

CITY OF BELLEVUE  
CITY COUNCIL

Summary Minutes of Regular Session

March 5, 2012  
8:00 p.m.

Council Chamber  
Bellevue, Washington

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

ABSENT: None.

1. Call to Order

The meeting was called to order at 8:04 p.m., with Mayor Lee presiding.

2. Roll Call, Flag Salute

Upon roll call, all Councilmembers were present.

(a) Girl Scouts 100<sup>th</sup> Anniversary Celebration Proclamation

Deputy Mayor Robertson announced that the Girl Scouts, founded in Savannah, Georgia, are celebrating their 100<sup>th</sup> year. She welcomed a large group of Girl Scouts to the meeting.

The Girl Scouts Color Guard posted the colors and led the flag salute.

Ms. Robertson noted that two of the Girl Scouts were her daughters, and that some of the girls were wearing vintage uniforms.

Deputy Mayor Robertson read a proclamation celebrating 100 years of Girl Scouting and proclaiming 2012 the *Year of the Girl*. The Girl Scouts is the largest member of the World Association of Girl Guides and Girl Scouts; and 1,005 girls and 574 adults are part of this tradition in Bellevue. Over the past five years, 22 Gold Awards have been given to girls in Bellevue for demonstrating leadership and community service. Similarly, several hundred Silver and Bronze awards have been given to recognize local Girl Scouts' achievements.

Michele Vossler accepted the proclamation on behalf of local Girl Scouts.

The Girl Scouts presented two boxes of cookies to each Councilmember, one box of Trefoils, the first Girl Scout cookie, and one box of lemon Savannah Smiles which were developed to mark the 100<sup>th</sup> anniversary.

Mayor Lee noted his past involvement with his daughter and the Y-Indian Princess program. He congratulated the Girl Scouts on their participation and achievements.

Ms. Vossler presented Deputy Mayor Robertson and Mayor Lee with 100-year commemorative pins.

The Girl Scouts posed for a group photograph with the City Council. Mayor Lee thanked them for attending.

3. Communications: Written and Oral

- (a) Jim Hutchinson, Local Government Community Relations Manager with Puget Sound Energy (PSE), announced a \$10,000 grant from PSE to the Bellevue Youth Theatre. He congratulated theatre participants on their accomplishments and praised their contribution to the community.
- (b) Jim Pratt and Lisa Goodman, representing the Bellevue Youth Theatre Foundation, noted that two of the Girl Scouts are performing in the theatre's productions this year. Ms. Goodman invited Council and the public to a fundraising event for the theatre sponsored by Nordstrom on March 15.
- (c) Brian Brand, Bellevue Downtown Association (BDA) Board Chair, reiterated the BDA's support for the Downtown Transportation Plan update and Downtown Livability Program. The BDA believes this work will help attract and retain Downtown investments, and he thanked Council for the programs.

Councilmember Balducci noted that the Study Session agenda item on the Downtown Livability Study, Downtown Transportation Plan, and land use review was postponed. She questioned when the Council could expect it back.

Responding to Mayor Lee, Mr. Sarkozy said the programs will be discussed with the Council within the context of the budget discussions beginning in late March/early April.

- (d) Gerard Lutz, Perkins Coie, spoke on behalf of the Best Buy store. He requested more time for City to work with Best Buy and other property owners to come up with a better plan for the NE 4<sup>th</sup> Street extension project. He noted Council direction during the earlier Study Session to proceed with the current alignment, which has negative impacts for the Best Buy site. He suggested that the City make its choice of the road alignment, and leave the details about parking and other considerations for Best Buy and Home Depot to work on. He believes that issues surrounding the rail corridor have complicated the matter. He noted the risk that the project will lose a federal grant, especially if Best Buy sues the

City over this project. He asked the Council to allow more time for Best Buy to present information to the Council regarding issues that are being raised by City staff. Mr. Lutz expressed concern that the City will spend more money than necessary on a project that will not be as good as it could be.

