

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Session

December 6, 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 8:10 p.m., with Mayor Davidson presiding.

2. Roll Call, Flag Salute

Upon roll call, all Councilmembers were present. Deputy Mayor Lee led the flag salute.

(a) Special Recognition of President's Volunteer Service Awards

Mayor Davidson commented on the City's long history of volunteerism, and introduced staff to describe the awards.

Shelly Shellabarger, Volunteer Program Coordinator, reported that this year the City is recognizing 57 individuals from the following programs with the President's Volunteer Service Award: Master Naturalist program, Mini City Hall, Youth Link, Economic Development, Highland Community Center, Mediation, and the Bellevue Botanical Garden.

Ms. Shellabarger said the City is paying special tribute to the eight recipients of the Gold Award tonight. She introduced Nancy Kartes, Director of the Bellevue Botanical Garden, which involves nearly 800 volunteers annually. This year Lisa Scott, the Garden's Volunteer Program Coordinator, honored 47 volunteers, including four who received the Gold Award.

Ms. Kartes presented the Gold Award to Nancy Daar, Ruth Edwards, Dallas Graham, and Sharon Graham.

Ms. Shellabarger announced the award recipients and their program counterparts as follows:

Asha Gunabalan, who served more than 800 hours as an international arts and culture liaison, was nominated by Tom Boydell, Economic Development Manager. One important

accomplishment was the creation of the India Day festival, held at Crossroads Mall on August 21.

Barb Tuininga, Mini City Hall Coordinator, recognized Linda Sakamoto with the Gold Award for her 725 hours of service at the Mini City Hall office in Crossroads Mall.

Dan Lassiter, Community Services Supervisor at Highland Community Center, honored Travis Roberts with the Gold Award for his 500 hours of service. Mr. Roberts worked on the track program for adults with developmental disabilities, which involved organizing 40 adults to practice approximately 120 individual skills and training them in athletics and sportsmanship.

Patrick Alina, Youth Link Coordinator, identified Reagan Teegarden for the Gold Award. At 12 years old, he is the youngest recipient. Reagan served 140 hours for Bellevue Youth Link and coordinated the Kids Care Coat Drive at Chinook Middle School, which collected 630 jackets and outerwear.

Ms. Shellabarger thanked all of the Gold Award recipients for their hard work.

Mayor Davidson asked the award winners to come forward to be thanked by the Council.

3. Communications: Written and Oral

- (a) Robert Shay, President of the Wilburton Community Association, spoke regarding the Wilburton Connections projects scheduled for next year. He reiterated the residents' request that the City complete Segment 2 of the 120th Avenue NE (Between NE 8th and NE 12th Streets) project first, followed by the widening of 120th Avenue NE from NE 3rd to NE 8th Street, and the extension of NE 4th Street from downtown to 120th Avenue NE.
- (b) David Baumgart, Treasurer of the Wilburton Community Association, endorsed the comments by Mr. Shay. He noted his involvement with the Community Block Watch program and expressed concern about traffic impacts if the NE 4th Street extension is completed before improvements to 120th Avenue NE. He said residents support a single crossing of the railroad right-of-way at NE 6th Street, instead of crossings at NE 4th and NE 6th Streets.
- (c) David Markley, Transportation Solutions Inc., said his firm has been retained by Best Buy to examine their concerns about the NE 4th Street extension project and impacts to the store's operations. He reviewed inconsistencies in several studies that have been performed by the City and its consultants, and described concerns about traffic impacts.
- (d) Melissa Moseley, Director of Real Estate for Best Buy, expressed concerns about the proposed ordinance for property acquisition for the 120th Avenue NE Stage 1 project and the proposed Wilburton Connections Local Improvement District (LID).
- (e) Jerry Lutz, Perkins Coie, spoke on behalf of Best Buy and addressed the condemnation acquisition ordinance. He explained that Best Buy was notified by City staff today that

the scope of the 120th Avenue NE project has been narrowed. Best Buy's understanding is that the City's acquisition of property rights for Stage 1 of 120th Avenue NE will be narrow enough to take a small strip of Best Buy's 120th Avenue frontage, but will not take any of the parking stalls. Mr. Lutz said that Best Buy appreciates staff's decision to make that change to the project. However, Best Buy believes that the NE 4th Street direct alternative is flawed and that the City should conduct an appropriate environmental review of the Wilburton Connections projects before proceeding with any of them.

Councilmember Wallace commented that the preceding testimony contained a great deal of information, and he asked staff to respond.

City Manager Steve Sarkozy said staff will provide additional information on the topics raised to the Council.

- (f) Betsy Blackstock, Surrey Downs East Link Committee, referenced Councilmember Degginger's comments earlier in the evening that a tremendous amount of money is going toward the study of Segment B of the East Link project. Ms. Blackstock observed that there is almost as much money going toward the study of Segment C. She recalled that the Surrey Downs East Link Committee has been requesting empirical data. She hopes that the Council will not spend anything beyond the \$670,000 recently allocated for further study of Segment B. She would like to see the Council have one unanimous vote on the East Link project, which would be to ask Sound Transit to delay the Final Environmental Impact Statement until the Phase 1 ARUP study is completed.
- (g) Gary Ritner, Brookshire Condos, said he is speaking for common sense, as well as for the Police and Fire Departments. He expressed concern that the Council is spending \$670,000 in the coming months, with Sound Transit scheduled to make a decision on its preferred East Link alternative in April. He hopes that these expenditures do not result in eliminating public safety personnel due to budget constraints.
- 4. Reports of Community Council, Boards and Commissions: None.
- 5. Report of the City Manager: None.
- 6. Council Business and New Initiatives
 - (a) Suspension of Council Rules to Allow Remote Participation by Mayor Don Davidson

Mayor Davidson requested the suspension of Council rules to allow his participation at next week's meeting via speakerphone.

- Councilmember Robertson moved to suspend Council Rules to allow Mayor Davidson to participate via speakerphone during next week's meeting. Councilmember Degginger seconded the motion.

→ The motion carried by a vote of 7-0.

Councilmember Chelminiak reported that he spent a fair amount of time on the budget this week. He attended meetings of the King County Mental Illness and Drug Dependency Oversight Committee and the State Building Code Council.

Councilmember Robertson reported that she was appointed to the Bellevue Philharmonic Orchestra Board of Directors. She attended meetings of the Puget Sound Regional Council (PSRC) Growth Management Planning Board, Parks and Community Services Board, Library Board, and Newport Hills Community Association. She attended the Mobility and Infrastructure Initiative Open House, Washington News Council dinner, Eastside Baby Corner luncheon, Microsoft store opening, Crossroads Multi-Cultural Festival, Chamber of Commerce breakfast, electric vehicle ribbon-cutting at City Hall, Garden d'Lights sneak peek event, Sound Transit SDEIS Hearing, Bellevue Chamber Elected Officials reception, and an information night for the Tateuchi Center. Ms. Robertson spoke to the Building Owners and Managers Association.

