

CITY OF BELLEVUE  
CITY COUNCIL

Summary Minutes of Regular Session

August 4, 2008  
8:00 p.m.

Council Chamber  
Bellevue, Washington

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

ABSENT: Councilmember Davidson

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, all Councilmembers except Dr. Davidson were present. Councilmember Bonincontri led the flag salute.

- (a) Introduction of Sister Cities Exchange Students - Kentar Iio from Yao, and Chia-Ju Lin from Hualien

Hugh Burleson, President of the Bellevue Sister Cities Association (BSCA), introduced Kentar Iio from Yao, Japan, and Chia-Ju Lin from Hualien, Taiwan, both Sister City Exchange Students.

3. Communications: Written and Oral

- (a) Christie Hammond, Co-Chair of the Surrey Downs East Link Committee, encouraged the Council to support two wording revisions to the recommendations in the Light Rail Best Practices Committee's report.
- (b) Betsy Blackstock introduced Scott Lampe, the newest member of the Surrey Downs East Link Committee, and Ann Guilford, Co-Chair. They presented a card of thanks to the City Council for its hard work on the light rail best practices and community involvement process.

(c) Lisa Brandenburg, Children's Hospital and Medical Center, encouraged the Council to support the expansion of the Medical Institution District zoning through expedited Comprehensive Plan and Land Use Code amendments.

4. Reports of Community Council, Boards and Commissions: None.

5. Report of the City Manager

(a) Management Briefing on status of Aquatic Feasibility Study

Parks and Community Services Director Patrick Foran provided a briefing on the status of the Aquatic Feasibility Study. The City has been working with a team of consultants and community groups over the past year to identify potential alternatives. Staff is currently analyzing and developing cost estimates for the alternatives. Mr. Foran said the schedule has been delayed by two months to allow for thorough review and analysis. The findings will be reported to the Parks and Community Services Board in October, and to the City Council in November.

Councilmember Chelminiak expressed concern with the timing of the work, and that the opportunity to be funded in the current budget cycle could be missed. He encouraged this to be part of the capital budget discussion when the Council looks at the Parks budget.

Deputy Mayor Balducci expressed support for the study and the need for delay for further analysis. She is open to maintaining a placeholder for potential funding.

6. Council Business and New Initiatives

Councilmember Bonincontri attended the Meydenbauer Park planning workshop.

Councilmember Chelminiak met with certain members of the King County Council, including most recently with Councilmember Larry Phillips about Sound Transit issues.

Councilmember Noble attended a meeting of the Eastside Transportation Partnership (ETP) tolling subcommittee, which he chairs. He attended meetings of the Puget Sound Regional Council (PSRC) Executive Board and the Mental Illness and Drug Dependency Oversight Board.

Deputy Mayor Balducci attended the PSRC tolling and pricing subcommittee meeting. She attended an event at Crossroads Park sponsored by Alpha Supported Living Services, a nonprofit agency.

Mayor Degginger attended the Meydenbauer Park workshop, several meetings related to jail planning, and a meeting of mayors from King, Pierce, and Snohomish counties to discuss regional issues.

Councilmember Noble added that the Council held a special meeting with the Seattle City Council on July 31.

7. Approval of the Agenda

Deputy Mayor Balducci noted the addition of Resolution No. 7786 as Consent Calendar Item 8(u). She requested altering the agenda to move Agenda Item 11(a) to follow Item 11(d).

→ Deputy Mayor Balducci moved to approve the agenda, amended as cited.  
Councilmember Lee seconded the motion.

→ The motion to approve the agenda, as amended, carried by a vote of 6-0.

8. Consent Calendar

→ Deputy Mayor Balducci moved to approve the Consent Calendar, with the addition of 8(u), Resolution No. 7786. Councilmember Chelminiak seconded the motion.

