

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Session

December 11, 2017
8:00 p.m.

Council Chamber
Bellevue, Washington

PRESENT: Mayor Stokes, Deputy Mayor Chelminiak, and Councilmembers Lee, Robertson, Robinson, Wallace and Zahn¹

ABSENT: None.

1. Call to Order

Mayor Stokes called the meeting to order at 8:08 p.m.

2. Roll Call, Flag Salute

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

(a) Swearing in of Councilmembers Lee, Robinson, and Nieuwenhuis

Mayor Stokes introduced the swearing in of Jared Nieuwenhuis, Conrad Lee, and Lynne Robinson to the City Council. He noted that Janice Zahn was previously sworn in immediately following the certification of the November election because the previous Councilmember had been appointed to fill an unexpired term.

Judge Janet Garrow conducted the swearing in of Councilmembers Lee, Robinson, and Nieuwenhuis.

At 8:13 p.m., Mayor Stokes called a brief recess to take photos. The meeting resumed at 8:17 p.m.

(b) Commendation Honoring Councilmember Kevin Wallace

Mayor Stokes noted that this was the final meeting for Councilmember Wallace. Mr. Stokes read a commendation recognizing Mr. Wallace's contributions during his public service on the Council.

¹ Councilmember Zahn participated remotely via telephone.

Councilmember Wallace said there have been many accomplishments over the past eight years due to significant efforts by City staff, City Council, Boards and Commissions, and the public. He recalled that Bellevue did a good job of getting through the recession without raising tax rates. He said the 2018 property tax will be lower than it was in 2010, and he noted that the City adopted the outcome-based, priorities of government budgeting model in 2010.

Mr. Wallace said the City worked hard to reach a collaborative agreement with Sound Transit for the East Link light rail project alignment and mitigation. Between 2013 and 2017, the City borrowed a total of \$270 million to take advantage of low interest rates and to make significant progress in transportation infrastructure and fire station projects.

Additional accomplishments highlighted by Councilmember Wallace included:

- Adopted Economic Development Strategy in 2014.
- Adopted the Council Vision in 2014 for the City's 2035 Plan.
- Adopted the Fire Facilities Master Plan.
- Major update to the Comprehensive Plan in 2015, as well as the launch of the Grand Connection project.
- \$20 million contribution to the Tateuchi Center in 2016, using the hotel/motel tax.
- Implemented Smart City Strategy and initiated funding for the Transportation Technology program.
- Completed the Downtown Livability Initiative Land Use Code Amendment (LUCA) in 2017.
- Completed the Downtown Park, Meydenbauer Bay Park Master Plan, new Bellevue Youth Theatre, and Bellevue Botanical Garden capital improvements.
- Completed transportation projects to address congestion and to utilize technology (e.g., NE 4th Street extension, Spring Boulevard, 120th Avenue NE, West Lake Sammamish Parkway, Newport Way, Northup Way).
- Implemented Intelligent Transportation System (ITS), including Sydney Coordinated Adaptive Traffic System (SCATS).
- Maintained strong utilities reserves.
- Completed update to Shoreline Management Program (SMP).
- Achieved balanced budgets while maintaining flat tax rates and reducing the property tax rate.

Councilmember Wallace said he is excited about Bellevue's future including transportation technology, continued transportation infrastructure investments, Grand Connection project, East Main Station Area zoning, Spring Boulevard, and other transportation projects in the BelRed corridor.

Mr. Wallace thanked his family and campaign staff. He thanked City staff for their expertise and hard work that enabled the Council to make good decisions. He has enjoyed working with every Councilmember, and he appreciates the range of perspectives and talents on the Council.

Councilmember Wallace said he enjoyed working with Councilmember Robinson on affordable housing issues. He described Deputy Mayor Chelminiak as a good strategic thinker with a strong command of the budget. Mr. Wallace said he enjoyed working with Mr. Chelminiak on the Grand Connection project and the East Link work with Sound Transit.

Mr. Wallace noted that Mayor Stokes joined the Council during a difficult time, and he had the ability to bring the Council together despite differences of opinions on the light rail project and other issues. He noted that Councilmember Lee is a longtime friend of his family. Mr. Wallace commended Mr. Lee's focus on maintaining low tax rates and passion for economic development. Mr. Wallace said Councilmember Robertson has been a great ally since they both joined the Council at the same time. He said they learned together how to tackle issues, deal with the media and pressures from the community, and work effectively with staff.

Mr. Wallace welcomed Councilmembers Nieuwenhuis and Zahn to the Council. He thanked the community and neighborhood leaders who have been instrumental in the Council's accomplishments and who work together passionately and respectfully. He said it has been a honor to serve the community.

