

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Session

October 6, 2003
8:00 p.m.

Council Chambers
Bellevue, Washington

PRESENT: Mayor Marshall, Deputy Mayor Degginger, and Councilmembers Creighton, Davidson, Lee, Mosher, and Noble

ABSENT: None.

1. Call to Order

The meeting was called to order at 8:06 p.m. by Mayor Marshall, who presided.

2. Roll Call, Flag Salute

Upon roll call by the City Clerk, all Councilmembers were present. Mr. Lee led the flag salute.

(a) Sister Cities Introduction

Kim Gwo, Chair of the Bellevue Sister Cities Association (BSCA) Hualien Committee, introduced Hen-Hua Tsai (Emily), the daughter of the Mayor of Hualien, Taiwan, one of Bellevue's Sister Cities. Emily is studying English and government at Bellevue Community College for the next few weeks.

Mayor Marshall welcomed Emily to Bellevue and gave her a key to the City as well as local community information and maps. Emily presented gifts to Councilmembers, the City Manager, and Deputy City Manager.

(b) Proclamation of October as Disabilities Awareness Month

Parks and Community Services Director Patrick Foran commented on the City's ongoing commitment to providing services for disabled residents. He introduced Kim Hoksbergen, Recreation Program Technician at Highland Community Center, and Susan Hill, Special Education Teacher for Bellevue School District and coordinator of a community-based work training program for the developmentally disabled.

Ms. Hill thanked the following organizations and groups for their partnership with Bellevue School District: ALS Association, At Work Supportive Employment, Disabled Veterans, Downs Syndrome community, Kinderling Center, Highland Center, Special Olympics Program, Young Life's Open Doors Program, King County Parent Coalition, and the Highline Community College Integration Program.

Mayor Marshall read a proclamation recognizing October as Disability Awareness Month in Bellevue.

(c) American Society of Civil Engineers (ASCE) Awards for SE 8th Street Reconstruction Project

David Berg, Transportation Assistant Director, announced that the City recently received two 2003 Outstanding Project Awards from the American Society of Civil Engineers for the SE 8th Street reconstruction project, one for Excellence in Transportation Engineering and the second for Excellence in Geotechnical Engineering. Mr. Berg praised the work of Mike Mattar, Design Division Manager; Bob Goenen, Senior Project Manager; and Jim Firestone, Senior Real Property Agent, over the past two years to ensure the success of this project. He thanked KPFF Consulting Engineers, PanGEO Inc. (geotechnical engineers), and Gary Merlino Construction Company for their superb efforts throughout the project.

Mr. Berg explained how the project area was raised by installing large foam blocks and re-engineered to form a floating roadway. The project team provided creative and innovative solutions to the unusual environmental and geotechnical challenges of the project. The project was originally budgeted at \$3.7 million and was completed \$350,000 below the budget.

3. Communications: Written and Oral

- (a) Bruce Whittaker requested additional Council consideration of Agenda Item 8(f) regarding residential permit parking zone 11. He suggested a mediator be assigned to facilitate discussions between the City, residents, and the International School because students and parents associated with the school have not been involved in this issue. He was told the City did not respond to a survey submitted by the school's administration indicating opposition to the parking proposal. He said this is a bad time to impose the new parking restrictions due to construction at the school.
- (b) Jessica Stone, an International School senior, described the efforts of a student group to identify creative solutions to the parking problem near the school. She said more time is needed to find a workable solution that is acceptable to the school and residents.
- (c) Ann Norman asked Council to postpone action on Agenda Item 8(f) to allow a mediation process to resolve the parking issues. She noted situations in which residential permit parking zones have not worked including an area around the Samena Club and another near Bellevue Square.

- (d) Lelynn Ruggles, a resident across the street from the International School, described her inability to see traffic when she is backing from her driveway due to cars parked along the street. Her mail has not been delivered on several occasions because parked cars prevent access to her mailbox, which is a violation of federal law. She has had to replace landscaping in the past because it has been trampled on and destroyed. She feels it is up to the school and the school board to solve the parking problem.
- (e) Steve Howe, who lives across the street from the entrance to the International School, thanked the City for proposing Ordinance No. 5472. He noted complaints along the street that garbage and mail service is interrupted at times because access is blocked by parked cars.
- (f) Pearl Nordella, a neighbor of the International School, described traffic backups along 128th Avenue SE and SE 7th Place early in the morning, which block residents' driveways. She suggested there is adequate area behind and around the school to add parking facilities on school property.

4. Reports of Community Councils, Boards and Commissions

Kurt White, Chair of the Parks and Community Services Board, updated Council on the Board's key priorities: land acquisition, teen center, liaisons/partnerships, seniors, and kids/youth. The Board will continue working with staff on the accreditation process, the department's Strategic Plan, and program reviews for the Senior Center, Ivanhoe, teen facilities/programs, and special populations.

