

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Session

March 21, 2016
8:00 p.m.

Council Chamber
Bellevue, Washington

PRESENT: Mayor Stokes, Deputy Mayor Chelminiak, and Councilmembers Lee, Robertson, Robinson, and Slatter

ABSENT: Councilmember Wallace

1. Call to Order

The meeting was called to order at 8:09 p.m., with Mayor Stokes presiding.

2. Roll Call, Flag Salute

All Councilmembers except Councilmember Wallace were present. Councilmember Robinson led the flag salute.

(a) Arbor Day-Earth Day 2016 Proclamation; Tree City USA Award

Mayor Stokes read a proclamation declaring April 16, 2016 as Arbor Day-Earth Day in Bellevue.

Dustin VanNieulande, Park Ranger, said he is one of three Park Rangers working for the City. He is responsible for the Mercer Slough Environmental Education Center. The two other Park Rangers work at the Lake Hills Ranger Station and Lewis Creek Visitor Center. He invited the Council and the public to participate in Arbor Day activities at Lewis Creek Park on April 16.

Mr. VanNieulande introduced Terry Flatley of the Washington Community Forestry Council, which is an advisory body to the State's Urban and Community Forestry Program. Mr. Flatley presented Bellevue with its 25th Tree City USA Award and 23rd Growth Award from the National Arbor Day Foundation. He highlighted a number of elements of the City's urban forestry program.

Mr. VanNieulande and Mr. Flatley presented the 25-year Tree City USA Flag to the Council and posed for photos with the Council.

3. Approval of Agenda

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

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

4. Communications: Written and Oral

- (a) Dan Koch, Director of Electrical Operations, Puget Sound Energy (PSE), said last week's storm was the 10th major storm for PSE since August 29, 2015. He described the utility's response to the most recent storm. There were 36 outage events affecting approximately 13,400 customers in Bellevue. There were no storm-related outages in the Downtown. However, two transmission line outages affected the Somerset and Overlake substations. Mr. Koch said power was restored to nearly 90 percent of the customers within 24 hours. He said PSE continues to improve its emergency response, including its coordination with City staff, and recently developed an app that allows customers to report an outage. He asked the City to consider participating in the Cascadia Rising earthquake preparedness event on June 7-10.
- (b) Phil Bussey, Sr. Vice President/Chief Customer Officer, PSE, thanked the City for its role in coordinating the multi-jurisdiction Environmental Impact Statement (EIS) process for PSE's Energize Eastside project. He said the community continues to grow and will need a reliable electrical system to support growth. He said the Eastside system plan was last updated in the early 1960s. Both PSE and the City have studied the community's electrical needs. Mr. Bussey said PSE keeps hearing that the Energize Eastside project is focused on transferring power to Canada. He said that is not true. He said PSE understands that it cannot build major projects without causing impacts to the community. PSE will continue to listen to input from residents regarding the project's impacts.
- (c) Don Davidson commented on Sound Transit's light rail Operations and Maintenance Satellite Facility (OMSF) to be built in the BelRed Corridor. He said Councilmembers Wallace and Robertson have asked whether light rail will be able to come across the I-90 bridge. Sound Transit and the Washington State Department of Transportation (WSDOT) have said yes. However, Dr. Davidson questioned the availability of the report on the light rail bridge testing in Pueblo, Colorado. He said he has requested it for three years. He expressed concern that Sound Transit is starting construction in Bellevue without a clear assurance that light rail will be able to operate on the I-90 bridge. He suggested the alternative of using buses on an exclusive right-of-way, which would save the removal of 1,300 trees for the light rail project.
- (d) Patrick Bannon, President of the Bellevue Downtown Association (BDA), commented on the Draft Environmental Impact Statement (DEIS) for Puget Sound Energy's Energize Eastside project. He thanked the City for coordinating that review. He expressed support for the project and said the review process should continue to identify mitigation

measures to address or eliminate impacts. Mr. Bannon said reliable power is vital for the economy.

- (e) Don Marsh, President of the Coalition of Eastside Neighborhoods for Sensible Energy (CENSE), expressed concerns regarding pipeline safety. He noted the recent natural gas explosion in Seattle and two other incidents. He said PSE's new alignment for the Energize Eastside project offers no improvement to safety and constructs power lines dangerously close to the oil pipeline. Mr. Marsh said other cities are leading the way to smart energy futures. He encouraged Bellevue to do the same. He submitted his comments in writing.
- (f) Tanya Franzen-Garrett, President of the Somerset Community Association, provided comments on PSE's newly proposed route for the Energize Eastside project. The proposal places a new 115kV line down Newport Way and a new 230kV line through the existing pipeline corridor. She said the impact of those two lines is disproportionate to the minimal reliability benefit to be received. She expressed concerns regarding safety for neighborhoods and schools. She believes the City of Bellevue has the authority to stop the project. Ms. Franzen-Garrett asked the Council to considering adopting a moratorium, similar to the one imposed by the Newcastle City Council, to allow more time for further study.
- (g) Yang Li urged the Council to limit the number of marijuana store permits to the four retail outlets currently allowed under state law. He said the legalization of marijuana is a dangerous social experiment. He said it is easier to avoid drugs than to stop an addiction.
- (h) JD Yu, speaking on behalf of Parents Against Marijuana Near Schools (PAMNS), asked the Council to limit the number of retail marijuana stores to the four currently allowed. He urged the Council to increase the separation distance between stores and schools to 2,000 feet, and to add the following facilities to that requirement: learning centers, after-school programs, public trailheads, and residential zones. He thanked the City for working with residents. Mr. Yu submitted his comments in writing.