- (e) Melissa Mosely, Director of Real Estate for Best Buy, said the Bellevue store sells slightly more than Home Depot in half the building space. She described a \$2.5 million renovation of the store to be completed this summer, which will add two subsidiary stores, Magnolia Audio Video and Pacific Sales, to the site. With the City's current alignment for NE 4<sup>th</sup> Street, Home Depot is not likely experience any loss of business. She said that Home Depot is free to go to the Port of Seattle to lease additional parking space, which City staff has identified as a potential mitigation measure. Ms. Moseley said that Best Buy could support a reasonable Local Improvement District (LID), and would not pursue any lawsuits, if the City is willing to work with them to preserve the store.
- (f) Brian Parks, President of the Phantom Lake Homeowners Association, asked the City to look at Phantom Lake environmental impacts and downstream limitations with regard to the NPDES permit, Eastgate Land Use planning, Airfield Park, and other City projects. He expressed concerns about water quality and quantity, and aquifer contamination, at Phantom Lake. He recalled that the City's Utilities Department previously indicated that it has no concerns about Phantom Lake. He suggested addressing certain issues under the Shoreline Management Program. Mr. Parks said that residents have been very concerned about water quantity since 2009. He distributed copies of his comments to the Council.

Deputy Mayor Robertson said the Phantom Lake Homeowners Association has been attending Planning Commission discussions about the Shoreline Management Program. She questioned the appropriate forum for addressing residents' concerns. City Manager Sarkozy said staff will contact the speaker.

- (g) Jeff Bradt, Executive Director for Elder and Adult Day Services, thanked the Council for its support in 2011. The agency provides daytime services to adults with acquired and development disabilities. This includes skilled nursing, functional and occupational therapies as well as recreational/social therapies. The agency also provides support services for family caregivers. In 2009, more than 700 Bellevue residents had some type of contact with the agency's programs, either as clients, family members, donors, or partners in advocacy efforts. City support to the organization was \$42,000 last year, which was leveraged to provide more than 5,500 days of service to Bellevue residents, with a cash value of \$432,000. Elder and Adult Day Services paid more than \$200,000 in wages to employees who are Bellevue residents and \$310,000 to Bellevue businesses for goods and services. Mr. Bradt thanked the Council and Bellevue citizens for their support of the organization's work.

Mayor Lee thanked Mr. Bradt for the contributions of Elder and Adult Day Services.

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

5. Report of the City Manager

- (a) American Public Works Association (APWA) Accreditation Recognition for the Transportation and Utilities Departments

City Manager Steve Sarkozy announced that the Transportation and Utilities Departments have been reaccredited by the American Public Works Association (APWA).

John Ostrowski, representing the APWA Accreditation Council, noted that he formerly served as the Public Works Director for Vancouver, Washington. He was the Site Team leader for the City of Bellevue's first accreditation of the Utilities Department in 2004. At that time, Bellevue's Utilities Department was the 13<sup>th</sup> agency in the country to become accredited.

Mr. Ostrowski explained that accreditation involves the review of up to 500 practices, depending on the type of agency, and takes a couple of years to achieve. Reaccreditation involves review of approximately 30 percent of an agency's practices. However, the agencies do not know what will be reviewed and evaluated. Mr. Ostrowski congratulated Bellevue staff for their work.

Mr. Ostrowski presented plaques to Nav Ota, Utilities Director, and Dave Berg, Transportation Director.

Ms. Ota thanked staff for their hard work, and thanked the City Manager and Council for providing sound policy direction over the years. She noted that the 400 practices reviewed included Finance, Human Resources, and other support functions.

Mr. Berg expressed support for APWA's program that allows agencies to evaluate and improve their practices. He thanked Kristi Oosterveen, Transportation Accreditation Manager, and Susan Kaltenbach, Utilities Accreditation Manager, for their extensive work on this project.

Mr. Sarkozy reminded the Council that the City of Bellevue is one of few cities that has achieved accreditation for all of its operating departments.

