

CITY OF BELLEVUE  
CITY COUNCIL

Summary Minutes of Regular Session

February 18, 2014  
8:00 p.m.

Council Chamber  
Bellevue, Washington

PRESENT: Mayor Balducci and Councilmembers Chelminiak, Lee, Robinson, and Stokes

ABSENT: Deputy Mayor Wallace and Councilmember Robertson

1. Call to Order

The meeting was called to order at 8:10 p.m., with Mayor Balducci presiding.

2. Roll Call, Flag Salute

All Councilmembers were present. Councilmember Robinson led the flag salute.

3. Communications: Written and Oral

- (a) Wendy Tyner spoke about the upcoming Wintergrass Festival and thanked the Council for its ongoing financial assistance. She described the festival's educational and performance components including the youth academy. The City's contribution provides scholarships for half of the 200 youth academy students and reduced ticket prices for their families. The festival involves 274 volunteers and features 180 artists from the region, nation, Switzerland and Canada. Tickets can be purchased online. The Wintergrass Festival has signed an agreement with the Hyatt to continue at that venue through 2019.
- (b) James Eder said he is 87 years old and has lived in Bellevue for 50 years. He is retired from The Boeing Company and devotes much of his time to money and health issues. He expressed concern regarding the link between fluoride and brain function. He asked the City to take action to replace fluoride in water with a safe substitute.

Mayor Balducci asked that Utilities staff provide an update to the Council on the issue of fluoride in water.

- (c) Terry Pottmeyer, CEO of Friends of Youth, said that one in three youths in the foster care system become homeless within one year of exiting the system at age 18. She requested Council approval of the ARCH recommendations on the consent calendar, including

Resolution No. 8697 authorizing the use of funds for the Friends of Youth Extended Foster Care project. The project will provide housing for youths in foster care beyond age 18. Ms. Pottmeyer invited the Council to the groundbreaking on April 17 at noon.

(d) Alex Zimmerman, StandUP-America, spoke in favor of term limits for Councilmembers. He reiterated his ongoing request that the City Manager hold monthly public forums. He spoke against the use of red light cameras. He expressed concern about the handling and expense of Police investigations, including twice that he has been prosecuted.

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

5. Report of the City Manager

(a) Bellevue Convention Center Authority (BCCA) Board Reappointments

Acting City Manager Brad Miyake requested City Council concurrence regarding the reappointment of Ann Kawasaki and Ron Hofilena to the Bellevue Convention Center Authority (BCCA) Board.

Councilmember Chelminiak said that both individuals contribute significantly to the work of the BCCA Board. As Council liaison to the Board, he encouraged support for their reappointment.

Mayor Balducci noted a Council consensus in support of the recommendation.

6. Council Business and New Initiatives

Councilmember Chelminiak reported that he and other Councilmembers attended the Bellevue Downtown Association's (BDA) 40<sup>th</sup> annual dinner. Mr. Chelminiak attended his first meeting as a returning member of the Puget Sound Regional Council (PSRC) Growth Management Planning Board.

Councilmember Lee said he attended the BDA dinner and the volunteer appreciation lunch at the North Bellevue Senior/Community Center. He met with members of the Seoul Metropolitan Council who were visiting from Korea. Mr. Lee attended the reception for former Mayor and Councilmember Don Davidson to celebrate his years of service for the community.

Councilmember Stokes said he attended the BDA dinner and volunteer appreciation lunch. He attended a meeting of the Regional Policy Committee.

Councilmember Robinson reported that she, Mayor Balducci, Mr. Miyake and other City staff visited Bellevue's winter shelter for men and stayed to serve dinner.

Dr. Robinson attended the Leadership Eastside annual *State of the Eastside* luncheon and the Bellevue Parks and Community Service Board meeting. She attended the King County Climate Collaboration's elected officials working summit with Land Use Director Dan Stroh. Dr. Robinson met with representatives of the Ahmadiyya Muslim community, the Westwood

Highlands Neighborhood Association, and the Rockwood Neighborhood Association.

Councilmember Robinson said she understands that the City is exploring the ability to loop the Bellevue Youth Theatre and Bellevue Botanical Gardens for the hearing impaired. She questioned whether it would be possible to also look at incorporating that technology in City Hall.

City Clerk Myrna Basich said staff's research into looping technology for the two Council meeting rooms estimates a cost of approximately \$60,000. She said this is beyond the current technology improvements budget. However, she is working with staff to potentially bring forward a budget proposal for consideration by the Council.

