

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Study Session

September 6, 2011
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

Deputy Mayor Lee called the meeting to order at 6:01 p.m., and announced that the Executive Session scheduled for the later Regular Session had been moved to the beginning of this agenda. He declared recess to Executive Session for approximately 40 minutes to discuss two items of potential litigation.

The meeting reconvened at 6:50 p.m., with Mayor Davidson presiding.

2. Study Session

- (a) East Link: Update on a proposed process for public engagement and outreach for consideration of design options along 112th Avenue SE and Bellevue Way, and a project plan, schedule and budget for reaching agreement on a binding Memorandum of Understanding with Sound Transit establishing a City contribution towards a tunnel in Downtown Bellevue.

City Manager Steve Sarkozy noted the Council's ongoing discussions toward implementing a public outreach process related to establishing a binding Memorandum of Understanding (MOU) with Sound Transit for the East Link light rail project.

Deputy City Attorney Kate Berens provided an update on staff's activities in August. A comment letter on Section 4(f), which is the parks protection statute, was sent to the Federal Transit Administration (FTA). Additional progress included initiating the public outreach process, working with Sound Transit to develop design modifications for alternative B2M,

preliminary consultant work on Bellevue Way work south of 112th Avenue, and developing a project schedule with Sound Transit.

Bernard Van de Kamp, Regional Projects Manager, explained that the Term Sheet links the City's light rail tunnel contribution to design modifications for the B2M alternative that will minimize noise, traffic, and visual impacts. Sound Transit is preparing two options with conceptual layouts and visuals. A technical analysis of the two options is anticipated to be completed in early October, and the options are to provide a starting point for community and Council discussion.

Mr. Van de Kamp briefly reviewed the two B2M design options. Option 1, which involves an elevated crossing over 112th Avenue SE in the vicinity of SE 15th Street, was presented to the Council in mid-July. This includes moving the proposed SE 8th Street station to the vicinity of Main Street and NE 2nd Street on the west side of 112th Avenue. Based on feedback opposed to the elevated crossing, Option 2 reflects an at-grade crossing at SE 15th Street.

Responding to Councilmember Balducci, Mr. Van de Kamp said the at-grade crossing at SE 15th Street would potentially need signals and a gate. In the vicinity of Surrey Downs Park, Option 2 shows a signalized intersection at SE 6th Street and a gate across the relocated SE 4th Street (which would then intersect with 112th Avenue at SE 6th Street).

Councilmember Robertson noted that she has been sitting in on the meetings with City and Sound Transit staff during the August break. Her understanding is that both the at-grade and elevated options could be connected to either an at-grade or retained cut configuration at Surrey Downs Park and continuing north. She observed that an at-grade alignment through the park would reroute the SE 4th Street entrance into the Surrey Downs neighborhood. She stated that this is not a good idea, and she would like to solicit public input on this design modification. Ms. Robertson said she believes that a retained cut is the only way to move through that area because it mitigates the noise and the need for gates and bells. It also does not interfere with that entrance to the Surrey Downs neighborhood.

Ms. Robertson questioned whether the at-grade crossing at SE 15th Street would require gates and bells, or whether it could coordinate with the traffic light. She observed that this makes a significant difference on the functioning of the roadway and on the noise impacts for the adjacent neighborhoods. She questioned the feasibility of under-crossings at 112th Avenue SE.

Mr. Van de Kamp confirmed Ms. Robertson's understanding about the ability to connect different combinations of the alignment modifications. He noted his understanding that an under-crossing would be possible. However, Sound Transit views this as not feasible due to the costs.

Councilmember Robertson said that last week Sound Transit committed to continuing to explore the cost differential of the under-crossing because there was a wide range of estimates. Ms. Berens said Sound Transit is working to refine the estimate by September 12, if possible.

With regard to the question about the need for gates and bells for the at-grade crossing option at SE 15th Street, Ms. Berens said Sound Transit is working to answer this issue by September 12 as well. Sound Transit has indicated that the issue is treated as a best practices policy level decision by the agency. Ms. Robertson stated the issue as being whether a signalized crossing would be sufficient, or whether gates and bells would be needed. Ms. Berens confirmed that Sound Transit is addressing this question.

Councilmember Robertson questioned who makes the decision about which design modifications are presented for public comment. City Manager Sarkozy said that a number of different options continue to be discussed with the community at this point.

With regard to the option of an under-crossing at 112th Avenue, Councilmember Wallace observed that the response that Sound Transit finds it more expensive is not an acceptable response. He is interested in being presented with all of the options for mitigating impacts, for consideration by the Council and the public. Mr. Wallace is not in favor of either Option 1 or 2, and believes that a third option is needed.

Councilmember Degginger commented on the compressed timeframe for discussions in anticipation of establishing the MOU by late October. Given the challenges associated with funding a downtown tunnel, he observed that funding an under-crossing at 112th Avenue SE is not likely to be feasible. He does not want to create unrealistic expectations that the under-crossing cost estimate can be sufficiently lowered to produce a viable option.

Councilmember Chelminiak observed that there is general support for a retained cut and for a station at some point between SE 6th Street and NE 2nd Street. He is not in favor of splitting the park by SE 6th Street, and he therefore prefers the retained cut under SE 4th Street. He is encouraged to hear that it might be possible to handle an at-grade crossing with a traffic signal. He noted that the City's Noise Code exempts warning bells. Mr. Chelminiak said it would be helpful to have data on the traffic, visual and noise impacts of a signalized light rail crossing. He believes it would be helpful to hear from the public to help refine the alignment as well.

