

CITY OF BELLEVUE  
CITY COUNCIL

Summary Minutes of Regular Session

March 19, 2007  
8:00 p.m.

Council Chamber  
Bellevue, Washington

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

ABSENT: Councilmember Marshall

1. Call to Order

The meeting was called to order at 8:00 p.m., with Mayor Degginger presiding.

2. Roll Call, Flag Salute

Upon roll call by the Deputy City Clerk, all Councilmembers except Mrs. Marshall were present. Councilmember Noble led the flag salute.

3. Communications: Written and Oral

Mayor Degginger noted that the Council is not allowed to take communications regarding Study Session Agenda Item 3(a), Rozenblat Townhouses application, or Regular Session Agenda Item 10(a), Enclave at Fox Glen application appeal, because these are quasi-judicial matters before the Council.

- (a) Jim Chase expressed concern about planned modifications, including the addition of a left-turn lane, to 119<sup>th</sup> Avenue SE.
- (b) Julie Elworth expressed concern about the left-turn lane to be added into Newport Heights Elementary School. She requested a two-year moratorium to study the proposal further and to coordinate between the City and Bellevue School District.
- (c) Kathlyn Kinney, a 17-year-old resident, expressed concern about pedestrian safety associated with the proposed left-turn lane on 119<sup>th</sup> Avenue SE. Cars currently often do not stop for pedestrians along 119<sup>th</sup> Avenue SE, and this modification will widen the street and make it even more difficult for students to get across the street.

Mayor Degginger said that the 119<sup>th</sup> Avenue SE project was discussed during the earlier Study Session. The Council was informed by the City Attorney that comments about the proposal should be forwarded to the Director of Planning and Community Development as this is an administrative decision by the Director.

City Attorney Lori Riordan explained that Bellevue School District's application falls under the Administrative Conditional Use Permit process, which requires a decision of the PCD Director. Appeals of the Director's decision are forwarded to the Hearing Examiner, and appeals of the Hearing Examiner's decision are transferred to King County Superior Court. The Council does not have a role in this process. Ms. Riordan reiterated that written comments should be directed to the PCD Director before his decision is issued, which is scheduled to occur within the next two weeks. Responding to Mayor Degginger, Ms. Riordan confirmed that written comments submitted tonight must be signed and they will then be forwarded to the Director.

Deputy Mayor Chelminiak noted that Council's earlier discussion provided an opportunity to question staff and Bellevue School District representatives about the proposal. If citizens missed this discussion, it will be replayed on B-TV throughout the week.

- (d) Ma'ayan Shuval, a representative of Bellevue Youth Theatre's Teen Action Board, invited Council and the public to the Theatre's upcoming production of "Thumbelina."
  - (e) Brenda Gurung, Barnes and Noble Booksellers in Bellevue, reviewed the store's participation in and support of community activities including the annual South Asian Fest, a holiday book drive, and student poetry performances.
4. Reports of Community Councils, Boards and Commissions: None.
5. Report of the City Manager

- (a) Management Brief – Update on Foreign Language Pages on City Web Site

Cheryl Kuhn, Neighborhood Outreach Manager, provided an update regarding foreign language pages on the City's web site. A Spanish language section of the web site was introduced in June, and additional sections are being developed in Chinese, Vietnamese, and Russian. [A Management Brief is provided beginning on page 5-1 of the Council meeting packet.]

Councilmember Lee expressed support for expanding foreign language communications with the community. Responding to Mr. Lee, Ms. Kuhn said there are no plans to add information in Korean at this time. However, the Mini City Hall at Crossroads Shopping Center provides assistance in Korean. She noted the cost of adding each language to the web site is approximately \$4,000-\$6,000, with an annual cost of \$1,000 to maintain each language's pages.

Deputy Mayor Chelminiak feels it would be appropriate to consider adding information in Korean as well due to the large Korean population in Bellevue and surrounding areas.

Mayor Degginger asked Ms. Kuhn to provide updates on the number of people accessing the foreign language pages.

Mr. Noble requested information regarding all non-English speaking populations in Bellevue and a discussion of how the selection of additional languages for the City's web site should be approached.

(b) Great Streets Program

City Manager Steve Sarkozy noted staff's request to postpone discussion of this item and to remove Agenda Item 8(j) related to the Great Streets Program from the Consent Calendar.

6. Council Business

Councilmember Lee thanked citizens who volunteer for the City and throughout the community. He commended David Ravet, who passed away recently, for his volunteer involvement with the Parks and Community Services Department. Mr. Ravet was the founder and leader of the Bellevue Baseball/Softball Athletic Association. Citizens have requested that the Hidden Valley Ballfield be named after Mr. Ravet and that a plaque with the name of the ballfield be installed.

Mayor Degginger asked Mr. Sarkozy to look into the possibility of granting this request.

