

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Extended Study Session

July 22, 2013
6:00 p.m.

Council Chambers
Bellevue, Washington

PRESENT: Mayor Lee, Deputy Mayor Robertson and Councilmembers Balducci, Chelminiak¹, Davidson, Stokes, and Wallace

ABSENT: None.

1. Executive Session

Deputy Mayor Robertson called the meeting to order at 6:01 p.m. and declared recess to Executive Session for approximately 15 minutes to discuss one item of pending litigation.

The meeting resumed at 6:30 p.m., with Mayor Lee presiding.

2. Oral Communications

- (a) Alex Zimmerman, StandUP-America, spoke to the Constitution and freedom of speech. He said that members of the Council are acting like idiots, and he suggested replacing Councilmembers with citizens who are more intellectual. He argued against suppression of the public's right to speak at King County Council meetings. He asked the City Council to do something about the restrictions to speak at County Council meetings. He said there is widespread government corruption.
- (b) Marty Nizlek, a resident of West Lake Sammamish Parkway and representative of the Washington Sensible Shorelines Association, spoke to the Shoreline Management Program (SMP) Plan and provided a CD with 10 documents of information used by the Planning Commission in making its recommendation. He recalled statements during the previous week's Council meeting that the State Department of Ecology (DOE) had reviewed the Planning Commission's draft SMP. He said they did not. He said they downloaded and reviewed a document that was posted on the Internet last December. The Planning Commission made substantive changes to that document through January, and the DOE did not review the final document. He said shoreline residents look forward to continued discussion and submittal of the plan to the DOE. Mr. Nizlek submitted his comments in writing (including CDs for Councilmembers and staff).

¹ Councilmember Chelminiak left the meeting at 9:47 p.m.

- (c) Arjun Sirohi, representing the Surrey Downs East Link Committee, spoke to East Link light rail issues affecting the Surrey Downs neighborhoods. He thanked the Council for the 112th Avenue SE road-over-rail design and for requesting that Sound Transit discontinue any further design work for a SE 15th Street connection into the neighborhood. He asked for reassurance that non-conforming properties not be allowed to exist after the light rail acquisitions. He noted that bids for the Northgate Link light rail project are well below the engineer's estimate. If similar savings are found for Bellevue's segment, residents ask that money be reallocated to adopt the trench design at SE 4th Street and 112th Avenue SE. Mr. Sirohi submitted his comments in writing.
- (d) Lincoln Vander Veen, Bellevue Chamber of Commerce, invited the Council to participate in the second annual Spirit of Bellevue run and walk on August 4, which begins and ends in Downtown Park. A health and fitness fair will take place in the park. This event provides scholarships to seven local high school graduates.
- (e) Peter Marshall commented on the Transportation Facilities Plan (TFP). He supports the Mountain to Sound Greenway improvements and the Burlington Northern Santa Fe (BNSF) rail corridor trail. He expressed concern regarding the Bellevue Way SE HOV lane project from the Y at 112th Avenue to the South Bellevue Park and Ride.

3. Study Session

(a) Council Business and New Initiatives

- Councilmember Stokes moved to amend Council Rules to allow Deputy Mayor Robertson to participate in the August 5 meeting by speakerphone. Councilmember Davidson seconded the motion.
- The motion carried by a vote of 7-0.

Councilmember Chelminiak said he chaired the Firemen's Pension Board meeting, and he noted that the Firemen's Pension Fund is in good shape with approximately \$6.7 million in reserves. He reported that he visited residents in Spiritwood regarding the boarding house issue. He said there are concerns regarding the definition of boarding house in the City Code and the ability to enforce that definition. He observed that the situation involves the Land Use Code, Building Code, business licensing, and fire and safety regulations. He would like the City Manager to create an interdisciplinary staff team to review all of the issues.

Mr. Chelminiak expressed concern that homes are being divided into as many as eight bedrooms, without common areas, and rooms are being rented on an individual basis. He believes this situation should be regulated differently than the intention for boarding house regulations. Mr. Chelminiak requested information on the Planning Commission's agenda and acknowledged that they have a number of timely issues to address including the Shoreline Master Program and medical marijuana.

Councilmember Chelminiak noted that he would need to leave the meeting at 9:45 p.m.

Councilmember Balducci recalled that the Council previously prioritized a list of potential Land Use Code amendments, including one regarding signage for neighborhood shopping centers. She would like to review that list and compare it to current competing priorities.

Councilmember Wallace agreed with Councilmember Chelminiak regarding the urgency of the Spiritwood boarding house issue. He said that parking is one issue that needs to be addressed. One neighbor has expressed concern that excessive cars would block emergency access to other homes.

Councilmember Stokes would like the City to address the boarding house issue as well as code enforcement situations throughout the community including junk piling up in yards and residents operating businesses from their homes. He expressed concern about the impacts on maintaining desirable single-family and multifamily neighborhoods from the encroachment of commercial enterprises.

Responding to Deputy Mayor Robertson, City Clerk Myrna Basich said discussions on potential code amendments are scheduled for September.

Mayor Lee commented on the Council's busy agenda and the many issues it would like to address over the coming months.

Councilmember Chelminiak noted his concern about the number of issues in need of attention within limited time and resource constraints.

Councilmember Balducci said her understanding is that, on August 5, the Council is going to be asked whether to accelerate the five-year review of the Bel-Red Plan, which would generate a large body of work and compete with near term priorities. Although discussions of items will need to be scheduled, Ms. Balducci said she would like a list of the potential code amendments the Council has identified to date.

Councilmember Wallace commented that a realistic schedule for addressing all of the items would be beneficial.

Mayor Lee stated his interest in a schedule as well.

(b) Agreement with Boys & Girls Clubs of Bellevue at Hidden Valley Sports Park

Acting City Manager Brad Miyake said the City and Boys and Girls Clubs of Bellevue have been partners in providing programs and facilities for a number of years. He opened staff's presentation regarding a joint project at Hidden Valley Sports Park.

