CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Session

April 18, 2016 Council Chamber
8:00 p.m. Bellevue, Washington

PRESENT: Mayor Stokes, Deputy Mayor Chelminiak, and Councilmembers Lee, Robinson, Slatter, and Wallace

ABSENT: Councilmember Robertson

1. Call to Order

The meeting was called to order at 8:07 p.m., with Mayor Stokes presiding.

2. Roll Call, Flag Salute

All Councilmembers except Councilmember Robertson were present. Councilmember Robinson led the flag salute.

(a) YWCA Stand Against Racism Proclamation

Mayor Stokes read the proclamation recognizing April 29, 2016, as Stand Against Racism Day. He noted the shared values and objectives of the City and the YWCA to build upon the principles of equity, access, inclusion, opportunity, and cultural competency to enhance public services and programs. He said Bellevue welcomes the world and recognizes that diversity is our strength.

Mark Manuel, Diversity Outreach and Engagement Administrator, and Gina Yarwood, YWCA Director of Suburban King County Regional Services, came forward to accept the proclamation.

3. Approval of Agenda

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

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

4. Communications: Written and Oral

Mayor Stokes noted that the Council does not support the use of public facilities for campaign purposes, and speakers should refrain from announcing or endorsing candidates, including themselves.

(a) Alex Zimmerman, President of StandUP-America, said he wanted to speak about monologue and dialogue. He said the Council meetings engage in monologue but not dialogue. He reiterated his ongoing request that the City Manager hold monthly meetings with the public.

(b) Katherine Ma reiterated her and other parents' ongoing concerns about retail marijuana stores in Bellevue. She said marijuana-related emergency room visits in Colorado rose from 70 per 10,000 in 2012 to 101 per 10,000 in 2014, which was a 44 percent increase after marijuana became legal. She said there has been an increase in the number of emergency room cases related to pediatric unintentional ingestion of marijuana food products. She said Bellevue attracts families due to its parks, youth programs and services, and excellent education system. She asked the Council to cap the number of marijuana stores to the currently allowed four stores.

(c) Don Marsh, President of the Coalition of Eastside Neighborhoods for Sensible Energy (CENSE), said the City's planning department removed from further consideration the only safe, smart, and green alternative to Puget Sound Energy's proposed Energize Eastside project. The Environmental Impact Study (EIS) will proceed with only two alternatives: do nothing or build an 18-mile chain of high voltage transmission lines and towers above a jet fuel pipeline through 20 neighborhoods. He said the alternative proposed by CENSE was not studied, and no justification was offered for disregarding it. He said CENSE spent hundreds of hours and tens of thousands of dollars working with industry experts to develop a better alternative and submitted it during the public comment period. Mr. Marsh said the community-preferred solution is less expensive, safer, more reliable, and more environmentally responsible than PSE's preferred alternative. He said the alternative employs smart energy management that is reliably serving many communities across the country. Mr. Marsh asked the Council to meet with the City Manager to find a way to restore balance to the EIS process. Mr. Marsh submitted his comments in writing.

(d) Scott Lampe, representing the Surrey Downs East Link Committee, expressed concerns regarding Sound Transit's proposed Bellevue to Issaquah light rail alignment. Sound Transit's Phase 3 plan states: "An elevated station on the north side of I-90 will be located near Richards Road SE to serve the Factoria area. The guideway continues along I-90 until it reaches I-405 where it turns north. The light rail guideway travels along the east side of I-405 at grade to SE 8th Street, where it transitions to an elevated guideway before heading west over I-405. The elevated guideway crosses over SE 8th Street, 112th Avenue SE, and interlines with the East Link track south of the Main Street Station." Mr. Lampe said Surrey Downs residents are opposed to an elevated guideway adjacent to their neighborhood. He expressed concerns regarding visual and noise impacts, the increased number of trains passing through Bellevue, and increased ridership for connections at the East Main Station to reach Seattle. He said the goal of providing transit

connections to Issaquah can be accomplished more simply through the use of a connection at the South Bellevue Station that travels immediately east along the I-90 corridor. He said that alternative was recommended by the Washington State Department of Transportation in its January 2016 comments on ST3 candidate projects. Mr. Lampe thanked Councilmember Robinson for her comment that this alternative would remove the redundancy along that route.

