

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Study Session

April 4, 2011
6:00 p.m.

Council Conference Room
Bellevue, Washington

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

ABSENT: Councilmember Wallace

1. Executive Session

The meeting was called to order at 6:04 p.m., with Mayor Davidson presiding.

2. Study Session

(a) Report on the Development of the 2013-2014 Human Services Needs Update

City Manager Steve Sarkozy opened discussion regarding the 2013-2014 Human Services Needs Update.

Patrick Foran, Director of Parks and Community Services, noted that the purpose of the discussion was to review the process for updating the human services needs assessment.

Alex O'Reilly, Human Services Planning Coordinator, recalled that the City conducts the Human Services Needs Update with every two-year funding cycle. The current update will provide information to the Human Services Commission for developing its funding recommendations for 2013-2014. The City is currently gathering input from faith and community-based organizations, consumers, community leaders, and residents. Data from the 2010 Census and a number of State and County reports will also be reflected in the final report.

The Human Services Commission will review the first draft of the report in early September, and the final draft will be approved by the Commission in late November. Findings are typically presented to the City Council in January before the funding application process begins. Since 1989, the report has provided a summary of human services needs and trends for Bellevue, King County, and Washington state. The needs update guides the City's Human Services Division, and provides information for other City departments, faith communities, concerned community groups, and nonprofit health and human services organizations.

Ms. O'Reilly recalled that in the last needs update, the Commission focused on the economic recession and its effects on Bellevue residents. The report highlighted how the City and others in the community responded to the challenges faced by many residents. The Commission has recommended that staff continue to track the effects of the economic downturn on Bellevue residents.

Stephanie Beighle, Chair of the Human Services Commission, reviewed the status of the Human Services Commission's work, community conversations, and data collection. The Commission is concerned about continued decreases in human services funding, and is interested in learning about the services that have been eliminated and ongoing challenges.

Commissioner Beighle noted increasing demands related to the growing Asian and Latino populations, and described ways in which the City and nonprofit organizations are reaching out to offer assistance. She explained that a number of Crossroads residents, including youth, have reported on drug use, car prowls, prostitution, and gang activity. They would like to see a stronger Police presence and the opportunity to enhance the relationship between the community and Police Department. Ms. Beighle noted ongoing challenges including medical and dental care, transit service, housing discrimination, and physical and mental stress.

Ms. Beighle thanked the Council for recognizing the need to continue to fund human services.

Councilmember Chelminiak praised the Commission for its work. He noted that one emerging issue is the impact of rising fuel costs and freeway tolling. Ms. O'Reilly said that issue has been raised by a number of nonprofit groups, as well as by consumers. She said the City is hosting a forum related to the needs update in May, which will include representatives from Sound Transit, King County Metro, and other services providers.

Mr. Foran said that the Bellevue Network on Aging identifies transportation as a key need as well.

Councilmember Chelminiak noted that King County Councilmember Hague is hosting a transportation forum in mid-April on Mercer Island. He suggested that human services staff and representatives could provide good input to the panel forum.

Deputy Mayor Lee said he is glad to hear that the 2010 Census data is being used to assess and target human services needs. He noted that the Bellevue Network on Aging is looking seriously at transportation issues. Mr. Lee said that he would like to participate in some of the community meetings, especially with immigrant populations, to hear their comments directly. He commented on the importance of the concept of human infrastructure.

Councilmember Robertson said she is pleased by the community conversation approach. She questioned whether City staff is following regional and State human services funding. She would like the needs update to address the impacts of those service reductions on Bellevue citizens, and to identify ways that the City might be able to respond. Ms. Robertson requested additional

information on needs related to dental care, noting that her mother works as a dentist through a nonprofit organization in Seattle.

Ms. O'Reilly said that a low-income dental program on the Eastside was discontinued, and Medicaid no longer covers dental care. The City is producing an online survey for Bellevue and King County service providers to gather input on the impacts of overall funding reductions to their organizations. Responding to Councilmember Robertson, Ms. O'Reilly said she will look into whether long-term fluoride treatments are available through low-income dental programs. Ms. Robertson said she would be interested in participating in some of the community conversations.

