

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Session

January 7, 2013
8:00 p.m.

Council Chamber
Bellevue, Washington

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

ABSENT: Councilmember Chelminiak

1. Call to Order

The meeting was called to order at 8:04 p.m., with Mayor Lee presiding.

2. Roll Call, Flag Salute

Upon roll call, all Councilmembers except Mr. Chelminiak were present. Mayor Lee led the flag salute.

3. Communications: Written and Oral

- (a) Sam Bellomio, Stand Up America, commented on the City's current study into how to define a "recognized organization." He observed that the City is spending time and money to review that issue but still cannot provide the cost of the Police investigation of ongoing interest to Stand Up America. He reiterated his opposition to red light cameras. He said the City states that they increase safety, yet the number of accidents has not changed. He suggested that Police officers track their time for specific activities. Mr. Bellomio expressed frustration that Councilmembers were looking down while he was speaking, with the exception of Councilmember Balducci.
- (b) Alex Zimmerman commented on the cost of the Police investigation in which he is interested. He expressed concerns regarding the size and cost of the Police Department and the lack of responsiveness from government. He believes there should be a new City Manager every few years. He said he has received 28 tickets from the City over approximately 25 years. He believes that Police time would be better spent fighting more serious crimes.
- (c) Lisa Greene said she is working on her Master's degree in family studies and is taking a class on public policy and ethics. She thanked the Council for its work. She asked Councilmembers to consider the role they play in changing and shaping the lives of

families in Bellevue. She noted that her husband's family founded Bellevue Christian School. She said Bellevue is a great place to live.

(d) Bill Popp spoke in support of the design review board approach suggested by Councilmember Wallace within the context of the East Link light rail Land Use Code Overlay discussions. With regard to the South Bellevue Station, Mr. Popp suggested that a better station design would be a trench alignment, which would eliminate the visual impacts of an elevated configuration. This would connect well with the trench alignment in front of the Winters House which he believes is the best environmental design for the project. It also saves Bellevue Way's general purpose lanes.

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

5. Report of the City Manager: None.

6. Council Business and New Initiatives

Councilmember Davidson reported that he attended the City Council's Legislative Breakfast, a meeting of the Metropolitan Water Pollution Abatement Advisory Committee (MWPAAC) rate and finance committee, and a meeting of the MWPAAC engineering and planning committee. He attended a presentation regarding the bridge expansion and transition joints for the I-90 floating bridge. The report will be released soon and reflects an interesting design to be financed by the Eastside. He wished Councilmembers and the public a Happy New Year.

Deputy Mayor Robertson said she and Councilmember Stokes attended a meeting of the Puget Sound Regional Council (PSRC) Growth Management Policy Board. She and Councilmembers Stokes and Wallace have continued to meet with the East Link MOU leadership group. She attended the Council's Legislative Breakfast. She and the Girl Scouts participated in providing a meal to the winter shelter in East Bellevue, which is sponsored by the local faith community.

Deputy Mayor Robertson described a request from the King County Executive that Bellevue participate in a gun buy-back and trigger lock program. The program will offer an opportunity for citizens to safely dispose of guns and monetary incentives will be provided. The program will also offer trigger locks for free or reduced rates for people who do not wish to dispose of their firearms but wish to store them safely. She asked the Council to consider supporting this program and noted that it will not involve financial or staff support from Bellevue.

→ Deputy Mayor Robertson moved to endorse the gun buy-back and trigger lock program being launched by the City of Seattle and King County. Councilmember Stokes seconded the motion.

Dr. Davidson questioned who is making the incentive payments for the guns. Ms. Robertson said the Seattle Police Foundation and private partners are involved. Mr. Miyake said the private partners include Amazon, PEMCO, and the owner of Cafe Racer. In further response, Major Jerry Litzau said he does not believe this is intended as an annual program. Councilmember Davidson expressed support for the motion.

Mr. Miyake said that, if money is requested from the City, staff will come back to the Council.

