

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Study Session

February 1, 2010
6:00 p.m.

Council Conference Room
Bellevue, Washington

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

ABSENT: None.

1. Executive Session

The meeting was called to order at 6:02 p.m. by Mayor Davidson. There was no Executive Session.

2. Study Session

- (a) Update to the 1993 Cultural Diversity Task Force Report and Community Action Plan

City Manager Steve Sarkozy introduced staff's update on the 1993 Cultural Diversity Task Force report and Community Action Plan.

Patrick Foran, Parks and Community Services Director, acknowledged the Council's interest in updating the 1993 Cultural Diversity Community Action Plan. He said staff is seeking Council direction regarding the scope of study, how the study should be governed and administered, and what level of resource investment the Council feels should be dedicated to this process.

Mr. Foran reviewed the 1992-93 planning process and briefly summarized the 1993 Cultural Diversity Task Force Study. The mission of the Task Force was to study and report to the Council on the cultural and ethnic mix in Bellevue using 1990 census data, and the trends and issues facing the community with regard to the evolving cultural mix. An action plan was developed with broad community-wide initiatives including public safety, economic development, radio and television programming, translation and interpretation services, cross-cultural mediation workshops, and partnerships with human services providers.

Mr. Foran explained that the 1993 study was broad in scope and attempted to address major community institutions including schools, libraries, legal system, public health, the business community, and the media. He requested Council direction regarding the extent to which public and private institutions should be involved in the process and the identification of community issues that should be studied. He suggested that the study address the benefits of cultural diversity, and how Bellevue can maximize the benefits of its diversity.

Mayor Davidson questioned whether it would make sense to wait until the 2010 census information is published. Mr. Foran explained that the census generates information that is primarily statistical in nature, while the City's Planning and Community Development Department and Human Services Needs Assessment produces specific local information. He said the 2010 census information will not be made available for some time.

Councilmember Balducci suggested that it is important to assess how well the City has performed against the goals and outcomes set in the original plan. She would like to see a new set of potential outcomes and an action plan for how to achieve those outcomes. She likes that the 1993 study covered a broad range of topics and involved independent review by a task force. Ms. Balducci would like the plan to ultimately be used to inform work plans across departments. She opined that it is not essential to initiate an update now or even in 2010, but she would like to schedule it for a specific timeframe.

Councilmember Chelminiak concurred with Councilmember Balducci's last comments that the update could be scheduled for 2011-2012. He envisions a Cultural Advantage Task Force, with a slightly different emphasis than the 1993 planning effort. He reflected on how the world and Bellevue have changed since 1993 in terms of diversity and global awareness. He encouraged a focus on maximizing the benefits of Bellevue's cultural diversity and assets.

Deputy Mayor Lee thanked staff for bringing this topic to the Council and praised the City for its diversity programs and policies. He suggested focusing on three top assets or challenges, and developing strategies based on those issues. He noted the link between cultural diversity and economic development. He encouraged engaging the community and working with citizens and groups that are already involved in related activities.

Councilmember Wallace commented that in 1993, Bellevue did not yet have the major employers it now has that draw employees from around the world. He suggested working with corporate Human Resources departments to determine what Bellevue could provide to enable them to continue to attract and retain the highest quality talent and employees. In general, he prefers an update to the existing Community Action Plan instead of a completely new, extensive process. He concurred with Mayor Davidson's suggestion to wait to be able to incorporate the results of the 2010 census.

Councilmember Robertson said the 1993 study and plan represents a good body of work that has served the community well. She supports adding this to the work plan for 2011-2012, and agreed that it makes sense to wait for the 2010 census data.

Councilmember Degginger agreed that the City will gain useful information from the 2010 census. He concurred with Deputy Mayor Lee that the community's cultural assets can become economic assets because they create relationships around the world. Additional key areas he feels should be addressed include public safety, social services, and outreach to school districts. Mr. Degginger encouraged activities and programs to celebrate diversity and learn about other cultures.

Deputy Mayor Lee said the City has demographic information, and that it is not necessary to wait for the 2010 census data.

Mayor Davidson summarized that the Council wants to build off the 1993 study and Community Action Plan. He asked staff to develop a preliminary approach and cost estimate for the work based on Council's discussion.

