

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Study Session

May 20, 2013
6:00 p.m.

Council Conference Room
Bellevue, Washington

PRESENT: Mayor Lee, Deputy Mayor Robertson and Councilmembers Balducci, Chelminiak, Stokes, and Wallace

ABSENT: Councilmember Davidson

1. Executive Session

Deputy Mayor Robertson called the meeting to order at 6:05 p.m., and declared recess to Executive Session for approximately 20 minutes to discuss one matter of pending litigation.

The meeting resumed at 6:20 p.m., with Mayor Lee presiding.

2. Study Session

(a) Bellevue Transit Master Plan –Market Driven Strategies

Acting City Manager Brad Miyake made opening comments and stated the objectives of the presentation.

Scott Lampe and Francois Larrivee, Transportation Commission Members, highlighted items from the Commission's submittal of the Market Driven Strategies Report related to the Service Element of the Bellevue Transit Master Plan. The Commission requests that the Council direct staff to use the report as guidance when assessing and responding to current and future proposed service adjustments from Sound Transit and King County Metro. The transmittal is provided on page SS 2-7 of the meeting packet.

Franz Loewenherz, Senior Planner, recalled that staff previously discussed the Transit Master Plan and Market Driven Strategies approach with the Council on March 11 and May 6. The Council initiated the Transit Master Plan, an update of the City's 2003 Transit Plan, on July 9, 2012. Discussions to date have focused on the Service Element. The plan also includes a Policy Element and a Capital Element.

Mr. Loewenherz said the Council directed that the Transportation Commission have oversight responsibility for the overall project. That Commission has actively engaged with the Planning Commission, Arts Commission, Human Services Commission, and the Parks and Community Services Board.

Mr. Loewenherz presented weekday transit usage data recently received from King County Metro. Citywide usage has grown 129 percent since the fall of 2003. He noted that the data includes Metro-operated Sound Transit routes, but not regional Sound Transit routes. The report also does not include data for the South Kirkland Park and Ride.

Mr. Loewenherz said staff is seeking Council approval of the Bellevue Transit Master Plan proposed Market Driven Strategies. He recalled previous discussions regarding these strategies and the broader concept of abundant access. Given the funding challenges, Mr. Loewenherz said staff has developed a plan that is responsive to the changing market conditions anticipated over the 20-year planning horizon.

Jarrett Walker, Principal Consultant of JWA, described three conceptual networks based on the market driven strategies for 2015, 2022, and 2030. For each timeframe, he presented networks for three funding scenarios: Growing, Stable and Reduced.

Mr. Walker cautioned that light rail construction activity will have an impact on bus transit services. By 2022, light rail service to Husky Stadium will be operational.

Mr. Walker noted that the 2015 Reduced funding network highlights the decisions that will need to be made to balance frequency on high volume routes with overall coverage.

Responding to Councilmember Balducci, Mr. Walker confirmed that the 2015 Growing and Stable scenarios are essentially the same.

Mr. Loewenherz explained that the network analysis prepares staff to determine how a network would work best from a capital, speed and reliability perspective. This work will ultimately lead to recommendations for the Transportation Facilities Plan and Capital Investment Program.

Responding to Councilmember Wallace, Mr. Loewenherz said one objective of this work is to position staff for advocating for the City's service recommendations. It will also help staff identify where investments (e.g., priority treatments, passenger amenities) will help to make the service network more productive and to provide a better customer experience.

Responding to Councilmember Stokes, Mr. Loewenherz said the discussions to date have been about the Service Element. Council action will provide policy guidance to inform the Policy Element and the work of the Comprehensive Plan update. Council direction on the Service Element will enable staff to move forward with work on the Capital Element and Policy Element. A final report on this planning process will fully integrate all three elements.

Councilmember Balducci thanked the Transportation Commission, staff and consultants for their work to date. She observed that the conceptual networks reflect a transportation policy framework that mirrors the land use policy framework adopted over the years. The latter concentrates services growth in large nodes including the Downtown, Bel-Red Corridor, and East Bellevue. She believes that this information, as well as information from human services providers, the business community and others, provides a strong policy foundation for moving forward.

Councilmember Chelminiak thanked the consultant and Commission for their work, including working with other Boards and Commissions. He expressed concern about continued funding constraints and suggested that Eastside cities work together for future transit planning, including Sound Transit Phase 3.

Deputy Mayor Robertson thanked everyone for their hard work.

