

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Session

August 1, 2016
8:00 p.m.

Council Chamber
Bellevue, Washington

PRESENT: Mayor Stokes, Deputy Mayor Chelminiak, and Councilmembers Robertson, Robinson, Slatter, and Wallace¹

ABSENT: Councilmember Lee

1. Call to Order

The meeting was called to order at 8:08 p.m., with Mayor Stokes presiding.

2. Roll Call, Flag Salute

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

(a) Bellevue Sister Cities Association (BSCA) Student Exchange

Helen Cattaneo, Bellevue Sister Cities Association Board Member, introduced four Sister Cities exchange students: Christian Wordsworth returning from Yao, Japan, with exchange student Maiko Kurata from Yao. Caterina Cattaneo returned to Bellevue from her visit to Hualien, Taiwan, along with Ruizhi Gu from Hualien. The students greeted the Council and thanked them for the opportunity to participate in the student exchange program.

At 8:08 p.m., Mayor Stokes declared a brief break to take photos with the guests.

3. Approval of Agenda

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

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

¹ Councilmember Wallace left the meeting at 9:05 p.m.

4. Communications: Written and Oral

- (a) Steve Roberts, representing Congregations for the Homeless, thanked the City for partnering to develop an Eastside men's emergency shelter and a permanent supportive housing facility with social services. He said Congregations for the Homeless began on the Eastside in 1993. It has been helping homeless men since that time, with the specific mission of moving them into a life of stability and independence. He said 571 men accessed the winter shelter last year, and more than 600 men used the day center over the past year. Mr. Roberts said the new facility will have 100 beds, a larger day center, social services (medical, dental, mental health, substance use), and permanent housing units. Partners include King County, Imagine Housing, and the City. The project team has been researching facilities around the country to design a high-quality facility.
- (b) Sybil Glasby, Director of Housing Development for Imagine Housing, thanked the Mayor and Council for authorizing the City to enter into the Letter of Agreement related to developing the shelter and housing facility. She said Imagine Housing looks forward to developing the project in close proximity to transit and other services with the opportunity for permanent housing. Imagine Housing has more than 1,200 residents on the Eastside. The organization originated at St. Andrews Lutheran Church and has provided housing for 29 years. Ms. Glasby said there are 2,643 households on the waiting list for permanent affordable housing on the Eastside. She said permanent housing enables individuals to address other aspects of their lives including their health, employment and education.
- (c) Pat McDermott said he is a member of Christ the King Lutheran Church in the Eastgate area, which has been a host church through Congregations for the Homeless for 22 years. He is the volunteer chief financial officer for Congregations for the Homeless and serves as Vice Chair on its Board of Directors. He is treasurer and a Board member for Imagine Housing as well. He said he is grateful to be able to work with two organizations that have had such a positive impact on the Eastside. He thanked the City for addressing homelessness and affordable housing with regional partners, and for recognizing that housing stability is critical to regaining independence.
- (d) Jennifer Fischer, Executive Director, said Bellevue Lifespring supports 3,700 Bellevue children and their families living in poverty, including through emergency rent support. She commended Congregations for the Homeless, Imagine Housing, and the City for its work to address homelessness. She thanked Councilmember Slatter for meeting with the Eastside Legal Assistance Program (ELAP) to address the Highland Village situation. Ms. Fischer said a number of organizations support Highland Village's efforts including Jubilee Reach, ELAP, Bellevue School District Student Services, Church Council of Greater Seattle, Catholic Community Services of King County, Baby Basic Needs of Bellevue, Tenants Union of Washington State, independent contractors and residents, SeaMar Community Health Centers, Eastside Pathways, and others. Ms. Fischer noted 55 Highland Village residents in the audience. She said residents are worried and frightened about their pending eviction.