(e) Joe Rosmann said the New York City Transit Authority announced last Friday that transit riders can pay for their daily bus, subway and other transit services through their mobile phones. He said private ride companies, parking lot operators, and other private entities are also working on solutions to enable individuals to use their mobile phones to improve their commute experience. By contrast, commuters in the Seattle area have few places to park to access buses and trains and are not using technology to the extent possible. Mr. Rosmann said this region has made massive investments in bus services, most of which are underutilized, in part because buses do not run in dedicated lanes and are therefore less reliable and predictable. He said Sound Transit needs to work more closely with citizens to determine how to make the existing system work better at a lower cost than light rail. Mr. Rosmann said that Peter Rogoff, current CEO of Sound Transit, served as a senior transportation policy administrator for the federal government under President Obama. Mr. Rosmann read Mr. Rogoff's comments during that period, which expressed support for bus service in dedicated lanes using traffic signal pre-emption and noted that the approach would move many people at very little cost compared to rail. Mr. Rosmann submitted his comments in writing.

Mayor Stokes said he would like to respond to each speaker. However, this is a public comment period. He invited the public to submit comments and questions in writing as well.

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

6. Report of the City Manager: None.

7. Council Business and New Initiatives

Mayor Stokes introduced the appointment of Board and Commission members, which are volunteer citizens who may serve up to two terms of four years each. He said tonight the Council is considering the reappointment of seven members who have agreed to serve a second terms. Mr. Stokes read the recommended reappointments:

Arts Commission – Vikram Madan, Paul Manfredi, Becky Lewis. Mayor Stokes is Council liaison.
Library Board – Barbara Spindel. Councilmember Robertson is Council liaison.
Planning Commission – Aaron Laing. Mayor Stokes is Council liaison.
Transportation Commission – Clifford Chirls, Victor Bishop. Councilmember Wallace is Council liaison.

→ Deputy Mayor Chelminiak moved to adopt the recommended reappointments, and Councilmember Lee seconded the motion.

→ The motion carried by a vote of 6-0.

Moving on, Councilmember Robinson reported that the United States Environmental Protection Agency presented Bellevue with a 2016 Climate Leadership Award in the category of Innovative Partnerships. Bellevue received this award for its role in the King County-Cities Climate Collaboration (K4C) and for its ability to work collaboratively on emerging climate initiatives. Mayor Stokes thanked Councilmember Robinson for her leadership and congratulated City staff and the Council for their work and support.

Councilmember Wallace recalled that the Mayor warned Mr. Zimmerman the previous week about using profanity on camera, and tonight he ignored that directive. Mr. Wallace asked the Mayor to give some consideration to not allowing Mr. Zimmerman to participate in oral communications if he cannot refrain from swearing. Mayor Stokes noted three issues of concern with Mr. Zimmerman's testimony: 1) he repeats the same message every time, 2) he ignored and mocked the Mayor's instructions to not talk about his political campaign, and 3) he continues to use profanity.

Mr. Wallace said he previously requested more information on the standards for noise mitigation related to light rail. The Code amendment adopted by the Council two years ago states that Bellevue's Noise Control Code applies. However, he has heard from residents that the permit issued for the light rail segment through South Bellevue is not clear about the noise mitigation requirements. Mr. Wallace observed that there appears to be a disagreement about the actual Noise Control Code and what is reflected in the permit. He wants to ensure that the rules for noise mitigation are enforced for the light rail project.

Mayor Stokes asked the City Manager to look into the issue and respond to the Council.

8. Consent Calendar

City Manager Brad Miyake said he would like to pull Consent Calendar Item 8(j). A number of questions were raised by Councilmembers and he would like time for staff to respond.

→ Deputy Mayor Chelminiak moved to approve the Consent Calendar, with the exception of Item 8(j). Councilmember Robinson seconded the motion.

→ The motion to approve the Consent Calendar, as amended, carried by a vote of 6-0, and the following items were approved:

(a) Council Meeting Minutes
Minutes of March 21, 2016 Study Session
Minutes of March 21, 2016 Regular Session
Minutes of March 28, 2016 Budget Workshop
Minutes of April 4, 2016 Study Session

Minutes of April 4, 2016 Regular Session

(b) Resolution No. 9085 authorizing the execution of an amendment to a Professional Services On-Call Agreement with ManageForce to increase the "not to exceed" contract amount to $254,000 to provide Information Technology (IT) additional staffing and expertise for the JDE 9.2 Upgrade.

(c) Resolution No. 9086 authorizing execution of a new labor agreement by and between the City and the Public, Professional, and Office Clerical Employees and Drivers, Teamsters Local 763, representing DSD Review and Inspection Supervisors (Union) for the contract period January 1, 2015 through December 31, 2019.