Councilmember Balducci thanked staff and the Commission for the report. She is proud that the City of Bellevue has been able to maintain its level of funding for human services, and to actually provide additional funding in response to the recession. However, she is concerned about the impacts of pending reductions in state and federal funding. She requested information, if available, about the impacts of public transit fare and schedule adjustments, and about any private/nonprofit transportation alternatives. Responding to Councilmember Balducci, Ms. O'Reilly said the City continues to be active with the Easy Rider cooperative and King County Mobility Coalition, and two forums have been held this year to share information about transportation choices.

Councilmember Balducci commented that the King County jail system is seeing indicators about what is going on within the community, including the unprecedented level of need for psychological treatment and housing assistance. She suggested that transit agencies are good information sources as well. Ms. Balducci thanked staff for their work.

Councilmember Chelminiak, liaison to the Human Services Commission, noted that the Commission will be looking at which county, state and federal services are being eliminated, and whether and how the services are being replaced. As a member of the Mental Illness and Drug Dependency forum, he expressed concern about the extent of budget cuts and the impact on individuals and society. He noted that impacts to the elderly are a primary concern as well. Mr. Chelminiak said that funding reductions are devastating for nonprofit and service agencies.

Councilmember Degginger expressed his concern about the cumulative impacts of funding cuts by all government levels. He appreciates the work of the Human Services Commission, and he acknowledged that the years ahead represent essentially uncharted waters in terms of addressing human services needs. Mr. Degginger observed that when human services are ignored, the issues do not disappear. Instead we see the impacts to emergency rooms, jails, and other areas within our society.

Mayor Davidson thanked the Commissioners for their work and reiterated the importance of maintaining human services funding. He offered to speak with staff and others about the issues associated with delivering free and low-cost dental care.

(b) Response to comments and concerns raised by Ms. Terry Foulon regarding Newcastle Beach Park

Mr. Sarkozy opened discussion regarding concerns raised by residents about conditions at Newcastle Beach Park.

Transportation Director Goran Sparrman explained that the presentation would address concerns raised by residents about water quality and runoff issues associated with the impacts of the I-405 project to Newcastle Beach Park. Mr. Sparrman described the I-405 South Bellevue widening project completed in recent years, and future plans to expand I-405 south to Renton. There is currently no funding for the future project, and the State will be required to address stormwater runoff and water quality issues before it is constructed. The stormwater plan will be reviewed and permitted by the City, and the City Council will choose whether to approve the plan.

Patrick Foran, Parks and Community Services Director, provided an assessment of the current conditions of the Park. He conducted a field visit to the park with a crew leader and a forestry supervisor to determine whether there is evidence of encroachment into the wetlands, deteriorating conditions to public use areas, excessive erosion, or adverse effects to forested areas. Staff did not identify any significant changes in conditions over the past few years related to the I-405 project.

Mr. Foran said the forest is in excellent condition. A major forest renovation and regeneration on the north park boundary is in very good condition. The tree species in the area would be susceptible to overly wet conditions; however, they are in very good condition. In 2006, 14 large trees were destroyed in the windstorm. The restoration project on the north end of the park involved the removal of a great deal of underbrush and blackberry bushes, which exposed areas that have always been wet but were hidden.

Mr. Foran acknowledged that the past two years have been exceptionally wet, with a 23 percent increase in precipitation. So far in 2011, the area's rainfall is 30 percent above the average precipitation. March 2011 precipitation is up 68 percent from the previous year. Mr. Foran said staff expect to be actively engaged in the permit process for the future expansion of I-405, as it relates to protecting and preserving Newcastle Beach Park.

Denny Vidmar, Utilities Director, spoke to the water quality issues. He described the layout of the park, including a perforated drainage pipe along the north park boundary. There is surface water runoff from I-405 to Lake Washington throughout the year via the open channel stream, which operates similar to a pipe. Mr. Vidmar noted that water from I-405 would not radiate as groundwater throughout the park.

Mr. Vidmar said the map identifies the four areas for which concerns have been raised. Water quality sampling has been conducted by the citizen, the City, and a consultant under contract by the Parks Department. Mr. Vidmar reviewed the highest value results of seven water sample sets taken between March 2007 and March 2011. No sample contained arsenic or copper in excess of the State's surface water quality standards, and there are no indicators for public health concerns.