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

Councilmember Balducci said she was traveling and therefore unable to attend the Sound Transit Board's December meeting. However, she noted a letter to the Council from the Board Chair encouraging Bellevue to continue its work and to complete the East Link Land Use Code Overlay. She asked staff to clarify the targeted decision point in the process. She noted that the original MOU deadline for completing this work was the end of December. The City did not formally request an extension, which she suggested is the reason for the letter.

Ms. Balducci reported that she and other Councilmembers attended the 20-year celebration for the Sister City relationship with Liepaja, Latvia. She thanked staff and volunteers for their work on this event.

Councilmember Stokes reported that he attended a meeting of the Puget Sound Regional Council (PSRC) Growth Management Policy Board, Council's Legislative Breakfast, and the Bellevue Botanical Garden's seasonal *Garden d'Lights* exhibit.

Councilmember Wallace asked the Council to direct staff to respond to the recent letter from Sound Transit. He observed that it sounds like Sound Transit is highlighting that the City has not completed its MOU Land Use Code Amendment work, which he believes merits a response. He would like to extend to Sound Transit the same courtesy of waiting for the agency to complete its cost-savings options work.

Mr. Wallace suggested that the letter also address the issue of the proposed maintenance facility and that the City offer Sound Transit more time to develop that more fully. He suggested a conversation on how that might fit into the East Link Overlay work.

Deputy Mayor Robertson said the letter being referenced is in the Council's desk packet. She believes it results from the Council not sending a letter to the Sound Transit Board in December to indicate that the City would not be completing its Land Use Code review by the end of the year. Ms. Robertson said there was an East Link MOU Steering Committee meeting before the Council's last meeting in December, and Council asked staff to check with Sound Transit to make sure that everyone had the same understanding about the MOU work schedule. At that time, staff indicated to the Council that a letter to Sound Transit was not needed. However, she heard from Fred Butler of the Sound Transit Board that he was surprised that the City did not communicate to the Board.

Ms. Robertson said she told Mr. Butler that Council is working on the issues but cannot complete the Overlay work until the cost-savings work on the final alignment is completed. The proposed operations and maintenance base needs to be considered as well. She supports sending a letter and would like the Council to have the opportunity to review it before it goes out. She believes there was a miscommunication between Sound Transit staff and the Sound Transit Board.

Councilmember Balducci said she was not sure whether Sound Transit staff or City staff concluded that a letter was not necessary before the end of the year. She acknowledged that the deadline passed and the Council did not formally address it. She expressed support for Councilmember Wallace's suggestion to send a letter acknowledging the current status and informing Sound Transit that the Council is working diligently to complete the Overlay work. With regard to the light rail maintenance facility, Ms. Balducci said the decision on the location will not be made for some time and that project is a separate process and timeline. She opined that the City does not need to adopt Land Use Code amendments around the maintenance facility now.

Councilmember Stokes said he supports sending a letter of response to Sound Transit. He believes the City can draft an appropriate response and reply to questions as part of documenting the record of the process. He suggested stating the Council's position and timeframe and focusing on moving forward.

Councilmember Davidson said he recalled someone suggesting a couple of months ago that the Council send letter. He recalled noting during previous meetings that the City spent much longer time periods crafting similar overlays (e.g., critical areas) in the past. He disagrees that the maintenance facility is a separate issue. He said the proposed facility covers 25 acres and houses 88 trains overnight.

Deputy Mayor Robertson confirmed that Dr. Davidson previously suggested sending a letter. She reiterated her suggestion that the City and Sound Transit discuss the maintenance and operations facility now while the Land Use Code amendment is under consideration.

Mayor Lee suggested not focusing on the apparent communication breakdown. However, he believes it is important to have a record of responding to the Sound Transit Board's letter. Mayor Lee observed that there is general Council support for discussing the maintenance and operations facility as part of the Land Use Code Overlay discussion.

Councilmember Stokes suggested that the MOU leadership group discuss the maintenance facility during its meeting later in the week and then provide a briefing to the Council. He said the Council will address it but he believes it is a question of timing and how best to do it.

