CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Session

December 7, 2015 Council Chamber
8:00 p.m. Bellevue, Washington

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

ABSENT: None.

1. Call to Order

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

2. Roll Call, Flag Salute

All Councilmembers were present. Deputy Mayor Wallace led the flag salute.

3. Approval of Agenda

→ Councilmember Chelminiak moved to approve the agenda, and Councilmember Stokes seconded the motion.

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

4. Communications: Written and Oral

(a) Susan Thomas, expressed concern about traffic impacts related to the new Wilburton Elementary School for 650 students, which is approximately 100 more students than the nearby International School. She said individuals often drive above the speed limit and the two main roads to the elementary school have no sidewalks. Ms. Thomas said there will not be adequate space for cars waiting to pick up students. She said parents will park to wait at Wilburton Park or the Botanical Garden, which forces students to cross Main Street. Ms. Thomas submitted her comments in writing.

Mayor Balducci asked the City Manager to have staff work with the school district to address those concerns. She said the City has worked with schools and neighborhoods in the past to resolve similar situations.

(b) Masao Yamada, Boys and Girls Clubs of Bellevue, introduced Kaleb Thome, a Youth of the Year candidate. Kaleb said he is a student at the International School and has been a part of the Boys and Girls Clubs programs for five years, since he was in sixth grade. He described his participation in the Boys and Girls Clubs' music program which is designed to get youth interested in music and to provide a forum for them to express and explore their musical abilities.

(c) Mike Evered said his family owned and operated Evered Motors/Bellevue Lincoln-Mercury for more than 40 years. The dealership was sold in 2001 and the property is leased to the Ford Motor Company. He said he formerly served on the Bellevue City Council and he highlighted some of the key projects over the past few decades. He expressed concern about the visual impacts of large transmission lines and towers related to Puget Sound Energy's Energize Eastside project. Mr. Evered submitted his comments in writing.

(d) Steve O'Donnell, President of the Coalition of Eastside Neighborhoods for Sensible Energy (CENSE), recalled comments from Andy Wappler, Puget Sound Energy Vice President of Corporate Affairs, during the previous week's Council meeting. Mr. O'Donnell said Mr. Wappler did not address any of CENSE's technical questions and issues and he indicated that PSE had not upgraded its system since man landed on the moon. Mr. O'Donnell listed transmission lines that he says have been added. He said business owners do not want to pay higher electric rates for infrastructure that will not make a difference. He said residents are concerned about visual, environmental, and safety impacts, including the potential danger related to the collocation of the Energize Eastside transmission lines with the oil pipeline.

(e) Steve Corley reported that, on November 17, a storm blew a neighbor's tree onto a PSE high-voltage transmission line behind their houses. The tree burned and the transmission line collapsed, which sent high voltage electricity into his house and garage via his invisible fence wire and sprinkler system. He said shingles on his house were scorched as well. Mr. Corley expressed concern about the higher voltage lines planned for the Energize Eastside project, especially when combined with the oil pipeline alignment through his neighborhood. He believes there are safer and less expensive alternatives to the project planned by PSE. Mr. Corley submitted his comments in writing.

(f) Natalie Evans, Director of the Bellevue Farmers Market, reported that 2015 was not a great season due to the hot summer followed by high winds and flooding in the fall. She thanked the City for its ongoing assistance, which helps to support small farms during the lower producing seasons. She said the farmers donated 6,700 pounds of fresh produce to Hopelink. Ms. Evans thanked Bellevue Presbyterian Church, Wells Medina Nursery, Paccar, King County Councilmember Jane Hague, Overlake Hospital, Seattle Children's Hospital, Van and Jan Van Blaricom, Green Benefits, Sterling Realty Organization (SRO), Madison Marquette/Bellevue Galleria, Windermere Real Estate, and a number of anonymous donors.

Mayor Balducci welcomed Ms. Evans and noted that the farmers market is a wonderful community asset.

(g) Shabana Khan shared a video of the recent Men's World Squash Championship held in Bellevue. She said YSK Events would like to bring the tournament back next year. The tournament attracted many amateur squash players to the area who would like to have amateur events in Bellevue several times a year as well. She submitted a handout of written information.

Councilmember Lee thanked Ms. Khan for coming and said he looks forward to more similar events.

