

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Session

April 16, 2012
8:00 p.m.

Council Chamber
Bellevue, Washington

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

ABSENT: None.

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 were present. Councilmember Wallace led the flag salute.

(a) 2012 Bellevue Volunteers of the Year

Shelly Shellabarger, Volunteer Coordinator, announced the 2012 Volunteers of the Year. She noted that the Community Volunteer of the Year is Tracy Maury Meloy, who received the award for her outstanding contribution to students in Bellevue Schools through the Eastside Pathways program. Ms. Shellabarger said that Ms. Meloy could not attend tonight, but will be recognized on May 7.

Hon Cheung Fung received the City Volunteer of the Year award for service to the Parks Department and the Utilities Department. He has been involved in a number of environmental programs over the past 10 years including the Mercer Slough canoe program, salmon watching, and Arbor/Earth Day celebrations. He also helps communicate and interpret naturalistic ideas to limited or non-English speaking patrons. Councilmembers greeted and congratulated Mr. Fung individually. Responding to the Mayor, Mr. Fung said he is 83 years old.

Ms. Shellabarger introduced the Youth Volunteer of the Year, Chirag Ved, who created and launched Linking Opportunity, an online service to help local teens volunteer. All of the starting capital to build the website, www.linkingopportunity.org, came from his savings earned through internships and summer jobs while in high school. He partners with more than 30 nonprofit

organizations who post volunteering projects on the web site. Mr. Ved has completed more than 600 hours of community service during the past three years.

(b) Annual Commercial Recycling of the Year Awards

Nav Otal, Utilities Director, introduced the organizations recognized as top recyclers with Republic Services [formerly Allied Waste Services]. As part of their award, each business will receive a free month of garbage and recycling service from Republic. In addition, their high recycling rates enable them to save money on their ongoing garbage services.

Mike Huycke, Northwest Area President for Republic Services, presented the 2011 Commercial Recycling Awards to:

Small Commercial Garbage category - La Tienda earned this award for the seventh time in the past eight years with a recycling rate of 87 percent.

Medium Commercial Garbage category – Bellevue Healthcare earned the award for the fourth year in a row with a recycling rate of 80 percent.

Large Commercial Garbage category – Par 5 Design Center earned the award for attaining a recycling rate of 75 percent.

Mayor Lee thanked Republic Services for encouraging recycling.

3. Communications: Written and Oral

- (a) Diane Carlson, King County Director of Regional Initiatives, noted the Council's discussion regarding animal control services during the earlier Study Session, and provided more information on the Regional Model. She highlighted regional accomplishments and concerns that have been addressed including a reduction in euthanasia, an increased volunteer base of more than 500 individuals, a new marketing manager who is focusing on helping cities improve their revenues, reduced system costs, a proposal to change the cost allocation model (saving Bellevue approximately \$100,000), lower shelter labor costs, and weekend field service. King County is creating a forum for cities to collaborate on service protocols, as well as a revenue guarantee for the City of Bellevue. Ms. Carlson said she believes that the City's costs are lower under the Regional Model, given the startup costs of the Subregional Model. She said King County would like to see Bellevue remain in the Regional Model.
- (b) Claire Wilkinson said she is a volunteer with local animal shelters and serves on the Board of Directors for Perfect Pals Cat Shelter. In 2010, she enrolled in Renton Technical College's veterinary assistant program to increase her skills and knowledge as an animal advocate. She completed her internship and continues to volunteer at the Kent Veterinary Clinic for Regional Animal Services. In speaking with volunteers about differences that have occurred since the Regional Model was established, Ms. Wilkinson said they

reported that facilities and programs have more staff, are better managed, morale is higher, the animals are healthier and happier, adoption rates are up, and the euthanasia rate decreased from 40 percent to 14 percent. She encouraged the City to continue with regional animal control services.

4. Reports of Community Council, Boards and Commissions

(a) Report from the East Bellevue Community Council

East Bellevue Community Council Chair Steve Kasner provided an update on the Council's activities. He recalled that he served on the West Lake Hills Citizen Advisory Committee some years ago. He noted the opening of the new LA Fitness at Kelsey Creek Center this week.

Chair Kasner said the Community Council wants to serve the City Council in whatever way it can. The Community Council recently received an update on human services in East Bellevue, which has suffered greatly due to the economy. He noted that usage of the free and reduced lunch program at Lake Hills Elementary increased from 41 percent to 69 percent over the past few years. Mr. Kasner said that 71 children in the Bellevue School District are homeless, and 14 of these children attend Lake Hills Elementary.

