

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Session

July 5, 2011
8:00 p.m.

Council Chamber
Bellevue, Washington

PRESENT: Mayor Davidson and Councilmembers Balducci, Chelminiak, Degginger¹, and Robertson

ABSENT: Deputy Mayor Lee and Councilmember Wallace

1. Call to Order

The meeting was called to order at 8:00 p.m., with Mayor Davidson presiding.

2. Roll Call, Flag Salute

Upon roll call, all Councilmembers except Deputy Mayor Lee and Councilmembers Degginger and Wallace were present. Councilmember Robertson led the flag salute.

(a) Commendation for Jane Wood

Mayor Davidson read a commendation recognizing Jane Wood for her service to the community. Ms. Wood and her husband, Dr. George Wood, both passed away this spring. Dr. Davidson noted that Dr. Wood was also a dentist who he had known since 1967.

(b) Awards for Fleet and City Hall

Nora Johnson, Civic Services Director, announced three awards recently received by the City. Bellevue was recognized as one of the 100 Best Fleets in North America from a pool of 3,800 submitted applications. Bellevue City Hall again earned the U.S. Environmental Protection Agency's ENERGY STAR award, which allowed the City to enter the Building Owners and Managers Association (BOMA) competition. City Hall then won BOMA's Seattle/King County region award for The Outstanding Building of the Year (TOBY). Only three City Halls in Washington state, and 14 across the nation, are ENERGY STAR certified. Ms. Johnson commended Civic Services employees for their role in receiving these awards that recognize operational efficiency.

¹ Councilmember Degginger arrived at 8:55 p.m.

Mayor Davidson and the Council thanked Civic Services staff for their good work.

3. Communications: Written and Oral

- (a) Evan Dust, HDJ Design Group (Vancouver, WA), spoke on behalf of JXR International regarding the threshold review of the 2011 annual Comprehensive Plan Amendment (CPA) work program. He asked the Council to move the Ren-Fu privately initiated CPA application forward for threshold review.
- (b) Joe Rosmann, representing Building a Better Bellevue, stepped through a slide show presentation titled *Inconvenient Truths that Prove the Feasibility of B7R for East Link*. He noted that the presentation and a separate report have been distributed to the Council.
- (c) Loyd Jacobs, a Woodridge resident, opined that Building a Better Bellevue does not want light rail in Bellevue. He spoke in favor of the light rail B2M Option 4 alignment, with some modifications. He encouraged moving forward with the project.
- (d) David Hoffman, Master Builders Association, expressed support for Ordinance Nos. 6008 and 6009 regarding the extension of building permits.

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

5. Report of the City Manager

- (a) Threshold Review of the 2011 Annual Comprehensive Plan Amendment (CPA) Work Program [*From Study Session*]

City Manager Steve Sarkozy explained that the two Study Session items will be addressed under the Manager's Report, beginning with the proposed 2011 annual Comprehensive Plan Amendment (CPA) work program.

Planning Director Dan Stroh introduced Kevin Turner, Planning Commission Chair, to present the Commission's recommendation.

Mr. Turner noted that the Ren-Fu proposal was the only privately initiated application submitted for the Commission's review. The Planning Commission recommends by a vote of 6-1 (Commissioner Hamlin dissenting) that the City Council initiate the Ren-Fu site-specific CPA proposal, as geographically expanded, into the 2011 work program.

Paul Inghram, Comprehensive Planning Manager, briefly described the original Ren-Fu proposal, which was expanded at the request of adjacent property owners to reflect the current application. He noted that zoning along this section of Bellevue Way includes parcels with multifamily designations.

Responding to Councilmember Robertson, Mr. Inghram confirmed that staff recommends against moving forward with threshold review of the proposed CPA. He said staff concluded that the proposal does not meet the threshold review decision criteria, most notably the criteria requiring changed circumstances to warrant consideration of the proposal. While there has been development activity in the area, staff's analysis is that the development is consistent with the Comprehensive Plan and does not represent a change from past plans.

In further response to Ms. Robertson, Mr. Inghram said that Commissioner Hamlin voted against moving the proposal forward based on his concerns about the changed circumstances criteria and neighborhood opposition to the proposed CPA.

Councilmember Robertson asked staff to comment on some of the recent CPA applications within the same area and/or with similar circumstances.

Mr. Inghram said there have been several developments as well as CPAs in the area. On the west side of Bellevue Way, a similar CPA proposal in 2009 moved through initial threshold review with the Planning Commission, which recommended against advancing it to the Council for consideration. In 2006, an upzone of nearby single-family parcels was proposed. At that time, there was a recognition of changed circumstances related to the proposed Single Family Urban Residential designation, which did not exist at the time that the property was originally zoned. This designation was found to be consistent with the single family designation that is common along the west side of Bellevue Way.

