

Agenda

City Council Regular Session

MONDAY
October 5, 2009

8:00 – 10:00 p.m.
Council Chambers (1E-126)

Page

1. Call to Order
2. Roll Call, Flag Salute
3. Communications: Written and Oral

Note: Three-minute limit per person, or five minutes if representing the official position of a recognized community organization. Maximum of three persons are permitted to speak to each side of any one topic. Additional presentations may be heard at Agenda Item 13, including three additional persons speaking to topics heard at Agenda Item 3.
4. Reports of Community Council, Boards and Commissions
5. Report of the City Manager
 - (a) Management Brief on the Government Finance Officers Association Distinguished Budget Presentation Award
FIN
Jan Hawn
5-1
 - (b) Management Brief regarding Stormwater Pollution Communication Plan
UTIL
Denny
Vidmar
5-3
6. Council Business and New Initiatives
7. Approval of the Agenda

City Council meetings are wheelchair accessible. American Sign language (ASL) interpretation is available upon request. Please phone 452-6805 at least 48 hours in advance. Assisted Listening Devices are also available upon request.



City of Bellevue

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| 8. | Consent Calendar | |
| (a) | Minutes of September 8, 2009 Study Session Minutes of September 8, 2009 Regular Session Minutes of September 14, 2009 Extended Study Session | <u>8a-1</u> |
| (b) | Motion to approve payment of claims for the period September 19, 2009 through October 2, 2009 and payroll for the period September 1, 2009 through September 15, 2009. | FIN <u>8-1</u> |
| (c) | Resolution Nos. 7981, 7982, 7983, 7984, and 7985 authorizing execution of a General Services Contract between the City and various contractors for On-Call Landscape Maintenance services. | FIN <u>8-3</u> |
| (d) | Resolution No. 7986 authorizing execution of a four-year contract with Andrews Consulting, LLC, in an amount not to exceed \$300,000, for the purpose of operating and managing programs and services at the Bellevue Challenge Course located in Eastgate Park. | PARK <u>8-15</u> |
| (e) | Resolution No. 7987 authorizing execution of a four-year contract with Mini-Mountain Sports Center, Ltd., in an amount not to exceed \$150,000, for the purpose of operating and managing programs and services at the Indoor Climbing Wall located in the South Bellevue Community Center. | PARK <u>8-21</u> |
| (f) | Resolution No. 7988 authorizing execution of a professional service contract with Brown and Caldwell for engineering services, in an amount not to exceed \$465,000, for the Sanitary Sewer Repairs 2010-2011 project (CIP Plan No. S-24). | UTIL <u>8-27</u> |
| (g) | Resolution No. 7989 authorizing execution of a professional service contract with Taylor Associates, Inc., in an amount not to exceed \$160,000, to implement conditions of the Interagency Agreement between the City and the Washington State Department of Ecology as authorized by Ordinance No. 5895. | UTIL <u>8-33</u> |

(This agreement assists in implementing some requirements of the NPDES Phase II Municipal Stormwater Permit.)

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| (h) Resolution No. 7990 authorizing execution of an agreement to relinquish a storm drainage pipeline easement no longer required by the Storm and Surface Water Utility for property located at 10722 NE 24 th Street. | UTIL | <u>8-45</u> |
| (i) Resolution No. 7991 authorizing execution of an agreement to relinquish two water pipeline easements no longer required by the Water Utility for property located at 17243 SE Cougar Mountain Drive. | UTIL | <u>8-51</u> |
| (j) Resolution No. 7992 authorizing execution of an Interlocal Cooperation Agreement with the King County Flood Control District for the disbursement of opportunity funds. | UTIL | <u>8-57</u> |

(Discussed with Council at Regional Issues on September 21, 2009.)

