

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Extended Study Session

June 11, 2007
6:00 p.m.

Council Conference Room
Bellevue, Washington

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

ABSENT: None.

1. Executive Session

Deputy Mayor Chelminiak called the meeting to order at 6:00 p.m. and announced recess to Executive Session for approximately 20 minutes to discuss two matters of potential litigation.

The meeting resumed at 6:13 p.m. with Mayor Degginger presiding.

2. Oral Communications

- (a) Stacie LeBlanc Anderson, Surrey Downs Community Club, noted Joe Rossman was unable to attend. However, he asked her to read his statement regarding Sound Transit light rail proposed alignments into the record. He expressed support for a Comprehensive Plan Amendment to ensure that no homes in Surrey Downs will be taken to accommodate the light rail system. Ms. Anderson asked Council to adopt a committee model that includes at-large volunteers as well as appointed members. Ms. Anderson suggested including any of the following residents on the Best Practices Committee:

Joe Rossman – Surrey Downs Community Club President
Susan Woerdehoff – Surrey Downs Board Member
Debra Lelinski – Former Surrey Downs Board Member
Renay Bennett – Bellecrest Neighborhood Association President
Stephanie Ferguson – Enatai Neighborhood Association President
Johnson Marshall – Enatai Board
Robin Ray – Enatai Board
Stacie LeBlanc Anderson.

Ms. Anderson asked that public comment opportunities be provided both before and after the Best Practices Committee meetings to solicit meaningful public input.

- (b) Renay Bennett spoke in opposition to the Vander Hoek Comprehensive Plan Amendment (CPA) proposal, which she said conflicts with longstanding Comprehensive Plan policies and promises made to potentially affected residents. On another topic, Ms. Bennett said she was surprised to see the amount of money requested for the light rail Best Practices initiative - \$380,000 for a study and \$240,000 annually thereafter.
- (c) James Fitzgerald, legal counsel to the Courter family, encouraged Council to adopt the proposed CPA affecting the Bellevue Honda property. The Planning Commission recommends approval of the CPA.
- (d) Mark Wilson identified himself as a member of the Surrey Downs East Link Committee, which was created by the Surrey Downs Community Club. He asked Council to approve the proposed CPA affecting the Southwest Bellevue Subarea. Residents support light rail and encourage alignment along existing freeway corridors in order to protect neighborhoods.
- (e) John Raffetto, President of Sammamish Heights Community Association, expressed appreciation for the Council providing funding of a sidewalk project along SE 26th. He expressed concern about pedestrian safety along the road and asked the City to expedite the project if at all possible.
- (f) Mark Gregoire spoke in opposition to the site-specific Mariner Ridge proposed CPA. He feels future development should be based on existing densities, and he noted the poor drainage in the area. He feels the steep terrain, high volume of rainfall, and earthquake and slide potential make the site a poor candidate for development.
- (g) Bruce Nurse expressed concern regarding the light rail Best Practices Committee, which Kemper Freeman Development Company feels is premature to the vote on roads and transit funding in November 2007. He is concerned about the hiring of a consultant and two new staff members prior to the November ballot, as the issue may fail to be approved by voters. He requested that Council postpone the City's work until after the November election.
- (h) Aaron Kirschbaum, a Surrey Downs resident and commercial real estate appraiser, spoke regarding the working paper on intervention options regarding neighborhood infill and redevelopment, which is slated to come before the Planning Commission for public comment. He noted that most of his neighbors were not aware of the document, which contains proposals for the limitation of property rights. Mr. Kirschbaum expressed concern about citizens speaking before Council as representatives of the Surrey Downs Community Club. He said the Community Club President appeared before the focus group advocating limitations on private property rights.

3. Study Session

- (a) Council Business and New Initiatives

- Councilmember Davidson nominated Jennifer Carter and David Mann to serve on the Environmental Services Commission. Deputy Mayor Chelminiak seconded the motion.
- The motion carried by a vote of 7-0.

