

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Session

August 6, 2012
8:00 p.m.

Council Chamber
Bellevue, Washington

PRESENT: Temporary Chair Stokes and Councilmembers Balducci, Chelminiak, Davidson, and Wallace

ABSENT: Mayor Lee and Deputy Mayor Robertson

1. Call to Order

The meeting was called to order at 8:03 p.m., with Councilmember Stokes presiding.

2. Roll Call, Flag Salute

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

(a) Awards for City Hall, Fleet Services, and Employee Commute Trip Reduction

Nora Johnson, Director of Civic Services, reported on three awards recently received by the City:

- TOBY (The Office Building of the Year) Award from the Building Owners and Managers Association. Bellevue won the local and regional awards, and was one of seven buildings that competed for the international award.
- The 100 Best Fleets in North America Award, sponsored by *Government Fleet* magazine. Bellevue was ranked 12th overall in North America.
- Leadership Diamond Award from Enterprise Seattle's Commuter Solutions Initiative.

Councilmember Stokes thanked staff for demonstrating such vision and caring about their work and the community.

3. Communications: Written and Oral

- (a) Sam Bellomio, Stand Up America, recalled that the Mayor interrupted him during the previous week's meeting to tell him to speak nicely or not at all. He believes this is not true freedom of speech. He expressed his ongoing opposition to red light cameras. He

said he received a response to his previous testimony from the City Manager, which indicated that accidents have been reduced by 10 percent. Mr. Bellomio said he wants to know what the Council thinks about red light cameras and why the City has them. He expressed concern that Councilmembers were formerly citizen activists and now are professional politicians.

- (b) Alex Zimmerman said that, for three months, he has been asking for a response to his public records request for cost information on the four-year, 330-page investigation. He said he will continue to come every week. He presented legal service against City Manager Sarkozy, which he handed to the Deputy City Manager.
- 4. Reports of Community Council, Boards and Commissions: None.
- 5. Report of the City Manager: None.
- 6. Council Business and New Initiatives

Councilmember Chelminiak reported that he attended a meeting of the Economic Development District Board. He noted that Councilmember Wallace is taking over his seat on that Board.

Councilmember Davidson reported that he attended meetings of the Regional Water Quality Committee and King County Flood Control District. Dr. Davidson said he attended the Farmers Market, which was recognizing its sponsors and partners, including the City. He spoke with Lori Taylor, operator of the market.

Councilmember Balducci said she attended the annual Bellevue Arts Fair and served as a judge for the Excellence Award. She attended the Annexation Celebration event at the South Bellevue Community Center and the grand opening of the 145th Place project, which is one of the last in a package of projects initiated under the Neighborhood Investment Strategy nearly 10 years ago.

Ms. Balducci said that she and Councilmember Chelminiak attended the Celebrating 30 years of Conservation Futures event. Councilmember Balducci reported that she met with the new Bellevue School Superintendent Tim Mills.

Councilmember Stokes said that he and Mercer Island Mayor Bruce Bassett took a walk at Bellevue's Downtown Park to discuss mutual interests related to Lake Washington and park development. Mr. Stokes said he spoke at the public school employees union convention and welcomed them to Bellevue.

Councilmember Stokes reported that he met with Dr. Mills, the new School Superintendent. Mr. Stokes noted that Dr. Mills supports the Eastside Pathways program and other partnerships with the community.

7. Approval of the Agenda

→ Councilmember Balducci moved to approve the agenda, and Councilmember Chelminiak

seconded the motion.

→ The motion to approve the agenda carried by a vote of 4-1, with Dr. Davidson opposed.

8. Consent Calendar

Councilmember Stokes noted a correction to Resolution No. 8432 [Agenda Item 8(i)] to reflect Yates, Wood and MacDonald as the property management services provider for the Bayvue Village Apartments.

Mr. Stokes said that Councilmember Davidson requested pulling Item 8(d) from the Consent Calendar for discussion.