Mr. Van de Kamp described the potential for adding a HOV lane on Bellevue Way from the Y at 112th Avenue to I-90, to mitigate traffic during construction and after the implementation of light rail operations. He reviewed conceptual depictions of this alternative, noting that a fairly substantial retaining wall would be needed.

Responding to Councilmember Chelminiak, Mr. Van de Kamp acknowledged that three structures on Bellevue Way across from the Winters House would need to be acquired according to the current conceptual plan. The City has not contacted the property owners at this time.

Responding to Mayor Davidson, Mr. Van de Kamp said that Sound Transit will address traffic mitigation between the South Bellevue Park and Ride and I-90. The proposed HOV lane between the Park and Ride and the Y at 112th Avenue SE would likely be fully or partially funded by the City.

Councilmember Balducci questioned the process that would be involved in creating a new project for the Bellevue Way HOV lane.

City Manager Sarkozy said the project would require amending the Transportation Facilities Plan (TFP) and Transportation Improvement Program (TIP), and it might require a Comprehensive Plan amendment as well. He acknowledged that there is a significant process that has not been initiated.

Councilmember Balducci questioned whether additional environmental work would be needed. Mr. Sarkozy said that ARUP, the City's consultant, is analyzing the environmental issues and is interested in retaining as many trees as possible along the west side of Bellevue Way. In further response, Mr. Sarkozy said ARUP expects to provide more information about the environmental analysis in approximately two weeks.

Councilmember Wallace questioned whether the City has factored in Sound Transit's plans for the mitigation of construction impacts and staging. Mr. Sarkozy said these issues are part of the negotiations process.

Councilmember Robertson said she would like the public to have the opportunity to consider the under-crossing at 112th Avenue SE along with other possible design refinements. She questioned who decides which B2M modifications will be shared with the public for input.

Mr. Sarkozy said there will be a joint decision of the City and Sound Transit. However, the design options will be considered within the context of costs and other variables.

Councilmember Robertson questioned how public outreach will be accomplished over the next seven weeks, along with concluding negotiations, advancing engineering, identifying a mitigation plan, outlining a construction staging and mitigation plan, and refining the route.

Responding to Deputy Mayor Lee, Mr. Van de Kamp said the original B2M alternative had a station at SE 8th Street. The preferred alternative adopted by the Sound Transit Board in July was somewhat vague about the details for the B2M, knowing that discussions would be continuing with the City. However, the current plan moves the station toward Main Street.

Mike Kattermann, Senior Planner, provided an overview of the public outreach process to date as well as the remaining schedule. The outreach focuses on the B2M alignment design options, the potential Bellevue Way HOV project, and the MOU regarding the alignment and tunnel funding considerations. The plan is to engage the residents and property owners most directly affected by the B2M alignment in an early discussion of concerns and potential mitigation approaches. Mr. Kattermann noted that full project impacts will not be known for some time, and therefore mitigation decisions cannot be made yet.

Mr. Kattermann said a similar approach is underway to engage residents and property owners most directly impacted by the Bellevue Way HOV project. Letters have been sent to residents, and calls and meetings are planned through September 22.

Responding to Councilmember Robertson, Mr. Kattermann explained that the current focus is on meeting one-on-one and in smaller groups with those most affected by the project. However, if a resident would like to have one or more individuals present because he or she feels they understand the subject matter better than the resident, they are welcome to do so. He noted that there will continue to be opportunities for all residents to provide input.

Councilmember Robertson suggested holding meetings with the Surrey Downs and Enatai neighborhood associations as well, to accommodate more residents who might be interested in participating in the discussions.

Ms. Robertson questioned the ability to conduct sufficient outreach and to hold a public hearing before the City Council by the end of the month.

Mr. Kattermann said that staff is working to be able to accommodate larger neighborhood meetings over the next few weeks. The limited timeframe is a concern, and several staff members are involved in meeting with residents. He said that the open house on September 20 is intended to provide information before the public hearing on September 26.

Councilmember Robertson encouraged larger meetings, noting that some residents might prefer this to an individual meeting with staff at their homes. She expressed concern that the discussions would likely be more productive if they could be held later, after more work has been completed with Sound Transit on reaching a cooperative alignment.

Councilmember Degginger observed that the individual meetings with residents are the beginning of the process, but not the entire process. He appreciates staff's efforts with this approach and looks forward to continued discussions.

Moving on with the presentation, Mr. Kattermann said that the public outreach process related to the MOU involves citywide postcard mailings to businesses and 60,000 residences, detailed information on the City's web site, stakeholder meetings, and email alerts to interested parties. An open house is proposed for September 20, and a public hearing before the City Council is slated for September 26.

Councilmember Balducci questioned the status of discussions on Segment C. Ms. Berens provided an update on staff's work related to the MOU. She noted that a half-day workshop with Sound Transit staff is scheduled for September 8 to discuss cost reconciliation and financial management components, as well as value engineering, design, and other issues. The objective is to be able to review some of the key MOU provisions for the September 26 public hearing.

Ms. Berens said the City is working diligently toward having a full public review draft of the MOU available by October 10, in anticipation of Council action on October 24. The Sound Transit Board is scheduled to take action on the MOU on October 27.

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At 8:00 p.m., Mayor Davidson declared recess to the Regular Session. He observed that the Council would return to this issue later in this evening

Myrna L. Basich, MMC
City Clerk

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