Councilmember Lee said Mr. Wallace is pragmatic, thoughtful, and methodical, and he has always been succinct and productive with his comments. His talents as an attorney and a business person have been assets for the Council. Mr. Lee said Bellevue has been fortunate to have very good Councilmembers over many years. He anticipates that Mr. Wallace will continue to contribute to the community. Mr. Lee recalled that when he was the mayor, he appreciated the work of Councilmembers Robertson, Stokes and Wallace in their negotiations with Sound Transit related to the East Link light rail project.

Councilmember Robinson said she will miss Councilmember Wallace. He has inspired her, and she has learned from him and relied on his expertise. Ms. Robinson thanked him for working with her on priorities important to both of them and for serving on the Council over the past eight years.

Councilmember Robertson said that Mr. Wallace has been instrumental in many accomplishments on behalf of the City. She recalled that, when they first ran for office in 2009, one of his campaign promises was to ensure that Bellevue's interests were protected with regard to the Sound Transit East Link light rail project. The other was to make sure Bellevue would complete a Downtown fire station. A high priority after being elected was for the City to hire an Economic Development Director. Ms. Robertson said that all of Mr. Wallace's early commitments were accomplished during his eight years on the Council. She said he has been hard working, passionate, and truly effective in representing Bellevue residents and businesses. She said she admired him for his willingness to take a stand even when it was not a popular position.

Councilmember Robertson said that all Councilmembers worked hard over the years on the light rail project. However, Councilmember Wallace was a member of all four leadership groups that were involved in key negotiations with Sound Transit to represent Bellevue's interests related to cost savings, memorandum of understanding with Sound Transit, and mitigation. Ms. Robertson

recalled that she and Mr. Wallace worked together on the East Link Land Use Code Overlay. She said Councilmember Wallace was instrumental in advocating for the City with regard to Sound Transit's Operations and Maintenance Facility East (OMFE) to be located in the BelRed corridor. Ms. Robertson thanked Mr. Wallace's wife and sons for supporting his public service. She encouraged Mr. Wallace to continue his involvement and input on City-related issues.

Councilmember Zahn said Mr. Wallace was the Council liaison to the Transportation Commission during the past year and a half that she served on the commission. She said she appreciated his work with the commission, wisdom, and interest in ensuring the commission's effectiveness.

Deputy Mayor Chelminiak said it has been fun to work with Councilmember Wallace. Mr. Chelminiak commended his vision for Bellevue, business and financial acumen, and willingness to support the occasional need for a tax increase. Mr. Chelminiak said he learned a great deal from Mr. Wallace, and he respects his mind and ability to advocate for an issue. He said he appreciated working with Councilmember Wallace.

Mayor Stokes said Bellevue would not have the great light rail system currently under construction if not for Councilmember Wallace. Mr. Stokes noted that Mr. Wallace advocated successfully for a wider, 60-foot distance between the rail line and residences. Mr. Stokes said Councilmember Wallace was instrumental in enhancing the Council's work with staff. He said that he and Councilmember Wallace have not always agreed on every issue, but that is what keeps the Council sharp and engaged in considering different points of view. Mr. Stokes said he looks forward to Mr. Wallace's continued positive involvement in the community.

Councilmember Wallace thanked his colleagues for their kind comments. He thanked Jim Hill and Aaron Laing for their support of him and for all they have done for Bellevue.

City Manager Miyake read a letter from the Leadership Team thanking Councilmember Wallace for leading the City through several significant projects and policy decisions that benefit the community and establish a solid footing for the future. Mr. Miyake commended Mr. Wallace for his thorough review of the Capital Investment Program (CIP) budget, which led to his role in securing the federal Transportation Infrastructure Finance and Innovation Act (TIFIA) loan and voter approval of the neighborhood transportation levy.

Mr. Miyake noted that Mr. Wallace's ability to step back and consider the bigger picture while conveying the important details benefited many key projects, including East Link light rail. Mr. Wallace's knowledge of development realities and trends expanded the City's vision of what was possible in Bellevue to meet the needs for all housing types. Mr. Miyake said Mr. Wallace's blend of public service and private sector experience helped enhance Bellevue's regional leadership and influence. Mr. Miyake thanked Mr. Wallace for his leadership as a Councilmember.

Councilmember Wallace thanked Mr. Miyake for the recognition and said he was honored to work with the City's talented staff.

3. Approval of Agenda

- Deputy Mayor Chelminiak moved to approve the agenda, and Councilmember Robertson seconded the motion.
- The motion carried by a vote of 7-0.