Dr. Robinson requested that the consultant working on the other two City facilities be consulted about City Hall as well.

Mayor Balducci said she chaired the PSRC Transportation Policy Board meeting. She reported that a potential change in the flight pattern for the Renton Airport would reroute flights now going over Mercer Island to a path over the lake between Mercer Island and Bellevue. Ms. Balducci said she met with the King County members of the Transportation Policy Board to plan the next funding round of federal grant requests.

Ms. Balducci said she attended the later portion of the Eastside Transportation Partnership meeting. Deputy Mayor Wallace and Councilmember Stokes attended the full meeting.

Mayor Balducci met with representatives of the Salvation Army, which is replacing its facility in the Crossroads area. On behalf of the City, Mayor Balducci attended the 2014 Lunar New Year celebration at Bellevue Square sponsored by the Seattle Chinese Culture and Arts Association.

Ms. Balducci said she was glad to see the good work being done at the men's winter shelter in Bellevue. However, it is not a permanent space. Sound Transit donated the use of the building, the City pays utilities, and the City of Redmond provides support as well. Ms. Balducci encouraged cities and nonprofit providers to work together to establish a permanent shelter.

Councilmember Robinson said the men's winter shelter is in need of blanket donations. She said it is very easy to order a blanket to be delivered to Congregations for the Homeless.

7. Approval of the Agenda

→ Councilmember Chelminiak moved to approve the agenda, and Councilmember Stokes seconded the motion.

→ The motion to approve the agenda carried by a vote of 5-0.

8. Consent Calendar

→ Councilmember Chelminiak moved to approve the Consent Calendar, with the exception of Item 8(f). Councilmember Stokes seconded the motion.

→ The motion to approve the Consent Calendar, as amended, carried by a vote of 5-0, and the following items were approved:

- (a) Minutes of January 27, 2014 Extended Study Session  
Minutes of February 3, 2014 Study Session  
Minutes of February 3, 2014 Regular Session

- (b) Resolution No. 8696 authorizing the City Manager or his designee to execute an amendment to the Agreement for Professional Services with Kenyon Disend, PLLC to increase the total contract amount from \$49,000 to \$200,000 for legal services and representation in property acquisitions and/or eminent domain proceedings for multiple parcels located at 120<sup>th</sup> Avenue NE.

- (c) Ordinance No. 6149 amending Ordinance No. 6083, to increase the 2013-2014 grant amounts to Sophia Way - Sophia's Place, in an amount not to exceed \$8,000, for a total aware of \$136,717.

- (d) Agreements Recommended by ARCH

Resolution No. 8697 authorizing the execution of all documents necessary to enter into an agreement for the Friends of Youth Extended Foster Care, as recommended by the ARCH (A Regional Coalition for Housing) Executive Board, utilizing funds from the City's Housing Fund, in an amount not to exceed \$32,100;

Resolution No. 8698 authorizing the execution of all documents necessary to enter into an agreement for the Habitat Sammamish Cottage Demonstration Project, as recommended by the ARCH (A Regional Coalition for Housing) Executive Board, utilizing funds from the City's Housing Fund, in an amount not to exceed \$128,602; and

Resolution No. 8699 authorizing the execution of all documents necessary to enter into an agreement for the Providence/Shelter Resources Inc. Redmond Senior Apartments, as recommended by the ARCH (A Regional Coalition for Housing) Executive Board, utilizing funds from the City's Housing Fund, in an amount not to exceed \$100,000.

- (e) Resolution No. 8700 approving the proposed 2014 A Regional Coalition for Housing (ARCH) Administrative Program and Work Plan.

- (g) Ordinance No. 6150 authorizing: 1) Execution of a grant agreement (and any necessary supplements) with the Washington State Department of Transportation (WSDOT) to accept \$2,215,820 in federal Transportation Alternatives Program

grant to construct pedestrian and bicycle facilities along Northup Way connecting to the SR 520 regional trail; 2) amendment of the 2013-2014 General Capital Investment Program (CIP) Fund Budget to increase the appropriation by \$2,215,820 in grant funds; and 3) amendment of the 2013-2019 CIP Plan to increase the budget for the Northup Way Corridor Improvements (CIP Plan No. PW-R-146) by \$2,215,820.

