

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Session

October 5, 2009
8:00 p.m.

Council Chamber
Bellevue, Washington

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

ABSENT: None.

1. Call to Order

The meeting was called to order at 8:06 p.m., with Mayor Degginger presiding.

2. Roll Call, Flag Salute

Upon roll call, all Councilmembers were present. Deputy Mayor Balducci led the flag salute.

3. Communications: Written and Oral

(a) Melissa Johnson expressed support for the Bellevue High School renovation project and the plan to add access to the school from 108th Avenue. She feels this will relieve congestion, increase safety for drivers and pedestrians, and provide a more convenient way for parents to access the school. She encouraged the Council to drive through the area before or after school to observe the traffic.

(b) Diana Spickerman thanked the City for adding sharrow markers, arrow-like designs painted on a roadway to indicate bicycle routes, on certain streets that do not have separate bicycle lanes. She asked if there is a map depicting where other sharrow markers are or will be located.

City Manager Steve Sarkozy suggested Ms. Spickerman contact the Transportation Department for that information.

(c) Will Knedlik, representing Eastside Rail Now, presented the organization's formal views about light rail funding orally and in writing. The group prefers that light rail not be routed in the I-90 corridor. If this is unavoidable, the group prefers using the existing BNSF alignment with a signature rail station on the line in what will become the eastern

core of downtown Bellevue within 50 years, if not sooner. He described four major sources for financing light rail suitable to the Eastside, and continued to review his written submittal.

- (d) Steve Nolan, Transportation Solutions, Inc., said his firm is working with Wright Runstad on the Spring District project, which is a large transit oriented development project in the Bel-Red area. He noted a letter from Greg Johnson, President of Wright Runstad, regarding changes to the transportation management program discussed tonight. Mr. Nolan said his firm raised the issue of what it perceives as the lack of real incentives for successful implementation of transportation management plans. He proposed an adjustment of the transportation impact fee related to the successful implementation of the project. This was discussed, but not ultimately endorsed, by the Transportation Commission. Mr. Nolan expressed an interest in working with staff and the Transportation Commission to discuss the issue further.
- (e) Sarah Vega introduced herself as Program Manager for TransManage, a service of the Bellevue Downtown Association. She thanked the Council for its commitment during the earlier Study Session to further review the Transportation Management Program (TMP) menu of options for points allocation. She encouraged an increase in the value of points assigned to TransManage services, and asked that more points be assigned to TMA membership within the current menu of options. Ms. Vega further suggested adding a menu item that enhances direct communication channels with employers. She asked the Council to help preserve TransManage's ability to continue serving Bellevue.
- (f) Jim Hill, Kemper Development Company, spoke regarding the Transportation Management Program code amendments discussed during the earlier Study Session. He thanked staff and the Transportation Commission for their hard work on this project. One issue of concern to Mr. Hill is that TMP agreements with the City are recorded documents with the County which become an additional encumbrance upon property for the life of a building. Mr. Hill expressed support for applying the requirements citywide and for Option 4. He stated that reducing SOV travel to 20 percent is a step in the right direction. However, he wondered whether this is feasible in light of history. Regarding Option 5, Mr. Hill expressed concern with the requirement that the contract remain in place for the life of the building. He noted that if buildings fail to meet TMP goals after a period of time, perhaps something is wrong with the goals. Mr. Hill feels that the point system needs further discussion.
- (g) Janie Lee stated her support for the proposed second access to Bellevue High School, and urged the Council to consider this plan.

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

5. Report of the City Manager

- (a) Management Brief on Government Finance Officers Association Distinguished Budget Presentation Award

City Manager Steve Sarkozy reported that the City has received the Government Finance Officers Association's Distinguished Budget Presentation Award for the 20th year in a row.

Finance Director Jan Hawn commented that the award demonstrates the commitment of both the elected officials and staff to the highest principles of governmental budgeting. Budget documents are judged on their effectiveness as a policy document, financial plan, operations guide, and communication device. A number of criteria are used within each category of proficiency. Ms. Hawn commended Budget Manager Jonathan Swift and his staff, as well as fiscal managers within departments, for their hard work and professionalism with the budget.

Mayor Degginger congratulated staff for continuing a long track record of budget preparation.

