

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Session

January 21, 2014
8:00 p.m.

Council Chamber
Bellevue, Washington

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

ABSENT: Councilmember Lee

1. Call to Order

The meeting was called to order at 8:09 p.m., with Mayor Balducci presiding.

2. Roll Call, Flag Salute

All Councilmembers except Councilmember Lee were present. Councilmember Chelminiak led the flag salute.

3. Communications: Written and Oral

Mayor Balducci said she has been speaking with the City Clerk about the Council's protocol for oral communications. The Mayor will be asking the Council to consider approving a temporary modification of the rules to: 1) establish a sign-in sheet for individuals wishing to speak, 2) limit the total time of oral communications in any one meeting to 20 minutes, and 3) authorize the Chair to limit the time per speaker to two minutes if a number of individuals have signed up. If there is limited interest in commenting, Ms. Balducci suggests retaining the flexibility to allow the established three-minute (individual) and five-minute (representative of an organization) maximums for oral communications.

Ms. Balducci suggested adopting the temporary modifications beginning with the next week's meeting.

- (a) Alex Zimmerman, StandUP-America, said he would like the City Manager to hold a monthly forum for a conversation with citizens. Mr. Zimmerman said he has spoken with the Acting City Manager twice during the past six months but did not receive a follow-up response to his request for information. He spoke against the use of red light cameras. He

asked the Council to work for all people. He alleged that there is corruption and bribery.

- (b) Sam Bellomio, StandUP-America, expressed support for the request that the City Manager hold televised citizen forums. He would like to know how other citizens feel about the use of red light cameras. He is in favor of community engagement. He expressed concern that Police Department personnel are not required to track their work hours.
- 4. Reports of Community Council, Boards and Commissions: None.
- 5. Report of the City Manager: None.
- 6. Council Business and New Initiatives

Councilmember Robertson attended the Sound Cities Association's breakfast for women elected officials and the retirement party for former Kirkland Mayor Joan McBride. She attended meetings of the Planning Commission and the Downtown Bellevue Residents Association. She noted that the Planning Commission meeting was held at Interlake High School and suggested that the City Council might want to consider occasionally holding meetings at different locations throughout the community.

Councilmember Stokes attended a regional meeting hosted by the Sound Cities Association. Mr. Stokes serves on the King County Regional Policy Committee (RPC) as an appointee through SCA. He attended the retirement party for Joan McBride and a Martin Luther King, Jr. Day celebration.

Councilmember Robinson said she attended a number of meetings already mentioned by her fellow Councilmembers. She attended a meeting of the Master Builders Association which included a presentation on transportation. She continues to meet with neighborhood leaders and participated in a Seahawks rally at City Hall.

Councilmember Chelminiak attended the Downtown Bellevue Residents Association meeting at City Hall and the Probation Advisory Board meeting. He attended meetings of the target markets subcommittee of the Trade Development Alliance and of the State Building Code Council. Mr. Chelminiak said that he and Mayor Balducci both attended the Kirkland Mayor's State of the City address.

Deputy Mayor Wallace reported that he and Councilmember Stokes attended the Eastside Transportation Partnership (ETP) meeting. Mr. Wallace met with Sound Transit regarding the potential for a federal government loan that would free up funding for Eastside projects.

Mayor Balducci attended the East Bellevue Community Council meeting which was attended by residents of the Spiritwood neighborhood who continue to be concerned by the multi-room rentals activity. She chaired the Puget Sound Regional Council (PSRC) Transportation Policy

Board meeting.

Mayor Balducci thanked Councilmember Robertson for her work on PSRC's prioritization working group. She thanked Councilmember Stokes for his work on the subcommittee that developed project recommendations for consideration by the PSRC Executive Board. Ms. Balducci attended the Kirkland Chamber of Commerce meeting for the State of the City address. She chaired the Alaskan Way Viaduct committee meeting.

Ms. Balducci said the Bellevue City Council has been asked to provide letters of support for King County's proposed transportation benefit district. She suggested that the Council discuss this issue in the near future and respond to the County Council.

Mayor Balducci said the City of Redmond has requested a letter of support for the most recent King County solid waste management plan. This item will be coming before the Council for consideration.

Ms. Balducci reported that she kicked off the Downtown Bellevue Residents Association meeting and represented the City at the Martin Luther King, Jr. community celebration at Crossroads Shopping Center. She thanked the following sponsors of that event: Bellevue Alumni Chapter of the Delta Sigma sorority, Seattle Peace Chorus, KBCS FM 91.3, and the Crossroads Shopping Center.

7. Approval of the Agenda

→ Deputy Mayor Wallace moved to approve the agenda, and Councilmember Stokes seconded the motion.

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

8. Consent Calendar

Councilmember Robertson recused herself from voting on the Consent Calendar and temporarily left the room. She said her husband serves on the Board of Trustees for Forest Ridge School [Agenda Item 8(a)] and she wanted to avoid any appearance of a conflict.

→ Deputy Mayor Wallace moved to approve the Consent Calendar, and Councilmember Stokes seconded the motion.

Mayor Balducci said she and Mr. Stokes both had questions about Item 8(h). She said the City is asked by the Cascade Water Alliance to adopt a resolution appointing members this year, which has not been the case in the past.

City Clerk Myrna Basich said the request is consistent with the City's agreement with Cascade although they have not requested it in the past.