(h) Dr. Don Davidson introduced his granddaughter Madison, who handed out invitations to the Bellevue Youth Theatre's upcoming production of the Nutcracker. She performed a dance from the musical, and Dr. Davidson noted that he plays the grandfather in the play.

(i) Robert Kilian commented on the Downtown Livability process and incentive zoning. He was recently told that a hotel is providing a swimming pool in exchange for taller building height, even though the pool is not open to the public. With regard to an incentive for iconic buildings, he observed that he often sees a photo of the Downtown taken from Downtown Park used in magazines, campaign brochures and other publications. He observed that this iconic view is about to disappear with the construction of large buildings that will block the view. Mr. Kilian said Bellevue is desirable for builders and he questioned the need for incentives.

(j) Heather Trescases, Eastside Heritage Center, noted the Center's Board members in the audience. She asked the City to relocate and preserve Burrows Cabin, the oldest known structure in Bellevue. She said Albert Burrows was a Civil War veteran, one of Bellevue's first permanent settlers, and a state legislator. The cabin was originally on Lake Washington, was moved to Bellevue Way in the 1930s, and was moved again to 112th Avenue NE in 1946 when Bellevue Square was constructed. Descendants of Mr. Burrows were prominent Bellevue business owners and leaders as well.

(k) Ty Thorpe, owner of the Burrows Cabin, said his father bought the cabin and land from the Burrows family. Mr. Thorpe has been renting the cabin to tenants for a number of years. He asked the City to support the preservation of the cabin.

(l) Betsi Hummer, a resident of the Sunset Ranch neighborhood, said she serves on the East Bellevue Community Council but was speaking as a private citizen. She thanked the Council for supporting the EBCC's appeal to Superior Court regarding the Court's decision to deny jurisdiction over shoreline matters. She said the EBCC has always addressed shoreline issues since its inception in 1969. She recalled historic efforts to prevent multifamily and commercial development on Larson Lake and to establish the Lake Hills Greenbelt.

(m) Bill Herman, Bellevue Towers, said that "increasing livability" is not a specific enough goal to guide the creation of meaningful incentives. He suggested more specific wording similar to this example: "To enhance Bellevue's reputation as a City in a Park." He commented on the importance of mobility, which becomes increasingly challenging as FAR (floor-area ratio) and density are increased. He said the proposed 67-percent increase in FAR in the Downtown Multiple Use (MU) district has unknown impacts, which makes it difficult to set a price for the incentive. Mr. Herman suggested considering FAR incentives as a discretionary matter based on satisfying certain mobility requirements. He said there are other approaches the City could try as well.

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

6. Report of the City Manager: None.

7. Council Business and New Initiatives

There was no discussion.

8. Consent Calendar

→ Deputy Mayor Wallace 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) Council Meeting Minutes
Minutes for November 9, 2015 Joint Workshop with Planning Commission
Minutes for November 16, 2015 Study Session
Minutes for November 16, 2015 Regular Session

(b) Resolution No. 9016 authorizing execution of a grant agreement with the State of Washington's Recreation Conservation Office (RCO) for Inspiration Playground.

(c) Resolution No. 9017 authorizing execution of a General Services contract with Plantscapes, Inc. for landscaping services at various park sites and facilities for an initial two-year term in an amount not to exceed $64,510, with the option to renew for an additional two years in an amount not to exceed $64,510 plus any State-mandated prevailing wage increase and/or City-approved special or unanticipated market condition that does not exceed the Consumer Price Index (CPI-U, Seattle-Tacoma-Bremerton) for the most recently completed calendar year.

(d) Resolution No. 9018 authorizing execution of a four-year General Services contract with Premier Properties of Washington, LLC, for the purpose of rental management and operation of the Robinswood House.

(e) Resolution No. 9019 authorizing the execution of a two-year service contract with Convergint Technologies including a single option to renew for an additional three years for Security Software and Hardware maintenance at seven City locations.

(f) Resolution No. 9020 authorizing the execution of a two-year contract with Synergy Building Services, including a single option to renew for an additional three years, in an amount not to exceed $139,236 for custodial services at the Bellevue District Court facility.

(g) Resolution No. 9021 adopting the City of Bellevue 2015 Storm and Surface Water System Plan.

(h) Motion to reject all bids for Bid No. 15124 for the City Hall Heating, Ventilation and Air Conditioning Upgrades - Phase I project, and rebid the contract at a later date.