(d) Resolution No. 9087 authorizing execution of a three-year General Services contract, with the option to renew for an additional two years, with Serene Gutter Systems, Inc., for roof and gutter cleaning, maintenance, and inspection, in an amount not to exceed a contract total of $297,000, plus approved changes not to exceed inflation.

(e) Resolution No. 9088 authorizing the write-off of thirty two uncollectible accounts totaling $111,140.68.

(f) Resolution No. 9089 authorizing execution of a Professional Engineering Services Agreement with Perteet Inc., in the amount of $273,695 to provide Engineering Plans, Specifications, Estimates (PS&E) and Maximum Extent Feasible (MEF) Documentation for the Richards Road and Lake Hills Connector Overlay Project.

(g) Motion to Award Bid No. 16027, for the 2016 Overlay Program to Lakeside Industries Inc., as the lowest responsive and responsible bidder, in the amount of $3,844,822.20 (CIP Plan PW-M-1 Overlay Program, CIP Plan PW-W/B-56 Pedestrian and Bicycle Access Improvements, and CIP Plan W-16 Small Diameter Water Main Replacement.

(h) Motion to award Bid No. 16015 for Horizon View No. 1 Reservoir/Pump Station, to Pacific Crest Construction, Inc., as the lowest responsible and responsive, bidder in the amount of $3,189,516.00 (CIP Plan Nos. W-85 and W-91).

(i) Motion to approve payment of claims and payroll for the period March 1, 2016 through March 31, 2016.

Item Postponed:

(j) Ordinance correcting Ordinance No. 6265 adopting the modification of the 2015-2016 Mid-Biennial Budget and the 2015-2021 Capital Investment Program Plan to reflect that fund 2021, Interest & Debt Redemption – Regular Fund has an appropriation authority of $50,875,634.

9. Public Hearings

(a) Public Hearing on review of Bellevue's development regulations for consistency with the Growth Management Act, which is required of jurisdictions planning under RCW 36.70A.040.

Mayor Stokes introduced the Public Hearing regarding the review and update of Bellevue's development regulations for consistency with the Growth Management Act, which is required of jurisdictions planning under RCW 36.70A.040.

Mike Kattermann, Senior Planner, said the purpose of the Public Hearing is to present staff's findings regarding the consistency of the City's development regulations with the Growth Management Act. The Act requires the City to review and update its Comprehensive Plan periodically, which was completed in August 2015. The Act further requires a review and update of development regulations, including critical areas ordinances, as needed. That was not included in the August update and staff is working on that review now. The update is required for compliance with the Act and to maintain the City's eligibility for certain state grants and loans.

Mr. Kattermann said Attachment A in the meeting packet provides a summary of all of the Development and Land Use Code sections that were reviewed as part of the requirement. He said staff from Development Services, Parks and Community Services, Transportation, and Utilities assisted in the review.

Mr. Kattermann noted the list of Code sections that are currently in compliance with the Growth Management Act and do not require updates. The review of critical areas regulations has not been completed and is due June 30, 2016. The updated Shoreline Master Program was submitted to the State in December 2015, and the City is awaiting review and comment. Mr. Kattermann said the SMP is in compliance with the GMA requirements in terms of the information that has been submitted to the State.

Mr. Kattermann said this is a required Public Hearing in accordance with the State-mandated process. Staff requests Council direction to prepare a resolution for Council adoption on the May 2, 2016 Consent Calendar.

Responding to Councilmember Slatter, Development Services Director Mike Brennan said the City has been contacted by the State Department of Ecology regarding the SMP Update. A meeting to hear the DOE's initial comments will be scheduled soon.

→ Councilmember Robinson moved to open the public hearing, and Deputy Mayor Chelminiak seconded the motion.

→ The motion carried by a vote of 6-0.

No one came forward to comment.

→ Deputy Mayor Chelminiak moved to close the public hearing, and Councilmember Slatter seconded the motion.

→ The motion carried by a vote of 6-0.

→ Deputy Mayor Chelminiak moved to direct staff to prepare a resolution for Council adoption on the May 2 Consent Calendar and to submit the resolution to the State Department of Commerce to demonstrate GMA compliance. Councilmember Slatter seconded the motion.

→ The motion carried by a vote of 6-0.

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 8:45 p.m., Mayor Stokes declared the meeting adjourned.

Kyle Stannert
City Clerk

/kaw