

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Session

April 1, 2019
8:00 PM

Council Chamber
Bellevue, Washington

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

ABSENT: Deputy Mayor Robinson

1. Call to Order

Mayor Chelminiak called the meeting to order at 8:07 p.m.

2. Roll Call, Flag Salute

All Councilmembers except Deputy Mayor Robinson were present. Councilmember Robertson led the flag salute.

(a) Bellevue Chamber Chorus Day Proclamation

Mayor Chelminiak read the proclamation declaring April 14 as Bellevue Chamber Chorus Day.

Fredrick Lokken, Artistic Director and Conductor of the Bellevue Chamber Chorus for 19 seasons, said the chorus is celebrating its 35th anniversary. He thanked the City and the Arts Commission for their ongoing support. He invited everyone to their fundraising event on April 14 at the Bellevue Botanical Garden and to the May 19 concert at St. Luke's Lutheran Church in Bellevue.

(b) Sexual Assault Awareness Month Proclamation

Mayor Chelminiak read the proclamation recognizing April as Sexual Assault Awareness Month in Bellevue.

Amy Schlight, an advocate representing the King County Sexual Assault Resource Center (KCSARC), shared statistics regarding the prevalence of sexual assault as well as the increase in

reports of assaults and requests for assistance during the past year. She thanked the Council for the proclamation.

3. Approval of Agenda

- Councilmember Stokes moved to approve the agenda, and Councilmember Lee seconded the motion.
- The motion to approve the agenda carried by a vote of 6-0.

4. Communications: Written and Oral

- (a) Court Olson, representing People for Climate Action, said he learned that comments made before the Council on February 19 by two members of the group were not well communicated. He said the group greatly appreciates the City's funding for climate action planning. He said that members of the group met with City staff earlier in the day to learn more about the Environmental Stewardship Initiative (ESI). He said he looks forward to the next ESI presentation to the Council on May 20. Mr. Olson submitted his comments in writing.

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

6. Report of the City Manager: None.

7. Council Business and New Initiatives

Mayor Chelminiak referred to the list of individuals recommended for Council reappointments to the City's Boards and Commissions.

- Councilmember Stokes moved to approve the Board and Commission reappointments as presented. Councilmember Lee seconded the motion.
- The motion carried by a vote of 6-0.

Mayor Chelminiak noted that Deputy Mayor Robinson serves as liaison to the Human Services Commission. He requested Council action on her recommendation to appoint Katherine Jordan to serve a full term, beginning June 1, 2019 and ending on May 31, 2023.

- Councilmember Stokes moved to approve the appointment of Katherine Jordan to the Human Services Commission to serve a full term ending May 31, 2023. Councilmember Lee seconded the motion.
- The motion carried by a vote of 6-0.

Mayor Chelminiak said that Deputy Mayor Robinson requested an excused absence for the April 8 meeting. He noted that Councilmember Lee would be absent as well.

- Councilmember Stokes moved to excuse the absence of Deputy Mayor Robinson and Councilmember Lee for the April 8 Extended Study Session. Councilmember Robertson seconded the motion.
- The motion carried by a vote of 6-0.

8. Consent Calendar

Mayor Chelminiak highlighted the neighborhood transportation levy project and the contract renewal with the vendor of food service in City Hall. He noted that, under state law, contracts for certain services in public facilities are first offered to businesses operated by sight-impaired individuals.

- Councilmember Stokes moved to approve the Consent Calendar, and Councilmember Lee 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
Council Planning Retreat Report, February 28, 2019
Minutes of March 18, 2019 Study Session
Minutes of March 18, 2019 Regular Session
 - (b) Resolution No. 9568 authorizing the execution of a contract with King County Directors Association (KCDA) for the demolition of existing play equipment and purchase and installation of new play equipment at Ardmore Park, in an amount not to exceed \$150,264.23, plus all applicable taxes.
 - (c) Motion to award Bid No. 19023, 150th Avenue SE/SE Newport Way to SE 38th Street - Roadway Improvements (CIP Plan Nos. PW-M-19, PW-R-198 and PW-R-202) to Active Construction, Inc., as the lowest responsible and responsive bidder, in the amount of \$2,709,933.00, plus all applicable taxes. This project is partially funded by the Neighborhood Safety, Connectivity and Congestion Levy.
 - (d) Motion to award Bid No. 19004 for the East Central Business District (ECBD) and Wilburton Sewer Main Abandonment to Strickland and Sons Excavation, as the lowest responsive and responsible bidder, in an amount not to exceed \$428,082.40, plus all applicable taxes (CIP Plan No. S-60).
 - (e) Resolution No. 9569 authorizing execution of a four-year Professional Services Contract with IMS Infrastructure Management Services, LLC., in an amount not to exceed \$400,000 plus all applicable taxes, to provide pavement distress services and right-of-way asset collection data with an option to extend the

contract for an additional year for \$100,000, plus all applicable taxes, with the same terms and conditions.

