

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Session

May 19, 2014
8:00 p.m.

Council Chamber
Bellevue, Washington

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

ABSENT: Deputy Mayor Wallace and Councilmember Lee

1. Call to Order

The meeting was called to order at 8:08 p.m., with Mayor Balducci presiding.

2. Roll Call, Flag Salute

All Councilmembers except Deputy Mayor Wallace and Councilmember Lee were present. Councilmember Robinson led the flag salute.

(a) Recognition of EnviroStars Businesses

Mayor Balducci introduced Laurel Tomchick, Manager of the King County EnviroStars program. Ms. Balducci applauded the efforts of local businesses to be outstanding stewards of the natural environment.

Ms. Tomchick said the City of Bellevue is a partner agency in the King County Local Hazardous Waste Management program. She acknowledged the efforts of 38 local businesses that participate in the program and noted that a complete listing of EnviroStars businesses is available at www.envirostars.org. A list of Bellevue businesses is provided in the Council's desk packet as well.

(b) Asian Pacific Islander Month Proclamation

Mayor Balducci read a proclamation recognizing May as Asian Pacific American Heritage Month in Bellevue. She noted this is the 36th anniversary of this annual celebration.

(c) National Public Works Week Proclamation

Mayor Balducci proclaimed the week of May 18-24 as National Public Works Week in Bellevue. Representatives from the Civic Services, Transportation, and Utilities Departments were present, and Transportation Director Dave Berg received the proclamation.

3. Communications: Written and Oral

- (a) Robert Shay, Chaplain of VFW Post 2995, reminded everyone that members will be conducting the annual Memorial Day Poppies Drive this weekend. He presented a poppy to each Councilmember and asked that they wear them over the weekend to honor all veterans who have served our country. He invited everyone to the Memorial Day remembrance at Sunset Hills Memorial Park on Monday.
- (b) Will Nelson said he is a longtime Downtown Bellevue resident employed by Legacy Commercial. He expressed concern about Sound Transit's efforts to locate its Operations and Maintenance Satellite Facility (OMSF) in the Bel-Red corridor. He said the City went through an extensive effort to develop the Bel-Red Plan and encourage the development of the Spring District and future projects. He believes Sound Transit's proposal lacks foresight.
- (c) Ray Waldmann, President of the Meydenbauer Bay Neighbors Association, said Meydenbauer Bay Park is the most expensive park ever proposed by the City. Neighbors support the park but are concerned that specific components could cause problems for the neighborhood. He noted the need for additional staff and public review.
- (d) Charlie Klinge, a member of Meydenbauer Bay Neighbors Association, asked the Council to take a careful look at the permitting process for the Shoreline Master Program to consider two issues: 1) Will there be a required public hearing?, and 2) Will the Council be able to hear any appeals? He said it is important that the Council have control over the final decision for the park. Mr. Klinge said the best approach for Meydenbauer Bay Park is to require a Shoreline conditional use permit (CUP).
- (e) James Binder spoke on behalf of the Board of Directors of the Bridle Trails Community Club, which represents 5,000 households. He participated in the ULI Panel process related to Sound Transit's OMSF and he attended the Sound Transit capital committee meeting the previous week. The Bridle Trails Community Club voted unanimously to oppose locating the OMSF in Bellevue. It is completely out of character with the Bridle Trails neighborhood. Mr. Binder said residents are concerned about the cumulative impacts of many large projects in Bellevue. He said the OMSF is inconsistent with Bellevue's Comprehensive Plan. He said Sound Transit's economic analysis of the Bellevue locations did not incorporate the loss of sales tax and B&O tax revenues related to the displacement of businesses.
- (f) Rob Aigner, Senior Vice President of Harsch Investment Properties, said the company owns Plaza 520, which is home to 40 small businesses and nonprofits. He expressed

concerns regarding Sound Transit's proposed OMSF including the loss of many local businesses and environmental impacts to Goff Creek. Boeing Employees Credit Union (BECU) recently opened a new regional headquarters at Plaza 520. The center is currently full but is losing a couple of tenants. He is opposed to the siting of a 25-acre industrial facility on top of the fish-bearing Goff Creek. Mr. Aigner said the proposed OMSF is inconsistent with the Bel-Red Plan.

