

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Session

January 22, 2019
8:00 PM

Council Chamber
Bellevue, Washington

PRESENT: Mayor Chelminiak, Deputy Mayor Robinson, and Councilmembers Lee, Nieuwenhuis, Stokes, and Zahn

ABSENT: Councilmember Robertson

1. Call to Order

Mayor Chelminiak called the meeting to order at 8:09 p.m.

2. Roll Call, Flag Salute

All Councilmembers except Councilmember Robertson were present. Councilmember Zahn led the flag salute.

3. Approval of Agenda

→ Deputy Mayor Robinson moved to approve the agenda, and Councilmember Stokes seconded the motion.

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

4. Communications: Written and Oral

- (a) Bill Thurston noted that he attended the earlier Study Session discussion regarding the future redevelopment of the East Main Station area. He served on the East Main Station Area Planning Citizen Advisory Committee (CAC) for two years, which resulted in a clear vision for the area. He expressed support for the CAC's Vision. Mr. Thurston noted that he has communicated his concerns regarding the negative impacts of other alternatives on the Bellevue Club. Regarding the issue of public versus private streets and spaces, he noted that all of the private properties are currently open to the public. He opined that the area's property owners share the vision of a walkable environment with

gathering spaces. Mr. Thurston said he believes the property owners also support the concept of small, but not necessarily square, blocks. He said the district is intended to be unique for Bellevue and a gateway into the community.

- (b) Mon Wig said he appreciated the Council's earlier discussion regarding the East Main Station area. He commented on the need for open underground parking. He suggested that the City can develop surface streets, but the private property owners need full rights below those streets to provide full access for uninterrupted public use and pedestrian safety. He noted that rents in the East Main Station area will be lower than in the central business district but development and construction costs will be the same. Mr. Wig spoke about the greater risk associated with the redevelopment of the area and encouraged flexibility for developers.
- (c) Jack McCullough said he attended the earlier Study Session and he is having a hard time seeing disagreement regarding the East Main Station area planning. He believes there is agreement on key issues. He said the Wig family understands the need for streets, which will be policed and maintained by the City and publicly accessible 24 hours per day. He encouraged flexibility for developers and concurred with discussion during the earlier meeting that some issues are more appropriately addressed through a Land Use Code Amendment (LUCA) instead of the Comprehensive Plan Amendment (CPA). Mr. McCullough noted that some of the major streets in Downtown Seattle are not dedicated streets but are actually easements. He said underground parking below streets can work in Bellevue. However, he said he was not sure whether the City of Bellevue has the ability to grant licenses for facilities underneath dedicated streets. He encouraged further collaboration to resolve the issue.
- (d) Pamela Johnston expressed concern regarding public signage for land use projects and the need to make information that is provided to the public easier to understand. She encouraged the City to consider ways to help the public understand land use issues and processes.
- (e) Chelsea Watson, representing Crown Castle, said she submitted a letter of support to the Council on January 7 for the small cell Master License Agreement (MLA) approach. She thanked staff for the significant time they have spent to enable the deployment of small cell technology. She noted that Crown Castle is the nation's largest wireless infrastructure provider, and the company understands Bellevue's Smart City objectives. Ms. Watson said Crown Castle supports the approval of the MLA template and related code changes, which reflect the Federal Communications Commission's ruling regarding small cell wireless infrastructure. She said the City can be a model for other cities on how to work with the wireless industry to improve infrastructure in their communities.
- (f) Carol Tagayun, representing AT&T, spoke about the extensive usage of wireless and connected devices and the positive role of new technologies in supporting economic development. She expressed support for the proposed resolution and ordinance under Agenda Item 11.

- (g) Alan Barr, representing Verizon Wireless, thanked City staff for working with the wireless providers to develop regulations regarding small cell technology. He observed that the proposed resolution and ordinance under Agenda Item 11 address the Council's concerns, protect the interests of residents, and provide critical services and innovation for the community.

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

6. Report of the City Manager: None.

7. Council Business and New Initiatives

There was no discussion.

8. Consent Calendar

→ Deputy Mayor Robinson moved to approve the Consent Calendar, and Councilmember Stokes 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 Minutes

Minutes of January 7, 2019 Study Session

Minutes of January 7, 2019 Regular Session

(b) Resolution No. 9532 authorizing execution of an agreement with Forza Consulting B.V. for the purchase of SCANMAN Accounts Payable Automation software and five years of annual maintenance, in an amount not to exceed \$221,650, plus applicable taxes.

(c) Resolution No. 9533 authorizing execution of a five-year wireless communications facilities site lease agreement with an automatic five-year extension with New Cingular Wireless PCS at the Woodridge Water Reservoir site located at 1843 125th Avenue SE.

(d) Resolution No. 9534 determining that an existing water easement located at 9038 NE 39th Place, Yarrow Point, is surplus to the City's needs and no longer required for providing continued public utility service; and setting a time and place for a public hearing to consider the release of this easement.

