

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Extended Study Session

June 28, 2010
6:00 p.m.

Council Conference Room 1E-113
Bellevue, Washington

PRESENT: Deputy Mayor Lee and Councilmembers Balducci, Chelminiak, Degginger¹,
Robertson, and Wallace

ABSENT: Mayor Davidson

1. Executive Session

Deputy Mayor Lee called the meeting to order at 6:00 p.m., and declared recess to Executive Session for approximately 15 minutes to discuss one item of property acquisition and disposition.

The meeting resumed at 6:37 p.m., with Deputy Mayor Lee presiding.

2. Oral Communications

- (a) Kathy Lambert, King County Council, spoke regarding solid waste disposal and submitted materials on waste-to-energy programs. She recalled the County's plans to close the Cedar Hills landfill and to switch to the long-haul exporting of garbage. However, she feels there are better, environmentally responsible models for handling garbage. She has traveled to Europe twice to visit waste energy plants. She believes that garbage originating in King County should be handled within the county. However, King County prohibits the future siting of new landfills. The County is required to monitor its nine closed landfills for at least 30 years, at a cost of approximately \$2 million annually. Councilmember Lambert described alternatives for converting waste to energy, which are common throughout Europe.

Councilmember Degginger thanked Councilmember Lambert for sharing her work in this area.

Deputy Mayor Lee commented on political discussions about waste-to-energy options over the past many years, and praised Councilmember Lambert for her advocacy and research. Ms. Lambert noted that Copenhagen generates one-third of its power through waste-to-energy practices.

¹ Councilmember Degginger left the meeting at 9:54 p.m.

- (b) Robert Shay, President of the Wilburton Community Association, expressed support for the federal Transportation Investment Generating Economic Recovery II (TIGER II) grant application for the widening of 120th Avenue NE. He encouraged widening 120th Avenue NE from the Wilburton area to NE 20th Street/Northup Way, as well as completing the 124th Avenue NE and SR 520 interchange. Mr. Shay said residents are asking the City to protect the livability of the historic Wilburton neighborhood. He believes these projects fit the City's mission of facilitating traffic flow between the Downtown and East Bellevue/Redmond, with minimal neighborhood impacts. Mr. Shay asked the City Council to support the City Manager and Transportation Director in moving forward with the projects.
- (c) Cherie Clayton, Parks Department, described the activities planned for the 4th of July celebration in Downtown Park. Mike Ogliore, Bellevue Downtown Association, highlighted additional entertainment including the performance of the Bellevue Philharmonic.
- (d) Todd Woosley spoke to the BNSF Corridor East King County Draft Interest Statement and the TIGER II grant application. He supports the BNSF corridor as the best location for a regional north-south bicycle trail from the Wilburton area, through the Hospital District, and north to connect to SR 520. While the City has identified bike lanes on 120th Avenue NE, he feels they would be better accommodated along the rail right-of-way and would connect for a longer distance. This option would allow the City to utilize the savings from removing the bike lanes on 120th Avenue NE to contribute to the BNSF trail construction project.
- (e) Greg Johnson, Wright Runstad Company, spoke in support of the TIGER II grant application for the 120th Avenue NE project.
- (f) Patrick Bannon, Bellevue Downtown Association, spoke in support of the TIGER II grant application. He observed that this is a rare opportunity for federal funding for a local project.
- (g) Scott Lampe, speaking on behalf of the Surrey Downs East Link Committee and the Surrey Downs Community Club, reviewed residents' concerns regarding light rail noise impacts. He said Seattle's light rail system continues to have problems with noise, particularly in Tukwila. Mr. Lampe testified that Surrey Downs residents support the B7 light rail alternative in Bellevue. He noted that the East Link Environmental Impact Statement now shows 119 noise-related impacts for at-grade options.
- (h) Dan Renn suggested that the extension of NE 4th Street from 116th Avenue NE to 120th Avenue NE be delayed until after 120th is extended from NE 8th to NE 12th. He said it is important that access for the neighborhood be enhanced before traffic increases.
- (i) Janice Benson testified that the Lake Hills Shopping Center development has been in violation of construction noise and hours of operation codes since the beginning of the

project. She said the Police have responded to complaints and halted the activity. Ms. Benson expressed concern about the health impacts of noise, gas, and diesel exhaust. She speculated that similar impacts will occur with the development of light rail. She questioned whether any fines have been issued to the Lake Hills developer and to any other commercial developers.