(i) Resolution No. 9022 authorizing execution of the ORCA agreement with King County for the purchase and distribution of the annual 2016 ORCA cards to City employees.

(j) Ordinance No. 6262 amending Chapter 22.18 of the Bellevue City Code, modifying the school impact fee schedule as requested by the Issaquah and Renton School Districts.

(k) Resolution No. 9023 authorizing execution of a five-year Professional Services Contract with Degenkolb Engineers for seismic peer review services, in an amount not to exceed a contract total of $300,000.

(l) Resolution No. 9024 authorizing execution of a five-year Professional Services Contract with Maffei Structural Engineering for seismic peer review services, in an amount not to exceed a contract total of $300,000.

(m) Resolution No. 9025 authorizing execution of a five-year Professional Services Contract with Simpson Gumpertz & Heger for seismic peer review services, in an amount not to exceed a contract total of $300,000.

(n) Resolution No. 9026 authorizing execution of a five-year Professional Services Contract with Nabih Youssef Associates for seismic peer review services, in an amount not to exceed a contract total of $300,000.

(o) Resolution No. 9027 authorizing execution of a General Services contract with Signature Landscape Services for landscaping services at Robinswood House for an initial two-year term in an amount not to exceed $48,122, with the option to renew for an additional two years in an amount not to exceed $48,122 plus any

State-mandated prevailing wage increase and/or City-approved special or unanticipated market condition that does not exceed the Consumer Price Index (CPI-U, Seattle-Tacoma-Bremerton) for the most recently completed calendar year.

(p) Resolution No. 9028 authorizing execution of a General Services contract with Total Landscape Corporation for landscaping services at various park sites and facilities for an initial two-year term in an amount not to exceed $89,184 with the option to renew for an additional two years in an amount not to exceed $89,184 plus any State-mandated prevailing wage increase and/or City-approved special or unanticipated market condition that does not exceed the Consumer Price Index (CPI-U, Seattle-Tacoma-Bremerton) for the most recently completed calendar year.

(q) Resolution No. 9029 authorizing the execution of a one-year amendment extension of an administrative services contract with Premera Blue Cross, in the amount of $610,000 for 2016 medical and prescription drug third-party administrative services.

(r) Resolution No. 9030 authorizing the execution of a one-year amendment extension of the professional services agreement with the Benefit Services Group, Inc. for calendar year 2016 for online health benefit enrollment and management services.

(s) Resolution No. 9031 granting authority to the Finance Director to increase annual purchase orders limits for various small items not stocked by City departments for an amount not to exceed the estimated value listed in this agenda memo.

(t) Motion to award Bid No. 15127, 123rd Avenue SE Sidewalk, SE 20th Place - SE 26th Street (CIP Plan No. PW-W/B-76) as part of the Neighborhood Sidewalks Program, to Sanders General Construction, as the lowest responsible and responsive bidder, in the amount of $1,369,544.01.

(u) Resolution No. 9032 adopting the 2016-2017 Transportation Facilities Plan.

9. Public Hearings

(a) Public Hearing and action on Resolution authorizing execution of documents relinquishing a portion of the public utility easement across two parcels at 1005 and 1015 104th Avenue SE in Bellevue that has been declared surplus.

City Manager Miyake introduced the staff report on the proposed resolution authorizing the execution of documents relinquishing a portion of the public utility easement across two parcels at 1005 and 1015 104th Avenue SE.

Andrew Lee, Utilities Assistant Director, described the history of the sewer easement located on properties south of the Downtown. The right-of-way was acquired at no cost in 1890 and portions of the easement were never opened. In 1976, an unopened portion of the ROW was vacated by the City to adjacent property owners. The City reserved an easement approximately 60 feet wide over the former ROW area to accommodate water, sewer, storm drainage, and electrical utilities. The utilities require only 35 feet in width. The easterly 25-foot portion of the easement is not needed and is a candidate for relinquishment.

In 2014, a property owner submitted a short plat application. The owner is requesting that the easement be partially relinquished to allow the construction of homes for the full development potential of the two lots. Mr. Lee said the Utilities Department recommends relinquishing a 25-foot width of the easement.

→ Councilmember Stokes moved to open the Public Hearing, and Councilmember Robertson seconded the motion.

→ The motion carried by a vote of 7-0.

One citizen came forward to comment. Todd Levitt spoke on behalf of Due North Investments, owner of the properties. He said they have been working with staff for approximately 15 months since the plat application was submitted. He thanked staff for their assistance and requested the partial relinquishment as described.

