

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Session

February 1, 2010
8:00 p.m.

Council Chamber
Bellevue, Washington

PRESENT: Mayor Davidson, Deputy Mayor Lee, and Councilmembers Balducci, Chelminiak, Degginger, Robertson, and Wallace

ABSENT: None.

1. Call to Order

The meeting was called to order at 8:05 p.m., with Mayor Davidson presiding.

2. Roll Call, Flag Salute

Upon roll call, all Councilmembers were present. Councilmember Chelminiak led the flag salute.

(a) Garden d'Lights Recognition – Sharon and Dallas Graham

Mayor Davidson praised Sharon and Dallas Graham for their extraordinary efforts in organizing the 2009 Garden d'Lights event.

Kermit Anderson, Co-Chair of the Bellevue Botanical Garden Society, described the event and expressed appreciation for the Grahams' hard work. Under their leadership, 270 volunteers spent more than 12,000 hours designing, installing, and removing the displays. The Grahams personally worked all 36 days of the event.

Mayor Davidson, Deputy Mayor Lee, and Councilmembers thanked the Grahams individually.

3. Communications: Written and Oral

- (a) Michelle Hilhorst, President of the Newport Hills Community Club, spoke about the renovation of Newport Hills Park and requested a delay in installing the turf until after the neighborhood 4th of July picnic, which will be held on July 3 this year. She expressed concern about whether the picnic will be allowed in future years on the new turf. Ms. Hilhorst encouraged the Council to consider purchasing a parcel on SE 60th between 114th Place SE and 116th Avenue SE to develop as a park. She submitted her comments and request in writing.

City Manager Steve Sarkozy noted that proposed Resolution No. 8044 on the Consent Calendar authorizes the purchase of this site.

- (b) Alex Popoff, representing Newport Views Soccer Club and Eastside Youth Soccer Association, spoke about the demand for soccer fields and encouraged the continued development of sportsfields. He feels that sportsfields provide a good cost recovery model for the City, and that they will always be supported by the demand of many sports including soccer and lacrosse. Regarding the field at Newport Hills Park, Mr. Popoff suggested the City install the turf by July 1, so the neighborhood can use it for the 4th of July picnic. He is concerned that if the City does not install the turf until after the holiday, it will not be available for the soccer season that begins on August 1.

Responding to Councilmember Degginger, Mr. Sarkozy said staff will provide information on the project schedule to the soccer and lacrosse community, Newport Hills Community Club, and the Council. Councilmember Balducci asked staff to also address the question about whether the picnic event can use the new turf.

- (c) Mark Loschky, Board Member for the Lake Hills Soccer Club, concurred with the comments by Mr. Popoff. Referring to Council's earlier discussion about cultural diversity, Mr. Loschky said pickup games tend to occur at the Robinswood Park soccer field. He and his sons have enjoyed numerous games with individuals from around the world speaking English, Spanish, Chinese, and Japanese.
- (d) Marv Peterson, President of the Meydenbauer Bay Neighbors Association, submitted comments in writing and spoke about the Meydenbauer Bay Park and Land Use Plan. He briefly reviewed the recommendation of the Steering Committee and noted the ongoing concern regarding the proposed closure of 100th Avenue, south of Main Street.
- (e) Kathy Hodge expressed support for the proposed Meydenbauer Bay Park. However, she expressed concerns including the closure of 100th Avenue SE and traffic congestion. She echoed Marv Peterson's comment that there was much disagreement on the Steering Committee over all of the major issues. She submitted her comments in writing.
- (f) Rod Bindon, Meydenbauer Bay Yacht Club, expressed concern regarding the potential loss of public moorage at the proposed waterfront park. He questioned why the City would consider removing this lifestyle asset and valuable revenue source. Mr. Bindon submitted his comments in writing.
- (g) Barbara Eisenstein thanked the Council for supporting an off leash area at Robinswood Park to replace the current use at the Eastgate area park property. She spoke about the SR 520 bridge and Seattle's interest in a dedicated bus rapid transit (BRT) lane, and reduced construction in the Montlake area. She travels to the University of Washington regularly and is concerned about any plans to underbuild the bridge. She thanked the Council for its work on this transportation project.

