

CITY OF BELLEVUE  
CITY COUNCIL

Summary Minutes of Regular Session

June 25, 2007  
8:00 p.m.

Council Chamber  
Bellevue, Washington

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

ABSENT: Councilmember Lee

1. Call to Order

The meeting was called to order at 8:05 p.m., with Mayor Degginger presiding.

2. Roll Call, Flag Salute

Upon roll call, all Councilmembers except Mr. Lee were present. Deputy Mayor Chelminiak led the flag salute.

(a) Introduction of Kladno and Liepaja Students

Gregg Schrader, representing Bellevue Sister Cities Association, introduced exchange students from Liepaja, Latvia and Kladno, Czech Republic.

3. Communications: Written and Oral

- (a) Beth Knox, President and CEO of Seafair, provided an update on the Seafair Marathon to be held on Sunday, July 8 in Bellevue.
- (b) David Marks asked the Council to allocate additional funds in the Capital Investment Program (CIP) Plan for the West Lake Sammamish Parkway project, and to expedite completion of the project.
- (c) Marty Nizlek expressed support for the West Lake Sammamish Parkway project, and noted additional residents present in the audience to express support as well. He asked the City to involve residents in planning if the project is to be completed in phases.
- (d) Robert Beddo stated concerns regarding safety on West Lake Sammamish Parkway and encouraged implementation of the project.

- (e) Stu Vander Hoek requested Council support of Resolution No. 7579 [Agenda Item 8(f)] approving a five-year lease with the Eastside Heritage Center for the McDowell House. He reported on the Strawberry Festival held over the weekend at Crossroads Park. Mr. VanderHoek noted his letter to Council indicating he was withdrawing his proposed Comprehensive Plan Amendment (CPA) [Agenda Item 11(a)2]. He stated his disappointment in the lack of Council support.
  - (f) James Fitzgerald asked Council to initiate the Courter Enterprises CPA proposal referenced by Agenda Item 11(a)3. He noted there has been no opposition to the proposal from the community, and the Planning Commission recommends further consideration through the CPA review process.
  - (g) Joe Rosmann, President of Surrey Downs Community Club, invited the Council, City Manager and staff, and Board and Commission Members to attend a Surrey Downs community picnic on July 21 celebrating the 50<sup>th</sup> anniversary of the neighborhood.
4. Reports of Community Councils, Boards and Commissions: None.
5. Report of the City Manager
- (a) Lake Washington Submerged Sewer Line Cleaning

Denny Vidmar, Utilities Director, referenced page 5-1 of the Council meeting packet which provides information regarding cleaning of the Lake Washington submerged sewer pipeline. He introduced Joe Harbour, Utilities Operations Manager, and Stacey Morales, Wastewater Superintendent.

Mr. Harbour described efforts to monitor and clean submerged sewer lines along the eastern shore of Lake Washington and the western shore of Lake Sammamish. A project to clean areas immediately adjacent to nine public beaches along Lake Washington was completed in June before the scheduled opening of the beaches. Cleaning the remainder of the submerged lake lines will continue in the fall.

- (b) Update on Meydenbauer Bay Park and Land Use Planning

Mike Bergstrom, Senior Planner, provided an update on Meydenbauer Bay Park and land use planning. A Steering Committee appointed by the Council to oversee the process has met three times. The project schedule focused more on the upland land use component of the project and less so on the park. The land use portion is to be completed by the end of the year, and park master planning will take place during the first half of 2008. A public open house was held in May, which was attended by members of the Steering Committee and approximately 60 citizens. Two public workshops are scheduled for July to continue to solicit input from the broader community. The July 10<sup>th</sup> workshop will be held at South Bellevue Community Center, and the July 31<sup>st</sup> workshop will be held at North Bellevue Community Center. A filmed walking tour of the Meydenbauer area will be presented, followed by participants' completion of a survey.