Deputy Mayor Lee suggested that Ms. Benson speak with staff.

City Manager Steve Sarkozy said that he was not aware of the problem, but he will look into the issue and report back to the Council.

Councilmember Chelminiak asked that staff report on their findings during an open Council meeting.

Councilmember Balducci said it is important to get a handle on this matter because as the first phase of the project wraps up, construction of the second phase will be much closer to residences.

- (j) Tom Jones, a private transportation consultant for the Cascadia program, said there is strong support for using the BNSF corridor for joint rail and transit operations. He noted opposition, however, from the Eastside Trail Advocates, which represents residents of the Houghton and Highland areas of Kirkland, and from the Cascade Bicycle Club. He noted support for rail and transit uses by the Woodinville City Council and Google. The City of Redmond has purchased its portion of corridor. Mr. Jones urged the Council to develop a strong position for the joint use of the corridor, and the simultaneous development of rail and trail facilities. He noted Cascadia's support for two additional projects, the development of a multi-modal hub at the South Kirkland Park and Ride lot, and modifications along the rail corridor near Whole Foods to support routing East Link light rail through a Downtown Bellevue tunnel and east to the Overlake area.

3. Study Session

(a) Council Business and New Initiatives

Councilmember Balducci reported on the opening of the biennial sculpture exhibit extending from City Hall to Downtown Park over the weekend. She said this is the first time the exhibit has involved private sponsors, and she suggested that the Council send formal thank-you letters to the sponsors.

Deputy Mayor Lee noted a Council consensus to prepare the thank-you letters.

Councilmember Wallace said that he and Deputy Mayor Lee attended the Bellevue Chamber of Commerce Leadership Forum at Microsoft.

Councilmember Degginger reported that he spoke to the American Water Works Association in Chicago last week about regional partnerships and the Cascade Water Alliance.

Councilmember Chelminiak provided an update on the Human Services Commission's work to develop funding recommendations to be considered by the Council. The Commission will hold a public hearing regarding its recommendations on July 20.

Councilmember Robertson attended a meeting of the King County Growth Management Planning Council, which will be working on an update to Countywide Planning Policies. She requested information on King County Councilmember Lambert's proposal related to converting waste to energy.

Deputy Mayor Lee participated in activities related to hosting a visiting delegation from India.

(b) City Manager's Report

(1) Management Brief Providing Information on Breakup of Burglary Ring and Downtown Car Prowls

City Manager Steve Sarkozy introduced Police Chief Linda Pillo and Detective Steve Hoover to provide an update regarding arrests related to a series of burglaries in south Bellevue.

Detective Hoover provided details of the burglaries, which began in April, and the arrest of three suspects in May. The individuals are believed to be responsible for additional burglaries in Bellevue, Auburn, and unincorporated King County. Detective Hoover commented on the teamwork within the Bellevue Police Department and with outside agencies which contributed to the arrests. He described his communications with crime victims, and reviewed tips for homeowners on ways to help prevent burglaries and car prowls.

Deputy Mayor Lee thanked Detective Hoover and the Police Department for their good work. Mr. Lee said he and Councilmember Robertson recently attended a meeting in the Somerset community about burglaries. He commented on the importance of residents being aware of activities in their neighborhood and communicating with their neighbors.

Councilmember Robertson thanked the police for their work with the Somerset neighborhood. She commended Detective Chinn's assistance and noted that he is available to speak to neighborhood and community groups about public safety. Ms. Robertson said residents expressed an interest in receiving crime alerts relevant to their neighborhoods. Chief Pillo said she will provide the Council with more information about the Police Department's communication tools. She noted that local crime maps will be posted to the City's web site in the near future.

Responding to Councilmember Balducci, Detective Hoover said King County has a repeat offender burglary initiative modeled on the successful car theft initiative.

