs estimate. The second phase would conduct additional design and site analysis.

A second item to be discussed by the Jail Oversight Assembly is identifying a method for distributing the proceeds from the jail property sale. Staff is seeking input on both of these issues. The Assembly asked the JAG to identify a number of factors as a potential basis for distributing the funds. The money must be used to address cities' demand for jail beds, either through construction or contracting for services.

Ms. Carlson responded to questions of clarification.

Councilmember Noble expressed support for moving forward with the feasibility analysis, and for basing the distribution of property sale proceeds based on the assessed valuations of participating cities.

Responding to Councilmember Lee, Ms. Carlson said the assessment of fees for the feasibility analysis is based on each city's population. As an alternative, Mr. Lee suggested basing the assessment on each city's jail population. Ms. Carlson explained that JAG participation costs are based on a combination of population and jail bed figures. She noted there is a strong correlation between overall population and jail population for any given city, and overall population is a more reliable figure to use as a basis for assessments.

Mayor Degginger commented on the issue of a distribution method for property sale proceeds. He noted that assessed valuation was the basis for the property tax when the property was purchased. Mr. Degginger feels that criteria such as average daily jail population is irrelevant in terms of how the original property purchase was funded. He said a compromise discussed at the last JAG meeting was using assessed valuation and average daily jail population as a basis for distributing sale proceeds. The other alternatives considered resulted in approximately the same split in the distribution of sale proceeds.

Mayor Degginger noted Council support for proceeding with the feasibility analysis, and for recommending the use of both assessed valuation and average daily jail population as the basis for the distribution of jail property sale proceeds.

Joyce Nichols, Utilities Policy Advisor, noted packet materials beginning on page 3-19 related to an update on the activities of the King County Flood Control Zone District. Staff is seeking Council input on how the Subregional Opportunity Funds should be allocated, in advance of the April 4 FCZD Advisory Committee meeting. Option 1 allocates the Subregional Opportunity Fund back to each jurisdiction based on its assessed valuation. Under this approach, Bellevue's share would be approximately \$286,000 in 2008. If the floodplain cities were removed from the calculation, potentially another \$400,000 could be distributed among remaining jurisdictions. Allowable uses of the funds include flood control, watershed management, water supply, water quality, and water resource and habitat protection. Staff recommends Option 1 because it preserves some level of local control over the use of funds and provides a stable source of funds for local programs.

Following comments from the Council, Mayor Degginger noted a consensus in support of Option 1.

Alison Bennett, Utilities Policy Program Manager, recalled the briefing to Council last week by the Cascade Water Alliance. Staff is seeking Council action to authorize Bellevue's representative to the Cascade Water Alliance Board to support the Lake Tapps acquisition. The Board meeting is scheduled for March 26.

→ Deputy Mayor Balducci moved to authorize Bellevue's representative to the Cascade Water Alliance Board to support the Lake Tapps acquisition. Councilmember Chelminiak seconded the motion.

Responding to Councilmember Noble, Mayor Degginger clarified that the motion authorizes Bellevue's representative to vote in favor of the Lake Tapps acquisition. The purchase documents will be signed by Cascade Water Alliance officials.

Mr. Noble expressed concern regarding unresolved settlements with the Tribes and other litigation issues.

Mayor Degginger commented that while there is some risk, it is thought to be manageable at this point for a number of reasons. The State Department of Ecology is expected to reissue the water right, and it is anticipated that the terms of the water right will be consistent with flow provisions discussed with the Tribes. The Tribes are actively negotiating with CWA regarding flows and regional fishery enhancements.

Mr. Noble said he will support the motion. With the complexity of issues involved, he urges CWA to resolve all outstanding issues before signing the purchase documents.

→ The motion to authorize Bellevue's representative to the Cascade Water Alliance Board to support the Lake Tapps acquisition carried by a vote of 6-0.

Mike Doubleday, lobbyist, referred Council to the state legislative update beginning on page 3-25 of the packet, and responded to brief questions. Mayor Degginger noted the critical need for transportation funding.

Ms. Carlson briefly reviewed the draft letter to federal legislative delegates in Council's desk packet, which encourages full funding of the Energy Efficiency and Conservation Block Grant program.

Councilmember Lee noted support for the program by the National League of Cities. He suggested copying the NLC on Bellevue's letter to its delegates.

Mayor Degginger noted Council approval of the draft letter.

