

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Session

April 21, 2008
8:00 p.m.

Council Chamber
Bellevue, Washington

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

ABSENT: None.

1. Call to Order

The meeting was called to order at 8:02 p.m., with Mayor Degginger presiding.

2. Roll Call, Flag Salute

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

(a) Commercial Recycling Awards

Utilities Director Denny Vidmar briefly described the commercial recycling program. Kim Ducote, Allied Waste, presented awards to four businesses. Each will receive a free month of garbage and recycling services.

Small business – La Tienda Grocery with a recycling rate of 87 percent.

Medium-sized business – Del-Teet Furniture and Pot O’Gold Coffee, tied with a rate of 73 percent.

Large business – Northup Building with a recycling rate of 71 percent.

Mayor Degginger congratulated the businesses on their recycling efforts.

(b) Retailer Recognition for Contributions to Regional Water Savings

Mr. Vidmar described the WashWise clothes washer rebate program sponsored by the Cascade Water Alliance and the City. Mike Brent, Cascade Water Alliance, recognized three local retailers for promoting the purchase of high-efficiency machines and the WashWise program: Bellevue Home Depot – 375 WashWise rebates, Bellevue Lowes – 356 WashWise rebates, and

Crossroads Appliance – 289 WashWise rebates.

The water savings generated by these washers when compared to traditional top loading washers adds up to nearly 5.5 million gallons annually.

(c) April – National Volunteer Month

Mayor Degginger expressed appreciation for more than 6,700 volunteers who contributed more than 134,000 hours of service to the City and its citizens in 2007. He commended conservation activities and efforts to enhance and preserve the natural environment, as demonstrated by the preceding awards and by local Earth Day volunteers over the weekend.

Mr. Degginger read a proclamation recognizing April as National Volunteer Month in Bellevue.

Shelly Shellabarger, City Manager's Office, thanked the volunteers for their work and staff for coordinating these activities.

3. Communications: Written and Oral

- (a) Sarah Lewontin, Executive Director of the Housing Resources Group, representing the Housing Development Consortium of King County, spoke in favor of expanding affordable housing options. She thanked the Council and City staff for considering affordable housing as part of the Bel-Red Corridor land use planning.
- (b) Doug Hoople, Human Services Commission Member, thanked the Council for addressing the need for affordable housing.
- (c) Tom Granger, Executive Director of Habitat for Humanity East King County, noted additional members of the organization in the audience. He encouraged the Council to continue its efforts toward affordable housing. Noting that April is Volunteer Month, Mr. Granger said Habitat for Humanity benefits from more than 50,000 volunteer hours in the East King County program.

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

5. Report of the City Manager

(a) Extraordinary Customer Service

City Manager Steve Sarkozy asked staff to describe a recent incidence of extraordinary customer service.

Utilities Director Denny Vidmar explained that Wastewater Operations and Maintenance crew members Dave Dickson and John Ellman were at the Overlake Hospital expansion project with a City inspector when they were alerted about a man slumped over the steering wheel of a car. The employees administered CPR until hospital staff arrived to get the man into the emergency

room. The nurse in the Intensive Care Unit later told them that the man had been revived and that they did a good job in providing CPR. The employees proceeded with the inspection, further demonstrating their commitment to public service.

Fire Chief Mario Trevino praised individuals who learn citizen CPR, noting that Mr. Vidmar ensures that every Utilities field worker is trained in CPR. Chief Trevino presented plaques of recognition to Mr. Dickson and Mr. Ellman.

(b) Consent Calendar Items

Mr. Sarkozy highlighted three items on the Consent Calendar: 1) Sidewalk project along 128th Avenue SE, Agenda Item 8(h); 2) Sidewalk project along NE 8th Street, west of downtown, Agenda Item 8(j); and 145th Place SE sidewalk and bike lane project, Agenda Item 8(m).

Mr. Sarkozy noted that Agenda Item 8(e), Resolution No. 7725, has been pulled from tonight's Consent Calendar pending final revisions to the labor agreement.

6. Council Business and New Initiatives

Councilmember Lee attended the Regional Transit Committee meeting and Bellevue's Earth Day celebration. He participated in a political training event for Asian-Pacific Islanders.

Councilmember Bonincontri attended the Puget Sound Regional Council (PSRC) Growth Management Policy Board meeting and a Zero Energy Idea House event.

Councilmember Davidson attended meetings of the King County Conservation Advisory Board, Cascade Water Alliance planning committee, and the Metropolitan Water Pollution Abatement Advisory Committee (MWPAAC) finance committee.

Councilmember Chelminiak attended the Creating Cooler Communities conference held by the Association of Washington Cities (AWC) in Tacoma and the Washington State Technology Summit at Meydenbauer Center.

