

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Session

October 7, 2013
8:00 p.m.

Council Chamber
Bellevue, Washington

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

ABSENT: Councilmembers Balducci and Stokes

1. Call to Order

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

2. Roll Call, Flag Salute

Upon roll call, all Councilmembers except Councilmembers Balducci and Stokes were present.

Deputy Mayor Robertson led the flag salute.

(a) State of the County Report

King County Councilmember Reagan Dunn provided an update on the proposed 2014 King County Budget, King County Metro's reduced transit service, the King County Flood Control District, King Conservation District, sewer capacity charge, and solid waste issues.

Councilmember Dunn noted that Bellevue recently received approximately \$200,000 from the Flood Control District to accelerate work on Coal Creek flooding issues. He described the County's work to address flooding and fluctuating water levels on Lake Sammamish as well.

With regard to the King Conservation District, Mr. Dunn said he is overseeing a review and reform of certain programs. He thanked Joyce Nichols and Alison Bennett, Bellevue staff, for their participation in this regional process and said they have served the City well on the King County task force. Councilmember Dunn said that Councilmembers Davidson and Stokes have been involved in discussions as well.

Deputy Mayor Robertson thanked Councilmember Dunn for the update. She commented on the Lake Sammamish flood control project and said it is important to maintain water levels and the ability for boats to navigate. On behalf of homeowners, Bellevue has advocated that King County honor its agreement with the U.S. Army Corps of Engineers with regard to maintenance.

Councilmember Dunn said the project is a high priority for him. Vegetation has been removed and the County will continue to monitor the situation. Ms. Robertson acknowledged that the work to date appears to be helping to stabilize water levels.

Councilmember Wallace cautioned that the sewer capacity charge, which is the fee paid when new customers connect to the sewer system, and cost controls in solid waste operations affect the overall regional economy. He asked Councilmember Dunn to comment on law enforcement and jail operations. Mr. Dunn said the southeast precinct was reduced a couple of years ago but has been restored, with four officers, in the 2014 budget. The County is also expanding its reserve officer program using volunteers.

Mayor Lee commented on the importance of transit services for Bellevue.

Councilmember Dunn noted that he and the Mayor both served on the Regional Transit Task Force, which identified \$140 million in annual savings through enhanced efficiencies. Mr. Dunn believes there is a need for the state legislature to allow local transit options.

(b) International Walk to School Day Proclamation

Mayor Lee read a proclamation recognizing International Walk to School Day in Bellevue on October 9. Kam Szabo, representing the Sherwood Forest PTA, and Heidi Schmitten, representing the Newport Heights PTA, thanked the City for the proclamation.

Ms. Szabo said the Sherwood Forest PTA received a grant from the Seattle Foundation last year in support of health initiatives, which was used to buy pedometers for all students. She thanked the City for the human services grant to Sherwood Forest school and said the PTA is working hard to bring the Wrap Around Services program to their school.

Ms. Schmitten thanked the City for the proclamation and for organizing the web site and promotional materials to celebrate Walk to School Day.

Deputy Mayor Robertson suggested that the guests provide their contact information to staff to be added to the email list used for the human services grant applications and advocacy process.

3. Communications: Written and Oral

(a) Ellie Schroeder asked the Council to reconsider its decision granting the solid waste collection contract to Republic Services. She said CleanScapes had a lower bid and scored higher on the City's quantitative and qualitative standards. Ms. Schroeder said the

Bellevue Reporter stated that bidders and associated agents are not to have contact with the Council before a contract vote. She said Republic Services hosted fundraising events for Mayor Lee and Councilmembers Davidson and Wallace in July. She asked the Council to do what is right and ethical for the City.

- (b) Morris Howland said he believes the City Council erred in its selection of the solid waste collection vendor. He said CleanScapes was the low bidder, and the Council's criteria indicated that the final decision was to be 80-percent based on cost. He asked the Council to reconsider its decision.
- 4. Reports of Community Council, Boards and Commissions: None.
 - 5. Report of the City Manager
 - (a) Downtown Transportation Plan Recommendations [Continued from earlier Study Session]

Acting City Manager Brad Miyake said this agenda item continues the Downtown Transportation Plan presentation from the earlier Study Session.

Kevin McDonald, Senior Planner, described the Downtown bike facilities plan, bike parking recommendations, and plans for the Pedestrian Corridor which accommodate pedestrians as well as wheeled users. He noted a recommendation from the Downtown Livability committee to consider ways to demarcate uses on the pedestrian corridor.

Mr. McDonald moved to the pedestrian mobility component of the overall Downtown Transportation Plan. He described the recommended types of crosswalks and mid-block crossings. The Transportation Commission recommends grade-separated mid-block crossings at certain locations. Mr. McDonald described potential downtown sidewalk and landscaping elements.

Deputy Mayor Robertson said she would like a comparison analysis of planting strips and trees versus street trees and grates with regard to the maintenance challenges and costs.

Moving on, Mr. McDonald said the issue of pedestrian through-block connections has been referred to the Downtown Livability Initiative. Based on feedback from residents, staff recommends a more robust wayfinding system and perhaps common design elements to indicate that they are public spaces. He noted that some of these areas are not currently ADA compliant.