Councilmember Balducci noted she was contacted by Mr. Raffetto regarding the pending sidewalk project on SE 26th Street, and by other residents regarding a request for sidewalks in the Somerset area. She asked staff to provide a schedule for these projects.

Councilmember Lee noted he will be out of the country and therefore absent from the next couple of Council meetings. He reported that he met with members of the Bellevue Convention Center Authority Board, and he said they will be scheduling meetings with the rest of the Council as well. He met with Jim Street, Executive Director of Reinvesting in Youth, for a discussion about jail funding and the prevention of school dropouts.

Councilmember Marshall described an organization called Communities and Schools that is addressing the issue of school dropout rates as well. She suggested they consider a partnership in this effort.

(b) Environmental Stewardship Initiative

City Manager Steve Sarkozy recalled previous discussion with Council on April 23 regarding the Environmental Stewardship Initiative, at which time Council directed staff to return with proposals for initiating the program.

Sheida Sahandy, Assistant to the City Manager, reviewed that staff presented 40 potential actions to Council in late April regarding the expansion of the City's environmental stewardship activities. Current related practices include the use of hybrid vehicles wherever possible, recycling, development of the Mercer Slough Environmental Education Center, and the upcoming hosting of a Green Building event for municipal staff.

Dan Dewald, Parks and Community Services, noted a summary of the six City in a Park tree program elements, beginning on page 3-6 of the meeting packet: 1) Tree inventory and mapping, 2) Expanded urban forestry program, 3) Expanded tree plantings in rights-of-way, 4) Integrating the goal of tree preservation and enhancement into other planning efforts, 5) Education and technical assistance for private properties, and 6) Community building.

Shelley Marelli, Assistant Director of Parks, reviewed the Parks recycling program, which implemented recycling at sports fields in the 1990s. Recycled materials include mulch and plastics. A recycling pilot project has recently been implemented at Downtown Park, and expansion of the program to additional parks and school ballfields is planned. The estimated cost of expanding the program beyond the pilot project is an initial cost of \$132,000 less available Utility funds of \$45,000, for a net needed amount of \$87,000. Labor costs are estimated at \$2,800 annually.

Rick Watson, Utilities Department, asked Council to endorse five natural drainage practices including vegetated roots, rain recycling, permeable pavement, rain gardens, and amended soils. He explained that Bellevue had the first fully funded stormwater utility in the country. In 1976, the City adopted an open stream concept with regional detention facilities, which was considered innovative at the time. Mr. Watson reviewed the evolution of detention standards, which most recently included 1992 modeling to protect erosion. It is anticipated that by 2009, the State will require more protection for biology.

Policies EN-27 and EN-37 of the Comprehensive Plan encourage low impact development techniques. Staff recommends that the Council endorse the engineering standards update to allow Bellevue to remove regulatory barriers. The development community is requesting these tools, and guidelines are needed to encourage voluntary use of low impact measures. Mr. Watson said staff proposes updating engineering standards in early 2008. He noted plans for a regional workshop on low impact development, and suggested a cross-departmental team to focus on these efforts.

Mike Brennan, Deputy Director of Development Services, spoke about Green Building design and construction standards that reduce environmental impacts, provide healthy indoor spaces, and maximize the benefits of the natural environment. Barriers to green building practices include limited knowledge and understanding, lack of confidence in new technologies and techniques, market acceptance, assumption of risk, and cost and return on investment. Implementation options include creating a knowledge base, removing process barriers, evaluating best practices, providing free technical assistance and community training, applying standards to city projects, and implementing through incentives and regulations.

Dr. Davidson expressed concern about budget impacts associated with the Environmental Stewardship Initiative. Ms. Sahandy said the initial items recommended for implementation have no or relatively low costs.