Deputy Mayor Lee attended the Bellevue Youth Theatre's performance of *Miracle on 34th Street*. He noted that Microsoft gave the theatre a \$250,000 grant. He attended, for Councilmember Chelminiak, a meeting of the PSRC Economic Development District. He traveled to Denver for the National League of Cities conference, and toured the light rail system there.

Councilmember Balducci attended the Garden D'Lights opening ceremony, served as a judge at the KidsQuest Gingerbread Lane competition, and attended the Tateuchi Center information event. She co-chaired a Sound Transit public hearing at Bellevue City Hall. Ms. Balducci noted that the Eastside Transportation Partnership (ETP) is discussing information from the South Subarea that refutes some of the findings of the Regional Transit Task Force.

Councilmember Wallace expressed appreciation to Kemper Development Company for Snowflake Lane and everything it does for the community. He attended the Chamber of Commerce legislative event.

Councilmember Degginger reported that he spoke to the Bellevue Chamber of Commerce Board of Directors that day to talk about the work of the Regional Transit Task Force. He expressed concern with the letter circulated at the ETP meeting and explained that the Task Force focused on being data-driven rather than politically driven. Mr. Degginger attended the Bellevue Chamber Economic Forecast breakfast, Bellevue Downtown Association breakfast meeting, and the Elected Officials reception. He spent time reviewing the City's budget.

Mayor Davidson reported that he attended the Sound Transit public hearing and open house on the East Link SDEIS. He attended the Tateuchi Center information session and the Environmental Services Commission meeting, and chaired the WRIA 8 Board's five-year summit to review the salmon recovery plan and accomplishments.

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, with the exception of Item 8(a), and 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:

- (b) Resolution No. 8162 authorizing execution of a two-year contract with MacDonald Miller Facility Solutions for HVAC Preventative Maintenance at City Hall for 2011-2012, in an amount not to exceed \$251,116, with an option to renew for an additional two year period.
- (c) Resolution No. 8163 authorizing execution of a Fire Protection Services Agreement with King County Fire Protection District No. 14.
- (d) Resolution No. 8164 authorizing execution of an amendment to the contract with Flex-Plan Services for the professional services of flexible spending account and Section 125 plan administration to extend its term to 2011 through 2012.
- (e) Resolution No. 8165 authorizing execution of a Letter of Understanding with the Bellevue School District for cooperative purchasing and installation of playground equipment at Ardmore Elementary School.
- (f) Resolution No. 8166 authorizing execution of a professional services agreement with MWH Americas, Inc., in an amount not to exceed \$200,000, for Reservoir Recoating Engineering Services.
- (g) Motion to award Bid No. 10252 for AC Water Main Replacement (2010) - Phase 2, to Kar-Vel Construction, as low bidder, in an amount not to exceed \$1,609,831.65 (CIP Plan No. W-16).
- (h) Resolution No. 8167 authorizing execution of a five-year Lease Agreement, with an automatic five-year extension, with T-Mobile West Corporation at the Clyde Hill Water Reservoir site, located at 2200 96th Avenue NE, Clyde Hill, Washington.
- (i) Resolution No. 8168 authorizing execution of a five-year Wireless Communication Facilities Site Lease Agreement with an automatic five-year extension with Seattle SMSA Limited Partnership d/b/a Verizon Wireless, for antenna and site equipment at Fire Station 8, located at 5701 Lakemont Boulevard

SE, Bellevue.

Item for Discussion:

- (a) Revised minutes of September 27, 2010 Extended Study Session
- Revised minutes of October 4, 2010 Study Session
- Revised minutes of October 4, 2010 Regular Session
- Minutes of October 11, 2010 Extended Study Session
- Minutes of October 18, 2010 Study Session
- Minutes of October 18, 2010 Regular Session

Deputy Mayor Lee referred to revisions to the September 27 Extended Study Session minutes. He said he would like to submit an additional clarification, which is described in a memo in the Council's desk packet. He requested adding a statement that he called for recess, and that Councilmember Balducci voiced support.

City Clerk Myrna Basich noted that a review of the audio recording identified Mr. Lee's call for a recess. She said the change can be adopted by consensus. Mayor Davidson said he would prefer to take a motion with that clarification.

Ms. Basich said that Councilmember Wallace would like to propose a change to the October 11 Extended Study Session minutes.

Councilmember Wallace requested deferring consideration of the October 11 summary minutes because he has not had time to review the video regarding comments reflected on page 7.

- Councilmember Robertson moved to approve the minutes of the September 27 Extended Study Session as revised, the October 4 Study and Regular Sessions, and the October 18 Study and Regular Sessions as amended in both the meeting packet and desk packet; and taking no action on the October 11 Extended Study Session minutes until the next Regular Meeting. Deputy Mayor Lee seconded the motion.

Councilmember Wallace commented on the October 18 minutes, page 5, second paragraph, which states that he noted "...that the Jim MacIsaac email raises some interesting questions about why, for example, the amount collected by Sound Transit..." Mr. Wallace said the statement should be written as "the amount of interest income budgeted to be collected by Sound Transit went from \$500 million to \$100 million." He would like that to be corrected. In the same section, he suggested that the "Eastside" should be changed to "East Subarea."

- Councilmember Robertson amended her motion to postpone action on the October 18 Regular Session minutes until the next Regular Session meeting. Deputy Mayor Lee accepted the amendment.

- The motion, as amended, carried by a vote of 7-0.

9. Public Hearings: None.

10. Land Use: None.

11. Other Ordinances, Resolutions and Motions

(a) 2011-2012 Operating Budget and 2011-2017 Capital Investment Program (CIP) Plan

1. Ordinance No. 5971 adopting the Human Services Commission's 2011-2012 Human Services funding recommendations and authorizing entering into contracts with local human services agencies in accordance with the recommendations.

City Manager Steve Sarkozy noted that Ordinance No. 5971 authorizes human services contracts for 2011 and 2012, and the amounts are adjusted for inflation and population growth in accordance with Council policy.

→ Councilmember Chelminiak moved to adopt Ordinance No. 5971, and Councilmember Robertson seconded the motion.

Councilmember Chelminiak commended the Human Services Commission for doing a remarkable job on reviewing funding applications and formulating its recommendations. He noted that the Commission has a special request for recession impact funding, to be addressed later, and he urged the Council's support.

Deputy Mayor Lee requested that, as the Council moves through the rest of the agenda, the City Manager provide a summary of each action to make sure that no motions previously requested by individual Councilmembers are missed.

Mayor Davidson noted the list of individual ordinances and motions for Council action, which includes a brief description of each one.

→ The motion to adopt Ordinance No. 5971 carried by a vote of 7-0.

