

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Session

September 19, 2011
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 8:06 p.m., with Mayor Davidson presiding.

2. Roll Call, Flag Salute

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

(a) Proclaiming September 17-23 as Citizenship Week

Mayor Davidson read a proclamation recognizing September 17-23 as Citizenship Week in Bellevue.

Patrick Bannon, representing the Bellevue Downtown Association, thanked the City for its partnership in hosting Bellevue's first Naturalization Ceremony on September 23 at City Hall.

Deputy Mayor Lee noted that he is a naturalized citizen, and he looks forward to the ceremony on Friday.

(b) Proclaiming September 24-October 22 as Eastside Month of Concern for the Hungry

Mayor Davidson read a proclamation recognizing September 24 to October 22 as Eastside Month of Concern for the Hungry. He presented the proclamation to representatives of Hopelink and the Emergency Feeding Program of Seattle-King County, who thanked the City and residents for their support of the month-long food drive.

3. Communications: Written and Oral

- (a) Larry Graham, a resident of Enatai, wondered about the extent of the sacrifice of overall Capital Investment Program (CIP) projects in order to provide an East Link Downtown Tunnel. While he is in favor of transit, he is concerned that the City of Bellevue is being asked to contribute toward the financing of the tunnel. Mr. Graham expressed concern about traffic impacts during light rail construction, and about the recent proposal that the City fund a project to add a southbound HOV lane on Bellevue Way to connect to I-90.
- (b) Alex Zimmer asked the City to implement a consistent 40 miles per hour speed zone throughout the city and to better synchronize the traffic signals.
- (c) Renay Bennett, representing Building a Better Bellevue, commented on an article in *The Seattle Times* about community opposition to a proposed upzone in the Roosevelt neighborhood of Seattle. She noted that the neighborhood is welcoming light rail to its area, but only after Sound Transit selected the alternative favored by the neighborhood. However, Sound Transit is not working with Bellevue neighborhoods to jointly determine an alignment. Ms. Bennett noted that Bellevue's Comprehensive Plan and other policy documents reflect decisions already made about neighborhood protection, land use, and critical areas regulations.
- (d) Scott Lampe, Surrey Downs East Link Committee, shared information from the bimonthly meeting of the Sound Transit Citizen Oversight Panel, which indicates that Sound Transit has revised its 2011 Central Link ridership forecast downward by 20 percent. Earlier ridership estimates were based on a number of factors including data on future populations and jobs. The lower ridership estimates are due primarily to lower forecasted employment and population growth. Mr. Lampe asked the Council to obtain updated ridership projections and construction/mitigation cost estimates from Sound Transit for all East Link alternatives. He thanked Councilmembers for their work on behalf of the community.
- (e) Wendy Jones expressed concerns related to the East Link project. She supports the current public outreach effort, but is concerned that the short timeline does not provide sufficient opportunity for public involvement. She attended a session on the proposed Bellevue Way HOV lane, which presented two visual aids showing little detail and nothing about the connection to I-90. She expressed concern about the related property acquisitions, retaining walls, and cutting into the slope. She thanked City staff for their work, noting that she does not blame them for the lack of details on the new options. She believes that the HOV lane and 112th Avenue design options should be considered separately from the MOU pending with Sound Transit.
- (f) Terry Foulon expressed her ongoing concern regarding pollution at Newcastle Beach Park. She distributed handouts to the Council including test results from the Washington State Department of Ecology, which indicates arsenic and selenium levels exceeding the accepted standard. She believes that the City has an obligation to address this situation.

Mayor Davidson requested a report from staff on this issue. City Manager Sarkozy said staff will provide a written update as soon as possible.

Councilmember Degginger requested information on whether the testing standards are being appropriately applied in this case.

(g) Lyndon Heywood spoke about the bicycling infrastructure within Bellevue, and requested that street cleaners sweep more frequently in the bike lanes. He asked about the status of a project to improve bike signage between Bellevue, Kirkland, and Redmond. He recommended that the City establish a pedestrian and bike board, and asked someone to contact him.

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

5. Report of the City Manager

City Manager Steve Sarkozy commented on Consent Calendar Item 8(b) regarding City Hall copying/printing and mail services. He explained that, due to the downturn in the economy, City staff has been looking for opportunities to be more cost effective within the purchasing function. The contract represented by proposed Resolution Nos. 8291 and 8292 is approximately \$84,000 less than the previous year.

6. Council Business and New Initiatives

Councilmember Balducci reported on the work with the Puget Sound Regional Council (PSRC) Transportation Policy Board to prioritize transportation projects. She noted that Councilmember Robertson serves on the prioritization working group.