Patrick Foran, Parks and Community Services Director, said the proposed partnership agreement with the Boys and Girls Clubs of Bellevue is largely unchanged from the agreement reviewed with the Council approximately one year ago. Mr. Foran said the broad policy question is whether the City should enter into a long-term agreement with the Boys and Girls Clubs of Bellevue that allows the organization to construct and operate a gymnasium at Hidden Valley Park in exchange for public benefits at the park commensurate with the estimated value of the property lease. Mr. Foran noted existing partnerships including the Boys and Girls Clubs at the South Bellevue Community Center, Youth Eastside Services at Crossroads Park, and the Pacific Science Center at the Mercer Slough Environmental Education Center.

Glenn Kost, Parks Planning and Development Manager, recalled that the City and the Boys and Girls Clubs began planning for a Downtown facility in 2006. Advantages of the Hidden Valley Park location are that it is a large community park (17 acres) located in West Bellevue near the Downtown with active sports use, good access and visibility, existing parking capacity and residential buffers. Community outreach regarding the project was held last fall, SEPA review has been completed, permit review is in process, and \$3 million was approved for the 2013-2014 Capital Investment Program (CIP) Plan. The Boys and Girls Clubs of Bellevue is conducting a fundraising campaign to support the project.

Terms of the agreement include that the City will lease the building to the Boys and Girls Clubs for 50 years at a cost of \$1 per year, with the potential for three 10-year extensions. The Boys and Girls Clubs organization designs, constructs, operates and maintains the gym on leased property at their cost, and the gym will be designed to accommodate multiple sports. The parties equally share the cost for certain site improvements including synthetic turf on the existing lighted field, adding a third sports field, expanding parking, and addressing stormwater requirements. The City will design and manage construction, and there will be joint design review. The City will continue to maintain and operate the park.

Mr. Kost said additional terms include that the City will have priority use of the gym for at least 70 hours per week. Each party will manage its own programs, and sports field and gym schedules will be coordinated to optimize the use of the facilities. All Bellevue youth will be served regardless of their ability to pay. The Boys and Girls Clubs guarantees funding for the site work. The agreement includes indemnity and hold harmless provisions for construction and the use of the property. The Boys and Girls Clubs maintains insurance coverage consistent with the City's requirements, and all terms are consistent with state law.

Mr. Kost described the proposed site improvements, gymnasium floor plan, and typical gym schedule for the sharing of the facility. He provided a quick summary of the total estimated capital costs of \$10.6 million, with the Boys and Girls Clubs of Bellevue providing \$7.8 million and the City contributing \$2.8 million. The appraised value of the lease is \$2.45 million over 50 years, and the Boys and Girls Clubs' capital commitment to non-gym components is \$2.8 million. The value of gym use is \$55 per hour, or \$10 million over 50 years.

The gym and lighted ballfield will be used year-round. Vehicle access to the park will be the same as it is now, and parking capacity will increase from 140 spaces to 170 spaces.

Neighborhood amenities (i.e., playground, tennis court, basketball court) will remain unchanged and open throughout construction, and a loop trail will be added.

Responding to Councilmember Davidson, Mr. Kost said vegetation will be added on the outside of the gym including along 112th Avenue NE.

Kathy Haggart, President and CEO of the Boys and Girls Clubs of Bellevue, said the organization has been serving kids and families on the Eastside for 61 years. She said they are dedicated to serving all of Bellevue through 12 clubhouses. The Tech Center of Excellence and The Club Teen Center are located in Lake Hills, and a clubhouse is located at Crossroads Community Center. Three of the 12 clubhouses are currently being rebuilt by the King County Housing Authority in public housing developments. The Boys and Girls Clubs of Bellevue are planning on rebuilding the main clubhouse in Downtown Bellevue as well. The organization's long-term goal is to reach 70 percent more youth on a daily basis.

Ms. Haggart said the Boys and Girls Clubs' capital campaign totals \$18 million for three projects: 1) Main clubhouse rebuilding, 2) Hidden Valley Park project, and 3) Repay debt for library property. There is a sustaining fund of \$2 million and the organization is closing in on meetings 50 percent of the overall goal. The Board's campaign exceeded its \$2 million goal.

Ms. Haggart said the Boys and Girls Clubs would like to see the Hidden Valley project completed by the end of 2014. She said the organization and the community are enthusiastic about this project.

Mr. Kost said staff plans to return on August 5 for Council approval of the agreement. Next steps will be to complete design and permitting and to coordinate construction sequencing. The City will award the site improvements contract, and the Boys and Girls Clubs of Bellevue will award the gym contract. Construction is anticipated to extend over 12 months, and the project team is working diligently toward a December 2014 completion date.

Councilmember Balducci expressed strong support for the project and partnership. She said this is a nice addition to the sports and active living component of the City's program. She praised the Boys and Girls Clubs for reaching out to the entire community. She encouraged efforts to include the park's near neighbors in project activities and milestones.

Deputy Mayor Robertson agrees that this is a great partnership. However, she believes the agreement needs additional work and/or clarification. She said the word "Property" is used throughout the agreement but is never defined. She said there are inconsistencies throughout the agreement with regard to what happens in the case of termination (i.e., What is default? What is breach?). Ms. Robertson suggested additional legal review by a fresh set of eyes and a strengthening of the language.

Responding to Ms. Robertson, Mr. Foran said the turf fields generally have a 10-year life. In further response, Mr. Kost said the Boys and Girls Clubs does not have a specific priority compared to other organizations with regard to scheduling usage of the fields. He said that \$55

per hour is the amount the City charges for any party to use a gym at any of its community centers.

Deputy Mayor Robertson reiterated that she would like additional review of the agreement as well as a more detailed financial analysis that itemizes the value of the use of the City's parking lot and park, the present value to the City of the gym usage, and other components.

Responding to Councilmember Davidson, Mr. Kost and Ms. Haggart said both the City and Boys and Girls Clubs give priority to residents for scheduling facilities.

Responding to Councilmember Wallace, Mr. Kost said there has been extensive analysis of parking needs based on field and gym usage. Staff is confident that the parking capacity will meet demand. Mr. Wallace expressed strong support for the project.

Councilmember Chelminiak said he looks forward to the groundbreaking.

Councilmember Stokes said this project is landing at the right place at the right time for the community. He supports the Deputy Mayor's request for refinement of the legal agreement.