Iron is not regulated by the State. The City's testing results confirm the presence of non-toxic, naturally occurring iron bacteria, which can turn the water murky and orange. Although unsightly, this process occurs naturally and does not pose a risk to human or aquatic life.

Mr. Vidmar said staff recommends hiring a consultant to perform an independent review of findings to date, as well as additional data collection and analysis. Once completed, the report will be shared with the Council and the Washington State Department of Ecology.

Mr. Sparrman reviewed the findings and conclusions of staff's investigation in response to concerns expressed by residents. He noted that the City has no jurisdictional authority over WSDOT for improvements constructed fully within the WSDOT right-of-way. However, the future I-405 project adjacent to Newcastle Beach Park will require full compliance with the City's regulations and standards. Mr. Sparrman said staff found a slight increase in flows discharged toward the streams in the park. WSDOT is investigating the concerns raised and its compliance with the project requirements.

Mr. Sparrman summarized that no public health issues have been found to date. Staff proposes an independent consultant review, data collection, and analysis of the water quality at the park.

Councilmember Chelminiak encouraged coordination with the Foulons in the independent water sample collection. He questioned the issue about whether some of the I-405 work was done outside of the right-of-way.

Mr. Vidmar said staff will work with the Foulons, and the consultant will be asked to look at all data developed to this point. Regarding the I-405 project, he said that the widening was completed within the State ROW, and no City permits were required. Responding to Mr. Chelminiak, Mr. Vidmar said that Lakehurst Creek does not drain to Newcastle Beach Park, and the amount of flow reaching the creek has not materially changed with the project.

Councilmember Chelminiak said he went to the park around 4:30 p.m. the previous day, and the flow seemed reasonable. Responding to Mr. Chelminiak, Mr. Sparrman said the completed I-405 project added a small (3-4%) increase in flow. Councilmember Chelminiak said he observed discolored water by the beach, which seemed to be groundwater that had come up. He questioned whether he should be concerned about the water quality and/or quantity.

Responding to Mr. Chelminiak, Mr. Foran said the water is tested weekly during swimming season. Beaches are occasionally closed, due primarily to fecal coliform. However, the water is not tested for flow, sediment, and other measures. With regard to the State's future, larger I-405 project, Mr. Vidmar said there will be extensive monitoring of water quality before, during, and after construction.

Responding to Deputy Mayor Lee, Mr. Sparrman said the completed I-405 widening project had no impact on water quantity or quality. Deputy Mayor Lee is concerned about the water quality and looks forward to the independent study by a consultant.

Responding to Mr. Lee, Mr. Foran explained that a 2007 study was commissioned by the Parks Department as part of the discussions with WSDOT about the future, larger I-405 project. The purpose was to establish the baseline for a number of elements before construction projects are permitted.

Councilmember Degginger observed that the levels of arsenic and copper are well below the State standard. Responding to Mr. Degginger, Mr. Vidmar said there is naturally occurring arsenic in this area, and within the Cedar River and Tolt River watersheds. Staff sampled water from location A and tested for more than 150 potential pollutants. With the exception of iron and manganese, the water quality met State drinking water standards. The only reason iron is considered in the standards has to do with taste and odor.

Responding to Councilmember Robertson, Mr. Vidmar confirmed that the Foulons conducted water testing and provided their information to staff. The City took samples last week. In further response, Mr. Vidmar said water at the swimming beaches is not tested for heavy metals or toxins.

Councilmember Balducci observed that the City Council is not set up to resolve factual disputes. She supports the proposed independent review to identify key issues and determine whether any action is needed by the City. Ms. Balducci commented that stormwater runoff is a significant component of large transportation projects. With regard to construction occurring entirely in the WSDOT right-of-way, she questioned how water quality and runoff are regulated if not by a Bellevue permit. Mr. Vidmar said that WSDOT operates under a NPDES Phase 1 permit, which has more stringent flow and water quality requirements than those required by the City. The City adopted the State's Stormwater Manual on January 2, 2010.