4. Communications: Written and Oral

- (a) Aaron Laing thanked the Council for their hard work. He noted that he admires Councilmember Wallace's ability to deliver both good and bad news honestly and unflinchingly. He said he has learned a great deal from Mr. Wallace, both as a public servant and professionally. Mr. Laing said Councilmember Wallace is a good listener who wants to understand other perspectives. Mr. Laing thanked Mr. Wallace's wife and two sons for sharing him with the community. He said he understands that there is no such thing as a part-time Bellevue Councilmember because everyone is fully dedicated to their role.
- (b) Mon Wig said that Mr. Wallace's ability to consider the practical aspects of development has been helpful for his company and for the City. He thanked Mr. Wallace for his service.
- (c) Tim Mather expressed concern regarding off-leash dogs at Weowna Park. He said joggers are concerned and a neighbor has been attacked several times. He said there are hundreds of comments on Nextdoor about the problems at the park. He asked the City to install signage about the requirement to have dogs on leashes, and to conduct an initial period of enhanced enforcement.

Mayor Stokes asked the City Manager to look into the issue at Weowna Park and to provide an update to the Council.

- (d) Jim Hill commended Councilmember Wallace's accomplishments and said he looks forward to working with him in future. He congratulated Councilmembers Lee and Robinson on their reelection, and Mr. Nieuwenhuis and Ms. Zahn on their election as new Councilmembers. Mr. Hill commented on the issue of mid-block connections and noted that he understands the need for them. Kemper Development Company has worked with the City to provide connections through the Bellevue Collection with connections through and between buildings. He asked the Council to adopt a policy in the Downtown Subarea Plan recognizing that the mid-block connections occur on private property, and that property owners should be allowed to adopt and enforce reasonable rules and regulations to maintain their properties and to provide security and privacy for their residents and tenants. Mr. Hill said he is working with Director Cummins to work through related issues.
- (e) Scott Douglas reminded the City of an error in the zoning map for the past 20 years. He

asked the City to correct the error to clarify the status of the subject property between NE 10th Street and NE 12th Street, and between 100th Avenue NE and 102nd Avenue NE.

Councilmember Robinson requested more information regarding the previous speaker's comments.

- (f) Leisha Wig thanked Councilmember Wallace for his service and congratulated the new and reelected Councilmembers. She thanked the Council and staff for their work on the East Main Station area planning effort. She proposed one suggestion regarding Item 2 of the guiding principles, which is to use Deputy Mayor Chelminiak's suggested language from the previous Council discussion: "Use regulatory framework of the Downtown Livability Initiative while recognizing the unique location of this area adjacent to an established single-family neighborhood to the west and its role as a gateway to the city of Bellevue." She said the original language could be interpreted to imply that the OLB zones to the north should have more density than the East Main Station area site.
- (g) Pamela Johnston congratulated Councilmember Wallace for his public service. She noted there was no discussion regarding safety during the earlier presentation by the Washington State Department of Transportation (WSDOT) regarding I-405 express toll lanes. She expressed concern regarding the backups at the SR 520 interchange since the toll lanes were implemented. She suggested a review of the design for the SR 520 and 124th Avenue NE interchange, noting that public comment on the project dates back to 10 years ago. On another topic, she asked the City to review the Airbnb situation in Bellevue. She questioned traffic impacts and whether it is appropriate to operate this type of business in neighborhoods.
- (h) Heidi Dean welcomed Councilmembers Nieuwenhuis and Zahn to the Council, and noted that Councilmember Wallace won her over with his intelligence and humor. She said she learned a great deal from him over the years, and she appreciates that he does not view the public as enemies. She said Mr. Wallace told her in the past how much he liked the other Councilmembers and enjoyed working with them.

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

6. Report of the City Manager

- (a) Grand Connection Framework Plan and Wilburton Commercial Area Planning
[Continued from earlier Study Session]

City Manager Brad Miyake introduced the continuation of the presentation from the earlier Study Session regarding the Grand Connection Framework Plan and progress on the Wilburton Commercial Area planning initiative.

Bradley Calvert, Community Development Program Manager, resumed the presentation beginning with slide 19 regarding transportation in the Wilburton area. He described plans for connections to the Eastside Rail Corridor, activated alleys as public spaces, 116th Avenue NE as

a grand boulevard, pedestrian and bike infrastructure, smaller blocks, and inspired design. He described parks and open space features including the Eastside Rail Corridor with restaurants and shops, a central civic space, natural assets, pocket parks, and plazas.

Mr. Calvert said continued work and outreach related to Wilburton Commercial Area planning will involve Boards and Commissions, the Bellevue Downtown Association, King County, and residents. Next steps are the release of the Draft Environmental Impact Statement (DEIS) in early 2018, selection of a preferred alternative next spring, release of the Final EIS in the spring, and adoption of the final Citizen Advisory Committee (CAC) Vision report in May 2018.

Councilmember Robinson thanked staff for their work and said it is exciting to see the project moving forward.

Councilmember Lee said he appreciates the Grand Connection Framework Plan discussed earlier. He encouraged staff to not be too constrained in its planning for the area and to create a unique project representing Bellevue and the northwest.