Mayor Lee believes the project provides multiple public benefits and a strong partnership. However, he agrees with the need for additional legal review of the agreement and the preparation of an independent, objective financial assessment.

Councilmember Balducci is pleased that the City is benefitting from the equal sharing of the site improvement costs.

Councilmember Wallace noted that the Parks and Community Services Department has a long history of entering into this type of partnership.

Mayor Lee thanked staff and Ms. Haggart for the presentation.

At 7:50 p.m., Mayor Lee declared a short break.

The meeting reconvened at 8:01 p.m.

(c) 2013-2014 Transportation Facilities Plan (TFP) Update

Mr. Miyake introduced discussion regarding the 2013-2014 Transportation Facilities Plan (TFP) update.

Transportation Director Dave Berg said staff is seeking Council direction to return to a subsequent Regular Session with legislation to adopt the proposed plan. He reviewed the TFP process and the plan's relationship to the Comprehensive Plan and the Capital Investment Program (CIP). Projects funded in the seven-year CIP Plan are typically selected from the longer term TFP, which is also used to develop the impact fee project list and schedule.

Mr. Berg recalled the Council's conversation last fall regarding impact fee rates, the timing of collections (i.e., building permit issuance vs. occupancy), and the impact fee expenditure policy (i.e., location specific vs. areawide). Staff plans to bring those three issues back for Council discussion next year in preparation for the Mid-Biennium Budget process.

Councilmember Davidson expressed concern that slowed growth and lower impact fee collections leave property taxes to finance infrastructure investments.

Mr. Berg recalled that, during last year's discussion about impact fees, there was a commitment to review the key assumptions and issues during the next two-year budget process in 2014.

Responding to Councilmember Stokes, Mr. Berg confirmed staff's plan to discuss impact fees and other revenue sources in the spring.

Councilmember Chelminiak said the impact fee is scheduled to increase to \$5,000 in January 2016. He recalled that the Council was interested in determining whether that is the appropriate level and what other funding sources might be available if a lower impact fee is implemented. He said there has been some discussion about a potential voter-approved measure .

Mike Ingram, Senior Planner, said staff began working with the Transportation Commission in the fall of 2011 to develop a list of projects for the 2013 - 2024 TFP update. The preliminary project list was presented to the Council on July 16, 2012, and the Council authorized the EIS consultant agreement on November 5, 2012. The Draft EIS was published on April 11, 2013, and the final EIS is due to be published on July 25, 2013. The Transportation Commission approved the draft TFP Update on June 13, 2013.

Mr. Ingram said there are 43 projects in the TFP: 32 Roadway/Intersection projects and 11 Pedestrian/Bicycle projects. The current projection of revenue available for 2013-2024 TFP programming is \$277.1 million. Individual TFP projects will be evaluated further at the time of implementation.

Mr. Ingram said two alternatives were studied: 1) No action (i.e., 2013-2019 CIP Plan), and 2) Action/TFP Network (with or without the NE 15th Street Zone 1 project).

Mr. Ingram said the 2013-2024 TFP Revenue Forecast assumes impact fee collections of \$90.7 million and special benefit or Local Improvement District (LID) contributions of \$9.6 million. Total available revenue is estimated at \$411.5 million, including General CIP, Transportation-dedicated revenue, grants and other agency contributions.

Responding to Councilmember Balducci, Eric Miller, Capital Programming Division Manager, said the revenue forecast assumes the 2013-2019 CIP Plan plus comparable revenues for five additional years. In further response, Mr. Ingram said the previously-adopted TFP totaled \$432 million.

Continuing, Mr. Ingram said that \$236.7 million of the \$411.5 million is committed revenue in the 2013-2019 CIP Plan. The impact fee project list contains 18 projects for a total cost of \$203.4 million. This supports the adopted impact fee schedule of \$3,000 per trip currently, and \$5,000 per trip beginning in 2016. Mr. Ingram explained the impact fee cost allocation formula, which calculates a maximum allowable fee of \$5,494 per trip. He said staff will return next year during the budget process to review the impact fee program and broader policy issues: 1) Adopted fee schedule, 2) Deferral of impact fee collection point, and 3) Impact fee expenditure policy.

Mr. Ingram said the Transportation Commission voted in favor of recommending adoption of the 2013-2024 TFP.

Scott Lampe, Transportation Commission Vice Chair, briefly reviewed the June 13, 2013 memo of recommendation to the City Council [Page 3-43 of meeting packet]. Three key observations are: 1) Traffic congestion in the Wilburton and Newcastle areas is expected to exceed level of service (LOS) standards by 2024 under both the no action and TFP network scenarios, 2) The progress in implementing sidewalks along arterial roadways is falling short of the rate needed to meet the City's adopted policy target, and 3) The NE 15th Street Zone 1 project would offer some benefit to access and circulation in the Wilburton, Bel-Red, and Downtown areas.

Responding to Councilmember Wallace, Mr. Ingram said the projected Wilburton LOS meets the standard through 2019, and it is possible this will be exceeded by 2024. Mr. Wallace said it would be helpful to understand how this will be monitored and managed.

In further response to Mr. Wallace, Mr. Ingram said the existing City policy is to build 25 miles of sidewalks along arterials by 2019. He recalled that the target was established in consultation with the Transportation Commission in 2009, which was adopted by the Council as well. It was intentionally set as an aggressive target.

Councilmember Balducci said her memory of past discussions involved an estimate that it would take approximately 100 years to complete sidewalks at the historic rate. This prompted the City to adopt a target to monitor progress. She appreciates the Transportation Commission raising the issue now.

Responding to Councilmember Chelminiak, staff confirmed that approximately 8 miles of the 25 mile target have been completed. Mr. Chelminiak observed that the establishment of the target in 2009 did not include consideration of the Eastgate annexation. He observed that progress on providing bike paths has fallen short as well.

Mr. Lampe said the Transportation Commission wanted to highlight the sidewalk issue before the next budget process and to suggest that realistic benchmarks should be set.