Responding to Ms. Balducci, Mr. Vidmar said the next steps are to define the scope of the study, and to work with residents in selecting a consultant.

Councilmember Chelminiak explained that he observed an area of water, between locations A and B on the map, that appeared oily and stagnant. He questioned whether it would be appropriate to test that water, and suggested that someone take a look at the location.

Michael Graves, Water Quality Supervisor, said that staff will take a look to determine whether it is naturally occurring or not.

Mayor Davidson thanked staff for the thorough report, and commented on the importance of selecting a consultant that everyone can support.

3. Council Business [Regular Session Agenda Item 6]

Councilmember Robertson attended a meeting of shoreline owners along Lake Washington and Lake Sammamish, as well as the Police Foundation breakfast. She toured Republic Services' (formerly Allied Waste) recycling plant in South Seattle. Ms. Robertson spoke to a kindergarten class about what she does as a City Councilmember. She toured Olympia and spoke with some

of the State Senators about the HOT lane issue, which was voted out of committee the next day. Councilmember Robertson reported that she and Councilmember Degginger attended the Municipal League Civic Award dinner.

Ms. Robertson gave a speech on economic development to the Seattle Chinese Chamber of Commerce. She received a briefing from King County about the Sammamish River slough. She noted her previous request to add this item to the Council's legislative agenda to address the fluctuating water level on Lake Sammamish. King County Councilmembers Hague and Lambert are involved with the issue, and are working with the King County Executive toward effective remediation.

Councilmember Degginger reported that the Regional Transit Task Force [upon which he served] received the James R. Ellis Regional Leadership Award at the Municipal League Civic Award dinner. He noted that Bellevue has an important role and responsibility to play at all of the regional tables.

Deputy Mayor Lee attended a meeting of the Regional Transit Committee, a U.S. Department of Commerce business forum focused on China and Vietnam, a ULI bus rapid transit breakfast, and a fundraiser event to help victims of the tsunami in Japan. He noted that the Mayor sent a letter to Bellevue's Sister City of Yao, Japan. Mr. Lee said he would like individual email addresses of some of the Yao officials that Councilmembers have met over the years, in order to send them a personal note.

Councilmember Chelminiak attended the Bellevue Police Foundation breakfast. He met with Patrick Foran, Parks Director, to discuss the probation services study and a number of other issues. Mr. Chelminiak reported that bus shelters along NE 8th Street will be replaced as part of the bus rapid transit implementation.

Mr. Chelminiak attended the American Red Cross 2011 Heroes Breakfast. One award recipient was Duane Innes, who came to the assistance of Bill Pace when he passed out while driving due to a severe drop in blood pressure. Mr. Pace operates the produce business at the Mercer Slough blueberry farm. Mr. Innes was able to use his car to stop Mr. Pace's truck and to get him the medical care that saved his life. Mr. Chelminiak reported that his wife, Lynn Semler, and daughter, Megan Chelminiak received the award for Family Rescue for their remarkable response to the attack on him by a bear.

Councilmember Balducci attended meetings of the Puget Sound Regional Council (PSRC) Executive Committee and the Sound Transit Board of Directors.

Mayor Davidson met with the Director of the Washington State Department of Revenue, City staff, and the City's lobbyist to discuss the Business and Occupation tax. Dr. Davidson said he attended a meeting of the Municipal Research Service Center (MRSC) Board, and reported that the MRSC Director is retiring.

4. Report of the City Manager [Regular Session Agenda Item 5]

(c) Management Brief regarding NE 4th Street Alternative Alignments

City Manager Steve Sarkozy recalled that City staff has been working with property owners affected by the NE 4th Street Extension project to determine if modifications to the approved alignment would mitigate potential impacts.

Transportation Director Goran Sparrman noted packet materials regarding the three alternatives considered by staff and described to the Council in February, including staff's recommended preferred alternative.

Responding to Councilmember Robertson, Nancy LaCombe, Transportation Capital Projects Manager, said that Best Buy has requested that the City continue to consider Option 2.

Councilmember Robertson expressed a preference for Option 1 over Option 2 because it is less expensive and involves fewer private property rights. The preferred alternative and Option 1 have the same roadway alignment, and therefore, removing Option 2 from further consideration makes sense in terms of focusing continued analysis on one design configuration.