Mr. Sarkozy referred Council to page 3-3 listing the ESI proposals. The first three recommended projects are to: 1) Update tree inventory and mapping, 2) Expand recycling in City parks, and 3) Early implementation of Green Buildings proposals. The estimated one-time cost of implementing these three items is \$150,000-\$175,000, and staff recommends allocating these funds from the Council Contingency Fund.

Councilmember Marshall commended staff for their development of alternatives. She noted that the Council has not previously contemplated funding this initiative from the Council Contingency Fund. At this time, she would support using funds already available in existing budgets for the early implementation items. However, long-term items should be incorporated into work plans to support future budget requests.

Councilmember Lee thanked staff for the presentation. He concurs with Mrs. Marshall's position to direct staff to present the items in the future as budget requests. He suggested creating a long-range plan stating overall objectives and measures to achieve them. Mr. Lee

questioned the need to hire a consultant to complete a tree inventory and mapping. He suggested focusing tree planting efforts in areas with fewer trees. Mr. Lee encouraged a comprehensive listing of all of the City's activities related to environmental stewardship.

Ms. Sahandy noted that Attachment 2 [Beginning on page 3-27] lists the City's current environmental practices.

Deputy Mayor Chelminiak praised staff's work to document the City's current practices and to expand the regional focus. He expressed support for funding the initial implementation items from the Council Contingency fund, noting that the initiative originated from Council direction.

Councilmember Noble concurred with Mr. Chelminiak's support for using Council Contingency funds to implement items that are consistent with the Council's recent adoption of a resolution supporting climate protection.

Ms. Balducci is pleased to have gone from a broad discussion of a programmatic approach to identifying the City's current practices as well as specific suggestions for continued stewardship. She supports moving forward with the early implementation items now and saving others for the next budget cycle.

Mayor Degginger said the Utilities Department is conducting the tree inventory and mapping now, which is consistent with objectives of the Environmental Stewardship Initiative. He noted concerns expressed by residents in recent months regarding the loss of trees due to the redevelopment of neighborhoods.

Councilmember Davidson feels more information is needed on the proposed work items. He said it would be interesting to see photos of the area when farming was prevalent, noting that urbanization does not necessarily mean fewer trees. He suggested further analysis of the implications of work items such as the maintenance of trees in the right-of-way over time.

Mayor Degginger concurred with Dr. Davidson that a comprehensive understanding of the engineering and regulatory aspects of the proposals is needed. He endorsed incentives as a preference over regulatory prescriptions.

Responding to Mr. Lee, Mr. Vidmar said the City is attempting to replace fleet vehicles with hybrid cars as funding allows.

(c) 2007 Annual Comprehensive Plan Amendments (CPAs) – Threshold Review

Planning Director Dan Stroh recalled that staff provided a management brief to Council recently reviewing the 2007 Annual Comprehensive Plan Amendment (CPA) process. The state Growth Management Act requires the City to accept suggestions for CPAs and to consider them annually. The purpose of tonight's discussion is to determine which items should be moved forward into the work program for full review. CPAs identified by Council will be fully

reviewed by the Planning Commission during stage two of the process, and the Commission will forward its recommendations to Council this fall.

Paul Inghram, Comprehensive Planning Manager, said there are four site-specific CPA proposals, one proposal the Commission recommends that Council initiate, and a staff-requested CPA to the Capital Facilities Element to update references to the six-year Capital Investment Program (CIP). The SRO Factoria CPA allows development on 12.3 acres of OLB (Office Limited Business) land to develop increased floor area ratio (FAR). The CPA relates to enhancing the pedestrian environment along Factoria Boulevard.

Doug Mathews, Planning Commission Chair, recommends initiation of the SRO Factoria proposal into the 2007 work program.

Mr. Inghram explained that the VanderHoek CPA proposes changing the land use map for a .27-acre site from MF-H (Multifamily High) to DNTN (Downtown-Old Bellevue).