- (h) Paul Couchart spoke regarding the actions of Police Chief Linda Pillo related to the assault weapons ban. He feels it was inappropriate for her to testify before the Senate hearing in full uniform while representing her personal point of view.

Mayor Davidson stated that the City is currently reviewing its policy with regard to this matter.

- (i) Ralph Fascitelli, President of Washington CeaseFire, commented on the numerous gun deaths every year in Washington state. He praised Chief Pillo's position on the assault weapons ban, and feels she showed tremendous courage by offering testimony in a somewhat intimidating environment of those who disagreed with her position. Mr. Fascitelli said Chief Pillo was invited to speak by Senator Adam Kline, the Senate Judiciary Chair. She clearly identified herself as a private citizen and said she was not speaking on behalf of the City of Bellevue. Mr. Fascitelli said 80 percent of state residents favor banning military semi-automatic assault weapons that can fire as many as 200 bullets in a minute. These are designed to kill humans and are not hunting rifles.
- (j) Jim Pratt, President of the Bellevue Youth Theatre Foundation, invited Council and the public to attend its annual benefit event, *East Side Story*, on February 6 at the Westin Hotel. He noted the Youth Theatre's mission of providing an all-inclusive program for all ages and abilities.

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

5. Report of the City Manager

- (a) Management Brief providing Meydenbauer Bay Park and Land Use Committee Update

City Manager Steve Sarkozy introduced the update from the Meydenbauer Bay Park and Land Use Steering Committee.

Robin Cole, Project Manager, reviewed that the Steering Committee's charge was to represent the broad interests of the community, develop and evaluate alternatives, and to ultimately recommend final land use and park plan alternatives. The Steering Committee held 21 meetings, participated in six public workshops and open houses, and attended two public hearings. Several options were evaluated in the Environmental Impact Statement (EIS). The Steering Committee finalized its recommendations on November 19, 2009, and these have been forwarded to the Council.

Doug Leigh, Steering Committee Co-Chair, said he and Iris Tocher have co-chaired the committee since its inception in 2007. He thanked City staff and consultants for their work, and the community for its involvement in the process. The Steering Committee Recommendation Report was provided to the Council and is incorporated in whole as Section 2.5 of the draft Meydenbauer Bay Park Master Plan. The Committee looks forward to review of the plan by the Parks and Community Services Board and the City Council. Ms. Tocher said she looks forward to development of the park, which will be an asset for the entire community.

Mike Bergstrom, Project Manager, thanked Ms. Tocher and Mr. Leigh for their hard work. He explained that the Parks and Community Services Board will review the recommendations and conduct a public hearing, and then provide its recommendation to the City Council.

Mayor Davidson stated that this is an important issue for the Council, and he looks forward to continued planning.

Councilmember Degginger thanked the Steering Committee for its work. He acknowledged that the process was longer than originally envisioned. However, he feels this resulted in more and better information as well as public participation. He thanked citizens involved in this planning effort for their work. Mr. Degginger is pleased to see that the effort spurred the creation of the Meydenbauer Bay Neighbors Association.

Councilmember Robertson thanked the Steering Committee for contributing so much time to this effort. She noted two concerns about sending this to the Parks Board at this time. The first is the fiscal implications of a \$42 million project that has no funding source. The second concern is the ongoing work to update the Shoreline Master Plan, which will have implications for the development of the park. She suggested deferring work on this effort until the Council moves through the budget process later this year, and until the Shoreline Master Plan is completed. She wants to be sure the City has sufficient resources to develop a good project.

Councilmember Robertson asked the City Manager to come back to the Council with information about marina revenue and how the City could help increase it.

Councilmember Balducci thanked the Steering Committee for their hard work and extensive time commitment. She supports moving forward with the Master Plan review process.

Councilmember Chelminiak thanked the Committee for maintaining its commitment over the two-year process. He concurred with moving forward with the Parks Board's review of the plan. As Mr. Degginger noted, he too is pleased to see the creation of a new neighborhood association for this area, as well as the new association in the Mercer Slough neighborhood. Mr. Chelminiak noted he has concerns about some elements of the Meydenbauer Bay plan, but he looks forward to continuing with the planning effort. He encouraged outreach to residents of other West Bellevue neighborhoods, and he expressed concern regarding the viability of businesses in Old Bellevue.