→ Councilmember Stokes moved to close the Public Hearing, and Councilmember Robertson seconded the motion.

→ The motion carried by a vote of 7-0.

Councilmember Robertson said more information is needed before taking action. She questioned the fair market value of the land. Max Jacobs, Real Property Manager, said there is not a formal appraisal. However, he estimated the value at $16,000-$40,000, depending on the value of the permit fee.

Ms. Robertson said she works as an attorney for cities and recently handled a case involving a street vacation. She cited state law that requires compensation for relinquishing street and utilities easements in certain situations. She suggested looking at how the ROW was vacated in 1976 and how the City retained its interest, in order to determine the applicable state law.

She said it is important to compensate the City and taxpayers if required by law. Councilmember Robertson said she also wants to be sure that the City’s costs related to the relinquishment are recovered from the property owner.

Mr. Jacobs said the City’s practice has been to relinquish easements without compensation. He concurred that the street vacation process is detailed, specific, and involves an appraisal process. There is no formal City process for handling easement relinquishments, and staff has been working on establishing a process.

Mr. Jacobs said this easement seems appropriate for relinquishing without compensation because the City acquired it through a dedication in 1890 and was required to vacate it in 1976 for no compensation. By retaining the easement in 1976, Mr. Jacobs said the City acquired the easement at no cost. This is consistent with how other utilities relinquishments have been handled.

With regard to staff time costs, Mr. Jacobs said staff is addressing that as part of the work plan to develop an overall procedure for utilities relinquishments. He said staff costs would be recovered through a filing fee. He said utilities relinquishments are relatively straightforward and do not require extensive staff time.

Councilmember Robertson said she would like additional legal analysis of the issues. She said the first street vacation requirements came into effect in 1897. She said state law indicates that cities have legislative discretion to set a cost, up to fair market value. She would like more information to enable the Council to make a decision as the legislative body.

Responding to Councilmember Chelminiak, Civic Services Director Nora Johnson confirmed a past easement transaction involving Kathy Gwilliam. Ms. Johnson said Ms. Gwilliam ultimately did not pay compensation to the City based on a historic ordinance found by staff indicating that the easement had previously been vacated.

Mr. Jacobs said staff will bring back more information for Council consideration.

Mayor Balducci said Councilmember Robertson is raising important questions about the City's practices and compliance with state law. However, Ms. Balducci said she was unsure about changing the City's practices in the middle of a particular case in which the applicant has been working with the City for more than one year. She suggested refining the process for future cases. Deputy Mayor Wallace concurred.

Councilmember Lee said he would defer to Councilmember Robertson's legal expertise and questions in this area of law.

Councilmember Stokes concurred. Mr. Stokes observed that the City has been following a consistent practice even if a formal written process is not in place. He said he is not bothered by the substance of the case. However, he would like to understand whether there is a legal flaw in the resolution as stated. He expressed support for documenting a formal process for the future. Mr. Stokes said he would rather not change the City's practice in the middle of this case unless there are aspects that are actually illegal.

Responding to Councilmember Robertson, Mr. Jacobs confirmed that the City does not have a written procedure on the relinquishment of easements. He said the City handled the same type of easement last year.

Ms. Robertson referenced state law and noted that the resolution does not include costs. She would like more information for the Council to understand the breadth of options in exercising its discretion. She suggested bringing this issue back in January.

Councilmember Stokes concurred with the need for a legal review.

Mayor Balducci asked staff to research the legal aspects of easement relinquishments and to bring the matter back to the Council at the earliest date possible.

10. Land Use: None.

11. Other Ordinances, Resolutions and Motions

City Manager Miyake introduced the discussion of items for the final adoption of the Mid-Biennium Budget Update.

Mayor Balducci suggested addressing the individual proposals submitted by Councilmembers before taking action on the five related ordinances and resolutions.

Ms. Balducci noted Councilmember Lee's proposal, detailed in the Council's desk packet, to set aside approximately $150,000 for a feasibility study of a cultural arts center.

→ Councilmember Lee moved to adjust the General Fund Budget to fund an additional $150,000 for a feasibility study of a multi-cultural facility. Deputy Mayor Wallace seconded the motion.

Councilmember Lee commented on the need for arts and performance space and the Council's interest in supporting cultural diversity events. He noted his proposal provided in the Council's desk packet requesting $150,000 for a feasibility study of a cultural center.