Councilmember Balducci said it is important to have a component of community outreach to the process, and that it not be entirely led by the City. However, she would not expect to see a cost for this effort that is 100 percent consultant either.

(b) Eastgate Area Properties Master Plan Review

Mr. Foran explained that the purpose of tonight's agenda item is to respond to questions raised by the Council during its January 4 discussion about the Eastgate Area Properties Master Plan.

Glenn Kost, Planning Manager, reviewed the information requested by the Council. The funding sources for Phase 1 development of the Master Plan are the Parks and Natural Areas Levy (\$6 million), Capital Investment Program (CIP) Match Funds (\$4 million), and external funding through State and County grants.

He reviewed preliminary, planning level estimates of development costs for the primary alternatives: 1) Alternative A (sportsfields emphasis), \$20-24 million; 2) Alternative B (including off leash area), \$18-22 million; and 3) Alternative C (with recreation building), \$36-50 million. Development costs for an expanded off leash area at Robinswood Park are estimated at \$200,000 to \$300,000.

Mr. Kost recalled Councilmember Robertson's question regarding the cost recovery potential for sportsfields. He reported that the annual cost of operating and maintaining the Robinswood sportsfield, including a reserve to replace the synthetic turf, ranges between \$180,000 and \$200,000. User fees provide approximately \$157,000.

Mr. Kost summarized responses to additional questions. The Parks Department works collaboratively with the Police Department and other departments to incorporate safety and other considerations into park design. The City has not received complaints regarding the synthetic turf at the Robinswood sportsfield, or about lighting or traffic associated with that site.

Mr. Kost said the Robinswood expanded off leash area proposal can be included in the Eastgate Area Properties environmental review, upon Council action to designate funds for that purpose. The broader project level environmental review for the Eastgate Area Properties Master Plan will occur with the design phase, which is typical for this type of project.

Mr. Kost said staff is seeking a Council consensus to proceed with environmental review for Alternative A. Upon completion of the environmental review, staff will request Council adoption of the Master Plan, and then move forward to the design and permitting stages.

Responding to Councilmember Balducci, Mr. Kost said the Robinswood off leash area would be subject to a non-project SEPA (State Environmental Policy Act) review, which would require a design. Councilmember Balducci said it appears that the expanded Robinswood off leash area, included to compensate for the loss of the off leash area at the Eastgate properties, is a future project without a specific timeframe. She is looking for a commitment that the expanded Robinswood area would be provided at the same time the Eastgate properties park is developed. She had wanted to see more of a balance of uses at the Eastgate properties including new sportsfields and the retention of open dog run areas. As a second best solution, she wants to see the Robinswood off leash area developed in a timely manner.

Ms. Balducci expressed her preference for the name Bellevue Airfield Park over Airfield Park.

Mayor Davidson asked how the project will be phased, and whether residents can continue to use the Eastgate properties to exercise their dogs until new off leash areas are completed.

Mr. Foran said the Parks Board's recommendation is to require that the off leash area at Robinswood Park be part of the first phase of developing the Eastgate sportsfields. The issue of environmental review is whether to prepare a design for the Robinswood off leash area now and conduct a project-level environmental checklist before, or as part of, the larger project Master Plan environmental review. This approach would take longer and incur higher design costs for the off leash area. Technically, the environmental issue could be covered through a budget action when funds are allocated for the Eastgate project.

Responding to Councilmember Balducci, Mr. Foran clarified that staff's current plan is to do the design work on the Robinswood off leash area at the same time as the design work for Phase 1 of the Eastgate Area Properties Master Plan.

Councilmember Degginger said he is ready to proceed with environmental review of the Master Plan. He too would like to see the Robinswood off leash area completed as soon as possible. Responding to Mr. Degginger, Mr. Kost said the lifespan of the sportsfields is estimated at 10 years, and replacement costs are estimated at \$1 million. This is the basis for the \$100,000 annual reserve contribution in the project. Mr. Foran stated that 10 years is the manufacturer's recommended lifespan, but this is dependent on the amount of usage and ongoing maintenance.

Councilmember Degginger supports Bellevue Airfield Park as the name, because the property was originally called Bellevue Airfield.

