

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Extended Study Session

January 26, 2009
6:00 p.m.

Council Conference Room
Bellevue, Washington

PRESENT: Mayor Degginger and Councilmembers Chelminiak, Davidson, Lee, Noble, and Bonincontri

ABSENT: Deputy Mayor Balducci

1. Executive Session

Councilmember Davidson called the meeting to order at 6.01 p.m., and announced a recess to Executive Session for approximately 15 minutes to discuss one item of potential litigation.

The meeting resumed at 6:20 p.m., with Mayor Degginger presiding. All Councilmembers were present except Deputy Mayor Balducci.

2. Oral Communications

- (a) Betsy Blackstock, Surrey Downs East Link Committee, spoke to a memorandum that was presented to the Council containing an analysis of alignments and accompanying research.
- (b) Sheryl Stillwell, 1911 109th Avenue, stated her objections to the Sound Transit Plan and its negative impacts to her neighborhood and the environment.
- (c) Gordon Bingenhiemer, 10012 NE 30th Place, spoke to the demolition of the Bellevue District Court and offered an alternative plan for the Surrey Downs Park.
- (d) Glenda Rosmann, a resident of Surrey Downs, thanked the Council for revisions to the Surrey Downs parking regulations.

3. Study Session

- (a) Council Business and New Initiatives

[No new initiatives were introduced.]

(b) Sound Transit East Link Project Review

City Manager Steve Sarkozy stated tonight's Sound Transit East Link discussion is a continuation of previous discussions addressing alternative alignments. The presentation would address consistency issues, alignment options, and existing City policy. He noted that a public hearing is scheduled for February 2, 2009 to gain public input. There will be continued discussions to refine alternatives on February 9, 2009. He stated staff hopes to finalize Councils' preferences for the alignment on February 23, 2009 for submittal to the Sound Transit Board.

Dan Stroh, Planning Director, stated that light rail is a significant long term investment on the east side for generations to come. He noted that Council has spent a significant amount of time on the issues before them to be an effective regional partner in this long term investment. Mr. Stroh introduced Bernard van de Kamp, Regional Project Manager, who will provide the technical review portion of this presentation.

Mr. van de Kamp addressed the draft Environmental Impact Statement (DEIS), stating it has been reviewed by multiple City departments, focusing on their areas of expertise. He explained that the review is from a technical perspective and consistent with City policy, regulations, plans, and City standards. The long term effects of the project include both public and private property, resources, and environmental impacts. There are nineteen alternatives that will be reviewed for consistency with regional goals, local sensitivity, impact avoidance, minimization and mitigation. The technical review has noted some inconsistencies in the DEIS which are being discussed with Sound Transit. He summarized the temporary and long-term impacts on parks and potential mitigation.

Mayor Grant Degginger asked if a full build out of I-405 was included in the assumptions. Mr. van de Kamp assured that the City's assumptions did include a full build out of I-405 in the downtown plan, and a smaller set of projects that will be built by the year 2030.

Councilmember Chelminiak requested clarification in regards to the Bel-Red land use assumptions and those of the proposed changes by Redmond to the Overlake area. Mr. van de Kamp responded his understanding that they are not presumed. The scale of change is not reflected for either Bel-Red or Overlake. Continuing to respond, Mr. Stroh stated that the transformation that is in the base land use modeling numbers is significant in terms of the planned amount of additional growth. It is assumed in the regional model that by 2012 the BROTS agreement will no longer be in effect to act as a limiter on new development. When the PSRC updates its regional plan there will be some adjustments for both areas, the most significant to the Bel-Red area.

Councilmember Davidson expressed his concerns that the draft EIS (DEIS) does not discuss the land use that is planned in Bellevue over the next few months. He inquired if this will impact the draft EIS causing the process to start over due to potential legal challenges. He stated that he was surprised that Sound Transit was moving forward so fast.

Mayor Degginger asked if there are any adopted plans that the City has that would create new impacts on the environment. Would changes in ridership create additional environmental impacts that would need to be mitigated, and would additional data be provided?

Councilmember Lee stated his concerns related to mitigation and the additional information that is needed from Sound Transit regarding the impacts of the Bel-Red corridor. The determination of alignment should be based on all the information, including ridership, density, and transportation area. He stated the need to gather all of the pertinent information to make the right choice the first time.

Mr. van de Kamp explained that the Sound Transit Board will make a decision in April on the preliminary preferred alternative. All comments received on the draft EIS will need to be addressed according to national and state law. If a new alternative looks promising, there is potential for the Sound Transit Board to delay a final formal decision, which is scheduled presently for the Summer of 2010. The final EIS will then be published, responding to each question, and updated to include anticipated land use changes in the Bel-Red area. If there are any concerns or problems with the EIS, a decision could possibly be deferred until the issues are resolved.