Councilmember Robinson thanked Councilmember Lee for raising this priority, which is consistent with the Council's vision and important for the City. She said she was not ready to approve a feasibility study at this time but would like staff to bring the matter back next year.

Mayor Balducci said there will be a full two-year budget process next year, which will be a more appropriate time for considering this type of initiative.

Councilmember Robertson said she believed there is funding in the budget for considering a multicultural center at Ashwood Park. That master plan will launch in the first half of next year. One of the uses to be considered is a community center, which could potentially function as a multicultural center as well. She would like to allow that process to unfold before discussing additional options.

Councilmember Stokes concurred with Ms. Robertson. He is very supportive of the idea but prefers to defer the topic until next year.

→ The motion failed by a vote of 1-6, with Councilmember Lee in favor.

Mr. Lee thanked the Council for listening to his proposal.

Councilmember Robertson introduced her proposal regarding parking on NE 1st Street.

→ Councilmember Robertson moved to adjust the scope of the Downtown Park capital improvement project to include increased NE 1st Street parking capacity, with the scope to include impacts to the community, public outreach, and a further developed budget proposal to be developed as part of the 2017-2023 Capital Investment Program (CIP) budget discussion in 2016. Deputy Mayor Wallace seconded the motion.

Councilmember Robertson said the Council has had a number of discussions about parking in Old Bellevue. She spoke with staff about developing a proposal to add parking on NE 1st Street in anticipation of the closure of the parking lot at Downtown Park to complete the park circle. She recalled that Deputy Mayor Wallace previously suggested addressing parking as part of the Downtown Park capital project. If the Council decides to move forward next year, funds could be added to the Downtown Park budget or a separate project could be itemized.

Councilmember Chelminiak noted that the motion states to "include increased NE 1st Street parking capacity." However, he observed that her comments indicate that the motion is to conduct further study and analysis. He suggested changing the language to "to consider inclusion" of increased parking.

→ Councilmember Robertson accepted the suggestion as a friendly amendment, noting that her intent is for staff to do additional analysis and prepare a proposal for Council consideration next year.

Councilmember Stokes expressed support for the motion. He is concerned about the need for parking in Old Bellevue and throughout the Downtown. He said this would be a good step toward starting to address the issues.

Councilmember Robinson said she is willing to support further study. However, she does not want parking issues to delay the completion of the Downtown Park. She wants the analysis to consider the visual impacts for residents along NE 1st Street. She expressed concern about the potential removal of trees, which are currently screening power lines along the street. She said the visual impacts are important for the general public as well. Ms. Robinson questioned whether it would be possible to underground the power line if the parking project is undertaken. She would like the study to address impacts to the park as well.

Councilmember Robertson said she also would not want to slow down the park project. Her intent is that NE 1st Street parking would be considered in conjunction with the overall completion of Downtown Park.

Parks and Community Services Director Patrick Foran said staff hopes to have the Downtown Park Circle project under construction beginning in July 2016. The Inspiration Playground could

be completed at the same time or a few months later. The proposed parking would be a third component and would need to go through the public outreach process and permitting process. He said he was unsure whether that work could be completed by the time the project goes out for bid in April. If the Council wanted to move forward with NE 1st Street parking, staff would determine where it would best fit in terms of sequencing the construction of the three components (i.e., circle, playground, parking). Mr. Foran said the Transportation Department and other staff would need to be involved in analyzing and planning the parking project.

Mayor Balducci noted the Council's position that the consideration of NE 1st Street parking should not delay the Downtown Park project.

→ The motion, as modified by the friendly amendment, carried by a vote of 7-0.

Mayor Balducci recognized Councilmember Robinson to present her proposal.

→ Councilmember Robinson moved to establish a new project in the CIP Plan and to add $150,000 to fund the relocation of the Burrows Cabin to Chism Beach Park, through a transfer of funds from the 2016 Performing Arts Center Eastside (PACE) placeholder account. Councilmember Stokes seconded the motion.

Ms. Robinson said this is a rare opportunity to preserve the heritage of Bellevue. She said the cabin will need to be moved by June, and the owner has agreed to donate financial assistance toward the restoration of the cabin.

→ The motion carried by a vote of 7-0.

Councilmember Lee described his proposal for a water feature on the City Hall Plaza in conjunction with the light rail station project. The current design includes a still water pond. However, he would like a moving water feature collocated with the Guan Yin statue.