Mr. Inghram described an additional property to the south which is designated Multifamily-Low. There was no Comprehensive Plan change, and it was recently developed into a townhome project through normal building permits.

Ms. Robertson noted the Planning Commission's comments that the expanded scope would allow some lot consolidation in order to enable joint development. Mr. Inghram confirmed that this might present an opportunity for either lot consolidation or coordinated redevelopment that might include multiple parcels. Responding to Ms. Robertson, Mr. Inghram said that, in general, the Comprehensive Plan seeks to avoid lot consolidation for the purpose of creating large single-family homes. However in this case, lot consolidation is likely to produce a multi-unit development of small single-family homes, townhomes, condominiums, or apartments.

Responding to Councilmember Chelminiak, Mr. Inghram confirmed that the only access to the Ren-Fu parcels is from Bellevue Way. Mr. Inghram explained that the original Planning Commission hearing addressed a smaller three-parcel application. At that time, the applicant submitted information about adjacent property owners who wanted to participate in the CPA. The Planning Commission held a second public hearing to consider the expanded geographic scope. Mr. Inghram observed that looking at the larger area enabled the Commission to consider how the 14 parcels might redevelop with whatever designations are ultimately applied. If the Single Family parcels were changed to Multifamily-Low, this would not change the designation for the parcels that front Bellevue Way.

In further response to Mr. Chelminiak, Mr. Inghram said that Single Family-High zoning would result in four or five units per acre; Multifamily-Low is 10 units per acre; and Multifamily-Medium is 15-20 units per acre.

Councilmember Chelminiak asked Mr. Turner to comment on the Planning Commission's perspective on the CPA's expanded geographic scope. Mr. Turner explained that, with the access to the three parcels via Bellevue Way, it made more sense to expand the CPA to adjacent parcels. A small hill along the east boundary of the area helps to isolate the parcels from single-family development to the east. Mr. Turner noted that the current five or six access points to Bellevue Way would be reduced to two or three, and the proposal provides the potential for a planned unit development.

Mr. Chelminiak questioned the changed circumstances considered by the Commission. Mr. Turner said that development around the Ren-Fu parcels has changed the area, and other CPAs have impacted the area. He said the Commission concluded that this was a good proposal in part due to the collaboration among property owners interested in a coordinated development effort.

Responding to Councilmember Chelminiak, Mr. Inghram said there has not been an inadvertent map error related to the parcels.

Councilmember Balducci recalled that a number of CPA proposals over the years have not been considered due to the lack of changed circumstances. Responding to Ms. Balducci, Mr. Inghram said there is Multifamily-Low zoning immediately to the south of the CPA area, and some properties to the north are Multifamily-Low as well.

Ms. Balducci questioned whether approval of the CPA would provide a basis for adjacent property owners in single-family zones to request a future upgrade to multifamily zones. Mr. Inghram observed that there does not appear to be a single-family property owner who would be interested in seeking that type of designation.

Mayor Davidson noted his dissatisfaction with the threshold review approach. He questioned the conclusion that there has been no change in circumstances, and observed that development has significantly changed the area over the years. Responding to Dr. Davidson, Mr. Inghram said the Southwest Bellevue Subarea Plan was last updated in 1996.

Mayor Davidson recalled that he has dealt with at least six rezones within the same general area during the time that he has served on the Council, and therefore change has occurred. He suggested that a topographical map would help to understand the issues. Mayor Davidson said he appreciates the Planning Commission's work, and he supports the recommendation to initiate the Ren-Fu CPA proposal into the 2011 work program.

Councilmember Robertson stated her understanding of the changed circumstances criteria. She noted that there have been changes in the area, but the question is whether they were unanticipated changes based on earlier planning. Mr. Inghram said the criteria speaks to that issue, and it is a judgment call as to whether the changes that occurred are consistent with what the plan envisioned. There have been a number of housing projects along Bellevue Way over the

past decade, which one could argue are consistent with the plan as adopted. However, there are differences of opinion about which changes were anticipated and which were not.

Ms. Robertson questioned whether changing the Single Family-High zoning for the Ren-Fu CPA properties could be viewed as an unanticipated changed circumstance for the area, and subsequently be used by surrounding property owners as a basis for applying to rezone their properties as well. Mr. Inghram said that is possible. However, staff has not analyzed any adjacent properties to determine whether they meet the criteria.

Councilmember Robertson recalled that she served six years on the Planning Commission, which reviewed a number of Comprehensive Plan amendment applications for changing single family property to multifamily. Whenever the proposal applied to property along a border with other single family properties, the Planning Commission recommended against initiating threshold review, and the City Council agreed with the Commission. She believes that this application looks very similar to those applications. While she is not opposed to development at this site, she believes it is important to be consistent in handling proposals of this type.

