

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Session

June 3, 2013
8:00 p.m.

Council Chamber
Bellevue, Washington

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

ABSENT: Councilmember Davidson

1. Call to Order

The meeting was called to order at 8:12 p.m., with Mayor Lee presiding.

2. Roll Call, Flag Salute

Upon roll call, all Councilmembers except Councilmember Davidson were present. Deputy Mayor Robertson led the flag salute.

(a) World Elder Abuse Awareness Day

Mayor Lee read a proclamation recognizing June 15 as World Elder Abuse Awareness Day in Bellevue.

Lynne Robinson, Bellevue Network on Aging, accepted and thanked the Council for the proclamation. She said June 15 is observed around the world to raise awareness about the types of elder abuse including physical, sexual, financial exploitation and neglect. She encouraged the public to call 1-866-END-HARM (363-4276) to report suspected elder abuse and noted that Police also recommend calling 911 to request a “welfare check.”

(b) City Hall Energy Star Award

Mayor Lee reported that City Hall once again received the 2012 Energy Star award, this time with an energy efficiency rating of 98.

Nora Johnson, Director of Civic Services, recalled that, two years ago, the rating was 91 percent. She said the building’s design contributes largely to its energy efficiency. However, she commended all staff on their efforts to conserve energy. Ms. Johnson introduced Emma Johnson,

Resource Conservation Manager, who joined the City in late 2009 funded partially through a grant program with Puget Sound Energy. Ms. Johnson described Emma's accomplishments and efforts in working with all City facilities.

Ms. Johnson introduced Earl Meldahl, Facilities Operations Manager, and commended his leadership and customer service. She noted that Mr. Meldahl is retiring later this year.

Ms. Johnson thanked Councilmembers for their confidence in staff.

Mayor Lee congratulated Civic Services Department staff for their work and thanked all employees for their conservation efforts.

3. Communications: Written and Oral

- (a) Paul Sanders, a Bellevue resident for 53 years, noted an article in today's edition of *The Seattle Times* regarding a state trooper killed two days earlier in Skagit County. He recalled that, two years ago, he recommended that the City eliminate its Police Department motorcycle unit. He described how the trooper in Skagit County was thrown from his motorcycle and died. Mr. Sanders suggested not allowing Police motorcycle use during inclement weather or on wet pavement. He noted that he sent an email to Councilmembers earlier in the day.

Mayor Lee asked audience members to be quiet and respectful while other citizens are speaking to the Council.

- (b) Sam Bellomio commented on the security guard present in the room. He said he left a phone message with the Mayor eight to nine months ago and has not heard back. He would like to talk to the Mayor. He encouraged more opportunities for public comment including town hall type meetings. He has been speaking to the Council for a long time and never gets a reaction, except to correct him if he does something wrong. He expressed concern that the King County Council does not allow public input during its meetings. He would like City Councilmembers to advocate for citizens' rights to speak before the County Council.
- (c) Alex Zimmerman, StandUP-America, asked the Council to represent citizens. He characterized the Council as organized criminals. He expressed concern about the King County Council not allowing the public to speak during its meetings.

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

5. Report of the City Manager

- (a) Farmers Market Update

Acting City Manager Brad Miyake recalled that, earlier in the year, the Council was approached by the Farmers Market about finding a new location for the Saturday market. The new location for the Saturday market is the NE 6th Street Pedestrian Corridor, and the grand opening is the upcoming weekend.

Councilmember Stokes thanked the City for working with the business community on this issue and gaining broad support. He thinks this will be a good location and encourages more farmers markets. Mr. Stokes thanked Dan Stroh, Planning Director, and staff for their efforts.

Mayor Lee thanked staff for working through the community's concerns.

Mr. Stroh said a number of City departments were involved in identifying a suitable location for the farmers market and resolving a number of issues.

Councilmember Wallace applauded staff's efforts to work with competing interests and find an appropriate solution. He noted that the Director of Bellevue's Farmers Market informed him that she was pleased to receive a phone call from the Acting City Manager on Memorial Day regarding the decision.