Mr. White said the Board will begin holding some of its meetings in neighborhood park facilities to encourage the public's involvement. Recent accomplishments include the completion and final adoption of the Parks and Open Space Plan, the transfer of Eastgate Park and initial planning for the new community center (in partnership with Bellevue Boys and Girls Club and others), endorsement of new cellular tower policies, review and update of the Recreation Plan, and hosting the Washington Recreation and Park Association's board and commission training. Mr. White thanked Councilmember Creighton for his support as liaison to the Board.

5. Report of the City Manager: None.

6. Council Business

Dr. Davidson attended the Bellevue Chamber of Commerce annual dinner, the Environmental Services Commission meeting, and a tour of the nearshore habitat of Water Resource Inventory Area 8 with the WRIA 8 Study Group.

Dr. Davidson requested adding Agenda Item 14(a) to discuss Mayor Nickels' response to plans for the I-90 corridor.

Mr. Creighton attended the Chamber of Commerce's annual dinner.

Mr. Mosher reported that many medium-sized cities are signing up for the Association of Washington Cities health benefits program due to the AWC's success with its wellness program, cost controls, and insurance rates.

Mr. Lee attended the Latino-Hispanic Heritage Month celebration at Crossroads and the Eastside Empowerment Forum on communicating with City Hall.

Mayor Marshall reported on the relationship that has developed between a resident, Anna, and workers along the 156th Avenue NE roadway project near Crossroads Shopping Center. Anna is described as an unsteady pedestrian in the best of circumstances who was having trouble navigating the construction zone. In response to offers of help, Anna will receive a walker with a seat with two-thirds of the cost to be covered by the medical supply firm, Crossroads Shopping Center, and construction workers employed by Gary Merlino Construction. She thanked Crossroads Mini City Hall staff for their involvement and support as well.

7. Approval of the Agenda

- Deputy Mayor Degginger moved to approve the agenda, amended to add Agenda Item 14(a) as requested by Dr. Davidson, and Mr. Noble seconded the motion.
- The motion to approve the agenda, as amended, carried by a vote of 7-0.

8. Consent Calendar

Councilmember Noble requested pulling Agenda Item 8(f) for Council discussion.

- Mr. Noble moved to approve the Consent Calendar, as amended, and Mr. Degginger 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:
 - (a) Minutes of September 15, 2003 Study Session
Minutes of September 15, 2003 Regular Session
Minutes of September 22, 2003 Extended Study Session
 - (b) Motion to approve payment of claims for the period ending September 25, 2003, and payroll for the period September 1 through September 15, 2003.
 - (c) Ordinance No. 5471 amending Bellevue City Code, Chapter 3.72.030, authorizing the Civil Service Commission to certify the names of the five highest persons on the eligibility list (Rule of Five) for entry or lateral police officer and firefighter appointments in lieu of the current provisions authorizing certification of the three highest persons (Rule of Three) or top 25% on such eligibility lists.

- (d) Resolution No. 6906 authorizing execution of an amendment to the emergency public works contract with Westwater Construction Company to maintain and stabilize the project site for the NE 29th Place Connection Project (CIP Plan No. PW-R-60).
- (e) Resolution No. 6907 authorizing an agreement with King County Department of Transportation for Commute Trip Reduction (CTR) implementation services.
- (g) Ordinance No. 5473 regarding the matter of the Appeal of Rodney Bonebright et al concerning the assessment reimbursement area and amount of assessments formulated by the Transportation Department for the improvements by Gold Creek Homes, File No. AAD 02-234; adopting the Findings of Fact, Conclusions of Law, and Recommendation of the Hearing Examiner as amended by Council on September 22, 2003.

Item for Council Discussion:

- (f) Ordinance No. 5472 amending Ordinance 5020, extending the existing Zone 11 Residential Permit Parking Zone (RPZ) boundaries with “No Parking, Stopping, Standing, 7am to 9pm Daily Except by Zone 11 Permit” on:
 - Both sides of SE 4th Street between 130th Avenue SE and 128th Avenue SE.
 - East side of 128th Avenue SE between SE 4th Place and SE 7th Place.
 - West side of 128th Avenue SE from SE 7th Place extending north to 617 128th Avenue SE.

And restrictions for “No Parking 7am to 4pm Daily Except by Zone 11 Permit” on:

- Both sides of SE 4th Street between 124th Avenue SE and 128th Avenue SE.
- Both sides of SE 7th Place from 129th Avenue SE, west to house number 12523.

Mayor Marshall asked staff to provide an overview of the parking proposal.

