

CITY OF BELLEVUE  
CITY COUNCIL

Summary Minutes of Regular Session

May 21, 2007  
8:00 p.m.

Council Chamber  
Bellevue, Washington

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

ABSENT: None.

1. Call to Order

The meeting was called to order at 8:01 p.m., with Mayor Degginger presiding.

2. Roll Call, Flag Salute

Upon roll call, all Councilmembers were present. Councilmember Balducci led the flag salute.

- (a) Acceptance of Crossroads Water Spray Playground Donation from Bellevue Breakfast Rotary

Parks and Community Services Director Patrick Foran introduced representatives of the Breakfast Rotary to present a check to the City toward construction of the Crossroads Park Water Spray Playground, which will be underway later this summer.

Norm Johnson explained that Councilmember Marshall, then Mayor, spoke to the Breakfast Rotary in 2003. At that time, the Rotary was planning to celebrate its 100<sup>th</sup> anniversary and was looking for a community project. Mrs. Marshall suggested the idea of the water playground, which led to meetings with the City Manager and staff to develop the project. Mr. Johnson praised Pam Fehrman, Parks Project Manager, who has been working closely with the Rotary.

Mr. Johnson and Jim Zidar presented a check for \$250,000 to the City toward the water park and noted that \$85,000 of the amount came from the Breakfast Rotary's fundraising and \$60,000 was donated by Rotary members. He recognized John and Kelly Olerud of the Jordan Fund as major contributors, as well as Sterling (SRO), Ron Sher, and Metrovision.

(b) America's Promise Award – Youth Link Community Leadership Event – 24-Hour Relay Challenge

Helena Stephens, Family, Youth and Teen Services Manager, introduced Tim Johnson, Adult Chair for the Bellevue Youth Link Board, as well as Malia Radford and Alex Beiting, 24-Hour Relay Directors.

Ms. Stephens explained that America's Promise is a nationwide initiative recognizing five promises that a community makes to its youth population: 1) Caring adults, 2) Safe places, 3) A healthy start, 4) Effective education, and 5) Opportunities to help others. For the second year, Bellevue has been named as one of 100 Best Communities for Young People in the nation by the America's Promise Alliance. Bellevue was recognized for its outstanding work with youth partnerships including Bellevue Boys and Girls Club, programs at South Bellevue Community Center, YMCA, Bellevue School District, Bellevue Youth Link, and the City's Wraparound Services Project.

The America's Promise award will be recognized at the Youth Link Community Leadership Awards and at the 24-Hour Relay Challenge.

Mr. Johnson invited Council and the public to the 17<sup>th</sup> Annual Youth Link Community Leadership Awards event on Wednesday, May 30, at 7:00 p.m. in City Hall. Youth Link has received 63 nominations of children and teens for recognition in 16 categories for outstanding service. The awards are planned and hosted by the Bellevue Youth Council and provide an excellent opportunity for youth to be recognized by adults and their peers. The event theme this year is "Lead Another Day."

Ms. Radford invited Council and the public to participate in the 9<sup>th</sup> Annual 24-Hour Relay Challenge. Since the event began in 1998, the event has provided 14,000 grants to youth projects in Bellevue. The relay will help send 13 Tyee Middle School students to Jamaica to build and teach computer programs to teachers and students affected by hurricane disasters. Business and community support for the relay has increased over the years from 16 businesses in 1998 to 103 in 2006. Twenty-five teams have already registered for this year's relay, which will be held on June 23<sup>rd</sup> and 24<sup>th</sup> beginning at 10:00 a.m. on the 23<sup>rd</sup> at Downtown Park.

Mayor Degginger read a proclamation declaring June 23<sup>rd</sup> and 24<sup>th</sup> as Bellevue's 24-Hour Relay Challenge Days.

3. Communications: Written and Oral

(a) Nancy Fonk, new Manager of Bellevue Botanical Garden, invited Council and the public to attend the Garden's 15<sup>th</sup> anniversary celebration on Saturday, June 16, from 1:00 p.m. to 4:00 p.m. She introduced Bellevue Botanical Garden Society President Norm Hansen. He noted the gift to each Councilmember of a book, signed by the author, about the history of the Garden.

4. Reports of Community Councils, Boards and Commissions

(a) Parks and Community Services Board Update

Parks and Community Services Board Chair Merle Keeney noted the update beginning on page 4-1 of the Council packet regarding the Board's past and ongoing activities. Future major initiatives include the Wrap-Around Services project, Highland Skate Park, Mercer Slough Environmental Education Center, Robinswood synthetic sports fields, Crossroads water play area, and developing Master Plans for several parks (Meydenbauer Bay, Surrey Downs, Ashwood, Boeing Eastgate) as well as the recently acquired addition to Bellevue Botanical Garden.

5. Report of the City Manager: None.

6. Council Business and New Initiatives

Mayor Degginger noted that Council Business was reported during the earlier Study Session.