→ Councilmember Lee moved to direct staff to continue to refine a proposal to find a cost-effective way to ensure that the final location of the Guan Yin statue on the City Hall Plaza includes moving water in the design. Councilmember Stokes seconded the motion.

Deputy Mayor Wallace questioned the status of Sound Transit's work on the design of the project. Deputy City Manager Kate Berens said Sound Transit is far along in its design of the light rail station and plaza. She said it might be possible to add work to that project. However, City staff needs to study the scope of the water feature project and the most cost-effective way to provide it on the plaza.

Maher Welaye, Engineering Manager, said Sound Transit's design is at the 90-percent level. However, there is City funding to further explore options.

Mr. Wallace said he would like an update from Sound Transit on the plaza design.

Mayor Balducci recalled a presentation approximately one year ago, at which time the Council provided feedback on the design. Ms. Berens said Sound Transit has included the Council's input into the design. However, a moving water feature is a departure from the design previously approved by the Council. Ms. Berens said there might be lower cost options than what was previously discussed for providing a moving water feature. However, it would be a City project to be completed in the future.

Deputy Mayor Wallace reiterated his request for an update from Sound Transit on the plaza design. At that time, he would be open to considering Councilmember Lee's proposal.

Councilmember Lee said he has always insisted that there must be a moving water feature on the plaza.

Councilmember Robertson recalled that the Council approved a still water feature and specifically voted against a moving water feature. She requested an update on the design and the process. She said she is willing to discuss ideas and options but would prefer to not revisit a decision that was already made by the Council.

Responding to Ms. Robertson, Ms. Berens said that, if the Council approves the motion, she would suggest a briefing from Sound Transit before further discussion. In the meantime, City staff could work to identify options that could potentially be completed later, after Sound Transit's project is completed.

Councilmember Robertson said she would support that course of action. Councilmember Stokes concurred.

Mayor Balducci said there are a number of ways to have a moving water feature. She will support the motion for further study of potential options. However, she concurred with Councilmember Robertson that the Council already considered and voted against a moving water feature on the City Hall Plaza.

→ The motion carried by a vote of 7-0.

Councilmember Lee said he did not recall the Council voting against a moving water feature in the past.

Moving on, Deputy Mayor Wallace introduced his proposed options for the East Link Development and Analysis project (CIP Project PW-R-159).

→ Deputy Mayor Wallace moved to separate the East Link Development and Analysis project (CIP Project PW-R-159) into two new projects: a Land Use Planning project funded at $2.652 million and an Interlocal Project Contingency of $1.317 million. Staff shall return to the Council in early 2016 seeking direction regarding the authorization of the hiring of a Fire Captain position in support of this project. Councilmember Stokes seconded the motion.

Deputy Mayor Wallace recalled that the Council discussed this item during previous meetings. He expressed concern that project PW-R-159 has become a catch-all for a number of projects and tasks, and he would prefer to separate some of those activities into appropriate categories (i.e., Land Use Planning and Interlocal Project Contingency). He observed that this would provide a better understanding of how the funds are to be used and assist the Council in prioritizing items for the budget.

Councilmember Chelminiak questioned the start date for the Fire Captain position. Fire Chief Mark Risen said he met with Sound Transit and the agency would like to fill the position relatively soon to allow time for special training related to the light rail project, including tunnel excavation. Chief Risen said he concurs with Sound Transit's requested timing and suggested that the position be filled in the first quarter of 2016 before Sound Transit begins digging for the light rail project.

Councilmember Chelminiak said he preferred the budget item as proposed by the City Manager. Mr. Chelminiak said the budget issue is about expenditures and not about the revenue source. He understands that there is a question about whether the City or Sound Transit should pay for the Fire Captain position. Mr. Chelminiak suggested that the expenditure should be authorized and the revenue source can be discussed in the future.

Responding to Deputy Mayor Wallace, Assistant Finance Director Toni Rezab said the Fire Captain position is included in the Interlocal Project Contingency project under the option reflected in his motion. She confirmed that, if the Council determines in the future that this is a legitimate City expense, it can be moved to the appropriate part of the budget.

Councilmember Chelminiak observed that the Fire Captain position is a legitimate City expense, whether it is ultimately funded by Sound Transit or the City. He concurred with Mr. Wallace's concern about which agency should pay, but stated that the expenditure will come out of the City's budget regardless of the funding source.