- (g) Norm Hansen, Bridle Trails Community Club, said Andy Wappler from Puget Sound Energy provided a presentation on the Energize Eastside project during their neighborhood meeting and responded to a number of questions. Residents expressed concerns regarding neighborhood character and visual impacts. Mr. Hansen said residents would like the underground installation of infrastructure to minimize impacts.
- (h) Alex Zimmerman, representing StandUP-America, expressed concerns regarding potential restrictions on free speech. He reiterated his ongoing request that the City Manager hold monthly sessions with citizens. He said he was evicted from his home in Bellevue against a court order.
- (i) Heather Trescases, Executive Director of the Eastside Heritage Center, said she knows the Council supports the preservation of Bellevue's history. She expressed disappointment that Bellevue's heritage is not referenced in the Council's vision statement and document. There are references to art and culture but there is no mention of history or heritage. Ms. Trescases said the Eastside Heritage Center believes that the larger umbrella is culture, under which are many facets including arts and heritage. She encouraged the Council to include the words "history" and "heritage" alongside references to arts and culture and to acknowledge the critical role of understanding the past in building strong communities.

Mayor Balducci asked Ms. Trescases to submit proposed language for the Council's consideration.

- (j) Walter Scott commented on rubberized asphalt, also known as quiet pavement. He said WSDOT plans on paving approximately 2.5 miles through Downtown Bellevue. Previous tests on I-5 in Lynnwood and on SR 520 through Medina both prematurely raveled. However, before that happened they were radically quieter, which he estimated as four decibels less than the regular asphalt used by WSDOT.

Mayor Balducci noted Mr. Scott's past advocacy for quiet pavement, which influenced how the City worked with WSDOT. She suggested that the City's Transportation staff review any information Mr. Scott would like to submit. Mr. Scott said the third test is on northbound I-405 through Coal Creek, and he left written materials for the Council and staff.

- (k) Margot Blacker said that, while she is sympathetic to the Council's workload, it is frustrating to come to meetings and to have only two minutes to speak. She expressed residents' ongoing concerns regarding massive houses under development in the Northtowne neighborhood. She asked the Council to direct the Planning Commission, or

to take Council action, to immediately make code changes to prevent current redevelopment. She presented a photo of a large 10,000-square-foot structure with nine bathrooms. Northtowne residents are requesting an emergency ordinance to require step backs on the downhill side of homes, so that smaller bungalows are not looking up at sheer walls. Ms. Blacker said residents want immediate requirements for step backs on houses over 3,000 or 4,000 square feet, and perhaps additional peer review. She said she recently spoke to a builder who said companies love to build in Bellevue because it allows more than any other jurisdiction. Clyde Hill restricts building heights to 25 feet above original grade.

4. Reports of Community Council, Boards and Commissions: None.
5. Report of the City Manager

- (a) Update on Staff Assistance to Oso, Washington

Acting City Manager Brad Miyake opened a report on the volunteer efforts of 21 City staff in response to the Oso, Washington landslide. This disaster resulted in 41 deaths and two people are still missing. City staff assisted in the areas of search and rescue, communications, and the emergency operations center.

Luke Meyers, Emergency Preparedness Manager, provided additional details regarding the assistance provided by staff, who are listed in the management brief in the Council's desk packet. He said the response activities have been documented to provide guidance in the future. Staff is creating a video highlighting some of the incident responders and their experiences, which will be shown on BTV and released on YouTube.

Mr. Meyers said the incident reinforces the importance of the continued education of citizens and businesses on geologic hazards, building a robust resource management system locally and regionally, and further development of emergency volunteer and donation management processes.

Mayor Balducci said the Council and staff are proud of the efforts of City employees. She thanked everyone for their work.

6. Council Business and New Initiatives

Councilmember Chelminiak reported that eight candidates were interviewed for the two vacancies on the Human Services Commission. He suggested moving ahead quickly because the Commission is in the process of reviewing applications for funding. It would be helpful to appoint the new members while the outgoing members, Michael Yantis and Jan Stout, are still serving. Mr. Chelminiak said two candidates were the unanimous choice of the interview panel: Michelle Kline and Carla Villar.