→ Councilmember Stokes moved to direct staff to prepare a draft letter responding to the Sound Transit Board for Council review and adoption. Ms. Robertson seconded the motion.

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

Mr. Miyake said staff will draft the letter for review by the Council before the Sound Transit Board's next meeting.

Councilmember Wallace suggested a discussion between the two agencies' staffs regarding the schedule and about when Sound Transit intends to finish its cost savings work and to address its proposed maintenance facility. Mr. Wallace noted that Sound Transit's attorney has been present

at every Council discussion so it should not have been a surprise that the City had not completed the Light Rail Overlay. He observed that the written communication is important, but it is also important to obtain clarification on the schedule and the coordination of both agencies' work.

Mayor Lee concurred with Mr. Wallace's suggestion. Mr. Lee said that whatever the Council formalizes needs to reflect staff's understanding. He said it is important to regroup and to hopefully reconnect.

Councilmember Balducci asked that the draft letter be sent to all Councilmembers for review. As a separate issue, she noted that project implementation has been delayed from 2021 to 2023. She encouraged moving things along expeditiously to avoid delaying service any further and increasing project costs.

Councilmember Wallace said this is a collaboration between agencies. He believes the City does not have sufficient information on which to make a decision with regard to the Land Use Code. The City is not causing the delay. Mr. Wallace said that both staffs need to produce the information needed by the Council to make decisions on the Land Use Code Overlay, cost-savings options, and maintenance and operations facility.

Dr. Davidson commented that Sound Transit's overall light rail system plan is already behind schedule, and it will be a number of years before the line reaches Northgate. He is concerned about delays but observed that no one seems to be concerned about the delay of Seattle's system. He observed that Sound Transit benefits by delays because more tax revenue is generated over longer time periods.

Moving on, Mayor Lee reported on his City-related business. He attended his last meeting of the King County Regional Transit Committee. He noted that Councilmember Stokes will begin serving on the King County Regional Policy Committee. Mayor Lee encouraged the Council to continue to work together to pursue the community's vision and to be accountable and transparent.

7. Approval of the Agenda

→ Deputy Mayor Robertson moved to approve the agenda, and Councilmember Stokes seconded the motion.

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

8. Consent Calendar

→ Deputy Mayor Robertson moved to approve the Consent Calendar, and Councilmember Stokes seconded the motion.

→ The motion to approve the Consent Calendar carried by a vote of 6-0, and the following items were approved.

- (a) Minutes of November 19, 2012 Study Session
Minutes of November 19, 2012 Regular Session
Minutes of November 26, 2012 Extended Study Session
Minutes of December 3, 2012 Study Session
Minutes of December 3, 2012 Regular Session
Minutes of December 10, 2012 Study Session
Minutes of December 10, 2012 Regular Session
- (b) Resolution No. 8493 authorizing execution of a four-year professional services agreement with Pricewaterhouse-Coopers LLC, in an amount not to exceed \$64,000, to provide actuarial services for the Third Party Liability and Workers' Compensation Programs.
- (c) Resolution No. 8494 authorizing execution of a four-year professional services agreement with Eberle Vivian Self-Insurance Administrators, in an amount not to exceed \$329,040, to provide workers' compensation claims administration services.
- (d) Motion to reject all bids for Bid No. 12185 for Bellevue Fire Station 5 improvements.
- (e) Resolution No. 8495 authorizing execution of a three-year professional services agreement between the City and Cabot Dow, in an amount not to exceed \$135,000, to negotiate seven successor labor agreements, and represent and/or assist the City during union-related matters such as grievances, mediation, or interest arbitration as needed during the 2013-2015 contract period.
- (f) Landscape Services Contracts

Resolution No. 8496 authorizing execution of a two-year general services contract with Badgley's Landscape, with the option to renew for an additional two years, for landscaping services at various street tree and arterial landscape, natural resource trails, and nature park Visitor Center sites;