2. Ordinance No. 5972 repealing Section 23.11.105.1.1.1 of the Bellevue City Code; amending Section 23.11.113 of the Bellevue City Code to modify fire code operational permit fees and establish a fee for fire and life safety re-inspections; and establishing an effective date.

Mr. Sarkozy referred to page 11-31 of the meeting packet for information on proposed Ordinance No. 5972 regarding modifications to Fire Code operational permit fees and re-inspection fees. He noted that this item was previously discussed by the Council during the budget process.

→ Councilmember Balducci moved to adopt Ordinance No. 5972, and Councilmember Robertson seconded the motion.

Responding to Councilmember Chelminiak, Fire Chief Mike Eisner said the fee recovers the actual cost for the second re-inspection, which represents a small percentage of the overall inspection workload.

Councilmember Wallace said he did not recall discussing this item previously. Chief Eisner said it was included in a budget proposal for the fire prevention work group that is responsible for code enforcement and plan review. Other Councilmembers recalled that it was discussed at the budget retreat.

Responding to Mr. Wallace, Chief Eisner said the 622 operational permits issued by the Fire Department last year represent any business with hazardous materials or materials requiring a permit. Mr. Wallace questioned public outreach activities. Chief Eisner said the fee has remained at \$50 since 1994. He noted page 11-32 of the meeting packet, which compares Bellevue's fee to other jurisdictions.

Councilmember Balducci observed that when budget proposals were presented by departments in the past, that helped in recalling specific items. The new budget format organized by outcomes and functions will become more familiar to the Council over time. Ms. Balducci expressed support for the fee increases, which provide important programs and have not changed in 16 years. She supports efforts to prevent fire losses.

→ The motion to adopt Ordinance No. 5972 carried by a vote of 6-1, with Councilmember Wallace opposed.

3. Ordinance No. 5973 establishing revised charges for water service, water consumption, and water standby capacity; repealing Ordinance No. 5920; providing for severability; and establishing an effective date. UTIL
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Mr. Sarkozy said that proposed Ordinance No. 5973 revises charges for water utilities.

→ Councilmember Degginger moved to adopt Ordinance No. 5973, and Councilmember Chelminiak seconded the motion.

Deputy Mayor Lee recalled previous discussion about whether the Council could temporarily forego reserve replacement as a way to not collect the rate increase, and thereby giving it back to residents.

Mr. Sarkozy noted that this item was previously discussed with the Council.

Finance Director Jan Hawn said the proposed ordinance is consistent with the Council's discussion to hold off on the reserve contribution at this time. It does not include a reserve contribution.

Mayor Davidson recalled that he previously suggested a discussion, following budget adoption, of the importance of reserves and overall reserve policies.

Councilmember Wallace commented that it is frustrating to have continued utilities rate increases, due in part to increased regulations by King County and Washington State, and to costs associated with the Cascade Water Alliance. He feels the City has done a good job of trying to limit its portion of the increases. He would like to see continued monitoring of the cost reductions we are seeing. He noted a savings in the Utilities Department of \$268,000 on a \$1.6 million contract, which is real money that could perhaps reduce necessary reserve levels. Regarding Cascade Water Alliance, he suggested a review as to whether it is necessary to raise rates, in light of capital cost reductions.

Councilmember Degginger stated that the wholesale rate increase to Bellevue next year is 2.3 percent. This reflects an accounting correction that resulted in a credit to the City as well as a scaling back of Cascade's capital program. Mr. Degginger said the challenge is finding the right point of making sure there are adequate funds for the future while not making capital investments prematurely. Cascade is reviewing consumption patterns to better understand this issue.

→ The motion to adopt Ordinance No. 5973 carried by a vote of 7-0.

4. Ordinance No. 5974 establishing revised sewerage service charges; repealing Ordinance No. 5848; providing for severability; and establishing an effective date.

Mr. Sarkozy made introductory remarks about Ordinance No. 5974 regarding sewerage service charges, which are increasing due to regional rate increases related at least in part to the new Brightwater treatment plant.

→ Deputy Mayor Lee moved to adopt Ordinance No. 5974, and Councilmember Chelminiak seconded the motion.

→ The motion to adopt Ordinance No. 5974 carried by a vote of 7-0.

5. Ordinance No. 5975 establishing revised storm and surface water drainage rates and charges for the Storm & Surface Water Utility of the City of Bellevue; repealing Ordinance No. 5849; providing for severability; and establishing an effective date.

Mr. Sarkozy requested Council consideration of Ordinance No. 5975 regarding local storm and surface water drainage charges. The item was previously discussed by the Council during a study session.

→ Councilmember Balducci moved to adopt Ordinance No. 5975, and Councilmember Robertson seconded the motion.

Councilmember Chelminiak noted that this and the previous two ordinances have a real effect on citizens' pocketbooks. As utility rates increase, residents also pay more utilities taxes. He reflected on the challenging task for the City's Boards and Commissions in dealing with current budget issues. He noted the issue that reserves will always increase. Mr. Chelminiak believes there is a need for the Council to discuss reserves and how to hold down these dollar amounts. He commended the Utilities Director for staff's management of reserves, but would like the Council to review policies and reserve levels as well.

Mayor Davidson said that the Environmental Services Commission is the hearing board for utilities rates. It conducts hearings, makes recommendations, and studies rates. Dr. Davidson noted that the increases are due primarily to regional pass-through costs.

Mr. Chelminiak expressed concern that utilities infrastructure costs are driving the cost of government.

→ The motion to adopt Ordinance No. 5975 carried by a vote of 7-0.

6. Ordinance No. 5976 authorizing the transfer of funds from the Local Improvement District (LID) Guaranty Fund to the General Fund and to amend the 2009-2010 General Fund to increase the appropriation by \$543,000; and establishing an effective date.

Mr. Sarkozy referred to page 11-63 of the meeting packet for the proposed ordinance authorizing the transfer of \$543,000 from the Local Improvement District Guaranty Fund to the General Fund. He explained that this is a mechanism to rebalance reserves, as recommended by staff.

→ Councilmember Wallace moved to adopt Ordinance No. 5976, and Councilmember Degginger seconded the motion.

Responding to Councilmember Balducci, Ms. Hawn said that state law requires the City to set up a Guaranty Fund whenever it establishes an LID. This Fund relates to an LID that was established many years ago, for which the City continues to collect assessments to repay bonds. State law allows the City to transfer any excess funds into the General Fund, which is done periodically, most recently in 2006. The excess funds result from penalties in interest that are collected on the assessment, interest costs that the City is authorized to charge, and/or discount compound interest due to excess reserves remaining in the fund. This item was included in previous budget discussions, and helps the City achieve fund reserves for 2010.

→ The motion to adopt Ordinance No. 5976 carried by a vote of 7-0.