Councilmember Stokes expressed support for the motion.

Mr. Wallace suggested that the budget could be amended to call for resources from Sound Transit to fund the position. He said the Fire Captain position was specifically negotiated out of the memorandum of understanding (MOU) with Sound Transit for the East Link project, and it is solely related to that agency's project. Mr. Wallace said the Council has not been given information about whether there is precedent for this approach. He observed that funding the Fire Captain position is beyond the City's obligations.

Councilmember Lee expressed support for the Deputy Mayor's position. However, he understands Councilmember Chelminiak's logic that the budget item is an expenditure without regard to the funding source.

Mayor Balducci said the position is about ensuring that the Fire Department has appropriately trained personnel to respond to incidents related to the construction of the light rail project. She concurred with Mr. Chelminiak about approving the expenditure and addressing who is

responsible for the cost as a separate matter. Ms. Balducci said her recollection of the negotiations was that Sound Transit did not agree to pay for the Fire Captain position. Mr. Wallace said he remembered it differently.

→ At 9:56 p.m., Councilmember Robertson moved to extend the meeting to 11:00 p.m. Deputy Mayor Wallace seconded the motion.

→ The motion carried by a vote of 7-0.

Councilmember Robertson said she would support the motion but she shared the Deputy Mayor's concerns. She noted that she suggested option 4 listed in the desk packet handout as a possible middle ground on this topic. She would like to return to this issue in January to resolve outstanding concerns.

→ The motion carried by a vote of 4-3, with Mayor Balducci and Councilmembers Chelminiak and Robinson opposed.

(a) Ordinance No. 6263 updating Development Services fees for applications requiring Building, Land Use, Fire, Survey, Sign, Transportation, Utility, and Clear & Grading review and inspection services; repealing Ordinance No. 6200.

→ Deputy Mayor Wallace moved to adopt Ordinance No. 6263, and Councilmember Robertson seconded the motion.

→ The motion carried by a vote of 7-0.

(b) Resolution No. 9033 establishing substantial need under RCW 84.55.0101 to authorize the use of a limit factor for the tax year 2016 of One Hundred One (101) percent.

→ Deputy Mayor Wallace moved to approve Resolution No. 9033, and Councilmember Robertson seconded the motion.

→ The motion carried by a vote of 7-0.

(c) Ordinance No. 6264 establishing the City's 2016 Regular and Voted Property Tax.

→ Deputy Mayor Wallace moved to adopt Ordinance No. 6264, and Councilmember Robinson seconded the motion.

→ The motion carried by a vote of 7-0.

(d) Resolution No. 9034 providing for the banking of the maximum amount of levy capacity.

→ Deputy Mayor Wallace moved to approve Resolution No. 9034, and Councilmember Chelminiak seconded the motion.

→ The motion carried by a vote of 7-0.

(e) Ordinance No. 6265 adopting the modification of the 2015-2016 Operating Budget and 2015-2021 Capital Investment Program (CIP) Plan (as modified by amendments on the floor); setting forth the estimated revenues and appropriations; establishing job classifications and pay ranges; and establishing an effective date.

→ Deputy Mayor Wallace moved to adopt Ordinance No. 6265, and Councilmember Robertson seconded the motion.

Mayor Balducci confirmed that the Mid-Biennium Budget Update includes items voted on tonight as well as funding for Music Works Northwest.

→ The motion carried by a vote of 7-0.

12. Unfinished Business

(a) Resolution No. 9035 endorsing Vision Zero, an approach to traffic safety whose ultimate goal is to end traffic deaths and serious injuries in the City of Bellevue by 2030.

City Manager Miyake recalled previous Council discussion regarding the Vision Zero initiative.

→ Councilmember Chelminiak moved to approve Resolution No. 9035, and Councilmember Stokes seconded the motion.

Mayor Balducci thanked everyone for considering her proposal.

Councilmember Lee expressed support for the program.

→ The motion carried by a vote of 7-0.

13. Continued Oral Communications: None.

14. New Business: None.

15. Executive Session

At 10:10 p.m., Mayor Balducci declared recess to Executive Session for approximately one hour to discuss one personnel matter.

16. Adjournment

The Executive Session ended at 11:00 p.m., and the meeting was adjourned.

Kyle Stannert
Acting City Clerk

/kaw