[Councilmember Degginger arrived at 8:55 p.m.]

Mr. Inghram moved to describe a staff-recommended CPA intended to provide greater clarity regarding the role and process of City-adopted master plans. He explained that the Comprehensive Plan and Land Use Code do not provide a specific definition or process for City master plans. This issue stems in part from discussions about the Meydenbauer Bay Park and Land Use Plan and the Shoreline Master Program.

Staff believes it would be beneficial to add a policy statement to the Comprehensive Plan to define the process. Staff has not drafted specific language at this point, but has identified a preliminary definition of which projects would be affected by the policy.

Responding to Councilmember Degginger, Mr. Inghram said the policy could be used to address certain uses that might be allowed in the code only when approved through the Master Development Plan, to ensure that a use is not added into a City project in the future unless it has gone through a formal master planning process. The policy could also specify the timing of a large, phased project.

Mr. Stroh said that master planned projects tend to be large and complex, and to be developed over a relatively long time period. The master plan process typically involves extensive public engagement. One of the benefits of a specific policy is ensuring that uses not considered as part of the initial master plan are not added later.

Councilmember Balducci questioned the problem that this proposal is intended to address. Mr. Stroh explained that Development Services raised the issue of the need for this type of amendment. There are currently a number of code references that refer to City-adopted plans, but there are no specific policies regarding public engagement, the scope of the planning, and the overall process.

Mr. Stroh said this relates in part to the Meydenbauer Bay Park and Land Use Plan. While there might be some uses that make sense along the shoreline, specific policies would require that uses be considered through a formal public involvement process. One example of a use is a fueling station at Meydenbauer Bay, and a policy statement could require the master plan to define the size and type of station envisioned. In further response, Mr. Stroh said the intent is to avoid starting over in terms of reviewing the plan once it reaches the permit stage.

Mayor Davidson recalled that he introduced the concept of master planning for the hospital a number of years ago. At that time, the hospitals and the City campus were on different properties and had different long-range plans. He was also thinking about Bellevue College, and was interested in a streamlined process that would take care of land use and would not require coming back for a full elaborate review as master plans were implemented. Mayor Davidson said those discussions initially introduced the concept of master planning. He opined that the original concept did not envision applying master planning to parks. His perspective was that a master plan applied to a single institution and land use with a need to expand over a period of time. He questioned how the concept came to be applied to parks.

Mr. Stroh said the City now has a good process for institutional and private uses, such as Overlake Hospital Medical Center. The idea is to develop a similar policy and basis for City-adopted master plans that have been through the public and City Council process. In addition to parks master plans, other examples are a major transportation facility and utilities projects. The proposed CPA will streamline the permit process. Mayor Davidson expressed concern about making a plan that would be difficult to change later by future Councils. He recalled that one original master plan criteria was that a party had to own the land and was required to master plan within that envelope.

Responding to Councilmember Degginger, Mr. Stroh said the Council may initiate a CPA at any time. He confirmed that staff is asking the Council to initiate the proposal into the CPA work program for further consideration.

- Councilmember Degginger moved to initiate the Master Planning Policy Comprehensive Plan Amendment into the annual work program, and to direct the Planning Commission to return final recommendations through the CPA review process. Councilmember Robertson seconded the motion.
- The motion carried by a vote of 4-1, with Mayor Davidson opposed.

Mayor Davidson asked the Council to now address the Ren-Fu CPA proposal.

Responding to Councilmember Chelminiak, Mr. Stroh said the Council may alter the scope of the CPA. Mr. Chelminiak noted the importance of the question about whether the Ren-Fu proposal was related to an inadvertent map error, and his understanding is that there was not an error. He observed that he does not see the changed circumstance with regard to the Multifamily-Medium and the Multifamily-Low properties.

Councilmember Chelminiak said that what he does see as a changed circumstance is the way that construction and development have occurred, and how the economy has changed in terms of project financing. Mr. Chelminiak believes that this could warrant the consideration of a change in the map designation. He reminded the Council that this discussion is about whether to move forward with further consideration, and not about the merits of the proposal. However, he also believes that the community should not have to deal with uncertainty if there is little chance of the CPA being approved.

Responding to Mayor Davidson, Mr. Inghram confirmed that the Single Family-Urban Residential designation did not exist at the time that the Subarea Plan was developed. Dr. Davidson questioned whether this then represents a changed circumstance. Mr. Inghram said that logic was applied to a proposal for property to the west, which requested Multifamily-Medium zoning. Councilmember Chelminiak recalled that the Council limited the size of the structures for that CPA, which Mr. Inghram confirmed.