- (b) Management Brief providing the NPDES Municipal Stormwater Permit Annual Report

[This item was addressed during the earlier Study Session. The management brief is provided beginning on page 5-3 of the meeting packet.]

6. Council Business and New Initiatives

[Discussed during earlier Study Session.]

7. Approval of the Agenda

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

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

8. Consent Calendar

→ Deputy Mayor 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 7-0, and the following items were approved:

- (a) Minutes of February 21, 2012 Study Session  
Minutes of February 21, 2012 Regular Session
- (b) Resolution No. 8370 authorizing execution of an amendment to the Agreement for Professional Services with Graham & Dunn, PC to increase the total contract amount from \$380,000 to \$565,000 to provide legal representation of the City in the lawsuit of Weinsteins & Newport Yacht Club v. City of Bellevue, USC No. Co9-0589-MJP.
- (c) Resolution No. 8371 adopting the City of Bellevue 2012 Federal Legislative Agenda.
- (d) Resolution No. 8372 approving the proposed 2012 ARCH work program and administrative budget.
- (e) Motion to award Bid No. 12017 for 164th Avenue NE Water Service Saddle Replacement, to Sanders General Construction LLC, as low bidder in an amount not to exceed \$346,514.94 (CIP Plan No. W-69 and CIP Plan No. W-99).

9. Public Hearings

- (a) Public Hearing to consider annexation of the South Bellevue areas of Eastgate and Tamara Hills

Mr. Sarkozy recalled that the Public Hearing is a requirement of the Direct Petition method of annexation under state law. Residents of Tamara Hills and Eastgate have worked to collect sufficient signatures to move forward with annexation, and the King County Assessor has verified the petitions. Staff recommends that the Council take action on March 19 after it has time to consider the impacts of annexation.

Nicholas Matz, Senior Planner, briefly reviewed the annexation process, noting the extensive involvement of residents in moving this effort forward. He recalled previous Council discussions

about the fiscal impacts of annexation including anticipated gaps between revenues and expenditures, capital investment needs, implications for Utility funds, and the role of Fire District 14.

Mr. Matz explained that staff recommends deferring Council action until March 19 in order to allow the Boundary Review Board to complete its review process. Staff hopes to be able to better assess any tax and revenue issues related to the outcomes of the state legislative session by that time, and will work to complete negotiations with King County regarding the governance transition. The proposed effective date of the annexation is April 1.

→ Deputy Mayor Robertson moved to open the Public Hearing, and Councilmember Balducci seconded the motion.

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

The following citizens came forward to comment:

1. Jeannie Price, a Tamara Hills resident, encouraged the City to move forward with annexation.
2. John Richardson, a Tamara Hills resident, said he bought his property in 1997. He believes the time is right for annexation and encouraged moving forward.
3. Sandy Grace, a resident of Eastgate since 1985, noted that she thought her property was in Bellevue when she moved there. She strongly supports annexation.

→ Deputy Mayor Robertson moved to close the Public Hearing, and Councilmember Davidson seconded the motion.

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

Responding to Councilmember Davidson, Mr. Matz said all City regulations will apply in the annexation area.

Councilmember Balducci thanked the residents for their efforts and hard work. She looks forward to the annexation becoming effective.

Mayor Lee concurred, and expressed appreciation for residents' support.

Deputy Mayor Robertson said she looks forward to accepting Eastgate and Tamara Hills into the City limits.

Councilmember Davidson thanked residents for their hard work. He noted that this has been a long time coming, and he looks forward to annexing the area.

Councilmember Chelminiak thanked residents for their involvement and commended staff for their hard work. He talked about the importance of working cooperatively with residents to accomplish an annexation, and he looks forward to finalizing this action.

Councilmember Stokes noted he lives in Woodridge and has been serving on the Eastgate /I-90 Land Use Plan Citizen Advisory Committee (CAC). He is pleased to have been able to participate in this important milestone.

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 9:10 p.m., Mayor Lee declared the meeting adjourned.

Myrna L. Basich, MMC  
City Clerk

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