Resolution No. 8497 authorizing execution of a two-year general services contract with Canber Corps Landscape, with the option to renew for an additional two years, for landscaping services at various street tree and arterial landscape, natural resource trails and nature park Visitor Center sites;

Resolution No. 8498 authorizing execution of a two-year general services contract with Earthworks Landscape Services, with the option to renew for an additional two years, for landscaping services at various street tree and arterial landscape, natural resource trails and nature park Visitor Center sites;

Resolution No. 8499 authorizing execution of a two-year general services contract with Signature Landscape Services, with the option to renew for an additional two years, for landscaping services at various street tree and arterial landscape, natural resource trails and nature park Visitor Center sites; and

Resolution No. 8500 authorizing execution of a two-year general services contract with Total Landscape Corporation, with the option to renew for an additional two years, for landscaping services at various street tree and arterial landscape, natural resource trails and nature park Visitor Center sites.

- (g) Resolution No. 8501 authorizing execution of a grant agreement with the Washington State Department of Transportation, in the amount of \$1,100,686, for the acceptance of federal Surface Transportation Program funding to support the construction phase of 120th Avenue NE - Stage 2 - from NE 8th to NE 12th Streets (CIP Plan No. PW-R-164).
- (h) Resolution No. 8502 authorizing execution of a grant agreement with the Washington State Department of Transportation, in the amount of \$450,000, for the acceptance of federal Surface Transportation Program funding, for the Factoria Boulevard Overlay project (SE 36th Street to SE 41st Place) within the annual Overlay Program (CIP Plan No. PW-M-1).
- (i) Ordinance No. 6097 authorizing: 1) execution of a grant agreement with the Washington State Department of Transportation to accept a \$260,000 federal Safe Routes to School Program grant to construct a sidewalk on the east side of West Lake Sammamish Parkway connecting students to Sunset Elementary School; provide safe walk educational programs and materials; and add extra shifts of school speed zone enforcement; 2) amending the 2013-2014 General Capital Investment Program (CIP) Plan to increase the appropriation by \$260,000 in grant funds; and, 3) amending the 2013-2019 CIP Plan to increase the Neighborhood Traffic Safety Program by \$260,000 (CIP Plan No. PW-M-7).
- (j) Motion to authorize extension of the Interlocal Agreement with Eastside Transportation Partnership (ETP).
- (k) Resolution No. 8503 authorizing execution of a professional services agreement with HDR Engineering, Inc., in an amount not to exceed \$125,000, for engineering services for the 2013 Wastewater Pump Station Evaluation (CIP Plan No. S-16).
- (l) Resolution No. 8504 authorizing execution of a professional services agreement with Osborn Consulting, Inc., in an amount not to exceed \$420,000, for engineering services for the Sanitary Sewer Repair Design 2013-2017 (CIP Plan No. S-24).

Deputy Mayor Robertson highlighted that the Consent Calendar approves three grants from other agencies. She thanked staff for continuing to pursue grants that help the City leverage its investments.

9. Public Hearings: None.
10. Land Use: None.
11. Other Ordinances, Resolutions and Motions: None.
12. Unfinished Business: None.
13. Continued Oral Communications

Bob Janes, a resident of the Cherry Crest neighborhood, testified that he and his neighbors have serious concerns about the proposed East Link maintenance facility in the Bel-Red corridor. He said he sent an email to the Council the previous day. He noted the lack of information being provided to the community. He thanked Councilmembers for their work.

Deputy Mayor Robertson suggested that Mr. Janes provide contact information to staff in order to be added to email lists.

Mr. Janes said his impression is that Sound Transit has made up its mind with regard to the maintenance facility. He is concerned about the long-term impacts to the community. He observed that planning in the United States typically covers a 10-year horizon while many cities around the world (i.e., Singapore) plan for 50-100 years. Mr. Janes expressed concern about placing an industrial facility in the Bel-Red corridor.

14. New Business: None.
15. Executive Session: None.
16. Adjournment

At 8:59 p.m., Mayor Lee declared the meeting adjourned.

Myrna L. Basich, MMC
City Clerk

/kaw