Responding to Councilmember Degginger, Councilmember Chelminiak clarified that he was suggesting that the Council conduct further review of the Single Family-High properties, including the Ren-Fu parcel.

Councilmember Balducci concurred that the purpose of the changed circumstances criteria is to not put a neighborhood through uncertainty for a period of time for a proposal that does not meet basic criteria. She said she is struggling with the concept of changed circumstances. She noted that while development or construction represents a change in terms of something being built, it is not a change from what was anticipated for the area. Ms. Balducci said she has a hard time seeing how the proposal meets the changed circumstances criteria.

Responding to Mayor Davidson, Mr. Inghram said there is a gradual slope to the east of the area. However, staff has not analyzed whether the CPA parcels meet the critical areas threshold.

→ Councilmember Robertson moved to not initiate CPA threshold review for the Ren-Fu application. Councilmember Chelminiak seconded the motion.

Councilmember Chelminiak indicated that he typically supports recommendations of the Planning Commission. However, he does not believe that the Ren-Fu proposal meets the threshold review criteria.

Responding to Councilmember Degginger, Mr. Inghram said most of the properties currently designated as Multifamily-Low are single-family homes, and one parcel contains two four-plexes. Under the current map designation, one would anticipate that these properties, or at least the multifamily properties, will redevelop.

→ The motion to not initiate the Ren-Fu CPA for threshold review carried by a vote of 4-1, with Mayor Davidson opposed.

(b) Eastgate/I-90 Land Use and Transportation Project Update *[From Study Session]*

City Manager Sarkozy introduced an update on the Eastgate/I-90 land use and transportation project. He recalled that, last October, the Council appointed a Citizen Advisory Committee to address planning in the Eastgate/I-90 area.

Francois Larrivee, Transportation Commissioner and Co-Chair of the Eastgate/I-90 Citizen Advisory Committee, described the project study area and noted that public involvement activities resulted in essentially no negative feedback on any of the alternatives. The CAC has concluded that all alternatives should be studied further.

Jay Hamlin, Planning Commissioner and Co-Chair of the CAC, noted that the alternatives represent different mixtures of land uses. Later this year, the CAC will use staff's alternatives analysis and technical information to identify a preferred alternative, which is likely to combine elements of each preliminary alternative.

Mike Bergstrom, Senior Planner, noted that the study area is largely developed and few vacant sites exist. However, there are opportunities for redevelopment and infill. The CAC has discussed the need to retain the health and vitality of major existing uses and to address transportation demands. He noted that the Richards Valley is the only significant light industrial area remaining in Bellevue. Mr. Bergstrom noted the land uses in the no-action alternative and the three proposed alternatives.

Franz Loewenherz, Senior Planner, briefly described the transportation elements of the alternatives. All alternatives, including the no action, involve completing certain transportation improvements, the Mountains-to-Sound Trail, and modest pedestrian, bicycle and transit improvements. All action alternatives include capacity improvements on I-90, transit hub improvements in north Factoria, greater pedestrian and bicycle connections, a high-capacity transit station at the Park and Ride facility, and coordination with the State on improvements to the Lakemont Boulevard interchange to the east. Additional elements are specific to each alternative.

Mr. Bergstrom briefly described Alternative 1 (Jobs/Housing mix), Alternative 2 (Regional Employment Center), and Alternative 3 (Functional Improvements). The intent is to study elements of all alternatives to work toward defining a preferred alternative.

Mr. Loewenherz reported on public outreach activities including open houses and an online questionnaire. Respondents were generally appreciative that the area is receiving planning attention, although there were some differences of opinion about which elements were desirable and undesirable. Mr. Loewenherz said the CAC anticipates developing a preferred alternative this fall and issuing a final report by the end of the year. Comprehensive Plan and Development Code amendments will be addressed in 2012.

Councilmember Degginger thanked staff for the update, and questioned whether the alternatives are dependent on transit services. Mr. Loewenherz confirmed that transit uses are anticipated. He said staff will be launching a transit plan update effort to study strategies for improving transit operations.

Mr. Degginger questioned who will be providing the transit services. Mr. Loewenherz acknowledged that the current financial picture is not favorable. However, staff believes there are opportunities to improve operations and gain efficiencies within the existing system. This will involve assessing the priorities for the community.

Councilmember Degginger said he would like information about the level of transit services needed to support each alternative. Mr. Loewenherz said staff is just beginning this aspect of the study. Mr. Degginger noted his recent service on the Regional Transit Task Force, which discussed needed service reductions. He is concerned about the level of transit services that, realistically, will be available for each of the Eastgate/I-90 land use alternatives.

Mayor Davidson questioned whether the Regional Transit Task Force contemplated independent transit service operators which would receive sales tax revenue.