Mr. Kasner commended Deputy Mayor Robertson and Councilmember Balducci for supporting the extension of 145th Place SE, which will be completed within the next six weeks. Mr. Kasner said he believes it is vitally important to work together to identify priorities and do what is best for the community.

Bill Capron introduced himself and noted that he was appointed to fill a vacant position approximately one year ago. He has owned a business in East Bellevue for 30 years, and his goal with the Community Council is to foster the involvement of business owners.

Ross Gooding introduced himself as a father, husband, and business owner in East Bellevue. He has lived in the area for 16 years, and has served on the Community Council for approximately half of that time.

Ken Seal said he has lived in Bellevue for more than 50 years. He noted his involvement with land use, park and school planning as Bellevue was growing and before East Bellevue was annexed. He participated on the annexation team, and was later elected to serve on the Community Council. Mr. Seal said it has been good to work with City staff over the past several years. East Bellevue residents want to maintain the quality of their neighborhoods and to foster business vitality. Mr. Seal expressed appreciation for the City's efforts related to parks and for maintaining East Bellevue's character as a family-oriented neighborhood.

Chair Kasner noted that Councilmember Hughes could not attend due to a prior commitment. Mr. Kasner commended Deputy City Clerk Michelle Murphy for her support of the Community Council's work.

Mr. Kasner invited City Councilmembers and the public to attend East Bellevue Community Council meetings. The May meeting will include a discussion of Robinswood Park and Airfield Park, and the June meeting will be a celebration of East Bellevue businesses.

Mr. Kasner noted the new Visit Bellevue brochure, which does not mention East Bellevue. He said the map identifies nine neighborhoods. Six of the neighborhoods have associations, but none are currently active. Mr. Kasner said he wants to work with these associations to learn what residents of East Bellevue want and need.

Councilmember Balducci thanked Community Councilmembers for their service. She noted that she recently came across reports from 2004 pertaining to East Bellevue and other neighborhoods. The information identifies remodeling activity, crime rates, and other characteristics. Ms. Balducci said it would be interesting to receive updated versions of those reports, which could help focus the next phase of neighborhood investment and support.

Mayor Lee thanked East Bellevue Community Councilmembers for their volunteer service and interest in the community's priorities.

Chair Kasner reiterated that he would like input from the City Council about future agenda items for the Community Council that could assist the City Council in its work.

5. Report of the City Manager

(a) Management Brief on 2012 National Green City Award

Utilities Director Nav Otal reported that Bellevue received the 2012 National Green City award for medium-sized cities for its residential recycling program. Bellevue achieved a 68 percent recycling rate, in part through its Carbon Yeti program to promote waste reduction and recycling.

(b) Profiling Consent Calendar Item 8(g), SCATS Phase 3 Traffic Computer Upgrade

City Manager Steve Sarkozy introduced staff for an update on the SCATS traffic-adaptive signal control system.

Mark Poch, Traffic Engineering Manager, provided a briefing on the SCATS adaptive signal system, which was implemented over the past few years to gain efficiencies in traffic flow. The system adapts to real-time traffic conditions and provides performance improvements without road widening or other capital projects. One key feature that has contributed to efficiency gains is the flashing yellow arrow at left turns. Mr. Poch described travel time reductions for primary arterials and intersections.

Mr. Poch reviewed the SCATS implementation schedule: 1) Phase 1 in 2010, Downtown and Factoria, 2) Phase 2 in 2011, Hospital District and completion of Downtown, and 3) Phase 3 in 2012, 148th Avenue, SE 8th Street and I-405 area, and the Triangle area southeast of the I-90 and I-405 juncture, 4) Phase 4 in 2013, Overlake and Crossroads, 5) Phase 5 in 2014, Bellevue Way,

Richards Road, and 140th/145th, and 6) Phase 6 in 2015, remaining isolated intersections.

Councilmember Wallace said he finds the flashing yellow arrows to be very helpful.

Councilmember Chelminiak expressed support for the program and suggested highlighting projects during the budget process that have or can be delayed due to the performance of the SCATS system.

Deputy Mayor Robertson said she hears positive feedback from the community about how well the system has improved mobility.

Councilmember Balducci said she is pleased with the effectiveness and low cost of the SCATS system. She looks forward to its implementation along 148th Avenue.

Mayor Lee expressed support for the system. He questioned whether accidents involving yellow left-turn arrows have increased. Mr. Poch said they have not. He noted that staff and the vendor are especially vigilant about monitoring for incidents involving pedestrians.

Councilmember Stokes concurred that the system has been effective in enhancing traffic flow.