→ Ms. Robertson moved to approve the Bellevue Transit Master Plan proposed Market Driven Strategies. Councilmember Stokes seconded the motion.

Councilmember Wallace questioned the service implications for disabled individuals and those living in areas with infrequent service.

Mr. Lampe said there are still decisions to be made by the state legislature regarding funding. He said the Transportation Commission concluded it will be necessary to reduce service in certain areas in order to maintain appropriate service on the more heavily used routes.

Mr. Larrivee, noting his employment with Hopelink, said the analysis speaks to the need for alternative solutions to meet certain transportation needs. He acknowledged that hard choices must be made.

Mr. Wallace observed that Park and Ride lots do not have an advocate. He noted the need for expanded Park and Ride capacity, especially if certain bus routes are to be terminated. Mr. Wallace said he would like to see how this compares to the Puget Sound Regional Council's Transportation 2040 report and related policies for transportation funding. He suggested reaching out to Microsoft for input and concurred with Councilmember Chelminiak about working with other Eastside cities.

Mr. Wallace encouraged continuing to work with Sound Transit and King County Metro. He thanked staff and the consultant for their work.

Mr. Stokes said he appreciates the work and analysis, and he looks forward to working with neighboring cities through the Eastside Transportation Partnership (ETP) and other forums.

Mayor Lee thanked staff and the Transportation Commission for their work. Noting that the City does not provide transit services, Mr. Lee said it is important to be clear about Bellevue's needs.

He said that demand is always higher than the available supply of services. He noted the need to look at creative solutions and other options for providing services.

Councilmember Stokes encouraged working with the state legislature and other potential funding sources as a starting point for implementing the plan.

→ The motion carried by a vote of 6-0.

(b) Updating Building and Fire Codes

Mr. Miyake introduced discussion regarding proposed updates to the Building and Fire Codes.

Mike Brennan, Director of Development Services, said the purpose of tonight's presentation is to review proposed code changes and to receive feedback and direction from the Council. Staff proposes adding the 2010 National Fire Protection Association (NFPA) Standard 130 for fixed guideway transit and passenger rail systems to the City's Building Code.

Mr. Brennan explained that International Building Codes are updated every three years and set the national standard. States must adopt the minimum national code requirements. Local governments may amend code provisions as long as they do not make their codes less restrictive.

Gregg Schrader, Building Official, reviewed the amendment adoption process and public outreach activities. Four open houses were held for stakeholders in December and January, and 800 notifications were mailed to trade associations and customers with permit activity during the previous year. Council adoption of the codes is tentatively scheduled for June 17. The State's deadline for implementation is July 1.

Mr. Schrader noted that Councilmember Chelminiak has served on the State Building Code Council for approximately four years.

Mr. Schrader explained that the State has adopted and substantially amended the International Energy Conservation Code. All jurisdictions in the state are required to enforce this code and it cannot be amended locally. It increases energy efficiency as well as construction costs. The International Code includes regulations governing the installation of solar panel systems. However the State did not adopt those regulations. Bellevue is participating in developing a statewide standard as part of a U.S. Department of Energy grant-funded program called Sun Shot.

Ken Carlson, Fire Marshal, said the process over the past three years included evaluating stakeholder feedback, reviewing national and state codes, working with area cities to align code amendments wherever possible, and drafting proposed ordinances for Council consideration.

Mr. Carlson said that changes to the City Code are proposed for a number of reasons including to match International Codes, delete requirements now found in International and/or State Codes (and therefore no longer needed in the City Code), evaluate existing amendments (e.g.,

elimination of zoned smoke control in high-rise office buildings), provide consistency with Fire Operations, and provide consistency with local cities.

Councilmember Balducci acknowledged staff's extensive work on compiling the proposed code changes. However, she noted the difficulty in evaluating the amendments and assessing their benefits or impact.

Responding to Ms. Balducci, Mr. Brennan said staff will go through more details with Councilmembers individually if desired.

Councilmember Chelminiak said his role on the State Building Code Council is to represent cities. In that role, he steers away from the technical issues and focuses on the policy issues. He observed that the codes have been developed by technical experts.

Continuing, Mr. Carlson noted the proposed Fire Code fees, which are based on an automatic inflationary adjustment every January.

Mr. Carlson explained that the NFPA 130 standard mentioned earlier is a technical code developed specifically to address transit and passenger rail systems. It does not address aesthetics or environmental aspects of system design. Staff proposes adopting the standard for the construction of the East Link light rail system, which is similar to the approach taken for light rail in Seattle. The regulation provides predictability for design and construction and helps to minimize costs. Staff proposes adopting the standard and amending it, if needed.