Responding to Councilmember Davidson, Mr. Berg acknowledged that each CIP Plan is generally not completed within the seven-year plan and budget. Mr. Berg said the 2009 Pedestrian and Bicycle Plan will be updated, which will help to determine a more realistic goal

for both sidewalks and bike paths. He noted that a number of non-motorized projects have been scaled back during the economic recession.

Continuing, Mr. Lampe highlighted TFP projects underway including the NE 4th Street extension, 120th Avenue NE corridor improvements, and West Lake Sammamish Parkway. A number of projects will be coordinated with Sound Transit for the East Link project: 120th Avenue NE widening, 124th Avenue NE widening, NE 16th Street link (130th to 132nd Streets) and Bellevue Way SE HOV lane (112th Avenue Y to I-90).

Councilmember Balducci noted that only a portion of the HOV lane on Bellevue Way SE, in the vicinity of the Park and Ride, is related to the East Link light rail project.

Responding to Deputy Mayor Robertson, Mr. Lampe said the HOV project includes a multi-purpose path on the east side of Bellevue Way SE. Mr. Berg said the plans indicate a six-foot shoulder or sidewalk on the west side of Bellevue Way SE. Ms. Robertson stated her understanding that the west side includes a sidewalk.

Mr. Lampe briefly described pedestrian and bicycle system projects in the TFP.

Councilmember Wallace said he would like to add the Newport Way sidewalk project to the TFP.

Mr. Miller suggested that the Council adopt the plan as presented and direct staff to draft an amendment to add the Newport Way sidewalk project.

Mr. Wallace said he understands that a specific design would need to be developed. However, he believes it is important to be able to move forward relatively quickly with the project. Mr. Miller said staff will prepare options for the Council's consideration of adding the project to the TFP.

Responding to Deputy Mayor Robertson, Mr. Ingram said the required timeframe for adding the Newport Way sidewalk project to the TFP depends on the level of additional environmental review that would be required.

→ Councilmember Wallace moved to direct staff to come back with a proposal for amending the Transportation Facilities Plan (TFP) to add the Newport Way sidewalk project. Deputy Mayor Robertson seconded the motion.

Responding to Councilmember Chelminiak, Mr. Miller said staff would like to work with the community to determine the appropriate scope of the project. He said there is approximately \$5 million in potentially available funding at this time.

→ As an amendment, Councilmember Balducci moved to expand the review of potential amendments to the TFP to include deleting the Bellevue Way SE HOV Lane project from the Y at 112th Avenue SE to the South Bellevue Park and Ride, but retaining the

shoulders and/or sidewalks and/or multipurpose trail. Councilmember Chelminiak seconded the motion.

Councilmember Balducci said that removing the HOV lane project would provide funding for needed projects that serve multi-modal uses. She said the HOV lane project is very expensive and invasive to the neighborhood. She said it is ironic to consider expanding Bellevue Way SE concurrent with the implementation of high-capacity transit that is intended to accommodate additional trips along the same road. Ms. Balducci suggested removing the HOV lane project and adding the Newport Way project. The community has made it clear that it does not want the HOV lane, and the benefit/need has not been clearly demonstrated.

Councilmember Chelminiak acknowledged his opposition to the HOV lane project. He recalled that he still has questions about the project from the last Council discussion and he was expecting additional discussion. He supports the main motion and motion to amend. However, he believes this raises a question about how the Council operates. He said there has been a tendency in recent years to introduce unexpected motions during meetings.

Deputy Mayor Robertson said she supports the main motion but does not support the motion to amend. She said the amendment removes a project that has been recommended by the Transportation Commission, without a great deal of detailed thought. She said the motion provides direction for staff to conduct additional study and to present a funding proposal for the Council's consideration in the future.

Ms. Robertson said the Newport Way project has been a long-term request by Eastgate area residents. She encouraged a comprehensive study to enable the Council to consider the project during next year's budget process.

Councilmember Stokes concurred with Ms. Robertson. While he understands the time required for planning, he believes the City also needs to be nimble enough to make changes to its plans. He observed that the Bellevue Way HOV lane is a separate project that is not tied to light rail and serves a heavily traveled gateway to the community. He said it will be appropriate to discuss the project justification and scope at a future time. He will not support the amendment.

Mayor Lee concurred with Mr. Stokes and suggested focusing on taking action on the TFP as presented at this time.

Councilmember Davidson questioned what the environmental impact statement (EIS) indicates about the Bellevue Way SE HOV lane project. He observed that both sides of the road are in critical areas (i.e., wetlands and steep slope).

Mr. Ingram said the EIS considers natural environment impacts and transportation impacts. Staff's analysis shows that adding the HOV lane draws another 500 to 600 vehicles to the corridor. Mr. Ingram acknowledged that this increases pressure at the Y intersection and requires adding a turn-pocket on 112th Avenue SE to maintain adequate functioning of that intersection.

The project increases traffic volumes on 108th Avenue SE through Surrey Downs and decreases cut-through traffic in the Enatai neighborhood. The analysis did not address travel time.

Dr. Davidson questioned whether the analysis addressed the adjacent critical areas.

Mr. Ingram said the analysis to date covers the broader area. A detailed, project-level analysis will refine the anticipated impacts. He said there are noise and aesthetic impacts, as well as wetlands and steep slopes. There would be lesser impacts on the east side of the road.

Councilmember Stokes said a decision has already been made to include the HOV lane project in the TFP. He believes a more robust discussion and process is needed to consider removing it from the TFP.

Councilmember Chelminiak said the City put the HOV lane project into the environmental scoping to look at the questions raised by Councilmember Davidson, and to then make a decision about whether the project should go forward in the TFP. He said this is precisely the appropriate time for this discussion.

Responding to Mr. Chelminiak, Mr. Berg confirmed that the HOV lane project accommodates 500 to 600 more vehicles on the Bellevue Way SE corridor between the Y at 112th Avenue SE and I-90.

Councilmember Chelminiak observed that the effect of the \$20 million HOV lane would be 79 more vehicles on the Bellecrest portion of 108th Avenue SE and 77 less vehicles on the Enatai portion of 108th Avenue SE during the evening peak hour.

Mr. Ingram said an analysis to the 2030 horizon showed a more significant benefit to the Enatai neighborhood in terms of reducing cut-through traffic.