Councilmember Wallace referred to slide 12 and cautioned that there is a significant difference between the range of floor-area ratio (FAR) levels. He suggested a thorough examination of traffic impacts and of the development outcomes related to different FAR levels. He said the Downtown Livability Initiative work was a long process and he encouraged the City to consider that work, including densities, in studying the Wilburton area. He suggested further study of whether it is appropriate to have higher densities in the Wilburton and East Main Station areas than in the Downtown. He encouraged a more in-depth analysis of the types of development that results from different FAR levels.

Responding to Mayor Stokes, Mr. Calvert said staff will return next spring with an update on additional refinements to the Grand Connection and Wilburton planning initiatives.

7. Council Business and New Initiatives

(a) Determining Procedure for Election of Mayor and Deputy Mayor

Mayor Stokes noted that the Council selects a Councilmember to serve as Mayor every two years.

Kyle Stannert, Assistant City Manager, said that state law and the Council Rules do not dictate the process for selecting the Mayor, except that there cannot be a secret ballot. If written votes are used, the ballots are read during the meeting. He noted two options described in the meeting packet. Option 1 reflects the process used for the two previous Mayor and Deputy Mayor election processes. This option uses written ballots listing the nominations. Option 2 is the default method described in Robert's Rules. Instead of voting with a ballot, nominations are made and the Council votes on each nominee in order until a candidate receives majority support.

→ Deputy Mayor Chelminiak moved to use Option 1 for the selection of Mayor and Deputy

Mayor, and Councilmember Robertson seconded the motion.

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

Mayor Stokes suggested reviewing the Council Rules next year to consider adding this method for future elections to the rules.

(b) Selection of Temporary Chair for January 2, 2018 Council Meeting

Mr. Stannert asked the Council to select a temporary Chair for the January 2, 2018 Council meeting. He suggested an individual vote on each nominee in the order in which they are nominated. Mr. Stannert said the nominations do not require a second.

Councilmember Robinson nominated Mayor Stokes to serve as temporary chair for the January 2, 2018 meeting. The Council unanimously supported the nomination.

(c) Appointment to Planning Commission

Mayor Stokes introduced the appointment to fill a vacancy on the Planning Commission. He noted the memo in the desk packet and recommended Mohammad Malakoutian to fill the vacancy, serving a four-year term ending May 31, 2021. Mr. Stokes said there were approximately 40 applicants and a review narrowed the list to five candidates. Following interviews, the panel recommended the appointment of Mr. Malakoutian.

→ Deputy Mayor Chelminiak moved to appoint Mohammad Malakoutian to position 1 on the Planning Commission, and Councilmember Robinson seconded the motion.

Councilmember Robertson said she rarely objects to a Board or Commission appointment. However, she is troubled by the process leading to the recommended candidate. She said two women with strong attendance records, active involvement, and terms as Chairs on the Planning Commission were not reappointed. One of the individuals was not told she was not being reappointed until after her term expired. With the pending appointment, there will be no women serving a second term on the Commission. However, every man has been reappointed while the Mayor has served as Council liaison.

Ms. Robertson said she is troubled that the position was left vacant for more than six months. The Council received a packet of the 44 applications on December 1, and interviews were held one week later with no Commission Chair or Vice Chair present. She understands that they were invited, but they were unable to participate given the short notice. She said one of the two remaining Commissioners is anticipated to resign shortly. Ms. Robertson said the issue is not solely about gender, but there should be a balance on the Commission. She said there were many qualified individuals among the 44 applicants.

Finally, Ms. Robertson said she is concerned that a woman is being replaced with a man who will not shake hands with a woman. She is not comfortable with individuals who treat men and women differently, just as she is not comfortable with anyone who treats people differently due

to race, gender expression, or other factors. Ms. Robertson said she participated in the interviews and Mr. Malakoutian was smart and gracious. However, he would not shake hands with her yet shook hands with every man in the room. She does not support that practice for a public official. Ms. Robertson noted that this is the first time she has not supported a candidate recommended by the Council liaison to a Board or Commission.

Councilmember Lee said there were many qualified applicants and he was somewhat surprised by the interview process, which felt rushed. He said he would feel more comfortable with more time to consider the applicants, especially out of respect for Councilmember Robertson's concerns.

Councilmember Robinson observed that Mr. Malakoutian is well qualified and likable and would function well on the Commission. She likes his experience with earthquake-resistant structures. She said she has male friends who do not shake women's hands, and she acknowledged that it can be off-putting at first. However, she supports the recommendation.

Deputy Mayor Chelminiak said he understands and respects Councilmember Robertson's comments regarding the values of diversity and having a balance on the Commission. Mr. Chelminiak said he is inclined to support the nomination in deference to our system identifying that the decision is within the Mayor's purview.

Councilmember Wallace opined that the concern is perhaps due more to how the decision to not reappoint the two female Commissioners was handled. He noted the City's commitment to diversity, and he feels the interview and selection process was fair. He expressed support for the recommendation.