(b) Management Brief regarding Stormwater Pollution Prevention Communication Plan

Utilities Director Denny Vidmar noted that code amendments required for compliance with the National Pollutant Discharge Elimination Systems (NPDES) permit are on tonight's Consent Calendar. Along with the code amendments, the Stormwater Pollution Prevention Communication Plan has been revised to reinforce the City's public education and voluntary compliance approach. Mr. Vidmar showed a short video communicating the message of reducing illicit pollutant discharges.

Mayor Degginger complimented staff on the video and their work on the plan.

6. Council Business and New Initiatives

Councilmember Chelminiak reported on the State Building Code Council meeting, and recalled previous discussions about requiring sprinklers in all single-family residential units over 5,000 square feet. The International Building Code was changed recently stating that all new residential construction will have sprinklers. The current status in Washington is that a municipality may adopt a sprinkler code, but it must appear before the State Building Code Council to demonstrate a significant reason for the requirement. Many fire service agencies are urging the adoption of the International Building Code standard, while the building community wants to retain the current regulations. The proposal before the State Building Code Council allows local cities and counties to adopt the stricter sprinkler ordinance without having to present the proposal to the State Building Code Council.

Councilmember Creighton reported that he recently returned from an overseas trip. He noted that the U.S. economy looks good when compared to other parts of the world. He had the opportunity to do a fair amount of travel by light rail and to witness the construction of light rail.

Deputy Mayor Balducci reported on a series of discussions related to pending funding cuts of transit services by King County Metro.

Councilmember Davidson attended a workshop on reclaimed water sponsored by the Wastewater Division of King County. This is part of a comprehensive planning process that is likely to extend over the next couple of years. He noted it will be important for Bellevue to have a voice in these issues.

Councilmember Bonincontri attended a meeting of the Governing Board of the Committee to End Homelessness.

Councilmember Lee attended the Mercer Slough event sponsored by Coca Cola, and accepted a check of \$5,000 toward maintenance of the Mercer Slough Trail. He attended meetings of the Bellevue Chamber of Commerce and Enterprise Seattle, as well as a meeting with the Mayor and Dow Constantine, Chair of the Regional Transit Committee.

Mayor Degginger attended meetings of the Growth Management Planning Council and Cascade Water Alliance. He participated in the Bennett Elementary School walkathon to raise money for their PTSA programs.

7. Approval of the Agenda

→ Deputy Mayor Balducci moved to approve the agenda, and Councilmember Chelminiak seconded the motion.

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

8. Consent Calendar

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

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

- (a) Minutes of September 8, 2009 Study Session
Minutes of September 8, 2009 Regular Session
Minutes of September 14, 2009 Extended Study Session
- (b) Motion to approve payment of claims for the period September 19, 2009 through October 2, 2009 and payroll for the period September 1, 2009 through September 15, 2009.
- (c) Resolution Nos. 7981, 7982, 7983, 7984, and 7985 authorizing execution of a General Services Contract between the City and various contractors for On-Call Landscape Maintenance services.
- (d) Resolution No. 7986 authorizing execution of a four-year contract with Andrews Consulting, LLC, in an amount not to exceed \$300,000, for the purpose of

operating and managing programs and services at the Bellevue Challenge Course located in Eastgate Park.

- (e) Resolution No. 7987 authorizing execution of a four-year contract with Mini-Mountain Sports Center, Ltd., in an amount not to exceed \$150,000, for the purpose of operating and managing programs and services at the Indoor Climbing Wall located in the South Bellevue Community Center.
- (f) Resolution No. 7988 authorizing execution of a professional service contract with Brown and Caldwell for engineering services, in an amount not to exceed \$465,000, for the Sanitary Sewer Repairs 2010-2011 project (CIP Plan No. S-24).
- (g) Resolution No. 7989 authorizing execution of a professional service contract with Taylor Associates, Inc., in an amount not to exceed \$160,000, to implement conditions of the Interagency Agreement between the City and the Washington State Department of Ecology as authorized by Ordinance No. 5895.
- (h) Resolution No. 7990 authorizing execution of an agreement to relinquish a storm drainage pipeline easement no longer required by the Storm and Surface Water Utility for property located at 10722 NE 24th Street.
- (i) Resolution No. 7991 authorizing execution of an agreement to relinquish two water pipeline easements no longer required by the Water Utility for property located at 17243 SE Cougar Mountain Drive.
- (j) Resolution No. 7992 authorizing execution of an Interlocal Cooperation Agreement with the King County Flood Control District for the disbursement of opportunity funds.
- (k) Code amendments implementing mandatory National Pollutant Discharge Elimination System (NPDES) and Non-NPDES permit requirements

Ordinance No. 5905 repealing Chapter 24.06 of the Bellevue City Code in its entirety and replacing it with a new chapter; providing for severability; and establishing an effective date.