Laurie Gromala, Transportation Assistant Director, explained that Residential Permit Parking Zone 11 was originally implemented to handle spillover parking in the neighborhood from Kelsey Creek Park. Staff began receiving calls in mid-2002 requesting a review of the parking situation surrounding the International School. Residents later asked the City to initiate a residential parking zone (RPZ) to address the problems. The City conducted a survey of all residents living on the streets to be affected by the proposed parking zone and restrictions. More than 90 percent of residents on 128th Avenue SE and more than 70 percent of residents on two side streets were in favor of the RPZ proposal.

Ms. Gromala said the issue was originally scheduled for the City Council on September 15. However, discussion of the matter was postponed due to concerns expressed by the International School. Ms. Gromala said the International School's principal supports the RPZ proposal.

Responding to Deputy Mayor Degginger, Ms. Gromala said some neighbors have been in contact with school administration personnel. Responding to Mr. Noble, she noted the involvement of the ASB (Associated Student Body) in this issue but was not aware of the extent of discussions within the school's administration.

Responding to Mayor Marshall, Ms. Gromala said the International School has substantially less parking than other Bellevue high schools. She said there are RPZ's around every Bellevue high school and a new one near Bellevue Community College.

Mayor Marshall referenced the map of RPZ 11 (Page 8-20 of the Council packet) and questioned the omission of parking restrictions along 129th Avenue SE. Ms. Gromala acknowledged the potential that students will begin to park on 129th Avenue after the new restrictions are in place.

➡ Deputy Mayor Degginger moved to adopt Ordinance No. 5472, and Mr. Noble seconded the motion.

Mr. Degginger feels the proposal is appropriate, given that RPZ's have been established around all Bellevue high schools. He noted the need for the school to meet or mitigate its parking demand.

Mr. Noble suggested the school district should take the necessary measures to enhance parking facilities at the school. He concurs with Mr. Degginger's suggestion to treat all Bellevue high schools equitably.

Responding to Mr. Creighton, Ms. Gromala said the International School was contacted about the parking proposal at the beginning of the current school year. Mr. Creighton feels it is the school's responsibility to address its parking demands on site. However, he proposed deferring the implementation date to give the school more time to develop alternatives, such as a gravel parking lot. Mr. Degginger noted the ordinance becomes effective 30 days after adoption.

Mayor Marshall supports the ordinance because its policies are consistent with RPZ's around other high schools. She emphasized the need for more parking at the International School, particularly since it draws students from the overall community. She is willing to work with the School Board to resolve the issues.

Mr. Lee is disappointed that communication with the International School was not initiated at an earlier date. However, he feels the school has a responsibility to provide adequate parking facilities. He supports the motion as well as continued discussions with the school district.

➔ Mr. Creighton moved to amend the motion to postpone implementation of Ordinance No. 5472 by another 30 days, for a total of 60 days. Mayor Marshall seconded the motion.

Mr. Creighton suggested that 60 days will allow the International School more time to respond to the new parking restrictions.

Mayor Marshall asked the City Manager to arrange a meeting with the School Superintendent and the School Board President to address the parking issue.

City Manager Steve Sarkozy noted the City is currently working with Bellevue School District to expedite permit processing for its new facility. If the International School chooses an alternative such as a gravel parking lot, the City will work to expedite permits for this project as well.

→ The amendment to postpone implementation of Ordinance No. 5472 by another 30 days, for a total of 60 days, carried by a vote of 6-1, with Deputy Mayor Degginger dissenting.

☉ The motion to adopt Ordinance No. 5472, as amended, carried by a vote of 7-0.

9. Public Hearings: None.

10. Land Use: None.

11. Other Ordinances, Resolutions and Motions

- (a) Resolution No. 6908 authorizing the execution of Part 1 of a construction services agreement with Lease Crutcher Lewis to provide the City with General Contractor/Construction Manager (GC/CM) services for the new City building redevelopment project.

Mr. Sarkozy noted that Resolution No. 6908 authorizes the execution of Part 1 of a construction services agreement with Lease Crutcher Lewis as general contractor/construction manager (GC/CM) for redevelopment of the new City building.

Matt Terry, Planning and Community Development Director, explained that the contract authorizes pre-construction services over approximately the next eight months at a cost not to exceed \$310,000. Part 2 of the contract will be executed only if the City Council approves the maximum allowable construction cost (MACC) and contract with the contractor, which is anticipated by mid-2004.

Mr. Terry said staff members continue to work on the sale of the current City Hall site. Council action on the last remaining contingency of the sale, which is the authorization of auto sales uses on the site, is scheduled for October 20. If approved by Council, the property sale will be completed by the end of 2003.

☉ Mr. Mosher moved to approve Resolution No. 6908, and Mr. Noble seconded the motion.

☉ The motion to approve Resolution No. 6908 carried by a vote of 7-0.