Mr. Mathews said the Commission determined that this proposed amendment demonstrates a response to significantly changed conditions resulting from the 1985 adoption of the Perimeter Design District in the Land Use Code. The Commission feels it is appropriate to examine the 1985 adoption as a significantly changed condition for the boundary of the Downtown Subarea. However, the Commission recommends against expanding the geographic scope of the proposal. Mr. Mathews noted concerns from some residents about whether the boundaries of the downtown should be changed, particularly by a site-specific amendment.

Responding to Councilmember Balducci, Mr. Mathews said at this stage the Planning Commission analyzed the CPA based on the threshold review criteria. It did not attempt to determine whether the application meets the merits of adoption or rejection, but rather to determine whether the proposal should be included in the work program. The main criteria is whether conditions have changed significantly. The Commission feels that adoption of the Perimeter Design District represents a significantly changed condition.

Mr. Stroh added that the Growth Management Act requires the City to accept suggestions for changes to the Comprehensive Plan from any party and to submit them to a review using the Land Use Code criteria.

Dr. Davidson reiterated his ongoing position that privately submitted CPA proposals should be given the opportunity to undergo threshold review. He suggested the Planning Commission reconsider expanding the geographic scope of the VanderHoek proposal because it is adjacent to Downtown Park and would not have neighborhood impacts that might occur on other sites.

Councilmember Noble questioned how a design district policy that was adopted 20 years ago could now be considered a significantly changed condition. Mr. Inghram acknowledged that this issue is a matter of judgment. He explained that the Perimeter Design District established a transitional capability at the edge of the downtown that is consistent with the original R-30 (30 units per acre) zoning designation.

Mr. Stroh clarified that staff feels the proposal warrants additional review, but is not recommending approval or disapproval of the CPA at this time.

Responding to Deputy Mayor Chelminiak, Mr. Stroh clarified the threshold review criteria. Mr. Chelminiak described his difficulty in considering a design district adopted 20 years ago as a changed condition to be considered now.

Councilmember Lee feels if the design district is considered a changed condition, perhaps expansion of the geographic scope should be studied and evaluated. Chair Mathews said the Planning Commission reviewed the site-specific proposal and did not see the Perimeter Design District as being applicable to the VanderHoek property.

Responding to Mayor Degginger, Mr. Inghram described the different setback requirements for R-30 zoning and the Perimeter Design District.

Mr. Inghram explained that the Courter Enterprises (Honda Auto Center) CPA proposes amending the Factoria Subarea Policy to allow retail auto sales, which are currently a non-conforming use.

Mr. Mathews said the Planning Commission determined that the proposal demonstrates a response to significantly changed conditions, as demand for retail auto sales in Bellevue has grown progressively over the years. The Commission voted 4-2 in favor of moving the proposal into the work program. Vice Chair Robertson and Commissioner Bonincontri dissented, and Commissioner Bach was absent.

Councilmember Balducci stated her recurring hesitation regarding what constitutes a changed condition. She questioned the appropriateness of considering market demand and/or the demand for a limited amount of land as a changed condition.

Mayor Degginger noted a concern regarding the intensification of auto retail uses along I-90, and questioned the future plan for locating auto uses.

Staff responded to additional questions of clarification.

Mrs. Marshall expressed support for including the Courter Enterprises CPA in the work program. She noted that a retail auto use is already located on the site, and she prefers this location adjacent to a freeway instead of on city streets.

Moving on, Mr. Inghram described the St. Margaret's Church CPA proposal, which requests a change in the Comprehensive Plan designation for 4.86 acres from Single Family-High to an appropriate multifamily or community business designation. The Church suggested a community business designation, and City staff continue to work with the church on the proposal. The CB designation allows residential density at the same 30 dwelling units per acres as the R-30 zoning. The church's objective is to have affordable housing on the church site.

