

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Session

October 4, 2010
8:00 p.m.

Council Chamber
Bellevue, Washington

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

ABSENT: Deputy Mayor Lee and Councilmember Chelminiak

1. Call to Order

The meeting was called to order at 8:02 p.m., with Mayor Davidson presiding.

2. Roll Call, Flag Salute

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

3. Communications: Written and Oral

- (a) Sally Gordon, captain of the Bellevue High School girls swim and dive team, encouraged the Council to build an aquatic center in Bellevue. She noted that the team practices in an outdoor pool throughout the year. Participating in swimming has enhanced her leadership skills, work ethic, and friendships.
- (b) Evan Kaseguma, coach of the Bellevue High School boys water polo team, spoke about the need for an aquatic facility in Bellevue. He said the pool at the current aquatic center is too shallow for water polo, and other pools in the region have closed or are closing.
- (c) Debi Lelinski, co-chair of Surrey Downs East Link Committee, urged the Council to support the allocation of funds to outline a proposal for a feasible and buildable plan for the City's preferred light rail alignment. She spoke in favor of placing light rail to the east of Surrey Downs. The Surrey Downs committee has long advocated for a safer, faster, grade-separated alignment utilizing the I-405 regional transportation corridor and the BNSF right-of-way. She noted the importance of building a project that will serve the community for the next 100 years.

- (d) Larry Graham said he is an ardent supporter of Building a Better Bellevue and the B7 alignment. He supports rapid transit, but is concerned about the proper alignment. He asserted a conflict of interest for Councilmember Degginger, whose law firm serves Sound Transit as a major client. He noted that Mr. Degginger has represented Sound Transit in the past, and as a partner he receives a portion of all of the law firm's profits. He expressed concern with Councilmember Balducci's participation as well, given her employment with King County.
- (e) Lise Northey expressed concern about the direction of the City Manager's proposed budget. She observed that the budget is skewed toward economic development at the cost of neighborhood and community investments. The budget reduces community services including parks maintenance, graffiti removal, and neighborhood traffic calming, without considering a modest property tax increase. She feels this is unacceptable. She asked the Council to maintain current assets (e.g., parks) before funding new investments (e.g., mobility projects in the Bel-Red corridor and downtown). She asked the City to continue neighborhood investments, and encouraged the Council to consider a modest property tax to support mobility projects which were intended to have their own separate funding sources. Ms. Northey urged the Council to consider new taxes in lieu of closing park restrooms and abandoning graffiti removal, reducing community center hours, and eliminating initiatives such as an aquatic center. Ms. Northey wished Councilmember Chelminiak a speedy recovery.
- (f) Kevin Paulich, an Enatai resident, said that he and many of his neighbors are regular transit users. He has heard a lot of comments about what Enatai thinks, and what the majority of Bellevue think, about the preferred light rail route. He pointed out that when speaking to his neighbors, he has not heard a unanimous view on the subject but instead hears a number of different opinions. Mr. Paulich wants light rail to stop somewhere in Enatai. However, after learning about the cost of placing the Park and Ride at I-90, he feels it is financially irresponsible to continue pursuing that route. He suggested directing funds to the Downtown tunnel, and urged the Council to be financially responsible in supporting Sound Transit's preferred B2 route. He suggested that the Council spend its efforts on the mitigation issues.
- (g) Andrew Shanafelt, fund raising coordinator for the Muscular Dystrophy Association in downtown Bellevue, reported on local activities to raise money to combat muscular dystrophy. He thanked the Bellevue Fire Department for being a longtime sponsor of the MDA's activities, and noted that former Fire Chief Mario Trevino was the emcee at the recent event. He thanked Fire Fighter Camari Ferguson for coordinating and organizing activities associated with the recent fund raiser.
- (h) Joe Rosmann said he is pleased with the Council's vote during the earlier Study Session to move ahead with the Phase 1 study of the B7 Revised alternative.
- (i) Judith Pruitt Paquette said she lives one block west of the South Bellevue Park and Ride. She passed along her wishes for a speedy recovery to Councilmember Chelminiak. She noted that she is a tenured faculty member at Bellevue College, where she teaches