Deputy Mayor Lee noted the many Committee members in attendance and thanked them for their work and dedication. He feels it is appropriate to move forward to complete the Master Plan review, as there are still a number of issues that will need to be addressed.

Councilmember Wallace expressed strong support for the project, and thanked the Steering Committee and community for their work. He commented on the challenge of finding a balance between a world class park and the neighborhoods around it. He said a number of issues will need to be carefully studied, including the impacts of the proposed closure of 100th Street and the ongoing function of the marina. Mr. Wallace expressed concern about how the City is going

to deliver projects within its budget constraints, but he feels creative solutions can be achieved. He suggested introducing elements to the park that will honor the heritage of the bay and its past residents and uses.

Mayor Davidson commented on the importance of moving forward with continued review and discussion. He appreciates Ms. Robertson's concern related to the Shoreline Master Plan update, and hopes both processes can continue on independently of each other at this point.

Councilmember Robertson suggested an option that the Planning Commission review the Master Plan after the Parks Board's review because the Planning Commission will be familiar with the Shoreline Master Plan issues.

- (b) Management Brief providing information on Initiation of Eastgate/I-90 Land Use and Transportation Plan Update

City Manager Steve Sarkozy referred to page 5-5 of the meeting packet for a management brief regarding the initiation of the Eastgate and I-90 land use and transportation project. He recalled that the plan was reviewed with the Council during the January 19 Study Session, at which time the Council raised some questions and requested additional information.

Planning Director Dan Stroh noted that Council's requested changes to the project map, draft Council Principles, public involvement plan, and scope of work are provided in the meeting packet.

Kevin O'Neill, Assistant Director of Transportation, described the revised project map, which is intended to capture the area that could be affected by land use changes, as well as residential areas to the north and south of the Eastgate area. A fundamental principle is to minimize mobility impacts to other parts of the city, and this is now reflected in Council Principle #1 (Attachment B).

Mr. O'Neill said staff will work with the State as it conducts its I-90 corridor study for the area between I-405 and North Bend. Upon Council direction to proceed, City staff plans to meet with the City of Issaquah and WSDOT as soon as possible to begin the planning process. Mr. O'Neill noted that Council's interest in studying potential Sound Transit Phase 3 alignments has been incorporated into the scope of work for this planning update.

Deputy Mayor Lee said he has great concerns about the timing of this project due to budget constraints and other projects. He supports the need for updated planning in the Eastgate area, but is concerned about creating too many plans for projects that are not funded. Referring to the draft guiding principles, Mr. Lee said the top priority for the planning effort should be linking Bellevue's land uses with economic development objectives.

Noting the fourth draft principle, Councilmember Chelminiak observed that transit oriented development is a term that is used for a range of different types of development. He questioned what types of residential uses might be introduced in this planning effort.

Mr. Stroh noted that the Eastgate Park and Ride is the largest one in King County, with more than 1,600 parking stalls and effective transit service. He explained that mixed use development, including residential units, might be feasible given the high level of transit service and the location of Bellevue College nearby. He acknowledged the Council's repeated comments regarding budget constraints and managing the community's expectations. He said this constraint is now reflected in the preamble to the Council Principles for this project.

Councilmember Chelminiak concurred with Mr. Lee's statement that Bellevue's land use policies should drive the planning effort. In addition, Mr. Chelminiak wants the communities around the area to understand the implications of transit oriented development and potentially new residential development.

Councilmember Degginger thanked staff for addressing his concern about the boundaries of the project area. However, the Lakemont Boulevard interchange is still not in the primary study area.

Mr. Stroh stated that he heard somewhat conflicting direction from the Council last time to be clear about where land use changes might occur, but also to be clear about what is being studied in terms of transportation impacts and transportation relationships. That is why staff did not include the interchange in the primary study area.

Mr. O'Neill said the boundary could be extended to the interchange, with a clarifying note that land use changes are not anticipated for that area. Mr. Degginger said this suggestion would be his preference. He noted significant transportation issues at the interchange, which will be further affected by any land use changes in the Eastgate area.

Responding to Mr. Degginger, Mr. Stroh acknowledged previous Council direction to include neighborhoods in the planning process. He noted that the Council will be appointing the citizen advisory committee.