6. Council Business and New Initiatives

Councilmember Balducci noted the memo in Council's desk packet recommending the appointment of Cristina Van Valkenburgh and Tom Tanaka to the Transportation Commission.

- Councilmember Balducci moved to appoint Cristina Van Valkenburgh and Tom Tanaka to the Transportation Commission. Deputy Mayor Chelminiak seconded the motion.
- The motion to appoint Cristina Van Valkenburgh and Tom Tanaka to the Transportation Commission carried by a vote of 6-0.

Ms. Balducci thanked Jim Young and Ted Bell for their service on the Commission. She reported that she attended a meeting of the PSRC Transportation Policy Board.

Councilmember Noble attended the Eastside Transportation Partnership meeting. He also attended the 24-Hour Relay Challenge, Bridle Trails community event, and the Strawberry Festival. He noted a flyer in Council's desk packet regarding a program on homelessness to be held on June 28 at City Hall, with breakfast beginning at 7:30 a.m. followed by the program at 8:00 a.m.

Deputy Mayor Chelminiak attended the Bridle Trails community breakfast, Strawberry Festival, and Bellevue Botanical Garden book release event. He attended the Probation Advisory Board meeting and the Association of Washington Cities (AWC) sex offender housing workshop.

Councilmember Davidson attended the AWC business meeting and sex offender housing workshop. As part of the workshop, he attended the Board meeting for the Municipal Research Service Center (MRSC) and was elected President of the Board.

Councilmember Marshall attended meetings related to Sound Transit. Today she attended a roundtable discussion regarding transportation with business leaders in Seattle.

Mayor Degginger attended the Strawberry Festival and visited the goats at Lewis Creek Park who were brought in to eat the weeds. He attended meetings of the Planning Commission and the King County Flood Control Advisory Committee.

Mayor Degginger reported on the creation of the Best Practices Committee.

Deputy Mayor Chelminiak noted the Mayor's appointment of Councilmember Balducci to the Best Practices Committee, and Dr. Davidson as alternate.

- Deputy Mayor Chelminiak moved to appoint the following citizens to the Best Practices Committee:

Planning Commission – Jennifer Robertson and Doug Mathews  
Transportation Commission – Joel Glass and Lise Northey

Environmental Services Commission – Francois Larrivee  
Parks and Community Services Board – Dave Karle and Faith Roland.

Mayor Degginger seconded the motion.

- The motion for appointments to the Best Practices Committee carried by a vote of 6-0.

7. Approval of the Agenda

- Councilmember Marshall moved to approve the agenda, and Mr. Chelminiak seconded the motion.

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

8. Consent Calendar

- Deputy Mayor Chelminiak moved to approve the Consent Calendar, and Councilmember Balducci seconded the motion.

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

- (a) Minutes of May 21, 2007 Study Session  
Minutes of May 21, 2007 Regular Session  
Minutes of May 29, 2007 Extended Study Session  
Minutes of June 4, 2007 Study Session  
Minutes of June 4, 2007 Regular Session
- (b) Ordinance No. 5746 relating to public records; repealing Chapter 2.26 of the Bellevue City Code and replacing it with a new Chapter; and amending Chapter 3.68 to add a new provision that was previously BCC 2.26.100 relating to preparation of verbatim transcripts of Hearing Examiner matters.
- (c) Motion to approve payment of claims for the period June 2, 2007, through June 22, 2007, and payroll for the period May 16, 2007 through June 15, 2007.
- (d) Resolution No. 7577 approving the receipt and installation of in-kind diesel retrofit technology valued at \$82,056.99 provided by the Puget Sound Clean Air Agency with funding from the Washington State Department of Ecology.
- (e) Resolution No. 7578 authorizing execution of Fiber Optic Project Agreement #27 as an amendment to the Interlocal General Terms and Conditions for Sharing Fiber Optic Installation Projects to add Bellevue Community College to the list of participating agencies. *[The original Interlocal Agreement was approved by Council on October 23, 2003, in Resolution No. 6911.]*