financial and managerial accounting. Prior to that she worked as an accountant for 14 years. She is disappointed in the majority Council decision to move forward with analyzing the B7 alignment, in spite of Sound Transit's clearly reasoned preference for the B2 route. She observed that the Council majority appears to be acting on behalf of a small, vocal constituency in Surrey Downs, while ignoring the East Mercer Slough neighborhood. Ms. Paquette said that Kemper Freeman is suing the State to stop the project from crossing I-90, which she does not understand. She believes that the B7 alignment will reduce ridership and limit light rail access to the Downtown, including Bellevue Square. She expressed concern that the Council is ready to spend money on additional studies with predictable outcomes, by consultants known to be opposed to light rail. She encouraged the Council to instead direct the funds toward mitigation.

- (j) Gary Ritner noted that he attended the earlier Study Session. He recalled Councilmember Wallace's comment about putting light rail "under their noses," and noted that the B7 affects 170 noses in his 118th Avenue SE community. He referred to Councilmember Robertson's comment that \$670,000 is "pocket change." He observed that Councilmembers are getting desperate regarding their positions, and the debate is becoming embarrassing.
 - (k) Aaron Laing said he did not plan to speak tonight, but he has been hearing a recurrent theme throughout this year that bothers him. He observed that he is hearing a fair amount of fear and "stick" (i.e., carrot versus stick approach) within the debate about whether to continue to study B7 alternatives. Mr. Laing said that Sound Transit's enabling legislation requires it to seek the City's consent to use any public property, which means the consent of its elected officials. He is concerned about Councilmembers who are willing to consent to Sound Transit's preferences. He said the City is the permitting authority, and the City will impose mitigation. Sound Transit, by state and case law, must comply with reasonable mitigation, even if it is expensive and causes delays.
 - (l) Barbara Shepherd, speaking on behalf of the Mercer Slough Neighborhood Association, said her community would like to be considered by the Council in its light rail planning. She encouraged the Council to move forward with light rail, as supported by a majority of voters. She expressed concern that the Phase 1 study approved during the earlier Study Session will not provide useful information. She recalled that the Council who voted last year to support the B3S had spent years studying and learning about the issues and options before choosing their preliminary preferred alternative. She asked the Council to stop looking for new facts and spending money, but to research the facts that are already available in order to make a good decision for the community. She noted that any alignment will affect some residents, and the City can then work to mitigate impacts as needed.
4. Reports of Community Council, Boards and Commissions: None.
 5. Report of the City Manager

- (a) Management Brief announcing America's Promise Alliance, and ING Naming Bellevue as one of the nation's *100 Best Communities for Youth People*

City Manager Steve Sarkozy reported that Bellevue has been named as one of the nation's *100 Best Communities for Young People*.

Terry Smith, Assistant Director of Parks and Community Services, said this is the fourth time that the City has been recognized by the America's Promise Alliance as one of the nation's 100 best communities for youth. Five additional communities in Washington state received the award this year. He noted the importance of the City's partnerships with private and nonprofit organizations in achieving this recognition.

Councilmember Degginger congratulated staff on this accomplishment, and noted the community's appreciation for the parks facilities and programs for all ages in Bellevue.

Mayor Davidson added his congratulations, noting that 750 communities competed for the award.

- (b) Management Brief announcing Wrap-Around Services Federal Grant

Mr. Sarkozy explained that the Wrap-Around Services Program is a partnership with the Bellevue School District, Bellevue School District Foundation, and the United Way that provides social services through the schools.

Mr. Smith reported that Senator Murray and Representative Reichart toured the Wrap-Around Services Program at Lake Hills Elementary approximately two years ago. They encouraged the City to apply for federal funding, which involved a fairly rigorous process. The City recently received a grant for approximately 17 months of programming, and to expand the program to Stevenson Elementary.