Deputy Mayor Balducci attended meetings of the PSRC Transportation Policy Board and the Eastside Transportation Partnership (ETP). She participated in Earth Day activities sponsored by the City.

Mayor Degginger attended the King County Flood Control District Advisory Committee meeting and the Washington State Technology Summit. He participated in a discussion with Redmond Mayor John Marchione during a Redmond Chamber of Commerce meeting, and in a discussion of regional issues at the City Club in Seattle with Mayor Nickels and others.

7. Approval of the Agenda

→ Deputy Mayor Balducci moved to approve the agenda, with the exception of Agenda Item 8(e). Councilmember Chelminiak seconded the motion.

→ The motion to approve the agenda, as amended, carried by a vote of 7-0.

8. Consent Calendar

→ Deputy Mayor Balducci moved to approve the Consent Calendar, with the exception of Item (e). Councilmember Noble seconded the motion.

→ The motion to approve the Consent Calendar, amended to remove Agenda Item 8(e), carried by a vote of 7-0, and the following items were approved:

- (a) Minutes of April 7, 2008 Study Session
Minutes of April 7, 2008 Regular Session
- (b) Ordinance No. 5810 authorizing to vacate a portion of 106th Avenue SE at Cliff Place. *[The required public hearing was held on March 17, 2008.]*
- (c) Motion to approve payment of claims for the period April 5, 2008 through April 18, 2008, and payroll for the period March 16, 2008 through March 31, 2008.
- (d) Resolution No. 7724 authorizing execution of an Interagency Agreement between the Washington State Patrol and Bellevue Fire Department to provide for the reimbursement of allowable fire agency costs incurred while its assets are mobilized in accordance with RCW 43.43.960 and the Washington State Fire Services Resource Mobilization Plan.
- (f) Resolution No. 7726 authorizing submittal of two grant applications requesting a total of up to \$2,000,000 from the Recreation and Conservation Office (RCO) to help offset costs associated with the purchase of the Cich and Carrigan properties.
- (g) Ordinance No. 5811 repealing Ordinance Nos. 3935, 4042, 4115, 4183, 4300, 5015, 5380 and 5312 revising the existing Residential Permit Parking Zone 3 restrictions to “No Parking 7 am to 4 pm, Except Saturday, Sunday and Holiday, Except by Zone 3 Permit” within current Zone 3 boundaries.
- (h) Motion to award Bid No. 8002 to Dennis R. Craig Construction, Inc., in the amount of \$602,622.85, as lowest responsible and responsive bidder for the 128th Avenue SE Sidewalk – SE 25th Street to SE 32nd Street, as part of the Neighborhood Sidewalk Program (CIP Plan No. PW-W/B-76). *[Discussed with Council on April 7, 2008.]*
- (i) Resolution No. 7727 authorizing execution of all documents necessary to acquire certain property rights from BV Holdings, LLC (WASATCH), for the NE 8th Street/106th Avenue NE to 108th Avenue NE project (CIP Plan No. PW-R-152).

- (j) Ordinance No. 5812 authorizing: 1) execution of a grant agreement with the Washington State Transportation Improvement Board to accept \$200,000 in state funding awarded through the Urban Sidewalk Program; 2) amendment of the 2007-2008 General CIP fund to increase the appropriation by \$200,000; 3) amendment of the 2007-2008 General Capital Investment Program (CIP) Plan to increase the project budget for the NE 8th Street/Lake Washington Boulevard to 96th Avenue NE project (CIP Plan No. PW-WB-73); and 4) execution of a Professional Services Agreement with Perteet, Inc., in an amount not to exceed \$338,528, for engineering and design services. *[Discussed with Council on April 7, 2008.]*
- (k) Resolution No. 7728 authorizing execution of a consultant agreement with Reid Middleton, Inc., in the amount of \$1,271,639.13, for the development of the Design Report Phase for the proposed improvements on West Lake Sammamish Parkway, between I-90 and the north city limits (CIP Plan No. PW-R-141).
- (l) Motion to approve an increase to the construction contract with Trimaxx Construction Incorporated (Bid No. 8003) by \$9,000.00 to \$52,829.16, for the NE 30th Street/168th Avenue NE Traffic Calming Project (CIP Plan No. PW-M-7). *[Discussed with Council on April 7, 2008.]*
- (m) Resolution No. 7729 authorizing: 1) Amendment of the project description/scope for the 145th Place SE/SE 16th Street to SE 24th Street and SE 22nd Street/145th Place SE to 156th Avenue SE project; and 2) Execution of an amendment to the Consultant Agreement with Skillings Connolly, Inc., in an amount not to exceed \$606,252, to prepare contract Plans, Specifications and Estimates for the project (CIP Plan No. PW-R-151). *[Discussed with Council on April 7, 2008.]*
- (n) Resolution No. 7730 authorizing execution of a professional services agreement with MWH Americas, in an amount not to exceed \$240,000, to provide on-call construction management and inspection services for Water Utility CIP programs (CIP Plan Nos. W-85 and W-92).
- (o) Resolution No. 7731 authorizing execution of a professional services agreement with Jacobs Engineering Group Inc., in the amount of \$345,000, for the East CBD Sewer Trunkline Improvements project (CIP Plan No. S-52).