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 7-0.

8. Consent Calendar

Councilmember Lee requested pulling Agenda Item 8(a) for discussion.

➡ Deputy Mayor Chelminiak moved to approve the Consent Calendar, as amended to pull Item 8(a). Councilmember Balducci seconded the motion.

➡ The motion to approve the Consent Calendar, as amended, carried by a vote of 7-0, and the following items were approved:

(b) Resolution No. 7560 authorizing execution of a Settlement Agreement and all documents necessary to implement settlement in the quiet title action filed against the City by J. Rhett and Michele L. Agnew.

(c) Resolution No. 7561 authorizing execution of the First Amendment to Option Agreement for Purchase and Sale of Bonus Floor Area with Schnitzer Northwest (SNW), the Easement for Pedestrian Use and Access by the Public, the Transfer of Bonus Floor Area conveyance document and all other documents necessary to complete the sale of 145,158 square feet of Bonus Floor Area.

(d) Motion to approve payment of claims for the period May 5, 2007 through May 18, 2007, and payroll for the period April 16 through April 30, 2007.

- (e) Ordinance No. 5739 authorizing execution of an agreement with the Washington State Military Department to accept grant funds of \$78,619 for emergency management purposes; establishing a project in the Operating Grants and Donations Fund; appropriating unanticipated and future revenues to that fund; and authorizing expenditures of the grant funds.
- (f) Resolution No. 7562 authorizing the submittal of a grant application requesting up to \$300,000 from the State of Washington Interagency Committee for Outdoor Recreation (IAC), to help offset costs associated with the renovation of the SE 40<sup>th</sup> Boat Launch.
- (g) Resolution No. 7563 authorizing execution of a grant contract with the State of Washington Department of Community, Trade, and Economic Development (CTED) to accept grant funds in the amount of \$246,250 for Crossroads Park Water Spray Playground Construction.
- (h) Ordinance No. 5740 authorizing execution of an amendment to the Interlocal Agreement governing the allocation of additional funds made available from the King County Conservation Futures Fund, amending the 2007-2008 General Capital Investment Program (CIP) Fund appropriation by \$750,000, and amending the 2007-2013 CIP Plan to increase the project budget by \$750,000 to reflect the unanticipated revenues. (CIP Plan No. P-AD-15) [Approval of this Ordinance will provide \$600,000 in grant funds to offset acquisition costs of the Farin property scheduled in Item 8(i) below.]
- (i) Resolution No. 7564 authorizing execution of a Purchase Option Agreement and all documents necessary for the purchase of the Farin property from the Trust for Public Land, at the purchase price of \$1,200,000 plus estimated closing costs of \$13,000.
- (j) Resolution No. 7549 authorizing execution of a professional services agreement with Cristalli Brown, Inc., in an amount not to exceed \$66,159.25 to design, fabricate, and install public art as part of an approved Capital Improvements Project along the Pedestrian Corridor. (CIP Plan Nos. CD-11, Public Art Program, and CD-19, Early Implementation of Downtown Plan)
- (k) Resolution No. 7565 authorizing execution of a second amendment to the Interlocal Agreement with the King County Sheriff's Office (KCSO) for 2007 Marine Patrol Services.
- (l) Motion to award Bid No. 0724 for the 132<sup>nd</sup> Avenue NE Traffic Calming Project to Emerald Paving, Inc., as low bidder, in the amount of \$37,430, to construct four elongated speed humps between NE 8<sup>th</sup> Street and Bel-Red Road. (CIP Plan No. PW-M7)

- (m) Resolution No. 7566 authorizing execution of a professional services agreement with Jacobs Civil, Inc., for engineering services for the 101<sup>st</sup> Avenue SE at SE 5<sup>th</sup> Street Sewer Replacement project, in an amount not to exceed \$92,000. (CIP Plan No. S-24, Utility Capital Investment Program Fund.)

Item for Council Discussion:

- (a) Minutes of April 16, 2007 Study Session  
Minutes of April 16, 2007 Regular Session  
Minutes of April 23, 2007 Extended Study Session  
Minutes of May 7, 2007 Study Session  
Minutes of May 7, 2007 Regular Session

Councilmember Lee requested an amendment to the May 7 Study Session minutes regarding text on the 3<sup>rd</sup> page (8a-31), paragraph 3. He suggested including an additional comment that he encouraged the addition of mass transit along the I-405 to the airport, along with a remote check-in terminal in Bellevue.

- ➡ Councilmember Lee moved to amend the May 7 Study Session minutes as described. Mr. Chelminiak seconded the motion.
- ➡ The motion to amend the May 7 Study Session minutes as described by Mr. Lee carried by a vote of 7-0.

Councilmember Lee requested an amendment to the May 7 Regular Session minutes regarding text on the 2<sup>nd</sup> page (8a-34). He suggested adding language to reflect his comments thanking Mr. Ellis for his involvement in the Mercer Slough Environmental Education Center project as well as his long-term community service.