7. Ordinance No. 5977 establishing the amount of property taxes to be levied for the year 2011, the first year of the City of Bellevue's 2011-2012 fiscal biennium; and, Resolution No. 8169 providing for the banking of levy capacity pursuant to RCW 84.55.092.

Mr. Sarkozy referred to meeting materials beginning on page 11-67 of the meeting packet. Ordinance No. 5927 establishes the City's 2011 regular property tax levy, and Resolution No. 8169 preserves the City's total existing banked property tax capacity. He noted that the proposed budget contains no new property tax. Bellevue has one of the lowest property tax rates in the state, due to both the Council's direction to maintain the property tax rate and staff's efforts to control expenditures.

→ Councilmember Wallace moved to adopt Ordinance No. 5977, and Councilmember Robertson seconded the motion.

Councilmember Robertson said she is proud of Council's action, for the second year in a row, to approve the property tax with no rate increase.

→ The motion to adopt Ordinance No. 5977 carried by a vote of 7-0.

→ Councilmember Balducci moved to approve Resolution No. 8169, and Councilmember Robertson seconded the motion.

Councilmember Chelminiak explained that the banked capacity was approved by the voters of Washington state, and allows a one percent annual increase in the property tax. By banking the capacity, the City is banking a voter-approved increase in order to use it at a later time.

→ The motion to approve Resolution No. 8169 carried by a vote of 7-0.

8. Ordinance No. 5978 adopting the City of Bellevue's 2011-2012 Budget and 2011-2017 Capital Investment Program Plan; setting forth the estimated revenues and appropriations; establishing job classifications and pay ranges; and establishing an effective date.

At 9:46 p.m., Mayor Davidson called for a short break. The meeting reconvened at 9:55 p.m.

Mr. Sarkozy introduced Council action on the 2011-2012 Operating Budget (General Fund) and the 2011-2017 Capital Investment Program (CIP) Plan. Corrected Ordinance No. 5978 is included in the Council's desk packet, reflecting the most recent dollar amounts directed by the Council. Mr. Sarkozy briefly reviewed the extensive budget process which involved staff at all levels within the organization. The recommended final budget incorporates changes requested by the Council including the addition of \$110,000 for Bellevue Downtown Association special events; \$241,000 for the Downtown Transportation Plan update; \$60,000 to maintain the Transportation Demand Management (TDM) program; the restoration of \$387,000 for the maintenance of street lights; the elimination of \$105,000 in additional revenue that was to be collected through residential parking zone permit fees; reorganization of the Office of Economic Development resulting in a \$400,000 reduction in costs; a reduction of \$200,000 through savings in contracts; and the use of \$383,000 in General Fund reserves.

Mr. Sarkozy noted three items that remain unresolved for the Operating Budget, which are listed on page 11-77 of the meeting packet.

→ Councilmember Robertson moved to extend the meeting to 10:30 p.m., and Councilmember Wallace seconded the motion.

→ The motion to extend the meeting carried by a vote of 7-0.

Mayor Davidson suggested that the Council work through the remaining issues for the Operating Budget.

Responding to Councilmember Degginger, Ms. Hawn said that action on the Operating Budget and CIP Plan has always been combined in one ordinance as one overall budget.

Mayor Davidson suggested addressing any amendments to the Operating Budget first.

City Clerk Basich confirmed that the suggested approach has been used in the past.

→ Councilmember Balducci moved to adjust the General Fund Budget to fund an additional \$80,000 for Arts Proposal 115.09A1, offset by drawing down Fund reserves. Councilmember Robertson seconded the motion.

Councilmember Chelminiak observed that this restores arts funding in the operating budget to its original level.

Ms. Balducci said the arts program has both capital and operating budget allocations. The capital budget has already been decreased by \$500,000. The General Fund allocation funds performing arts grants.

Mr. Lee stated his support for the motion.

Ms. Robertson commented that certain organizations rely on this funding, and their activities and performances benefit the overall community. She strongly supports the motion.

→ The motion to fund an additional \$80,000 for Arts Proposal 115.09A1 carried by a vote of 7-0.

→ Councilmember Degginger moved to adjust the General Fund budget by restoring \$313,734 in funding to Proposal 070.01NA to maintain 24-hour staffing for a Fire aid unit, offset by drawing down fund reserves, subject to the execution of an appropriate memorandum of understanding. Deputy Mayor Lee seconded the motion.

Councilmember Degginger said he disagreed with staff's recommendation to not fund this proposal, in part because the City has spent the past few years improving its aid services in the downtown core, which continues to increase in population and employment density.

Councilmember Robertson expressed support for the motion, and commended firefighters and medics for offering to give up a Kelly Day for the next two years in order to help fund the 24-

hour aid service.

Deputy Mayor Lee spoke in support, noting that he does not have an understanding of the implications of the memorandum of understanding to be established.

Mr. Degginger said this allocation partially funds the 24-hour aid car, and the firefighter union's action will help to close the funding gap.

Mr. Chelminiak expressed support for the funding solution reflected in the motion, which is consistent with Council's priorities for the Fire Department over the past several years.

Councilmember Wallace expressed support as well, and asked the City Manager to comment on the MOU concept.

Mr. Sarkozy said the MOU will specify that the restoration of the 24-hour aid car unit is dependent upon the cost sharing that has been described and discussed with the Council.

- The motion to restore \$313,734 in funding to Proposal 070.01NA to maintain 24-hour aid car staffing carried by a vote of 7-0.
- Councilmember Wallace moved to adjust the General Fund budget by restoring \$252,090 in funding to proposal 120.07A1 to retain two motorcycle officers, offset by drawing down fund reserves. Councilmember Chelminiak seconded the motion.

Councilmember Chelminiak suggested a friendly amendment to strike the word "motorcycle," in order to give the Police Chief the flexibility to use the officers where they are most needed.

Councilmember Wallace accepted the friendly amendment.

Mr. Sarkozy confirmed that the amendment would be helpful to the Police Chief in managing resources.

Deputy Mayor Lee said he has supported funding the motorcycle officers throughout the budget process, and he can support the amended proposal as well.

Councilmember Robertson expressed her support, noting that public safety has consistently been a top Council priority.

Councilmember Balducci supports the amendment to provide greater flexibility in deploying the officer positions.

- The motion to restore \$252,090 in funding to proposal 120.07A1 to retain two Police officers carried by a vote of 7-0.

Responding to Mayor Davidson, Ms. Hawn said the motions represent a modest adjustment of less than one percent to reserves. Staff anticipates that the City will be able to meet its 15 percent

reserve level target of approximately \$21 million.

Councilmember Chelminiak spoke to the critical need for additional human services funding.

- Councilmember Chelminiak moved to fund, from reserves, the special request for Recession Impact Funding in 2011 and 2012 as proposed by the Human Services Commission. Councilmember Balducci seconded the motion.
- The motion carried by a vote of 7-0.