- (e) Angelica DeAnda said she is a licensed mental health counselor and a child mental health specialist with SeaMar Community Health Centers. SeaMar recently hosted a meeting with State Representative Joan McBride to discuss concerns regarding Highland Village. Ms. DeAnda said she is very concerned about the levels of stress on the Highland Village families. She said stress threatens mental and physical health and can affect the ability of children to meet developmental milestones. Some residents are receiving special mental health services, which they are likely to lose if they are displaced.
- (f) Ronaldo Fuentes-Monroy, a resident of Highland Village, said he is in the 8th grade at the International Middle School, where he has many friends, likes his teachers, and participates in debate, drama, and the activism club. His family cannot find affordable housing in Bellevue and he does not want to leave. He thanked the Council for the opportunity to speak.

Mayor Stokes said the City is pleased to be able to work with regional partners on the men's homeless shelter in Bellevue. He noted projects for a women's shelter in Kirkland and a family shelter in Redmond as well. With regard to Highland Village, Mr. Stokes said the City is working hard with the developer and other agencies and organizations to reach a positive resolution. He said he appreciated the hard work of social service agencies, and he assured residents that the City is working to do what it can. Mayor Stokes thanked everyone for coming to the Council meeting and for sharing their concerns.

- (g) Charlie Klinge, representing the Washington Sensible Shorelines Association, commented on the Utilities Department's cross connection program. He said shoreline property owners received a letter about the City's interest in identifying backflow contamination from private systems into the public system. He expressed concern that residents could be required to allow inspections of their property or be subjected to code enforcement actions, potentially including the termination of water service. He expressed concern that property owners' constitutional rights will be violated if they deny access to their properties.
- (h) Linda Bock spoke in favor of Initiative 735 urging the Washington congressional delegation to propose a federal constitutional amendment to address the U.S. Supreme Court's Citizens United decision.

City Clerk Kyle Stannert said public comment on specific initiatives or ballot measures is not allowed. He said copies of Ms. Bock's comments and information would be provided to the Council.

- (i) Marty Nizlek, a resident along West Lake Sammamish Parkway, described trucks accessing the construction site at Bennett Elementary School and expressed concern regarding the weight limits and impacts to local streets. He said the parkway is the narrowest arterial in Bellevue, with the highest number of driveways of any arterial. He asked the City to check the building permits for the site and to ensure that the truck weight limits and other factors are within compliance.

- (j) Representatives of the Bellevue Youth Theatre Teen Advisory Board thanked the Council for the new theatre and invited everyone to the upcoming production of *Charlotte's Web*. They distributed bookmarks and flyers listing the theatre's productions this summer, noting that this is the 25th anniversary of the Bellevue Youth Theatre program.
- (k) Stephanie Walter said that, as a Planning Commissioner, she was surprised during the earlier Study Session to hear about the proposed homeless men's shelter adjacent to future transit-oriented development (TOD) in the Eastgate area. She said the Eastgate Citizen Advisory Committee (CAC) studied land use and transportation planning for approximately two years, and the Planning Commission reviewed the CAC's recommendations and held public hearings over the past year. She said a men's shelter is important for Bellevue. However, she would have preferred to hear about the Eastgate master plan before discussing whether a men's homeless shelter could be integrated into that plan. She noted her understanding that the shelter was originally discussed for a location in the Spring District. However, that site was changed to avoid interfering with the redevelopment envisioned in the BelRed Plan. Ms. Walter said she supports the need for a men's shelter and wants to ensure that the best site is chosen for the facility.

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

6. Report of the City Manager

- (a) Civic Services Fleet Awards

[Completed during earlier Study Session.]

- (b) Bellevue Television Honored - 2016 Telly Award

City Manager Brad Miyake introduced staff to describe the recent award to the Bellevue Television (BTV) station.

Robin Haaseth, Acting BTV Manager, said BTV's *Bellevue Dawn to Dusk* video was recognized with a 2016 Telly Award in the online video travel/tourism category, from a pool of more than 12,000 entries from all 50 states and five continents. She thanked everyone who contributed to the video production: James Henderson and Jesse Canedo, Economic Development Office; Brian Miller, director of photography; editors David Bruckner and David Richardson; and Ben Shahabi, camera operator.

Ms. Haaseth thanked Visit Bellevue Washington and Sharon Linton for sharing images that helped to tell the story. Ms. Haaseth thanked the Bellevue College students in BTV's advanced track program who contributed to the video, and noted that they were producing the evening's taping of the Council meeting.