Mr. Chelminiak said he would hold his additional questions to follow the Council vote on the motion.

Mr. Stokes said he would like to see the EIS as well.

Councilmember Balducci reviewed her understanding of the process: scoping, environmental review, and the development of the Transportation Commission's recommendation. This is the next step, which is the Council's opportunity to decide what should be in the TFP based on the environmental review. Ms. Balducci said she has not heard the justification to support including the Bellevue Way SE HOV lane project in the TFP.

Deputy Mayor Robertson said the expanded South Bellevue Park and Ride will accommodate 800 more cars. She said the TFP is a 12-year program. She found the traffic data presented earlier this year to be compelling. However, adding a project to the TFP does not guarantee funding in the CIP Plan. She does not support removing any projects from the TFP, which is supported by the Transportation Commission, at this time.

- The motion to amend failed by a vote of 3-4, with Councilmembers Balducci and Chelminiak in favor, and Councilmember Davidson's silence being counted in the affirmative.
- The main motion carried by a vote of 7-0.

Councilmember Chelminiak questioned where the greatest increase in congestion is expected to occur citywide. His understanding is there will be a 100 percent increase in congestion in Wilburton and the Bel-Red corridor through the time horizon of the TFP.

Mr. Ingram confirmed that traffic volumes are expected to increase in the Wilburton area and intersections will be stressed.

Mr. Chelminiak noted the planned overpass for NE 15th Street related to the light rail project, and questioned how that will affect traffic flow for Wilburton, Bel-Red, and the Hospital District.

Mr. Ingram said the NE 15th Street Zone 1 segment would be a beneficial connection between the Downtown and the Bel-Red corridor. It is costly, however, and is not in the recommended TFP project list. Mr. Ingram said the project improves the performance of intersections to the north, but it does not significantly relieve congestion to the south at NE 8th Street and NE 4th Street.

Responding to Councilmember Chelminiak, Mr. Lampe said the Transportation Commission was concerned about the cost of the NE 15th Street project and determined it was not justified based on the benefits.

Mr. Chelminiak requested a written description of what the project would do within the 2024 time horizon.

Councilmember Balducci thanked Mr. Lampe and the Transportation Commission for their work.

Responding to Councilmember Wallace, Mr. Berg said staff will come back for the impact fees discussion early next year.

(d) East Link Work Program Update

Mr. Miyake introduced staff's update on the East Link work program.

Transportation Director Dave Berg recalled that the Council adopted a preferred alignment and cost savings option for the East Link light rail project in April, which was affirmed by the Sound Transit Board. He said the project is moving quickly at this point, and the 60-percent design plan for the Bel-Red corridor section of East Link was recently completed. He reviewed the project schedule, which continues with final design through 2015. He noted that 60-percent design

completion is targeted for the Downtown this fall. The Sound Transit Board authorized the property acquisitions it committed to during its June 27 meeting, which includes all properties along 112th Avenue SE. Sound Transit is continuing its outreach related to station design and naming the Downtown station.

Maria Koengeter, Principal Planner, presented the East Link major milestones and work plan. Design and mitigation permit submittals will begin this fall. During the same timeframe, work to complete the 60-percent design cost estimate, value engineering, and risk analysis will continue into 2014. Next spring or early summer there will be a 45-day window for review and confirmation of the East Link memorandum of understanding (MOU) between Sound Transit and the City.

The City's East Link work program includes a comprehensive review of work items based on the collaborative design process management plan and MOU commitments. It involves all City departments and coordination with multiple related City projects and initiatives, and monthly updates will be provided to the Council.

The City and Sound Transit are working together to develop a permitting processing plan based on City processes and the Light Rail Transit (LRT) Overlay Code. Staff is seeking the formation of the citizen advisory committee specified in the LRT Overlay. The Council's role is to decide and direct potential resource issues related to the delivery of the permit processing plan.

Ms. Koengeter said the City and Sound Transit are continuing to work together through design and scope development. This effort is utilizing the work of the City's acoustical consultant to determine noise mitigation. This phase includes coordinating City projects, including the 120th Avenue NE and 124th Avenue NE road projects in the Bel-Red corridor, with light rail design. The Council's role for this work item is the resolution of issues that require modifications to City codes, city-owned properties, or to the project description approved on June 10, 2013.

Staff recommends hiring an independent consultant to assist in a detailed review, value engineering process, and constructability review of the 60-percent cost estimates, MOU baseline costs and MOU City contingency contribution. Council approval of the contract is requested on August 5, and regular updates will be provided leading to the MOU confirmation period.

Ms. Koengeter said the City is undertaking the station area planning effort to guide the integration of light rail into the community and to ensure compatibility with existing development, optimize connectivity to stations, and provide meaningful community involvement. This effort will be conducted with a staggered work program through 2015, beginning with the South Bellevue Station discussions this fall. The Council's role will be action on policy direction, modifications to City codes or land uses, and capital program investments. The City will ultimately coordinate with Sound Transit for the final design outreach.

The City is assisting Sound Transit in its study of operations and maintenance satellite facility (OMSF) options. Sound Transit's draft environmental impact statement (DEIS) is anticipated for release later this year. Ms. Koengeter said the City and Sound Transit are working together for an

Urban Land Institute independent review of alternative sites including related transit-oriented design potential, mitigation, and maintenance base best practices. The Council will be asked for comments on the DEIS and recommendations regarding site selection.

Ms. Koengeter said that MOU property acquisitions are underway. Staff is seeking approval on August 5 of condemnation authority related to the acquisitions. The Council will be involved in the approval of property purchases and approval of the condemnation ordinance. The project team is working through the design process to determine the City's long-term operational needs related to affected City-owned properties, including Surrey Downs Park, and to transfer the appropriate City property to Sound Transit by June 2015. Additional MOU contributions from the City involve public utilities, private utilities, grants, and other opportunities as they arise. The Council will take action on any changes to MOU contributions.

