

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Session

September 20, 2010
8:00 p.m.

Council Chamber
Bellevue, Washington

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

ABSENT: Councilmember Chelminiak

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 Degginger took his seat at the dais at approximately 8:08 p.m.]

Councilmember Balducci led the flag salute.

- (a) Proclaiming September 25 through October 23 as Eastside Month of Concern for the Hungry

Mayor Davidson read a proclamation declaring September 25 through October 23 as Eastside Month of Concern for the Hungry. Mike Matheson, King County Emergency Feeding Program, and Gerald Wright, Hopelink, thanked Council for the proclamation. Mr. Wright described the efforts of Hopelink and the King County Emergency Feeding Program to reduce hunger. He noted that the fastest growing segment of Hopelink's client base are the working poor, in other words individuals with jobs who still have trouble feeding themselves and their families. Hopelink is also seeing clients who have held jobs for a long time, and are finding themselves needing to visit a food bank for the first time in their lives. Mr. Matheson thanked the Council and the community for supporting food programs. He passed along his warm wishes for Councilmember Chelminiak's recovery.

Responding to Mayor Davidson, Councilmember Degginger reported on Councilmember Chelminiak's attack by a black bear over the weekend. Mr. Chelminiak was flown from the Wenatchee area to Harborview Medical Center in Seattle very early on Saturday morning, and he had a number of surgeries later that day. He is doing well and will recover. Mr. Degginger

credited Mr. Chelminiak and his wife for their heroic response to this situation, including Lynn standing over her husband and keeping the bear at bay until the medics could arrive. Councilmember Degginger said that Councilmember Chelminiak is extremely appreciative of the caring and support that has been offered by the community. Mr. Chelminiak cannot have calls or visitors at this time, and is receiving great care and support from medical staff and his family.

3. Communications: Written and Oral

- (a) Rod Bindon, a Medina resident speaking on behalf of the Meydenbauer Bay Neighbors Association, conveyed heartfelt concern and good wishes to Councilmember Chelminiak who was injured this weekend by a bear near Lake Wenatchee. Mr. Bindon said he and his neighbors want Mr. Chelminiak to know that their thoughts and prayers are with him.
- (b) Wendy Jones, representing the Light Rail Committee of the Enatai Neighborhood Association, noted that she attended last week's Council meeting. Two months ago, she presented a petition in support of the B7 alignment which was signed by more than 460 Enatai residents. Ms. Jones explained that the petition was signed before residents were aware of a possible new location for the Park and Ride, along with a light rail station. She noted that the neighborhood is not yet taking a position on the A2 station proposal, and residents would like more information.

Ms. Jones said the Enatai Neighborhood Association does not support Sound Transit's preferred alignment along Bellevue Way and 112th Avenue SE. Residents appreciate the Council's efforts to further explore alignment alternatives, as well as efforts to be both open-minded and creative in evaluating the placement of light rail in South Bellevue. Ms. Jones expressed support for further study of option B7, including the A2 station, within a reasonable budget. Enatai residents encourage the Council to continue to demonstrate leadership and do its best to serve Bellevue citizens. She acknowledged that there will be tradeoffs associated with any alignment, but she hopes further study will identify solutions with the broadest possible acceptance. Ms. Jones asked the City to conduct outreach to the community about the A2 proposal, a more complete design, and anticipated impacts. She asked the Council to remember that the decisions are not only about budgets, acquisitions and mitigation, but they will ultimately affect people, property, and quality of life.

- (c) Phil McBride, an Enatai resident, expressed support for the B7 alignment and for the efforts of the group known as Building a Better Bellevue. He urged a thorough analysis of impacts. He thanked the Council for its commitment to this difficult challenge.
- (d) Larry Graham, an Enatai resident, said he supports further study and analysis of B7 as well, in order to determine which alternative really is the best. Mr. Graham said he has attended Sound Transit meetings and asked engineering staff if they know where Enatai Elementary is located, and they replied that they did not. He said he asked whether they were familiar with traffic volumes on Bellevue Way, and they said no. He believes that Sound Transit has not studied local traffic impacts or planned for mitigation. He supports further study of a number of alternatives.