Councilmember Wallace praised the Police Department for its successful efforts.

City Manager Sarkozy took the opportunity to comment on the City's budget process, in response to questions and speculation about potential allocations. The City is working to cut approximately \$10 million from the 2011 budget, which includes ongoing measures to identify efficiencies and reduce costs. Cross-departmental staff teams continue to evaluate department proposals, and final decisions will be made by the Council later this year.

Deputy Mayor Lee said that he and other Councilmembers attended the recent Transportation Commission retreat, where concerns were raised regarding possible future service reductions.

Councilmember Chelminiak said the Council received emails from citizens regarding the potential for the closure of the Crossroads Police station. He noted that lease negotiations have been resolved.

Councilmember Balducci acknowledged that this is a difficult budget process and that some services will be modified or eliminated. She said it is important to ensure that information released about the process is accurate.

(2) Management Brief Responding to Correspondence Regarding Use of Single-Family Dwelling in West Bellevue

Mr. Sarkozy asked staff to comment on correspondence received from Mr. Bert Williams concerning the use of a single-family home on NE 16th Place as potentially an illegal triplex.

Land Use Director Carol Helland noted the management brief in the meeting packet [Page 3-5], and reported that Code Compliance staff investigated Mr. Williams' complaint. Staff found a history of the property's use as an illegal triplex in the past, but concluded that the home is currently being operated consistent with the terms of single-family use requirements. There are two kitchens in the home. However, the property owner has executed a single-family use agreement and is complying with the terms of the agreement as well as the definition of family that is applied in single-family zoning districts.

Responding to Councilmember Chelminiak, Ms. Helland said it is becoming more common for homes to have two kitchens, particularly in larger homes. This requires the execution of an agreement with the City during the building permit process.

Councilmember Balducci said she would like a future Council discussion regarding in-home rentals and accessory dwelling units. Ms. Helland noted that units contained within a single-family residence are allowed, but the City does not currently allow detached units. She acknowledged past Council interest in modifying regulations to allow a broader range of housing options. Staff has it on their list of code amendments to be explored in the future.

(3) Bellevue Convention Center Authority (BCCA) Board Appointment

Mr. Sarkozy noted that it is the City Manager's responsibility to appoint members of the Bellevue Convention Center Authority (BCCA) Board, with the concurrence of the City Council. He recommended the reappointment of Ron Hofilena to serve from January 1, 2010 to January 1, 2014. Mr. Sarkozy noted that the recruitment process for an additional recently vacated position will be underway shortly.

- Councilmember Degginger moved to reappoint Ron Hofilena to the Bellevue Convention Center Authority (BCCA) Board. Councilmember Robertson seconded the motion.
- The motion to reappoint Ron Hofilena to the BCCA Board carried by a vote of 6-0.

(c) Overview of Job Order Contracting Process

City Manager Sarkozy recalled that the Job Order Contracting method is an alternative process for streamlining the completion of small public works projects.

Dave Berg, Deputy Director of Transportation, said the Job Order Contracting program is ready for implementation. It will eliminate time and expense related to the formal design and bid process, reduce change orders and claims, and allow the City to utilize services only as needed. It supplements but does not replace the existing public works contracting process for larger projects. Two JOC contracts will be presented for Council approval on July 6.

Mr. Berg reviewed the types of projects to be completed under this process including sidewalk links, traffic calming projects, trail repairs, and environmental/conservation projects. Each of the two JOC contracts, which includes one for "horizontal" work and one for "vertical" work, has a minimum value of \$50,000 and a maximum value of \$3 million over a two-year term. There is an additional \$2.5 million should the City decide to extend a contract for an additional year.

Funds expended under the JOC program will be utilized for CIP projects previously subject to the individual, formal solicitation processes. Staff teams evaluated the proposals based on a specific set of criteria, and those meeting the minimum qualifications were invited to submit a price proposal.

Responding to Deputy Mayor Lee, Mr. Berg said the City uses a price book to itemize the types of work anticipated, for example lineal feet of sidewalk and square feet of asphalt. The competing contractors provide a price for each work item. In further response, Mr. Berg said staff is always testing the market for the lowest cost. The JOC program provides an option for small projects, but is not required if another contractor is more cost effective.