5. Reports of Community Council, Boards and Commissions

(a) Bellevue Youth Link Board Update

Katherine Ombrellaro and Lucy Ma, Co-Chairs of the Bellevue Youth Link Board, introduced themselves and were joined by additional Board members: Zach Englund, Xiaoning Jiang, Brooke Chang, Derek Huang, Nishi Jain, Joydeep Hazra, and My-Linh Thai, liaison from the Bellevue School Board. They reported on the Youth Link Involvement Conference on March 25, featuring keynote speaker Dr. Terrence Roberts of the Little Rock Nine; the 18th Annual Youth Link Gumbo Night on April 27; and the Community Leadership Awards on May 25 in City Hall.

Mr. Huang said the Youth Link Board's 2016 priorities are working with local organizations and businesses to address homelessness, career development/mentorship, and partnerships to address

equity issues affecting children and youth. Mr. Hazra thanked the Council for its ongoing support.

Councilmember Slatter said she is pleased to be the new Council liaison to the Youth Link Board. She encouraged the Council to attend the discussion with Dr. Terrence Roberts as well as other upcoming Youth Link events.

Councilmember Lee thanked the Board for the opportunity to work with them, noting that it keeps him young.

6. Report of the City Manager

(a) City of Bellevue Minority and Women Business Enterprise (MWBE) Inclusion Plan

City Manager Brad Miyake introduced staff's update on the City's Minority and Women Business Enterprise (MWBE) Inclusion Plan. He said this topic was recently raised by the Council.

Finance Director Jan Hawn said the development of the MWBE Inclusion Plan directly supports the City's overall practice of valuing diversity. Current efforts to encourage the participation of minority and women-owned businesses are to include one disadvantaged business in solicitation notices, when available, and to advertise in publication sources that reach disadvantaged classes. The Transportation Department attempts to include at least one disadvantaged class contractor or subcontractor in its short list of finalists.

Ms. Hawn said the City's Procurement and Diversity Advantage teams are collaborating to examine the current policies, practices, and procedures in the procurement process and to make recommended changes to enhance equity, access, inclusion and opportunity. Activities include conducting education and outreach, increasing the number of MWBE businesses registered on the City's procurement roster, establishing an equitable procurement process system, and assisting City staff in equitable procurement processes. Staff will develop accountability measures to monitor the progress and impacts of the program.

Councilmember Lee said he and Councilmember Slatter met with a group of minority and women contractors who expressed concerns about whether their businesses are being considered by the City. Mr. Lee said this is an important effort and he appreciates staff's response. He suggested that the City consider creating a working group of business representatives to provide input into the City's process.

Responding to Mr. Lee, Ms. Hawn confirmed staff's interest in moving this initiative forward as quickly as possible. However, she noted that the project will involve staff from multiple departments and engage the entire organization.

Councilmember Slatter thanked Councilmember Lee for involving her in the meeting with business owners. She expressed support for Mr. Lee's suggestion about creating a working group. She suggested that City staff explore what other cities do in this area as well.

Elaine Acacio, Diversity and Inclusion Program Administrator, said staff is reviewing best practices at peer institutions. Before incorporating changes and reaching out to the community, the City wants to ensure that its staff are educated and trained in how to reduce barriers to equity, access, and inclusion.

(b) A Regional Coalition for Housing (ARCH) 2016 Community Recognition Award

City Manager Miyake announced that the City and Sound Transit received the ARCH 2016 Community Recognition Award for bringing housing and affordable housing opportunities into the BelRed Corridor, at the 120th Avenue and 130th Avenue light rail station nodes, through transit-oriented development (TOD) planning. The award is distributed every five years and the award celebration is scheduled for March 31 in Issaquah.

Mayor Stokes expressed the Council's support of staff's work on the MWBE Inclusion Plan. He said the City is pleased to receive the ARCH award, and he encouraged attendance at the celebration.

7. Council Business and New Initiatives

There was no discussion.

8. Consent Calendar

Deputy Mayor Chelminiak highlighted items on the Consent Calendar including an increase in funding for on-call utility regulatory legal advice as well as funding for portable toilets at City parks and special events.

→ Deputy Mayor Chelminiak moved to approve the Consent Calendar, and Councilmember Slatter seconded the motion.