Councilmember Zahn said she has learned over her career that certain cultures do not shake hands with women. However, that should not necessarily be seen as a lack of respect for women. Ms. Zahn said that, based on Mr. Malakoutian's background and interview, he is qualified and will be complementary to the expertise of the other Commissioners. She concurred with the concern that there was a vacancy on the Commission for six months. She suggested, before the next appointment, that the Council address whether other types of inclusion and diversity are needed that are different than what the current candidate would offer.

Mayor Stokes said he does not see the issue of shaking hands as a negative in this case. He said Mr. Malakoutian is the most qualified applicant. He said the Commission Chair, Vice Chair, and staff all ranked him very high following the interviews. He said Councilmembers were invited to participate in the interviews, including one held earlier today. Mr. Stokes said the issue of gender was irrelevant to him in recommending the applicant. He said there have been instances in the past in which a Councilmember recommended against reappointing a current Board or Commission member. Mr. Stokes said the backgrounds of the women interviewed were not as strong, and they did not interview as well. He said Mr. Malakoutian was highly recommended by the Chair and Vice Chair. Mr. Stokes said Mr. Malakoutian participated in the Bellevue Essential class, has several degrees, and works for Amazon.

→ The motion carried by a vote of 6-1, with Councilmember Robertson dissenting.

8. Consent Calendar

Deputy Mayor Chelminiak noted the memo in the desk packet correcting a scrivener's error in Ordinance No. 6392 [Agenda Item 8(o)]. The correct merit increase is 2.3 percent.

- Deputy Mayor Chelminiak moved to approve the Consent Calendar, with Ordinance No. 6392 corrected as described in the desk packet. Councilmember Robertson seconded the motion.
- The motion to approve the Consent Calendar, as amended, carried by a vote of 7-0, and the following items were approved:
 - (a) Council Minutes
Minutes of November 27, 2017 Extended Study Session
 - (b) Resolution No. 9344 authorizing execution of the ORCA agreement with King County for the purchase and distribution of the annual 2018 ORCA cards to City employees, in an amount not to exceed \$346,052, plus all applicable taxes.
 - (c) Resolution No. 9345 authorizing execution of a two-year contract with American Guard Services, Inc. for security guard services at City Hall including patrol services to the Bellevue Service Center and other City facilities with a three-year renewal option, for a total contract amount not to exceed \$737,064.09, plus all applicable taxes.
 - (d) Resolution No. 9346 authorizing the execution of a software subscription agreement with eLogic Learning Management System (LMS) on behalf of the East Metro Training Group (EMTG) for management of regional fire training information, in an amount not to exceed \$136,041, plus all applicable taxes.
 - (e) Resolution No. 9347 authorizing the execution of a one-year administrative services contract (currently in substantial form) between the City of Bellevue and Premier Blue Cross for calendar year 2018 medical and prescription drug third party administrative services, in an amount not to exceed \$470,000, plus all applicable taxes.
 - (f) Resolution No. 9348 authorizing the execution of a consulting agreement (currently in substantial form) between the City of Bellevue and Gallagher Benefit Services, Inc. for health and welfare benefits consulting and brokerage services for a term of three years with one two-year option to renew (2018 - 2022), in an amount not to exceed \$1,130,000 plus all applicable taxes.
 - (g) Resolution No. 9349 authorizing execution of: 1) a successor labor agreement by and between the City and Bellevue Police Support Guild (Union) for the contract

period January 1, 2017 through December 31, 2019 and 2) a memorandum of understanding (MOU) regarding retroactivity.

- (h) Resolution No. 9350 authorizing the execution of an agreement between the City of Bellevue and Navia Benefit Solutions, Inc. for a term of five years in an amount not to exceed \$145,000 plus all applicable taxes for the provision of flexible spending account, Section 125 plan and COBRA administration services.
- (i) Resolution No. 9351 authorizing execution of Amendment #1 to the professional services agreement (contract) between the City of Bellevue and Wellspring Family Services extending the term to 2019 and establishing rates for the professional services of an employee assistance program in an amount not to exceed \$155,000 plus all applicable taxes.
- (j) Resolution No. 9352 authorizing execution of an amendment of \$372,727 to the General Services Agreement with Olson Brothers Pro-Vac (Formerly Everson's Econo-Vac, Inc.) to perform Storm Drainage Pipe Cleaning, for a total contract value not to exceed \$1,174,184 plus all applicable taxes.
- (k) Resolution No. 9353 authorizing execution of an amendment of \$236,364 to the General Services Agreement with Olson Brothers Pro-Vac (Formerly Everson's Econo-Vac, Inc.), to perform Storm Drainage Pipe Inspection, for a total contract value not to exceed \$691,737 plus all applicable taxes.
- (l) Resolution No. 9354 authorizing execution of an agreement for public defense services, including an option to renew, with Stein, Lotzkar and Starr, P.S., Inc., to provide public defense services for the period January 1, 2018 through December 31, 2021, in the amount of \$804,144 per year plus all applicable taxes for up to 1,812 cases annually, plus other sums as provided for therein, including appeals and court costs.
- (m) Ordinance No. 6391 amending Human Resources Code Chapter 3.79 to align with the state's paid sick leave law (RCW 49.46.200 et seq.) which takes effect on January 1, 2018.
- (n) Motion to approve the Eastside Transportation Partnership (ETP) Agreement and associated costs through 2019.
- (o) Ordinance No. 6392 amending the 2018 City of Bellevue T Pay Plan for "Non-Affiliated City Manager" by 2.3% and authorizing execution of Amendment No. 2 to the City Manager's employment agreement between the City and Brad M. Miyake related to the City Manager's compensation program.
- (p) Resolution No. 9355 authorizing execution of a hardware lease and services agreement with Pacific Office Automation for five years with an option to renew for one term of two years for copiers and related services for all City departments,