Mayor Davidson noted Council agreement to extend the primary study area identified on the map to include the Lakemont Boulevard interchange.

Mr. Sarkozy noted a gap in the Mountains to Sound Greenway in that area, and suggested the Council might want to consider filling in that portion of the route. He agreed that the map should clarify that land use changes are not being considered at the interchange.

Councilmember Robertson said it is important to move forward with this planning effort now due to issues associated with traffic, neighborhood services, Comprehensive Plan amendments from this area, and the potential for annexation of the area. Ms. Robertson lives in the Somerset area. She concurs with Mr. Degginger that neighborhoods involved in the planning effort should include those to the south, as well as Spiritridge, Robinswood, and others. Ms. Robertson stated that land use changes in the Eastgate area will affect the I-90 corridor and broader community.

Councilmember Balducci supports moving forward with the study. She encouraged the study of mixed use development as well as neighborhood services and businesses.

Deputy Mayor Lee said he understands the importance of addressing annexation, land uses along I-90, and the Lakemont Boulevard interchange. He noted that changes will likely affect the Factoria area as well. He encourages citizen involvement to determine priorities and interests related to potential land use changes.

Councilmember Wallace expressed support for moving forward. However, he noted his ongoing concern that there is a structural deficit in the City's operating budget.

Mayor Davidson noted a Council consensus to move forward. Mr. Stroh confirmed that staff will ensure that the project map is changed to reflect Council direction tonight. Councilmember Degginger asked staff to send copies of the revised map to Councilmembers.

(c) Management Brief on Guiding Principles and Comments on King County's 2009 Draft Comprehensive Solid Waste Management Plan

Mr. Sarkozy recalled previous discussion with the Council on January 25 regarding the draft 2009 Comprehensive Solid Waste Management Plan.

Joyce Nichols, Utilities Policy Advisor, referred the Council to materials beginning on page 5-15 of the meeting packet for responses to questions previously raised by the Council, and a revised draft of the Guiding Principles/Interests regarding the Solid Waste Management Plan. Comments on the draft plan are due to King County by February 4.

Councilmember Robertson noted her memo in the desk packet regarding her request to amend the guiding principles to encourage the use of biodegradable bags in lieu of plastic bags, because they can be used for composting and they break down much faster than plastic.

Responding to Deputy Mayor Lee, Ms. Nichols said biodegradable bags are not recyclable and should be kept separate from materials to be recycled. The biodegradable bags are meant to be composted. Ms. Nichols suggested that an educational component would be required by retailers to ensure that consumers understand how the bags are to be handled.

Mayor Davidson noted a Council consensus to move forward with the Guiding Principles/Interests and staff's comments on the draft 2009 Solid Waste Management Plan.

→ At 10:00 p.m., Deputy Mayor Lee moved to extend the meeting by 15 minutes, and Councilmember Robertson seconded the motion.

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

6. Council Business and New Initiatives

Responding to Councilmember Chelminiak, Mr. Sarkozy said the U.S. Postal Service is trying to sell the post office on 116th Avenue NE. Regarding the Bellevue Way facility, the U.S. Postal Service is interested in selling the property, and then co-redeveloping the site. The idea is to retain customer services but to move trucks and equipment to another location.

Councilmember Chelminiak expressed concern that conditions at Bellevue Way and Main Street are deteriorating. He encouraged the City to address the closure of businesses and the condition of vacant business properties. Mr. Sarkozy said staff will provide a report to the Council.

Councilmember Robertson attended the Bellevue Downtown Association function. She noted that St. Margaret's Episcopal Church, which she attends, recently sold a section of its parking lot to St. Andrews Housing Group to accommodate an affordable housing project. She said this is an effective private-public partnership that will serve homeless veterans and their families.

Deputy Mayor Lee commended the involvement of Councilmember Robertson and her husband in the project at St. Margaret's.

Councilmember Balducci reported on the Sound Transit Board meeting. The Board took action to move forward with Stage 2 of the two-way HOV and transit project on I-90. This was funded by savings from other projects due to the favorable bidding climate. Sound Transit also came to a preliminary agreement with WSDOT regarding the use of the central lanes of the I-90 bridge, and Sound Transit will take over construction of the remaining portions of the I-90 HOV and transit project. The joint Sound Transit Board-Bellevue City Council workshop is scheduled for February 11.