Ms. Haaseth said BTV won 30 national awards over the past 10 years. However, this is the first international award.

Mayor Stokes declared a brief recess for photographs with the video production team.

7. Council Business and New Initiatives

Mayor Stokes said the Council would be on summer recess until September 6 following tonight's meeting.

Councilmember Robertson asked staff to follow up regarding Charlie Klinge's comments during the earlier oral communications.

Referring to earlier public comment regarding West Lake Sammamish Parkway, Ms. Robertson said she was not aware of any weight limits on that road. However, the City may adopt weight limits if desired and may establish permanent conditions for construction trucks involved in development and redevelopment. She asked staff to provide information responsive to Marty Nizlek's comments.

Noting the speaker addressing a ballot initiative, Ms. Robertson suggested posting rules about the use of public facilities for political purposes until the fall elections are completed.

(a) Appointment of Pro/Con Committees for Ordinance Nos. 6303 and 6304

Mayor Stokes recalled that the Council previously voted to submit two ballot measures for the November election. He requested Council action to appoint Pro and Con committees to provide statements on the ballot measures for the fall voters guide.

Applications to write the Pro statement for the Fire Facilities ballot measure were received from retired Fire Chief Michael Eisner, Jeanne Elliott, and Michelle Hilhorst.

→ Deputy Mayor Chelminiak moved to approve Michael Eisner, Jeanne Elliott, and Michelle Hilhorst to write the Pro statement regarding the Fire Facilities ballot measure. Councilmember Robertson seconded the motion.

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

Mayor Stokes said the City received an application to write the Con statement regarding the Fire Facilities levy from Pamela Johnson.

→ Deputy Mayor Chelminiak moved to appoint Pamela Johnson to write the Fire Facilities Con statement, and Councilmember Robertson seconded the motion.

Mr. Chelminiak noted that two additional individuals may join the Con committee if desired.

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

Mayor Stokes said the following individuals have expressed an interest in writing the Pro statement for the Transportation Neighborhood Safety, Connectivity and Congestion

Improvements ballot measure: Janice Zahn, Jennifer Robertson, and My-Linh Thai.

Councilmember Robertson recused herself from participating in the votes and left the dais.

- Deputy Mayor Chelminiak moved to appoint Janice Zahn, Jennifer Robertson, and My-Linh Thai to the Pro committee for the Transportation Neighborhood Safety, Connectivity and Congestion Improvements ballot measure. Councilmember Robinson seconded the motion.
- The motion carried by a vote of 5-0, with Councilmember Robertson recused.

Mayor Stokes said David Plummer applied to write the Con statement regarding the transportation ballot measure.

- Deputy Mayor Chelminiak moved to appoint David Plummer to write the Con statement for the Transportation Neighborhood Safety, Connectivity and Congestion Improvements ballot measure. Councilmember Robinson seconded the motion.
- The motion carried by a vote of 5-0, with Councilmember Robertson recused.

8. Consent Calendar

Deputy Mayor Chelminiak noted a desk packet item regarding a proposed revision to the minutes by Councilmember Slatter.

- Deputy Mayor Chelminiak moved to approve the Consent Calendar, with the revision to the July 11, 2016 minutes as requested. Councilmember Robertson seconded the motion.
- The motion to approve the Consent Calendar, as amended, carried by a vote of 6-0, and the following items were approved:
 - (a) Council Meeting Minutes
Minutes of July 11, 2016 Extended Study Session
 - (b) Resolution No. 9127 authorizing execution of a Lease Agreement between Kimschott Factoria Mall, LLC and the City for the Bellevue Police Community Substation at Factoria Mall.
 - (c) Resolution No. 9128 authorizing execution of a contract with Brycer L.L.C. to ensure that fire/life safety systems are maintained in accordance with the appropriate codes and standards.
 - (d) Resolution No. 9129 authorizing execution of a Right of Way Use Agreement with Astound Broadband, LLC; and ratifying the Right of Way Use Agreement previously entered into with Astound Broadband, LLC dated April 20, 2015.