in an amount not to exceed \$1,041,844.80, plus all applicable taxes, for the initial five-year term.

- (q) Resolution No. 9356 amending Resolution No. 9328 to correct a scrivener's error in two referenced King County Recording Numbers related to a water line easement and a sanitary sewer easement located at 1035 116th Avenue NE declared as surplus to the needs of the City; and setting a time and place for a hearing to consider the partial release of these easements.

- At 9:55 p.m., Deputy Mayor Chelminiak moved to extend the meeting to 10:30 p.m. Councilmember Wallace seconded the motion.
- The motion carried by a vote of 7-0.

9. Public Hearing

- (a) Public Hearing on Resolution No. 9357 authorizing execution of documents necessary to release a sanitary sewer easement and an associated easement covenant, located at 14220 NE 8th Street with King County Tax Parcel Number 272505-9043 (Stevenson Elementary School) that 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 Miyake recalled that the Council adopted an administrative procedure in May that established a new process for handling the release of easements. The Council is asked to take action on Resolution No. 9357 following the public hearing. Mr. Miyake introduced Ira McDaniel, Real Property Manager, and Kim Bui, Real Property Agent.

Ms. Bui provided the staff report. She described the proposed release of a sanitary sewer easement and easement covenant located at 14220 NE 8th Street at Stevenson Elementary School. She said a thorough analysis of the proposal determined that the easement is no longer needed.

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

No one came forward to comment on the proposed resolution.

- Deputy Mayor Chelminiak moved to close the public hearing, and Councilmember Robertson seconded the motion.

- The motion carried by a vote of 6-0, with Councilmember Wallace temporarily away from the dais.
- Deputy Mayor Chelminiak moved to approve Resolution No. 9357, and Councilmember Robertson seconded the motion.
- The motion carried by a vote of 7-0.

10. Land Use: None.

11. Other Ordinances, Resolutions and Motions

City Manager Miyake said staff is seeking Council action on four Comprehensive Plan Amendment (CPA) proposals, as well as action to adopt the ordinance updating the Comprehensive Plan with all four amendments.

Mac Cummins, Director of the Planning and Community Development (PCD) Department, recalled previous Council discussion as well as individual briefings with Councilmembers to consolidate the comments that arose during the initial staff presentation. He said the majority of the Council's discussion related to Ordinance No. 6396.

- (a) Ordinance No. 6393 adopting the Eastgate Office Park (16-123765 AC) 2017 amendments to the Comprehensive Plan of the City of Bellevue, pursuant to Chapter 36.70A RCW (Growth Management Act, as amended) and Chapter 35A.63 RCW; and establishing an effective date.
- Deputy Mayor Chelminiak moved to adopt Ordinance No. 6393, and Councilmember Robertson seconded the motion.
- The motion carried by a vote of 7-0.
- (b) Ordinance No. 6394 adopting the Old Seattle Times Building (17-121068 AC) 2017 amendments to the Comprehensive Plan of the City of Bellevue, and amending the boundary between the Downtown Subarea and the Southwest Bellevue Subarea Plan with a map amendment of Professional Office (PO) to Downtown mixed use (DNTN-MU) at 11177 Main St. pursuant to Chapter 36.70A RCW (Growth Management Act, as amended) and Chapter 35A.63 RCW; and establishing an effective date.
- Deputy Mayor Chelminiak moved to adopt Ordinance No. 6394, and Councilmember Robertson seconded the motion.
- The motion carried by a vote of 7-0.

- (c) Ordinance No. 6395 adopting the Complete Streets (17-109009 AC) 2017 amendments to the Comprehensive Plan of the City of Bellevue, pursuant to Chapter 36.70A RCW (Growth Management Act, as amended) and Chapter 35A.63 RCW; and establishing an effective date.
- Deputy Mayor Chelminiak moved to adopt Ordinance No. 6395, and Councilmember Robertson seconded the motion.
- The motion carried by a vote of 7-0.