- (f) Resolution No. 7579 authorizing execution of all documents necessary to approve a five-year lease agreement with the Eastside Heritage Center for a portion of the historic McDowell House property located at 11660 Main Street.
- (g) Resolution No. 7580 authorizing execution of all documents necessary to approve Amendment No. 1 to the Youth Eastside Services (YES) lease agreement, and to place a 20-foot no-build easement over adjacent City property to allow YES to construct its building at its leased property line to maximize park open space.
- (h) Resolution No. 7581 authorizing execution of a two-year grant contract with the Washington State Department of Community, Trade, and Economic Development to accept grant funds for the Eastside Narcotics Task Force (ENTF).
- (i) Resolution No. 7582 authorizing execution of an agreement with Datec, Inc., in an amount not to exceed \$367,806.57 for the purchase of 45 mobile data computer units for the Fire Department as part of their regular replacement cycle.
- (j) Ordinance No. 5747 authorizing: 1) Execution of an agreement with Puget Sound Energy for the acceptance of a funding contribution; 2) Amendment of the 2007-2013 CIP Plan by adjusting the project budget for the 140<sup>th</sup> Avenue NE Pathway Improvements Project (CIP Plan No. PW-W/B-70); and 3) Amendment of the 2007-2013 General Capital Investment Program (CIP) fund to increase the appropriation by \$99,000.
- (k) Ordinance No. 5748 authorizing: 1) Creation of 2.0 FTEs to staff the Best Practices Project; and 2) Amendment of the 2007-2013 CIP Plan by modifying the High Capacity Transit Study (CIP Plan No. PW-R-130) project description and adjusting the project budgets for the High Capacity Transit Study and CIP Contingency (CIP Plan No. G-37).
- (l) Resolution No. 7583 authorizing execution of a professional services contract for engineering services for the 2007 Water Structural Engineering Services for Water Reservoirs and Facilities project, with Berger/ABAM Engineers, Inc., in the amount of \$185,000. (CIP Plan No. W-85)
- (m) Motion to award Bid No. 0723 for Coal Creek Sediment Basin Diversion Weir and I-405 Pond Bypass Pipe project, to Clearcreek Contractors, Inc., in the amount of \$308,389.55 as low bidder. (CIP Plan Nos. D-59 and D-86)
- (n) Resolution No. 7584 authorizing execution of a professional services agreement for the Pressure Reducing Valve (PRV) Station Replacement 2007-2009 project, with BHC Consultants LLS in the amount of \$589,000 for engineering services. (CIP Plan No. W-67)
- (o) Resolution No. 7585 authorizing execution of a two-year professional services contract with Kaye Smith Enterprises in the amount of \$170,400 per year for

printing and mailing of utility bills and notices.

- (p) Resolution No. 7587 authorizing execution of system purchase and maintenance agreements with Locution Systems, Inc., for the purchase, implementation and maintenance of a new voice announcement and alerting system that will be utilized by King County Fire Zone 1 agencies, in an amount not to exceed \$530,369.47; execution of a Fourth Amendment to the Emergency Fire and Medical Communication Services Agreement with Fire Communications Customers to provide for the ongoing maintenance and replacement of the hardware, software and associated equipment supplied as integral parts of the new station alerting system; and to correct a previous error in numbering prior amendments to this agreement.

9. Public Hearings: None.

10. Land Use: None.

11. Other Ordinances, Resolutions and Motions

- (a) 2007 Annual Amendments to the Comprehensive Plan – Threshold Review  
*[The underlined action reflects the Planning Commission’s recommendation.]*

Planning Director Dan Stroh recalled previous discussions with Council to establish the 2007 Comprehensive Plan Amendment (CPA) work program. He noted Mr. VanderHoek’s withdrawal of his CPA proposal (Item 2), as discussed during Oral Communications.