Mayor Davidson noted that Councilmember Degginger excused himself from the meeting, consistent with his ongoing practice to recuse himself from participating in discussions about the project, because Home Depot is a client of his law firm.

Mayor Davidson stated that he is seeing nods from the Council, indicating that staff is moving in the right direction with its recommendation to remove Option 2 from further consideration.

(d) Update on WSDOT Braided Ramp Project

Mr. Sarkozy stated that the WSDOT Braided Ramp Project at I-405 and SR 520 caused the closing of I-405 over the weekend.

Mr. Sparrman reported that detour routes functioned well. However, on Saturday morning there was a mishap as the old NE 12th Street bridge was being dismantled, which damaged one of the girders on the new bridge structure. Usage of the bridge is currently limited to westbound traffic only, and the bridge is closed at night, while WSDOT analyzes the situation and identifies an appropriate solution.

(a) Management Brief on Increase in Residential Burglaries

Major Mike Johnson noted that he is the new commander of the Police Department investigation section. He described a 60 percent increase in burglaries during the first quarter of 2011 in all areas of Bellevue. The two areas experiencing the sharpest increase are Lake Hills and Lakemont. The majority have taken place during daytime hours, and approximately one-third have occurred in homes that are not secured or locked. The Police Department has placed more patrol cars in those neighborhoods during daytime hours, and is conducting search patrols with

automatic license plate readers. The Special Enforcement Team is targeting top offenders, and the Crime Prevention Unit is reaching out to neighborhoods. To date the Police Department has arrested four adults and 12 juveniles for burglary, which solves 27 of the 108 cases. Ten more juvenile suspects have been identified, and a palm print database has identified 10 additional individuals.

Major Johnson observed that he has not seen a better example of how a Police-Community partnership can be effective in combating crime. The Police Department needs residents to be diligent about what is happening in their neighborhoods, to report suspicious individuals, and to follow crime prevention tips.

Councilmember Degginger thanked the Police Department for the update. He noted that two of the burglaries occurred in the homes of family friends. He spoke with Chief Pillo about the issue when he became aware of the burglaries, and is pleased with the Police Department's response and partnership with the community. Mr. Degginger encouraged citizens to call 911 to report suspicious activity.

Major Johnson said he is surprised by the hesitancy of citizens to call 911 to report suspicious persons or activity in neighborhoods. He encouraged residents to call, noting that calls to 911 are not restricted to life-threatening situations.

Councilmember Chelminiak thanked the Police for their efforts and noted that two neighbors and his mother-in-law, all in West Bellevue, have been burglarized. He questioned whether residents should call 911 to report door-to-door solicitors who seem somewhat suspicious.

Lt. David Sellers said yes, residents should feel free to call 911 if something does not feel quite right, especially given the current increase in burglaries. He encouraged citizens to notice and record details about vehicles and individuals, in case that can be helpful to the Police.

Councilmember Balducci added her thanks for the impressive response of the Police Department. She commended them for their past success in addressing car prowls and gang activity/graffiti.

Deputy Mayor Lee observed that early warning is important. He believes that his neighbors in Somerset have become more aware of crime prevention measures and the importance of notifying each other about criminal and suspicious activity. He thanked the Police for their work in that neighborhood. He asked whether burglaries are committed by amateurs or professionals. Major Johnson said the burglars are typically looking for quick cash, often to purchase drugs. Lt. Sellers said a group of young people in Lake Hills have been identified, and some have been arrested multiple times. Older burglars tend to come from outside of Bellevue.

Councilmember Robertson echoed Mr. Lee's thanks for the Police Department's work with the Somerset community. A positive outcome has been increased communication among residents, and she asked how residents can receive tips and updates from the Police.

Chief Pillo said the department will add a link to the City's web site that will allow residents to email Detective Chinn and request inclusion on his email list. Councilmember Robertson suggested that residents should answer their doors in order to let potential burglars know they are home.

At 8:04 p.m., Mayor Davidson declared recess to the Regular Session.

Myrna L. Basich, MMC
City Clerk

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