Mr. Berg said staff recommends granting both contracts to Saybr Construction, and to begin constructing projects in August. Saybr has been in business for approximately 20 years and focuses on job order contracting with a number of agencies. Staff plans to provide an update on program results next June.

Responding to Councilmember Chelminiak, Mr. Berg said that JOC contractors do not have the ability to opt out of certain projects. However, if they have concerns about a specific project, the City will work with them to assess the situation. Mr. Berg said individual projects cannot exceed \$300,000.

Responding to Councilmember Chelminiak, Mr. Berg said staff can provide more frequent updates if desired by the Council.

(d) Overview of Proposed Property Agreements at Bellevue Airfield, Ivanhoe, and Ashwood Parks

Patrick Foran, Director of Parks and Community Services, opened staff's presentation regarding three parks projects.

Glenn Kost, Planning Manager, reviewed a proposal regarding alternate parking arrangements for the Bellevue Airfield Park Master Plan. Under the proposed agreement, the City's priority use of shared parking facilities varies throughout the day and week. It designates more parking spaces for use by the adjacent business park during weekdays until 5:00 p.m., but favors the public park during non-business hours. The agreement gives the public access to up to 400 parking spaces on weekends and holidays. The private property owner associated with the shared parking lot will be responsible for the maintenance of the facility, and will share enforcement with the City.

Responding to Councilmember Balducci, Mr. Kost confirmed that the park Master Plan has 123 parking spaces, separate from the shared private lot, that will always be available to the public. In further response, Mr. Kost said that under the agreement, the private property owner is responsible for signage and for implementing a system for regulating the varying parking hours. Mr. Kost said that employees will likely have parking stickers.

Councilmember Balducci encouraged, from a policy matter standpoint, that the plan minimize potential conflicts between park users and office park employees.

Responding to Councilmember Robertson, Mr. Kost said staff's analysis indicates there will be sufficient parking for both private and public uses. Councilmember Robertson thanked staff for their work on this proposal.

Responding to Councilmember Chelminiak, Mr. Kost said the parking plan in the agreement would accommodate dog park use as well, if the Council were to approve that use.

Mr. Kost reviewed the proposed Ivanhoe Youth Theatre and Sportsfields Use Agreement with the Bellevue School District. The agreement combines two previous agreements and extends over a 20-year period. The Bellevue School District does not foresee any major demographic shift that would require a new school within 20 years.

Mr. Foran noted that the City does not pay rent to the District for the use of the Ivanhoe property.

Responding to Councilmember Wallace, Mr. Kost described needed improvements to the Ivanhoe facility including sprinklers for fire suppression, energy code items, and seismic upgrades. Mr. Foran said improvements will be needed over time if the building is to be used for another 20 years. He confirmed that the City is responsible for the maintenance and operations of the site.

Councilmember Wallace said he would like to learn more about the building before committing to any facility enhancements. He believes that \$500,000 to \$750,000 is a large amount of money to spend on upgrades to a 1950s-era building.

Responding to Councilmember Robertson, Mr. Kost said he will provide more information on the M&O costs for the Ivanhoe facility, as well as facility rental rates and the percentage of cost recovery. Ms. Robertson said she would like more information on the long-term plan for the Ivanhoe Theatre facility and the new theatre to be built at Crossroads Park.

Mr. Kost reviewed the proposed Ashwood Park Temporary Use Agreement with the King County Library System. The library system will be adding a parking structure at the Bellevue Regional Library site, and temporary parking is needed to serve library patrons during the construction of the new parking garage.

Mr. Kost said staff recommends allowing the King County Library System to utilize two-thirds of Ashwood Park for approximately one year. Staff has asked the Library to complete an outreach program to make residents fully aware of the project. One proposal is to extend NE 11th Street, which is a public right-of-way, up to the park.

Kay Johnson, Facilities Development Director, KCLS, described the current parking situation, which routinely overflows into the park. She summarized parking options that were identified and considered before choosing the recommended plan.

Bill Ptacek, KCLS Director, noted strong community support for the Bellevue Regional Library and the project to add parking. He encouraged the Council's approval of the proposed agreement.