Councilmember Balducci praised the program for its good work in supporting students and their families. She thanked Senator Murray and Representative Reichart for their advocacy of the program. She commended the ongoing hard work and efforts of City staff, and congratulated them on achieving the grant funding.

Councilmember Degginger noted that persistence pays off in terms of the efforts leading to the award of the grant. He thanked everyone for their work.

- (c) Management Brief regarding Proposed Economic Agreement with Macao, SAT, China

Mr. Sarkozy recommended postponing this agenda item until Councilmember Lee can be present.

- (d) Update on MOU for Sound Transit East Link Downtown Tunnel [Requested during earlier Study Session]

Mr. Sarkozy provided a brief update on staff's preparations for working on the memorandum of understanding (MOU) with Sound Transit regarding the Downtown light rail tunnel.

Diane Carlson, Director of Intergovernmental Relations, recalled that the term sheet outlined a number of categories for the City's contribution to tunnel financing. Additional work was needed to refine the cost estimates, consider the timing of potential contributions, and evaluate the acceptability of the menu options. Staff is currently working on identifying specific contribution options and updating cost estimates.

Goran Sparrman, Transportation Director, said that this effort involves a fair amount of in-house work to establish costs and to determine the value of the contributing components. For example, the original term sheet refers to the City contributing toward projects that provide a mutual benefit with Sound Transit. These include components of the Bel-Red Corridor plan, such as the NE 15th/16th Street plan. Staff is also working on identifying the permitting process for the light rail project and potential related contributions.

Councilmember Balducci recalled that the Council voted on the term sheet in March. Noting the general nature of this update, she expressed concern that Segment C and the Downtown tunnel are being overlooked. She stated that the reason light rail is coming through Bellevue is because of its downtown employment and commercial center, which benefits the entire community. She observed that the City has a major task ahead to negotiate a good agreement with Sound Transit and to come up with ways to reduce costs and/or share in project costs. Councilmember Balducci is concerned that the Council is directing staff's work to Segment B and other issues instead of focusing on Segment C. She would like a schedule and outline of how the work and negotiations will move forward.

Mayor Davidson recalled elements of the Sound Transit term sheet, including right-of-way and environmental impacts, and noted that the City will not have Sound Transit's environmental impact statement until April. He questioned how the Council can be expected to move forward until Sound Transit completes its studies. Mayor Davidson said it is frustrating to hear repeatedly that Sound Transit is moving forward, yet they are not moving forward on the environmental impacts and the need for right-of-way. He feels the City needs more information before moving forward.

Responding to Councilmember Degginger, Mr. Sarkozy said this is a major negotiation, and while final elements will need to be brought before the Council, it is not advisable to publicly share data on the negotiation at this time.

Mr. Degginger questioned what resources staff might need to assist their efforts. Mr. Sarkozy said staff will develop a scope of work and schedule for the negotiations over the next two weeks.

Councilmember Wallace concurred with the need to move forward with the tunnel negotiations. He prefers to approach the agreement as a discussion about how the two agencies can work together to close the budget gap, rather than committing to a contribution of \$150 million. He sees the need for an understanding of what specific areas the City should be working to reduce. Mr. Wallace noted potential impacts to businesses, and urged moving forward to address the issues.

Mr. Sarkozy reiterated that staff will come back with a scope of work and schedule in two weeks.

6. Council Business and New Initiatives

Councilmember Robertson recalled that she asked the City Manager last week to include a discussion about the aquatics issues. She noted the participation of Councilmember Wallace, City Attorney Lori Riordan, and Cheryl Kuhn, Neighborhood Outreach Manager, in the Muscular Dystrophy Association fund raiser.

Ms. Robertson attended the grand opening of the Bartell Drug store at Factoria. She attended meetings of the Parks Board and PSRC Growth Management Planning Council, and the Council's Special Meeting to approve a bond sale. She represented Bellevue at the Media Relations Workshop at Crossroads Park and attended the Bellevue Downtown Association (BDA) breakfast. She participated in interviewing candidates for the City's Special Events Committee.