Councilmember Chelminiak wants to move ahead with the project. However, he expressed concern that if a full SEPA review is not conducted for the Robinswood off leash area now, is it possible that the Eastgate sportsfields will be completed and then an environmental review will determine that the Robinswood off leash area is not feasible. Responding to Mr. Chelminiak, Mr. Foran said the way to address this concern would involve consulting with the landscape architects working on the Eastgate plan to do some site designs at a high level, based on the input that staff already has, and then adding this to the checklist for the overall Master Plan.

Councilmember Chelminiak clarified his question – How can the Eastgate Alternative A plan and the Robinswood off leash area be done together? He outlined his understanding of a possible process. There will have to be design work for Robinswood, and at that point, perhaps bring it back to the Council for approval. And then the City could proceed with the SEPA review. This would be a way to know that the Robinswood off leash area has passed SEPA review, and that Alternative A for the Eastgate Area Properties Master Plan passed SEPA review.

Mr. Foran said the process can occur as described by Mr. Chelminiak. In further response, Mr. Kost said the design work could be done relatively quickly, but the community involvement process could take months. He said it is rare that a Master Plan process runs without some issues and modifications that need to be addressed, and these are difficult to predict.

Councilmember Chelminiak stated he favors taking the time to do it right.

Responding to Councilmember Balducci, Mr. Foran confirmed that money to construct the entire project has not been allocated. The project would be implemented in phases, as is typical with this type of project.

Councilmember Balducci suggested proceeding with design and environmental review first, and then identifying funds to move forward with construction. She stated that this approach can honor the Parks Board's recommendation to complete Phase One of Alternative A and the Robinswood off leash area simultaneously.

Councilmember Robertson supports moving Alternative A forward, with the revised process outlined by Councilmembers Balducci and Chelminiak. She supports the sportsfields and the ability for cost recovery for maintenance and replacement costs. She is pleased to have a police officer on staff who is skilled and trained in developing designs that discourage criminal activities. Ms. Robertson is in favor of moving forward through the environmental and design process, with the understanding that construction will be phased based on the available budget.

Councilmember Wallace said he is struggling with the cost estimates and budget. He read from the parks levy that passed in 2008, which identifies \$6 million for the Eastgate Area community park. He observed that voters might have thought this was the total cost for the park. Mr. Wallace expressed concern that there appears to be \$10 million for the park, which is significantly lower than the cost estimates.

Responding to Mr. Wallace, Mr. Kost said staff does not yet have detailed cost estimates for addressing conditions related to the site's past use as a landfill. He explained that the site has a methane collection system and groundwater monitoring system, with the latter being the responsibility of The Boeing Company under the purchase and sale agreement. The City is responsible for the methane collection system, and it will likely need to be rebuilt as part of the first construction phase. Mr. Kost noted additional costs for stormwater infrastructure and management, permitting, and regulatory oversight. He noted there is nothing unusual about phasing a park project in this manner.

Councilmember Wallace said he would like to understand the concept of moving forward with the project with only \$10 million available versus the \$18-\$24 million estimates. He suggested looking at the first synthetic field as phase one and leaving the natural areas for off leash use until funding is available to complete the second sportsfield and off leash area at Robinswood.

Deputy Mayor Lee expressed support for committing to the off leash dog park at Robinswood, but he shares Mr. Wallace's concern related to costs and the budget. He noted the City's budget challenges and the need to be realistic about approving projects without identifying funding.

Mayor Davidson summarized Council's preference that planning and environmental review for the Robinswood off leash area and the Eastgate Area Properties Master Plan, Alternative A, should occur simultaneously.

Mr. Foran confirmed that staff will devise a plan to proceed with this approach.

Mayor Davidson said it will be important to address the issue of additional funding during this year's budget discussions.

- (c) Amendments to the City Electrical Code to Formally Adopt the 2008 National Electric Code and the Washington Cities Electrical Code

City Manager Sarkozy recalled staff's presentation to the Council during the January 11 Study Session regarding proposed amendments to the City's Electrical Code. He noted that the Council requested that staff provide an annotated version of the Code to assist Council in reviewing the proposed amendments. This has been provided in the meeting packet.