Ms. Balducci said the draft resolution names Councilmember Stokes as Bellevue's Board representative but it does not name an alternate. Her intent was to name Deputy Mayor Wallace as the alternate.

Naming Deputy Mayor Wallace as Bellevue's alternate representative for the Cascade Water Alliance Board was accepted as a friendly amendment.

→ The motion to approve the Consent Calendar carried by a vote of 5-0, with Councilmember Robertson recused. The following items were approved:

- (a) Minutes of January 6, 2014 Study Session
Minutes of January 6, 2014 Regular Session
Minutes of January 9, 2014 Legislative Breakfast
- (b) Resolution No. 8679 initiating vacation of a portion of 139th Avenue SE (entrance to Forest Ridge School of the Sacred Heart); and setting February 18, 2014, as the date for a public hearing to consider such a vacation.
- (c) Resolution No. 8680 authorizing execution of an Interagency Agreement with Washington State Patrol to authorize the City of Bellevue Fire Department to allow reimbursement of fire mobilization costs per the Washington State Fire Services Resource Mobilization Plan.
- (d) Ordinance No. 6147 amending Section 3.43.020; repealing Section 3.43.180; and amending Section 3.43.330 of the Bellevue City Code relating to City Parks.
- (e) Resolution No. 8681 authorizing execution of an Amendment to the Professional Services Agreement with Reid Middleton, Inc., increasing the contract amount by \$106,855.60 for a contract total of \$276,337, to develop final design and prepare the construction contract documents for the proposed improvements at the intersection of Lakemont Boulevard SE and SE Cougar Mountain Way (CIP Plan No. PW-I-92).
- (f) Resolution No. 8682 authorizing execution of a Professional Services Agreement with RH2 Engineering, Inc., in an amount not to exceed \$151,000, for engineering services for the Horizon View #3 Water Pump Station Rehabilitation bid document preparation, services during bidding and construction (CIP Plan No. W-91).
- (g) Resolution No. 8683 authorizing execution of a Professional Services Agreement with RH2 Engineering, Inc., in an amount not to exceed \$88,715, for engineering services for the Pressure Reducing Valve (PRV) Improvements 2014 Project (CIP Plan No. W-69).

- (h) Resolution No. 8684 appointing a Board Member and Alternate Board Member to the Cascade Water Alliance Board of Directors.

Councilmember Robertson returned to the dais.

9. Public Hearings: None.

10. Land Use: None.

11. Other Ordinances, Resolutions and Motions

- (a) Resolution No. 8685 authorizing execution of the Indemnity and Intercreditor Agreement (IIA) between the City, the Boys & Girls Clubs of Bellevue (BGCB), and individual BGCB contributors, to secure BGCB's financial obligations set forth in the Ground Lease, Joint Development & Joint Operating Agreement dated October 21, 2013.

Acting City Manager Brad Miyake said staff is requesting Council action on two proposed resolutions.

Patrick Foran, Director of Parks and Community Services, said the proposed agreement with the Boys and Girls Clubs of Bellevue is the next step in the process of developing the community center and field improvements in Hidden Valley Park. The original lease agreement approved on August 5, 2013 stated that the Boys and Girls Clubs would provide an irrevocable letter of credit for their share of the cost of field improvements. Resolution No. 8685 modifies that agreement to acknowledge that they are meeting that requirement with two letters of credit, with the second one backed by individual donors/guarantors. The resolution states that, if the City needs to draw on a letter of credit, it would do so first via the letter of credit backed by the Boys and Girls Club of Bellevue.

Glenn Kost, Planning and Development Manager, provided additional details on the agreement. The letters of credit assure the City that it will be paid for the dollar amount of the construction contract. This differs from a number of existing partnership agreements because the City is leasing a piece of land to the Boys and Girls Clubs of Bellevue, which triggers certain state law requirements.

Mr. Kost said the Boys and Girls Clubs of Bellevue continues to raise funds for the site improvements and gymnasium. The second letter of credit is related to funding that has been pledged but not yet received.

Responding to Mayor Balducci, Mr. Foran said the irrevocable letter of credit is intended to cover any potential inability to pay by the Boys and Girls Clubs of Bellevue. They are required by the lease agreement to provide progress payments to the City, with the first due when the City

gives notice to the construction contractor to proceed. Additional payments are scheduled throughout the 18-month construction period. The letter of credit insures that the bank would pay the City if a problem with payments occurs.

→ Deputy Mayor Wallace moved to approve Resolution No. 8685, and Councilmember Chelminiak seconded the motion.

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

(b) Resolution No. 8686 approving the proposed settlement of the remaining issues in the administrative appeal of the 2013-2018 National Pollutant Discharge Elimination System (NPDES) Phase II Permit.

Mr. Miyake noted that City Attorney Lori Riordan was present to answer any questions from the Council.

Mayor Balducci indicated that the Council has discussed this issue in the past. She noted that a number of jurisdictions have expressed appreciation for Bellevue's leadership in this effort.

→ Deputy Mayor Wallace moved to approve Resolution No. 8686, and Councilmember Stokes seconded the motion.

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

12. Unfinished Business: None.

13. Continued Oral Communications: None.

14. New Business: None.

15. Executive Session: None.

16. Adjournment

Mayor Balducci declared the meeting adjourned at 8:51 p.m.

Myrna L. Basich, MMC
City Clerk

/kaw