→ Councilmember Chelminiak moved to nominate Michelle Kline and Carla Villar to serve on the Human Services Commission through May 31, 2018. Councilmember Stokes

seconded the motion.

→ The motion carried by a vote of 5-0.

Councilmember Robinson said one of the Council's top economic development goals is to create an incubator environment. A crowdfunding bill passed earlier this year afforded municipalities the opportunity to support a funding portal that would allow many small investors to invest in local startups and entrepreneurs. Ms. Robinson noted that it will take staff more than eight hours to explore the City's ability to support a funding portal. She requested Council approval to direct staff to work on this initiative.

→ Councilmember Robinson moved to direct staff to explore the City's ability to support a funding portal, as described above. Councilmember Robertson seconded the motion.

→ The motion carried by a vote of 5-0.

(a) Approval of Council Vision, Strategic Target Areas, and Priorities

Mayor Balducci referred the Council to page 6-1 of the meeting packet for a memo regarding the Council Vision, Strategic Target Areas, and Priorities. She said the Council worked to develop this document during its February retreat and April 21 meeting.

Ms. Balducci said Councilmember Lee would like to add the following language (underlined) to priority 16: Develop a plan for securing greater levels of grant funding such as for regional projects.

Mayor Balducci said Ms. Trescases requested during earlier oral communications that language be added referencing the history and heritage of the community.

Councilmember Robertson asked the City Clerk to read the proposed language submitted by Ms. Trescases.

Myrna Basich, City Clerk, read the following proposed additions to the Vision statement [Page 6-3 of the meeting packet], paragraph 6: We embrace our diverse culture through arts, history, business, entertainment, and community gatherings.

Continuing, Ms. Basich referenced page 6-4 and said Ms. Trescases suggests the following addition to the first bullet point: Supporting the cultural strengths of our city – arts, heritage, culture, parks, recreation, and community events.

On page 6-5, in the fourth full paragraph, the following revision is proposed: Whether it's an urban high rise, ~~or~~ a classic Bellevue rambler, or a historic resource, the constant is our people.

Further down on page 6-5, a paragraph begins with: Culture is celebrated. Ms. Trescases proposes adding: The past is honored.

On page 6-6, under the heading of Achieving Human Potential, the following revision to the second paragraph of that section is requested as follows: Our residents feel connected to each other and invested in their community. People connect to each other through a variety of organizations. Residents experience a sense of place through an understanding of our history.

Ms. Basich said Ms. Trescases indicated that the last suggested revision is the most important one to her.

Councilmember Stokes said he is not satisfied with the exact wording suggested by Councilmember Lee. Councilmember Chelminiak concurred.

Councilmember Chelminiak acknowledged the importance of references to history and heritage. However, he said he does not see the Achieving Human Potential section as the best place for the reference to history. He said he could support all of the suggested revisions except for the last one. He does not see a sense of history as being a core element of achieving human potential.

With regard to Mr. Lee's request, Mr. Chelminiak suggested: Develop a plan for securing greater levels of grant funding, including regional projects.

Mr. Chelminiak said he would like to move forward with approving the document tonight.

Mayor Balducci suggested moving the sentence proposed for the Achieving Human Potential section [Residents experience a sense of place through an understanding of our history.] to the Bellevue: Great Places Where You Want to Be section. There was agreement it would be appropriate as the last sentence of the paragraph that begins with "Culture is celebrated."

Councilmember Robertson said she supports the amendment to Mr. Lee's suggested language as well as the revisions as proposed by Ms. Trescases and amended by the Council.

→ Councilmember Stokes moved to adopt the Vision statement as amended, and Councilmember Robertson seconded the motion.

Councilmember Chelminiak noted that the discussion has been about the City Council's Vision for the community in 2035. He highlighted key language that appears throughout the Vision. He said the Council spent considerable time drafting and discussing the Vision document.

→ The motion carried by a vote of 5-0.

Mayor Balducci thanked the Council for its hard work on the Vision statement. She said Councilmembers Chelminiak and Robertson did the majority of the writing and editing.

7. Approval of the Agenda

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

→ The motion to approve the agenda carried by a vote of 5-0.

8. Consent Calendar

→ Councilmember Robertson moved to approve the Consent Calendar, and Councilmember Chelminiak seconded the motion.