Councilmember Lee asked if all of the alternatives will be included in the evaluation. Mr. van de Kamp confirmed that all alternatives will be reviewed during the preliminary process; however, they will not all be advanced to level of design.

Mr. van de Kamp continued with his presentation and reviewed City plans and policies. He explained that Sound Transit is in early stages of design and that it is hard to evaluate what the construction impacts would be on downtown Bellevue due to the uniqueness in land use. Lane closures during the construction period will impact traffic and need to be evaluated. The evaluation will include the traffic impacts to emergency services and response times.

Mr. van de Kamp discussed impacts to transit that affect over 15,000 riders in downtown Bellevue alone. He stated that pedestrians and businesses may suffer indirect impacts. He commented that construction of the 520 Bridge and I-90 will take place during the same time period. Projects will need to be well coordinated since I-405 will also be impacted by this project. He stated the importance of protecting neighborhoods and businesses during the construction phase.

Councilmember Lee stated that he appreciated staff's effort in making a list of impacts to submit to Sound Transit. He noted that Sound Transit had not included the widening of I-405, which he suspects would have some impact on alignments. He questioned whether or not the risk impacts can be mitigated.

Responding to Councilmember Lee, Mr. van de Kamp stated that Endangered Species Act impacts could be mitigated; however, there are some areas that would have

permanent impacts such as the Mercer Slough. All of the alternatives have some impacts to wetlands and parklands. One example to mitigate the impact would be to purchase private land elsewhere and use it as a public wetland. There are no impacts that he is aware of that are articulated in the DEIS that cannot be mitigated.

Dr. Davidson asked whether the federal government has rules that protect parks, historic and native lands and, if so, should not those regulations be considered before mitigation? Mr. van de Kamp responded that all of the above issues were built into the philosophy of avoidance and mitigation.

Dan Stroh next introduced Mike Katterman, Senior Planner, to present the policy screening of the DEIS. He stated the Council's screening criteria of connecting somewhere to somewhere, accommodating long-term multi-modal transportation development, optimizing ridership, consideration of construction impacts and risks, protection of environmentally sensitive areas, and advancing the long-term land use vision and transportation plans for Bellevue.

Mr. Katterman stated that advanced long-term land use visions have been broken down into three distinct areas. First, advance long-term land use vision by serving existing and planned concentrations of employment and population, including transit-oriented development (TOD) in the downtown and Bel-Red subareas. Second, advance long-term land use vision by protecting the character and livability of existing neighborhoods. And, third, advance long-term land use vision by selecting alignment profiles that are consistent with the urban design context of their location.

Mr. Katterman reviewed the compatibility of each of the alternatives in relationship to the Bellevue's policy principles.

Dr. Davidson observed that B2A, B2E, and B3 were strong on protecting neighborhoods. He requested clarification on the B7 alignment. Mr. Katterman responded that B7 was being judged relative to the other alternatives. He explained however that B7 and B2E options had no displacements, which is one of several factors considered.

Councilmember Noble asked if the criteria of impact/livability was based on displacements. Katterman responded that it is one of the criteria and that they also looked at changes to neighborhoods, land use and visual characteristics. B3 and B2A would create dramatic change at the north end.

Councilmember Noble continued, asking if the impacts to neighborhoods to the north including options B7 and B2 were considered and how it was balanced and measured. Mr. Katterman responded that many impacts concerning livability were measured, including noise impacts. He explained the various areas affected and differing levels of impact examined for each alternative. For example, the B7 alignment is closer to more residences along the railroad track than other alternatives.

Councilmember Chelminiak questioned how each alternative along B2 and B3 affect neighborhood characteristics.

Mayor Degginger stated the need to determine what constitutes neighborhood impacts on a broader spectrum inclusive of visual impacts, noise, accessibility and displacement.

Councilmember Lee requested clarification on how certain connections are rated and how the criteria of “somewhere to somewhere” is distinguished. Mr. Katterman responded that all regional connections in terms of overall system ridership are included in the “somewhere to somewhere” concept.

Councilmember Bonincontri noted that her interpretation of connecting somewhere to somewhere is based on activity centers and is included in the multi-modal transportation system. She commented that she would like to see South Bellevue included in future connections. She stated that she did not agree with the modest opportunity rating of the multi-modal system for alternatives B1 and B7. She requested clarification concerning whether the BNSF future use was included in the draft EIS. Mr. van de Kamp responded that there was an assumption that a bike trail would be included in BNSF right-of-way, however no plans for commuter rail or a transit system.

Councilmember Bonincontri agreed with optimized ridership on B7 with the least impact on neighborhoods. She requested more information on the environmental impacts.

