

CITY OF BELLEVUE  
CITY COUNCIL

Summary Minutes of Regular Session

July 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 8:05 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) Recognition of outgoing Board and Commission Members

Mayor Degginger praised the hard work of Board and Commission members.

Chapple Langemack, Managing Librarian of Bellevue Regional, Crossroads and Lake Hills Libraries, thanked Diane Graue for her service on the Library Board. Mayor Degginger presented a certificate and gift for Ms. Graue.

City Manager Steve Sarkozy introduced Don Prather, retiring member of the Bellevue Convention Center Authority (BCCA) Board. Mr. Prather has served on the Board since 1995, while also being involved in other community organizations. Mr. Sarkozy recalled the difficult times for the hotel industry following the attacks of September 11, 2001, and commended Mr. Prather for his work with hoteliers and the convention center.

Councilmember Lee noted that Mr. Prather, as manager of the Hilton Hotel, would on occasion offer a room for the night to homeless individuals and help them find assistance.

Parks and Community Services Director Patrick Foran thanked Dr. William Aron for his service on the Parks and Community Services Board. Mr. Foran noted Dr. Aron's career with the National Oceanic and Atmospheric Administration (NOAA), and commended his commitment to youth programs as a member of the Parks Board. Dr. Aron commented that he worked as an ecologist, which studies the interaction of organisms and their community. He said it is important to preserve parks and open space as development occurs.

Councilmember Chelminiak thanked Dr. Aron for his service, as well as Peter Maxim, who was unable to attend this evening.

Mayor Degginger noted that outgoing members of the Transportation Commission will be recognized at an upcoming meeting. He thanked all Board and Commission members for their commitment and hard work as volunteers for the community.

3. Communications: Written and Oral

- (a) Chapple Langemack, speaking on behalf of the Friends of the Library, thanked the Council for its support. As part of the organization's 51<sup>st</sup> anniversary, three Councilmembers were recruited to serve as Ambassadors of Reading. Ms. Langemack distributed photos depicting them in book-related contexts to Councilmembers Davidson, Lee, and Noble. She invited other Councilmembers to participate as well.
- (b) Travis Reisner, Bellevue Youth Theatre Foundation, thanked the Council for its support of the proposal to expand the theatre's facilities to Crossroads Community Center.
- (c) Merle Kenney, Chair of the Bellevue Parks Yes Committee, urged Council's authorization to proceed with a parks levy ballot measure. He noted members present in the audience in support of the levy. He described the park system and the acquisition and development that has been possible due to bond measure funding.

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

5. Report of the City Manager

Mr. Sarkozy noted that Bellevue has been recognized during recent months by several publications including as one of the best cities in which to live by Money magazine, the best city in the country in which to live and start a business by Fortune Small Business magazine, and City of the Year by Washington CEO magazine. He commended volunteers and residents for their role in achieving this type of recognition.

Mr. Sarkozy highlighted Agenda Item 8(c), Ordinance No. 5825 authorizing the receipt of grant funds from the Washington Department of Community, Trade and Economic Development for the purchase of portable generators to be used during emergency events.

Mayor Degginger commented on the windstorm in recent years in which approximately 90 percent of the Bellevue community lost power. The City Council and staff are committed to strengthening the City's emergency preparedness measures.

6. Council Business and New Initiatives

Councilmember Lee attended the City employees' softball tournament, the Regional Transit Committee meeting, and a Roadmap to Success in China workshop.

Councilmember Bonincontri attended the Puget Sound Regional Council (PSRC) Growth Management Planning Board meeting and toured the SR 520 bridge. She thanked staff for the quick turnaround in preparing the Council's feedback on light rail planning from last Monday's meeting for presentation to the Planning Commission on Wednesday.

Councilmember Davidson attended meetings of the Puget Sound Salmon Recovery Council and the WRIA 8 Salmon Recovery Council, as well as the Suburban Cities Association dinner.

Councilmember Chelminiak described his tour of the park system with the Parks Board and highlighted public-private partnerships including the Ashwood Plaza, Mercer Slough Environmental Education Center, and Crossroads water playground.