Councilmember Degginger said the Task Force recommended looking at alternative methods of service delivery. However, realistically, he is concerned about the potential for transit funding.

Mayor Davidson observed that perhaps the City could operate its own transit service with its own sales tax base, and link this to the regional Metro system. Mr. Degginger acknowledged that that is a topic for separate discussion. He reiterated his concern about adopting a land use plan with intensified uses that is dependent on transit services, given the current reality of transit funding.

Mr. Loewenherz said these issues will be studied further as the alternatives are analyzed.

Councilmember Balducci said she is grateful that the Eastgate area is receiving attention and study. She noted the potential related to transportation facilities, Bellevue College, and the regional bike trail. Referring to the principle of enhancing the Eastgate corridor's economic vitality without degrading mobility in other parts of Bellevue, Ms. Balducci said it is also important to not degrade the economy of other parts of the community. She suggested that the area should serve different needs than the Crossroads and Factoria areas. She concurred with Councilmember Degginger that it is difficult to become invested in any of the alternatives without understanding transportation impacts.

Responding to Mayor Davidson, Mr. Bergstrom said the study is funded in the Capital Investment Program (CIP) Plan for both the Transportation Department and the Planning and Community Development Department. Dr. Davidson concurred with the importance of emphasizing the transportation aspects of the planning effort.

Councilmember Robertson thanked staff and the CAC for their hard work. Responding to Ms. Robertson, Mr. Bergstrom explained that the no action alternative includes one large vacant site owned by King County. With the existing zoning, that parcel could and would likely develop as a light industrial use. Under Alternatives 1, 2 and 3, that site is not used for industrial purposes. Under Alternative 1, existing industrial development would redevelop as residential uses.

Councilmember Robertson believes it is important to preserve some light industrial zoning, which also provides athletic and dance facilities. She noted her previous concerns about the impact of the Bel-Red Plan on existing LI uses.

Councilmember Chelminiak thanked the CAC for its work. Concurring with statements by Councilmembers Balducci and Degginger, he observed that transit-oriented development without transit results in gridlock. He believes that a favorable alternative is possible. However, it must be something that the market will embrace and implement. Mr. Chelminiak expressed support for completing the Mountains-to-Sound Greenway, and complimented staff and the CAC on their work.

City Manager Sarkozy noted a request to pull Agenda Item 8(f), proposed Ordinance No. 6006, from the Consent Calendar. He reported that the State is eliminating the activity addressed by the proposed Ordinance.

- Councilmember Chelminiak moved to extend the meeting until 11:00 p.m. Councilmember Degginger seconded the motion.
- The motion to extend the meeting carried by a vote of 5-0.

6. Council Business and New Initiatives

Councilmember Robertson announced that she will defer the consideration of appointments to the Parks and Community Services Board until next week, at the request of fellow Councilmembers.

Councilmember Robertson indicated that she would like to comment on the recently completed ARUP light rail study. She noted that the City of Bellevue has worked with Sound Transit very diligently for several years to create the best outcome on the light rail alignment, for both Bellevue and for the region. The City has been engaged in planning for light rail for many years, and has completed a number of studies, including the ARUP report on the B7-Revised alignment.

Ms. Robertson said that the results of the ARUP study demonstrate that the B7-Revised alignment is viable, but it is more expensive. She believes that the study was worth doing, given that light rail is a 100-year project that should serve the interests of Bellevue citizens. She recalled that the Bellevue City Council initiated the Light Rail Best Practices effort, which she helped lead. That planning process came up with a great set of best practices that were adopted by the Council.

Ms. Robertson said that the City has a long history of working diligently to find the best solutions, whether it be for light rail or for any other issue. However, there is no more time for further study, and Sound Transit will be selecting its preferred alternative soon. The Final Environmental Impact Statement (FEIS) is coming out soon. The City will be carefully examining it, commenting on the (4f) process on parks, and looking at all aspects of the alignment decisions.

She observed that the City has considered all the options, and she personally considers all options to still be on the table – both politically as well as legally. But she believes that the Council owes it to the community and the region to continue to work for the best possible route and to implement those light rail best practices standards, which call for exceptional mitigation. There have been a number of concerns about the alignment south of the Downtown including noise, visual and traffic impacts. She believes that now is the time to engage with Sound Transit in an in-depth and cooperative discussion, as the City has continued to do, to ensure a route that meets Bellevue's high standards and stays true to its best practices. She asked the Mayor to allow Councilmember Chelminiak to comment on what the City is currently doing toward working for a cooperative alignment with exceptional mitigation.