Councilmember Davidson expressed support for Mr. Lee's request. Dr. Davidson attended meetings of the Regional Water Quality Committee and WRIA 8 (Lake Washington/Lake Sammamish/Cedar River Watershed).

Councilmember Balducci reported on her efforts, with approval of the Council, to speak to the Governor's Office and present a request for additional basic law enforcement academy classes to address the backlog of police hires throughout the region. She attended the monthly meeting of the Eastside Transportation Partnership.

Deputy Mayor Chelminiak attended meetings of the Parks and Community Services Board, Bellevue Sister Cities Association, and Puget Sound Regional Council's Economic Development Board and Growth Management Planning Board. He traveled with Councilmember Lee to Vancouver to observe construction of the Canada line train involving a tunnel under the city.

Mayor Degginger attended a community meeting with state legislators and the Planning Commission meeting.

7. Approval of the Agenda

➡ Deputy Mayor Chelminiak moved to approve the agenda, and Mr. Lee seconded the motion.

➡ The motion to approve the agenda carried by a vote of 6-0.

8. Consent Calendar

Deputy Mayor Chelminiak noted staff's request to pull Agenda Item 8(j) from Consent Calendar approval.

➡ Deputy Mayor Chelminiak moved to approve the Consent Calendar, amended to remove Item 8(j). Mr. Noble seconded the motion.

➡ The motion to approve the Consent Calendar, as amended, carried by a vote of 6-0, and the following items were approved:

- (a) Minutes of February 12, 2007 Extended Study Session  
Minutes of February 20, 2007 Study Session  
Minutes of February 20, 2007 Regular Session
- (b) Resolution No. 7525 authorizing execution of a Settlement Agreement and Release of Claims (and any other documents to implement the settlement) to resolve claims brought by Aura Donis Gil.
- (c) Resolution No. 7526 authorizing execution of a contract with DW Close in an amount not to exceed \$20,619.78 for the installation of Variable Frequency Drives (VFDs) in City Hall.
- (d) Motion to approve payment of claims for the period March 3 through March 16, 2007 and payroll for the period February 16 through February 28, 2007.
- (e) Resolution No. 7527 authorizing execution of an amendment to the Microsoft Enterprise License agreement to allow expenditures up to \$36,239 for additional Microsoft software licenses and ongoing maintenance. (*Discussed with Council during the March 12 Extended Study Session.*)
- (f) Resolution No. 7528 authorizing execution of a professional services agreement with Hayre McElroy & Associates, LLC, in an amount not to exceed \$153,000 and a 5% contingency of \$7,650, for materials testing, special inspections, temporary erosion and sediment control inspections, water quality monitoring, and geotechnical monitoring services required to construct the Mercer Slough Environmental Education Center (MSEEC) project.
- (g) Resolution No. 7529 authorizing execution of a contract with Creative Dimensions, in an amount not to exceed \$31,064.80 for site preparation and utility installation for a pre-fabricated restroom building at the Spiritridge Park located at 16100 SE 33<sup>rd</sup> Place.
- (h) Resolution No. 7530 authorizing approval to accept State of Washington funds in the amount of \$394,000 to offset costs associated with the Robinswood Synthetic Sportsfield Development project.

- (i) Resolution No. 7521 authorizing execution of a two-year agreement, with an additional two year option to renew, with Diamond Parking Services, LLC, to provide on-street parking enforcement in Downtown Bellevue.
- (k) Resolution No. 7532 authorizing execution of professional services agreement with HDR Engineering in an amount not to exceed \$375,000 for the Southridge, Kimberlee Park, and Emerald Ridge Wastewater Pump Station Rehabilitation project. [CIP Plan No. S-16]
- (l) Resolution No. 7533 authorizing execution of an amendment to the System Purchase Agreement with Advanced Utility Systems Corporation in an amount not to exceed \$56,500 for the Utility Billing Customer Information System (CIS) to allow utility customers to view and pay their bills online.
- (m) Resolution No. 7534 authorizing execution of an agreement with Bellevue Square Properties to relinquish water and sewer easements and a Bill of Sale for water and sewer facilities located within the easements in Bellevue Square.

Item Postponed:

- (j) Resolution No. 7531 authorizing execution of a professional services agreement with Mithun Architects, Designers, Planners in an amount not to exceed \$155,925 for the Great Streets Conceptual Design Plans project. [CIP Plan No. PW-R-147 and CD-19, Early Implementation of Downtown Plan; and CD-11, Public Art Program]

9. Public Hearings: None.

10. Land Use

- (a) Ordinance No. 5725 denying the appeal and granting a Planned Unit Development (PUD) and Preliminary Plat, with conditions, on the application of Dennis Johnson, Freemantle Development Group (Enclave at Fox Glen), for a 25-lot residential subdivision and Planned Unit Development on approximately 2.45 acres accessed via an easement from 156<sup>th</sup> Avenue NE in the Crossroads Subarea. [File No. 05-103350 LK] *(On March 5, 2007, Council held the limited public hearing on this quasi-judicial matter and provided direction on development of this Ordinance for Council action tonight.)*

Land Use Director Carol Helland recalled that the appeal was heard by the Council on March 5, at which time the Legal Department was directed to draft an ordinance for Council's disposition of the appeal [Page 10-13 of meeting packet].