Councilmember Wallace attended meetings of the East Link MOU negotiating team and the Bellevue Chamber of Commerce annual dinner. He received a request that the City coordinate with WSDOT to address litter and garbage on I-405, and a Port Commissioner suggested painting the trestles along the BNSF rail corridor in Bellevue. Mr. Wallace reported that the City's web site has a link [Planning Initiatives tab from Home Page] to Sound Transit plans and information that will be presented during the September 20 open house on the East Link project. He expressed concern about new reports on the State's budget shortfall, and requested information on how this affects the City's budget.

Councilmember Degginger attended meetings of the MOU negotiating team and the Chamber dinner, as well as a meeting of the Cascade Water Alliance Committee of the Whole.

Councilmember Chelminiak worked with members of the Parks and Community Services Board and the Human Services Commission in a Day of Caring landscaping project at a Housing at the Crossroads site near Lake Hills Elementary School. He attended a meeting of the Probation Advisory Board, which is involved in discussions about its future. Mr. Chelminiak said that he hopes the matter is a policy decision versus a management decision. He believes there are long-

term detriments to scaling back the program, including added jail costs if the electronic home detention program is reduced or eliminated. Mr. Chelminiak would like this to be part of the Mid-Biennium Budget discussions.

Councilmember Chelminiak attended a meeting of the Economic Development District Board and received a phone call from a Bellevue School Board member. He looks forward to meeting with the Bellevue School Board this fall, and he expressed an interest in meeting with the Issaquah School Board at some point as well.

Councilmember Robertson attended the Chamber annual dinner. She attended a joint meeting of the PSRC Transportation Policy Board and the Growth Management Policy Board, the latter of which she is a member. She attended meetings of the Eastgate/I-90 Citizen Advisory Committee and the East Link MOU negotiating team. Ms. Robertson noted her ongoing interest in scheduling a meeting with the Bellevue School Board this fall or winter. City Manager Sarkozy indicated that staff has not forgotten this request, but has been focusing on more immediate priorities at this time.

Noting Mr. Lampe's testimony that he attended the Sound Transit Citizen Oversight Panel meeting, Ms. Robertson requested updated ridership information on the East Link project. She echoed Councilmember Wallace's request for a spreadsheet to display CIP project expenditures by year over the next several years. Councilmember Robertson said she would like to be able, in early October, to set the date for the additional public hearing before finalizing the East Link MOU in late October.

Deputy Mayor Lee reported that he met with the director of the new Eastside Pathways program. He and the Mayor attended a meeting organized by PSRC called Growing Transit Communities at the University of Washington. Mr. Lee supports transit; however, he expressed concern about efforts to promote transit-oriented development and noted that economic sustainability was not addressed in the meeting.

Mr. Lee attended the dedication of the Jean Sarto Floten Student Union Building at Bellevue College, a global biomedical/health sciences cluster tour in Seattle's South Lake Union area, an event at the Eastside Baha'i Center, and the Slavic Culture Festival at Marymoor Park.

Deputy Mayor Lee and the Mayor attended the Taiwan Benevolent Association of America conference and an event at the Ling Shen Ching Tze Temple. The latter contributes funding to local nonprofits and youth programs, including the Jubilee Reach Center in Bellevue. Mr. Lee attended the Korea Free Trade discussion, and toured the new RapidRide service between Bellevue and Renton with Congressman Reichert.

Mayor Davidson attended the Bellevue Chamber annual dinner, a meeting of the WRIA Salmon Recovery Council, and a meeting with the Eastside Leadership group. Dr. Davidson attended the Growing Transit Communities event at the University of Washington, and said he will be serving on the oversight committee for that study.

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 moved to approve the Consent Calendar, amended to adopt Resolution Nos. 8291 and 8292 as corrected in the desk packet, and excluding Agenda Item 8(j). Councilmember Robertson seconded the motion.

Councilmember Wallace requested staff's comment on Agenda Item 8(h).

→ The motion to approve the Consent Calendar, as amended, carried by a vote of 5-2, with Councilmember Robertson and Wallace voting in the negative. The following items were approved:

(a) Minutes of September 6, 2011 Study Session
Minutes of September 6, 2011 Regular Session

(b) Copy Center and Mail Services

Resolution No. 8291 authorizing execution of a four-year service agreement, with an option to renew for an additional two years, with Copiers Northwest to provide multi-functioning devices (copy machines) in City facilities and the management of the City Hall Copy Center, and;

Resolution No. 8292 authorizing execution of a four-year service agreement, with an option to renew for an additional two years, with Postal Express to provide mailroom and central receiving/distribution services at City Hall.

(c) Resolution No. 8293 authorizing execution of an agreement with the Washington State Military Department to accept grant funds in the amount of \$102,031, for emergency management purposes.

