

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Session

November 3, 2003
8:00 p.m.

Council Chambers
Bellevue, Washington

PRESENT: Mayor Marshall, Deputy Mayor Degginger, and Councilmembers Creighton, Davidson, Mosher, and Noble

ABSENT: Councilmember Lee

1. Call to Order

The meeting was called to order at 8:07 p.m. by Mayor Marshall, who presided.

2. Roll Call, Flag Salute

Upon roll call by the City Clerk, all Councilmembers except Mr. Lee were present. Newport Heights Elementary School Cub Scout Pack 626, Den 1, led the flag salute.

(a) Tri-County Salmon Conservation Coalition Award to Councilmember Mosher

King County Executive Ron Sims acknowledged the cub scouts and noted he was also in Den 1, but Pack 33, as a youth. Mr. Sims commended Councilmember Creighton, who is not seeking reelection, for his service to Bellevue and the region.

Mr. Sims, Co-Chair of the Tri-County Salmon Conservation Coalition Executive Committee, commented on the recent process to save salmon by a group of tribal representatives, businesses, builders, elected officials, and local, state, and federal government representatives. He said the region's road and building standards are a model for the country and new salmon habitats have been created. Mr. Sims introduced former King County Councilmember Bruce Liang to present an award.

Mr. Liang presented an award to Councilmember Mosher in appreciation of his work as an Executive Committee Member for the Tri-County Salmon Conservation Coalition from 1998 to 2003. Mr. Mosher said he enjoyed serving on the committee and working to save the salmon while ensuring economic vitality.

(b) Recognition of Construction Codes Advisory Committee

Mike Brennan, Building Division Director, recalled that the Construction Codes Advisory

Committee was appointed by Council in February 2000 to assess and improve development services provided by the City. He thanked the following citizens for serving on the CCAC: Harry Andresen, Jack Avery, Patsy Bonincontri, Cary Kopczynski, Richard Leider, Mark Ludtka, Patrick McCabe, Dan Meyers, Ed Springman, and Deputy Mayor Degginger, who chaired the committee. The CCAC's recommendations have resulted in technology improvements, the development of performance standards, the identification and resolution of code conflicts, and ensuring the City's practices are better aligned with those of the development community.

Deputy Mayor Degginger thanked the group for their work to reform regulations, streamline permitting and inspection processes, and improve the predictability of the inspection process. Homeowners can now obtain many permits online instead of having to travel to City Hall.

Mayor Marshall commended Mr. Brennan for his work with the CCAC.

(c) Gold Award from Association of Metropolitan Water Agencies

Utilities Director Lloyd Warren introduced Ken Merry, Water Superintendent for Tacoma Public Utilities and a member of the Association of Metropolitan Water Agencies (AMWA) Board of Directors. Mr. Merry explained that Bellevue Utilities was one of eight water agencies to receive the 2003 Gold Award for Competitiveness Achievement from AMWA at its recent annual meeting. The award recognizes each utility's benchmarking and competitiveness strategy as well as improvement initiatives in maintenance, engineering, finance, administration, and employee development.

Councilmember Davidson thanked Mr. Merry for Tacoma Public Utilities' assistance and support through the Cascade Water Alliance in moving forward with water issues.

Mr. Mosher praised Mr. Warren for his 30 years of service to the City and leadership of an exceptional utilities department.

(d) 2003 Outstanding Bicycle and Pedestrian Project Award

Mayor Marshall encouraged citizens to visit the Lake Washington Boulevard walkway/bikeway project in Newport Hills.

Dave Berg, Transportation Assistant Director, commended Paul Krawczyk, Project Manager, and Zee Straight-Weiss, Transportation Commissioner, for their hard work and commitment on this project. Ms. Straight-Weiss noted that her concerns for pedestrian safety led her to champion this project on the Commission. She encouraged citizens to consider serving on a board or commission to make a difference in their community.

Mayor Marshall thanked Mr. Krawczyk and Ms. Straight-Weiss for their work.

(e) 2003 Honor Award for Bellevue's Transit Plan

Kris Liljeblad, Transportation Assistant Director, announced that the City received a 2003 Honor Award for the Bellevue Transit Plan from the American Planning Association and the Planning Association of Washington. Mr. Liljeblad recognized the contributions of citizens, the Transportation Commission, Senior Transportation Planner Franz Loewenherz, and Regional Projects Manager Bernard Van de Kamp.