→ The motion to approve the Consent Calendar, amended to add Item 8(u), carried by a vote of 6-0, and the following items were approved:

- (a) Minutes of July 7, 2008 Study Session  
Minutes of July 7, 2008 Regular Session  
Minutes of July 14, 2008 Extended Study Session  
Minutes of July 21, 2008 Study Session  
Minutes of July 21, 2008 Regular Session
- (b) Motion to approve payment of claims for the period July 19, 2008 through August 1, 2008 and payroll for the period July 1, 2008 through July 15, 2008.
- (c) Resolution No. 7772 authorizing execution of a two-year Professional Services contract with LeMaster Daniels, in the amount of \$34,440, for accounting oversight services for the Bellevue Convention Center Authority.
- (d) Resolution No. 7773 adopting and approving the hazard mitigation annex, as approved by the Federal Emergency Management Agency (FEMA), and to be incorporated into the King County Regional Hazard Mitigation Plan.
- (e) Motion to award Bid No. 2803 to Lakeridge Paving Co. LLC, in the amount of \$201,569.85, as the lowest responsible bidder to repair and overlay the existing asphalt parking lot, replace broken curbing and re-stripe the Wilburton Hill Park parking lot.
- (f) Motion to reject the low bid as non-responsive and award Bid No. 8191 to Memo's Construction, in the amount of \$72,000.00, as the lowest responsive and

responsible bidder for the Bellevue Botanical Garden Entry Park Plaza Renovation project.

(g) Development Services Contracts

Resolution No. 7774 amending the contract with Kolke Consulting Group, Inc., to increase the contract limit from \$150,000 to \$300,000, for building plan review services.

Resolution No. 7775 amending the contract with Lani O'Connor, to increase the contract limit from \$150,000 to \$250,000, for building plan review services.

Resolution No. 7776 amending the contract with The Institute for Building Technology and Safety (IBTS), to increase the contract limit from \$49,900 to \$149,900, for building and plan review services.

Resolution No. 7777 amending the contract with Interval, to increase the contract limit from \$100,000 to \$250,000, for electrical plan review services.

- (h) Resolution No. 7778 authorizing execution of a one-year Software Maintenance Agreement renewal with Northrop Grumman Information Technology, Inc., in the amount of \$127,566.15 for ongoing systems maintenance for the Police Records Management System.
- (i) Ordinance No. 5829, repealing Ordinance No. 3960 and 5409 and creating a new Residential Permit Parking Zone 4, restricting parking on streets within the zone to "No Parking 8 AM to 5 PM Except Saturday, Sunday, and Holiday, Except by Zone 4 Permit."
- (j) Motion to award Bid No. 8186, Downtown Bellevue and Rapid Ride Communication Upgrade to Northwest Electric, in the amount of \$138,889.96, as the lowest responsible and responsive bidder for installation of fiber optic cables to signalized intersections (CIP Plan No. PW-R-155).
- (k) Resolution No. 7779 authorizing execution of an Interagency Agreement with the King County Wastewater Division for SE 6<sup>th</sup> Street roadway repairs and rebuild performed by King County Wastewater (CIP Plan No. PW-M-1).
- (l) Resolution No. 7780 authorizing execution of a one-year General Services Contract and three subsequent optional renewals with Graffiti Busters, in an amount not to exceed \$100,000, for citywide graffiti abatement and removal.
- (m) Resolution No. 7781 authorizing execution of a four-year General Services Contract with Bravo Environmental, Inc., in a total contract amount not to exceed

\$560,000, to perform condition assessment and cleaning of portions of the storm drainage system within the City of Bellevue.