The Planning Commission voted 5-0 to include the St. Margaret's Church CPA proposal in the work program. Vice Chair Robertson excused herself from the discussion and vote because she is a member of the church. Commissioner Bach was absent.

Mr. Mathews said the Planning Commission feels the proposal meets the changed condition criteria as the availability of affordable housing continues to be a challenge in Bellevue and the region.

Responding to Mrs. Marshall, Mr. Mathews said the proposed change in zoning designation was not addressed in the Factoria Area Transportation Study (FATS).

Mrs. Marshall stated her difficulty in understanding that certain residents are opposed to adding housing to the Factoria Mall site yet support the addition of housing at the church.

Responding to Mrs. Marshall, Mr. Inghram said a traffic review would be required in evaluating the St. Margaret's Church CPA proposal. Mrs. Marshall encouraged conducting the traffic review during the school year when traffic is busier in this area.

Responding to Mr. Chelminiak, Mr. Inghram said housing could occur on the site under current zoning but it would be limited to the density of the zone, in this case five units per acre (plus a potential bonus for affordable housing). This would not provide sufficient housing from the church's prospective.

Mr. Inghram said the Planning Commission recommends to not include the Mariner Ridge CPA proposal in the 2007 work program. It would add land in the Issaquah Potential Annexation Area to Bellevue's Potential Annexation Area. Mr. Inghram reviewed the implications of the proposal.

Responding to Councilmember Marshall, Mr. Inghram said it is uncertain how access would be routed if the area is ultimately annexed into Issaquah. Mrs. Marshall expressed concern about potential traffic impacts for Bellevue.

Mayor Degginger said Issaquah is reluctant to annex the area due to the extensive infrastructure needs.

Mr. Inghram next reviewed the Mercer Slough CPA proposed by the Planning Commission. It provides a map change for 5.25 acres from LI (Light Industrial) to OLB (Office Limited Business). Existing uses include offices, a church facility, and medical clinic. The site is constrained by wetlands. Staff's observation is that the OLB designation is more consistent with existing uses than the LI designation. However, future redevelopment could occur differently under the OLB designation.

Mr. Mathews said the Planning Commission recommends including the Mercer Slough CPA in the work program, in part as a follow-up to the Commission's recommendation to change zoning for the Shurgard property in this area from LI to OLB.

Mr. Inghram explained that the Capital Facilities Element CPA was proposed by staff to update references to the adopted 2007-2013 Capital Investment Program.

At 8:31 p.m., Mayor Degginger declared a five-minute break. The meeting resumed at 8:38 p.m.

(d) Light Rail Best Practices Committee Update

City Manager Steve Sarkozy said the purpose of tonight's agenda item is to determine the Light Rail Best Practices Committee work program and to conduct an initial review of city policies relating to high capacity transit.

Transportation Director Goran Sparrman explained that the objectives of the Best Practices Committee are to:

- Provide leadership on light rail decisions by preparing for implementation in Bellevue.
- Create a body of knowledge about the best practices for light rail implementation.
- Create a forum for community discussion and understanding of light rail.
- Develop local policy foundation needed to address light rail.

Mr. Sparrman described staff's recommendation to appoint a Best Practices Committee with nine members as follows: 1) A City Council member, 2) two Environmental Services Commission members, 3) two Parks and Community Services Board members, 4) two Planning Commission members, and 5) two Transportation Commission members. Staff suggests appointing the committee as soon as possible in order to initiate meetings this summer.

Mr. Sparrman noted residents' concerns about potential crime associated with light rail stations; the impact on property values; and the appropriate design and tradeoffs between at-grade, elevated and tunnel configurations. A primary objective of the committee is to work with staff to review and learn from the experience of other jurisdictions in implementing light rail and high capacity transit systems.

Mr. Sparrman briefly reviewed the timeline for the Best Practices Committee's work. Staff and consultant resources will be needed to support the committee's work by gathering and presenting information for review and analysis.