3. Communications: Written and Oral

- (a) Dee Gritzke, a representative of the West Bellevue Community Club, thanked Council and the City for the Meydenbauer Bridge project and specifically for the efforts of Karen Gonzalez (Neighborhood Services Manager) and Maher Welaye (Sr. Project Manager), who responded promptly to help the neighborhood address speeding and cut-through traffic. She thanked staff for their efforts to mitigate noise from the teen center, which has improved the quality of life for surrounding residents.

Mayor Marshall thanked the West Bellevue Community Club for taking the time and effort to provide positive feedback to Council.

- (b) Ralph Guditz described his efforts to develop his property on southwest Lake Sammamish. The City of Bellevue issued a shoreline development permit on September 24. He and the City are now co-respondents on an appeal before the Shoreline Hearings Board in Olympia. He said the City Attorney told him he was ordered by the City Council to not make an appearance at the hearing. He requested an explanation of the City's position.

Mayor Marshall asked the City Manager to look into the matter and report back to Council.

- (c) Nels Johnson, representing Rabanco Companies, spoke in reference to Agenda Item 11(a). He thanked Councilmembers for their patience and direction, Lloyd Warren and Damon Diessner for their hard work, and the Environmental Services Commission for its review and recommendations. He thanked Rabanco employees for their service to Bellevue residents for many years.
- (d) Jennifer Goss and David Walsen, representatives of Ivanhoe Performing Arts Theatre, invited Council and the public to the November performance of Wintersong. They thanked Council for its continued support of the program.

4. Reports of Community Councils, Boards and Commissions: None.

5. Report of the City Manager

City Manager Steve Sarkozy recalled Mr. Wekell's appearance last week to appeal for an exemption to the wetlands determination on his family's property. Planning and Community Development Department staff have been in contact with Mr. Wekell to discuss alternatives. A response sent to Mr. Wekell outlining alternatives will be copied for Council as well.

6. Council Business

Dr. Davidson met with representatives of other cities and King County Councilmember Julia Patterson, Chair of the Regional Policy Committee, to discuss solid waste issues. A similar meeting was held the next day with King County Executive Ron Sims.

Mr. Creighton noted that Councilmember Lee, Director of the Small Business Administration for the Northwest Region, is attending a 50th anniversary party for the SBA tonight. Mr. Creighton and Mr. Mosher attended the event earlier in the evening.

Mr. Noble represented Council at the opening of the Seattle Mental Health facility at 140th Avenue and 20th Street. He encouraged Councilmembers to attend the Eastside Human Services Forum's annual meeting on November 12, 4:00 to 6:00 p.m., in Issaquah.

Mr. Mosher attended the Hopelink luncheon and Sound Transit meetings.

Deputy Mayor Degginger suggested that Council consider a review of the City's RFP (request for proposals) process. He wants to ensure maximum participation by qualified vendors. Mayor Marshall concurred and encouraged a process that attracts proposals from local firms, particularly when unemployment is currently so high.

Mayor Marshall will travel with a Bellevue Sister Cities Association delegation to two Sister Cities beginning on November 6. She and Mr. Mosher will travel to Hualien, Taiwan, and Mrs. Marshall and Mr. Lee will visit Yao, Japan.

7. Approval of the Agenda

➡ Dr. Davidson moved to approve the agenda, and Mr. Degginger seconded the motion.

➡ The motion to approve the agenda carried by a vote of 6-0.

8. Consent Calendar

Councilmember Noble requested pulling Agenda Item 8(f) for Council discussion.

➡ Deputy Mayor Degginger moved to approve the Consent Calendar, amended to pull Agenda Item 8(c), and Mr. Mosher seconded the motion.

➡ The motion to approve the Consent Calendar, as amended, carried by a vote of 6-0, and the following items were approved:

- (a) Minutes of October 13, 2003 Extended Study Session
Minutes of October 16, 2003 Special Meeting

- (b) Motion to approve payment of claims for the period ending October 24, 2003, and payroll for the period October 1 through October 15, 2003.