➡ Deputy Mayor Chelminiak moved to adopt Ordinance No. 5725, and Dr. Davidson

seconded the motion.

Councilmember Noble noted that since he was absent from the Limited Public Hearing, he will not vote on the Ordinance.

Responding to Mr. Lee, Ms. Helland said that during the hearing before the Hearing Examiner, the applicant agreed to provide maintenance access to the easement on an ongoing basis. Routine fire inspections are conducted to ensure fire and emergency access is maintained.

➡ The motion to adopt Ordinance No. 5725 carried by a vote of 6-0.

#### 11. Other Ordinances, Resolutions and Motions

- (a) Ordinance No. 5726 amending development regulations applicable to Factoria Land Use Districts F1; the F1 Development Area Plan and Factoria TownSquare Design Guidelines adopted by Ordinance No. 5385; repealing the F1 Development Area Plan and Factoria TownSquare Design Guidelines; amending section 20.20.010; creating a new Part 20.25F1 of the Bellevue Land Use Code; amending Section 20.25K of the Bellevue Land Use Code and establishing an effective date.

Ms. Helland recalled Council's discussion the previous week regarding the amendments to development regulations proposed by Ordinance Nos. 5726 and 5727. Amendments to the Land Use Code recommended by the Planning Commission are listed on page 11-2 of the packet.

➡ Deputy Mayor Chelminiak moved to adopt Ordinance No. 5726, and Dr. Davidson seconded the motion.

➡ The motion to adopt Ordinance No. 5726 carried by a vote of 6-0.

Ordinance No. 5727 amending Section 20.25J.015; creating a new Part 20.30V of the Bellevue Land Use Code and establishing an effective date.

➡ Deputy Mayor Chelminiak moved to adopt Ordinance No. 5727, and Councilmember Balducci seconded the motion.

➡ The motion to adopt Ordinance No. 5727 carried by a vote of 6-0.

- (b) Resolution No. 7535, ARCH administrative budget and work program.

Art Sullivan, Executive Director of ARCH (A Regional Coalition for Housing), referenced materials beginning on page 11-43 of the packet regarding ARCH's administrative budget and work program and a fall funding request. Several items in the work program relate to planning activities that will involve the City's Planning staff, the Planning Commission, and the City Council. ARCH continues to work on regional boards to represent East King County priorities including programs focused on homelessness. The Home Buyers' Assistance Program, to which

Bellevue contributes funding, will continue to operate.

Councilmember Lee commended ARCH's work to expand housing opportunities. He encouraged a continued focus on meeting the needs of an increasingly diverse and aging population.

Councilmember Balducci expressed support for the work program and its inclusion of planning and policy activities along with capital funding. She requested periodic updates and the use of performance measures over the years to gauge the effectiveness of the program.

- Deputy Mayor Chelminiak moved to adopt Resolution No. 7535 approving the ARCH administrative budget and work program. Mr. Noble seconded the motion.
- The motion to adopt Ordinance No. 7535 carried by a vote of 6-0.

Resolution No. 7536 approving fall funding request for \$40,000 for 280 Clark Street project.

Mr. Sullivan recalled Bellevue's previous funding toward the family preservation project at 280 Clark Street in Issaquah. Approximately 30 units, including Section 8 units, will be provided on a 1.83-acre site. Originally the project had two components: 1) Rehabilitation of existing units, and 2) Removal of a duplex to build new units. The Executive Board now recommends funding of the rehabilitation portion only due to the high cost of new construction. Mr. Sullivan said the project needs to move forward in order to utilize funding from King County.

Responding to Councilmember Lee, Mr. Sullivan explained that the St. Andrews Housing Group is a nonprofit organization, which does not take a full developer fee at the start of the project. The organization requests a certain amount of public funding and commits to maintaining rents at an affordable level as well as providing property maintenance over the next 50 years.

Responding to Councilmember Davidson's inquiry regarding how member cities' funding levels are determined, Mr. Sullivan said project funding is typically requested from cities based on their established priorities. One of Bellevue's priorities is housing preservation. Also, only some properties can accept CDBG (Community Development Block Grant) funds, which are not available from all member cities.

- Deputy Mayor Chelminiak moved to approve Resolution No. 7536, and Ms. Balducci seconded the motion.
- The motion to adopt Ordinance No. 7536 carried by a vote of 6-0.

12. Unfinished Business: None.
13. Continued Oral Communications: None.
14. New Business: None.

15. Executive Session: None.

16. Adjournment

At 10:12 p.m., Mayor Degginger declared the meeting adjourned.

Myrna L. Basich  
City Clerk

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