Ordinance No. 5906 amending Chapter 23.76 of the Bellevue City Code, specifically amending sections 23.76.005, 23.76.015, 23.76.025, 23.76.030, 23.76.032, 23.76.035, 23.46.040, 23.76.060, 23.76.070, 23.76.080, 23.76.088, 23.76.090, 23.76.093, 23.76.095, 23.76.100, 23.76.140, 23.76.160, 23.76.170, 23.76.175, 23.76.190; creating sections 23.76.010, 23.76.020; repealing section 23.76.120; providing for severability; and establishing an effective date.

Ordinance No. 5907 adopting section 1.18.075 in Chapter 1.18 of the Bellevue City Code establishing escalating enforcement procedures for violations relating

to control of illicit discharges, Chapter 24.06 BCC, and Chapter 23.76 BCC; providing for severability; and establishing an effective date.

9. Public Hearings: None.

10. Land Use

- (a) * Consideration of the application of Gary Abrahams of T-Mobile for a Conditional Use Permit to replace a parking lot area standard with a wireless communication facility that includes a 120-foot tall monopole and a 160 square foot equipment shed. The site is located in the jurisdiction of the East Bellevue Community Council and serves the Bellevue Seventh Day Adventist Church located at 15 – 140th Avenue NE. File No. 08-143285-LB.

(Council discussion on this quasi-judicial matter was held on September 21, 2009. This is a Process I application within the jurisdiction of the East Bellevue Community Council; therefore, the Hearing Examiner provides a written recommendation to Council, which is the decision-making body. An appeal of the Hearing Examiner's recommendation was not filed. The Hearing Examiner recommends Council approval with conditions.)

Ordinance No. 5908 approving the conditional use application of Gary Abrahams of T-Mobile to replace a parking lot area standard with a wireless communication facility that includes a 120-foot tall monopole and a 160 square foot equipment shed that will serve the Bellevue Seventh Day Adventist Church located at 15 – 140th Avenue Northeast, subject to conditions.

Carol Helland, Land Use Director, recalled previous discussion with the Council on September 21 regarding the application of T-Mobile for a Conditional Use Permit to replace a parking lot area standard with a wireless communication facility. She noted additional photo-simulations of the facility in Council's desk packet as requested. The metal pole has a diameter of 24 inches and is 120 feet high.

Regarding Council's inquiries about the possibility for smaller equipment in the future, Ms. Helland explained that wireless facilities are designed as taller poles that communicate with each other via a line of sight. The City's code requires providers to demonstrate that proposed equipment is the minimum necessary to meet the identified service need.

Ms. Helland noted this is a Process I application within the jurisdiction of the East Bellevue Community Council.

Responding to Mayor Degginger, Ms. Helland said a courtesy hearing has been held before the East Bellevue Community Council.

→ Deputy Mayor Balducci moved to adopt Ordinance No. 5908, and Councilmember Davidson seconded the motion.

→ The motion to adopt Ordinance No. 5908 carried by a vote of 7-0.

11. Other Ordinances, Resolutions and Motions

- (a) Ordinance No. 5909 determining the public advantage of vacating portions of 105th Avenue SE, south of SE 8th Street, and SE 8th Street, east of Bellevue Way, and vacating the same, subject to certain conditions.
(The required public hearing was held on May 4, 2009.)

City Manager Sarkozy introduced proposed Ordinance No. 5909 regarding the public advantage of vacating portions of 105th Avenue SE, south of SE 8th Street, and of SE 8th Street, east of Bellevue Way, subject to certain conditions.

Nora Johnson, Civic Services Director, briefly reviewed the process for vacating right-of-way. The City initiated this street vacation because the ROW is adjacent to Fire Station 1. Public notice was issued, and a public hearing was held during the May 4 Council meeting. One person, an adjacent property owner, testified at that time. She noted his letter in the meeting packet for Council's review. No other comments have been received.

→ Deputy Mayor Balducci moved to adopt Ordinance No. 5909, and Councilmember Chelminiak seconded the motion.

→ The motion to adopt Ordinance No. 5909 carried by a vote of 7-0.