Mayor Davidson moved to discuss the outstanding capital budget issues.

Mr. Sarkozy reviewed the most recent changes to the Capital Investment Program (CIP) Plan, which involve primarily neighborhood and transportation projects and are listed on page 11-78 of the meeting packet. He noted three remaining proposals to be resolved by the Council.

- Councilmember Robertson moved that funding for NE 15th/16th Street Zone 1 design be reduced by \$3,084,000; and that funding for the NE 15th/16th Street ROW purchases be reduced by \$12,180,000; that the 120th Avenue NE Stage 2 ROW budget be increased by \$12,124,000; and that the 120th Avenue NE Stage 2 construction budget be increased by \$3,140,000, and further, that new grant funding in the amount of \$3 million be recognized and applied toward the 120th Avenue NE Stage 2 construction. Councilmember Wallace seconded the motion.
- Deputy Mayor Lee moved to extend the meeting to 11 p.m. Councilmember Robertson seconded the motion.
- The motion to extend the meeting carried by a vote of 7-0.

Councilmember Robertson spoke to her motion regarding the reallocation of funding from the NE 15th Street corridor project to 120th Avenue NE improvements. She noted that the Wilburton neighborhood has been advocating, since 1996, for the expansion of 120th Avenue NE through NE 8th Street. Ms. Robertson said the project is needed to improve traffic mobility and discourage traffic impacts into the adjacent neighborhood. She believes it makes more sense to use funding for the 120th Avenue NE project, which can be built during the 2011-2017 CIP planning horizon. She is hesitant to provide funding now for ROW acquisition related to the NE 15th Street project, which will not be built for at least 10 years. However, she supports funding for the design of NE 15th Street. She noted that another city purchased property in recent years at a relatively high price, which it cannot currently use due to the economy. She does not want Bellevue to do the same.

Councilmember Balducci questioned what remains for the NE 15th Street corridor project if the motion is approved. Transportation Director Goran Sparrman said the motion eliminates all remaining ROW acquisition funding for Zone 2. He described the original funding proposal for the project, and the changes based on Council's previous discussions. Responding to Ms. Balducci, Mr. Sparrman confirmed that the motion removes all funding for ROW acquisition,

other than the Children's Hospital acquisition. The motion also eliminates funding to take the Zone 2 design to the 60 percent level.

Mr. Sparrman reviewed Stage 2 of the 120th Avenue NE project between NE 8th Street and NE 12th Street/Bel-Red Road, which totals \$19.4 million. Last week an additional \$700,000 was set aside to take the current 30 percent design to 100 percent, which left \$12.1 million unfunded for ROW and \$6.1 million unfunded for construction. The City will accept a state grant worth \$3 million to help offset the construction costs, leaving \$15.2 million needed to complete the project. The grant is contingent upon the full funding of the project, which needs to be constructed by 2013.

Responding to Ms. Balducci, Mr. Sparrman said the obligation date for a federal funding grant for Stage 1 of 120th Avenue NE is September 30, 2011.

Councilmember Balducci recalled that the Council previously approved the Bel-Red Plan including zoning and land use designations. A strong feature of the Bel-Red Plan was that it included a full set of transportation, livability, and environmental sustainability projects which would be partially funded by the City and partially by the development. The key feature of the plan is to move forward with the NE 15th/16th Street Corridor. Regarding Ms. Robertson's comments about another city that bought ROW and then could not use it, Ms. Balducci said that Bellevue knows that a road is going in through the Bel-Red subarea, and a light rail line is going through as well. The motion leaves no money for property acquisition, which could have been used potentially as a tunnel contribution through a future sale.

Ms. Balducci observed that some Councilmembers talk about the importance of the Bel-Red Plan but are not willing to fund investments in the area. She is seriously concerned about this motion to remove funding for NE 15th Street ROW acquisition. She noted that many neighborhoods have been waiting for projects for a number of years. She questioned the justification for suddenly taking a large sum of money and moving it to another priority. Ms. Balducci noted that the 120th Avenue NE Stage 2 project was not among the highest priorities recommended by the Transportation Commission. She understands the need for this project in the future, but feels it is not needed now.

Responding to Ms. Balducci, Mr. Sparrman confirmed that the intersection of 120th Avenue NE and NE 8th Street is part of the Stage 2 project. Ms. Balducci said she would consider paying for the design of the intersection but not the rest of 120th Avenue NE going north. She feels that Stage 2 rushes forward to an intersection with SR 520 that has not been funded or planned by the State. Councilmember Balducci said that failing to fund the NE 15th Street corridor will be seen as a lack of commitment to the Bel-Red Plan. She will not support the motion.

Responding to Councilmember Degginger, Mr. Sparrman said Zone 1 is currently funded to approximately 30 percent design, and it would take another \$3.1 million to fund to 60 percent design.

Recalling the original Mobility and Infrastructure Initiative financing plan, Mr. Degginger recalled that 120th Avenue NE Stage 2 funding included the creation of a Local Improvement District (LID). Mr. Sparrman said there is an LID component to all of the Bel-Red projects.

Responding to Mr. Degginger about the impact of Ms. Robertson's motion, Mr. Sparrman said it would fully fund the ROW for 120th Avenue NE Stage 2 (NE 8th Street to NE 12th Street) by moving the \$12 million over, and it would take \$3 million from the design of Zone 1 of NE 15th/16th Street for the construction of 120th Avenue NE Stage 2. The remaining \$3 million would come from the grant funds.

Mr. Sparrman explained one caveat regarding cash flow. For NE 15th/16th Street, the \$12 million was programmed in the out years of the CIP Plan. If that is moved to 2012 and 2013 for NE 2nd Street, there is an interim borrowing cost that needs to be added. Ms. Hawn estimated these costs at approximately \$300,000 over the biennium, but roughly \$3 million in interest borrowing over the seven-year CIP Plan because the monies were going to be received in the latter years of the CIP Plan.

Responding to Mr. Degginger, Mr. Sparrman said 120th Avenue NE Stage 2 is fully funded by the motion on the table. Mr. Degginger noted that this approach does not utilize an LID, and is not consistent with the Mobility and Infrastructure Initiative financing plan.

Mr. Sparrman said that, if the motion is approved, full design of Stage 2 would be completed by the end of 2011. The current schedule anticipates moving forward with construction of Stage 1 by next Fall. Stage 2 construction will not begin until Phase 1 is complete, even if full funding is available. The anticipated schedule for Stage 2 is design during 2011, ROW acquisition through at least the first half of 2012, and the majority of construction in 2013.

Councilmember Degginger said he supports the project, but he is troubled by the timing. The proposal reflected in the motion eliminates certain sources of funding without having a full policy discussion, and it means the Council would not be funding the rest of the design of NE 15th Street Zone 1. Mr. Degginger would prefer to have a full discussion early in the year about how to fund and construct the project, instead of making a number of policy decisions within this one motion.

