

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Session

September 7, 2010
8:00 p.m.

Council Chamber
Bellevue, Washington

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

ABSENT: None.

1. Call to Order

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

2. Roll Call, Flag Salute

Upon roll call, all Councilmembers were present. Councilmember Balducci led the flag salute.

(a) Tobacco-Free King County Quits Week

Mayor Davidson read a proclamation recognizing the week of September 12 as King County Quits Week in Bellevue. He urged citizens to stop smoking. Dr. Davidson noted that one in five high school seniors in King County smokes.

3. Communications: Written and Oral

- (a) Debbie Vaught, Co- Chair of the Bellevue Botanical Garden Society, announced the receipt of a \$119,000 national grant to fund aspects of a database project. She noted that winning the grant was dependent upon a time commitment by volunteers. She thanked the Garden's many volunteers for their support and work throughout the year. She referred the public to www.bellevuebotanical.org for more information. She thanked Nancy Cardis for her leadership and for her hard work in putting the grant application together.

Mayor Davidson congratulated the Society, noting that the grant demonstrates how well the Society is doing in its work.

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

5. Report of the City Manager

(a) Installation of Phase 1 of new SCATS Traffic Adaptive Signal System

City Manager Steve Sarkozy introduced staff to provide an update on Phase 1 of the new SCATS traffic adaptive signal system.

Mark Poch, Traffic Engineering Manager, noted the management brief in the meeting packet on page 5-1. He explained that the City will begin installing Phase 1 of the SCATS traffic adaptive signal system on September 22. Phase 1 consists of four major corridors: 1) Factoria Boulevard, 2) NE 8th Street, 3) NE 4th Street, and 4) Bellevue Way through downtown.

Referencing a comment by Councilmember Robertson earlier in the evening, Mr. Poch noted that Agenda Item 8(g) authorizes a grant agreement with the Washington State Department of Transportation (WSDOT) to accept federal grant funds for Phase 2 of the SCATS project.

Mr. Poch reminded the Council that SCATS stands for the Sydney Coordinated Adaptive Traffic System, which was developed in Australia.

(b) Management Brief providing update on Torrello PUD

Mr. Sarkozy asked staff to provide an update regarding concerns from residents about the removal of vegetation at the Torrello development on Bellevue Way.

Mike Brennan, Development Services Director, reported that the Torrello planned unit development (PUD) is currently under construction. He noted the management brief on page 5-5 of the meeting packet, and explained that the City has been monitoring the project. Mr. Brennan reviewed the requirements for retaining certain trees and restoring the vegetation buffer. The City feels that work on the site has been in compliance with the Hearing Examiner's conditions, which includes the assistance of an arborist. The City has allowed temporary scaffolding in the buffer to allow workers to complete the exteriors of the townhomes.

Mr. Brennan addressed a separate issue, which was a complaint about construction noise over the weekend at approximately 7:00 p.m. The Police arrived on site and issued a warning, and the noise ceased. Code Compliance Officers are following up with the contractors.

Councilmember Chelminiak recalled that the protection of the vegetation buffer was a key issue in the Hearing Examiner's review of the PUD application. He wants to ensure that the buffer is protected.

Councilmember Balducci concurred, and noted that this particular stand of trees is protected by the Comprehensive Plan. She observed that construction modifications were allowed in the buffer because it was determined, with the help of an arborist, that these would better protect the trees. Mr. Brennan confirmed this understanding. Ms. Balducci suggested notifying the neighbors as construction goes forward to alert them to the schedule and the types of activities to occur.

Mr. Brennan provided additional details on the modifications that were allowed for the work in the buffer. Ms. Balducci acknowledged that the method was better for the trees, but suggested that neighbors be alerted to such variances from the original project approval.

6. Council Business and New Initiatives

[Council Business was reported during the earlier Study Session.]

Deputy Mayor Lee thanked the Police for their response to the recent domestic violence/hostage situation. He noted that he recently participated in the administration of the oath of office for new fire fighters.

7. Approval of the Agenda

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

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

8. Consent Calendar

Deputy Mayor Lee noted the addition of Agenda Item 8(l). City Manager Steve Sarkozy referred Council to the desk packet for materials on Resolution No. 8137, which authorizes the emergency purchase of supplies to replace copper wiring in lighting at Newport Hills Park. The City will also install security measures to prevent future thefts of public property at the park.

Councilmember Balducci noted her request to pull Item 8(e) for discussion.

Councilmember Robertson said she requested an amendment to the minutes of the July 6, 2010, Regular Session. The revised language is provided in a memo in the desk packet.

→ Deputy Mayor Lee moved to approve the Consent Calendar, amended to pull Item 8(e), add Item 8(l), and to amend the minutes of the July 6, 2010, Regular Session as requested by Councilmember Robertson. Councilmember Robertson seconded the motion.

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

(a) Minutes of June 28, 2010 Extended Study Session
Minutes of July 6, 2010 Study Session
Minutes of July 6, 2010 Regular Session [As amended.]