- (f) Resolution No. 9570 granting authority to the Finance & Asset Management Director or his/her designee to execute a professional services agreement for Citywide On-Call Underground Utility Locate Services with Applied Professional Services (APS), Inc. for a five-year term with no option for renewal, in an amount not to exceed \$500,000, plus all applicable taxes.
- (g) Resolution No. 9571 authorizing execution of a four-year Professional Services Contract with HNTB Corporation, to provide on-call construction management, inspection, and support for multiple high-profile, time-sensitive construction projects scheduled for completion over the next 3 - 4 years, in an amount not to exceed \$2,250,000, plus all applicable taxes, with an option to extend the contract for an additional year for \$562,500, plus all applicable taxes, with the same terms and conditions.
- (h) Resolution No. 9572 authorizing execution of a four-year Professional Services Contract with Jacobs Project Management Co., to provide on-call construction management, inspection, and support for multiple high-profile, time-sensitive construction projects scheduled for completion over the next 3 - 4 years, in an amount not to exceed \$2,000,000, plus all applicable taxes, with an option to extend the contract for an additional year for \$500,000, plus all applicable taxes, with the same terms and conditions.
- (i) Resolution No. 9573 authorizing execution of a four-year Professional Services Contract with KPG, P.S., to provide on-call construction management, inspection, and support for multiple high-profile, time-sensitive construction projects scheduled for completion over the next 3 - 4 years, in an amount not to exceed \$2,250,000, plus all applicable taxes, with an option to extend the contract for an additional year for \$562,500, plus all applicable taxes, with the same terms and conditions.
- (j) Resolution No. 9574 authorizing execution of a two-year lease agreement extension with Hyo Sung Kim (dba Pepper Tree Café) for the lease of space to operate a food and beverage service at City Hall.
- (k) Resolution No. 9575 authorizing the execution of a three-year contract with the option for a two-year extension with A Sign Company Inc. for the purchase, fabrication, and delivery of park entry signs in an amount not to exceed \$250,000 over five years, plus all applicable taxes.
- (l) Ordinance No. 6459 amending the 2019-2025 Utility Capital Investment Program (CIP) Plans by decreasing the Sewer System Pipeline Replacement Program (CIP Plan No. S-66) in 2019 by \$200,000 and increasing the Wilburton Sewer Capacity Upgrade project (CIP Plan No. S-60) in 2019 by \$200,000.

9. Public Hearings: None.

10. Land Use

- (a) Consideration of The Flats at 15th Place Rezone Application; a rezone of a 24,750 square feet single parcel at 15516 NE 15th Place, from Community Business (CB) to Multifamily Residential (R-30). Permit File No. 17-125912-LQ.

Mayor Chelminiak introduced discussion regarding The Flats at 15th Place rezone application.

City Attorney Kathy Gerla recalled that the Council last took action related to the rezone application on March 18. At that time, Councilmembers did not have any ex parte contacts to disclose. She said staff reviewed the emails received by the Council since that time and did not find any new emails on the topic. She encouraged Councilmembers to disclose any ex parte contacts they have had outside of their City email accounts.

Mayor Chelminiak said he had no ex parte contacts, and each Councilmember indicated that they have had no ex parte contacts.

Ms. Gerla said the application was filed by Toll Brothers to rezone a single parcel located at 15516 NE 15th Place from Community Business (CB) to Multifamily Residential (R-30, or 30 units per acre). The matter is a Process III land use decision that requires a recommendation from the Director and a final decision by the City Council. Following the Land Use Director's recommendation to approve the rezone application, the Hearing Examiner held a hearing on November 8, 2018. The Development Services Department (DSD), the applicant (Toll Brothers), and the owner of the adjacent property to the east (Kasar Investment Company) participated in the hearing.

The Hearing Examiner issued her recommendation on November 26, 2018, recommending approval of the rezone. She then issued an order on December 5 regarding DSD's motion for clarification, amending and clarifying her decision while still recommending approval of the rezone.

On December 18, Kasar Investment Company filed an appeal of the Hearing Examiner's recommendation. The Council requested and considered written briefs filed by Kasar Investment Company and by Toll Brothers on the question of whether the appeal had been abandoned. At its Regular Session on March 18, 2019, the Council determined that Kasar Investment Company failed to comply with the Council's appellate rules by not timely ordering the transcript of the hearing and posting security. The Council deemed the appeal abandoned and adopted Ordinance No. 6458 dismissing the appeal.

Ms. Gerla said that Council action on the rezone application is scheduled for April 15.

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 8:37 p.m., Mayor Chelminiak declared the meeting adjourned.

Charmaine Arredondo, CMC
City Clerk

/kaw