Councilmember Wallace attended the Bellevue Downtown Association function and the Washington Federal Bank Economic Forecast breakfast. He attended the Rotary meeting in which speaker Mayor Davidson was introduced by Deputy Mayor Lee. He commended Councilmember Robertson's pivotal role in the affordable housing project at St. Margaret's.

Councilmember Degginger attended meetings of the Puget Sound Regional Council (PSRC) Executive Committee and the Cascade Water Alliance. He testified before the State House of Representatives regarding the SR 520 bill.

Mayor Davidson met with a number of mayors at the Puget Sound Regional Council. He attended an event hosted by the India Associations of Western Washington to celebrate the 60th anniversary of Republic Day.

7. Approval of the Agenda

→ Deputy Mayor Lee moved to approve the agenda, and Councilmember Robertson seconded the motion.

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

8. Consent Calendar

→ Deputy Mayor Lee moved to approve the Consent Calendar, and Councilmember Robertson seconded the motion.

Noting a sensitivity to Councilmember Wallace's concerns about the budget, Deputy Mayor Lee commented that the expenditures reflected in the Consent Calendar have been carefully scrutinized in advance.

- The motion to approve the Consent Calendar carried by a vote of 7-0, and the following items were approved:
- (a) Minutes of November 30, 2009, Extended Study Session
Minutes of December 7, 2009, Study Session
Minutes of December 7, 2009, Regular Session
Minutes of December 14, 2009, Study Session
Minutes of December 14, 2009, Regular Session
 - (b) Motion to approve payment of claims for the period January 16, 2010 through January 29, 2010 and payroll for the period January 1, 2010 through January 15, 2010.
 - (c) Resolution No. 8041 authorizing execution of a four-year General Services Agreement with Consolidated Press, for a total contract amount of \$400,000, for web press printing services.
 - (d) Resolution No. 8042 authorizing execution of a renewal of a two-year General Services Contract with Malone's Landscape Management, in an amount not to exceed \$58,915.15, for landscaping services at various park sites.
 - (e) Purchase of Parks Properties
 - (1) Ordinance No. 5934: 1) authorizing execution of an amendment to the Interlocal Agreement providing the City with \$2,000,000 in King County Conservation Futures Levy proceeds; of which \$400,000 has already been budgeted in the 2009-2015 CIP Plan (CIP P-Ad-15); 2) amending the 2009-2010 General CIP Fund appropriation by \$1,600,000 from King County Conservation Futures Levy proceeds; and, 3) amending the 2009-2015 Capital Investment Program (CIP) Plan to increase the budget for the Parks Levy Implementation Project (CIP Plan No. P-AD-81) by \$800,000 and to increase the budget for the King County Special Property Tax Levy Project (CIP Plan No. P-AD-79) by \$800,000.
 - (2) Resolution No. 8043 authorizing execution of all documents necessary for the purchase of the Chapel LLC Property, as identified by King County Assessor's Tax No. 042405-9002, in the amount of \$1,750,000, plus estimated closing costs of \$3,000.
 - (3) Resolution No. 8044 authorizing execution of all documents necessary for the purchase of the Tyler Homes Corporation Property, as identified by

King County Assessor's Tax No. 202405-9018, in the amount of \$1,690,000, plus estimated closing costs of \$3,000.

- (f) Ordinance No. 5935 related to Residential Permit Parking repealing Ordinance No. 4430 and creating a new Residential Permit Parking Zone 7, restricting parking on 111th Avenue NE north of NE 12th Street to the end of the cul-de-sac to "No Parking 7 AM to 8 PM Daily, Except by Zone 7 Permit."
9. Public Hearings: None.
 10. Land Use: None.
 11. Other Ordinances, Resolutions and Motions: None.
 12. Unfinished Business: None.
 13. Continued Oral Communications: None.
 14. New Business: None.
 15. Executive Session: None.
 16. Adjournment

At 10:15 p.m., Mayor Davidson declared the meeting adjourned.

Myrna L. Basich, MMC
City Clerk

/kaw