(b) Resolution No. 8131 authorizing execution of a second amendment to the Professional Services Agreement with Gordon Tilden Thomas & Cordell, LLP, to increase the total contract amount to \$70,000, for legal services in the lawsuit Bellevue Park II v. City of Bellevue, KCSC cause No. 10-2-06077-4SEA.

- (c) Motion to award Bid No. 10192 for City Hall Fire Suppression System Replacement to RAFN Company, in an amount not to exceed \$348,873.75, as the lowest responsive and responsible bidder.
- (d) Resolution No. 8132 authorizing execution of an amendment to the Professional Services Agreement with KPFF Consulting Engineers, to increase the contract amount for a total of \$82,000, for the Fire Suppression System replacement engineering design and construction management services.
- (f) Resolution No. 8134 authorizing execution of an Interlocal Agreement with the King County Sheriff's Office for ongoing Marine Patrol Services on Lake Sammamish.
- (g) Ordinance No. 5960 authorizing: 1) execution of a grant agreement (and supplements if necessary) with the Washington State Department of Transportation (WSDOT), to accept a federal Transportation, Community, and System Preservation Program grant in the amount of \$360,000, to advance implementation of the SCATS traffic adaptive signal control system along key corridors in downtown Bellevue and the Hospital District; 2) amendment of the 2009-2010 General CIP fund to increase the appropriation by \$360,000; and, 3) amendment of the 2009-2015 Capital Investment Program by \$360,000 (CIP Plan No. PW-R-155).
- (h) Resolution No. 8135 authorizing execution of an agreement to relinquish a sanitary sewer pipeline easement no longer required by the Sewer Utility at 10701 Main Street, Bellevue, WA.
- (i) Resolution No. 8136 authorizing execution of an agreement to relinquish the easement rights reserved by a Quit Claim Deed bearing King County Recording Number 6214077 at the Overlake Medical Center complex.
- (j) Resolution No. 8128 authorizing execution of a Professional Services Agreement with CH2MHill, Inc., in an amount not to exceed \$841,000, for engineering services for the Coal Creek Parkway Culvert Replacement project (CIP Plan No. D-103).
- (k) Motion to award Bid No. 10194 for Sanitary Sewer Repairs (2011) to Shoreline Construction, as low bidder in an amount not to exceed \$296,049.45 (CIP Plan No. S-24).
- (l) Resolution No. 8137 ratifying the Declaration of Emergency and emergency work performed by High Mountain Electric, Inc., to repair and replace copper wire in the sports field lighting and to install security measures to prevent future thefts of public property at Newport Hills Park.

Item for Discussion:

- (e) Resolution No. 8133 authorizing execution of a third amendment to the Lease Agreement with Terranomics Crossroads Associates for five additional years of occupancy at the Crossroads Community Police Substation.

→ Councilmember Balducci moved to approve Resolution No. 8133, and Councilmember Chelminiak seconded the motion.

Councilmember Balducci commented on the extension of the lease, noting the importance of maintaining the Community Police Substation in the East Bellevue and Crossroads areas. She expressed concern that rumors surfaced in the community that the City might not renew its lease. She cautioned that there is a heightened sensitivity among residents about the potential impacts of budget constraints on programs and services.

→ The motion to approve Resolution No. 8133 carried by a vote of 7-0.

9. Public Hearings

- (a) Renewal of Ordinance No. 5944 – Interim Official Control Extending Deadlines for Certain Preliminary Short Plat Approvals

Ordinance No. 5961 extending Ordinance No. 5944 imposing an interim official control extending the life of certain preliminary short plat approvals; amending Section 2 of Ordinance No. 5944; declaring an emergency and providing for severability; and establishing an effective date.

Mr. Sarkozy introduced discussion regarding the proposed renewal of Ordinance No. 5944.

Catherine Drews, Legal Planner, recalled the Council's original adoption of the ordinance during the March 15, 2010, Study Session. In response to the slowed economy, Council wanted to provide longer terms for certain building permits. If the Council would like to renew the Ordinance extending the deadlines for certain preliminary short plat approvals, the Council is required to hold tonight's public hearing. If the Ordinance is not renewed, the current extension will expire on September 11.

→ Deputy Mayor Lee moved to open the Public Hearing, and Councilmember Robertson seconded the motion.

→ The motion to open the Public Hearing carried by a vote of 7-0.

No one came forward to speak.

→ Deputy Mayor Lee moved to close the Public Hearing, and Councilmember Robertson seconded the motion.

→ The motion to close the Public Hearing carried by a vote of 7-0.

Councilmember Robertson said she is happy to be able to help citizens by extending certain building permit terms in this down economy.

→ Councilmember Robertson moved to adopt Ordinance No. 5961, and Deputy Mayor Lee seconded the motion.

→ The motion to adopt Ordinance No. 5961 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 8:38 p.m., Mayor Davidson declared the meeting adjourned.

Myrna L. Basich, MMC
City Clerk

/kaw