Councilmember Zahn noted that the City recently received a grant related to the Complete Streets approach.

- (d) Ordinance No. 6396 adopting the Downtown Transportation Plan - Downtown Subarea Plan (DTP-DSP, 17-120230 AC) 2017 amendments to the Comprehensive Plan of the City of Bellevue, pursuant to Chapter 36.70A RCW (Growth Management Act, as amended) and Chapter 35A.63 RCW; and establishing an effective date

Mr. Cummins said staff consolidated the revisions suggested by Councilmembers during previous discussion and individual briefings. He said that nearly all of the proposed language changes by the Council used words like “consider” as it related to pay for parking and other items. Other revisions changed the spirit or intent of the original policy language and are omitted in the proposed final ordinance. Mr. Cummins noted that those issues are addressed in the agenda memo in the meeting packet.

Mr. Cummins said the Council received an email from Kemper Development Company. Mr. Cummins said he spoke with Jim Hill earlier in the day to discuss their concerns with some of the Downtown Subarea policy language. Most of the concerns relate specifically to access easements that run through buildings. City staff’s analysis of Mr. Hill’s proposed language determined that it is fairly broad and should not be applicable to a number of situations in the Downtown.

Mr. Cummins said the issues raised by Kemper Development Company are unique to their development and to easements dating to the 1980s. He said staff is committed to working with the company in reviewing specific situations to determine whether issues can be resolved to avoid negative impacts to development. He said that, as they looked at the Comprehensive Plan and some of the proposed language, staff determined that the broad policies in the current draft before the Council are most appropriate for a Comprehensive Plan. Mr. Cummins said the email from Kemper Development Company relates to specific situations that have already been executed and not to what could happen with future development.

Referring to staff’s recommended CPA language, Mr. Cummins said it is good to contemplate mid-block alley connections to avoid numerous curb cuts and/or disruptions to pedestrian connectivity, particularly exterior to a group of multiple buildings. Mr. Cummins said

Comprehensive Plan policies are implemented through the Land Use Code for project-specific development review.

Mr. Cummins said the proposed ordinance reflects a number of revisions resulting from reviews by the Planning Commission and the Transportation Commission.

Responding to Deputy Mayor Chelminiak, Nicholas Matz, Senior Planner, said the desk packet version of the ordinance incorporates all of the changes accepted into the draft ordinance. The color coding identifies which Councilmember proposed the revisions.

→ Deputy Mayor Chelminiak moved to adopt Ordinance No. 6396, and Councilmember Robertson seconded the motion.

Councilmember Lee thanked staff for working with Councilmembers to address the issues raised by the previously proposed policy language. He noted the importance of providing safety and weather protection for pedestrians in the Downtown, whether mid-block or at intersections.

Mr. Matz said staff believes that the policy language related to weather protection adequately represents mid-block connections. Mr. Matz said weather protection is addressed in greater detail for specific developments during the permitting process. Responding to Mr. Lee, Mr. Matz confirmed that the language in the ordinance is adequate to address weather protection. In further response, Mr. Matz said weather protection can be considered at intersections as well on a property-specific basis.

Councilmember Robertson proposed two revisions. She recalled that the Planning Commission recommended restoring the words “on private property” and the sentences stating that: “Mid-block connections must be shown to serve a reasonable transportation or planning purpose for serving the developments that contain them; they should not be used as a regulation to create through-grid streets on private property. The exact alignment and location of mid-block connections is subject to the design process on private property.” She said the language was previously discussed with the Council as being superfluous and unnecessary. However, the Planning Commission and other stakeholders feel the language is important, and Ms. Robertson observed that there is no harm in restoring the language.

→ Councilmember Robertson moved to amend the ordinance to restore the language referenced above to the section on mid-block access connections. Councilmember Wallace seconded the motion.

Mr. Wallace questioned the reason for deleting “private property.” He questioned whether there could ever be a requirement for a mid-block access connection that is not on private property. Mr. Matz said the Transportation Commission’s recommendation to the Planning Commission was that the statements are not necessary. He said the Planning Commission did not recommend that the Council restore the language but suggested that the Council address the issue.

Mr. Wallace expressed support for restoring the language. Mr. Chelminiak said he would support the revision as well.

Councilmember Zahn said she is pleased to see this moving forward. She recalled working on the policies in 2013 when she first joined the Transportation Commission. She likes that the words “commercial” and “accessible mobility options” are added to the goal statements on page 4.

Ms. Zahn questioned the addition of “all types of vehicles” to: “Enhance the City’s ITS to maximize the efficient use of Downtown streets for all types of vehicles, and to improve transit speed and reliability.”