Paul Inghram, Comprehensive Planning Manager, explained that the state Growth Management Act indicates that cities are to amend their Comprehensive Plans no more than once per year. The first step of the City’s process is to establish the work program, and the second step is to conduct a detailed analysis. Tonight’s actions are to set the work program only. Mr. Inghram briefly reviewed the CPA proposals.

1. Move to initiate/not initiate the SRO Factoria proposed amendment into the 2007 CPA work program, expand/not expand the geographic scope as recommended, and direct the Planning Commission to return recommendations through the CPA annual review process;

- ➡ Deputy Mayor Chelminiak moved to initiate the SRO Factoria CPA proposal into the 2007 CPA work program, and to expand the geographic scope. Ms. Balducci seconded the motion.
- ➡ The motion to initiate the SRO Factoria CPA proposal into the 2007 CPA work program carried by a vote of 6-0.

2. Move to initiate/not initiate the VanderHoek Multifamily proposed amendment into the 2007 CPA work program and direct the Planning

Commission to return recommendations through the CPA annual review process;

[No action; CPA proposal withdrawn by applicant.]

3. Move to initiate/not initiate the Courter Enterprises proposed amendment into the 2007 CPA work program and direct the Planning Commission to return recommendations through the CPA annual review process;

➤ Deputy Mayor Chelminiak moved to initiate the Courter Enterprises CPA proposal into the 2007 CPA work program, and Mrs. Marshall seconded the motion.

➤ The motion to initiate the Courter Enterprises CPA proposal into the 2007 CPA work program carried by a vote of 6-0.

4. Move to initiate/not initiate the St. Margaret's Church proposed amendment into the 2007 CPA work program and direct the Planning Commission to return recommendations through the CPA annual review process;

➤ Deputy Mayor Chelminiak moved to initiate the St. Margaret's Church CPA proposal into the 2007 CPA work program, and Mr. Noble seconded the motion.

➤ The motion to initiate the St. Margaret's Church CPA proposal into the 2007 CPA work program carried by a vote of 6-0.

5. Move to initiate/not initiate the Mariner Ridge proposed amendment into the 2007 CPA work program;

➤ Deputy Mayor Chelminiak moved to not initiate the Mariner Ridge CPA proposal into the 2007 CPA work program, and Mr. Degginger seconded the motion.

➤ The motion to not initiate the Mariner Ridge CPA proposal into the 2007 CPA work program carried by a vote of 6-0.

6. Move to initiate/not initiate the Mercer Slough LI to OLB proposed amendment into the 2007 CPA work program and direct the Planning Commission to return recommendations through the CPA annual review process; and

➤ Deputy Mayor Chelminiak moved to remand to the Planning Commission as incomplete the Mercer Slough LI to OLB proposed CPA for the 2007 CPA work program. Ms. Balducci seconded the motion.

Councilmember Marshall suggested asking the Planning Commission to address all LI districts in terms of the Council's concerns.

Responding to Mayor Degginger, Mr. Stroh explained that the purpose of the remand would be to allow the Planning Commission to consider new information affecting the proposal.

- The motion to remand to the Planning Commission as incomplete the Mercer Slough LI to OLB proposed CPA carried by a vote of 6-0.
  - 5. Move to initiate/not initiate the Capital Facilities CIP reference update proposed amendment into the 2007 CPA work program and direct the Planning Commission to return recommendations through the CPA annual review process.
- Deputy Mayor Chelminiak moved to initiate the Capital Facilities CIP Reference Update proposed CPA into the 2007 CPA work program, and Mr. Noble seconded the motion.
- The motion to initiate the Capital Facilities CIP Reference Update proposed CPA into the 2007 CPA work program carried by a vote of 6-0.

Councilmember Davidson described his ongoing concerns about the annual CPA Threshold Review process. He noted the withdrawal of one proposal due to the uncertainty of Council's actions, and he feels individual CPA applicants should be given the opportunity to have their proposals reviewed by the Council.