Ms. Carlson referred Council to additional briefings on regional forums in the meeting packet, and responded to brief questions.

Councilmember Chelminiak noted discussions within the Regional Transit Committee regarding advertising at bus/transit stops, and requested information regarding the implications related to Bellevue's Sign Code. Ms. Carlson said Metro Transit invited the City to participate in a pilot advertising program. Bellevue staff indicated a willingness to discuss the proposal, which will include a review of the Sign Code as it relates to the pilot program.

Ms. Balducci noted that the Light Rail Best Practices Committee is leaning toward a recommendation against the use of advertising at transit stops, based on the practices of other light rail systems.

Mr. Chelminiak said his concern relates primarily to the use of signage in the public right-of-way.

(c) Budget Calendar

Finance Director Jan Hawn provided an overview of the City's budget process. Staff intends to build from the Council's long-range financial planning work last year throughout the process. Initial discussions will address policy and framework issues related to the operating and capital budgets. Council's feedback will be incorporated into budget development. Budget deliberations will begin in October, with budget adoption to occur in December.

Ms. Hawn reviewed the budget calendar:

- Budget framework and overview discussions – March 24, April 14, May 5, 12, and 19.
- Financial forecast presentations – April 14, June 9, and November 3.
- Budget workshops – July 14 and October 13.
- Public Hearings – May 19, July 21, and November 17.
- Budget Deliberation – October 27, November 3, 10, 17, and 24.
- Budget Adoption – December 1.

Mayor Degginger noted Council consensus to proceed with the schedule as presented by staff.

Mayor Degginger declared a brief break, and the meeting reconvened at 9:08 p.m.

(d) Update on Crime Statistics

Police Chief Linda Pillo recalled that Bellevue was recognized in 2006 as the safest city in the Pacific Northwest. As an example of the Police Department's work, she related a story in which the recovery of a motorcycle stolen from the Harley Davidson dealership in Bellevue led to the additional recovery of approximately \$800,000 worth of stolen property including a boat, jet ski, motor home, Jeep, and a trailer, all of which were stolen from Hurricane Katrina victims.

Chief Pillo reviewed 2005-2007 crime statistics. There were no murders in 2007. Rape, robbery, and aggravated assault incidents all decreased. Property crime rates decreased in all categories (burglary, theft, motor vehicle theft, and arson). Chief Pillo described the creation of a Special Enforcement Team to address car crimes. This team's work with neighboring police

departments and the King County Prosecutor's Office has resulted in a significant reduction in car crimes (thefts and break-ins).

Chief Pillo acknowledged the critical role of citizens, Police Department volunteers, City staff, and the City Council in holding public safety as a top priority.

(e) Red Light Camera Analysis

Captain Mike Johnson provided an update on the proposed photo enforcement traffic safety program. The Police Department requests a one-year pilot program involving up to six intersections and three school zones. More than 250 U.S. cities are using red-light camera enforcement, and research indicates a reduction in serious injury accidents as well as the overall number of collisions.

The Police Department has worked with the Transportation Department to identify the most appropriate intersections for introducing this technology. Examples of performance measures for the pilot program include the number of collisions citywide and at monitored approaches, the number of injury collisions, the total number of red-light citations issued, and the number of rear-end collisions. The schools selected for the pilot program are Stevenson Elementary, Lake Hills Elementary, and Sunset Elementary. Staff will report to Council the results of the first six months of the pilot program.

Deputy Mayor Balducci thanked staff for providing in the meeting packet responses to questions raised by citizens during the public hearing and by the Council in previous discussions. She supports moving forward with the pilot program, and expressed her interest in reviewing the accuracy of citations issued following the first six months.

Responding to Councilmember Lee, Captain Johnson said the initial step would be to select an equipment vendor and finalize camera locations. He estimated approximately six months to get the program in place.

Noting the frequency of red light violations, Dr. Davidson expressed support for the pilot program.

Responding to Councilmember Chelminiak, Chief Pillo explained that camera enforcement provides the additional benefit of being safer than having motorcycle officers pursuing violators in busy vehicle and pedestrian traffic.

Following additional comments, Mayor Degginger noted Council support for the pilot program. Councilmember Lee encouraged public notice of the cameras to be installed.