Deputy Mayor Robertson asked staff to flag for future discussion the Pacific Northwest Ballet (PNB) issue raised previously by Councilmember Wallace. As another issue needing attention, she noted Arjun Sirohi's comments during Oral Communications regarding plans for the homes south of Surrey Downs Park that are being condemned. Ms. Robertson said that a Council candidate is advocating for turning some of that into affordable housing. While she suspects this is not a realistic option, she would like staff's update on the issue. She questioned whether Sound Transit has plans for a potential park or green space in that area.

Deputy City Attorney Kate Berens said the City's work plan will track that issue over time. Sound Transit has made offers to purchase those properties.

Ms. Robertson asked to be kept informed and to refer any policy-making decisions to the Council.

Councilmember Wallace requested additional information on the proposed operations and maintenance facility. He questioned the status of site alternatives in Lynnwood.

Chris Salomone, Director of Planning and Community Development, said the process is moving toward having a DEIS issued in November for the City's review as a collaborating city. In the meantime, the City and Sound Transit are convening a technical advisory panel of the Urban Land Institute to analyze impacts, best practices, and development potential, and to produce a report by late September/early October. Sound Transit recently provided a draft market study of TOD compatibility of their surplus property, which mainly dealt with the International Paper site, produced by Kidder Mathews. The City will submit its comments in the near future.

Mr. Salomone said the potential site in Lynnwood for the operations and maintenance facility is facing opposition, and Sound Transit is negotiating with the school district. Eminent domain is not an option because the site is public property. He noted that Bellevue staff attended a public meeting on the project approximately one month ago.

Councilmember Wallace said he believes the maintenance facility and light rail system should be considered as one overall project. If the operations and maintenance facility is located in

Bellevue, this will mean trains using the tracks at times that would not occur without that facility. He believes the facility is germane to the discussion about the alignment and overall mitigation. He observed that there needs to be an effort to better coordinate the planning of all light rail-related elements.

Mr. Salomone said staff has communicated to Sound Transit staff that Councilmember Wallace believes the alignment and maintenance facility should be addressed in a comprehensive manner.

Responding to Mr. Wallace, Mr. Salomone said his understanding is that the ULI study is looking only at the two Bellevue sites.

Councilmember Balducci said she requested many of the activities described by Mr. Salomone. She said Sound Transit considers the OMSF project as a separate project with its own timeline. However, she agrees with Councilmember Wallace that how it all fits together within the community should be considered in total. She encouraged a broader discussion, noting that sometimes transit agencies can become very focused on operations and technical issues.

Ms. Balducci said that part of what she inserted into the final motion when the Sound Transit Board adopted the planning pieces related to the OMSF was that, before Sound Transit buys the International Paper site, the agency look at meeting Bellevue's interests and needs related to creating TOD around Bel-Red corridor transit facilities. Ms. Balducci said she requested an independent study of Bellevue alternatives, which led to selecting the ULI process.

Councilmember Wallace expressed concern that the study will focus only on Bellevue sites.

Ms. Balducci said one objective of the ULI study is to detail for the Sound Transit Board the importance and the magnitude of the opportunity for the land use in the Bel-Red corridor. The Board has had multiple workshops on transit-oriented development on surplus property and is becoming more interested in the financial lift related to TOD. Ms. Balducci believes that the more the Sound Transit Board sees the positive potential of TOD in the Bel-Red area, the less attractive it should look for siting a maintenance facility.

Mr. Wallace wants to ensure that Lynnwood continues to be pursued and studied. Ms. Balducci said there has been some interest in Lynnwood regarding the potential positive benefits. Mr. Salomone said the Lynnwood option does not have nearly the organized opposition as the City of Bellevue.

Mr. Wallace observed that the alignment for Lynnwood has far less impacts to single-family homes than the Bellevue alignment.

Mayor Lee thanked Councilmember Balducci for her efforts and sensitivities.

Councilmember Stokes concurred, noting that Ms. Balducci's efforts on the Sound Transit Board are helping Bellevue to achieve a full analysis and airing of concerns.

Councilmember Chelminiak noted that he would need to leave the meeting to catch a flight. He recalled that, when he agreed to vote in support of the cost savings measures, he offered an amendment to provide an enclosed Downtown Station. At that time, Ms. Balducci offered, and he supported, significantly improving the pedestrian connections to the station, especially in light of the loss of the station entrance between NE 2nd Street and NE 4th Street. Mr. Chelminiak acknowledged that these items are expensive. However, he hopes the project team will carry that forward for more analysis to determine the expense and potential funding.

Mr. Chelminiak noted additional items of interest for more information: 1) Council role in project management, 2) Council role in the permitting process, and 3) the legal ramifications of the Council being involved in those issues as a whole or through Council subcommittees.

[Councilmember Chelminiak left the table at 9:47 p.m.]

Moving on with the presentation, Ms. Berens described the collaborative design process and the roles of the Leadership Group (elected/appointed officials and City Manager/Sound Transit CEO), steering committee, collaboration team, and technical working groups. The work program focuses on implementation and project delivery. The Steering Committee is currently reviewing the teams and roles to most effectively respond to upcoming issues by clarifying the role of the collaboration team and updating the technical working group memberships and responsibilities.

The role of the Leadership Group is to resolve issues of scope or process that do not require policy, code or MOU changes and to address issues that could not be resolved at lower group levels. Ms. Berens said staff is seeking Council confirmation of the role and function of the Leadership Group.

Councilmember Stokes thanked staff for their work and expressed support for confirming the approach and role as articulated by staff.

Mayor Lee observed that appointing Councilmembers to the Leadership Group can wait until the need arises to address specific issues.

Councilmember Davidson expressed concern about whether the overall process provides adequate neighborhood protection.

→ Councilmember Balducci moved to extend the meeting to 10:30 p.m., and Councilmember Stokes seconded the motion.

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

Dr. Davidson said he will support deferring the appointment of a Leadership Group. However, he reiterated his concern for neighborhood protection and wants the Council to remain actively involved.

Deputy Mayor Robertson said she is comfortable with staff's recommendation regarding the approach to the Leadership Group, which is to appoint a group when needed. She believes the previous Leadership Group was able to effectively represent the Council's priorities and interests through the past collaborative design process.

