

CITY OF BELLEVUE  
CITY COUNCIL

Summary Minutes of Special Meeting and  
Extended Study Session

October 28, 2013  
5:00 p.m.

Council Chambers  
Bellevue, Washington

PRESENT: Mayor Lee, Deputy Mayor Robertson and Councilmembers Balducci,  
Chelminiak, Davidson, Stokes, and Wallace

ABSENT: None.

**Special Meeting**

At 5:00 p.m., Deputy Mayor Robertson called the meeting to order and declared recess to Executive Session for one hour to discuss one personnel matter.

**Extended Study Session**

1. Executive Session

At 6:02 p.m., Deputy Mayor Robertson called the meeting to order and declared recess to Executive Session for approximately one hour to continue discussion of a personnel matter. She noted that the Executive Session could extend up to two hours with an additional announcement to the public.

At 7:20 p.m., Deputy Mayor Robertson announced that the Executive Session would extend for an additional 40 minutes to continue discussion of a personnel matter.

The meeting resumed at 8:00 p.m., with Mayor Lee presiding.

2. Oral Communications

- (a) Paula Revere expressed concerns about the economy, the 2010 election, Citizens United, and the use of technology to control citizens. In 2009, she was blackmailed with identity theft arrest. She said she has evidence of seven items that she would like to present to the Council.

Mayor Lee suggested that Ms. Revere mail information to the Council. However, she was not comfortable with that method of submittal. He said perhaps she could talk to some of the Councilmembers following the meeting.

Councilmember Balducci said the Council is not able to help Ms. Revere with her concerns. She clarified that the City Council addresses policies and actions for local government. She suggested that Ms. Revere speak with the Police Department or perhaps social services agencies.

3. Study Session

(a) Council Business and New Initiatives

→ Councilmember Stokes moved that Deputy Mayor Robertson be permitted to participate in the November 4 Council meeting via telephone. Councilmember Chelminiak seconded the motion.

→ The motion carried by a vote of 7-0.

Councilmember Stokes reported that there were eight candidates for the open position on the Environmental Services Commission. He recommended Anne Howe, an engineer and former City of Bellevue employee who is currently employed with the City of Mercer Island.

→ Councilmember Stokes nominated Anne Howe for appointment to the Environmental Services Commission, filling a vacant position and eligible for reappointment May 31, 2014. Deputy Mayor Robertson seconded the motion.

→ The motion carried by a vote of 7-0.

Mayor Lee said he is pleased that so many well-qualified Bellevue citizens are interested in serving on the City's Boards and Commissions.

Deputy Mayor Robertson said she will be conducting interviews for the Library Board and Planning Commission in mid-November.

(b) East Link Project Update

Acting City Manager Brad Miyake said the last update on the East Link project was presented during the September 23 meeting, at which time the Council provided input on station naming.

Transportation Director Dave Berg introduced staff's presentation on the contract packages, public involvement activities, and the City Hall Plaza design. Mr. Berg noted Attachment A in the meeting packet, which provides more details on the progress of the East Link work program.

Maher Welaye, Capital Projects Manager, described the East Link project schedule, noting that the Bellevue right-of-way acquisition process was initiated a few months ago. He described a map of the light rail alignment and Sound Transit's defined contract packages.

Councilmember Wallace observed that none of the packet materials address mitigation (i.e., noise, traffic, aesthetic, environmental).

Mr. Welaye said those issues are being addressed as the design process moves forward. When Sound Transit reaches 60-percent design, they will provide additional noise analysis. Responding to Councilmember Wallace, Mr. Welaye confirmed that the schedule just described is Sound Transit's schedule.

Mr. Wallace said he would like the next update to include the City's schedule for issuing permits and negotiating mitigation.

Mr. Berg said mitigation and permitting issues are not getting lost in the process. He said staff will bring back more details next month.

Deputy Mayor Robertson said she would like an update on property acquisitions for the next briefing.

Councilmember Stokes concurred and requested more details on areas in which progress is being made as updates are provided.