Councilmember Balducci thanked staff for providing the annotated materials, and noted that she had a number of questions about particular provisions. Gregg Schrader, Building Official, responded to brief questions of clarification. He acknowledged that the City conducts inspections related to construction and remodeling, but does not conduct periodic inspections of residential buildings. The City does respond to complaints from residential and commercial tenants about questionable situations. Ms. Balducci said she would like to talk with staff separately to review additional questions.

Mayor Davidson asked staff to return with the final proposal amending the Electrical Code for adoption at a future meeting.

Councilmember Chelminiak stated that the annotations were very helpful.

- (d) Use of Supplemental CIP Funds for NE 4th Street Extension, 120th Avenue NE Improvements, and NE 6th Street Extension Projects

Ordinance No. 5936 authorizing: 1) the amendment of the 2009-2015 Capital Investment Program Plan to create three (3) new CIP projects as follows: a) NE 4th Street Extension - 116th to 120th Avenues NE (Proposed CIP Plan No. PW-R-160) with an initial project budget of \$3,600,000, b) 120th Avenue NE Improvements (Segment 1) - NE 4th to NE 8th Streets (Proposed CIP Plan No. PW-R-161) with an initial budget of \$8,600,000, and c) NE 6th Street Extension - I-405 Interchange to 120th Avenue NE (Proposed CIP Plan No. PW-R-162) with an initial project budget of \$1,000,000, 2) the transfer of a total of \$10,600,000 in Mobility & Infrastructure Initiative and Supplemental CIP funding from six (6) existing CIP projects, identified by the City Manager or his designee, to these new projects; and 3) the execution of a grant agreement (and supplements if necessary) with the Washington State Department of Transportation (WSDOT) to accept \$2,600,000 in federal Surface Transportation Program (STP) grant funds toward construction of CIP project 120th Avenue NE Improvements (Segment 1) - NE 4th to NE 8th Streets (Proposed CIP Plan No. PW-R-161).

Mr. Sarkozy explained that this agenda item follows up on previous discussions with the Council regarding three high-priority infrastructure projects.

Transportation Director Goran Sparrman described a proposal to amend the Capital Investment Program (CIP) Plan to create three new projects and to transfer a total of \$10.6 million from the Mobility and Infrastructure Initiative and Supplemental CIP, as well as accept grant funding, for these projects: 1) NE 4th Street extension, 2) 120th Avenue NE improvements, and 3) NE 6th Street extension. The proposed ordinance authorizes the execution of a grant agreement with the Washington State Department of Transportation (WSDOT) to accept \$2.6 million in federal Surface Transportation Program (STP) grant funds toward construction of the 120th Avenue NE improvements project.

Mr. Sparrman noted that the funds cover full design costs for the NE 4th Street project, most of the costs for design and right-of-way acquisition for the 120th Avenue NE project, and conceptual engineering only for the NE 6th Street project. A Wilburton Connections Open House is scheduled for March 2. Mr. Sparrman said staff anticipates the creation of a local improvement district (LID) to help fund the projects, which will be addressed later in the year.

Responding to Councilmember Degginger, Mr. Sparrman said the bond issuance is valued at \$10 million, of which \$3.2 million would be allocated to these three projects. Finance Director Jan Hawn said the bonds are repaid through the 2009 three-percent property tax increase. In further

response, she said the Safeway property was purchased utilizing funding in the original Mobility and Infrastructure Finance Plan that was designated for Bel-Red land acquisitions. Mr. Sparrman briefly reviewed the list of Mobility and Infrastructure Initiative projects approved by the Council. These projects include Bel-Red land acquisitions, and the purchase of the Safeway/Mid Mountain property was funded from this line item.

Mr. Degginger stated his understanding that the Safeway property was to be acquired using Parks Levy funds. Budget Manager Jonathan Swift explained that there were multiple funding sources for the purchase of the Safeway/Mid Mountain property, which included partial streams associated with the Mobility and Infrastructure Initiative. Resources include storm drainage fees, General CIP parks acquisition funds, and the King County Conservation Fund. The LTGO bonds are not intended to support the acquisition which has already occurred.