- (b) Resolution No. 7993 authorizing execution of a consultant agreement with PB Americas, Inc. (formally known as Parsons Brinckerhoff), in an amount not to exceed \$1,189,845, for the preparation of an Engineering Design Report for the NE 4th Street extension from 116th Avenue NE to 120th Avenue NE, as part of the Mobility and Infrastructure Initiative (CIP Plan No. G-80).

City Manager Steve Sarkozy explained that Resolution No. 7993 is a proposed consultant agreement with PB Americas, Inc., for the preparation of an engineering design report for the NE 4th Street extension project. He noted that the project is a key component of the Mobility and Infrastructure Initiative and a key transportation element needed for the future.

Dave Berg, Deputy Director of Transportation, provided an overview of the consultant agreement approved in Resolution No. 7993 for the NE 4th Street extension project. He noted the importance of working with adjacent property owners and stakeholders to minimize the impacts of the project and to ensure the City has access to the parcels. Toward this goal, the agreement will provide detailed survey information. Additional issues include the crossing of the BNSF railroad ROW, federal guidelines associated with a potential grant, geotechnical investigation, and an overall aggressive schedule.

Noting the significant cost of the agreement, Councilmember Davidson asked about the consultant selection process. Mr. Berg explained that staff followed key criteria for the selection

of consultants and interviewed four firms. PB America has experience in key areas including previous work with Burlington Northern and federal requirements for the design process.

Councilmember Lee expressed support for the project.

Mayor Degginger noted that the project is identified as a top priority in the Mobility and Infrastructure Initiative, and the City's investment will enable the receipt of federal grant funding.

Deputy Mayor Balducci communicated her understanding that the reason the project did not originally get onto the grant list is that it is not yet on the federal classification system. The project is, however, in the top spot on the contingency list. Ms. Balducci said it is important to also get the project into the Puget Sound Regional Council (PSRC) plan in order to be eligible for grant funds. The City is aggressively moving forward in both of these areas in order to be able to leverage its investment.

→ Deputy Mayor Balducci moved to approve Resolution No. 7993, and Councilmember Creighton seconded the motion.

→ The motion to approve Resolution No. 7993 carried by a vote of 7-0.

- (c) Ordinance No. 5910 authorizing the issuance and sale of a limited tax general obligation bond anticipation note of the City in the principal amount of not to exceed \$30,000,000 for the purpose of financing projects included in the City's Capital Investment Program and repaying the City's Limited Tax General Obligation Bond Anticipation Note, 2008; providing the form, terms, conditions, covenants and maturity of the note; authorizing the sale of the note; providing for the disposition of the proceeds of sale of the note to pay for such acquisition and for costs of issuing the note; and providing for the issuance of limited tax general obligation bonds of the City.

(Discussed with Council on September 14, 2009.)

Mr. Sarkozy introduced proposed Ordinance No. 5910 authorizing the issuance and sale of a limited tax general obligation bond anticipation note in the principal amount of not to exceed \$30,000,000 for the purposes of financing cash flow borrowing for projects included in the City's Capital Investment Program (CIP) and repaying the City's 2008 Limited Tax General Obligation Bond Anticipation Note. This item was previously discussed with the Council on September 14.

Finance Director Jan Hawn explained that the Ordinance authorizes a line of credit of up to \$30 million, and includes annual borrowing at a 1.61 percent fixed rate. Transaction costs are included in the 2009-2015 CIP Plan.

Responding to Councilmember Davidson, Ms. Hawn said the original CIP Plan was front-loaded and would have required roughly \$56 million in cash flow borrowing. At this time staff is requesting the minimal amount to get through the first year or so of the CIP Plan. Dr. Davidson

expressed concern that the Council is being asked to approve borrowing before discussions to reprioritize projects within the CIP Plan have been completed.

Mr. Sarkozy noted the favorable interest rate on the borrowing. However, staff is moving cautiously with the CIP spending plan pending the reprioritization of some projects by Council.

Responding to Councilmember Davidson, Ms. Hawn said the line of credit will be repaid over the seven-year CIP Plan.

Councilmember Creighton noted that not only is the City benefiting from the favorable interest rate, but it will be able to complete projects while the cost of building is down.

Mr. Sarkozy said the CIP Plan accomplishes primarily transportation projects in an environment in which the City is receiving bids that are roughly 30 percent below the engineer's estimate. While the City tends to avoid cash flow borrowing, the current economic downturn makes it necessary in order to complete projects.