→ Councilmember Balducci moved to approve the Consent Calendar, amended to pull Agenda Item 8(d) for discussion and to correct Resolution No. 8432 [Agenda Item 8(i)] as noted. Councilmember Chelminiak 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 18, 2012 Study Session
Minutes of June 18, 2012 Regular Session
Minutes of June 25, 2012 Extended Study Session
Minutes of July 2, 2012 Study Session
Minutes of July 2, 2012 Regular Session
- (b) Resolution No. 8427 authorizing execution of a four-year General Services Agreement with Ken's Towing, Inc., in an amount not to exceed \$80,000, for towing services.
- (c) Motion to award Bid No. 12148 to Davis Door Service, Inc., as the lowest responsible and responsive bidder, in the amount of \$77,964.00, to replace the Public Safety Garage vehicle access doors at Bellevue City Hall.
- (e) Resolution No. 8429 authorizing execution of an agreement with the Washington State Military Department to accept grant funds of \$102,256, for emergency management purposes.
- (f) Resolution No. 8430 authorizing execution of Amendment No. 2 to the City of Bellevue 401(a) Money Purchase Pension Plan, to delegate authority to the Administrator to make certain amendments to the Plan/Adoption Agreement to: 1) maintain them in tax-qualified status, or; 2) conform them to any other laws; so long as said amendments do not increase the Employer's contributions under this Plan.

- (g) Ordinance No. 6068 amending Ordinance Nos. 5971 and 6023 to reflect the amendment of the distribution of 2012 grant amounts to Jewish Family Service.
- (h) Resolution No. 8431 authorizing execution of a Non-Exclusive Permanent Slope and Drainage Easement with the City of Newcastle for a portion of Parcel No. 262405-9048 at the Coal Creek Natural Area subject to certain conditions, to provide sufficient land area for City of Newcastle's repair of Golf Club Road within the City of Newcastle.
- (i) Resolution No. 8432 authorizing execution of a Professional Services Agreement with Yates, Wood and MacDonald for residential property management services for the Bayvue Village Apartments.
- (j) Motion to award Bid No. 12149 to Skyline Landscape, as the lowest responsible and responsive bidder, in the amount of \$127,165.00, for ballfield renovation at Wilburton Hill Community Park.
- (k) Motion to reject all bids for Bid No. 12157 for the Chism Beach Park Restroom Remodel project.
- (l) Ordinance No. 6069 directing a boundary revision action to include portions of public right-of-way in the 7300 block of Lakemont Boulevard SE within the City's corporate boundary.
- (m) Resolution No. 8433 authorizing execution of an Interlocal Agreement between the City and King County, Washington State Patrol, Port of Seattle, and the cities of Black Diamond, Bothell, Issaquah, Kirkland, Mercer Island, and Redmond to provide mutual aid and mobilization between the law enforcement agencies in the event of law enforcement-involved fatal or serious injury incidents.
- (n) Motion to award Bid No. 12162, 105th Avenue SE Sidewalk Repair, as part of the Enhanced ROW and Urban Boulevards Program, to Trinity Contractors Inc., as the lowest responsible and responsive bidder, in the amount of \$66,620.00 (CIP Plan No. CD-22).
- (o) Motion to award Bid No. 12163, Forest Drive and Coal Creek Parkway Overlay and Surface Treatment Replacement to Watson Asphalt Paving Co. Inc., as the lowest responsible and responsive bidder, in the amount of \$178,406.50 (CIP Plan Nos. PW-M-1, PW-M-19, and PW-M-20).
- (p) Resolution No. 8434 authorizing execution of an Intergovernmental Cooperation Agreement with the City of Kirkland for providing sanitary sewer service to the King County South Kirkland Park and Ride garage.
- (q) Motion to award Bid No. 12116 for 132nd Avenue NE Bellevue/Kirkland Intertie,

to B&B Utilities & Excavating, LLC, as the lowest responsible and responsive bidder, in the amount of \$197,362.80 (CIP Plan No. W-69).