Deputy Mayor Robertson said she saw, on her recent Sister Cities trip, sidewalks with ridges designed to guide visually impaired individuals using canes. Mr. McDonald said staff will look into this type of treatment.

Councilmember Davidson said that elevators and other amenities make it easier for pedestrians with disabilities who cannot use stairs or are otherwise challenged. He suggested it would be good to have a pedestrian map of these facilities. Mr. McDonald agreed that would be helpful and said he will see if such a map exists.

Mayor Lee said it is important to also consider weather protection in designing pedestrian amenities. Mr. McDonald confirmed that the Downtown Livability Initiative is addressing weather protection.

Mr. McDonald summarized the list of topics that the Transportation Commission suggests referring to the Downtown Livability Initiative: loading zones, transit passenger comfort and information, on-site bicycle facilities, alternative sidewalk widths, curbside landscaping, through-block connections and Pedestrian Corridor design components.

Next steps in the Downtown Transportation Plan update are ongoing community outreach and the Transportation Commission's preparation of Downtown Subarea Plan policy language and project descriptions. That will ultimately lead to the integration of the DTP and Downtown Livability work in the Subarea Plan and Land Use Code. Recommendations will be reviewed by the Planning Commission and the City Council before final Council action.

Mayor Lee thanked staff and the Transportation Commission for their work.

Councilmember Wallace thanked staff for the comprehensive report. He attended some of the Commission's meetings and appreciates the extensive work of the Transportation Commission and staff. Responding to Councilmember Wallace, Mr. McDonald said the baseline assumption through this work is the existing Land Use Code. He acknowledged that Land Use Code changes could necessitate changes in the transportation plan.

Mr. Wallace observed that this would be a good time to look at the impacts of doing or not doing certain projects, particularly the I-405 Master Plan improvements. He believes it could benefit the City to present this type of data to the state legislature.

Responding to Mr. Wallace, Mr. McDonald said significant changes in vehicle technology, such as driverless cars, have not been incorporated into the modeling. However, the Downtown Transportation Plan does include elements of traffic signal operations and electronic communications to drivers (i.e., alerts regarding traffic/parking conditions). The Plan is updated on an ongoing basis.

Mayor Lee questioned whether intelligent transportation systems would be feasible and/or beneficial for I-405. Mr. McDonald said that analysis is not within the scope of this update.

Councilmember Chelminiak observed that it is important to complete the braided ramps project at NE 10th Street and SR 520. With regard to technology, he said that ways to communicate with drivers can have a fairly significant positive impact to the overall transportation system.

Mr. Chelminiak thanked staff and the Transportation Commission for recommending a balanced plan of mobility modes.

6. Council Business and New Initiatives

Councilmember Chelminiak reported on his participation in discussions about diversity with the Bellevue Essentials class.

Councilmember Davidson attended meetings of the Regional Water Quality Committee and the Municipal Water Pollution Abatement Advisory Committee (MWPAAC).

Councilmember Wallace attended the Wilburton traffic mitigation meeting and the Seattle Chamber of Commerce lunch.

Deputy Mayor Robertson reported on her trip to two of Bellevue's Sister Cities in Eastern Europe: Liepaja, Latvia and Kladno in the Czech Republic. Both have recently had 20th anniversaries in their Sister Cities relationships with Bellevue. She highlighted elements of each city. Liepaja is developing a performing arts center and Kladno recently adopted Bellevue's Service First model.

Ms. Robertson said the Lord Mayor of Kladno is coming to Bellevue next year. She noted that an Amazon facility is opening soon in Kladno. She displayed gifts received from both Sister Cities.

Mayor Lee participated in the Bellevue Essentials class, the Washington State China Relations Council annual banquet, Global Career Day, Bellevue Chamber of Commerce dinner, and King County small business award dinner. He met with a group of Japanese exchange students at City Hall. He met with Congressman Adam Smith and with Tana Senn, the new state legislator for the 41st District.

Mr. Lee attended the open house held by Intellectual Ventures in the Bel-Red corridor.

Mayor Lee said Governor Inslee is visiting China in November. He would like staff to compile economic development materials related to Bellevue for the Governor to take on his trip.

7. Approval of the Agenda

→ Deputy Mayor Robertson moved to approve the agenda, amended to remove Item 15(a), Executive Session. Councilmember Chelminiak seconded the motion.

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

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 5-0, and the following items were approved:
 - (a) Minutes of September 3, 2013 Study Session
Minutes of September 3, 2013 Regular Session
Minutes of September 9, 2013 Extended Study Session
Minutes of September 16, 2013 Study Session
Minutes of September 16, 2013 Regular Session

 - (b) Resolution No. 8632 adopting "Bridle Trails Corner Park" as the name for the new neighborhood park at the corner of NE 24th Street and 134th Avenue NE.