Councilmember Balducci reported that the ULI panel and study does include consideration of the Lynnwood site for the operations and maintenance facility as well. She said there is a great deal of technical work to be completed now, and policy work will come forward again. She said the Council does not have a role in the permitting process, and she would like to allow the permitting process to move forward. She looks forward to monthly updates and moving into the next phase of the process.

Councilmember Wallace said the consultant to be hired on the City's behalf is going to be conducting a very detailed analysis, including a financial analysis. He would like to be able to have more direct communication regarding elements of that study to ensure that it is done appropriately and to ensure there is an apples-to-apples comparison of the financial underpinnings of the MOU from 2011 as they compare to today's cost estimates. Mr. Wallace believes he can add value to the process given his background in financial analysis. However, he does not want to do anything that would be inappropriate.

Mayor Lee believes the Leadership Group was very effective in past negotiations. At the same time, he does not want staff to have the impression that the Council does not trust staff's expertise and abilities. He supports individual Councilmembers' involvement in issues in which they have a specific expertise.

Continuing the presentation, Ms. Koenigter recalled that Resolution No. 8576 adopted by the Council in April called for an enclosed and weatherproofed Downtown Station and enhanced pedestrian access. Staff is approaching these as two separate tasks. Enclosing and weatherproofing the station will be implemented as part of the East Link process and station design. Sound Transit has prepared canopy coverage options [Page 3-75 of meeting packet] in response to the Council's direction.

Ms. Koenigter said staff is requesting Council direction on the alternatives, which will allow the input to be incorporated into the 60-percent plans submitted for permit review this fall. The CAC would then be able to evaluate the options and engage in a robust public involvement process.

Staff suggests approaching the topic of pedestrian enhancements through the City's Capital Investment Program (CIP) process for preliminary engineering analysis, public input on options, and Council consideration. This would lead to a conceptual analysis to address enhanced pedestrian access, grade-separated pedestrian crossings, and Bellevue Transit Center modifications.

Ms. Koenigter described the four canopy coverage options, enhanced pedestrian access features, potential grade-separated pedestrian crossings, and Bellevue Transit Center modifications. She said the options were developed incorporating public input regarding safe pedestrian access,

connections to transit, bicycle access, the degree of enclosure for the station, and the potential for creating a community focal point with green space and strong design features. The options were also informed by the Light Rail Overlay, Light Rail Best Practices report, Downtown Livability principles, Downtown Transportation Plan, and civic campus design guidance.

Mr. Salomone explained that the design intent of the NE 6th Street Station is to celebrate light rail as a major urban amenity, provide an exceptional rider experience, create a visual and functional delineation between the station and City Hall, optimize connectivity to the Bellevue Transit Center, and to reach beyond the footprint of the station to include outdoor elements. He noted the opportunities for designing connections to Meydenbauer Center, City Hall, and the Bellevue Transit Center.

Mr. Salomone said staff recommends utilizing the NE 6th Street Station Statement of Design Intent to work with Sound Transit to advance the design and to forward the design to the citizen advisory committee for its review. Staff recommends stating that the station enclosure be increased to its highest level prior to triggering extensive and costly fire and life safety infrastructure. Staff recommends advancing pedestrian enhancement concepts into a preliminary design study.

Deputy Mayor Robertson stated that Attachment D, NE 6th Street Station Statement of Design Intent [Page 3-73 of meeting packet], is good with the exception of using the phrases “architectural vocabulary” and “design vocabulary,” which really mean architectural or design features or elements. With regard to connections, she observed that there are strong concepts for pedestrian enhancements.

Ms. Robertson referenced Item 1-3 [Page 3-81] which has lane reductions. She said that one reason she favored the NE 6th Street Station was because she did not want to reduce road capacity. She is not in favor of anything that reduces capacity because she wants to see an increase in both road and transit capacity. She is not in favor of the pedestrian bridges. They are all very expensive, cumbersome, and do not activate the street for livability. She is opposed to spending any money for further study of the bridges.

Councilmember Stokes said he does not support canopy coverage options 3 and 4 for the NE 6th Street Station. He questioned whether there is something between Options 1 and 2 that would ensure full coverage of the train platform but still provide ventilation and openness.

Mr. Berg clarified key features of Option 1.

Mr. Stokes observed that Option 1 complies with the directive for weatherproofing the station.

- Councilmember Stokes moved to extend the meeting until 10:45 p.m., and Councilmember Balducci seconded the motion.
- The motion carried by a vote of 6-0.

Councilmember Stokes spoke in favor of providing as much weather protection as possible without triggering expensive fire and life safety requirements.

Ms. Berens said the citizen advisory committee's review will focus on the overall station design but not the specific percentage of coverage.

Councilmember Davidson questioned whether the pedestrian enhancements should be included in the broader downtown studies.

Mr. Berg said that many of the concepts described in this presentation come from the work accomplished as part of the Downtown Transportation Plan update. However, pedestrian access to a light rail station introduces new elements that are not part of the scope of that plan.

In further response, Mr. Salomone suggested moving forward with East Link 60-percent design and station design as proposed, and addressing the station connectivity enhancements as a separate project. He said it is possible that station pedestrian and connectivity enhancements will come back at the same time as the Downtown Livability Study recommendations.

Mayor Lee said he had the same concern about so many studies going on and how well they are integrated. He noted the need for more information demonstrating the overlap of different studies and planning activities.

Councilmember Balducci recalled that the previously identified \$5 million was to work on pedestrian connectivity and did not include weather enclosure. She said that was the intent of her motion, which is not accurately reflected in Resolution No. 8576. Ms. Balducci said that weather protection should be part of the Sound Transit project. She said this is the City's savings, which should not be required to be spent on enclosure or fire/life safety. The reason for the \$5 million was to complete improvements to Bellevue streets.

Ms. Balducci suggested a review of the past discussion adopting Resolution No. 8576. She wants to be clear about where the City is spending its money and why. She believes that Sound Transit should pay to enclose the station.

Ms. Berens said that, under the MOU, the cost savings associated with the NE 6th Street Station were based on an assumption and design of 72 percent coverage.

Ms. Balducci said she would have never intended to support the City contributing more money to achieve savings in order to make the NE 6th Street Station appear less expensive than the Downtown Tunnel. She opined that the City is contributing money to achieve savings in order to make the NE 6th Street Station appear to be better than the tunnel station, which was the station design she supported.