Planning Director Dan Stroh referenced a draft Gap Analysis Matrix beginning on page 3-97 of the meeting packet. The matrix has been organized in part based on what the community has identified as important issues. Continued review of policy gaps will identify areas needing clarification and expansion, and will strengthen the policy basis for the City's evaluation of the East Link Draft Environmental Impact Statement (DEIS). A review of nationwide best practices will assist in the development of policies regarding siting, design, performance (optimum

ridership), access, and impacts. The City intends to encourage extensive public involvement in the overall process.

Mr. Stroh reviewed the following resource requirements to support the Best Practices Committee's work:

- Consultant support - \$250,000 from Council Contingency Fund.
- Project management and support – Two full-time employees (at an estimated cost of \$136,000 for the remainder of 2007 and \$240,000 annually thereafter to be drawn from Council Contingency Funds).
- Committee appointments, preferably in June, with first meeting to occur in July.

Councilmember Lee thanked staff for listening to residents and for the thorough work in identifying areas to be addressed by the Best Practices Committee.

Councilmember Marshall concurred with Mr. Lee, and commented on the importance of actively developing local policies regarding the implementation of light rail.

Councilmember Noble commented on the importance and urgency of this work. Responding to Mr. Noble, Mr. Sparrman referred to page 3-89 for a preliminary list of the committee's tasks. He noted that a detailed list of topics to be addressed will be developed in working with the committee.

Mr. Noble noted that neighborhood protection is a critical goal of the process, and that it should be specifically listed under the Objectives section of the Preliminary Scope of Work [Begins on Page 3-87 of the meeting packet]. Mr. Sparrman confirmed that this goal and others noted by Council will be added to the scope of work document.

Councilmember Davidson commented that light rail is not scheduled for implementation for another 20 years. Mr. Sparrman acknowledged the importance of trying to expedite the process if possible.

Deputy Mayor Chelminiak referred to page 3-99 of the Gap Analysis Matrix in the meeting packet and noted that additional neighborhoods not listed (e.g., South Bellevue Way corridor, Bridle Trails, Wilburton) have expressed concerns about plans for a light rail system. He suggested different policies will be appropriate for different neighborhoods/areas. Mr. Chelminiak expressed support for moving forward to appoint a committee.

Councilmember Balducci opined it would be premature to adopt Comprehensive Plan Amendments at this time before conducting an in-depth study and analysis. She questioned whether the timing is too tight in Spring 2008 for release of the Best Practices Committee's recommendations along with Council's consideration of Comprehensive Plan Amendments.

Responding to Ms. Balducci, Mr. Sparrman said the two staff positions requested are a transportation planner and a land use planner.

Mr. Stroh agreed that the work program for Spring 2008 indicates a significant workload. The plan is for the Best Practices Committee to formulate its initial recommendations as early as the end of March, in order for them to be considered by Council early in the CPA review process.

Mayor Degginger feels the Best Practices Committee process represents an important effort to work collaboratively with the community, and to expand the involvement of Boards and Commissions in developing policy. He stated it will likely be necessary to address ongoing work items related to this effort during the next budget cycle.

Mayor Degginger noted Council consensus regarding the proposed work plan and request for resources.

- (e) Updating the Commute Trip Reduction (CTR) Plan and Initiating a Growth and Transportation Efficiency Center

Kris Liljeblad, Assistant Director of Transportation, recalled that the original 1991 Commute Trip Reduction (CTR) Act included requirements for major employers (100 or more employees) in 10 Washington counties to implement CTR measures. The legislature's activities last year established an opportunity to refine these programs and to focus on a closer linkage to congestion points and growth centers.

Jen Benn, Transportation State/Federal Compliance and Commute Trip Reduction Manager, explained that Transportation Demand Management (TDM) is the City's set of products and promotions to encourage non-SOV commute options. Bellevue's program is a partnership with King County Metro and TransManage, the transportation component of the Bellevue Downtown Association (BDA). Each partner has different rules and funding sources. Bellevue provides Capital Investment Program (CIP) funds (approximately \$84,000 annually), a state CTR grant of approximately \$100,000 annually, as well as federal congestion and air quality funding (\$80,000 annually) that is funneled through King County.