Councilmember Davidson said he would like a list of the original alignment segments (i.e., A, B, C, D) and the corresponding contract packages that have been defined. He wants to ensure that previous decisions by segment are reflected in the contract packages.

Responding to Councilmember Stokes, Mr. Welaye confirmed that the contract packages are implementing the decisions that have already been made.

Councilmember Balducci said that recent briefings to the Sound Transit Board provided a breakdown of the costs per segment and contract package. She requested that information for the Council.

Dr. Davidson observed that the divisions between the segments have changed.

Responding to Mayor Lee, Ms. Koenigter confirmed that the boundaries of the segments have changed somewhat. Staff will provide more details on the evolution of the alignment segments.

Councilmember Wallace said it would be helpful for staff to translate the contract packages to the original alignment segments in terms of costs and mitigation measures.

Mr. Berg said staff will match up costs in order to ensure compliance with the East Link Memorandum of Understanding (MOU). He said staff needs to evaluate whether to track mitigation by segments or contract packages.

Moving on, Ms. Koenigter described public involvement activities for Bellevue residents. The two primary means to provide input on the design and construction of East Link are Sound Transit's final design process and the City's Light Rail Permitting Citizens Advisory Committee (CAC). Station Area Planning CACs will address the East Main Station and the Hospital Station. The Downtown Livability CAC is addressing the Downtown Station. Station area planning will

involve the public to discuss pedestrian and bicycle connectivity, traffic concerns, land use impacts (if appropriate) and related issues.

Ms. Koengeter said the Light Rail Permitting CAC met on October 24 for a tour of Sound Transit's Central Link alignment and stations. Regular meetings will be held the first and third Wednesdays of the month, beginning on November 6, and are open to the public.

The City kicked off station area planning for the South Bellevue Station with a public workshop on October 10. A full briefing on station area planning is tentatively scheduled for November 4.

Sound Transit held an open house in the Bel-Red corridor in September on the 60-percent design plans for the 130<sup>th</sup> Avenue NE Station. Additional 60-percent design open houses (Downtown and South Bellevue) are anticipated in early 2014.

Responding to Councilmember Davidson, Ms. Koengeter said a CAC is not planned for the South Bellevue Station in favor of a broader neighborhood process with the Enatai and Surrey Downs area residents.

Councilmember Chelminiak observed that some residents who wanted to be on the Light Rail Permitting CAC could perhaps serve on one of the other two station CACs.

Responding to Deputy Mayor Robertson, Ms. Koengeter said the process for appointing the East Main Station and Hospital Station CACs is scheduled for mid- to late 2014. Responding to Ms. Robertson, Ms. Koengeter said a number of concerns were raised during the South Bellevue Station workshop held earlier in the month, primarily about access and preserving neighborhood character.

Responding to Ms. Robertson, Ms. Koengeter clarified that the station area planning CACs are not addressing station design but are focusing on access and amenities (e.g., sidewalks, bike facilities, lighting) within a half-mile of the station.

Responding to Councilmember Chelminiak, Ms. Koengeter confirmed that there could be consideration of land use changes by the CACs for the East Main and Hospital Stations.

Mr. Chelminiak said he had not understood that zoning issues might be addressed by the station area planning CACs. He said the area around the Hospital Station was already involved in the Wilburton study and the Bel-Red Corridor study.

Deputy Mayor Robertson said she wants to have adequate Study Session time next year to define the issues and topics to be addressed by the CACs.

Councilmember Davidson concurred with Mr. Chelminiak that he was not expecting the station area planning CACs to address land use issues.

Chris Salomone, Director of PCD, said staff will provide an update on the station area planning process next week. It has always been the intent of station area planning to look at both connectivity and, potentially, land use changes in the half-mile radius around the stations.

Mayor Lee said it is important to have clarification regarding the different CACs and their specific topics to address. He believes further clarification is needed on which committees are to be established and their purposes.

Councilmember Stokes concurred with Mr. Chelminiak's suggestion that certain individuals who were interested in the Light Rail Permitting CAC might be interested in one of the station area planning CACs.