6. Council Business and New Initiatives

(a) Council Liaison Recommendation for Reappointment to the Planning Commission

→ Deputy Mayor Robertson moved to reappoint Aaron Laing to the Planning Commission. Councilmember Davidson seconded the motion.

→ The motion carried by a vote of 6-0, with Councilmember Wallace temporarily out of the room.

(b) Council Liaison Recommendation for Reappointment to the Parks & Community Services Board

→ Deputy Mayor Robertson moved to reappoint Kathy George, Erin Powell, and Lynne Robinson to the Parks and Community Services Board. Councilmember Davidson seconded the motion.

→ The motion carried by a vote of 6-0, with Councilmember Wallace temporarily out of the room.

Councilmember Balducci reported that she attended a meeting of the Sound Transit Board Capital Committee and chaired a meeting of the PSRC Transportation Policy Board.

Councilmember Stokes said that he, Deputy Mayor Robertson, and Councilmember Wallace attended a meeting of the East Link collaborative design team. Mr. Stokes said he has been working with the Phantom Lakes Homeowners Association in his role as Council liaison to the Environmental Services Commission. Councilmember Stokes also toured Fire Station 1.

Councilmember Wallace said the East Link collaborative design meetings are going well. He toured the Republic Services facility in Seattle. He reported that he and his wife spent a weekend “staycation” in Downtown Bellevue, where they enjoyed shopping, restaurants and entertainment.

Councilmember Chelminiak attended the Washington State Building Code Council meeting. He noted that the Code Council will be addressing residential sprinklers later this year.

Councilmember Davidson attended a meeting of the Suburban Cities Association’s Public Issues Committee and chaired the Cascade Water Alliance’s Resource Management Committee meeting.

Deputy Mayor Robertson attended meetings of the East Link collaborative design team and Bellevue Planning Commission. She thanked Councilmember Stokes for his work with Phantom Lake residents, and noted her interest in resolving water issues for those residents.

Mayor Lee attended the NORCOM annual meeting for elected officials.

Responding to Mayor Lee, Mr. Chelminiak said it would be helpful for the Council to discuss the residential sprinkler issue sometime this summer, before it is addressed by the Washington State Building Code Council.

Councilmember Balducci questioned when the zip line at Wilburton Hill Park will be back in operation.

7. Approval of the Agenda

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

→ The motion to approve the agenda carried by a vote of 7-0.

8. Consent Calendar

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

→ The motion to approve the Consent Calendar carried by a vote of 7-0, and the following items were approved:

- (a) Minutes of March 26, 2012 Extended Study Session
- (b) Ordinance No. 6051 authorizing and providing for the acquisition, including through condemnation, of property rights required for the NE 4th Street Extension Project; 116th Avenue NE to the eastern boundary of the former BNSF rail corridor - Phase 1 (CIP Plan No. PW-R-160).
- (c) Ordinance No. 6052: 1) amending the City Manager's Employment Agreement to establish the City Manager's compensation and benefits for 2012, and 2) establishing the Executive 2012 Pay Plan as required by City Code.
- (d) Resolution No. 8384 authorizing execution of a Memorandum Of Understanding by and between the City and the Public, Professional, and Office Clerical Employees and Drivers, Teamsters Local 763, representing Utilities, Parks and Civic Services, for a two-year labor agreement extension, and includes agreement for mandatory furloughs. This contract extension is for the contract period January 1, 2013 through December 31, 2014.
- (e) Ordinance No. 6053 authorizing: 1) execution of an Interlocal Agreement with King County Metro (KCM) in the total amount of \$354,300, including the acceptance of a total of \$260,100 in pass-through grant funds from KCM, for the Connect Downtown Implementation Project 2012-2013; 2) amendment of the Operating Grants, Donations and Special Reserves Fund by increasing the appropriation by \$203,100; 3) appropriating unanticipated and future revenues to that fund; 4) authorizing expenditures of said fund grant funds; and 5) authorizing execution of an agreement with the Bellevue Downtown Association (BDA), in an amount not to exceed \$249,000, for implementation services associated with the Connect Downtown Implementation Project 2012-2013.
- (f) Resolution No. 8385 authorizing: 1) execution of an amendment to the Interlocal Agreement between the Washington State Department of Transportation and the City for 60% design of pedestrian and bicycle improvements along Northup Way (GCA 6668, SR 520 Interim Regional Pedestrian and Bicycle Path); and 2) execution of a supplement to the consultant agreement with Jacobs Engineering Group, Inc., in an amount not to exceed \$360,246, to advance the design from 30% to 60% for the Northup Way Corridor Improvements, 108th Avenue NE to NE 24th Street (CIP Plan No. PW-R-146).
- (g) Resolution No. 8386 authorizing execution of an amendment to a purchase agreement with Transcore ITS, LLC, in an amount not to exceed \$305,000, to install Phase 3 of the SCATS traffic adaptive signal control system on 148th Avenue and other key corridors in Overlake, Eastgate, and SE 8th/I-405 areas.
- (h) Resolution No. 8387 authorizing execution of an amendment to the emergency consultant contract with Tetra Tech, Inc., in an amount not to exceed \$151,000, to