Councilmember Chelminiak acknowledged that Councilmembers have had differences of opinion about the Sound Transit East Link project. However, the Council is united in seeking the best outcomes for the City of Bellevue, businesses, and neighborhoods. Mr. Chelminiak said it is important to continue to be mindful of Bellevue's role as a leader within this region in terms of the economy and cultural environment. The City is committed to continuing to work as full partners with Sound Transit as the process moves forward toward a final alignment decision.

Mr. Chelminiak said the City has been in discussions with Sound Transit over the past couple weeks. City Manager Sarkozy, Councilmember Wallace, and Councilmember Degginger are involved in high-level discussions with Sound Transit about the entire alignment, and about mitigation measures for Segment B in particular. As the City moves forward through this process, Mr. Chelminiak believes it will be important to introduce the substance of these discussions to the public at the appropriate time.

Mr. Chelminiak reiterated that the City is working toward exceptional mitigation for noise, visual, and transportation impacts. The City will conduct an extensive review of the FEIS after it is released this week.

Councilmember Degginger reflected that it is important to remember the long journey of light rail planning, long before the Council's vote on a preferred alternative in 2008. The City started its look at the Bel-Red corridor with the idea of using future light rail as a major feature in redeveloping that area of the city. The Council ultimately adopted the Bel-Red Plan. Mr. Degginger recalled that concerns about the impacts of light rail to the overall community led to the Council's appointment of the Light Rail Best Practices Committee, when he was serving as mayor. The idea was to learn about other light rail system designs, operations, and mitigation. All of these activities have been part of a process over the past four to five years.

The ARUP study was a way of assessing the viability of a B7-Revised route, as well as the opportunities and challenges. The City conducted a similar study with respect to the Bellevue Way and 112th alignments, and is now looking at how the impacts associated with this alignment can be mitigated. Councilmember Degginger said the City will continue to work with Sound Transit to refine the mitigation of transportation, noise and visual impacts.

Councilmember Balducci said she agreed with everything that had been said, and she believes this is an important and positive direction. She commended Councilmembers Degginger and Wallace for taking the lead and starting discussions with Sound Transit. She suggested that the City should not underestimate the challenges to come; but, current efforts are extremely positive and recognize that the Council is united in looking for the best result from this regional investment in the area. She supports continued discussions and collaboration with Sound Transit.

Mayor Davidson expressed support for Councilmembers' comments and for moving forward in a positive manner to try to resolve all of the issues around Sound Transit's route. He noted that negotiations regarding Segment C are moving forward as well with regard to principles previously defined with Sound Transit about funding a Downtown tunnel.

7. Approval of the Agenda

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

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

8. Consent Calendar

→ Councilmember Robertson moved to approve the Consent Calendar, with the exception of Item 8(f). Councilmember Degginger 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 June 6, 2011 Study Session
Minutes of June 6, 2011 Regular Session
Minutes of June 13, 2011 Extended Study Session
- (b) Resolution No. 8254 authorizing approval of payment in the amount of \$43,575.21 for a Release of All Claims in final settlement of a claim against the City for damage to the King County Housing Authority's Cascadian Apartments caused by a vehicle incident.
- (c) Resolution No. 8255 authorizing approval of payment in the amount of \$65,401.15 for a Release of All Claims in final settlement of a claim against the City for property damage to the Gusa residence caused by a water system failure.
- (d) Resolution No. 8256 authorizing execution of a long-term lease agreement with Paramount Food Services LLC, for the lease of space at City Hall, to operate a food and beverage service deli.
- (e) Resolution No. 8257 authorizing execution of an agreement with the King County Directors Association and Musco Lighting Inc., in an amount not to exceed

\$109,732.76, for the installation of a new sportsfield lighting system at Bannerwood Park.

- (g) Motion to award Bid No. 11133 for installation of curb, gutter and sidewalk on the east side of 123rd Avenue SE, to NPM Construction, as the lowest responsible and responsive bidder, in the amount of \$66,696.00 (CIP Plan No. NEP-1).
- (h) Ordinance No. 6007 authorizing execution of Amendment No. 2 to the Interlocal Agreement with the Washington State Department of Ecology to accept \$16,145.64 in grant reimbursement funds from the Coordinated Prevention Grant Program to implement recycling and hazardous waste prevention and education programs; increase Phase 1 funding amount and decrease Phase 2 funding amount; reallocate funding between projects; establishing a project within the Operating Grants and Donations Fund; appropriating unanticipated and future revenues to that fund; and authorizing expenditures of said funds.
- (i) Resolution No. 8258 authorizing execution of a professional services agreement with Tetra Tech, Inc., for the Sewer Lake Line Condition Assessment - Lake Washington project, in an amount not to exceed \$450,000, for engineering services.
- (j) Motion to award Bid No. 11127 for AC Water Main Replacement (2011) - Phase 1, to Earthwork Enterprises, Inc., as the lowest responsible and responsive bidder, in the amount of \$1,691, 554.48 (CIP Plan No. W-16).