Councilmember Balducci requested a written copy of the charge for the Light Rail Permitting CAC. She said this is an important activity within the context of maintaining the project schedule. She noted the need to be able to conduct and complete the CAC's work in order to keep pace with the MOU work schedule.

Moving on, Nora Johnson, Director of Civic Services, described the plan for the City Hall site and adjacent Metro property with regard to construction of the Downtown Station. She said City and Sound Transit staff have been working together in anticipation of future light rail impacts.

Ms. Johnson described modifications to the City Hall plaza. She said the original landscape architect is involved in current discussions. The Downtown Station will take approximately one-third of the current plaza. Ms. Johnson described the plan for retaining all of the current art features as well as water elements.

Ms. Johnson described plaza structures and gathering spaces. The pavilion will be removed, and there will be gathering space but no lawn. She described the landscaping and hardscape features. Ms. Johnson said staff is completing conceptual work to explore integrating the City Hall site with the adjacent Metro site. This could potentially create a new lawn area and other features.

Ms. Johnson presented graphic depictions of the redesigned plaza.

Mayor Lee would like to see the Fu Dogs placed to guard the entrance. Ms. Johnson said there are a number of considerations in moving the statues including the weight of the sculptures. Responding to Councilmember Stokes, Ms. Johnson and Mr. Welaye provided additional details regarding the location of the tunnel portal and the Downtown Station.

Councilmember Balducci acknowledged Mayor Lee's request to place the Fu Dogs at the City Hall entrance. She asked staff to provide options and cost estimates to consider for the placement of the plaza elements.

Ms. Johnson said Sound Transit has agreed to the conceptual design, which it plans to take forward to its 60-percent design drawings. She said there is time for further consideration by the Council between now and early 2014 when Sound Transit will be seeking public comment on the design.

Deputy Mayor Robertson believes the City should design its own plaza. Ms. Johnson said that has been staff's position as well. She said the City brought in the original landscape architect to preserve the original intent of the City Hall site. Ms. Johnson clarified that Sound Transit has finalized the design documents for bid and construction, but the City will make final decisions on its plaza.

Responding to Councilmember Balducci, Ms. Johnson said the City has held three design charettes with Sound Transit to achieve this design. Ms. Johnson said Sound Transit has not conducted structural engineering work, designed the infrastructure for the water features, and other necessary work. She said there is some opportunity to influence the design. However, she recommended making decisions fairly quickly.

In further response to Ms. Balducci, Ms. Johnson said she is trying to respect Sound Transit's schedule. She suggested there is limited time to finalize the general concept, but more time to complete full drawings.

Ms. Balducci said she understands that structural work is needed. However, beyond that, she said the City should be able to negotiate design features with Sound Transit. Ms. Johnson said costs are a consideration as well. She believes the City has the authority. However, decisions should be made fairly quickly to avoid delaying Sound Transit's design schedule.

Ms. Balducci said she would like further discussion of the schedule and design. For example, the proposed triangle of uniform trees does not strike her as the best use of space. She would like to explore other options for open, gathering space. She said a thoughtful design went into the original City Hall layout. She observed that the proposed new design does not reflect the same deliberative process.

Ms. Balducci recalled that Lloyd Jacobs made a number of suggestions regarding the original design, including that the entry could be more interesting and impressive. She suggested it would be nice to redesign the entrance to provide visibility into the first and second levels from both points of entry. She acknowledged that this is an expensive concept. However, she would like to explore options for enhancing the entrance to City Hall.

Mayor Lee concurred with Ms. Balducci that this is an opportunity to make modifications to the plaza and entrance. He would like staff to prepare options for the Council's consideration.

Deputy Mayor Robertson concurred that the Fu Dogs should be guarding the entrance. She observed that modification should be assumed and that the plaza should be redesigned around that concept.

Ms. Robertson reiterated that the Council needs further opportunities to review the design. Responding to Ms. Robertson, Ms. Johnson estimated that the design should be refined and adopted by January, in order to provide some certainty to Sound Transit.

Mr. Berg said staff can bring this topic back with next month's update.

Councilmember Stokes concurred with comments that the City should have the authority to design its plaza. He sees this as a great opportunity.