develop the design and prepare construction contract documents for the slope stabilization and roadway repair on West Lake Sammamish Parkway, between 542 and 538 West Lake Sammamish Parkway SE (CIP Plan No. W-16, Small Water Main Replacement).

- (i) Motion to award Bid No. 12002 to Lakeside Industries Inc., as the lowest responsive and responsible bidder in the amount of \$4,392,703.86, for the 2012 Overlay Program, Small Diameter Water Main Replacement, and Wastewater West CBD Trunkline Capacity Improvement projects (CIP Plan Nos. PW-M-1, W-16, and S-54).
- (j) Resolution No. 8388 authorizing execution of an amendment to the interagency agreement with King County for the design and construction of a joint sewer trunk project in SE 3rd Street and 102nd Avenue SE. This joint project combines the County's project to upsize their Bellevue Influent Trunk with the City's project to increase the capacity of the West CBD Trunk (CIP Plan No. S-54).
- (k) Ordinance No. 6054 authorizing execution of an Interlocal Agreement with the Washington State Department of Ecology to accept \$134,954 in grant reimbursement funds from the Coordinated Prevention Grant Program to implement recycling and hazardous waste prevention education programs; establishing a project within the Operating Grants and Donations Fund; appropriating unanticipated and future revenues to that fund; and authorizing expenditures of said grant funds.
- (l) Ordinance No. 6055 authorizing execution of the 2012-2013 Waste Reduction and Recycling Grant Program Interlocal Agreement with King County to accept \$359,990 in grant reimbursement funds to implement waste reduction and recycling education programs in accordance with the King County Comprehensive Solid Waste Management Plan; establishing a program within the Operating Grants and Donations Fund; amending the budgets for Operating and Grants and Donations Fund; appropriating unanticipated and future revenues to that fund; and authorizing expenditures of said grant funds.
- (m) Ordinance No. 6056 authorizing execution of an Interlocal Agreement with Seattle-King County Department of Public Health to accept \$75,496 in grant reimbursement funds to implement hazardous waste prevention and education programs in accordance with the Local Hazardous Waste Management Plan; establishing a program within the Operating Grants and Donations Fund; amending the budgets for Operating Grants and Donations Fund; appropriating unanticipated and future revenues to that fund; and authorizing expenditures of said grant funds.
- (n) Resolution No. 8389 authorizing execution of the Memorandum of Understanding (MOU) that serves as the Consortium Agreement governing the Central Puget

Sound Growing Transit Communities program.

9. Public Hearings

- (a) First of Two Required Public Hearing to amend R-2.5 (Single Family Residential - 2.5 units per acre) Pre-annexation zoning, with Conditions, for the Hilltop unincorporated area.

(1) Staff Report

Nicholas Matz, Senior Planner, provided an overview of proposed pre-annexation zoning for the Hilltop unincorporated area. This is the first of two required public hearings. After the second hearing, the Council may approve, disapprove, or modify the proposed zoning amendment.

Mr. Matz recalled that R-2.5 (2.5 units per acre) pre-annexation zoning for the Hilltop area was previously established on September 6, 2011, by the City Council. Staff is requesting that this zoning be amended to R-2.5 with modifications to the application of critical areas habitat regulations.

Mr. Matz said staff is seeking Council direction about whether to proceed with scheduling a second public hearing to consider the proposed zoning amendment.

(2) Motion to Open Hearing

- Deputy Mayor Robertson moved to open the Public Hearing, and Councilmember Stokes seconded the motion.
- The motion carried by a vote of 7-0.

(3) Public Comment

1. Phil Hardin, Chair of the Hilltop Annexation Committee, expressed concerns regarding water district issues and the appropriate vegetation management and critical habitat area provisions. He said the Hilltop area was established more than 60 years ago as a collaborative community based on adopted architectural and vegetation management guidelines. Mr. Hardin said that Hilltop residents have been working with the City to address vegetation management. A proposal surfaced last week that would charge the Hilltop site plan committee with the on-site implementation of a process to balance views with the preservation and enhancement of the native vegetation and ecosystem. Under the proposal, the site plan review process would apply to lots in which the owners have agreed to be governed by this process. Property owners who do not support the site plan review process will be required to obtain tree cutting and vegetation management permits from the City in the usual manner. Mr. Hardin said this process would be established in conjunction with the City's Development Services Department, and periodic reporting to the City would be required. Mr. Hardin spoke in favor of annexation and of resolving the

outstanding issues between residents and the City.