- ➡ Deputy Mayor Chelminiak moved to amend the May 7 Regular Session minutes as described. Mr. Lee seconded the motion.
- ➡ The motion to amend the May 7 Regular Session minutes as described by Mr. Lee carried by a vote of 7-0.
- ➡ Deputy Mayor Chelminiak moved to approve all meeting minutes listed under Agenda Item 8(a). Mr. Lee seconded the motion.
- ➡ The motion to approve all meeting minutes listed under Agenda Item 8(a) carried by a vote of 7-0.

9. Public Hearings

- (a) Public Hearing on establishment of the fair market value for the Utilities Department Meydenbauer Reservoir surplus property.

Nav Otal, Assistant Director of Utilities Department, explained that the Meydenbauer Reservoir is owned by the Water Utility Fund and is part of a 2.1-acre parcel. The property was appraised in February 2006 at \$3.5 million. The appraisal is based on a number of criteria including the potential to subdivide the property into three lots, sales comparisons, and parcel analysis using discount rate changes from 20-30% to account for the undeveloped status of the parcel. In March 2006, Council declared the property as surplus to City needs. The Utilities Department did a boundary line adjustment to separate the parcel into two properties – one that continued the reservoir that will remain with the City and the second parcel declared as surplus.

The property was listed with Windermere Realty in October 2006. The City received five offers, four of which were not acceptable either because of the low offer price or contingencies contained in the offer. There is one full-price offer that staff will present to Council for its consideration on June 4.

Responding to Councilmember Noble, Ms. Otal said staff's analysis indicates that the selling price is still an accurate value, in part based on the lack of any offers for several months.

Responding to Councilmember Lee, Ms. Otal said the City received three full-price offers. However, one required that the City short-plat the property and the other had a 280-day closing period.

➡ Deputy Mayor Chelminiak moved to open the Public Hearing, and Dr. Davidson seconded the motion.

➡ The motion to open the Public Hearing carried by a vote of 7-0.

No one came forward to comment.

➡ Deputy Mayor Chelminiak moved to close the Public Hearing, and Dr. Davidson seconded the motion.

➡ The motion to close the Public Hearing carried by a vote of 7-0.

➡ Deputy Mayor Chelminiak moved to establish a fair market value of \$3,500,000 for the Meydenbauer Reservoir surplus property and to authorize negotiations with Town Development for the terms of purchase and sale of the property. Mr. Lee seconded the motion.

➡ The motion to establish a fair market value of \$3,500,000 for the Meydenbauer Reservoir surplus property, and to authorize negotiations with Town Development for the terms of purchase and sale of the property, carried by a vote of 7-0.

10. Land Use: None.

11. Other Ordinances, Resolutions and Motions

- (a) Resolution No. 7567 authorizing execution of an Agreement to Settle and Release Claims and Withdraw Terminations Related to Agreement to House Inmates between Bellevue and Yakima County.

Councilmember Balducci recused herself from consideration of this agenda item because her full-time job is working for the King County Jail. Ms. Balducci left the dais.

City Attorney Lori Riordan explained that Resolution No. 7567 authorizes execution of a settlement agreement regarding previous interlocal agreements with Yakima County to house inmates. Several years ago, the cities in King County entered into an interlocal agreement with one another, and each city entered into an agreement with Yakima County to house inmates.

One provision of the agreement was that Yakima County would build and operate a new jail with adequate space for all of the cities' misdemeanor prisoners. The jail was built and opened for a brief time. Yakima County has continued to accept inmates although they have been housed in facilities of concern to the cities. The County indicated at one point it did not intend to reopen the new jail until some construction issues could be worked out with the contractor. This prompted the cities to file individual claims against the County to enforce the terms of the agreements, which led to extensive settlement negotiations.

Ms. Riordan explained that the settlement agreement indicates that Yakima County will honor its agreements with cities to provide a jail, and the new jail is to open soon. The cities are not giving up any rights, and there will be no direct or indirect costs to the cities. The previous interlocal agreement stated that the cities collectively were responsible for paying for a number of beds, whether occupied or not. Some cities have now opted to not participate in the settlement. One favorable provision of the settlement agreement is that there will be no negative impact to the remaining cities. Cities will not be required to fill or pay for those beds previously obligated by the cities withdrawing from the agreement.

Ms. Riordan said staff recommends approval of the settlement agreement.

- ☞ Mr. Chelminiak moved to approve Resolution No. 7567, and Mr. Lee seconded the motion.
  - ☞ The motion to approve Resolution No. 7567 carried by a vote of 7-0.
12. Unfinished Business: None.
  13. Continued Oral Communications: None.
  14. New Business: None.
  15. Executive Session: None.

16. Adjournment

Mayor Degginger declared the meeting adjourned at 8:41 p.m.

Myrna L. Basich  
City Clerk

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