Deputy Mayor Balducci echoed Dr. Davidson's concern that the Council had not finished its discussion of the CIP Plan and the reprioritization of projects. Ms. Hawn said the proposed cash flow borrowing is consistent with previous discussion with the Council regarding the short-term budget strategy. However if the Council modifies the list of projects in the short-term plan, it might be necessary to adjust the level of cash flow borrowing. In further response, Ms. Hawn said \$30 million is the amount that staff estimates will be needed for the short-term plan discussed by the Council and staff.

Deputy Mayor Balducci questioned the additional costs that would be incurred if the Council chooses to increase its cash flow borrowing. Budget Manager Jonathan Swift said additional debt issuance that would be considered for the Mobility and Infrastructure Initiative would be based on 20-30 year financing, which has a different type of transaction costs than the short-term line of credit that is currently under discussion. Long-term debt has higher transaction costs and interest rates.

Mayor Degginger stated his understanding that staff is talking about two types of borrowing – short-term cash flow borrowing with a favorable interest rate to finance projects currently in the CIP Plan, and long-term debt that might be used for many projects in the Mobility and Infrastructure Initiative plan.

Deputy Mayor Balducci reiterated her concern that the Council did not complete its discussion about which projects in the CIP Plan should be deferred, yet the Council is being asked to approve a specific level of borrowing.

Mr. Swift clarified that in order to get through this year, the City will need \$5.1 million in cash flow borrowing, in addition to the \$12 million that is already outstanding. The City also recently completed a property acquisition associated with the Mobility and Infrastructure Initiative for which there is no long-term debt structure in place. The City paid \$6 million for the Safeway property acquisition through an interfund loan which, when added to the \$5 million and \$12

million above, equals approximately \$23 million. The City's current line of credit falls short at \$15 million, and it is therefore necessary to take action on borrowing before the end of the year.

In further response to Ms. Balducci's concern about potentially accessing more borrowing in the near future and paying more transaction fees, Mr. Swift said the transaction costs for short-term borrowing are minimal, and the loans remain attractive due to the low interest rates. He acknowledged that more borrowing will likely be needed next year.

Councilmember Lee stated he will support the Ordinance but he looks forward to further discussion about which projects are to be deferred.

→ Councilmember Chelminiak moved to adopt Ordinance No. 5910, and Councilmember Lee seconded the motion.

→ The motion to adopt Ordinance No. 5910 carried by a vote of 7-0.

12. Unfinished Business

(a) Enatai Neighborhood Tree Preservation [From Study Session, Item 2(b)]

Mr. Sarkozy noted the continuation of staff's presentation from the earlier Study Session regarding the consideration of tree preservation regulations in the Enatai area to maintain neighborhood character. He asked the Council to also consider an item of New Business to address a request received today regarding the application by Kemper Development for a helistop.

Mike Kattermann, Senior Planner, reviewed the process to be followed by residents interested in pursuing neighborhood-specific tree preservation regulations. Residents would be expected to demonstrate a strong interest in adopting tree regulations through the coordinated effort of a neighborhood association or by following a petition method offered by the City. A certain percentage of residents must support the process in order for it to move forward. The process would involve a public hearing, and the City Council would have the final authority regarding the requested regulations.

Mr. Kattermann requested Council feedback as to the appropriate level of support needed to move a neighborhood's process forward.

Councilmember Chelminiak observed that the proposed process options are overly complicated. He is opposed to Option 1 and is not convinced that the process should be based on the involvement of neighborhood associations. For Option 2, Mr. Chelminiak opined that 60-67 percent of residents would be an appropriate level of support for adopting tree regulations within a neighborhood, which is a fairly major change. Changes in his neighborhood's covenants require the support of 67 percent of residents.

Mr. Chelminiak wants to ensure that signatures of support are directly connected to explicit statements about the regulations and residents' responsibilities under the regulations. He would like to see an opt-out provision for perhaps a group of properties within an area that would prefer to preserve views. Mr. Chelminiak inquired as to how the City determined that an 8-inch diameter represents a significant tree.

As related issues, Mr. Chelminiak requested an update on how the City plans to address additional issues of neighborhood character such as view preservation and building heights. Planning Director Dan Stroh acknowledged that in discussions with the Council in August, the Council indicated an interest in continuing the Neighborhood Character program with Phase 3 to address additional issues. Mr. Stroh said the next step is to schedule a discussion with the Council in order to provide direction to staff regarding the issues the Council would like to study.