Dr. Davidson discussed the multi-modal transportation system and questioned if the I-405 BRT was considered. Mr. van de Kamp responded not entirely. Dr. Davidson continued discussing I-405 Master Planning and the focus on routes to downtown Bellevue.

Mayor Degginger questioned the width of 118th and how many buses travel along Bellevue Way. Mr. van de Kamp responded that he would estimate the width of 118th to be between forty-five to fifty feet. He also estimated that ten to twelve buses travel on Bellevue Way on a regular basis.

Mayor Degginger stated his concern related to traffic congestion along 118th and questioned its expandability. Mr. van de Kamp responded regarding possible limitations to widening 118th including slope, wetlands and park issues.

Mayor Degginger agrees with Dr. Davidson that optimizing ridership and connection issues are problematic.

Councilmember Lee reiterated that for long range planning B7 addresses future expansion of the regional system traveling south and east. He concurred with Mayor Degginger’s concerns regarding expanding 118th.

Dr. Davidson discussed optimized ridership and presented several maps to illustrate his concerns as to whether or not the entire City is being considered.

Mr. Katterman continued his presentation reviewing Segment C and tunnel impacts.

Mayor Degginger questioned why C3T construction impacts are considered moderate when it affects parks. Mr. Katterman explained the moderate rating. Mr. van de Kamp continued the response, stating that the overall relative construction impacts of C3T would mainly impact the two tunnel locations, but, the overall impacts stay relative to C1 which has no cut and cover construction impacts.

Mayor Degginger clarified that cut and cover construction will be applied to the station itself. Mr. van de Kamp confirmed.

Mr. van de Kamp summarized the more promising alternatives and opened the floor for additional questions or comments regarding the downtown.

Mayor Degginger clarified that staff has concluded that the at-grade and elevated options are not feasible or consistent with policies. Specifically, at-grade encounters interfere with surface transportation. Mr. van de Kamp responded that the major issues with both options are that they take away existing street capacity and future flexibility.

Mayor Degginger noted the Best Practices work and challenges experienced by other light rail cities (San Jose and San Diego) with an at-grade operation in the downtown areas. Mr. Katterman concurred that both cities had significant operational issues with the trains.

Councilmember Chelminiak requested clarification as to the parcels that would be taken either voluntarily or through condemnation. He would like discussion on the various routes included in alternates B3, B7, and B2 and where they intersect with Main and 112th. He requested information concerning the number of residents and businesses that would be displaced. Mr. van de Kamp responded with a general overview of property acquisitions and the impact to residents.

Councilmember Davidson questioned if it was possible to put a tunnel down Main Street, which would be similar to the plans for Bellevue Way, as opposed to placing the tunnel alongside Main Street. Mr. van de Kamp responded that Main Street had not yet been studied for possible placement of a tunnel but would most likely have similar impacts on the north and south concerning the taking of commercial properties.

Mr. van de Kamp continued the presentation and detailed next steps. He stated that staff is continuing to review the DEIS and that they will submit comments to Council for final consideration at their February 23, 2009 meeting.

City Manager Steve Sarkozy noted the availability of aerial photographs of the routes and additional printed materials in the lobby of City Hall for public review. He encouraged public participation at the upcoming Sound Transit hearing.

Mayor Degginger called for a five minute break prior to moving onto Regional Issues.

(c) Regional Issues

Mayor Degginger reconvened the meeting at 8:34 p.m.

Mr. Sarkozy introduced Diane Carlson and Alison Bennett to discuss the Federal Legislative Agenda.

Alison Bennett reviewed the Federal Legislative Agenda including appropriation requests for the Wrap Around Services Project; the North/South Connector Bicycle Corridor Project and the Green Circulator. Three ideas for the Transportation Reauthorization Act include Sound Transit East Link, NE 15th Street, Bel-Red, and West Lake Sammamish Parkway enhancements.

Councilmember Lee stated reservations regarding the Connector Bicycle Corridor Project and questioned the impetus for the inclusion of this project. Ms. Bennett responded that this project is on the Transportation Commission's Pedestrian and Bicycle Plan priority list.

Councilmember Lee provided alternative project suggestions such as green energy-efficient housing. He noted that the City already has a bicycle plan in place.

Mayor Degginger shared that a big focus of the stimulus package appears to be providing money for green conservation programs such as weatherization projects. A model currently under consideration is a CBDG type of delivery in which Council would have a role.

In response to both Mayor Degginger and Councilmember Lee, Ms. Carlson confirmed that the energy conservation projects are not part of the appropriations request as this type of program is planned to be addressed in the stimulus package.

Councilmember Lee stated he supports the Green Circulator project.