Ms. Koengeter reviewed the next steps. The station naming survey is expected to be released in November, and a station area planning briefing will be provided to the Council on November 4. The East Garage design contract is slated to be presented for Council approval on November 4, and the next Citizens Advisory Committee meeting is scheduled for November 6. The next overall East Link update to the Council is scheduled for November 25.

(c) Regional Issues

Acting City Manager Brad Miyake introduced discussion regarding regional issues, which will focus primarily on the 2014 State Legislative Agenda. The session begins on January 13, and staff is seeking feedback on the draft agenda.

Joyce Nichols, Director of Intergovernmental Relations, said the Council adopts a State Legislative Agenda annually as well as a longer Statement of Legislative Policy that is updated on an ongoing basis from year to year. She referred the Council to pages 3-25 and 3-26 of the meeting packet for the draft 2014 State Legislative Agenda. Staff will bring it back in November for additional Council discussion. She noted that Tana Senn, a Mercer Island City Councilmember, was appointed to fill the position held by State Representative Marcie Maxwell, who has moved to the Governor's Office to work on educational policy.

Ms. Nichols said the upcoming legislative session is scheduled for 60 days. The legislature will prepare a supplemental budget, which needs to include more funding for K-12 education. She said the City will maintain its focus on retaining current State funding. The State Senate and House are working on a transportation package. The Governor is pushing for a package and would like to call a Special Session for November 21 to address the package.

Ms. Nichols said staff has added a new section to the legislative agenda entitled Economic Vitality. The two items in that section are to continue to support the technology sector, including through investments in infrastructure and education and through incentives that support research and development, and to work for increased funding for workforce housing.

Ms. Nichols said the local Business and Occupation (B&O) tax multi-city portal project is scheduled to be operational by the fall of 2014. An update on this project and the interlocal agreement will be provided to the Council in November.

Responding to Councilmember Balducci, Ms. Nichols said the project team is prepared to demonstrate the significant progress of the portal project. She said there have been concerns from certain business sectors about how the portal will work. Staff has been working with those parties to educate them about the project and discuss their needs.

Ms. Nichols said a new issue that has emerged over the past few weeks relates to fish consumption standards. Under the federal Clean Water Act, fish from rivers should be

consumable without people becoming ill. However, there is a great deal of pollution in certain bodies of water (e.g., the Duwamish River, which is a Superfund site), and there is not sufficient funding to clean that water. While the State Department of Ecology works on setting consumption standards, City staff will be working to determine what is realistic and practical.

Councilmember Davidson observed that this effort appears to assume that every fish lives in the Duwamish River. He said the reality is that most fish consumed are migrating fish.

Responding to Councilmember Balducci, Ms. Nichols said it is unknown whether the State intends to test the fish or the water. Ms. Nichols said there are salmon coming back from Alaska with liver tumors and lesions, and the source of this is unknown. She said one issue might be that the right science has not yet been determined. She observed that this will likely be a difficult issue to track.

Councilmember Robertson said that, when the State was looking at the Duwamish River, the proposed standard was cleaner than what would be found in deep water in the middle of the Puget Sound. There is a question about whether the State's standards will be attainable. If so, what will be the costs? The other issue relates to the data used for the amount of fish consumption. She said the State of Oregon recently increased its estimate of fish consumption, which dramatically changed the cleanliness standard. If permits are issued with standards that cannot be met, resulting lawsuits could put parties out of business.

Ms. Robertson said she appreciates the reference to education in the statement about the technology sector. She said there is a need for more opportunities for STEM (science, technology, engineering and math) education. She noted that many more students are interested in engineering and computer sciences than the current capacity of the University of Washington and other college programs.

Councilmember Robertson suggested changing the language about consistency to advocate for consolidating recreational and medical marijuana legislation. She said that medical marijuana is fairly unregulated while recreational marijuana is expected to be more stringently regulated.

Mayor Lee expressed support for adding the sections on the technology sector and workforce housing. He said manufacturing is coming back to the United States. He believes there will be a need to emphasize the role of technical schools and community colleges, and potentially earlier education, in developing manufacturing skills and training.