- (n) Resolution No. 7782 authorizing execution of a ten-year ingress/egress easement for access to a Sewer Utility lift station across a property located at 2436 West Lake Sammamish Parkway SE.
  - (o) Motion to award Bid No. 8155 for Rosemont Boulevard NE Pavement Overlay and Restoration Project to Lakeridge Paving Co., in the amount of \$271,938.11, as low bidder (CIP Plan No. W-16).
  - (p) Motion to award Bid No. 8156 for 2008 Overlay and Roadway Restoration Project, to Watson Asphalt Paving Company, Inc., in an amount not to exceed \$495,455.00, as low bidder (CIP Plan No. W-16).
  - (q) Motion to award Bid No. 8070 for Sanitary Sewer Repairs Phase 1 2008, to Construct Company LLC, in the amount of \$539,788.66, as the lowest responsive and responsible bidder (CIP Plan No. S-24).
  - (r) Motion to award Bid No. 8122 for Pressure Reducing Valve (PRV) Replacement 2008, to Earthwork Enterprises, in an amount not to exceed \$104,849.56, as low bidder (CIP Plan No. W-67).
  - (s) Resolution No. 7783 authorizing execution of a four-year professional services agreement with Puget Sound Energy, in an amount not to exceed \$144,000, for lockbox processing of Bellevue's utility bill payments.
  - (t) Resolution No. 7784 authorizing execution of a Professional Services Agreement with Seattle Northwest Securities Corporation, in an amount not to exceed \$250,000, to provide financial advisory services.
  - (u) Resolution No. 7786 authorizing approval of payment of \$22,606.92 for final settlement of a claim filed against the City for property damage to the Sonnevil residence caused by water system failures.
9. Public Hearings: None.
10. Land Use: None.
11. Other Ordinances, Resolutions and Motions
- (b) Resolution No. 7785 authorizing execution of an Amended Funding Agreement with KidsQuest Children's Museum in the amount of \$500,000 from the Cultural Arts Funding Earmark in the 2007-2008 Budget. (*Discussed with Council on July 21, 2008.*)

Kate Berens, Deputy City Attorney, recalled discussion on July 21 regarding KidsQuest Museum's request for a reallocation of funds from reimbursement for costs associated with expansion to the use of the funds for renovation and the creation of new exhibits in the existing space. The total amount of funding already approved by the Council does not change. During the July 21 meeting, Council asked that the museum determine whether it would like to defer the funding toward future expansion costs or to use the funding this year for renewing and replacing existing exhibits.

- Deputy Mayor Balducci moved to approve Resolution No. 7785, and Councilmember Bonincontri seconded the motion.
- The motion to approve Resolution No. 7785 carried by a vote of 6-0.

(c) Purchase of Lincoln Center property

Ordinance No. 5832 authorizing execution of : 1) final documents completing the purchase of real property known as the Lincoln Center property located at 555 116<sup>th</sup> Avenue NE; 2) amendment of the 2007-2013 Capital Investment Program Plan (CIP) to create a new CIP project, G-71 Lincoln Center Project and increase the project budget for G-53, CIP Interest and Interim Financing Expense by \$2 million; and 3) amendment of the 2007-2008 General CIP Fund to increase appropriations by \$20,000,000.

City Manager Steve Sarkozy referenced materials beginning on page 11-59 of the packet. Ordinance No. 5832 authorizes the City Manager to execute final documents to complete the purchase of real property known as the Lincoln Center property on 116<sup>th</sup> Avenue NE. The ordinance creates a new Capital Investment Program (CIP) project (G-71 Lincoln Center Project), increases the project budget for G-53 (CIP Interest and Interim Financing Expense) by \$2 million, and amends the 2007-2008 General CIP Fund to increase appropriations by \$20 million. If the City extends NE 6<sup>th</sup> Street across I-405 in the future, there is a possibility that condemnation of the property would be required. Other potential uses of the property include a district court facility.

Deputy Mayor Balducci noted the revised version of the Ordinance in Council's desk packet, which removes references to a property management agreement and lease renewals from the original version of the Ordinance.

- Deputy Mayor Balducci moved to adopt the revised version of Ordinance No. 5832, as provided in Council's desk packet. Councilmember Noble seconded the motion.

While hesitant for the City to purchase real estate in this way, Councilmember Lee supports the Ordinance and feels it will provide a public benefit to the future transportation system.

Mayor Degginger favors the purchase of this property situated in a strategic location, especially if it will avoid the need for condemnation in the future. He noted the property provides the opportunity for a number of public uses.

Councilmember Chelminiak noted that not only is there a very likely transportation use for the property, but it could also provide an interim facility for the district court.

→ The motion to adopt Ordinance No. 5832, as revised and reflected in the desk packet, carried by a vote of 6-0.

Ordinance No. 5833 authorizing issuance and sale of a limited tax general obligation bond anticipation note (BAN) to establish a CIP line of credit in an amount not to exceed \$30 million for a five-year term for the General Capital Investment Program.