- (e) Resolution No. 9131 authorizing execution of an amendment to the Professional Services Contract with Environmental Science Associates (ESA), to prepare the Draft and Final Environmental Impact Statements for PSE's proposed Energize Eastside Project, in an amount not to exceed \$2,481,760.00.
- (f) Resolution No. 9132 authorizing execution of a professional services agreement with Murray, Smith & Associates, Inc. for engineering services, for the Meydenbauer Bay Park Sewer Line Replacement Project Final Design, in an amount not to exceed a total contract value of \$280,473.00 (CIP Plan No. S-69).
- (g) Resolution No. 9133 authorizing the execution of an amendment to 1) add EXHIBIT E(18) to Addendum D (the Software Maintenance Agreement) of the System Purchase Agreement with Advanced Utility Systems Corporation, a division of N. Harris Computer Corporation in an amount not to exceed \$105,875 for the Utility Billing Customer Information System (CIS) Infinity Version 4 Upgrade thereby increasing the total System Purchase Agreement "not to exceed" contract amount to \$1,845,409.16; and 2) update the labeling of prior Addendum D amendments for consistency.
- (h) Motion to award Re-Bid No. 16059 for HVAC Upgrades at City Hall - Phase 1 to Johansen Mechanical Inc., as the lowest responsible and responsive bidder, in the amount of \$204,919.23.
- (i) Motion to award Bid No. 16069 for West Tributary Kelsey Creek Drainage Master Plan (DMP) 165 Restoration to Ecogrid Site Solutions, as the lowest responsible and responsive, bidder in the amount of \$127,786.50 (CIP Plan No. D-104).
- (j) Motion to award Bid No. 16044 for AC Water Main Replacement 2016 - Phase 2 to Laser Underground & Earthworks, as the lowest responsible and responsive bidder, in the amount of \$2,094,293.72 (CIP Plan No. W-16 and W-67).
- (k) Motion to approve the East Main Station Area Plan as recommended by the East Main Citizen Advisory Committee and direct staff to pursue implementation of the recommendations through the appropriate methods, including referring code and policy amendments to the Planning Commission with the additional City Council direction provided in Attachment 1.
- (l) Ordinance No. 6305 amending the 2015-2021 Capital Investment Program (CIP) Plan to decrease the Interlocal Council Contingency Project (G-106) by \$198,274 and increase the East Link Analysis and Development Project (PW-R-159) by \$198,274 to fund the Fire Department Captain Liaison position in 2016.

9. Public Hearings

- (a) Public Hearing regarding Resolution No. 9130 declaring certain utility-owned property and equipment as surplus, and directing the purchasing manager to dispose of such property.

City Manager Miyake introduced the required public hearing to surplus certain utility-owned property and equipment. He said staff is seeking Council action following the hearing.

Lucy Liu, Assistant Director of Utilities, introduced Tom Wall, Civic Services Fleet and Communications Administrator.

Ms. Liu said Resolution No. 9130 declares certain utility-owned property and equipment to have met the extent of its usefulness. Formal Council action to dispose of utility equipment is required by state law and city code. Following Council direction, Ms. Liu said the property will be disposed in the same manner as other City-owned property. The list of equipment to be surplus is attached to the agenda memo and includes eight vehicles, a trailer, an excavator, and office equipment. The items range from 12 to 27 years in age and have a total estimated salvage value of \$74,400. The vehicles are maintained by Fleet Services, which has determined with the Utilities Department that the vehicles have met the extent of their usefulness. The City uses online web sites to dispose of surplus equipment, and the proceeds from the sale of the items will be returned to the utility that owned the property.

- Councilmember Robertson moved to open the public hearing, and Deputy Mayor Chelminiak seconded the motion.
- The motion carried by a vote of 6-0.

No one came forward to comment.

- Councilmember Robertson moved to close the public hearing, and Councilmember Slatter seconded the motion.
- The motion carried by a vote of 6-0.
- Deputy Mayor Chelminiak moved to approve Resolution No. 9130, and Councilmember Slatter seconded the motion.
- The motion carried by a vote of 6-0.