Councilmember Chelminiak concurred with the importance of STEM education. He suggested meeting with Bellevue College to compare legislative agendas and to determine mutual priorities. He and Councilmember Stokes attended a breakfast at the Lake Washington Institute of Technology, which is another avenue for STEM education. Cascadia Community College has similar programs and is moving toward providing four-year degrees.

Councilmember Chelminiak said that transportation investments are critical to economic vitality as well. He noted that Snohomish County has done a good job of packaging a number of priorities under the concept of the advanced manufacturing corridor, which has helped the

County achieve State transportation funding. He suggested working with other Eastside cities on economic, education and transportation priorities. He asked staff to review Berk Consulting's work to determine realistic and effective economic development strategies.

Ms. Nichols said the economic vitality section is a work in progress because staff was waiting to see what came out of discussions about the economic development strategy. She said the section will be revised and expanded to reflect strategies identified by the Council.

Councilmember Stokes concurred with comments about the important role of the Lake Washington Institute of Technology and other educational opportunities. He is encouraged by the past collaborative efforts of Eastside cities, and he believes that continued efforts will help achieve needed transportation funding.

Mr. Stokes said the Bellevue School District has a levy coming up for the February ballot. He would like a presentation and to see the Council endorse and support the levy. He said it is important to focus on STEM education within the local school district.

With regard to the fish consumption issue, Mr. Stokes said he hopes the State develops a rational and balanced strategy in this area.

Moving on, Ms. Nichols noted the Growing Transit Communities project sponsored by the Puget Sound Regional Council (PSRC), which is a three-year effort to develop a regional framework in support of transit-oriented communities.

Councilmember Wallace raised the issue of HOT lanes. He said a meeting of the I-405 HOT lane advisory group is scheduled for November 7. The group is asked to develop recommendations about the type of HOT lane regulations that are preferred. He said a number of options are under consideration. Mr. Wallace said he would like input from the Council before he attends the November 7 meeting. He suggested working with the cities of Kirkland and Renton to reach agreement, if possible.

Responding to Mayor Lee, City Clerk Myrna Basich said the topic is scheduled for the next week's Council meeting. Ms. Nichols said a memo on the proposed approach will be provided to the Council as well.

Responding to Deputy Mayor Robertson, Councilmember Wallace said some of the options do not generate positive revenue. He said this is an opportunity to reiterate the Council's position on HOT lanes and tolling in general and on the need to continue to study the impacts on local arterials as well as other related issues.

Councilmember Wallace said if tolling revenue is used to secure bonding to fund the I-405 work, the interest rate would be 7.5 percent. He said this is an expensive way to raise money. He encouraged the Council to suggest that the state legislature consider gas tax-backed bonds to produce the majority of I-405 funding. Mr. Wallace said he has asked Ms. Nichols to draft a letter for Council discussion.

Deputy Mayor Robertson concurred with Mr. Wallace's suggestion. She wants to continue to focus on what works best for keeping all of the traffic moving as this is critical for Bellevue's economic vitality.

Councilmember Balducci said the state legislature will set the majority of the policy. However, other policy elements will be set by the State Transportation Commission and the Office of the Treasurer. Both have strong positions about the issues within their purview. In setting toll rates, the Transportation Commission looks carefully at statewide equity.

Councilmember Balducci said she previously served on the I-405 advisory group as a Bellevue representative. However, she will be attending the November 7 meeting for the Sound Transit Board's representative, Fred Butler. She agreed with Councilmember Wallace that it would be helpful to have direction from the Council before they both attend that meeting.

Councilmember Davidson said he attended a meeting of the Growing Transit Communities group, which will be asking cities to sign a compact regarding the initiative. He was told that the City cannot propose amendments to the compact. However, the City's resolution to be forwarded with the compact is the appropriate place for additional comments important to the Council.

Ms. Nichols said more information on the Growing Transit Communities initiative will be presented during the next regional issues discussion.

At 9:56 p.m., Mayor Lee declared the meeting adjourned.

Myrna L. Basich, MMC  
City Clerk

/kaw