Councilmember Noble attended the Eastside Transportation Partnership (ETP) meeting.

Deputy Mayor Balducci attended meetings of the PSRC Transportation Policy Board and ETP. She noted that she and her husband are adopting a child, and requested an excused absence from Council meetings beginning September 2 and extending through November 4 at the latest.

→ Councilmember Noble moved to grant an excused absence for Deputy Mayor Balducci as requested, and Mayor Degginger seconded the motion.

→ The motion to grant an excused absence for Deputy Mayor Balducci through as late as November 4 carried by a vote of 7-0.

Mayor Degginger attended the first meeting of the advisory committee related to planning for the BNSF corridor.

## 7. Approval of the Agenda

→ Deputy Mayor Balducci moved to approve the agenda, amended to move Agenda Item 11(a) to occur immediately following Item 8. Councilmember Noble 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, including the revised minutes of the June 2 Study Session as provided in Council's desk packet. Councilmember Noble seconded the motion.

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

- (a) Revised Minutes of June 2, 2008 Study Session [Desk packet version]

Minutes of June 9, 2008 Extended Study Session  
Minutes of June 16, 2008 Study Session  
Minutes of June 16, 2008 Regular Session  
Minutes of June 23, 2008 Extended Study Session

- (b) Ordinance No. 5824 revising the Employment Agreement with the City Manager and establishing the City Manager's Compensation Program for 2008.
- (c) Ordinance No. 5825 authorizing execution of a grant contract with the State of Washington Department of Community, Trade and Economic Development (CTED) of up to \$296,250 for the purchase of Portable Generators to be used to support public facilities in an emergency event; creating a project within the Operating Grants and Donations Fund; appropriating unanticipated and future revenues to that fund; and authorizing the expenditure of said grant funds.
- (d) Motion to award Bid No. 8068 to Bayley Construction in the amount of \$1,723,672, as the lowest responsive and responsible bidder for the construction of the Fleet and Communications Maintenance Shops Co-location project at the Bellevue Service Center.
- (e) Resolution No. 7765 authorizing execution of a sewer easement to the City of Redmond along the east property line of Old Fire Station #3 (14822 NE Bel-Red Road, King County Tax Assessor's No. 262505-9107) and to accept compensation from Redmond in the amount of \$95,800.
- (f) Resolution No. 7766 setting September 2, 2008, as the date for a public hearing to consider the vacation of a portion of NE 26<sup>th</sup> Street between 100<sup>th</sup> Avenue NE and 102<sup>nd</sup> Avenue NE.
- (g) Motion to approve payment of claims for the period July 4, 2008 through July 18, 2008, and payroll for the period of June 16, 2008 through June 30, 2008.
- (h) Resolution No. 7767 authorizing execution of an amendment to the public works contract with Pinnacle Construction Group, Inc., in the amount of \$7,335.70 for change orders required due to hidden conditions discovered during construction and additional work required by City inspectors for the Fire Station 1 Restroom Renovation project.
- (i) Motion to reject bids on Bid No. 8083, 148<sup>th</sup> Avenue SE Street Lighting (Main Street to SE 8<sup>th</sup> Street), CIP Plan No. NEP-1 and PW-M-2 Minor Capital and Traffic Operations, and to rebid at a later date.
- (j) Resolution No. 7768 authorizing execution of an amendment to a consultant agreement with KPG, Inc., extending the length of the agreement and increasing the total contract amount by \$14,986.73 to a total contract amount not to exceed \$57,093.41, to provide engineering design services for traffic calming in the

Enatai neighborhood through the Neighborhood Traffic Calming Program. CIP Plan No. PW-M-7.

- (k) Motion to amend the 2007-2013 CIP Plan by adjusting the CIP Plan No. W-68, Water Service Extension, and the CIP Plan No. W-100, Bel-Red Inlet Capacity Improvement project budgets; and,

Motion to award Bid No. 8091 for Bel-Red Inlet Station Retrofit Project to Gary Harper Construction as low bidder, in an amount not to exceed \$586,778.30. CIP Plan Nos. W-16, W-69, and W-100.