Responding to Councilmember Balducci, Mr. Kost described the temporary configuration for the site during construction. Ms. Balducci said it is important to work with property owners to the south to be sure they understand that the situation is temporary, as the project will impact ingress and egress for a period of time.

Councilmember Chelminiak commented that the park serves a large number of citizens on a regular basis. He would like to see broad plan for communicating to surrounding neighborhoods about the project. Mr. Ptacek agreed that it is in the library's best interest to get the word out to the community about the anticipated impacts.

Responding to Councilmember Robertson, Mr. Ptacek said the Newport Library should be reopened, or nearly so, by the time construction starts at the Bellevue Regional Library. He

noted that the Lake Hills Library will be open as well. In further response, Mr. Foran noted the area on the site map that will be temporarily closed to the public. This includes the sportsfield currently used for organized sports. Park users will have the option of parking at the existing library lot. However, there is a high demand for those parking spaces. Councilmember Robertson encouraged staff to work with adjacent neighborhoods to minimize disruptions, and to coordinate construction of the library garage to be consistent with the final park Master Plan.

Responding to Councilmember Balducci, Mr. Kost confirmed that the City is not responsible for the construction of the new Lake Hills Library. The City is only providing tenant improvements for the new space.

Councilmember Wallace echoed previous comments regarding neighborhood outreach, and questioned whether overflow parking is expected to spill over into surrounding neighborhoods. Ms. Johnson acknowledged that parking will be a major challenge during the construction project. The library will establish off-site parking for employees.

Councilmember Wallace said he would like more information on the “before” and “after” conditions of the site. Responding to Mr. Wallace, Mr. Kost said the library system will resurface the park’s parking lot and provide landscaping upon completion of the project. Councilmember Wallace suggested that in going forward with deciding what the City wants to do with Ashwood Park in future, it might make more sense to consider taking a cash payment toward Bellevue's plan for park.

Councilmember Chelminiak said he is in favor of restoring the sportsfield upon completion of the library project. If the City chooses to not do so in its Master Plan, he feels it is important to communicate that plan to the community.

Councilmember Robertson expressed support for restoring the fields. She wants to ensure that landscaping improvements and other restoration details are consistent with the park Master Plan.

Mr. Foran clarified that the City’s intention is to replace the park for its current use. The preliminary Master Plan does not currently have programmed athletic uses, but the urban park plan will not be implemented for a number of years.

Councilmember Degginger observed that at this point staff is requesting a general Council consensus to move forward with negotiating agreements. His understanding is that the proposed agreements will be presented to the Council later for additional discussion and final approval.

Deputy Mayor Lee noted general support for negotiating the proposed agreements. He reviewed the Council’s interest in contingency planning for the temporary closure of portions of Ashwood Park, and in communicating the plan to the community.

Councilmember Balducci suggested that staff move forward with negotiating all three of the agreements discussed during tonight’s presentation.

At 9:04 p.m., Deputy Mayor Lee declared a short break. The meeting resumed at 9:13 p.m.

(e) Regional Issues

Deputy Mayor Lee suggested that the Transit Task Force and TIGER II items be addressed next, before Councilmember Degginger needs to leave the meeting to catch a flight.

(1) King County Regional Transit Task Force Update and Draft Guiding Principles

City Manager Steve Sarkozy opened discussion regarding the King County Regional Transit Task Force, noting that Councilmember Degginger serves on the committee. Deputy Mayor Lee added that Councilmember Degginger was appointed by the King County Executive to represent Eastside cities.

Diane Carlson, Director of Intergovernmental Relations, referred the Council to the revised version of the guiding principles regarding the Regional Transit Task Force.

Kim Becklund, Transportation Policy Advisor, briefly outlined the draft document entitled Guiding Principles Concerning Regional Transit Task Force. The task force is directed to explore six key service design factors: 1) Productivity and efficiency, 2) Land Use, 3) Financial Sustainability, 4) Geographic Equity, 5) Social Equity and Environmental Justice, and 6) Economic Development.