Mr. Carlson introduced staff's proposal to: 1) Reduce the current 10,000 square-foot threshold for mandatory sprinklers to 5,000 square feet for structures other than single-family home, and 2) Require sprinkler systems for all new single-family homes. He described a fire that occurred on February 14, 2012, with an estimated loss of \$570,000. The building, located near Stevens Elementary School, was 8,200 square feet and no sprinklers were required. The 5,000 square-foot threshold would have required the installation of fire sprinklers for three structures over the past 10 years.

Mr. Carlson said human behavior is the primary reason for house fires, and mandatory sprinkler requirements have not been a barrier to development. More than 1,000 homes have been constructed in Redmond since its mandatory sprinkler law went into effect in 2007. Bellevue has had three fatality fires during the past seven years. From 2002 to 2012, 616 homes in Bellevue experienced a fire loss, for a total loss of \$28 million. Multifamily dwellings experienced 488 fire losses.

Mr. Carlson said that opposing arguments to sprinkler requirements are that fire safety in homes has improved without sprinklers, the cost of sprinklers can be unpredictable, newer homes are safer, maintenance can be a challenge, and the added cost of fire sprinklers will impede economic recovery. He said the increased cost can be related to the local water supply, which is not an issue in Bellevue, and the maintenance of sprinkler systems is minimal.

Mr. Carlson said staff is seeking Council direction about whether to adopt and amend the Construction Codes as proposed.

Responding to Deputy Mayor Robertson, Mr. Carlson said many of the fires in homes are kitchen fires. Of the fatality fires, one was in a single-family home and two were in a multifamily home. The single-family home was older than 10 years. In further response, Mr. Carlson said all homes are currently built with hard-wired smoke alarms, which can be disabled.

Ms. Robertson said it would be helpful to know which codes are mandatory and which codes are subject to local decision and amendment. In addition, it would be helpful to understand how the codes affect the cost and work effort involved in obtaining a permit for construction and remodeling. She is not requesting a cost-benefit analysis of each option, but it would be good to understand the level of difficulty the codes could potentially place on a builder or homeowner versus the benefit. She observed that some of the amendments might streamline the permit process and provide a true benefit, but she cannot judge that with the current information.

Mr. Brennan said that many of the codes have no cost impact and others provide technical clarification in implementing the codes. An additional body of technical amendments have cost impacts ranging from no impact to more significant costs. He said staff will capture the most significant codes in a matrix with a rough order of magnitude costs.

Ms. Robertson said she is interested in more detail on the codes that involve policy choices for the City Council.

Councilmember Stokes observed that staff has conducted an extensive analysis and involved stakeholders who will be most affected by the codes. He understands that there are policy decisions for the Council but he does not want to get bogged down in too many details or to generate excessive work for staff.

Responding to Mayor Lee, Mr. Brennan reiterated that the City attempts to keep stakeholders informed about code updates. He noted it can be difficult to engage others in this topic, however.

Councilmember Wallace said he would like to see additional outside input if possible over the next few weeks. He observed that most of the code amendments are mandatory, and he does not see anything of great concern. He suggested involving residents along the light rail line in learning about the NFPA 130 standard. He is opposed to the two proposed sprinkler regulations. He believes that the cost of requiring sprinklers will be a burden, especially for smaller homes.

Mayor Lee observed that there is a general consensus regarding the code amendments. However, the sprinkler system proposals need more discussion. Responding to Mr. Lee, Mr. Brennan said the deadline for adopting the codes is July 1.

Ms. Robertson clarified that she would like more information before providing direction on the sprinkler proposal. She concurs with Mr. Wallace's concern about the added cost.

Mr. Carlson said the sprinkler proposals can be addressed separately from the adoption of the rest of the codes.

Deputy Mayor Robertson said that would be her preference, and Councilmember Stokes concurred.

Councilmember Wallace said the City is working on the Downtown Livability Study and the Comprehensive Plan Update. He suggested it would be helpful for the Council, staff and citizens to be aware of the code amendments discussed tonight and how they relate to the work of the other two initiatives.

Mayor Lee concurred with Mr. Wallace and observed that the Energy Code is likely to have cost impacts.

Mr. Brennan noted the potential for exploring other alternatives as well.

At 7:53 p.m., Mayor Lee declared recess to the Regular Session.

Myrna L. Basich, MMC
City Clerk

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