Item Postponed:

- (e) Resolution No. 7725 authorizing the execution of a successor labor agreement between the City and the Public, Professional and Office-Clerical Employees and Drivers Local Union No. 763 representing PCD Inspectors, Plans Examiners, and Clearing/Grading Reviewers.

9. Public Hearings

- (a) Public Hearing to take testimony and consider terms of the Development Agreement requested by Wright Runstad & Company to reserve development intensity available under the Bellevue Redmond Overlake Transportation Study (BROTS) Interlocal Agreement.

Land Use Director Carol Helland recalled that Wright Runstad submitted a request to enter into a development agreement with the City. Following discussions since that time, the Council directed staff to schedule a public hearing to consider the terms of the development agreement requested by Wright Runstad.

Ms. Helland noted that the City does not have locally adopted rules for processing development agreements. It is therefore relying on state law requirements contained within the Local Project Approval Act. The law requires that the City Council hold a public hearing on the matter. A development agreement may be adopted by ordinance or resolution.

Ms. Helland referred the Council to page 9-12 of the meeting packet for a summary of the legally required elements within a development agreement.

Ms. Helland referred to page 9-2 of the meeting packet, which presents the main policy issues before the Council: 1) Whether the remaining square footage identified as available for development in the BROTS agreement should be allocated to Wright Runstad, and 2) If yes, how much of the square footage should be allocated?

Responding to Councilmember Chelminiak, Ms. Helland confirmed that Wright Runstad, based on its current property ownership, already has the capacity to develop approximately half of the square footage requested in the development agreement. The area is currently designated for light industrial uses.

Councilmember Noble questioned staff's rationale for recommending the City enter into the development agreement. Ms. Helland explained that the agreement will provide some predictability for both the City and Wright Runstad as the Bel-Red corridor transitions to new land use zoning. In further response, Ms. Helland said there is additional development capacity available beyond the Wright Runstad request. She noted that residential square footage does not apply to the BROTS development allocations.

Ms. Helland replied to additional brief questions of clarification.

→ Deputy Mayor Balducci moved to open the Public Hearing, and Councilmember Chelminiak seconded the motion.

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

Greg Johnson, President of Wright Runstad & Company, urged the Council to adopt the Development Agreement. He explained that the agreement would provide some level of predictability, at least in the initial development phase, and assist Wright Runstad in securing financing for the project.

→ Deputy Mayor Balducci moved to close the Public Hearing, and Councilmember Lee seconded the motion.

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

Deputy Mayor Balducci noted that the development agreement does not commit the City to any specific zoning changes within the Bel-Red corridor or to any permit approvals for Wright Runstad & Company. The only other property owner that has so far expressed an interest in major redevelopment within the area is not subject to the BROTS development limitations. Ms. Balducci supports directing staff to draft a resolution authorizing the City Manager to enter into the development agreement with Wright Runstad.

Councilmember Noble said some citizens have questioned the need to adopt this agreement in advance of land use decisions applicable to the area. He feels it is significant that no other developers have testified before the Council regarding the matter. Mr. Noble concurs with staff's recommendation to proceed with the development agreement.

Councilmember Lee expressed support for the development agreement, which provides predictability and benefits to both Wright Runstad and the City.

Councilmember Chelminiak supports staff's recommendation to proceed with the development agreement.

Councilmember Bonincontri concurred, noting the importance of providing some level of predictability to the Bel-Red corridor redevelopment process.

Acknowledging the complexity of large-scale redevelopment, Dr. Davidson expressed support for the proposed development agreement.

Mayor Degginger supports staff's recommendation. However, he would like for the Council to have one more opportunity to review staff's revisions to the agreement in response to Council's suggestions.

10. Land Use: None.

11. Other Ordinances, Resolutions and Motions: None.

12. Unfinished Business: None.

13. Continued Oral Communications: None.

14. New Business: None.

15. Executive Session: None.

16. Adjournment

At approximately 9:12 p.m., Mayor Degginger declared the meeting adjourned.

Myrna L. Basich
City Clerk

/kaw