Item Pulled:

- (f) Ordinance No. 6006 authorizing execution of an agreement with the Washington State Criminal Justice Training Commission (WSCJTC) to provide an instructor to the WSCJTC and accept full reimbursement of salary and benefit costs; amending the 2011-2012 General Fund budget and appropriation to increase by \$174, 071 and authorizing an additional FTE that will be paid from the funds received from WSCJTC.

9. Public Hearings

- (a) Limited Public Comment Period and consideration of taking an official position on King County Proposition 1, Veterans and Human Services Levy on the August 16, 2011, Primary and Special Election

Mayor Davidson explained that the Council is holding a Limited Public Comment Period to address whether the Council should take an official position on King County Proposition 1, Veterans and Human Services Levy, scheduled on the August 16, 2011, primary election ballot.

Kate Berens, Deputy City Attorney, described the rules for the limited public comment period. State law authorizes the City Council to, at an open public meeting, express a collective decision

or to vote upon a motion or resolution to support or oppose a ballot proposition. The City met the requirement for providing notice of the meeting by including the topic on the meeting agenda, posting on the City's web site, and posting on the City Events Calendar. Members of the Council or the public must be afforded an approximately equal opportunity for the expression of supporting or opposing views.

Mayor Davidson said the Council will take 15 minutes of public comment representing each side of the ballot measure. At the conclusion of the comment period, the Council will discuss whether to take a position on the ballot measure.

Alison Bennett, Policy Advisor, provided an overview of Proposition 1, which continues funding for regional veterans, health, and human services. The measure replaces an expiring levy and funds capital facilities and services that reduce medical costs, homelessness, and criminal justice system involvement. Half of the proceeds benefit veterans and their families.

Mayor Davidson noted that four speakers have signed up to speak in favor of the ballot measure, and no one is signed up to speak against the levy.

- Councilmember Robertson moved to open the public comment period, and Councilmember Chelminiak seconded the motion.
- The motion to open the limited public comment period carried by a vote of 5-0.

The following citizens came forward to comment:

- 1) Francois Larrivee spoke on behalf of Hopelink in support of King County Proposition 1, and described the positive impacts of the current Veterans and Human Services Levy.
- 2) Steve Roberts, representing Congregations for the Homeless, spoke in favor of the Veterans and Human Services Levy. He described the importance of this funding to homeless veterans, and noted that his organization partners with Hopelink for training and job placement. He encouraged Council support of the levy.
- 3) Darel Harrison, representing Imagine Housing (Previously St. Andrews Housing Group), encouraged support of the levy which provides employment training, housing, and essential services for veterans and others. The levy has also provided capital funding to enable organizations like Imagine Housing to build affordable housing for veterans and low-income individuals on the Eastside. Imagine Housing was awarded \$650,000 through the levy to build Andrews Glen in Factoria, which will open in September. The project provides 20 dedicated units for homeless veterans and on-site support services. Ten additional units are provided for families transitioning from homelessness, and 10 units will provide subsidized Section 8 housing.
- 4) Pete Smith said he is a Bellevue College student and a recipient of the support services made possible by the Veterans and Human Services levy. He served as a Marine and has been attending college for the past two years. He commented on the difficulties of

transitioning to the civilian sector and starting over with his life, noting that he has been homeless in the past. Mr. Smith said he is the founder and president of the Bellevue College Association of Veterans, and he thanked the Council for sending representation to the association's Memorial Day event.

Mayor Davidson thanked Mr. Smith for his military service.

Noting no one else present wishing to speak, Mayor Davidson said he would entertain a motion to close the public comment period.

- Councilmember Robertson moved to close the public comment period, and Councilmember Chelminiak seconded the motion.
- The Council agreed by consensus to close the hearing.

Responding to Mayor Davidson, Ms. Bennett said the measure authorizes King County to levy a property tax of five cents per \$1,000 of assessed valuation for collection in 2012, and to levy inflation-based increases for the five succeeding years.

Patrick Hamacher, King County Council staff, commented on the original implementation of the levy and the proposed continuation at the current rate. Responding to Mayor Davidson, Mr. Hamacher said the expiring levy generated approximately \$87.5 million. The proposed six-year levy is expected to generate \$102-106 million. The collection in 2012 is projected at \$16.3 million. The collection this year was approximately \$16 million, and the expiring levy started at approximately \$14 million.

Mayor Davidson said he will support the levy. However he noted competing priorities, including City projects and services, for property tax dollars.