(d) Ordinance No. 6019 authorizing execution of a project agreement with the State of Washington's Recreation and Conservation Office to: 1) accept up to \$100,000 in Boating Facilities Program grant funds; 2) amend the 2011-2012 General Capital Investment Program to increase the appropriation by \$100,000; and, 3) amend the 2011-2017 CIP Plan to increase the Renovation and Refurbishment of Park Facilities budget by \$100,000 and authorizing expenditures from said funds (CIP Plan No. P-R-11).

- (e) Resolution No. 8294 authorizing execution of a general services contract with the Washington State Department of Ecology, in an amount not to exceed \$100,000, for the use of a Washington Conservation Corps crew to implement trail improvements to the Coal Creek Natural Area trail system.
- (f) Motion to reject all bids on Bid No. 11199 for renovating two baseball fields at Wilburton Hill Community Park, revise the project specifications, and rebid the project.
- (g) Resolution No. 8295 authorizing execution of an updated "Regional Affordable Housing Program" (RAHP) Interlocal Cooperation Agreement for 2012-2014 with King County regarding the administration, distribution and use of the local portion of SHB 2060 revenue.
- (h) Ordinance No. 6020 authorizing: 1) Execution of a Local Agency Agreement with the Washington State Department of Transportation for receipt of 2011-2013 state technical assistance grant funds in the amount of \$204,946 to support the City's Commute Trip Reduction program; 2) Establishment of a project within the Operating Grants, Donations and Special Reserves Fund; 3) Appropriation of unanticipated and future revenues to that fund; 4) Expenditures of said funds; and, 5) Execution of an Interlocal Agreement with the King County Department of Transportation for Commute Trip Reduction services in an amount not to exceed \$204,946.
- (i) Motion to award Bid No. 11001, 102nd Avenue NE Crosswalk and Safety Improvements to Road Construction Northwest, Inc., as the lowest responsive and responsible bidder, in the amount of \$375,423.31 (CIP Plan No. PW-W/B-77).

Councilmember Robertson noted that she voted against the motion in the interest of allowing staff to respond to Councilmember Wallace's question.

City Manager Steve Sarkozy explained that the Commute Trip Reduction (CTR) program is coordinated through the state Department of Transportation, and is an effort to encourage non-SOV modes of transportation during peak travel periods. Item 8(h) represents the acceptance of a state grant to support the City's CTR program.

Responding to Ms. Robertson, Mayor Davidson said he moved forward with the vote because that is the typical manner for handling the Consent Calendar. He suggested that pulling Item 8(h) in advance would have been preferred.

City Clerk Myrna Basich explained that debate is not typically involved with a Consent Calendar vote, although it is not prohibited in the Council Rules. The preferred method is to pull the item of interest for discussion and separate vote, which is outlined in the Council Rules.

Item Pulled for Discussion:

- (j) Resolution No. 8296 authorizing execution of a third amendment to the professional services agreement with Hillis, Clark, Martin & Peterson to increase the contract amount by \$35,000, for a total contract amount of \$210,000, for legal services.

→ Councilmember Robertson moved to approve Resolution No. 8296, and Councilmember Wallace seconded the motion.

Deputy Mayor Lee said he will not support motion. He explained that he has requested a full plan and budget for East Link work in the past, but it has not yet been provided. He recalled that he voted against the East Link Term Sheet, and he will therefore vote against this Resolution because it relates to the Term Sheet and MOU being negotiated with Sound Transit.

Councilmember Chelminiak questioned whether the proposed contract increase of \$35,000 is included in the \$250,000 originally set aside in the budget adopted last December. City Attorney Lori Riordan said yes, and noted that \$130,000 will remain for this line item if the Resolution is approved.

Councilmember Balducci observed that the MOU represents a complicated agreement, and the City does not have all of the needed expertise on staff. She noted that the City routinely seeks outside independent legal advice as needed for a number of projects and issues.

Councilmember Wallace referred the Council to page 8-79 of the meeting packet, which provides a table of East Link project tasks as well as their scopes of work and obligated funds. He suggested it would be helpful to provide this information on the City's web site.

→ The motion to approve Resolution No. 8296 carried by a vote of 5-2, with Councilmembers Degginger and Lee opposed.

9. Public Hearings: None.

10. Land Use: None.

11. Other Ordinances, Resolutions and Motions: None.

12. Unfinished Business

City Manager Sarkozy reported that portions of the SR 520 braided ramps project will open soon, and northbound I-405 will be closed this weekend in preparation for that event. Once the ramps are operational, drivers will use the new NE 10th Street ramp to access SR 520. The NE 8th Street ramp will provide northbound access to I-405 but not to SR 520.

13. Continued Oral Communications: None.

14. New Business: None.

15. Executive Session: None.

16. Adjournment

Mayor Davidson declared the meeting adjourned at 9:24 p.m.

Myrna L. Basich, MMC
City Clerk

/kaw