Councilmember Wallace stated that one project is the extension of NE 4th Street from Downtown Bellevue to the Wilburton neighborhood, and a second is extending 120th Avenue NE to NE 8th Street. That is the plan that the Council has said is going to be fully funded as the highest priority. What is not moving along as fast as it should be is the NE 8th Street intersection fix, which will bring the highest benefit from the NE 4th Street and 120th Avenue NE projects. Mr. Wallace said the project will facilitate traffic flow to the Bel-Red area as well. He feels that Wilburton residents are reasonable in requesting that Stage 2 of 120th Avenue NE be completed at the same time as the adjacent projects.

Mr. Wallace noted that the Zone 1 and Zone 2 projects for NE 15th/16th Street are not fully designed. However, money has been reserved to design the portion that goes across the Spring District, which is to be developed by Wright Runstad. Mr. Wallace noted Mr. Degginger's comments about previous plans to fund a portion of 120th Avenue NE Stage 2 with a reasonable LID. Mr. Wallace said the amount of the LID was never provided to Council and therefore, subsequent to tonight, the Council could go back and take a look at whether some money could

be added to Stage 2 of 120th Avenue NE, and then restore some resources to go back over to NE 15th Street. Mr. Wallace said it is all basically a question of timing. Given the limited resources, he feels it is important to complete 120th Avenue NE first, and to later focus on NE 15th Street and other mobility projects.

Councilmember Chelminiak observed that consistency and commitment are two words that people traditionally think of when they deal with Bellevue. He feels that the Council is being inconsistent and uncommitted with the action represented by the motion. The Council is interested in funding the 120th Avenue NE project, but it is important to proceed with funding other projects as well. He noted that while Wilburton residents favor the proposal, the 120th Avenue NE project creates four lanes of traffic aimed at Cherry Crest and Bridle Tails, without an intersection at SR 520.

Responding to Mr. Chelminiak, Ms. Hawn confirmed that last week the Council added \$2.2 million in borrowing costs to move projects forward. Tonight adds \$3 million in borrowing costs, while the City is pursuing a \$3 million grant. Mr. Chelminiak noted that is \$5.2 million in borrowing costs to make \$3 million, which does not make sense.

Mr. Chelminiak said this has not been the way that the City Council has previously conducted its business. He noted a commitment to neighborhoods on the Council. Several Councilmembers have commented that the downtown has moved to east of I-405. Mr. Chelminiak is strongly concerned about the motion, when there are Councilmembers who are sincerely committed to figuring out a way to fund the NE 15th Street project. He observed that a majority of the Council appears to be committed to strangling the Bel-Red process and the NE 15th Street project. He noted that the zoning is in place for the corridor project to go forward.

Deputy Mayor Lee noted the challenging economy and budget constraints. The Council is given the projects to debate and sets visions. He feels that Bellevue lives up to its reputation of having the plans and visions, and the Bel-Red corridor is important. Mr. Lee said the Council should not be questioning its integrity. The Council has established a vision and is keeping to it, and needs to work at doing whatever it can within its means. The Council is being asked to make choices. Deputy Mayor Lee expressed support for the motion.

→ Councilmember Degginger moved to extend the meeting until 11:30 p.m., and Councilmember Robertson seconded the motion.

→ The motion to extend the meeting carried by a vote of 7-0.

Mayor Davidson said he has looked at this in depth, and he supports the motion. The motion involves the Bel-Red corridor and protects the neighborhoods. It makes logical sense to complete one entire road. Given the economy, this approach will buy the City time to continue to develop the NE 15th Street corridor project.

Dr. Davidson said the motion does not abandon the Bel-Red corridor, as the projects are part of this area's plan. He noted future additional unfunded needs of \$56 million for the NE 15th Street corridor. Mayor Davidson expressed support for the motion.

Deputy Mayor Lee said he has expressed support for money and lobbying to secure funding for the Bel-Red corridor plan, which he believes will require federal monies. He suggested that the City needs to look at how to generate more revenue.

→ Councilmember Degginger moved to amend the motion to state that any funds received from a future LID would offset the expenditure on 120th Avenue NE and be returned back to the NE 15th/16th Corridor project in order to complete Zone 1 design; and that any project savings also be returned to the NE 15th/16th Street project. Councilmember Balducci seconded the amendment.

Deputy Mayor Lee suggested a friendly amendment. He noted his ongoing support for providing \$200,000 for new capital funding for Bel-Red, which would provide federal lobbying support and clearly demonstrate a commitment to Bel-Red. He recommends providing \$200,000 from reserves for this purpose. There was no second.

Mayor Davidson observed that that is a separate issue.

Councilmember Wallace said he will not accept either amendment. He agrees that the Council should have further discussion about the LID, project savings, and priorities.

Responding to Ms. Balducci, Mayor Davidson confirmed that Mr. Degginger's motion to amend is separate and remains on the floor.

Councilmember Robertson said she will not support the amendment.

→ Councilmember Degginger's motion to amend carried by a vote of 4-3, with Deputy Mayor Lee and Councilmembers Robertson and Wallace opposed.

Mayor Davidson said he supported the amendment because he feels that if an LID is established, funds should be used to go back and defray the costs of the 120th Avenue NE project. He noted that this will be discussed further in the future.

Mayor Davidson called for a vote on Councilmember Robertson's main motion, as amended.

→ The motion, as amended, that funding for NE 15th/16th Street Zone 1 design be reduced by \$3,084,000; and that funding for the NE 15th/16th Street ROW purchases be reduced by \$12,180,000; that the 120th Avenue NE Stage 2 ROW budget be increased by \$12,124,000; and that the 120th Avenue NE Stage 2 construction budget be increased by \$3,140,000, and further, that new grant funding in the amount of \$3 million be recognized and applied toward the 120th Avenue NE Stage 2 construction, carried by a vote of 5-2, with Councilmembers Balducci and Chelminiak opposed.

Moving on, Mr. Chelminiak offered a motion on the aquatics center proposal.

→ Councilmember Chelminiak moved to add a \$50,000 Aquatic Feasibility Study to Parks budget proposal 100.77NN for Parks Planning and Design, drawing that funding from the amount set aside for planning for Ashwood Park; and if, after completing the Aquatic feasibility work, insufficient funds remain within Parks Planning and Design to complete the Ashwood Plan, additional funding for continuing that project may be considered at the Mid-Biennial Budget or the next biennial budget. Councilmember Balducci seconded the motion.

Councilmember Chelminiak noted that the proposal reflected in the motion is revenue neutral. It is unlikely that the Ashwood Park master planning would move forward in the next year. The delay gives the City time to consider locations for a downtown fire station, including the Ashwood site. Mr. Chelminiak is looking for the study to provide a final determination about the possibility of creating a regional aquatic facility.