- Councilmember Balducci moved to approve Resolution No. 8259-A, supporting King County Proposition 1, Veterans and Human Services Levy, on the August 16, 2011 election ballot. Councilmember Chelminiak seconded the motion.

Councilmember Balducci expressed support for the levy, which has been productive and well used by the community. The funding provides stability in the provision of services that are needed over the long term to address homelessness. The levy also provides needed funding for veterans, which are increasingly represented within the criminal justice system. Ms. Balducci acknowledged Mayor Davidson's comments about property taxes. However, she noted that the City is not increasing its property tax rate this year and has not increased it for the past two years. She strongly supports the levy.

Councilmember Chelminiak expressed support for the levy. He recalled discussions by King County and cities between 2000 and 2005 about their roles in providing human services. Mr. Chelminiak said he likes having a dedicated funding source for the services included in the levy. He noted that the expiring levy has been effective in providing needed services, including mental health services at 22 clinics and family support services.

Councilmember Chelminiak said that more than 14,000 veterans served during the first five years of the current wars, and there was one walk-in site in Downtown Seattle for veterans before the levy was adopted. There are now approximately 10 service centers in King County. Levy funds have been used for PTSD (post-traumatic stress disorder) treatment reflecting a 95-percent success rate. Individuals in levy-funded housing who were receiving services had 84 percent fewer public hospital days than homeless individuals, which saves the public approximately \$500,000. Councilmember Chelminiak urged the Council's support of the levy, noting that Bellevue is seen as a leader in funding human services.

Councilmember Robertson referred to page 9-6 of the meeting packet, which demonstrates Bellevue's leadership in human services funding compared to other jurisdictions. She supports recommending approval of this replacement levy, and noted the detrimental impacts of not renewing the funding for services that are needed even more today. Ms. Robertson thanked Mr. Smith for his service.

Councilmember Degginger expressed support for the motion, noting that there have been significant reductions in human services funding at all government levels. He commented that the United States has experienced its longest deployment in the history of the country, and returning veterans are in need of services including training, employment, and mental health services.

→ The motion to approve Resolution No. 8259-A carried by a vote of 5-0.

10. Land Use: None.

11. Other Ordinances, Resolutions and Motions

(a) Extensions to Building Permits and Short Plats

1. Ordinance No. 6008-A (one year) extending the life of certain complete building permit applications, complete clearing and grading permit applications, issued building permits, and issued clearing and grading permits; declaring a public emergency; providing for severability; and establishing an immediate effective date;

OR,

Ordinance No. 6008-B (six months) extending the life of certain complete building permit applications, complete clearing and grading permit applications, issued building permits, and issued clearing and grading permits; declaring a public emergency; providing for severability; and establishing an immediate effective date.

2. Ordinance No. 6009 imposing an interim official control extending the life of certain preliminary short plat approvals; declaring an emergency; providing for severability; and establishing an immediate effective date.

Mr. Sarkozy recalled Council discussion on June 20 regarding the proposed extension of building permits and short plat approvals in response to the slowed economy.

Mike Brennan, Director of Development Services, referred the Council to page 11-5 of the meeting packet for a list of commercial projects covered under the draft Ordinance. He noted that 23 of the 41 projects received the previous extension approved by the Council in 2010. He further noted page 11-6, which compares the implications of a six-month extension versus a 12-month extension, and provides the status of short plat approvals.

Mr. Brennan said staff recommends a one-year extension of certain building permit applications, clearing and grading permit applications, and short plat approvals. He noted that revised draft Ordinances are provided in Council's desk packet to differentiate the six-month and 12-month extension options.

- Councilmember Robertson moved to adopt Ordinance No. 6008-A, providing a one-year extension for certain building permit applications and clearing and grading permit applications, and to adopt Ordinance No. 6009 extending the life of certain preliminary short plat approvals. Councilmember Degginger seconded the motion.

Councilmember Robertson explained that she supports the extension given the challenging economy. She wants to help projects that will benefit the overall community, including the Tateuchi Performing Arts Center and projects by individual citizens such as Mr. Khorram.

Councilmember Balducci expressed support for the motion, and Mr. Brennan responded to brief questions of clarification. Ms. Balducci clarified her interest in helping projects during the current economy, but she does not want to extend permits into perpetuity.

Responding to Mayor Davidson, Ms. Berens said the City is not incurring any liability risk by extending the permits.

- The motion to adopt Ordinance No. 6008-A and Ordinance No. 6009 carried by a vote of 5-0.

12. Unfinished Business: None.

13. Continued Oral Communications: None.

14. New Business: None.

15. Executive Session: None.

16. Adjournment

Mayor Davidson declared the meeting adjourned at 10:58 p.m.

Myrna L. Basich, MMC
City Clerk

/kaw