Councilmember Chelminiak stated that there is still an interest at the federal level in the Green Circulator and it should be high on the list of priorities. He questioned the specifics of the north/south corridor (164th , Northup Way – SE 14th) and the rationale for that particular connection versus another north/south or east/west connection. Ms. Bennett responded that it was her understanding that this was one of the longest projects on the list and would complete a longer stretch than most of the other connections.

Mr. Sarkozy continued response to Councilmember Chelminiak, stating that this was a high priority by the Transportation Commission and connects a number of parks and schools. Given the length of the segment, cost, and constraints on current resources, funding on a long-term basis would be difficult. The project fit the criteria and would be a major win in the event that we were successful.

Councilmember Chelminiak questioned the funding source and competition for the Wrap Around Services project. Ms. Carlson responded that it would be appropriated from a Labor HHS Education Bill, and that no other City programs have been reviewed that would compete for this specific funding source.

Councilmember Chelminiak commented that the West Lake Sammamish projects might be a tough sell. He suggested placing the Bel-Red projects as a high priority given the amount of regional interest and the higher probability of support by our Congressional Delegation.

Councilmember Noble questioned if the grant for the Wrap Around Services is for one year or three years. Ms. Bennett responded that it was for use over three years and, at the end of three years, the project sponsors would be looking for a long-term funding source to continue the program.

Councilmember Noble noted concern over the limited funding duration for the Wrap Around Services Program. With respect to the Transportation Reauthorization requests, he stated that he agreed with Councilmember Chelminiak in regards to the Bel-Red projects being a high priority, specifically NE 15th Street.

Councilmember Lee requested clarification on Federal funding for the Sound Transit East Link project.

Mayor Degginger responded that no Federal funding has been provided for East Link, noting the challenges of competing for those dollars based on the current criteria.

(d) State Issues

Ms. Carlson reviewed the 2009 State Legislative Session. She noted the Viaduct Funding Plan, which includes a new motor vehicle excise tax. She stated, based on the Council's general policy principles related to King County budget impacts, Council has already taken a position of non-support for any new countywide taxes. She stated the 520 Funding Plan is still in the initiation stage.

Mayor Degginger, stepping back to the countywide tax proposal, questioned whether the Council should weigh in on Bellevue's position beyond the Council's broad policy statement. Ms. Carlson clarified that the proposal is still in the talking stage.

Councilmember Chelminiak questioned if the proposal was specific to the Viaduct Way Tunnel. Ms. Carlson responded that part of the funding would go toward the Viaduct project, part would go toward Seattle streets, transit pathways, transit infrastructure and ongoing transit operations.

For clarification, Mayor Degginger pointed out that none of the services would be delivered to the eastside. Ms. Carlson stated the total was approximately \$190 million of one-time cost and \$15 million in ongoing transit services, all in the Viaduct area.

Councilmember Chelminiak asked if the waterfront trolley barn would be included in the County's proposed package. Ms. Carlson stated that it would be one of the components but she did not have the specifics.

Dr. Davidson asked if the MVET was to be collected as before, based on a depreciation schedule or on a Blue Book approach. Ms. Carlson responded that she assumed the basis for collection would remain the same.

Mayor Degginger suggested that it be communicated to the Legislatures that there is little to like about this funding plan. It raises taxes in Bellevue without providing any type of service.

Councilmember Noble stated he agreed that there is no benefit in this proposal for Bellevue and the eastside.

Ms. Carlson continued the presentation, touching on the TOD Futurewise (HB1490); Cascade Water Alliance bills related to eminent domain; Bellevue Community College seeking four year degree authority; and, Children's Hospital request for capital appropriations for a project in Bellevue. Ms. Carlson noted Children's is seeking a letter of support from the Council related to their funding request.

In response to Councilmember Chelminiak, Ms. Carlson stated, in reference to HB 1490, there are two different definitions, one specifically related to fixed rail (.5 mile requirement and 50 units per acre) and the other related to density goals for transit rapid ride stations that have lower levels of service.

Councilmember Chelminiak noted a number of rapid ride transit stations planned along a significant portion of NE 8th. He asked if the above definition would apply to those transit stops as well. Ms. Carlson responded that her understanding is that this section only applies to the fixed rail. She would get back to Council with clarifications.

Ms Carlson next asked if there was Council support for sending a letter related to the Children's Hospital's appropriations request for capital funds. Councilmember Davidson suggested making Council's letter of support broad in nature so as not to presume the issuance of the Certificate of Need.

Mayor Degginger noted Council consensus.

(e) Federal Legislative Update

Ms. Carlson noted the update on the tolling scenarios for Council's information.

At 9:09 p.m., Mayor Degginger declared the meeting adjourned.