Councilmember Degginger described the task force's work, noting that he serves on the efficiencies and cost control subcommittee. A second subcommittee is focused on performance measurement. He said the Regional Transit Task Force needs to demonstrate that it is adopting measures to control costs, which is difficult based upon the way the system is structured. The task force is looking at alternative forms of service delivery, the ability to address financial stability, and the possibility of reducing service levels.

Deputy Mayor Lee said Bellevue is fortunate to have Councilmember Degginger on the task force. Responding to Mr. Lee, Mr. Degginger said a number of performance measures have been implemented, some of which are better than others at capturing cost and service effectiveness and performance. What is beginning to emerge is a series of principles that will focus on identifying more effective metrics for measuring the ability to deliver service hours and move people. Councilmember Degginger confirmed the September deadline for formulating a recommended service policy, and praised Metro staff for working hard to assist the task force.

Councilmember Chelminiak stated that with regard to the guiding principles, it is important to capture both labor and operations/maintenance issues under the productivity and efficiency design factor. With regard to land use, he does not believe that the Bel-Red corridor is a designated urban center. Within the land use paragraph, he suggested adding high-capacity transit connections as part of overall transit service expansion. This is consistent with the recommendation for multi-modal transportation by the Light Rail Best Practices Committee. Mr.

Chelminiak expressed support for the section on social equity and environmental justice, noting that King County has an interesting program covering these areas.

Councilmember Balducci observed that the guiding principles do not reflect a vision for the desired network and service levels for defined areas. Such an approach seems necessary for addressing productivity and affordability issues.

Councilmember Degginger said the task force has discussed these issues, and the highest priority objectives are efficiency, financial stability, and land use implications. A key goal is getting people to job centers, which the transit system currently does fairly well. A related issue is serving populations that are dependent on transit and have no other transportation options. Mr. Degginger explained that certain routes, such as those between Queen Anne and downtown Seattle and those between Seattle and downtown Bellevue, have high ridership and cost-efficient service. However, Metro's local service routes, particularly in suburban areas, are the least efficient routes. The task force is interested in exploring ways to perhaps approach local service in a different way.

Responding to Councilmember Balducci, Mr. Degginger said it would be helpful to him, as a member of the task force, to have an idea about the Council's relative priorities within the design factors.

Councilmember Balducci suggested adding a principle that encourages connections between multiple travel modes. She questioned how the issue of geographic equity is being addressed.

Councilmember Degginger acknowledged the conflict between the concept of providing service to areas based on financial contributions to the system and the principle that reductions in service should be in proportion to existing service levels. He noted that despite the 40-40-20 split of financial contributions between the three major subareas, Bellevue is currently receiving 17 percent of the service. One issue worth exploring is whether Bellevue would fare better in terms of adding service if decisions were guided based on job centers.

Councilmember Balducci observed that productivity, by necessity, is a top priority in terms of routes and service levels. However, she appreciates the importance of social and geographic equity.

Councilmember Wallace said his perspective is to determine the deficiencies in Bellevue's transit service. The two key issues are congestion relief using a multi-modal system and social equity. He suggested it would be interesting to analyze whether it would be more cost efficient to deliver some local services using an alternate to buses, such as vans or shuttles. He observed that it is important to consider where buses serving job centers are originating, in terms of determining service demands.

Noting that sales tax is being contributed to both Metro and Sound Transit, Councilmember Wallace said it is important to coordinate the two systems to achieve optimal efficiency. Referring to the guiding principle of financial sustainability, Mr. Wallace prefers to indicate that

new revenue sources should be explored, rather than assuming at this point that they will be implemented.

Ms. Carlson said staff will revise the document and come back to the Council for continued discussion.

(2) TIGER II Discretionary Grant Application Approval

Ms. Carlson opened discussion regarding the TIGER II grant program. Staff is seeking Council direction about whether to proceed with an application for grant funds to complete the 120th Avenue NE Corridor project. Final applications are due in August, and staff would like to come back to the Council next week with a request for design funding.

Transportation Director Goran Sparrman reviewed the funding and design components of the 120th Avenue NE project. Segment I is fully funded and work is underway. The Council has approved funding for conceptual engineering for Segment II. The grant application would provide funding to extend 120th Avenue NE from the Wilburton area to Northup Way, including Segment III.