- (d) Resolution No. 6916 authorizing execution of a contract with Class Software Solutions, Ltd., for the implementation of an Activity Registration and Facility Scheduling System. The new system will improve customer access to Park programs and facilities and the City's administration of the registration and reservation process.
- (e) Ordinance No. 5463 adopting the recommended uses for the 2004 Community Development Block Grant (CDBG) funds as transmitted by the Human Services Commission; authorizing and directing submittal of a proposal to and acceptance of a grant award contract with the U.S. Department of Housing and Urban Development (HUD); creating a new project series within the Operating Grants and Donations Fund (OGDF); amending the budget for the OGDF by appropriating additional revenues to that Fund; and authorizing entering into a contract with grant subrecipients. *(Discussed with Council on October 27, 2003.)*
- (f) Ordinance No. 5491 authorizing acceptance of a grant award from the U.S. Department of Justice, Office of Community Oriented Policing Services, for the Homeland Security Overtime Program; establishing a project within the Operating Grants and Donations Fund; appropriating unanticipated and future revenues to the OGDF; and authorizing the expenditure of said grant funds.
- (g) Resolution No. 6917 authorizing an amendment to the consultant agreement with Kristen Betty and Associates, Inc., to provide on-call construction inspection for the construction of roadway improvements on various CIP projects as identified in the 2003-2009 CIP Plan.
- (h) Resolution No. 6918 authorizing execution of a consultant agreement with DKS Associates to provide engineering services for preparation of an Intelligent Transportation Systems (ITS) Plan update and deployment strategy, in an amount not to exceed \$65,000.
- (i) ~~Resolution No. 6919~~ Ordinance No. 5494 authorizing renewal of the Puget Sound Energy (PSE) natural gas utility franchise *(Discussed with Council on October 27, 2003.)*
- (j) Resolution No. 6920 authorizing execution of the relinquishment of a sidewalk, utility, lighting, and landscape easement with a total area of approximately 1,616 square feet located along the east side of 108th NE and the south side of NE 4th.
- (k) Motion to award Bid No. 0335 for Bellefield Pumping Station site access improvements to Athletic Fields, Inc., as low bidder in the amount of \$86,702.72. *(CIP Plan No. S-32, Utility Capital Investment Program Fund 4690)*
- (l) Motion to adopt the Regional Solid Waste Management Interest Statement dated November 3, 2003.

- (m) Resolution No. 6921 authorizing a two-year agreement with Financial Consulting Solutions Group, Inc. to perform a comprehensive cost of service/rate study for the City's Water and Sewer Utilities, in the amount of \$86,090.

Item for Council Discussion:

- (c) Resolution No. 6904 authorizing execution of a four-year agreement with Bank of America for general banking services with an option to extend the agreement for an additional two years, effective January 1, 2004.

Deputy Mayor Degginger requested additional information on the agreement proposed by Resolution No. 6904 in terms of who responded, what was offered, and any points of comparison. He noted that fees were not the top criteria in the selection of the vendor. He questioned whether skills, experience, and organizational compatibility are appropriate as the top criteria. He further questioned City policy regarding insurance requirements.

Mayor Marshall noted Council consensus to postpone the item for further review and discussion.

9. Public Hearings: None.

10. Land Use

- (a) Ordinance No. 5492 rezoning approximately 16.25 acres located northwest of the interchange of I-405 and SR 520 from mixed zoning of R-15 and LI (light industrial) to R-20, as reflected in the application of **Panfilo Morelli**, also commonly referred to as the **Cedar Terrace Rezone**. (File No. 02-131173-LQ) *(Discussed with Council on October 20, 2003.)*

Planning Director Dan Stroh described the application recommended by the Hearing Examiner regarding the Morelli, or Cedar Terrace, rezone for 16.25 acres located northwest of the I-405 and SR 520 interchange. Ordinance No. 5492 would change the zoning designation for the site from mixed zoning to R-20. Density on the site would be limited to 17 units per acre and a total of 276 units.

Mayor Marshall noted there have been no appeals regarding the rezone application.

- ☞ Mr. Mosher moved to adopt Ordinance No. 5492, and Dr. Davidson seconded the motion.
- ☞ The motion to adopt Ordinance No. 5492 carried by a vote of 6-0.

11. Other Ordinances, Resolutions and Motions

- (a) Resolution No. 6922 authorizing execution of the Comprehensive Garbage, Recyclables, Yard Debris, and Organic Waste collection contract with Rabanco, Ltd., dba Eastside Disposal Company.