(e) Resolution No. 9536 granting authority to the Finance & Asset Management Department Director or his/her designee to approve the execution of a general services agreement for on-call landscape maintenance and irrigation services with Monarch Landscaping WA LLC for a five-year term with no option for renewal, in an amount not to exceed \$1,250,000, plus applicable taxes.

- (f) Resolution No. 9537 granting authority to the Finance & Asset Management Department Director or his/her designee to approve the execution of a general services agreement for on-call landscape maintenance and irrigation services with Skyline Landscape for a five-year term with no option for renewal, in an amount not to exceed \$1,250,000, plus applicable taxes.
- (g) Resolution No. 9538 granting authority to the Finance & Asset Management Department Director or his/her designee to approve the execution of a general services agreement for on-call landscape maintenance and irrigation services with Canber Corps for a five-year term with no option for renewal, in an amount not to exceed \$1,250,000, plus applicable taxes.
- (h) Resolution No. 9539 granting authority to the Finance & Asset Management Department Director or his/her designee to approve the execution of a general services agreement for on-call landscape maintenance and irrigation services with Badgley's Landscape for a five-year term with no option for renewal in an amount not to exceed \$1,250,000, plus applicable taxes.
- (i) Resolution No. 9540 authorizing execution of an agreement with Northwest Research Group to conduct annual performance measures surveys to evaluate City of Bellevue's resident opinion of city services. The total contract amount is not to exceed \$291,935, plus applicable taxes.
- (j) Motion to approve payment of claims and payroll for the period November 1, 2018 through December 31, 2018.
- (k) Resolution No. 9541 authorizing execution of all documents necessary for the acquisition of an approximately 3.5-acre portion of a property located at 5642 Lake Washington Blvd SE.
- (l) Resolution No. 9542 authorizing execution of an Agreement, and any necessary or appropriate supplements, with Carahsoft Technologies Corporation in an amount not to exceed \$569,039, plus all applicable taxes, for an initial three year term, with the option to renew annually for two additional years, (or to the expiration of the Cooperative Purchasing Agreement AR2472, which ever occurs first), for the purchase of Acquia website hosting and technical services in support of the City's public website, BellevueWA.gov.
- (m) Ordinance No. 6452 amending the 2019 City of Bellevue T Pay Plan for "Non-Affiliated City Manager" to annual fixed rate of \$302,055 and authorizing execution of Amendment No. 3 to the Employment Agreement between the City and Brad Miyake related to the City Manager's compensation program.

9. Public Hearings: None.

10. Land Use: None.

11. Other Ordinances, Resolutions and Motions

- (a) Response to Federal Communications Commission (FCC) Order preempting local authority to regulate small cell deployment.

City Manager Brad Miyake recalled the January 7 Study Session discussion regarding code amendments and the approval of a Master License Agreement (MLA) template for the deployment of small cell wireless infrastructure. He introduced staff to brief the Council on their proposed revisions based on that discussion.

Mark Poch, Assistant Director of the Transportation Department, said the Federal Communications Commission (FCC) order preempting local authority to regulate small cell deployment went into effect on January 14. He noted that the provisions related to aesthetic considerations go into effect on April 15.

Mr. Poch said the Wireless Policy Group previously requested additional flexibility for minor deviations from the technical requirements in the proposed code amendment. He said staff coordinated with the wireless carriers and revised the proposed code language, while ensuring that the design standards can be administered within the time allowed for the processing of requests.

If the code amendments and MLA approach are approved by the Council, staff will move forward to implement small wireless facilities on City-owned assets (e.g., street light poles). Phase 2 of the program involves further updates to the Telecommunications Code to address strand mount design and new poles. Phase 3 involves the development of conformance amendments for updates to the Comprehensive Plan and the Land Use Code. The Land Use Code will regulate the large traditional macro sites, and small wireless facilities will be regulated through the Telecommunications Code. Phase 3 work will also address City deployments outside of the right-of-way as well as private property deployments.

Councilmember Nieuwenhuis thanked staff for their great work. He said it is a positive example of the City's commitment to technology and its ability to work with the business community.

Councilmember Zahn noted the need for wireless connectivity to support smart transportation initiatives. She commended the City's commitment to innovation and emerging infrastructure.

Councilmember Stokes said the City has been working on its Smart City initiative for some time, including innovative transportation projects. He thanked staff and the wireless providers for their collaboration.

Mayor Chelminiak concurred with his colleagues and observed that the MLA approach is an appropriate one. He said the deployment of small cell infrastructure supports Bellevue's Smart City objectives.

- (b) Resolution No. 9543 approving the Master License Agreement (MLA) template and authorizing execution of individual MLAs with qualified applicants administratively.

→ Deputy Mayor Robinson moved to approve Resolution No. 9543, and Councilmember Stokes seconded the motion.

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

- (c) Ordinance No. 6454 amending Chapter 6.02 of the Bellevue City Code; adopting a new Chapter 6.08 BCC; and establishing an effective date.

→ Deputy Mayor Robinson moved to adopt Ordinance No. 6454, and Councilmember Stokes 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 8:42 p.m., Mayor Chelminiak declared the meeting adjourned.

Charmaine Arredondo, CMC
Assistant Director, City Clerk's Office

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