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

- (a) Council Meeting Minutes
Minutes of March 7, 2016 Study Session
Minutes of March 7, 2016 Regular Session

- (b) Motion to approve payment of claims and payroll for the period February 1, 2016 through February 29, 2016.

- (c) Resolution No. 9078 authorizing execution of a five-year Wireless Communication Facilities Site Lease Agreement with an automatic five-year extension with Clear Wireless LLC at the Woodridge Water Reservoir Site located at 1843 125th Avenue SE, Bellevue, Washington.
- (d) Resolution No. 9079 authorizing execution of an amendment to: 1) renew the agreement for mail and central receiving services with Postal Express for an additional two years; 2) add a provision related to collecting leasehold excise tax; and 3) increase the monthly fee for mail services and central receiving services resulting in an additional two year total of \$254,455.20.
- (e) Resolution No. 9080 authorizing execution of a 3-year General Services contract with an option to renew, with Northwest Cascade Inc., dba Honey Bucket, for portable toilet service at 22 City park sites, special events, and for on-call services.
- (f) Resolution No. 9081 authorizing the City of Bellevue Employees Retirement Benefit Plan Committee Chair (MEBT Bellevue Plan Committee Chair) or its designee to execute the First Amendment to the City of Bellevue Employees Retirement Benefit Plan (Bellevue MEBT Plan) to amend the Bellevue MEBT Plan by replacing the existing Plan Section 3.1 with the amended Plan Section 3.1, which updates the definitions of employees eligible to participate in accordance with changes adopted by Council in the Bellevue Human Resources Code under Chapter 3.79. Said Plan amendment is effective January 1, 2015.
- (g) Resolution No. 9082 authorizing execution of a second amendment to the Agreement for Professional Services with K&L Gates to increase the total contract amount from \$90,000 to \$150,000 to provide on-call utility regulatory legal advice.

9. Public Hearings: None.

10. Land Use

- (a) Ordinance No. 6278 - Consideration of the Hearing Examiner's Recommendation on the application submitted by Alamo Manhattan Properties, LLC to rezone a .19-acre parcel at 120 106th Avenue SE. The requested rezone seeks to change the zoning from Office (O) and R-30 (residential-multifamily high) to Downtown Mixed Use (DNTN-MU) to allow coordinated development of the site under the requested designation. Permit File No. 15-120842-LQ.

City Manager Miyake said staff is requesting action on three items previously discussed by the Council.

Land Use Director Carol Helland said the three rezone applications arose from a Comprehensive Plan Amendment adopted in August 2015 to adjust the southern boundary of the Downtown. She

said the Hearing Examiner recommends approval of the applications.

→ Deputy Mayor Chelminiak moved to adopt Ordinance No. 6278, and Councilmember Robertson seconded the motion.

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

(b) Ordinance No. 6279 - Consideration of the Hearing Examiner's Recommendation to approve an application submitted by Colin Radford of Tri Western Syndicated Investments, LLC. The applicant seeks a rezone of a .29-acre parcel site of the Radford Building located at 11 105th Avenue SE, from Office (O) zoning designation to Downtown Mixed Use (DNTN-MU) to allow coordinated development of the site under the requested designation. Permit File No. 15-120775-LQ.

→ Deputy Mayor Chelminiak moved to adopt Ordinance No. 6279, and Councilmember Robertson seconded the motion.

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

(c) Ordinance No. 6280 - Consideration of the Hearing Examiner's Recommendation on the application submitted by Stu Vander Hoek of the Vander Hoek Corporation seeking to Rezone a .27-acre parcel at 117 102nd Avenue SE from R-30 (residential-multifamily high) zoning designation to Downtown Old Bellevue (DNTN-OB) to allow coordinated development of the site under the requested designation. Permit File No. 15-120966-LQ.

→ Deputy Mayor Chelminiak moved to adopt Ordinance No. 6280, and Councilmember Lee seconded the motion.

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

11. Other Ordinances, Resolutions and Motions

(a) Ordinance No. 6281 regarding the Land Use Code Amendment proposed to streamline the permit process applicable to the Sound Transit Operations and Maintenance Satellite Facility (OMSF). File No. 15-127182-AD.

City Manager Miyake said this is the final action on the Land Use Code Amendment to streamline the permit process applicable to the Sound Transit Operations and Maintenance Satellite Facility (OMSF). He recalled that the Memorandum of Understanding (MOU) between the City and Sound Transit adopted in May 2015 stipulates the City's intent to initiate a Code amendment for the facility. On November 16, 2015, the Council initiated that process, and Ordinance No. 6281 adopts the LUCA.

→ Deputy Mayor Chelminiak moved to adopt Ordinance No. 6281, and Councilmember Robertson seconded the motion.

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

12. Unfinished Business: None.

13. Continued Oral Communications: None.

14. New Business: None.

15. Executive Session: None.

16. Adjournment

At 9:08 p.m., Mayor Stokes declared the meeting adjourned.

Kyle Stannert
City Clerk

/kaw