→ The motion to approve the Consent Calendar carried by a vote of 5-0, and the following items were approved:

- (a) Minutes of April 28, 2014 Extended Study Session
- (b) Motion to initiate a Land Use Code Amendment (LUCA) that implements Comprehensive Plan policy goals for the Commercial Business (CB) district of the Wilburton subarea. The LUCA will also allow for individual developments to enter into a development agreement to utilize dimensional flexibility provided through the LUCA. A development agreement request from Target Corporation will be concurrently processed with the LUCA to facilitate their proposed retail development at the intersection of 116th Avenue NE and the extension of NE 4th Street.
- (c) Ordinance No. 6160 authorizing and providing for the acquisition of interests in land for the purpose of completing pedestrian and bicycle improvements along Northup Way; providing for condemnation, appropriation, taking of land and property rights necessary therefore; providing for payment thereof including payment in part by consideration of special benefits and related special assessments, and directing the initiation of appropriate proceedings in the manner provided by law for said condemnation.
- (d) Ordinance No. 6161 authorizing execution of a performance-based solar energy services Interagency Agreement with the Washington State Department of Enterprise Services, in an amount not to exceed \$211,162; acceptance of \$105,191 in grant reimbursement funds from the Washington State Department of Commerce Solar Grant Fund; establishing a program within the Operating Grants and Donations Fund; amending the budgets for Operating Grants and Donations Fund; appropriating unanticipated and future revenues to that fund; and authorizing expenditures of said funds.
- (e) Resolution No. 8744 authorizing execution of all documents necessary for the purchase of the "Moon/Ross" property (the William D. Ross and Janet E. Flanigan N/K/A Janet E. Ross, each as to their separate estates and Eleanor Phyllis Jeanne Moon, Trustee under the Eleanor Phyllis Jeanne Moon Living Trust, Dated August 16, 2001, all as their interests may appear, as identified by King County Assessor's Tax Nos. 052405-9225-02 and 042405-9074-05).

- (f) Resolution No. 8745 adopting the City of Bellevue 2015-2020 Transportation Improvement Program (TIP).
- (g) Motion to award Bid No.14037 for the 2014 Asphalt and Concrete Replacement Contract to AA Asphalt Inc. in the amount of \$278,981.00.
- (h) Motion to Award Bid No. 14048, for the Factoria Boulevard Overlay to Lakeside Industries, Inc., as the lowest responsive and responsible bidder, in the amount of \$1,064,034.50, (CIP Plan PW-M-1).
- (i) Motion to award Bid No. 14038 for Commercial Water Meter Replacement - 2014 Phase 1 to Bonner Brothers Construction, Inc., as the lowest responsive and responsive bidder in the amount of \$152,763.45 (CIP Plan No. W-98).
- (j) Motion to award Bid No. 14046 for East Creek/Richards Creek Stream Modification Phase III Project to Wyser Construction Company, Inc., as the lowest responsive and responsive bidder, in the amount of \$565,485.38 (CIP Plan No. D-86).

9. Public Hearings

- (a) Public Hearing on the 2015-2016 Budget and 2015-2021 Capital Investment Program (CIP) Plan
 - (1) Staff Report

Acting City Manager Brad Miyake introduced the Public Hearing on the 2015-2016 Budget and 2015-2021 Capital Investment Program (CIP) Plan.

Rich Siegel, Performance and Outreach Coordinator, said this is the first of three public hearings on the Budget and CIP Plan. The City follows a budgeting for outcomes process, which is considered to be a best practice and starts with listening to the community. The second public hearing is scheduled for July 21, and the final public hearing is November 17. The Council will receive the preliminary budget in October and take action in early December.

(2) Motion to open Public Hearing

- Councilmember Stokes moved to open the Public Hearing, and Councilmember Chelminiak seconded the motion.
- The motion carried by a vote of 5-0.