The overall effort is divided into the CTR program and the TDM program. The CTR program applies to employers with 100 or more employees at one site who arrive at work between 6:00 a.m. and 9:00 a.m. Bellevue has 54 CTR-affected companies at 56 sites. The City of Bellevue and T-Mobile both have two sites with 100 or more employees. Bellevue works with King County to encourage employers to implement programs supporting non-SOV commute options, including Metro FlexPasses.

Ms. Benn said other efforts are focused on smaller employers, working with property managers to create an environment within buildings encouraging alternate travel modes (i.e., showers, bike lockers), marketing and incentive programs, and residential programs. All of these programs are presented together on the One Less Car web site. Despite challenges in achieving desired non-SOV levels, targets set in the Comprehensive Plan were achieved in 2005 in the Bel-Red and Factoria areas. Failure to achieve targets in other areas is attributed to the lack of available, and the perceived inconvenience of, alternative modes of transportation (e.g., transit service).

The CTR Plan Update and the Growth and Transportation Efficiency Center (GTEC) Plan both have a four-year timeframe. While the CTR Plan is focused on larger employers, the GTEC Plan is focused on small employers, who represent 98 percent of downtown employers and more than 50 percent of overall employees. Staff is working with property managers of large buildings to reach small employers, and programs are under development for residential properties as well. Ms. Benn said the overall goal is to reduce SOV trips. The State mandates a 10 percent reduction in SOV modes within the CTR program. This 10 percent target will be applied to employers affected by the GTEC Plan as well, with the objective of generating a more aggressive target specifying a numeric rather than percentage-based reduction.

Ms. Benn reviewed proposed strategies for the CTR Plan Update including employer consultation and training, mini grants, identifying site-specific barriers, and employer recognition. GTEC Plan strategies include small employer consulting, a carpool program, parking issues, and working with the Washington State Department of Transportation (WSDOT) regarding I-405 mitigation efforts. Ms. Benn reviewed funding sources for these activities. The legislature approved approximately \$150,000 annually for the first two years of the GTEC Plan. Approximately \$330,000 for I-405 mitigation is expected to be forwarded to the City for work with the BDA related to educating downtown employers and residents about the impacts of I-405 construction.

The mode split for non-SOV trips to the downtown is 29 percent, and the mode split goal in the Downtown Implementation Plan (DIP) is 49 percent. Implementation of the CTR and GTEC Plans will help achieve the 49 percent target. Planned downtown projects include increased transit capacity as well as pedestrian amenities. In terms of environmental impact in 2005, the statewide CTR program was responsible for the reduction in the use of 5.2 million gallons of gasoline; 3,800 tons of particulate emissions; and 74,000 tons of carbon dioxide emissions.

Ms. Benn said a downtown open house is scheduled for later this month, and the plans will be discussed with the Transportation Commission this month as well. The draft plans will be submitted to the Puget Sound Regional Council later this summer, and they will spend the rest of the year working with state agencies to ensure all regional plans are consistent and feasible. A formal public process is planned in the first quarter of 2008, followed by Council action on the plan. Two primary issues to be considered will be transit service and parking.

(f) Municipal Court Feasibility Analysis

Diane Carlson, Director of Intergovernmental Relations, recalled previous discussions with Council regarding the municipal court feasibility analysis addressing the need for a court facility and court services. The current interlocal agreement with King County establishes a goal to reach a facility agreement by June 30, 2007. Since the last Council meeting, the County granted Bellevue an extension of the opportunity to provide notice of termination from June 30, 2007, to June 30, 2008.