Councilmember Degginger spoke in support of seeking grant funding for this important project. Even if this funding is not achieved, the design work would position the City well in competing for additional grants in the near future. He congratulated Councilmember Balducci for being designated as the new chair of the Puget Sound Regional Council's Transportation Policy Board.

Responding to Councilmember Wallace, Mr. Sparrman said the estimated cost of full design work to extend 120th Avenue NE to Northup Way is \$3.2 million. Staff recommends revising the Capital Investment Program (CIP) to add this project along with an allocation of \$3.2 million. Mr. Sparrman said the monies would come from an original funding placeholder from the Supplemental CIP Plan and the three-percent property tax increase.

Councilmember Wallace noted that TIGER I funding was denied for the NE 4th Street and 120th Avenue NE project, and questioned the feedback on that application. Mr. Sparrman said the TIGER I process had slightly different criteria, including a requirement that projects be shovel ready. In addition, since that time and with the involvement of private partners, the City has done a more thorough job of demonstrating the benefits of the overall land use plan for the Bel-Red Corridor.

Deputy Mayor Lee expressed support for pursuing the grant. He feels the investment in design funding warrants the potential grant funding that could be awarded. He observed that the political climate has changed somewhat and will benefit the City's application.

Councilmember Wallace would like the design process to analyze value engineering options for the project. He would like to see thorough value engineering for all City road projects as well.

Councilmember Robertson said she agrees with the Wilburton Community Association that completing the 120th Avenue NE extension is critical to extending NE 4th Street to the Wilburton area. She supports applying for the grant, and asked why bike lanes are part of the project. She asked staff to respond to Todd Woosley's suggestions to the City about locating bike lanes along the BNSF rail corridor.

Mr. Sparrman said the recently adopted Pedestrian and Bicycle Plan identifies bike lanes on 120th Avenue NE. It has been suggested by Mr. Woosley that adding a regional northwest trail along the BNSF alignment would substitute for that. However, the functionality is different as that would be a regional facility while the 120th project bike lanes provide closer local connections to future employment centers in the Bel-Red corridor.

Deputy Mayor Lee noted that at least some Councilmembers would like to explore alternatives for bike lanes. He said the City took a similar approach with the 140th Avenue bike path.

Councilmember Balducci noted that the Ped-Bike Plan was adopted following an extensive public process and review by the Transportation Commission. She recalled that the Council previously adopted plans for major bike corridors through Bellevue, and inquired about the status of those plans. If the Council chooses to reconsider goals established in the Ped-Bike Plan, Ms. Balducci said this should involve a public process.

Councilmember Chelminiak recalled that the Council modified the bike path plans in the 140th project, despite the recommendation of the Transportation Commission.

[Councilmember Degginger left the table at 9:54 p.m.]

- At 9:54 p.m., Councilmember Balducci moved to extend the meeting until 10:30 p.m., and Councilmember Wallace seconded the motion.
- The motion to extend the meeting carried by a vote of 5-0.

(3) Court Services Update and Recommendation to Extend Municipal Court Services Interlocal Agreement with King County through 2016

Ms. Carlson provided an update on municipal court services. The current agreement for court services with King County District Court covers the period through December 31, 2011. It provides for two additional five-year extensions to occur automatically unless notice of the intent to terminate is provided at least 18 months before the end of the contract period. Staff recommends continuing the contract for a five-year term through 2016.

Deputy Mayor Lee thanked representatives from the court for attending the meeting.

Councilmember Wallace expressed support for staff's recommendation.

Councilmember Balducci thanked District Court administrators for being responsive to the City's concerns during the negotiations. Responding to Ms. Balducci, Mr. Sarkozy confirmed the ongoing objective to move out of the current court site, but noted that budget constraints prevent that at this point. Ms. Balducci suggested it might be necessary to consider improvements to the facility in the interim.

Councilmember Chelminiak concurred, and expressed concern that the building cannot continue to operate in a safe manner without some new investment into the facility.