Ms. Robertson reported that she spent a half day in and around Everett on a Community Transit tour of the Swift bus rapid transit (BRT) line. The project was designed and completed within four years, covers 16.7 miles with 24 stations, and was completed at a cost of \$1.26 million per mile. The service is reducing travel times by one-third to one-half, depending on traffic.

Councilmember Balducci attended the Chamber of Commerce dinner, BDA breakfast, Overlake Community Partners breakfast and 50-year celebration, and the Newport Hills Community Fair. She attended a portion of the Arts Commission's meeting, and observed a serious discussion about the economic challenges and the impacts to arts funding. Ms. Balducci attended two Sound Transit Board meetings, which were mainly focused on the budget. She noted that the preliminary budget proposes some bus hour reductions, and East Link funding remains largely intact.

Councilmember Wallace attended the Chamber of Commerce dinner, BDA breakfast, MDA fund raiser, and Overlake Hospital Foundation fund raiser. He noted that Overlake Hospital Medical Center is a nonprofit entity that receives no tax dollars, as opposed to many hospitals that do receive some government funding. He thanked the Bellevue firefighters of IAFF Local 1604 for their extensive involvement in the MDA fund raiser.

Councilmember Degginger attended the BDA breakfast and Chamber of Commerce dinner. He attended the Cascade Water Alliance Board meeting, and will attend the last Metro Transit Task Force meeting this week.

Mayor Davidson attended the Chamber and BDA functions. He attended a Chinese dinner and auction benefiting a retirement home and health services provider for Chinese-speaking elderly. Dr. Davidson welcomed the National Multi-Modal Steering Committee at their conference in Bellevue. He attended the Council's Special Meeting for its bond sale. Mayor Davidson spent time with Trent Allison, an aspiring Eagle Scout, discussing municipal government and the Council's functions.

7. Approval of the Agenda

- Councilmember Degginger moved to approve the agenda, and Councilmember Robertson seconded the motion.
- The motion to approve the agenda carried by a vote of 5-0.

8. Consent Calendar

- Councilmember Degginger moved to approve the Consent Calendar, and Councilmember Robertson seconded the motion.
- The motion to approve the Consent Calendar carried by a vote of 5-0, and the following items were approved:

- (a) Minutes of August 2, 2010 Study Session
Minutes of August 2, 2010 Regular Session
Minutes of September 7, 2010 Study Session
Minutes of September 7, 2010 Regular Session
Minutes of September 14, 2010 Special Meeting
- (b) Motion to approve payment of claims for the period July 3, 2010 through October 4, 2010, and payroll for the period June 16, 2010 through September 15, 2010.
- (c) Resolution No. 8144 authorizing the City of Bellevue Employees' Benefits Plan Committee (MEBT Plan Committee Chair) to execute the City of Bellevue Employees' Retirement Benefit Plan Amended and Restated Agreement effective January 1, 2011 to add; 1) new provisions for a Roth 401k contribution option, 2) in-service withdrawals at age 59 ½, 3) participant loans, and, 4) make participation in PERS or MEBT mandatory for elected or appointed city officials to ensure compliance with retirement federal regulations.
- (d) Ordinance No. 5967 authorizing; 1) execution of a grant agreement (and supplements if necessary) with the US Department of Health & Human Services/Administration for Children & Families to accept a \$375,000 Wrap-Around Services grant to expand Wrap-Around Services at Stevenson Elementary School; 2) amendment of the 2010 budget in the Operating Grants and Donations Fund to increase the appropriation by \$375,000 in grant funds; and 3) allow the

execution of any contracts for the expenditures of said funds.

- (e) Motion to authorize execution of a four-year purchasing agreement with Kroesen's Inc. to provide uniforms for the Police Department personnel.

- 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 9:14 p.m., Mayor Davidson declared the meeting adjourned.

Myrna L. Basich, MMC
City Clerk

/kaw