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| (k) Code amendments implementing mandatory National Pollutant Discharge Elimination System (NPDES) and Non-NPDES permit requirements | UTIL | <u>8-77</u> |
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Ordinance No. 5905 repealing Chapter 24.06 of the Bellevue City Code in its entirety and replacing it with a new chapter; providing for severability; and establishing an effective date;

Ordinance No. 5906 amending Chapter 23.76 of the Bellevue City Code, specifically amending sections 23.76.005, 23.76.015, 23.76.025, 23.76.030, 23.76.032, 23.76.035, 23.46.040, 23.76.060, 23.76.070, 23.76.080, 23.76.088, 23.76.090, 23.76.093, 23.76.095, 23.76.100, 23.76.140, 23.76.160, 23.76.170, 23.76.175, 23.76.190; creating sections 23.76.010, 23.76.020; repealing section 23.76.120; providing for severability; and establishing an effective date.

Ordinance No. 5907 adopting section 1.18.075 in Chapter 1.18 of the Bellevue City Code establishing escalating enforcement procedures for violations relating to control of illicit discharges, Chapter 24.06 BCC, and Chapter 23.76 BCC; providing for severability; and establishing an effective date.

(Discussed with Council on September 21, 2009.)

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| 9. | Public Hearings | |
| 10. | Land Use | |
| (a) | * Consideration of the application of Gary Abrahams of T-Mobile for a Conditional Use Permit to replace a parking lot area standard with a wireless communication facility that includes a 120-foot tall monopole and a 160 square foot equipment shed. The site is located in the jurisdiction of the East Bellevue Community Council and serves the Bellevue Seventh Day Adventist Church located at 15 – 140 th Avenue NE. File No. 08-143285-LB. | DEV SRVCS Carol Helland |
| | <i>(Council discussion on this quasi-judicial matter was held on September 21, 2009.</i> | <u>10-1</u> |
| | <i>This is a Process I application within the jurisdiction of the East Bellevue Community Council; therefore, the Hearing Examiner provides a written recommendation to Council, which is the decision-making body. An appeal of the Hearing Examiner's recommendation was not filed.</i> | |
| | <i>The Hearing Examiner recommends Council approval with conditions.)</i> | |
| | Ordinance No. 5908 approving the conditional use application of Gary Abrahams of T-Mobile to replace a parking lot area standard with a wireless communication facility that includes a 120-foot tall monopole and a 160 square foot equipment shed that will serve the Bellevue Seventh Day Adventist Church located at 15 – 140 th Avenue Northeast, subject to conditions. | |
| 11. | Other Ordinances, Resolutions and Motions | |
| (a) | Ordinance No. 5909 determining the public advantage of vacating portions of 105 th Avenue SE, south of SE 8 th Street, and SE 8 th Street, east of Bellevue Way, and vacating the same, subject to certain conditions. | CIVIC Nora Johnson Patti Ebert |
| | <i>(The required public hearing was held on May 4, 2009.)</i> | <u>11-1</u> |
| (b) | Resolution No. 7993 authorizing execution of a consultant agreement with PB Americas, Inc. | TRAN Goran |
| | | <u>11-11</u> |

(formally known as Parsons Brinckerhoff), in an amount not to exceed \$1,189,845, for the preparation of an Engineering Design Report for the NE 4th Street extension from 116th Avenue NE to 120th Avenue NE, as part of the Mobility and Infrastructure Initiative (CIP Plan No. G-80).

Sparman

- (c) Ordinance No. 5910 authorizing the issuance and sale of a limited tax general obligation bond anticipation note of the City in the principal amount of not to exceed \$30,000,000 for the purpose of financing projects included in the City's Capital Investment Program and repaying the City's Limited Tax General Obligation Bond Anticipation Note, 2008; providing the form, terms, conditions, covenants and maturity of the note; authorizing the sale of the note; providing for the disposition of the proceeds of sale of the note to pay for such acquisition and for costs of issuing the note; and providing for the issuance of limited tax general obligation bonds of the City.

FIN
Jan Hawn

11-19

(Discussed with Council on September 14, 2009.)

12. Unfinished Business
13. Continued Oral Communications
14. New Business
15. Executive Session
16. Adjournment

* * Quasi-judicial matters are those in which the Councilmembers sit as "judges" to decide issues involving specifically identified property or other rights between individuals or parties. This differs from Council's usual role of acting in a legislative or policy-making capacity.