- (l) Resolution No. 7769 authorizing execution of a general services contract with Clearcreek Contractors, Inc., in an amount not to exceed \$112,668, to perform maintenance by removing sediments from the Coal Creek Sediment Basis and the I-405 Regional Detention Facility sediment pond.
- (m) Ordinance No. 5826 authorizing execution of an interlocal agreement with Seattle-King County Department of Public Health to accept grant reimbursement funds of up to \$57,894.09 to implement hazardous waste prevention and education programs in accordance with the Local Hazardous Waste Management Plan (LHWMP); establishing a project within the Operating Grants and Donations Fund; appropriating unanticipated and future revenues to that fund; and authorizing expenditures of said grant funds.
- (n) Resolution No. 7770 authorizing execution of a professional services agreement with Roth Hill Engineering Partners LLC in an amount not to exceed \$200,000 for engineering services for the 2008 AC Watermain Replacement Project. CIP Plan No. W-16.
- (o) Resolution No. 7771 authorizing execution of a Maintenance/Nonprofessional Services agreement with Bravo Environmental, in an amount not to exceed \$127,203 for the Meydenbauer Bay Storm Outfall Maintenance project. CIP Plan No. D-59.
- (p) Ordinance No. 5827 authorizing execution of a Second Amendment to the Interlocal Agreement between the members of the Coalition of Governmental Entities (Coalition) for the prosecution of challenges to the NPDES Phase II permits, appropriating the unanticipated revenues from the financial contributions made by the Coalition members to the Operating Grants and Donations Fund, and authorizing execution of an amendment to the Agreement for Professional Services between the City of Bellevue as lead agency for the Coalition and Foster Pepper PLLP to increase the amount to be paid for fees and services of the Coalition's attorneys and experts of up to \$1,225,000.

11. Other Ordinances, Resolutions and Motions

- (a) Ordinance No. 5828 authorizing a parks and open space levy lid lift to be placed on the November 4, 2008 election ballot to provide \$40,500,000 in capital funding over the next 20 years and \$666,000 per year in ongoing maintenance and operations funding.

Mr. Foran requested Council approval to present a parks and open space levy lid lift bond measure to voters on the November 4 ballot.

Doug Sanner, Parks Fiscal and Quality Control Manager, explained that the election ordinance authorizes a ballot measure for a property tax increase of 12 cents per \$1,000 of assessed valuation, to be used for parks purposes. He noted the list of projects on page 11-8 of the meeting packet that are to be included in the ballot package. The ordinance identifies Council's role in determining the final project specifications and timing, and provides flexibility to substitute projects by ordinance if needed, over the duration of the levy.

Section 2 of the ordinance authorizes the City Clerk to certify the ballot proposition with the King County Director of Records, Elections, and Licensing. It also sets the ballot language for the upcoming election. If approved by Council this evening, this action complies with King County's required 84-day advance notice provision. If ultimately approved by the majority of voters, this measure will result in a first-year property tax of 12 cents per AV. Ten cents of the increase has a 20-year time limit and will accomplish the acquisition and park improvement package over the next 20 years. Two cents of the increase is for ongoing parks maintenance and operations costs of the projects approved by the measure.

Mr. Sanner explained that the measure protects approximately \$9 million in banked property tax capacity by lifting the City's 2008 highest lawful levy from \$1.21 to \$1.33 per \$1,000 AV. While the City's 2009 property tax rate will not reach this authorized limit, this ordinance clearly states that the City's policy intent is to preserve the current banked capacity for future City needs. The measure replaces the levy associated with the expiring 1988 parks bond, which had an average property tax rate of 17 cents per \$1,000 AV. If approved, the proposed measure will cost the typical Bellevue homeowner approximately \$71 annually.

Dr. Davidson supports the proposed ballot measure, which replaces an expiring bond.