Councilmember Robertson expressed support for the motion.

Deputy Mayor Lee concurred, noting that there is strong community support for the project.

Councilmember Balducci noted that \$50,000 can be spent fairly quickly. She asked staff to come back for Council direction about the objectives of the study before proceeding.

→ The motion to provide \$50,000 toward an Aquatic Feasibility Study carried by a vote of 7-0.

Deputy Mayor Lee said he had another issue to discuss. He said the budget is key to controlling the priorities of the City, especially in this time of economic challenge. He complimented the Council and staff for their hard work on the budget. He proposed an amendment to the budget as follows.

→ Deputy Mayor Lee moved to amend the budget to add the following proposal: Funding of East Link Analysis and Development, Budget Proposal 130-56NN, shall be held in a reserve account with all expenditures subject to Council approval after a Study Session wherein staff explains how to use the proposed funding, and the Council directs any revision it deems appropriate.

Deputy Mayor Lee said that East Link is very complex, and the Council still does not know what it will look like. He noted the debate during the earlier Study Session about what the Council will gain from spending more money to study the B7 alternative. Mr. Lee said there is \$6.218 million that he is referring to in this East Link Analysis and Development item, and the Council will have all sorts of debate about that money.

Mr. Lee said he cannot say what the \$6 million will do, because every bit of money the Council spends has implications. What is the next step going to be? What are we spending to? Mr. Lee said he believes that if the Council puts the money in the way it is, it will not know how the money is spent. If the money is committed, staff has flexibility and authority to shift money legally. He feels it is important for the Council to have the ability to control the largest, most

important, and most expensive project for the City.

→ Councilmember Wallace seconded the motion.

Councilmember Balducci questioned how this differs from the Council's normal practice.

City Manager Sarkozy said there are funds in that capital program for ongoing work by staff to do some of the planning necessary for station design and to work to help coordinate Sound Transit efforts. In addition to the planning monies that will be necessary, staff plans on coming back with a work plan early next year to describe more details, the basics of which are outlined in Council's budget packet. Mr. Sarkozy said he believes that this plan addresses Deputy Mayor Lee's concerns.

Councilmember Balducci requested clarification about the intent of the motion.

Mayor Davidson said he has been trying to think of a solution to this difficult problem. He said he approached it much like the City Manager did, which is to develop a program of work as early as possible. Dr. Davidson said staff obviously had some idea when it presented a \$6 million proposal for work to be done. Individuals will be hired to accomplish this work. He would like staff to provide a presentation of the work program. The Council can then deal with the work program and direct what it thinks is important.

Deputy Mayor Lee clarified that he wants to know how money will be used before it is spent.

Councilmember Robertson said she is in favor of having Council involvement, but the suggested approach might cause more hassle than it would solve. While she appreciates the sentiment, she will not support the motion.

Councilmember Wallace said he will support the motion. He has a number of concerns. He wants to know what is in the work plan for the East Link budget item. He believes that the Council needs to have a hard discussion about what it is doing in 2011 and 2012 with respect to the B2M, C9A, and C11A routes, which he finds unacceptable. He wants to work on cooperative alignments with Sound Transit that will achieve common goals.

Councilmember Balducci supports the concept of a work plan, as it is important to provide clear guidance to staff. She appreciates Mr. Wallace's interest in seeking cooperative solutions, which she feels means involving Sound Transit in the discussion. She suggested that Bellevue work collaboratively with Sound Transit as part of this East Link budget item.

Mr. Lee feels it is important to have a mechanism for proceeding with East Link decisions.

→ The motion failed by a vote of 2-5, with Deputy Mayor Lee and Councilmember Wallace in favor.

→ Councilmember Chelminiak moved to extend the meeting until midnight, and Councilmember Wallace seconded the motion.

- The motion to extend the meeting carried by a vote of 7-0.
- Councilmember Robertson moved to adopt Ordinance No. 5978, as revised in the desk packet and as amended by the preceding motions from the floor. Councilmember Wallace seconded the motion.

Councilmember Chelminiak thanked staff for the incredible amount of work to get to this point. He feels that the new budget process worked well. While there are some items in the budget that he believes are fundamentally wrong, he thinks it is important to have unified support. He will support the budget.

Councilmember Robertson said she is proud of the budget, which staff put together and then Council worked to create balance by adjusting investments in neighborhood and transportation projects. She feels the budget honors the stewardship of the City, and she is pleased to support it.

Deputy Mayor Lee complimented staff for their hard work and commitment. He noted that these are difficult and challenging times, and choices must be made. His goal is to adopt a budget for the benefit of citizens. He is pleased with allocations to public safety, human services, neighborhoods, economic development, and the environment. He reflected that the Council always looks at challenges and how money is spent. He would like to see a stronger emphasis on economic development and how to increase revenues.

Deputy Mayor Lee talked about making things different in terms of the structural system, which involves having greater Council control over money. He reiterated that East Link is a large project and the debate of issues will continue. He would like to have the control and to get things moving, without appearing to the public that the Council is always fighting. Mr. Lee said he likes the budget and he appreciates everyone's contributions, but he will not support the budget due to the lack of the structural change he suggested earlier in the meeting.

Councilmember Degginger said this is a budget that is a reflection of the times. It does not do everything that the Council would like, it reflects some pain and sacrifice, and it is not visionary. He hopes that the next budget can be more visionary, and a better reflection of the community's hopes and dreams. Mr. Degginger stated that an important component of economic development is mobility, and the Council attempted to provide needed transportation projects. He will support the budget as a reflection of the times, but he is not particularly happy with it.

Councilmember Wallace said he is most proud of two things with regard to the budget, which is staff's immense effort and the ability to avoid any new taxes. He would like to see more funding for downtown arterials. However, he supports the overall budget, which is balanced and fits within the City's resources.

Councilmember Balducci reflected on the difficult challenge of this budget process. She feels that in some aspects the Council rose to the occasion, and in others, it could do better. She commended the budget process, noting that she learned more about how the City works than she has in previous budget processes. She said the budget, while constrained, accomplishes a

significant amount of capital investments, projects, programs, and services.

Ms. Balducci stated that she appreciates and respects that a majority on any elected body has the absolute prerogative to set policy and direction, and to make plans and revisit old plans. However, she is concerned that this be done in a manner that is thoughtful, looks at impacts, and takes into consideration any changes in the overall vision. She cautioned against letting a short-term perspective threaten long-range goals. Councilmember Balducci said she remains concerned about the Council's commitment to doing a reasonable process when it makes decisions – a transparent, public process that provides confidence in what the City Council is doing.