- (h) Resolution No. 8702 authorizing the execution of Amendment No. 2 to the design consultant agreement with PB Americas, Inc., increasing the total contract amount from \$1,833,860 to \$2,593,759 to conduct additional design investigations, complete the final design, and prepare the construction contract documents for the NE 4<sup>th</sup> Street Extension Project, from 116<sup>th</sup> Avenue NE to 120<sup>th</sup> Avenue NE (CIP Plan No. PW-R-160).
- (i) Ordinance No. 6151 authorizing execution of an Interlocal Agreement with King County to accept \$176,687 in grant reimbursement funds from the 2014 Waste Reduction and Recycling (WRR) Program grant agreement to implement WRR education programs in accordance with the King County Comprehensive Solid Waste Management Plan; appropriate unanticipated and future revenues to that fund; and authorizing expenditures of said funds.
- (j) Resolution No. 8703 authorizing execution of Amendment No. 1 to the professional services agreement with Jacobs Engineering Group, Inc. in an amount not to exceed \$137,639 for engineering services for the Wilburton Sewer Capacity Upgrade Project (CIP Plan No. S-60).
- (k) Resolution No. 8704 authorizing execution of a professional services agreement with David Evans and Associates, Inc. in an amount not to exceed \$193,645 for engineering services, for the Yarrow Creek, West Tributary - Culvert Removal Project Final Design and Construction Phase Services, (CIP Plan No. D-81).

Item pulled for comment:

- (f) Resolution No. 8701 authorizing execution of an amendment to the Professional Services Agreement with BERK Consulting, increasing the contract amount by \$30,000 for a contract total of \$120,000, for the Economic Development Strategic Plan.

Councilmember Lee complimented staff for moving forward with the economic development strategy work. He hopes the increase in the contract amount will be applied to implementing beneficial actions.

→ Councilmember Lee moved to approve Resolution No. 8701, and Councilmember Chelminiak seconded the motion.

Mayor Balducci said the Council greatly appreciated the most recent update on the economic development strategy. She acknowledged that their time allotment during that meeting was not sufficient and said the Council looks forward to further discussion.

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

9. Public Hearings

- (a) Public Hearing on the requested right-of-way (ROW) vacation of a portion of 139<sup>th</sup> Avenue SE (entrance to Forest Ridge School of the Sacred Heart)

Mr. Miyake introduced the public hearing on the requested ROW vacation of a portion of 139<sup>th</sup> Avenue SE at the entrance to Forest Ridge School of the Sacred Heart.

Nora Johnson, Director of the Civic Services Department, described the right-of-way vacation process, which is prescribed in Bellevue City Code Section 14.35. The ROW vacation petition for this matter was received on November 26, 2013 and reviewed by staff. Public notice of the ROW vacation was issued following the January 21, 2014 Council meeting, and tonight's public hearing was scheduled.

Patti Ebert, Sr. Real Property Agent, provided additional details regarding the ROW vacation. Forest Ridge School is proposing a property trade in accordance with BCC 14.35.160, Property trade in lieu of payment, to correct the location of the current ROW versus the actual location of the roadway. The City will receive more property than it is giving to the school and utilities easements will be retained.

Ms. Ebert said that property owners within a 300-foot radius of the site received public notice of the proposed ROW vacation. The proposed action is posted onsite as well. The City has responded to the few citizen inquiries generated by the proposal.

Ms. Johnson said staff seeks Council direction on whether to proceed with drafting legislation either approving or denying the requested street vacation.

→ Councilmember Lee moved to open the public hearing, and Councilmember Stokes seconded the motion.

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

No one came forward to comment.

→ Councilmember Chelminiak moved to close the public hearing, and Councilmember Stokes seconded the motion.

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

Responding to Mayor Balducci, Ms. Ebert confirmed her understanding that the purpose of the proposed vacation is to put the ROW where the road actually exists. The City will gain net ROW square footage through this trade, and the school will be able to move forward with its project.

Responding to Councilmember Lee, Ms. Ebert said the City did not receive comments from the Somerset Community Association.

Mayor Balducci noted Council support to direct staff to bring back the resolution for action on the next Regular Session consent calendar.

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

James Eder said he is unaware of anyone in the City government who is a medical doctor who oversees the health requirements of the community. He reiterated his concern about fluoride in water and encouraged everyone to buy bottled water instead of drinking tap water. He said autopsies of Alzheimer's disease patients show an accumulation of aluminum in the brain that is retained by fluoride. While this is not the cause of Alzheimer's disease, it furthers the negative effects. Without fluoride, the aluminum would be flushed away.

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

Mayor Balducci declared the meeting adjourned at 9:03 p.m.

Myrna L. Basich, MMC  
City Clerk

/kaw