Responding to Councilmember Chelminiak, Mr. Sanner said the City's current tax rate is 93 cents per \$1,000 AV. Without an increase in assessed valuation, the ballot package would increase the property tax rate to a maximum of \$1.05 per \$1,000 AV during the first year. With regular AV growth, the tax rate is expected to return to the current 93-cent rate in approximately two years. In further response, Mr. Sanner confirmed that as assessed valuation increases, the property tax rate decreases.

→ Councilmember Bonincontri moved to adopt Ordinance No. 5828, and Mr. Chelminiak seconded the motion.

Councilmember Chelminiak expressed support for the motion as financially responsible and beneficial. It replaces an expiring levy and represents a common measure used by cities to fund

their parks and open space systems.

Deputy Mayor Balducci noted strong community support for the City's park facilities. The proposed ballot package provides projects throughout the community including trails, sports fields, neighborhood parks, Bellevue Youth Theatre, Bellevue Botanical Garden, and major downtown parks.

Councilmember Davidson described the ballot package as well planned and long over due. He noted that the tax rate will be lower than under the previous parks levy.

Councilmember Lee expressed support for the proposed levy, and noted the importance of preserving parks and open space along with development. He explained that the Council and staff discussed options for achieving parks funding over the past couple of years, resulting in the proposed method of a levy lid lift.

Councilmember Noble said the parks ballot package represents an investment in the future. The community's park and open space assets were an important factor in Bellevue's recognition by Money magazine as one of the best cities in which to live.

Councilmember Bonincontri expressed support for the parks levy and encouraged residents to vote in November.

Mayor Degginger supports the measure, which provides a good mix of acquisitions, the completion of ongoing projects, and new projects to continue to make the park system even better than it is today.

→ The motion to adopt Ordinance No. 5828 carried by a vote of 7-0.

Councilmember Chelminiak explained that the City advertised for applicants to write the Pro and Con statements for the parks levy measure. The City received applicants for the Pro Committee but none for the Con Committee.

→ Councilmember Chelminiak moved to appoint Nan Campbell, Merle Kenney, and Michael Yantis to serve as the Pro Committee to write the voters pamphlet statement in favor of the Parks and Open Space Levy. Mr. Lee seconded the motion.

→ The motion for appointments to the Parks Levy Pro Committee carried by a vote of 7-0.

## 9. Public Hearings

- (a) Second Public Hearing on the 2009-2010 Budget and 2009-2015 Capital Investment Program (CIP) Plan

Mayor Degginger explained that this is the second public hearing on the 2009-2010 Budget and 2009-2015 Capital Investment Program (CIP) Plan.

- Deputy Mayor Balducci moved to open the public hearing, and Councilmember Lee seconded the motion.
- The motion to open the public hearing carried by a vote of 7-0.

The following citizens came forward to comment:

- 1) Betina Finley, Arts Commission Chair, requested increased funding for both the Eastside Arts Partnerships and Special Projects programs, continued implementation of the Cultural Compass, financial support for a small downtown theatre, and public art projects funding. She requested the conversion of the public art limited-term employee position to a full-time position.
- 2) Caitlin Hillary, Vice President of Strategic Planning and Marketing, Overlake Hospital Medical Center, described monthly committee meetings with the City, WSDOT, and others to monitor traffic flow around and through the Medical Institution District. She thanked Council for its support and staff's coordination of these activities.
- 3) Bill Biggs, Group Health, submitted a letter outlining a request for transportation projects to maintain access to both the business and hospital districts, and to direct non-hospital district traffic to those destinations in an efficient manner. He noted the importance of accessibility for emergency vehicles.
- 4) Marty Jacobs, Child Care Resources, thanked the Council for its ongoing support. She described how expensive child care is, noting that many providers will not accept subsidies. Child Care Resources' services include phone line assistance, recruiting for new child care providers, and assisting the homeless. She noted that Bellevue was the first city to provide child care funding to help the homeless. Ms. Jacobs encouraged everyone to watch King 5 news tonight for a story on the shortage of child care providers.
- 5) Jennifer Fischer, Bellevue Downtown Association and Bellevue Jazz Festival, thanked Council and the Arts Commission for supporting the jazz festival, and presented a framed poster from the event to the Council. She requested funding support for the 2009 and 2010 festivals. Next year's event will occur over Memorial Day weekend.
- 6) Scott Ketron, Music Works Northwest, encouraged the Council to provide financial support for the 2009 and 2010 Bellevue Jazz Festivals. He noted that the festival provides both educational and entertainment opportunities for the community.
- 7) Shannon Boldizar, Bellevue Chamber of Commerce, distributed a letter to the Council outlining the Chamber's request for continued funding of transportation projects that will support growth throughout the community, not just in the downtown. She asked the Council to consider its long-term bonding capacity as an opportunity for funding. She encouraged the transfer of maintenance and operations costs related to capital projects to the Operating Budget.