4. Reports of Community Council, Boards and Commissions

- (a) Transportation Commission 2011-2017 Capital Investment Program (CIP)
Recommendation

Mayor Davidson referred the Council to the memo in the meeting packet regarding the Transportation Commission's 2011-2017 Capital Investment Program (CIP) recommendation.

Councilmember Balducci said she would like to hear more details from the Transportation Commission about its recommendations. She expressed concern that the Commission might be hesitant to provide detailed input due perhaps to the new budget process this year. She wants the Boards and Commissions to know that the Council wants their input and recommendations.

Deputy Mayor Lee said he and Ms. Balducci attended the Transportation Commission's Retreat, in which the budget process was one of the agenda items. He concurs with the need for continued input from these advisory bodies to the Council.

Transportation Director Goran Sparrman confirmed that the Transportation Commission has reviewed the CIP recommendations and will get back to the Council in October. He will let the Commission know that the Council is interested in specific feedback about balancing the competing projects.

5. Report of the City Manager: None.

6. Council Business and New Initiatives

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

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 6-0.

8. Consent Calendar

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

→ The motion to approve the Consent Calendar carried by a vote of 6-0, and the following items were approved:

- (a) Minutes of July 12, 2010 Extended Study Session
Minutes of July 19, 2010 Study Session

Minutes of July 19, 2010 Regular Session
Minutes of July 26, 2010 Extended Study Session

(b) Citywide on-call contracts

Resolution No. 8138 authorizing execution of a Professional Services Agreement with Bravo Environmental, for on-call underground locate and inspection services for a term of up to four years.

Resolution No. 8139 authorizing execution of a Professional Services Agreement with TranTech Engineering, for on-call underground locate and inspection services for a term of up to four years.

- (c) Resolution No. 8140 authorizing execution of the following Agreements with the Washington State Department of Transportation (WSDOT) for implementing improvements as part of the SR 520 Eastside Transit and HOV project: 1) Cooperative Agreement GCA 6493 for the Design and Construction of the project; 2) Cooperative Agreement GCA 6494 for the Project Coordinator and WSDOT reimbursement obligation, to a maximum of \$200,000 for direct and indirect costs of the City's Project Coordinator through construction of the project; 3) cooperative Agreement GCA 6525 for the procurement, testing, and supplying of six controller units for Traffic Signals to WSDOT for certain intersections and reimbursement of costs to a maximum amount of \$200,000; 4) Utility Construction Agreement UT0 1490 for the relocation, adjustment, and modification to City utilities within the City's service area, including the cities of Medina and Clyde Hill, and the towns of Hunts Point and Yarrow Point and the City reimbursement of costs to WSDOT up to a maximum of \$1,154,480; and 5) Amendment to General Maintenance Agreement 1363 adding three WSDOT traffic signals to the City's responsibilities for maintenance and operations when the project is completed.

- (d) Ordinance No. 5962 authorizing execution of a Fiscal Year 2011 Municipal Stormwater Grant Agreement with the Washington State Department of Ecology to accept grant funds of \$394,873, to support city-wide implementation of the National Pollutant Discharge Elimination System (NPDES) Phase II Municipal Stormwater Permit; establishing a project within the Operating Grants, Donations and Special Reserves Fund; appropriating unanticipated and future revenues to that fund; and authorizing expenditure of said grant funds.

(e) Utility Code Ordinances

Ordinance No. 5963 repealing Chapter 24.02 of the Bellevue City Code in its entirety and replacing it with a new chapter; providing for severability; and establishing an effective date.

Ordinance No. 5964 repealing Chapter 24.04 of the Bellevue City Code in its entirety and replacing it with a new chapter; providing for severability; and establishing an effective date.