Responding to Mr. Kattermann, Mr. Chelminiak confirmed that he does not like Option 1 in its entirety. Regarding the opt-out provision, Mr. Chelminiak suggested that this option be available at the beginning of the process when the boundaries of the subject area are being drawn. He noted that perhaps a street of homeowners would choose to opt out of the tree preservation regulations because they prefer to preserve views. Mr. Chelminiak wants to be sure that homeowners who will be affected by any new regulations are fully aware of the process as it becomes underway.

Councilmember Davidson suggested moving slowly with this issue, perhaps until Phase 3 neighborhood character issues are addressed. He questioned how the boundaries of any particular neighborhood will be set.

Responding to Councilmember Bonincontri, Mr. Kattermann said the proposed Land Use Code Amendment (LUCA) would be in place, and neighborhoods would have the option of adopting the tree regulations for their area. He clarified that citywide regulations pertaining to trees typically apply to redevelopment or a new subdivision, but they do not affect an existing single-family residence that is not experiencing any development. Area-specific regulations, such as those in effect in the Bridle Trails area, apply to existing single-family lots and require a certain level of tree retention regardless of whether the lot is experiencing development or redevelopment.

Following up on a comment by Ms. Bonincontri, Councilmember Chelminiak stated has a number of 8-inch diameter trees on his lot and he would not consider any of them to be significant.

Mayor Degginger acknowledged the issue of whether an 8-inch diameter is the appropriate standard for tree retention. Regarding the overall process, he feels a neighborhood should be required to show a significant level of support (i.e., 60 percent or higher) before regulations could be adopted. He suggests requiring widespread support early in the process in order to avoid investing significant staff time into proposals that are not viable. He agrees with Dr. Davidson that the Council should be involved in discussions early in the process. Mr. Degginger

further suggested that if the process is not working at some point, the Council should have the option to reverse it. He supports some elements of both options presented by staff.

→ Deputy Mayor Balducci moved to extend the meeting to 10:30 p.m., and Mayor Degginger seconded the motion.

→ The motion to extend the meeting carried by a vote of 7-0.

Mr. Stroh briefly summarized the discussion, acknowledging that the issue of tree preservation can be highly divisive. He suggested forwarding the matter to the Planning Commission to study the issues.

Mayor Degginger concurred with Mr. Stroh's suggestion.

Deputy Mayor Balducci suggested that before referring the issue to the Planning Commission, the Council should establish a list of principles and a specific charge to guide the Commission's study and review.

Mr. Sarkozy said staff will draft a set of principles for Council discussion as the next step on this issue.

13. Continued Oral Communications: None.

14. New Business

(a) Helistop Appeal Hearing

Deputy City Attorney Kate Berens reminded the Council that the application by Kemper Development Company for approval of a helistop is a quasi-judicial matter. The purpose of tonight's item is to present a procedural question for Council's consideration.

Ms. Berens explained that a request was made today by one of the attorneys for the appellants to change the hearing date, which is currently scheduled for October 19 before the Council. Staff proposes making all of the parties aware of request and giving them an opportunity to respond to the request in writing. Staff proposes that all written responses must be received in the City Clerk's Office by 1:00 p.m. on Wednesday. The written responses will be provided in Council's packet next week, and Council will then be asked to take action on the request to reschedule the hearing.

Mayor Degginger directed staff to proceed as proposed.

Responding to Councilmember Davidson, Ms. Berens said the City Attorney's Office has committed to providing training to the Council on quasi-judicial matters. She explained that the Bellevue High School conditional use permit application is not yet a quasi-judicial matter, because it has not been appealed. She reiterated past advice that Councilmembers maintain a log of communications on matters that could become quasi-judicial.

In further response to Councilmember Davidson, City Clerk Myrna Basich explained that all comments received at Council meetings regarding quasi-judicial matters, such as the Bellevue High School project, are forwarded for inclusion in the Hearing Examiner's record.

With regard to scheduling, Councilmember Chelminiak indicated that he will be absent from the Council meeting on November 9. However, he would like to be able to be present for the Helistop appeal hearing if at all possible.

15. Executive Session: None.

16. Adjournment

At 10:08 p.m., Mayor Degginger declared the meeting adjourned.

Myrna L. Basich
City Clerk

/kaw