- 8) Kirk Ishizaki, Eastside Domestic Violence Program, thanked the City for its ongoing support and distributed copies of their annual report.
  - 9) Meghan Altimore, Hopelink, thanked the Council for its ongoing support of the ARCH Housing Trust Fund and other human services providers.
  - 10) Leslie Lloyd, Bellevue Downtown Association, referred to the letter distributed by Ms. Boldizar regarding requested transportation funding. The demand for transportation facilities continues to grow as the number of residents and workers in downtown Bellevue increases. Ms. Lloyd noted the need for funding to complete the extension of NE 10<sup>th</sup> Street across I-405.
  - 11) Dorothy Lengyel, Downtown Action to Save Housing (DASH), noted that the organization works with the business community to provide affordable housing. She commented on the growing need for housing due to increasing real estate and rental costs.
- Deputy Mayor Balducci moved to close the public hearing, and Mr. Lee seconded the motion.
- The motion to close the public hearing carried by a vote of 7-0.
10. Land Use: None.
  11. Other Ordinances, Resolutions and Motions
    - (b) Resolution No. 7772 authorizing execution that certain Amended Funding Agreement with KidsQuest Children's Museum not exceed \$500,000 from the Cultural Arts Funding Earmark in the 2007-2008 Budget.

Mr. Sarkozy opened discussion regarding an amended funding request from KidsQuest Children's Museum.

City Attorney Lori Riordan referred to page 11-21, a memo that provides figures on the museum's attendance, which was asked during the earlier Study Session.

Councilmember Noble noted that the museum has been an asset for the community. Responding to Mr. Noble, Ms. Riordan said the amended request is consistent with the principles initially identified in granting the funding allocation.

Responding to Ms. Balducci, Ms. Riordan said exhibits to be funded by the allocation are permanent. Putter Bert, KidsQuest Executive Director, said exhibits cost \$500 to \$1,500 per foot. She briefly described exhibits to be renovated and added.

Mayor Degginger stated his previous understanding that the museum was to be expanded. Ms. Bert clarified that the museum is staying in its current space for the time being. A consultant

study determined that the museum needs more space. However, it also determined that the museum is young and needs further growth and financial support before it expands.

Responding to Councilmember Chelminiak, Ms. Bert stated her understanding that the museum's funding request could not be extended and that it should instead be modified in light of the museum's decision to not expand at this time.

Ms. Riordan reviewed the Council's previous discussion indicating that the Council preferred to not extend the funding into the next budget. However, Ms. Riordan said it would be legal to do so. Council's options are to reappropriate the funds and carry them over into the next budget, allow the funding to lapse, or to approve the amended request.

Councilmember Lee spoke in support of reappropriation.

Deputy Mayor Balducci suggested deferring action at this time to allow for further information to be provided to the Council and staff. Mayor Degginger and Councilmembers concurred.

Mr. Sarkozy acknowledged that the change in the economy has had an impact on financial support to the museum.

Mayor Degginger requested information regarding how the funds would be spent and within what time period.

12. Unfinished Business: None.
13. Continued Oral Communications: None.
14. New Business: None.
15. Executive Session: None.
16. Adjournment

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

Myrna L. Basich  
City Clerk

/kaw