Councilmember Balducci noted past successes in finding temporary locations for certain City Hall functions, which lasted for a period of time until better solutions were available.

Responding to Deputy Mayor Lee, Judge Janet Garrow said new judge positions have been added in Redmond and Shoreline, as well as a new open Eastside seat.

(4) BNSF Corridor in East King County – Draft Interest Statement

Ms. Carlson noted the revised interest statement on the Burlington Northern Santa Fe (BNSF) Corridor Implementation in the meeting packet [Page 3-61]. Staff is seeking Council feedback, whether written or in discussion.

With regard to Item 2 of the interest statement, Deputy Mayor Lee suggested changing the phrase “dual use” to “multi-use.”

Councilmember Wallace further suggested that Item 2 recognize more than rail and trails, including water pipes, fiber optics, and other utilities. He feels this is a good opportunity for the region to utilize this 43-mile corridor for a number of purposes. He noted that the corridor is rail-banked, and freight travel should be kept in mind. Mr. Wallace recalled concerns previously expressed by Councilmember Chelminiak about grade separation at NE 4th, NE 6th, and NE 8th Streets. He agrees that this should be addressed in the statement.

Councilmember Robertson would like to avoid at-grade crossings as much as possible. She agreed with Mr. Lee about language referring to multi-use. Ms. Robertson questioned whether the definition for commuter rail includes light rail.

Kim Becklund stated that state law looks at the two technologies separately. She said it is premature to assume what type of rail might utilize the corridor, and suggested that perhaps passenger rail would be a better phrase.

Councilmember Robertson would like to keep all options for the corridor open. Responding to Ms. Robertson, Mr. Becklund said she will make revisions to ensure consistency between the opening paragraph of the statement and the footnote.

Councilmember Balducci said she concurs with the suggestions so far. She suggested that the statement acknowledge that there are currently multiple partners and processes with regard to the

future of the corridor. She feels Bellevue should do what it can to encourage effective coordination between all jurisdictions. She questioned who is the lead for the current process, and what entity would have the authority to approve a governing body for the corridor.

Deputy Mayor Lee would support the City and Council taking a more active role in the process, given that a large segment of the corridor goes through Bellevue.

Responding to Councilmember Wallace, Ms. Becklund said she will provide additional information about Bellevue's status in relationship to the various parcels along the corridor (e.g., Permitting authority).

Ms. Carlson said she will update the document and return to Council for final approval.

→ Councilmember Balducci moved to amend the agenda to move the Federal Legislative Update to occur next. Councilmember Chelminiak seconded the motion.

→ The motion carried by a vote of 5-0.

(5) Federal Legislative Update

Ms. Carlson noted materials on the Federal Legislative Agenda beginning on page 3-85 of the meeting packet. She requested Council approval to send a letter to Congressman Inslee supporting the Safe Drug Disposal Act of 2009. This item is not currently on the Council's legislative agenda.

Responding to Councilmember Wallace, Ms. Carlson said the proposed bill provides flexibility for states in addressing this measure to protect water and sewer systems. Mr. Wallace said he would like more information about the full implications before taking action in support of the letter.

Ms. Carlson will provide more information and come back to the Council.

(6) Jail Planning – Terminating the North East Cities EIS Process to Evaluate a 640-bed Jail Facility

Councilmember Balducci recused herself from this discussion, noting her employment with the King County Jail, and left the meeting room.

Ms. Carlson reported that the City of Seattle is recommending termination of the North East King County cities Environmental Impact Statement (EIS) process to evaluate a jail facility. Other partners to the agreement are Clyde Hill, Kirkland, Redmond, Shoreline, and Yarrow Point. Mayor McGinn recommends termination of the agreement following additional work with King County, which is now committing to additional bed capacity for the cities through 2020.

Ms. Carlson requested Council approval to send letters to both King County Executive Dow Constantine and Mayor McGinn indicating approval to terminate the agreement.

Deputy Mayor Lee noted a consensus among Councilmembers participating in the discussion to authorize the Mayor to sign and send both letters.

At 10:16 p.m., Deputy Mayor Lee declared the meeting adjourned.

Myrna L. Basich, MMC
City Clerk

kaw