(f) Report on Pedestrian and Bicycle Transportation Plan Update

Kevin O'Neill, Transportation Long-range Planning Manager, noted material in the meeting packet regarding the ongoing review and update to the Pedestrian and Bicycle Transportation Plan. He commented on the relationship of the Plan to a broader policy framework comprised of transportation plans, subarea plans, the City's Comprehensive Plan, and the state Growth Management Act.

Mr. O'Neill noted that some policies adopted into the Comprehensive Plan in 2004 are not referenced in the Pedestrian and Bicycle Plan. These inconsistencies will be eliminated as part of the current update. Comments resulting from meetings with the Transportation Commission encourage streamlining and improving the organization of policies, developing a vision statement and articulating objectives, and developing policies around a specific objective or outcome. A top priority for the Commission is ensuring a complete, connected network.

Mr. O'Neill described the goals of better accommodating all users and considering context-sensitive solutions for paths, bike lanes, and trails. Six north-south and five east-west bike corridors have been identified for consideration, with a goal of implementing two for each direction within 10 years. Mr. O'Neill reviewed preliminary sidewalk cost estimates.

Mr. O'Neill requested Council feedback regarding policy issues and concerns as well as any additional revisions that should be considered by the Transportation Commission.

Deputy Mayor Balducci said an issue raised at the recent Youth Involvement Conference is the desire for more sidewalks. She encouraged the development of alternative walking paths that are less expensive than traditional sidewalks, curbs, and gutters. She thanked staff for the thorough work to date on the Bike/Ped plan.

Councilmember Lee requested information regarding the per mile cost of bike lanes and paths.

Mayor Degginger expressed support for the goal of expanding sidewalks. However, given the cost, he wants to be sure the goals are realistic and achievable.

→ At 9:55 p.m., Deputy Mayor Balducci moved to extend the meeting to 10:30 p.m. Mr. Chelminiak seconded the motion.

→ The motion to extend the meeting carried by a vote of 6-0.

Franz Loewenherz, Senior Transportation Planner, briefly reviewed public comments regarding trail projects, many of which have come from the Bridle Trails neighborhood. The City has received a significant amount of input from property owners who are concerned about public improvements affecting any private trails. Trail users also want to ensure that the informal trail connections in place remain in existence for the public to enjoy. Mr. Loewenherz noted input regarding inadequate sidewalks and bicycle accommodations within the downtown.

Lise Northey, Transportation Commission, noted that discussions will continue through April. A Commission presentation to the City Council on the network plan and prioritized project list is anticipated in May. The final report is to be completed this summer and it will provide input into the Transportation Facilities Plan (TFP) process.

(g) Neighborhood Livability – Tree Preservation

[Item postponed.]

(h) Housing Trust Fund and A Regional Coalition for Housing (ARCH) Priorities

Motion to provide direction to staff that the use of the Bellevue Housing Trust Fund should be consistent with the ARCH consortium-wide funding guidelines; and that staff should continue to include Council input in the ARCH Executive Board's periodic review of ARCH guidelines; and to maintain final Council approval of individual project funding awards.

Dan Stroh, Planning Director, recalled Council's inquiry in January about whether it would be appropriate to modify priorities established in 1998 for the Bellevue Housing Trust Fund in order to align them with guidelines used by A Regional Coalition for Housing (ARCH). ARCH's guidelines are provided in the meeting packet beginning on page 3-97.

Mr. Lee commented on the challenge of providing affordable housing, especially for senior citizens. ARCH Program Manager Art Sullivan thanked Bellevue for supporting senior housing through projects that include Evergreen Court.

→ Councilmember Noble moved to provide direction to staff that the use of the Bellevue Housing Trust Fund should be consistent with the ARCH consortium-wide funding guidelines; and that staff should continue to include Council input in the ARCH Executive Board's periodic review of ARCH guidelines; and to maintain final Council approval of individual project funding awards. Deputy Mayor Balducci seconded the motion.

→ The motion carried by a vote of 6-0.

At 10:17 p.m., Mayor Degginger declared a short break before continuing with a vote to fill the vacant Council position. The Council reconvened at 10:23 p.m.

Mayor Degginger called for any further nominations in the selection of a Councilmember to fill the unexpired term of the vacant position. No new nominations were made. Mr. Degginger proceeded to a vote on the three nominees identified earlier in the evening.

Patsy Bonincontri was appointed to the Council by a unanimous vote.

At 10:24 p.m., Mayor Degginger declared the meeting adjourned.

Myrna L. Basich
City Clerk

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