→ Deputy Mayor Balducci moved to adopt Ordinance No. 5833, and Councilmember Chelminiak seconded the motion.

→ The motion to adopt Ordinance No. 5833 carried by a vote of 6-0.

(d) Ordinance No. 5834 declaring an emergency to allow adoption of certain amendments to the Comprehensive Plan outside of the 2008 annual amendment process; relating to the Comprehensive Plan of the City of Bellevue, as required and adopted pursuant to the Growth Management Act of 1990, as amended (chapter 36.70A RCW); adopting an amendment initiated by the City Council to consider policies related to regional light rail facilities, amending the Transportation Element of the Comprehensive Plan, to provide policy support for Bellevue's participation in shaping decisions related to the planning, design, construction and operation of a light rail system in Bellevue.

Mr. Sarkozy recalled that the Council appointed the Light Rail Best Practices Committee to study the impacts of future light rail. The efforts of this committee, the Planning Commission, and the City Council resulted in proposed Comprehensive Plan Amendments to guide the planning, design, construction and operation of a light rail system in Bellevue.

Planning Director Dan Stroh explained that the CPA proposal results from the study of light rail systems in other cities, and to apply those lessons in Bellevue. The issues studied were those of the most concern to citizens including routing/alignment, integration with the community, system access, construction, and the mitigation of construction and environmental impacts. The proposed CPAs will place Bellevue in a better position to ensure that light rail is implemented as a good fit for the community.

The Planning Commission recommends approval of the CPAs. They are being considered outside of the normal Comprehensive Plan amendment process because the Council has indicated the importance of adopting the CPAs before release of the Sound Transit East Link

draft Environmental Impact Statement (DEIS). Ordinance No. 5834 declares an emergency to adopt the CPAs now.

→ Deputy Mayor Balducci moved to adopt Ordinance No. 5834, and Councilmember Noble seconded the motion.

Deputy Mayor Balducci noted continued concern by residents about construction impacts. She clarified that she does not support locating construction staging areas in residential neighborhoods, except as a last resort.

Councilmembers Chelminiak and Noble concurred.

Councilmember Bonincontri noted the importance to residents of protecting neighborhood borders. She understands this to mean, and supports, protecting neighborhoods from spillover impacts associated with light rail implementation.

Councilmember Lee noted his objection to placing construction staging areas in neighborhoods, if it is at all possible to avoid.

Councilmember Chelminiak distributed a handout of suggested modifications to the proposed CPAs. Referring to Policy TR-75.5, he suggested amending the policy to add language stating that the routing of high capacity transit will not adversely impact other modes of transportation. He said this is consistent with the Council's existing high capacity transit interest statement.

Deputy Mayor Balducci expressed concern about considering newly proposed revisions to the CPA package at this stage of the process when the Council is being asked to take action on the amendments.

→ Mr. Chelminiak offered his suggestion as a motion to amend. There was no second.

Councilmember Chelminiak reviewed suggested revisions to Policy TR-75.8, which are intended to ensure that overall system performance is considered in determining light rail alignment and station locations.

→ Councilmember Chelminiak moved to amend Policy TR-75.8, as presented in his handout, to add a reference to system performance. Councilmember Lee seconded the motion.

Mr. Chelminiak emphasized the importance of system performance.

→ The motion to amend Policy TR-75.8 by adding a reference to system performance carried by a vote of 6-0.

→ Councilmember Chelminiak moved to amend Policy TR-75.8 by adding a phrase that stations should be located in proximity to residential concentrations as well as employment sites in the downtown. Councilmember Bonincontri seconded the motion.

Deputy Mayor Balducci questioned whether the language about locating a downtown station deliberately mentions employment sites and not residential concentrations. She expressed concern that adding the reference to residential concentrations will make the policy less meaningful in terms of its intent.

Maria Koengeter and Michael Kattermann both recalled that the committee talked about the downtown residential population with regard to construction impacts, but not directly within the context of determining station locations.