Ordinance No. 5965 amending Sections 24.10.020 and 24.10.030 of the Bellevue City Code; providing for severability; and establishing an effective date.

Ordinance No. 5966 amending Chapter 1.18.075 of the Bellevue City Code; providing for severability; and establishing an effective date.

9. Public Hearings: None.

10. Land Use: None.

11. Other Ordinances, Resolutions and Motions

- (a) Resolution No. 8141 declaring the intent of the City Council to consider the formation of a local improvement district, to be known as the Wilburton Connections Local Improvement District (LID), for the purpose of constructing an extension to NE 4th Street between 116th and 120th Avenues NE and constructing improvements to 120th Avenue NE between the NE 4th Street Extension and NE 8th Street; and setting a public hearing date to consider the formation of the Wilburton Connections LID.
(Discussed with Council on September 13, 2010.)

Councilmember Degginger recused himself from discussion of the Wilburton Connections Local Improvement District (LID). He explained that his law firm is representing one of the businesses that would be affected by this legislation.

[Mr. Degginger left the meeting at 8:38 p.m.]

City Manager Steve Sarkozy stated that Resolution No. 8141 declares the Council's intent to form the Wilburton Connections Local Improvement District (LID). He noted that this item was discussed by the Council in the previous week's meeting. A Public Hearing is scheduled for October 21 to receive comment on the proposed LID. Mr. Sarkozy clarified that the Resolution does not approve the LID, but states the Council's intent to consider the formation of the LID.

→ Councilmember Balducci moved to approve Resolution No. 8141, and Deputy Mayor Lee seconded the motion.

Councilmember Balducci stated that the concept of an LID is to collect assessments for infrastructure improvements from the property owners who receive a direct benefit from the improvements. She noted that there are major transportation projects that will benefit commercial areas, as well as the broader community. She feels that the creation of an LID is a fair way to help fund infrastructure investments.

Councilmember Wallace said he does not understand the special benefit assigned to some of the parcels. One could also argue that some parcels outside of the LID boundary also benefit. He expressed concern that the road project budget has been set conservatively, and that it is possible that project costs will go down. He is also concerned about other fees on development including separate impact fees. Mr. Wallace acknowledged, however, that a majority of the Council is likely in favor of the motion.

Councilmember Robertson stated that the benefits apply to a larger area beyond the LID defined boundary. She would be more comfortable with an assessment at the 50-percent level, instead of the 75-percent level. She noted the Bel-Red redevelopment plan and expressed concern that LID assessments will create an obstacle to development and economic activity. She commented on the benefits that businesses provide to the community, and she would like to help the business community during this slowed economy.

Ms. Robertson noted that if the infrastructure investments and/or rezones enhance property values, the property owners will pay higher property taxes. When property owners redevelop, they pay sales tax and impact fees, while the new development will generate revenue for the City. She is concerned about taking any measures that could impede businesses and employment activity. Ms. Robertson said she will vote against the motion.

Deputy Mayor Lee commented that implementing an LID involves a number of issues, including the proper geographic boundary and the appropriate assessment level (i.e., 50 percent versus 75 percent). He looks forward to having more information before the Council takes its final action regarding the formation of an LID.

Mayor Davidson said he will support the motion. In general he does not favor taxes and fees, especially impact fees, but he supports the LID mechanism as a fair way to assess properties receiving a special benefit.

→ The motion to approve Resolution No. 8141 carried by a vote of 3-2, with Councilmembers Robertson and Wallace opposed, and Councilmembers Chelminiak and Degginger not present.

Councilmember Balducci recalled a request last week about the property tax impact of the proposed LID. She would like staff to follow up with information on that issue.

12. Unfinished Business: None.
13. Continued Oral Communications: None.
14. New Business: None.
15. Executive Session: None.

16. Adjournment

At 8:57 p.m., Mayor Davidson declared the meeting adjourned.

Myrna L. Basich, MMC
City Clerk

/kaw