(3) Receive Public Testimony

- 1. Patrick Bannon, President of the Bellevue Downtown Association, expressed support for the Council's Vision and Strategic Target Areas document. He encouraged the Council to

continue to support investments that provide opportunities for growth and economic health. He noted that economic activity on approximately two percent of the City's land area, the Downtown, generates roughly a quarter of the City's major tax revenues. Mr. Bannon said the BDA will look for a continued emphasis on transportation investments including strategic ways to improve roadway capacity, reduce congestion, and support a multimodal transportation network. Public safety and parks remain huge priorities for the Downtown and the overall community. Mr. Bannon encouraged the continued implementation of elements of the Downtown Transportation Plan and Downtown Livability Initiative. He asked the City to continue to make wise investments in civic events that elevate the City's cultural community and produce signature events. Mr. Bannon thanked the Council for its work.

2. Pastor Brad Beeman said he lives on 49th Street SE, which has had a tremendous amount of police activity over the past week. He commended the professionalism of the Police Department and thanked the City for its assistance. Pastor Beeman said he serves a church on Newport Way near the library. He expressed concern regarding pedestrian and bicyclist safety along Newport Way. He said sidewalks are urgently needed.
3. Reece Velton, a high school student, spoke to the need for completing the sidewalks along Newport Way to provide safe connections between the South Bellevue Community Center, Eastgate Park, United Methodist Church, the library, and neighborhood schools. He said no one feels safe walking along the road. He has observed mothers walking their children single file because there is no room even for preschoolers to walk two abreast.
4. Vicki Heck expressed support for building a connecting sidewalk along Newport Way. She works at the Newport Way library and lives just one mile from there. However, she does not walk because there is not a safe walking route. Ms. Heck noted neighbors in the audience and asked the Council to make the Newport Way sidewalk project the highest priority in upcoming budget decisions. She observed that the project falls within all or most of the City's seven Budget One outcomes. She thanked the Council for listening to residents.

(4) Motion to close Public Hearing

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

→ The motion carried by a vote of 5-0.

10. Land Use: None.

11. Other Ordinances, Resolutions and Motions

- (a) Resolution No. 8746 authorizing execution of a Memorandum of Understanding (MOU) with Performing Arts Center Eastside (PACE) setting out a framework for a partnership between the City and PACE to advance public and private efforts to

secure a major performing arts facility, the Tateuchi Center, in Bellevue for the benefit of the community and the entire Eastside.

Mr. Miyake recalled that, during the Council's November 18, 2013 meeting, the Arts Commission requested that the Council explore options for supporting the Tateuchi Performing Arts Center. At the February 10, 2014, Council meeting, staff proposed a process to respond to the Arts Commission's request. During that meeting, Council adopted Resolution No. 8695 expressing support for the Tateuchi Center and directing staff to develop a process framework between the City and PACE (Performing Arts Center Eastside) to advance this initiative.

Mr. Miyake said Resolution No. 8746 authorizes a memorandum of understanding (MOU) between PACE and the City for setting out a framework for a partnership in support of the Tateuchi Center.

→ Councilmember Stokes moved to approve Resolution No. 8746, and Councilmember Robertson seconded the motion.

Mayor Balducci noted that the proposed MOU has been adopted by the PACE Board of Directors.

→ The motion carried by a vote of 5-0.

Councilmember Robertson thanked Councilmember Stokes for taking the lead on this project as liaison for the Council.

12. Unfinished Business

Mayor Balducci reported that she testified on behalf of the Council during two public hearings over the past week. One was held by the King County Council's transportation, environment and economy committee to hear comments on the proposed Metro bus service reductions. Ms. Balducci said she shared the public's concerns regarding proposed modifications to Route 271 through Bellevue. The second public hearing was held before the King County Council regarding the sale of the Metro property adjacent to Bellevue City Hall. Mayor Balducci said she testified in favor of completing the sale.

Councilmember Stokes mentioned, for the record, that the Cascade Water Alliance recently celebrated 15 years of great work. Mr. Stokes is the newest member of the CWA Board. He commended Cascade's work to ensure an ongoing water supply for member cities.

Mr. Stokes said he attended the Bellevue Schools Foundation luncheon which raised a record-breaking \$600,000 for ongoing programs.

13. Continued Oral Communications: None.

14. New Business: None.

15. Executive Session: None.

16. Adjournment

Mayor Balducci declared the meeting adjourned at approximately 9:45 p.m.

Myrna L. Basich, MMC
City Clerk

/kaw