Mr. Sarkozy noted Council's discussion of this item in the earlier Study Session and in previous meetings.

Utilities Director Lloyd Warren reviewed staff's recommendation to award the garbage, recyclables, yard debris, and organic waste collection contract to Rabanco (dba Eastside Disposal Company). The contract term is seven years with the potential for a three-year extension. Pricing information is provided in the Council packet.

➡ Mr. Mosher moved to approve Resolution No. 6922, and Dr. Davidson seconded the motion.

Mr. Mosher feels the contract will save taxpayers money and provide better service for customers. He thanked staff and vendors for their work and participation in the process.

Responding to Dr. Davidson, Utilities Assistant Director Damon Diessner said an extensive outreach effort is planned to educate the public about new services to be introduced in the spring.

Mr. Creighton thanked both vendors for their participation in the selection process. He feels the proposed contract will benefit citizens with its favorable rates. However, he credited the competition of a challenging vendor for driving down the ultimate contract cost. He will not support the motion due to concerns that the RFP (request for proposal) process could appear to favor an incumbent vendor.

Mayor Marshall concurred with Mr. Creighton's concern that the process for this contract was demanding on the competing vendors. The agreement represents a cost savings of \$23 million over the life of the contract, or approximately \$1.47 per month for residents. Mrs. Marshall noted that Rabanco has been active in giving back to the community, including support of 50Fest activities, and she hopes the contract price does not interfere with Rabanco's ability to continue with its community support.

➡ The motion to approve Resolution No. 6922 carried by a vote of 5-1, with Mr. Creighton dissenting.

(b) Capital Investment Program (CIP) Line of Credit (Discussed with Council on October 6 and 27, 2003.)

(1) Ordinance No. 5493 authorizing issuance and sale of a limited tax general obligation bond anticipation note of the City in the principal amount not to exceed \$35,000,000 for the purpose of financing projects included in the City's Capital Investment Program (CIP) Plan; providing the form, terms, conditions, covenants, and maturity of the note; authorizing the sale of the note; providing for the disposition of the proceeds of sale of the note to pay for such acquisition and for costs of issuing the Note; and providing for the issuance of limited tax general obligation bonds of the City of Bellevue.

Finance Director Jan Hawn recalled prior discussions and written information provided to Council in reference to establishing a Capital Investment Program (CIP) line of credit.

Mayor Marshall summarized a statement from Councilmember Lee, included in Council's desk packet, regarding the proposed ordinance. Mr. Lee is in favor of Option 3 (Page 11-5 of the Council packet) to continue internal borrowing through the use of interfund loans for the 2003-2004 biennium and to limit the total amount of borrowing to \$15 million over the life of the 2003-2009 Capital Investment Plan.

Responding to Dr. Davidson, Assistant Finance Director Joe Guinasso said Option 3 would cover anticipated needs through the first quarter of 2004. Staff would then revise the CIP Plan to eliminate the need for additional borrowing. This would require staff to move approximately \$40 million in 2004 and 2005 project expenditures to the later years of the plan.

☛ Dr. Davidson moved to adopt Ordinance No. 5493 authorizing the issuance and sale of a Bond Anticipation Note (BAN) to establish a line of credit in an amount not to exceed \$35 million for a five-year term for the purpose of financing cash flow borrowing for the 2003-2009 General Capital Investment Program (CIP) Plan, and directing staff to report back to Council during the first quarter of 2004 regarding the need for additional borrowing in 2005 to carry out the 2003-2009 CIP Plan. Deputy Mayor Degginger seconded the motion.

☛ The motion to adopt Ordinance No. 5493 authorizing the issuance and sale of a Bond Anticipation Note (BAN) to establish a line of credit in an amount not to exceed \$35 million for a five-year term for the purpose of financing cash flow borrowing for the 2003-2009 General Capital Investment Program (CIP) Plan, and directing staff to report back to Council during the first quarter of 2004 regarding the need for additional borrowing in 2005 to carry out the 2003-2009 CIP Plan, carried by a vote of 6-0.

12. Unfinished Business: None.

13. Continued Oral Communications: None.

14. New Business: None.

15. Executive Session: None.

16. Adjournment

At 9:15 p.m., Mayor Marshall announced recess to return to the Council Conference Room to continue the Study Session.

Myrna L. Basich
City Clerk

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