Ms. Balducci reiterated that her intent for the \$5 million in her past motion was that those funds would go toward pedestrian enhancements to City streets. She said she never intended that level of funding to cover grade-separated pedestrian amenities. She believes the priority for pedestrian

connections, at this point, should be to the Transit Center. She believes other connections are important as well, however.

Referring to the summary of pedestrian enhancement options on page 3-81, Ms. Balducci said she would like to learn more about these options. She observed that item 1-3 is possibly the only option that provides significant improvement to station access. She would like further study of item 2-1, a pedestrian bridge over 110th Avenue between the Transit Center and the NE 6th Street Station entrance. While the Transit Center is not the City's facility, Councilmember Balducci suggested that the City can take the lead for the longer term integration of the bus and rail facilities and the place-making aspects of the site.

With regard to weatherproofing, Ms. Balducci said she would be interested in the location of the drip lines if there is not 100 percent canopy coverage. She tends to agree that full coverage triggering fire and life safety measures is probably not feasible. However, rider experience is very important as mitigation for pulling the alignment out of the tunnel. She believes more information, including comparisons with other stations, is needed.

Mr. Salomone said the input is incredibly helpful. He advised that, with the requested direction to move forward to 60 percent design, it is sufficient to indicate that the station will not be fully enclosed. Staff will look at maximum protection and bring back design options.

Councilmember Wallace said he does not recall previous discussion about pedestrian bridges, which he believes would not be the best use of money. In light of Councilmember Balducci's comments, he suggests taking a step back to think about the best use of \$5 million to enhance connectivity to existing facilities (i.e., Transit Center, Pedestrian Corridor) and to further the goals of the City's pedestrian facilities plans. He said these are good issues for consideration by the CAC.

Councilmember Stokes said his understanding has been consistent with what Councilmember Balducci envisions in terms of a focus on enhancing connectivity to the light rail station.

Deputy Mayor Robertson asked whether staff felt they had adequate direction.

Mr. Salomone said his understanding is to move forward advocating for maximum coverage that does not trigger fire and life safety measures, and to come back with an array of pedestrian enhancements as Councilmembers have described (e.g., increased connectivity to Bellevue Transit Center and Pedestrian Corridor, without the consideration of grade-separated options).

Mayor Lee observed that the project will likely continue to change and evolve. He recalled that the Bellevue Transit Center was intended to be temporary.

Councilmember Balducci clarified her personal viewpoint, which is that she prefers to not trigger fire and life safety requirements. However, she would like to know what it would take to achieve full weather protection. If that triggers additional safety requirements, she would like to know the implications.

- Councilmember Wallace moved to extend the meeting until midnight, and Councilmember Stokes seconded the motion.
- The motion carried by a vote of 4-2, with Deputy Mayor Robertson and Councilmember Davidson opposed.

Councilmember Wallace asked staff to come back with an explanation of how it is that Bellevue spends money on a Sound Transit station. He suggested that the City should ask Sound Transit to enhance weather protection on its station, either as mitigation or as a reasonable expectation, but it is not the City's station. He concurred with Ms. Balducci's assessment that the station is Sound Transit's project and pedestrian amenities are the City's projects.

Ms. Berens said it is not City of Bellevue cash, but it comes out through the MOU cost accounting. There will be an update to the project baseline budget that will include Sound Transit's estimate for building a station. There is not a separate line item in the MOU for mitigation. She said this is not Bellevue money, but it is an opportunity cost to provide direction in terms of the City's contingency relative to the project baseline budget.

Councilmember Wallace observed that Sound Transit's allocations are much higher than what it would cost the City to deliver certain project elements on its own.

Councilmember Davidson cautioned that it is difficult to make good decisions this late in the evening.

(e) Regional Issues

(1) Revised Draft Interest Statement for the Eastside Rail Corridor

Mr. Miyake said Council action is requested to approve the draft interest statement for the Eastside Rail Corridor (former BNSF right-of-way).

Deputy Mayor Robertson referred the Council to a revised draft provided in the desk packet.

Joyce Nichols, Director of Intergovernmental Relations, recalled the July 1 presentation regarding planning efforts underway for the Eastside Rail Corridor and the work of the ERC Regional Advisory Council. At that time, staff provided the 2006 and 2010 interest statements to the Council for review and requested feedback.

Ms. Nichols said the Regional Advisory Council will meet July 24 to continue its work on developing recommendations for the King County Council, which is targeted for completion in October. She said Council guidance will help staff to ensure that the City's interests are represented.

Deputy Mayor Robertson expressed support for the revised draft provided in the desk packet.

Councilmember Balducci commented on multiple uses and pedestrian mobility. If the trail goes over NE 8th Street at that location, it would provide a pedestrian overcrossing which would serve additional needs including a connection to the light rail station. She suggested including that in the interest statement as an opportunity for increasing pedestrian mobility and connectivity.

Councilmember Balducci believes that language stating that the project is necessary and essential is an overstatement. She suggested toning down the language that indicates that the failure to develop the trail will hamper the multi-modal network. She suggested stating that the project is important and worthwhile, but she observed that when everything becomes critical, nothing is critical.

Councilmember Wallace concurred with adding a reference to the light rail Hospital Station, which could benefit from the trail connection.

Mr. Wallace questioned whether the interest statement should address the potential light rail operations and maintenance facility. Ms. Nichols said staff discussed that issue. She observed that it would not negatively impact the interest statement to not include a reference to the facility.

Ms. Balducci suggested that that concept could be tied in with a statement about the light rail station. Mr. Wallace was agreeable to that approach.

- Councilmember Stokes moved to adopt the Revised Interest Statement for the Eastside Rail Corridor (desk packet version), as amended by the suggestions from the floor. Ms. Robertson seconded the motion.
- The motion carried by a vote of 6-0.

Mayor Lee invited everyone to attend the Fu Dog dedication ceremony on July 29 in front of City Hall.

At 10:59 p.m., Mayor Lee declared the meeting adjourned.

Myrna L. Basich, MMC
City Clerk

/kaw