Responding to Mayor Degginger, Councilmember Chelminiak clarified his concern that lacking a reference to residential concentrations, the policy could possibly be used in the future to preclude locating a station near a residential high-rise.

Councilmember Bonincontri opined that references to system performance and user convenience adequately cover the issue, with the intent being that the system serve the maximum number of users.

Mr. Chelminiak commented that if there is only one downtown light rail station, he wants to ensure that it is centrally located based on both employment and residential development.

→ The motion to amend Policy TR-75.8, adding a reference to residential concentrations in determining downtown stations locations, carried by a vote of 6-0.

Mr. Chelminiak reviewed his proposed modification to Policy TR-75.9 to add a reference to neighborhood boundaries.

Ms. Balducci said for her the issue was not about how to identify neighborhood boundaries, but she questioned the meaning of the language to protect neighborhood boundaries.

→ Councilmember Chelminiak moved to amend Policy TR-75.9 as described. There was no second.

Mr. Chelminiak described his proposed modification to Policy TR-75.33 to change the term residential neighborhoods to residential uses. This expands on Policy TR-75.18, and clarifies the intent of mitigating noise around residential uses of all types, whether or not in predominately residential neighborhoods.

→ Councilmember Chelminiak moved to modify Policy TR-75.33 to change the term residential neighborhoods to residential uses. Deputy Mayor Balducci seconded the motion.

- The motion to modify Policy TR-75.33 to change the term residential neighborhoods to residential uses carried by a vote of 6-0.
- The motion to adopt Ordinance No. 5834, as amended throughout the discussion, carried by a vote of 6-0.

(a) Expansion of Medical Institution Zoning

Ordinance No. 5830 declaring an emergency to allow adoption of certain amendments to the Comprehensive Plan outside of the 2008 annual amendment process; relating to the Comprehensive Plan of the City of Bellevue, as required and adopted pursuant to the Growth Management Act of 1990, as amended (Chapter 36.70A RCW); adopting Comprehensive Plan Amendments initiated in 2008 to add a new Policy S-BR-42 that defines an area in the Bel-Red/Northup Subarea where a Medical Institution (MI) District designation is appropriate; to modify the Bel-Red/Northup Subarea Plan map to reflect boundaries of the area described in Policy S-BR-42; and to modify Project Number 1 of the Bel-Red/Overlake Transportation Facilities Plan to include location and description of roadway improvements necessary to support development in the expanded MI District.

Mayor Degginger explained that Ordinance Nos. 5830 and 5831 relate to a proposal by Children's Hospital to build an ambulatory care center. Noting that his law firm has provided legal counsel to Children's Hospital, he recused himself from participating in this item and left the table at 9:16 p.m.

Mr. Sarkozy said the proposed Comprehensive Plan and Land Use Code amendments will facilitate the development of the Children's Hospital ambulatory care center by expanding the Medical Institution District. The matter was discussed with the City Council on July 21.

- Councilmember Lee moved to adopt Ordinance No. 5830, and Councilmember Chelminiak seconded the motion.
- The motion to adopt Ordinance No. 5830 carried by a vote of 5-0, with Mayor Degginger recused and Councilmember Davidson absent.

Ordinance No. 5831 amending the Land Use Code to expand the Medical Institution District designation into the Bel-Red Northup Subarea consistent with the language of Comprehensive Plan Policy S-BR-2 and adopting appropriate amendments to the MI District overlay regulations for a newly created MI District Development Area (DA3); amending Sections 20.10.390 and 20.50.034 (M Definitions, and Part 20.25J of the Bellevue Land Use Code. (*Discussed with Council on July 21, 2008.*)

- Councilmember Lee moved to adopt Ordinance No. 5831, and Councilmember Chelminiak seconded the motion.
- The motion to adopt Ordinance No. 5831 carried by a vote of 5-0, with Mayor Degginger recused and Councilmember Davidson absent.

12. Unfinished Business: None.

13. Continued Oral Communications: None.

14. New Business: None.

15. Executive Session: None.

16. Adjournment

At 9:20 p.m., Deputy Mayor Balducci declared the meeting adjourned.

Myrna L. Basich  
City Clerk

/kaw