- (r) Motion to award Bid No. 12143 for 136th Place SE Rockery Reconstruction, to Kamins Construction, as the lowest responsible and responsive bidder, in the amount of \$116,087.34 (CIP Plan No. D-59).
- (s) Motion to reject all bids for Bid No. 12144, Exposed Sanitary Sewer Lakelines (CIP Plan Nos. S-32 and S-58) and rebid at a later date.
- (t) Motion to award Bid No. 12153 for Trenchless Storm Drainage Rehabilitation, to Michels Corporation, as the lowest responsible and responsive bidder, in the amount of \$202,984.53 (CIP Plan No. D-64).
- (u) Resolution No. 8435 authorizing execution of an amendment to the Agreement for Professional Services with Kenyon Disend, PLLC, to increase the total contract amount from \$49,000 to \$250,000, for legal services and representation in property acquisitions and/or eminent domain proceedings for multiple parcels located at NE 4th Street.
- (v) Resolution No. 8436 authorizing execution of an amendment to the Agreement for Professional Services with Kenyon Disend, PLLC, to increase the total contract amount from \$99,000 to \$154,000, for legal services and representation in property acquisitions and/or eminent domain proceedings for multiple parcels located at 120th Avenue NE.

Item for Discussion:

- (d) Resolution No. 8428 authorizing execution of an amendment to the Professional Services Agreement with Bob Rosain & Associates, to increase the total contract amount to \$300,000 and extend the contract duration to December 31, 2014, to provide Independent Facilitation Services for the Collaborative Design Process for the East Link Project.

Councilmember Davidson stated that he believes the contract work is premature, given the legal issue pending with regard to federal Record of Decision for the East Link project. He noted that the I-90 bridge design work for the light rail project has not been completed. He believes that these issues could change how Sound Transit is able to bring light rail to Downtown Bellevue via I-90. Dr. Davidson said he requested pulling this item from the Consent Calendar to enable him to comment and vote against the item.

Responding to Councilmember Chelminiak, Development Services Director Mike Brennan confirmed that the item approves a contract of \$300,000, but the City's responsibility is limited to a maximum of \$150,000. Mr. Chelminiak said that Sound Transit would pay the other half of the contract costs.

→ Councilmember Balducci moved to approve Resolution No. 8428, and Councilmember

Chelminiak seconded the motion.

Responding to Councilmember Davidson, Mr. Brennan explained that the contract provides facilitation services for the Leadership Group and the staff Steering Committee involved in the East Link Collaborative Design Process.

In further response to Dr. Davidson, Mr. Brennan said the process is going well. Mr. Brennan said the contractor's work in coordinating and facilitating the process is allowing technical staff to focus on the substantive issues. He noted that \$300,000 is the maximum contract amount for work that will continue to 2014.

Councilmember Wallace observed that there will continue to be more opportunities to discuss the City's spending on light rail. His experience with the process gave him the perspective that the contractors are doing a good job in bringing value to the process. Mr. Wallace acknowledged, however, that the City's anticipated expenditures related to the light rail project merit extensive future discussions.

Councilmember Stokes said the facilitators have been valuable in ensuring a productive collaborative design process and keeping it on track. He believes the expenditure is relatively small given the value it is providing.

Councilmember Chelminiak said he will support the motion. He said he is interested in the work of the technical and staff teams as the process continues to move forward. Noting the land use policies to be addressed and the potential for a development agreement with Sound Transit, Mr. Chelminiak said the process requires all seven Councilmembers being publicly involved, and not three Councilmembers being involved in private as part of the collaborative design team Leadership Group. He said the entire Council should be giving direction to the three representatives on the Leadership Group. Councilmember Chelminiak said he wants to be sure that the Council has the ability and resources to do that.

Councilmember Balducci commented that she believed this was an appropriate item for the Consent Calendar because it extends an existing contract for an ongoing project.

→ The motion to approve Resolution No. 8428 carried by a vote of 4-1, with Councilmember Davidson opposed.

9. Public Hearings: None.

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 8:47 p.m., Councilmember Stokes declared the meeting adjourned.

Myrna L. Basich, MMC
City Clerk

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