Mayor Davidson said he will support the budget, which includes no tax increase, unfortunately reduces 56 full-time positions, and reduces the size of government while still delivering the services that the City can deliver. He thanked staff and the Council for the huge amount of work throughout the budget process.

→ The motion to adopt Ordinance No. 5978, adopting the City of Bellevue's 2011-2012 Operating Budget (General Fund) and 2011-2017 Capital Investment Program (CIP) Plan, and related policies, carried by a vote of 6-1, with Deputy Mayor Lee dissenting.

Mr. Sarkozy thanked Councilmembers for their extensive time invested in this process. He noted that he has heard comments from residents who appreciate the Council's hard work to reset the budget.

(b) 2010 Comprehensive Plan Amendments

1. Ordinance No. 5979 relating to the Comprehensive Plan of the City of Bellevue, as required and adopted pursuant to the Growth Management Act of 1990, as amended (Chapter 36.70A RCW); adopting 2010 amendments to the Comprehensive Plan amending the Transportation Element to adopt an updated Figure TR.2 for Travel Demand Forecasts.
2. Ordinance No. 5980 relating to the Comprehensive Plan of the City of Bellevue, as required and adopted pursuant to the Growth Management Act of 1990, as amended (Chapter 36.70A RCW); adopting 2010 amendments to the Comprehensive Plan amending the East Bellevue Transportation Facility Plan (TFP) by adding a project description at #583 for 120th Avenue NE improvements and renumbering the balance of the TFP project list.
3. Ordinance No. 5981 relating to the Comprehensive Plan of the City of Bellevue, as required and adopted pursuant to the Growth Management Act of 1990, as amended (Chapter 36.70A RCW); adopting 2010 amendments to the Comprehensive Plan amending the Bel-Red Subarea Plan by adding an updated project description at #109 for Bel-Red Road between NE 20th and NE 24th Streets and renumbering the balance of the

project list, and eliminate current project descriptions for that road segment from the three other Comprehensive Plan TFPs—Bridle Trails, Bel-Red, and Crossroads TFP Project (#208), the East Bellevue Transportation Plan TFP Project (#505), and the Eastside Transportation Program TFP Project (R-84).

4. Ordinance No. 5982 relating to the Comprehensive Plan of the City of Bellevue, as required and adopted pursuant to the Growth Management Act of 1990, as amended (Chapter 36.70A RCW); adopting 2010 amendments to the Comprehensive Plan and amending the Transportation Element at Figure TR.3 with a designation of the NE 10th Street extension as Minor Arterial between 112th and 116th Avenues NE.
5. Ordinance No. 5983 relating to the Comprehensive Plan of the City of Bellevue, as required and adopted pursuant to the Growth Management Act of 1990, as amended (Chapter 36.70A RCW); and as adopted pursuant to Chapter 35A.63 RCW, adopting the City's 2010 amendments to the Comprehensive Plan as separately set forth in Ordinance Nos. 5979, 5980, 5981, and 5982.

Mr. Sarkozy recalled that the Council previously discussed the proposed Comprehensive Plan Amendments.

→ Councilmember Robertson moved to adopt Ordinance Nos. 5979, 5980, 5981, 5982, and 5983. Councilmember Wallace seconded the motion.

→ The motion to adopt ordinances representing Comprehensive Plan Amendments carried by a vote of 7-0.

- (c) Resolution No. 8170 authorizing execution of a contract with ARUP North America Ltd., in an amount not to exceed \$670,723, to develop conceptual engineering, conduct environmental screening and prepare a concept design report for the East Link B7-Revised alternative (CIP Plan No. PW-R-159).

→ Councilmember Robertson moved to approve Resolution No. 8170, and Councilmember Wallace seconded the motion.

Councilmember Balducci recalled her question during the earlier Study Session about whether the selected consultant might have a conflict of interest based on past work. She clarified that she has respect for the consultant and the firm's work. However, she will vote no on the motion because she feels this is an expensive and unnecessary study.

Councilmember Chelminiak recalled Ms. Blackstock's comment during Oral Communication encouraging the Council to have a unanimous vote on something. He noted that the Council voted unanimously in the past to hire independent consultants to study Sound Transit's work on East Link light rail. He feels the Council is heading down the wrong path. He is concerned with

the lack of outreach to the South Enatai neighborhood regarding the B7-Revised alternative. Mr. Chelminiak feels this is just not the way to do business.

→ The motion to approve Resolution No. 8170 carried by a vote of 4-3, with Councilmembers Balducci, Chelminiak, and Degginger opposed.

- (d) Ordinance No. 5984 authorizing and providing for the acquisition of interests in land for the purpose of completing Stage 1 of the 120th Avenue NE improvements Project; providing for condemnation, appropriation, taking of land and property rights necessary therefore; providing for payment thereof, and directing the initiation of appropriate proceedings in the manner provided by law for said condemnation.

Mr. Sarkozy introduced proposed Ordinance No. 5984, which provides for the timely acquisition of right-of-way, utilizing condemnation only as a last resort.

→ Councilmember Wallace moved to adopt Ordinance No. 5984, and Councilmember Robertson seconded the motion.

Councilmember Degginger noted that he will not vote on this issue due to his law firm's representation of a potentially affected property.

→ The motion to adopt Ordinance No. 5984 carried by a vote of 6-0, with Councilmember Degginger recused.

- (e) Ordinance No. 5985 authorizing execution of a grant agreement with the Washington State Community Economic Revitalization Board to accept \$157,000 in grant funding for developing and providing technical assistance to support growth of exports of Washington state products and services; amending the 2011-2012 budget of the Operating, Grants, Donations and Special Reserve Fund in the amount of \$157,000; and authorizing expenditures of said grand funds.

→ Councilmember Robertson moved to adopt Ordinance No. 5985, and Councilmember Wallace seconded the motion.

Deputy Mayor Lee expressed support for this grant funding related to economic development.

→ The motion to adopt Ordinance No. 5985 carried by a vote of 7-0.

- (f) Resolution No. 8171 authorizing execution four agreements or amendments to agreements with King County, City of Issaquah, Snohomish County and Yakima County as provided to house a portion of Bellevue's misdemeanor inmates.

Mr. Sarkozy introduced Resolution No. 8171, which has been previously discussed with the Council.

Councilmember Balducci recused herself due to her employment with King County, and left Council Chambers.

→ Councilmember Robertson moved to approve Resolution No. 8171, and Councilmember Wallace seconded the motion.

→ The motion to approve Resolution No. 8171 carried by a vote of 6-0, with Councilmember Balducci recused.

12. Unfinished Business: None.

13. Continued Oral Communications: None.

14. New Business: None.

15. Executive Session: None.

16. Adjournment

Councilmember Robertson wished Mayor Davidson the best of luck with his surgery.

At 11:55 p.m., Mayor Davidson declared the meeting adjourned.

Myrna L. Basich, MMC
City Clerk

/kaw