6. Council Business and New Initiatives

Councilmember Balducci reported that she attended meetings related to the Alaskan Way Viaduct project. She attended the *Field for Dreams* career and resource fair co-sponsored at Crossroads by the Eastside Community Network, the DSHS Division of Vocational Rehabilitation, and the City. Ms. Balducci attended meetings of the Puget Sound Regional Council (PSRC) Executive Committee and the Sound Transit Board. She attended the Bellevue Youth Link Leadership Awards event.

Councilmember Stokes attended a meeting of the King County Regional Policy Committee (RPC) and met with representatives of Eastside Pathways and the business community. He attended the Bellevue Downtown Association (BDA) Mayors Breakfast and an event in Seattle at the Vance Building, which has 14 floors of nonprofit organizations.

Councilmember Wallace met with the Bellevue Chamber of Commerce young executives group. He, Mayor Lee, and Councilmember Balducci attended the Bellevue Youth Link Community Awards. Mr. Wallace attended the Forterra Breakfast in Seattle.

→ Councilmember Wallace moved to extend Councilmember Davidson's excused absences for three additional weekly meetings, and Deputy Mayor Robertson seconded the motion.

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

Councilmember Chelminiak reported that he attended the Bellevue Convention Center Authority (BCCA) Board meeting. Meydenbauer Convention Center is developing a plan to fund capital needs over the next 10 years and will be meeting with Councilmembers to discuss proposals. Mr.

Chelminiak encouraged Councilmembers to attend the Eastside Human Services Education Forum on Thursday at the North Bellevue Senior/Community Center.

Deputy Mayor Robertson referred to an article in *The Seattle Times* about SHARE, the organization that operates tent cities, and requested information on whether the City of Bellevue provides financial assistance to the organization.

Ms. Robertson noted Mr. Sanders' earlier comments regarding Police motorcycle officers and asked the Police Chief to respond to his comments. She requested information on the advantages of motorcycle officers versus patrol cars and on existing policies regarding officer safety.

Mayor Lee attended the Eastside Mayors Breakfast, Youth Link Community Awards, firefighter recruits ceremony, and Bellevue Jazz Festival.

7. Approval of the Agenda

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

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

8. Consent Calendar

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

→ The motion to approve the Consent Calendar carried by a vote of 6-0, and the following items were approved.

- (a) Minutes of May 6, 2013 Study Session
Minutes of May 6, 2013 Regular Session
Minutes of May 13, 2013 Extended Study Session
- (b) Resolution No. 8591 authorizing execution of all documents necessary for approval of a total payment in the amount of \$92,500, to implement settlement of the lawsuit for personal injury damages filed by John Jesson.
- (c) Resolution No. 8592 authorizing an amendment to the City's current banking contract to allow for two additional 2-year terms and amending annual fees applicable during extension terms.
- (d) Resolution No. 8593 authorizing execution of a Technical Services Agreement with Covalent Software, Inc., in an amount not to exceed \$140,618 and annual maintenance of \$35,155, for implementation of hosted service for the Performance Management System.

- (e) Resolution No. 8594 authorizing execution of a Memorandum of Understanding by and between the City and the Bellevue Police Support Guild, establishing wages for the Data Quality Control Specialists and Lead Data Quality Control Specialist for 2012-2013, in final resolution of a grievance that was partially resolved by a Settlement Agreement approved by Council in October 2012.
 - (f) Ordinance No. 6112 amending Ordinance No. 6078, in an amount up to \$105,000, to reflect the amendment of the Human Services Commission's recommendations for expenditure of Community Development Block Grant funds in 2013.
 - (g) Resolution No. 8595 authorizing adoption of the City of Bellevue's 2014-2019 Transportation Improvement Program (TIP).
9. Public Hearings: None.
10. Land Use: None.
11. Other Ordinances, Resolutions and Motions
- (a) Resolution No. 8596 authorizing execution of the First Amendment to the Umbrella Memorandum of Understanding (MOU) with Sound Transit, and of the First Amendment to the Transit Way Agreement, reflecting modifications to the East Link project alignment resulting from the City of Bellevue and Sound Transit collaborative cost savings effort.

Acting City Manager Brad Miyake opened discussion regarding Resolution No. 8596 executing the First Amendment to the Umbrella Memorandum of Understanding (MOU) and the First Amendment to the Transit Way Agreement related to the East Link light rail project.