Ms. Carlson said Bellevue's court revenues are approximately \$2 million annually. If a municipal court is created, revenues would be slightly lower for the first year. Overall operating costs under the District Court contract are slightly lower than the municipal court option. This is because the District Court provides some centralized duties for which costs are not passed on to the City. Establishing a municipal court would incur start-up costs associated with hiring staff and expanding technology systems.

Ms. Carlson noted there are options for Bellevue to enter into court agreements with other cities. However, none are currently capable of absorbing Bellevue's caseload. Remaining with King County District Court is the simplest option. However, the City has no direct control over management, budgeting, and operations.

Ms. Carlson reviewed the proposal presented by District Court staff to move court operations to Issaquah.

Parks and Community Services Director Patrick Foran described potential operational impacts to the Probation Division if the City's courts move to Issaquah: 1) Electronic Home Detention program coordination issues, 2) Increased failure to comply with conditions, primarily due to increased travel times to Issaquah, 3) Volunteer program impacts, and 4) Scheduling and travel issues.

Susan Irwin, City Prosecutor, noted budgetary impacts to the Prosecutor's Division, the inefficient use of resources due to travel time, the reluctance of witnesses and jurors to travel to Issaquah, and an increased incidence of failure to appear due to the distance of the Issaquah court and the lack of adequate bus service.

Interim Police Chief Linda Pillo explained that the impact of the Police Department using the Issaquah Court location is relatively minimal. The cost impact to the City for officers to respond to court to take someone into custody is neutral, because Bellevue officers currently take people to the Issaquah jail. Mileage/gas costs would increase however. The biggest impact is the time officers will spend away from their local districts.

Ms. Carlson summarized that there are several municipal court options to consider. Using the Issaquah court represents a lower initial capital cost, but there are issues that would need to be addressed.

Councilmember Davidson noted his impression that there have been customer service issues with past contracts, and he requested further information in this regard. He feels that a decision on a course of action should be funded in the next budget cycle.

Councilmember Balducci concurred with Dr. Davidson's concerns, and she recalled that the current contract contained customer service provisions. Ms. Carlson confirmed that the contract includes customer service guidelines as well as a provision for a judge dedicated to the Bellevue court.

Ms. Balducci said she is not yet prepared to make a decision on a municipal court alternative.

- At 9:58 p.m., Deputy Mayor Chelminiak moved to extend the meeting by 15 minutes, and Ms. Balducci seconded the motion.
- The motion to extend the meeting carried by a vote of 7-0.

Councilmember Lee feels the City will ultimately need its own municipal court, following the development of a long-term financing plan. He is not opposed to the Issaquah court option, at least in the interim, if the City is eager to vacate the Surrey Downs facility.

Councilmember Noble said he is not ready to provide notice by the end of the month to terminate the agreement with King County District Court. He feels the Presiding Judge was persuasive in her presentation of the benefits to remaining with the County courts. Mr. Noble suggested that capital costs associated with a potential new facility should be analyzed during the next budget process.

Deputy Mayor Chelminiak feels it is necessary to locate a permanent court in Bellevue, although he is not opposed to using another court in the interim. Similarly, he is concerned about the consequences for the electronic home detention program if a court outside of Bellevue is used. Mr. Chelminiak opined that the District Court system is an appropriate County function, and that it should work more effectively. However, he is disappointed in the court structure, the way judges are elected, and the manner in which judges are assigned.

Mayor Degginger stated it is important to take more time to fully explore every option, as establishing a municipal court represents a substantial capital investment. However, he understands the need to make a decision in the near future and to begin developing a financial plan.

Councilmember Marshall suggested exploring potential sites for a court located in Bellevue in order to have an accurate comparison with other options.

Responding to Mr. Degginger, Ms. Carlson said the County Jail Advisory Group (JAG) will provide its recommendations later this year.

Mayor Degginger declared the meeting adjourned at 10:15 p.m.

Myrna L. Basich
City Clerk

kaw