- (b) Resolution No. 7586 authorizing execution of a Memorandum of Understanding between the Bellevue Police Support Guild and the City extending domestic partner benefits, eligibility criteria and declaration requirements to this bargaining unit on the same basis as unrepresented employees as described in the June 11, 2007 City of Bellevue Domestic Partner Information Summary For Union Notice.

City Manager Steve Sarkozy noted that the resolution addresses the execution of a Memorandum of Understanding (MOU) with the Bellevue Police Support Guild extending domestic partner benefits to this bargaining unit.

Responding to Ms. Balducci, City Attorney Lori Riordan explained that this bargaining unit is the first to come forward and express an interest in accepting the benefits plan proposed by the City. The City Manager has the authority to approve certain MOUs without Council action if the cost does not exceed \$50,000. With the size of this bargaining unit, Ms. Riordan said it is difficult to estimate the costs of the benefits at this point. Discussions will continue with additional bargaining units as well. The process of registering domestic partnerships will begin in August, and benefits will begin in September.

- Deputy Mayor Chelminiak moved to approve Resolution No. 7586, and Dr. Davidson seconded the motion.
- The motion to approve Resolution No. 7586 carried by a vote of 6-0.

- (c) Ordinance No. 5749 adopting the 2006 International Fire Code with local amendments into the Bellevue City Code.

Mr. Sarkozy noted that this and the remaining ordinances relate to the International Fire Code as well as to Bellevue's Building Code and Electrical Code.

Fire Marshal Ken Carlson introduced Gregg Schrader, Building Official, to briefly review the Code amendments affected by the Ordinances.

Mr. Schrader explained that the Washington state Code adoption process follows the model Code at the national level based on its annual review. The new Code is published every third year, and it establishes the minimum Code requirements within the state. The new requirements become effective July 1 of this year, and each city has the option to amend its Code, as long as their Code does not become less restrictive.

Mr. Carlson briefly reviewed the primary areas affected by the new local Code requirements including fire sprinklers, emergency radio requirements, elevators, and Fire Code penalties.

Responding to Councilmember Noble, Mr. Carlson explained that approximately 23 cities in the state administer an Electrical Code themselves rather than have the state Department of Labor and Industries conduct inspections. These cities work together and have essentially identical Electrical Codes. In terms of the Building Code, Bellevue's Code is closely aligned with Eastside cities except for the high-rise provisions for Bellevue.

➡ Deputy Mayor Chelminiak moved to adopt Ordinance No. 5749, and Ms. Balducci seconded the motion.

➡ The motion to adopt Ordinance No. 5749 carried by a vote of 6-0.

- (d) Ordinance No. 5750 authorizing adoption of the new model Building Codes named in the State Building Code with local amendments.

➡ Deputy Mayor Chelminiak moved to adopt Ordinance No. 5750, and Mr. Degginger seconded the motion.

➡ The motion to adopt Ordinance No. 5750 carried by a vote of 6-0.

Ordinance No. 5751 repealing Chapter 3.50 of the Bellevue City Code relating to the Building Code Board of Appeals, and establishing an effective date.

➡ Deputy Mayor Chelminiak moved to adopt Ordinance No. 5751, and Mrs. Marshall seconded the motion.

➡ The motion to adopt Ordinance No. 5751 carried by a vote of 6-0.

(e) Ordinance No. 5752 authorizing adoption of the state and local amendments to the 2005 National Electrical Code to maintain equivalence with the State Electrical Code.

➤ Deputy Mayor Chelminiak moved to adopt Ordinance No. 5752, and Mrs. Marshall seconded the motion.

➤ The motion to adopt Ordinance No. 5752 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

Mayor Degginger declared the meeting adjourned at 9:26 p.m.

Myrna L. Basich  
City Clerk

kaw