Mayor Stokes requested action on the motion to amend.

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

Councilmember Robertson said her second issue relates to the situation raised during earlier oral communications regarding property on 101st Avenue, which is a private driveway. She noted a lawsuit 20 years ago that was settled in favor of the property owner.

Mr. Cummins said the City is aware of the mapping error. Staff does not see a need to amend the map, given the legal resolution of the matter in the past.

Councilmember Zahn reiterated her question about adding the words “all types of vehicles.” Ms. Robertson recalled that the Council recommended that language because without it, it looks like that section’s reference to the Intelligent Transportation System (ITS) related only to transit. When the Council adopted the ITS, the emphasis was on moving traffic including buses, cars, bikes, and shared vehicles. Ms. Zahn said that when ITS is referenced, in general, she wants to be sure it includes the concept of the better use of pavement for moving multiple transportation modes.

→ At 10:28 p.m., Deputy Mayor Chelminiak moved to extend the meeting to 10:45 p.m. Councilmember Robertson seconded the motion.

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

Councilmember Wallace noted his ongoing concern regarding the language about transit-priority streets on Main Street and NE 10th Street. He said the Council and the community need to clearly understand what that entails before changes are implemented on the streets. He cautioned that Seattle’s implementation of bike lanes and bus lanes makes it difficult to drive a car in some areas.

Councilmember Robertson thanked staff for their extensive work with the Council and expressed support for the revised version of the CPA.

With regard to the email from Kemper Development Company, Ms. Robertson said she believes those issues will be addressed through project implementation. She requested an update from staff in the future as those issues move forward and are resolved for specific development.

Responding to Councilmember Lee, Mr. Matz said the Vision Zero principles are embedded in the Comprehensive Plan to support relevant regulatory efforts.

Councilmember Robertson referred to language regarding pay for parking: “Parking programs’ revenue that exceeds enforcement and maintenance costs would be invested in downtown streetscape improvements.” She said it is unusual for Comprehensive Plan policies to tell the City how to budget. She had previously recommended striking that sentence because, should that situation arise, she would want the Council to discuss the issue at that time. She would support using the revenue for downtown streets, but she does not support including the language in the Comprehensive Plan.

Mr. Cummins concurred with her comment and noted that a number of revisions were made within a short timeframe.

- Councilmember Robertson moved to remove the language she referenced above. Deputy Mayor Chelminiak seconded the motion.
- The motion carried by a vote of 7-0.
- Deputy Mayor Chelminiak moved to adopt Ordinance No. 6396, as amended. Councilmember Wallace seconded the motion.
- The motion carried by a vote of 7-0.

Mayor Stokes thanked staff and the Council for their good work on the CPA proposals.

- (e) Ordinance No. 6397 adopting the city’s 2017 amendments to the Comprehensive Plan as separately set forth in Ordinance Nos. 6393, 6394, 6395, and 6396 pursuant to Chapter 36.70A RCW (Growth Management Act, as amended) and Chapter 35A.63 RCW; and establishing an effective date.
- Deputy Mayor Chelminiak moved to adopt Ordinance No. 6397, and Councilmember Wallace seconded the motion.
- The motion carried by a vote of 7-0.
- (f) Finalizing Council’s Guiding Principles to the Planning Commission for the East Main Station Redevelopment Area

City Manager Miyake said this item follows up from the previous week’s discussion to initiate the East Main Station Area Comprehensive Plan Amendment, Land Use Code Amendment, and rezone as concurrent processes. Staff is seeking Council approval of the Council’s guiding principles for the Planning Commission’s review.

Mr. Cummins said Attachment A reflects the revised guiding principles based on previous Council input and feedback.

Mike Kattermann, Senior Planner, highlighted the proposed changes to guiding principles 2, 3, 4, and 7. Principle 2 reflects the Council's interest in using the Downtown Livability code amendment work as a starting point in reviewing the East Main Station redevelopment area. The intent is to enhance the efficiency of the review, but not to duplicate the Downtown codes in the East Main Station area. The Council concurs with the Citizen Advisory Committee's perspective about the uniqueness of the area.

Principle 3 addresses the concepts of providing a gateway and iconic design. Principle 4 introduces language regarding the goals related to transit-oriented development (TOD), public benefits, and transit ridership. The revision to Principle 7 addresses encouraging ways for developers to create non-motorized connections.

→ Councilmember Wallace moved to approve the Council's guiding principles for the Planning Commission's review related to the East Main Station Area, and Mr. Chelminiak seconded the motion.

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

12. Unfinished Business: None.

13. Continued Oral Communications: None.

14. New Business: None.

15. Executive Session: None.

16. Adjournment

At 10:41 p.m., Mayor Stokes declared the meeting adjourned.

Kyle Stannert, CMC
City Clerk

/kaw