In further response to Councilmember Degginger, Mr. Swift said bond proceeds will be used to support these Mobility and Infrastructure Initiative projects that need to be completed within the next few years. Councilmember Degginger expressed concern that the projects are not fully funded and therefore their completion is not guaranteed.

Responding to Mr. Degginger, Mr. Sparrman said the projects will be built in phases, and the NE 4th Street project is significantly more expensive than the 120th Avenue NE project. A higher level of funding is needed now for the 120th Avenue NE project in order to comply with the requirements and timeline for accepting the federal grant money.

Mr. Sparrman explained that the NE 4th Street project needs to be advertised for bids by May 2011. This means the City will need to acquire right-of-way and have right-of-way certification in order to meet federal rules for using federal monies on the project. The City will need to purchase all right-of-way early in 2011, and total estimated ROW costs for the NE 4th Street project are \$20 million-\$25 million. The 120th Avenue NE project needs to be advertised by November 2010, and ROW must be acquired this year.

Responding to Councilmember Chelminiak, Mr. Sparrman said the federal grant requires a commitment to a full funding and obligations date. Total project costs are estimated at \$37 million to \$42 million for the NE 4th Street project and \$9.9 million for the NE 120th Avenue NE project. In further response, Mr. Sparrman confirmed that the City needs an estimated \$35 million to \$40 million more dollars to complete the NE 4th Street and 120th Avenue NE projects by the end of 2012.

Mayor Davidson stated that the Council will address budget shortfall issues during this year's budget process. He acknowledged Mr. Chelminiak's additional questions, but suggested deferring that discussion to the upcoming budget process.

Councilmember Chelminiak expressed concern about starting projects that are not fully funded.

Councilmember Balducci observed that the Council is in this position of budget shortfalls because it did not follow through on what it said it would do in terms of funding the Mobility and Infrastructure Initiative Finance Plan.

Councilmember Degginger observed that this is not funding from reserves, but these are reallocations from other CIP projects that the Council previously approved. He cautioned Councilmembers against supporting these projects now if they are not committed to providing full funding later in the budget process. Councilmember Degginger expressed his support for the projects and their future completion.

Responding to Councilmember Wallace, Ms. Hawn said the City has a property tax banked capacity of nearly \$300 million that it could raise with Council-manic bonds. However, while the City has the capacity, the issue is identifying the funding source to repay the debt. In further response, Ms. Hawn confirmed that the Council could raise the property tax to cover the full costs of the NE 4th Street project.

Responding to Mr. Wallace, Mr. Sparrman reviewed Table 1 on page SS 2-196 of the meeting packet, and briefly provided the rationale for the proposed reallocations to the three high-priority transportation projects under discussion. Ms. Hawn said staff recommends using the Supplemental CIP funds first because the City is approaching the three-year deadline for spending that money.

Councilmember Wallace stated it would be helpful to see a list of projects that have been completed at lower than the engineering estimates. Mr. Sarkozy said staff will provide information on projects that experienced savings over the past year. He noted that the unused funds remain in the CIP Plan.

Responding to Councilmember Chelminiak, Mr. Sparrman confirmed cost savings in the three neighborhood sidewalk projects that have been completed. Mr. Chelminiak noted that the savings could be used for additional sidewalk projects, instead of being transferred to the transportation projects.

Deputy Mayor Lee recalled that he and others were in favor of deferring a property tax increase with the hopes that certain projects could be deferred. He is pleased with the current discussion and feels the Council will find a way to fund the projects it would like to fund. He noted there are tradeoffs associated with every project. Mr. Lee concurred with Mr. Degginger that a Councilmember should not support the proposed reallocations at this point if they will not support full project funding in the future.

Councilmember Balducci requested a quarterly transportation CIP update for the end of 2009. Mr. Sparrman said staff will provide this information.

→ Councilmember Balducci moved to adopt Ordinance No. 5936, and Councilmember Robertson seconded the motion.

Councilmember Degginger reiterated that Councilmembers should not vote to adopt the Ordinance tonight if they are not committed to supporting full project funding in the future.

→ The motion to adopt Ordinance No. 5936 carried by a vote of 6-1, with Councilmember Chelminiak opposed.

At 8:00 p.m., Mayor Davidson declared recess to the Regular Session.

Myrna L. Basich, MMC
City Clerk

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