 - (c) Resolution No. 8633 authorizing execution of a Professional Services Agreement with CM Design Group LLC, in an amount not to exceed \$273,090, to provide Engineering Plans, Specifications, Estimates (PS&E) and Maximum Extent Feasible (MEF) Documentation for the 2014 Americans with Disabilities Act (ADA) Upgrades for Overlay Program.

 - (d) Motion to award Bid No. 13202, 2013 Pedestrian Facilities Compliance Program, to Road Construction Northwest LLC, as lowest responsible and responsive bidder, in the amount of \$57,625.00 (CIP Plan No. PW-W/B-49).

 - (e) Motion to award Bid No. 13158 for AC Water Main Replacement (2013) - Phase 3, to Kar-Vel Construction, as lowest responsible and responsive bidder, in the amount of \$1,454,804.96 (CIP Plan No. W-16).

 - (f) Motion to award Bid No. 13163 for PRV Replacement 2013 - Phase 1, to Bonner Brothers Construction, Inc., as lowest responsible and responsive bidder in the amount of \$475,016.48 (CIP Plan No. W-67).

- 9. Public Hearings: None.

- 10. Land Use: None.

- 11. Other Ordinances, Resolutions and Motions
 - (a) Ordinance No. 6129 authorizing an interfund loan from the Utility Capital Investment Program Fund to the General Capital Investment Program Fund in an aggregate amount not to exceed \$30,000,000 for the purpose of providing interim financing for projects included in the City's Capital Investment Program.

Finance Director Jan Hawn recalled previous discussions regarding proposed cash flow borrowing to respond to the loss of revenues, increased costs, and East Link obligations. Staff recommends an interfund loan of up to \$30 million. The funds would be used only as needed to implement the current Capital Investment Program (CIP) Plan, which is historically front-loaded in terms of projects and expenditures.

Ms. Hawn said the interfund loan will be repaid within the existing CIP Plan dollars. Taking this action now allows the mid-biennium budget process beginning on November 1 to focus on the operating budget.

Mayor Lee thanked staff for their thorough review of cash flow options. He expressed support for the proposal which will provide opportunities for cost savings by expediting certain projects.

Councilmember Chelminiak said he hopes the City and Sound Transit will be able to coordinate certain transportation investments involving both roadways and light rail.

Councilmember Wallace said he wants to be on record as supporting the 120th Avenue and 124th Avenue projects, as mentioned by Mr. Chelminiak. Mr. Wallace said there needs to be a cost-sharing agreement between the City and Sound Transit for the appropriate projects. He believes there should be fairly significant potential savings with that approach. Mr. Wallace supports the proposal for cash flow borrowing and the Transportation Director's recommendations for expediting certain projects.

Councilmember Davidson expressed support for the proposed loan arrangement to help accelerate certain projects and achieve savings.

Deputy Mayor Robertson said she supports the proposal. She said this type of borrowing is routinely used by the City and businesses, and she feels comfortable that the money will not be used unless needed. Interfund loans are repaid within the City with interest.

→ Deputy Mayor Robertson moved to adopt Ordinance No. 6129, and Councilmember Wallace seconded the motion.

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

- (b) Motion to award Bid No. 13021, NE 4th Street Extension - Phase 1, 116th Avenue NE to Burlington Northern Santa Fe Rail Road (BNSF) right-of-way, to KLB Construction, Inc., as the lowest responsible and responsive bidder, in the amount of \$3,946,462.67 (CIP Plan No. PW-R-160).

Acting City Manager Brad Miyake noted that Transportation Director Dave Berg was available to answer questions regarding Bid No. 13021 for the NE 4th Street Extension project. Mr.

Miyake said the bid is \$700,000 below the Engineer's Estimate.

→ Deputy Mayor Robertson moved to award Bid No. 13021, and Councilmember Wallace seconded the motion.

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

- (c) Resolution No. 8634 authorizing execution of an amendment to the Professional Services Agreement with Kenyon Disend, PLLC to increase the total contract amount from \$250,000 to \$500,000 for legal services and representation in property acquisitions and/or eminent domain proceedings for multiple parcels located at NE 4th Street.

Mr. Miyake said that Deputy City Attorney Kate Berens was available to answer questions.

Deputy Mayor Robertson said this contract increase includes attorney's fees and expert witness fees.

→ Deputy Mayor Robertson moved to approve Resolution No. 8634, and Councilmember Wallace seconded the motion.

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

Councilmember Wallace congratulated Transportation staff for reaching a major milestone with the NE 4th Street project.

Mayor Lee concurred and thanked staff as well.

12. Unfinished Business: None.

13. Continued Oral Communications

Alex Zimmerman, StandUP-America, expressed concern about red light camera fines taking money from citizens. He expressed concern that the poor and immigrants receive tickets and have trouble paying. He would like the option of providing work instead of payment. Mr. Zimmerman said elected officials are corrupt. He would like the City Manager to hold monthly sessions with citizens.

14. New Business: None.

15. Executive Session

- (a) Potential Litigation

[Removed under Agenda Item 7.]

16. Adjournment

At 9:55 p.m., Mayor Lee declared the meeting adjourned.

Myrna L. Basich, MMC
City Clerk

/kaw