2. Abby Ismond expressed support for City staff moving ahead to develop an alternative approach to critical habitat management in the Hilltop area.
3. Leslie Thornton, President of the Hilltop Community, said that residents generally support annexation, as long as it does not compromise Hilltop's ability to maintain its water district, natural environment, and views. Ms. Thornton expressed support for the proposal described by Mr. Hardin, which she believes can meet the objectives of both the City and Hilltop residents. Ms. Thornton thanked City staff for their hard work on annexing the Hilltop area.
4. Marcia Greenlee spoke against annexation and the R-2.5 zoning designation, which would decrease the buildable dimensions of her lot to the detriment of the construction currently standing upon it. She believes this zoning would prevent her from redeveloping her property over the same area it currently occupies. Ms. Greenlee said the proposed zoning would result in governmental seizure of a portion of her property without her consent and without compensation.
5. Alex Harris referred to Ms. Greenlee's comments and noted that there have been numerous meetings about the proposed annexation and zoning alternatives. Ms. Harris said the annexation committee has made an effort to notify everyone about the opportunity to participate in the discussions. She expressed support for annexation.

(4) Motion to Close Hearing

- Deputy Mayor Robertson moved to close the Public Hearing, and Councilmember Chelminiak seconded the motion.
- The motion carried by a vote of 7-0.

(5) Council Discussion and Direction to Schedule Second Required Pre-Annexation Zoning Public Hearing

Responding to Councilmember Davidson, Mr. Matz confirmed that the proposal described by Mr. Hardin has not yet been provided to the Council. Mr. Matz said that staff provided Hilltop residents with some guidance regarding habitat management plans/site plans since the Council's last discussion on this issue. Mr. Matz said staff is prepared to convert their proposal into conditional language that would come back to the Council.

Dr. Davidson said he will want to be able to compare the proposed Hilltop plan with a routine habitat management plan.

Councilmember Chelminiak asked about the R-2.5 zoning and the issue raised by Ms. Greenlee. Mr. Matz said it is possible that the zoning causes non-conforming issues. He recalled that two

lots were identified as potentially non-conforming before the R-2.5 pre-annexation zoning was adopted last September.

Responding to Mayor Lee, Mr. Matz said he would check Ms. Greenlee's property to determine whether it is a non-conforming lot. He reiterated that the Council adopted the R-2.5 zoning in September.

Responding to Mr. Chelminiak, Mr. Matz explained that the August 1 target date for annexation relates to property tax collection. If the annexation occurs after August 1 but before the end of the year, the City's property tax levy rate would not go into effect for those residents until January 1, 2014.

→ Deputy Mayor Robertson moved to set the second Public Hearing for May 21, and Councilmember Stokes seconded the motion.

Mayor Lee said he appreciates the participation of Mr. Hardin and other Hilltop residents in presenting their concerns about habitat and view preservation. He suggested moving ahead with scheduling a second Public Hearing while staff works to refine the most recent proposal from Hilltop residents.

→ Councilmember Balducci moved to extend the meeting by 10 minutes, and Councilmember Stokes seconded the motion.

→ The motion to extend the meeting carried by a vote of 7-0.

Councilmember Stokes expressed support for moving forward with a second Public Hearing.

Councilmember Balducci concurred.

Responding to Ms. Balducci, Mr. Matz said staff will come back with a proposed approach for habitat protection in Hilltop, which will be a component of amending the existing R-2.5 pre-annexation zoning. The proposal will be presented when the Public Hearing is noticed, no later than May 7.

Councilmember Chelminiak said the proposal sounds promising. He is hearing that the community is interested in this alternative, which essentially brings them into the City under Bellevue's regulations. He suggested keeping the process as simple as possible.

→ The motion to set the second Public Hearing for May 21 carried by a vote of 7-0.

10. Land Use: None.

11. Other Ordinances, Resolutions and Motions: None.

12. Unfinished Business: None.

13. Continued Oral Communications: None.

14. New Business: None.

15. Executive Session: None.

16. Adjournment

At 10:03 p.m., Mayor Lee declared the meeting adjourned.

Myrna L. Basich, MMC
City Clerk

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