12. Unfinished Business

(a) Study Session Agenda Item 2(b) – CIP Line of Credit and Bond Issues

Council and staff resumed their Study Session discussion regarding a Capital Investment Program (CIP) line of credit. Staff recommends establishing a \$35 million line of credit with a fixed interest rate estimated at 1.64 percent to finance interim cash flow borrowing for the 2003-2009 General CIP Plan.

Mr. Lee thanked staff for staying late to continue the discussion. He understands the justification for staff's recommendation but encouraged careful deliberation of the proposal. He would like to address this policy again during the upcoming biennial budget discussions.

Responding to Dr. Davidson, Finance Assistant Director Joe Guinasso explained that the first draw on the line of credit will be approximately \$7 million with a fixed interest rate for 12 months. Additional future draws, if needed, could potentially be subject to different interest rates, however.

Responding to Deputy Mayor Degginger, Mr. Guinasso said the payback period begins in 2006, which is when the CIP Plan model indicates revenues will exceed expenditures. The \$35 million figure represents the 2003-2004 portion of the CIP Plan.

Mr. Degginger asked staff to provide a chart showing anticipated draws and associated payback periods. Mayor Marshall asked staff to include on the chart: 1) when Council set this borrowing policy, and 2) which projects are targeted for the draws from the line of credit.

Dr. Davidson noted that the CIP borrowing policy has been in place for some time but it has never been used because CIP projects were not being completed as quickly as they are now. He suggested a comprehensive review of the CIP Plan and its overall policies.

13. Continued Oral Communications: None.

14. New business

(a) Seattle Mayor's Response to I-90 Corridor Plans

Dr. Davidson explained his disappointment in Seattle Mayor Greg Nickels' response regarding the I-90 corridor. It appears the project will be delayed until Seattle receives federal funding. Dr. Davidson was particularly disturbed by Mayor Nickels' comments regarding Congresswoman Dunn's involvement. Dr. Davidson's research identified a July 7 letter and report from the Inspector General's Office discussing project changes and cost increases by Sound Transit. He noted a cost estimate of \$174 million per mile for the project by the Inspector General's Office, which he compared to a cost estimate of \$74 million per mile for a light rail project in Portland. He encouraged Mayor Nickels to review this report. Dr. Davidson proposed that Council send a letter in response to Mayor Nickels' comments.

- Dr. Davidson moved to send a letter from the Council to Mayor Nickels regarding the mayor's comments on the I-90 project, and Mr. Lee seconded the motion.

Dr. Davidson's interpretation of the situation is that all investments in transportation projects will be deferred until Seattle receives the desired federal funding.

Mayor Marshall noted a signed agreement among jurisdictions regarding the I-90 corridor project, and the City of Seattle's signature has not been removed.

Mr. Mosher feels it would not be beneficial to send the letter. Mr. Noble shares Dr. Davidson's frustration and disappointment. However, he feels it could be counter-productive to send a letter.

Dr. Davidson encouraged Councilmembers and voters to become more familiar with the issues associated with the Sound Transit project and Mayor Nickels' comments.

Mr. Mosher said the recent Inspector General's audit of Sound Transit is positive. As a member of the Sound Transit Audit and Reporting Subcommittee, he noted that other audits have been clean as well. A new Performance Audit Committee has been established and plans to conduct additional audits.

Dr. Davidson withdrew his motion.

Mr. Creighton said he was disappointed by Mayor Nickels' comments and does not understand his position.

Mayor Marshall noted her work with the I-90 Corridor Executive Committee and emphasized that the best solution was identified following careful research and study. The I-90 agreement is signed and Bellevue continues to support regional transportation projects. Bellevue's joint Access Downtown project with Sound Transit and the Washington State Department of Transportation along I-405 is progressing well, both on time and under budget. Mayor Marshall encouraged a continued focus on Eastside transportation projects and successes.

(b) Request for Proposals (RFP) - Mothball M&O of New City Building

Deputy Mayor Degginger referenced the October 1 memo to Council from Facilities Planning and Development regarding the request for proposals (RFP) for the mothball maintenance and operation of the new City building. Beginning January 1, 2004, the City will be responsible for all maintenance and operations of the facility and grounds. The building will remain vacant for approximately six to eight months until the contractor starts construction.

Mr. Degginger expressed concern about the cost associated with the proposed mothball M&O contract. He feels all or most of the items should be provided by current staff.

Mr. Sarkozy said staff will provide a detailed report on the proposal and alternatives for Council. He responded to additional questions of clarification from Councilmembers.

Mayor Marshall suggested exploring the feasibility of hiring Meydenbauer Convention Center, located across the street, to oversee maintenance and operations of the new City building while it is vacant.

15. Executive Session: None.

16. Adjournment

At 9:58 p.m., Mayor Marshall declared the meeting adjourned.

Myrna L. Basich
City Clerk

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