10. Land Use: None.

11. Other Ordinances, Resolutions and Motions

- (a) Ordinance No. 6306 establishing an Independent Salary Commission for the City and adding a new Chapter 3.60 of the Bellevue City Code.

City Manager Miyake introduced discussion of Ordinance No. 6306, which establishes an Independent Salary Commission to address the City Council's salary.

City Clerk Kyle Stannert recalled Council discussion on July 5 regarding options to review the Council salary. The proposed ordinance establishes an Independent Salary Commission and adds a new Chapter 3.60 to the Bellevue City Code.

Mr. Stannert noted the memo in the desk packet outlining a proposed revision to the ordinance that was provided in the meeting packet. During the July 5 meeting, the Council directed staff to conduct legal research related to the effective date of a decision made by the salary commission.

City Attorney Lori Riordan said state law indicates that the salary commission completes its review and establishes a salary schedule, which becomes effective 30 days later without further action by the commission or the City Council. If the Council wished to delay the effective date of any salary adjustment, the Council should direct the commission to file the salary schedule at a later date as well. Mr. Stannert noted that the ordinance reflects a date of December 1 for release of the salary schedule, in order to coordinate with the City's budget adoption process.

Responding to Councilmember Slatter, Ms. Riordan said state law does not allow a Bellevue Councilmember to waive his or her salary under the current city code. However, some cities have adopted an ordinance stating that a Councilmember may waive all or a portion of his or her salary and return it to the City. In further response, Ms. Riordan said the independent salary commission may decide to maintain, increase, or decrease the Council's salary.

→ Councilmember Robertson moved to adopt Ordinance No. 6306, and Councilmember Robinson seconded the motion.

[Councilmember Wallace left the meeting at 9:05 p.m.]

→ Deputy Mayor Chelminiak moved to add the following Whereas clause: "Whereas, in considering Council salaries, the Commission should recognize that the councilmembers serve as part-time citizen legislators, that the public seeks individuals motivated by service to the community, and that the salary is considered a stipend and not a replacement wage for their hours served." Councilmember Slatter seconded the proposed amendment.

Councilmember Slatter acknowledged that the Council has not had a salary evaluation or adjustment in 16 years. She respects that her fellow Councilmembers have been serving for a long time without a salary increase, and she sees the Council position as a full-time job. However, as a new Councilmember, Ms. Slatter said she was not comfortable advocating for a salary review.

Deputy Mayor Chelminiak expressed support for a comparative salary study. He said salary commissions have worked well in some communities, although salary increases have raised concerns in certain instances. He prefers to see the Council salary as a stipend.

Councilmember Robinson said the purpose from her perspective is that the City stay competitive as it continues to grow and as the Council's role and workload is expanded. She wants to ensure that serving on the Council is not limited only to individuals who can afford to offer their time.

Mayor Stokes concurred with Councilmember Robinson. He said most elected officials are paid, which is a reflection of how they are valued by our society. He supports appointing an independent salary commission to study the issue.

Councilmember Slatter thanked her colleagues for their comments. She said she values their perspectives but feels it is too early in her tenure to be comfortable in supporting the motion.

Councilmember Robertson expressed support for the proposed amendment. She noted that Councilmember Lee supports the ordinance.

→ The amendment adding the stated Whereas clause carried by vote of 5-0.

Deputy Mayor Chelminiak said Bellevue City Councilmembers are paid \$19,800 annually, which was established in 1999. Since that time, state law introduced the ability to create a salary commission to review Council salaries. He said the intent is to appoint a one-time commission to study the Council salary and adopt a salary schedule.

→ The motion carried, as amended, by a vote of 4-1, with Councilmember Slatter dissenting.

12. Unfinished Business: None.

13. Continued Oral Communications: None.

14. New Business: None.

15. Executive Session: None.

16. Adjournment

At 9:18 p.m., Mayor Stokes declared the meeting adjourned.

Kyle Stannert, CMC
City Clerk

/kaw