Kate Berens, Deputy City Attorney, said this is essentially a housekeeping item related to the light rail project cost savings measures discussed and adopted earlier this year. The proposed resolution implements those decisions by amending the East Link Umbrella MOU and the Transit Way Agreement. Both agreements were originally adopted in November 2011. The project description before the Council tonight was amended to capture recent cost-saving decisions. The description addresses the alignment, segment profiles (i.e., elevated, at-grade), and certain major features (e.g., East Link stations). The current amendment is intended to focus on a broad description of the alignment and cost-saving revisions. However, it does not include details still being worked out between the City and Sound Transit on mitigation.

Ms. Berens recalled that Joni Earl, Sound Transit CEO, previously committed to expediting acquisitions in Bellevue once a final decision on the alignment is reached. Ms. Berens reported that the Sound Transit Board has authorized the acquisition of the properties north of Surrey Downs Park. The Board intends to authorize the acquisition of properties south of the park during its June meeting. Staff has initiated discussions with residential property owners about the

acquisition process.

Ms. Berens noted a memo in the Council's desk packet regarding proposed language indicating that the Downtown station will have entrances near both 110th and 112th Avenues NE.

Responding to Councilmember Wallace, Transportation Director Dave Berg said the project description (Page 11-13 of the meeting packet) states "5 or 6 stations" because it was not known whether the East Main Station would be included when the original description was drafted. The project will have six stations, including one at East Main Street.

Mr. Wallace said he would have liked to see more specificity in the alignment description. However, he understands that the intent is to provide a broad-based description. Referring to the third paragraph of page 11-13 [Exhibit C: East Link Project Description], Mr. Wallace requested removing the second part of the first sentence: Current designs of the Project are between 15% and 60% complete, ~~and the parameters of project mitigation and construction are included in the East Link EIS and Addendum.~~

Ms. Berens said the proposed revision could be discussed with Sound Transit if that is the consensus of the Council.

Councilmember Wallace said he would like a better understanding of staff's discussions about mitigation and each agency's responsibilities.

Councilmember Chelminiak said he was comfortable with the language as written.

Mr. Wallace said he wants to be clear that there are still no details on mitigation.

Ms. Berens reminded the Council that existing language in the MOU indicates that the City is not waiving its permitting authority and is retaining its SEPA authority to impose mitigating conditions to the extent the City is not satisfied with the ultimate mitigation described in the EIS documents. That language is not amended with this action.

Mr. Stokes said he is comfortable with the existing language because the City will continue to focus on mitigation in working with Sound Transit.

Mayor Lee said it has been effective to have the Leadership Group of elected officials and staff working together to resolve a number of issues. He encouraged similar arrangements going forward.

Mr. Chelminiak requested a revision to indicate there will be six East Link stations.

Deputy Mayor Robertson said she was not opposed to Mr. Wallace's suggestion, but she also believed it was not necessary given the other language in the paragraph.

Responding to the Council, Ms. Berens said staff would bring the resolution back the following week for Council action.

Mr. Chelminiak said he wants to specify six stations because he wants to ensure that the line reaches 130th Avenue and beyond. He wants to extend East Link as far as possible.

12. Unfinished Business

(a) Selection of Firm for City Manager Position Recruitment

Mayor Lee spoke in favor of interviewing six Executive Search firms to handle the recruitment process for the City Manager position.

Responding to Deputy Mayor Robertson, City Clerk Myrna Basich suggested that, if six firms are to be interviewed, the Council schedule this for a single day or two evenings.

Councilmember Chelminiak spoke in favor of involving the full Council in the interviews, rather than a subcommittee.

→ Councilmember Stokes moved to interview six Executive Search firms as chosen by individual votes of the Council (Firms 1, 3, 5, 6, 8, and 9). Deputy Mayor Robertson seconded the motion.

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

Responding to Ms. Basich, the Council indicated that two evenings would be preferred over a daytime meeting.

13. Continued Oral Communications: None.

14. New Business: None.

15. Executive Session: None.

16. Adjournment

At 9:28 p.m., Mayor Lee declared the meeting adjourned.

Myrna L. Basich, MMC
City Clerk

/kaw