

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Session

March 4, 2019
8:00 PM

Council Chamber
Bellevue, Washington

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

ABSENT: None.

1. Call to Order

Mayor Chelminiak called the meeting to order at 8:00 p.m.

2. Roll Call, Flag Salute

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

3. Approval of Agenda

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

→ The motion carried by a vote of 7-0.

4. Communications: Written and Oral: None.

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

6. Report of the City Manager

(a) Recognition of Fire Chief's Achievement of Credential, Certified Fire Officer

City Manager Brad Miyake announced that Fire Chief Jay Hagen received the designation of Chief Fire Officer (CFO) from the Commission on Professional Credentialing on behalf of the Center for Public Safety Excellence. This is the highest credential possible for a fire chief. Chief

Hagen is one of only 1,344 designees that have earned the credential, which places him in the top five percent of fire chiefs in the United States. Candidates for the CFO designation experience a rigorous process that evaluates demonstrated experience, education, research, fulfillment of professional development plans, professional contributions in service, and community involvement.

Chief Hagen thanked the Council for the recognition. He noted that the Bellevue Fire Department has been continuously accredited since 1998. It was one of the first fire departments in the nation to achieve accreditation, and is one of a handful of fire departments in the state to do so to date. He noted that the Bellevue Fire Department's history of distinction served as a foundation for him to achieve the CFO designation. Chief Hagen said it is his privilege to have the opportunity to lead by example in Bellevue and to demonstrate his commitment to continual growth and to helping to develop the next generation of public safety leaders that will serve the community. He said he is honored to work with a team of individuals who have dedicated themselves to creating an innovative learning environment where each member can succeed.

Mayor Chelminiak highlighted the significance of Chief Hagen being recognized by his peers in receiving the designation of Chief Fire Officer by a national public safety organization.

7. Council Business and New Initiatives

Mayor Chelminiak noted that the March 11 City Council Extended Study Session is cancelled. He said three Councilmembers will be absent, and he would prefer to address topics with all of the Council present.

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 7-0, and the following items were approved:

(a) Council Minutes

Minutes of February 19, 2019 Study Session

Minutes of February 19, 2019 Regular Session

(b) Resolution No. 9559 determining that two existing public utility easements, both located at 10210 SE 10th Street, are surplus to the City's needs and are no longer required for providing continued public utility service; and setting a time and place for a public hearing to consider the release of these easements.

(c) Resolution No. 9560 determining an existing water line easement located at 1050 160th Avenue SE (Tillicum Middle School) is surplus to the City's needs and is 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.

- (d) Resolution No. 9561 authorizing execution of an interlocal agreement with King County to accept reimbursement grant funds in the amount of \$344,759 from the 2019-2020 King County Waste Reduction and Recycling (WRR) Program to implement WRR projects in accordance with the King County Comprehensive Solid Waste Management Plan.
- (e) Resolution No. 9562 increasing the authority granted to the Finance & Asset Management Director, or his/her designee, to approve annual purchase orders for small items not stocked by City departments, by an amount not to exceed an additional \$500,000, plus applicable taxes, for the open account for Envirotech for the 2019 fiscal year.
- (f) Resolution No. 9563 approving the A Regional Coalition for Housing (ARCH) 2019 Administrative Budget and Work Program as recommended by the ARCH Executive Board.

9. Public Hearings

- (a) Public Hearing and action on Resolution No. 9564 authorizing the execution of documents necessary to release an existing storm drainage easement and two water main easements located at 17900 NE 16th Street (Bennett Elementary School), which have been declared surplus to the City's needs and are no longer required for providing continued public utility service; the granting and recording of such releases being deemed in the best interest of the public.

City Manager Brad Miyake said staff is seeking Council action on Resolution No. 9564 following the public hearing.

Kim Bui, Real Property Agent, described the proposed release of a storm drainage easement and two water main easements located at Bennett Elementary School, 17900 NE 16th Street. The water easements are no longer needed due to the relocation of the water line. The Bellevue School District also provided a new utility easement to replace the existing storm drainage easement.

- Deputy Mayor Robinson moved to open the public hearing, and Councilmember Stokes seconded the motion.
- The motion carried by a vote of 7-0.

No one came forward to comment.

- Deputy Mayor Robinson moved to close the public hearing, and Councilmember Stokes seconded the motion.
- The motion carried by a vote of 7-0.

- Deputy Mayor Robinson moved to approve Resolution No. 9564, and Councilmember Stokes seconded the motion.
- The motion carried by a vote of 7-0.

10. Land Use

- (a) Ordinance No. 6453 approving rezone application Permit File No. 18-103799-LQ (Main Street Apartments rezone) with a non-substantive modification; rezone of a 0.95-acre split-zoned parcel at 10777 Main Street from Downtown Mixed Use (DNTN-MU) and Professional Office (PO) to Downtown Mixed Use (DNTN-MU).

Mayor Chelminiak introduced discussion regarding proposed Ordinance No. 6453 approving the rezone application for the Main Street Apartments. He noted that the decision is a quasi-judicial matter.

Liz Stead, Land Use Director, described the application to rezone an existing 0.95-acre split-zoned parcel located at 10777 Main Street from Downtown Mixed Use (DNTN-MU) and Professional Office (PO) to Downtown Mixed Use (DNTN-MU). The Hearing Examiner held a public hearing on October 25, 2018 and issued findings, conclusions, and a recommendation to approve the application on November 6, 2018. No appeals were filed. On January 14, 2019, staff presented information regarding the application to the City Council.

Ms. Stead noted a non-substantive error in the Hearing Examiner's report, which is that the Hearing Examiner's findings of fact incorrectly state that the City Council approved the pertinent Comprehensive Plan Amendment on October 12, 2017. The approval actually occurred on December 11, 2017.

The record on this matter officially closed with the issuance of the Hearing Examiner's recommendation, and the Council's decision must be based on the record before the Hearing Examiner. In making a decision on the rezone application, the City Council has three options: 1) approve the application with the non-substantive modification and/or with other modifications, 2) deny the application, or 3) remand the application to the Hearing Examiner and the Director for an additional hearing limited to specific issues identified by the Council.

City Attorney Kathy Gerla advised that, since this is a quasi-judicial matter, Councilmembers should disclose any ex parte contacts other than those received in their City email accounts.

Responding to Mayor Chelminiak, all Councilmembers indicated that they had no ex parte contacts. Mr. Chelminiak said he had no ex parte contacts as well.

- Deputy Mayor Robinson moved to adopt Ordinance No. 6453, and Councilmember Robertson seconded the motion.

→ The motion carried by a vote of 7-0.

11. Other Ordinances, Resolutions and Motions: None.

12. Unfinished Business: None.

13. Continued Oral Communications: None.

14. New Business: None.

15. Executive Session: None.

16. Adjournment

At 8:15 p.m., Mayor Chelminiak declared the meeting adjourned.

Kyle Stannert, CMC
City Clerk

/kaw