

CITY OF BELLEVUE  
CITY COUNCIL

Summary Minutes of Regular Session

July 19, 2010  
8:00 p.m.

Council Chamber  
Bellevue, Washington

PRESENT: Mayor Davidson, Deputy Mayor Lee, and Councilmembers Balducci, Chelminiak, Degginger, Robertson, and Wallace

ABSENT: None.

1. Call to Order

The meeting was called to order at 8:02 p.m., with Mayor Davidson presiding.

2. Roll Call, Flag Salute

Upon roll call, all Councilmembers were present. Councilmember Robertson led the flag salute.

→ Deputy Mayor Lee moved to amend the agenda to continue the East Link item from the Study Session, as Agenda Item 2(b). Councilmember Robertson seconded the motion.

Responding to Councilmember Degginger, Mayor Davidson confirmed that the intent is to complete the consultants' presentations under Item 2(b), and to continue with additional Council discussion at the end of the Regular Session agenda if needed.

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

(a) Volunteer of the Year Award

Shelly Shellabarger, Volunteer Program Coordinator, described the many contributions of Alyson McMurtry to the community including serving at the Jubilee REACH Center, founding and managing an English-as-a-second language (ESL) program, volunteering at First Presbyterian Church of Bellevue, serving on the Hunger Ministry including coordinating community Thanksgiving dinners, and coordinating the Alternative Gift Market.

Brent Christie, Executive Director of the Jubilee REACH Center, commended Alyson's service and presented her with the Volunteer of the Year award.

Mayor Davidson commended Ms. McMurtry for being a driving force in the community, and

invited her to come forward to be congratulated by the Council.

Deputy Mayor Lee added his personal thanks, stating that he is familiar with the ESL program and appreciates its value within the community.

(b) Continued East Link Review from Study Session

Responding to Councilmember Robertson, Mr. Leimkuhler said the two South Bellevue Station alternatives are approximately the same size, which is also roughly the same size as existing plans to expand the South Bellevue Park and Ride. He said the Eastgate Park and Ride garage is slightly smaller than the proposed South Bellevue facilities.

Councilmember Robertson highlighted the traffic impacts of the two alternatives. The traffic impact with station A-2 anticipates level of service B at the Bellevue Way and 30<sup>th</sup> Street SE intersection. Plans to expand the existing South Bellevue Park and Ride degrade that intersection to level of service F.

Mr. Leimkuhler said the DEIS traffic analysis for the B2M station did not propose adding any lanes to Bellevue Way South. KPFF's review reflects the addition of a lane in each direction.

Councilmember Robertson observed that a benefit of constructing Station Alternative A-2 or C is the ability to keep the South Bellevue Park and Ride functioning for transit use during construction. Mr. Leimkuhler concurred, noting that the expansion of the existing Park and Ride would close the facility for 18 to 24 months.

Councilmember Chelminiak observed that the station alternatives are elevated over the Mercer Slough. Mr. Leimkuhler confirmed that observation, and explained that the ideal situation is to not be over the slough. He noted that that is a final design alignment issue.

Responding to Councilmember Chelminiak, Mr. Leimkuhler confirmed that both of the new station alternatives are closer to the Mercer Slough channel than the existing South Bellevue Park and Ride.

Responding to Councilmember Robertson, Mr. Leimkuhler said that Station A-2 is built on better soil conditions than the existing Park and Ride.

Responding to Deputy Mayor Lee, Mr. Leimkuhler said his firm did not study the potential reuse of the existing Park and Ride site under the new station location alternatives.

Deputy Mayor Lee questioned whether the impacts associated with the station alternatives would be the same as those associated with an expansion of the existing South Bellevue Park and Ride lot.

Mr. Leimkuhler said the impacts would not be the same. Expansion of the current facility would be built within the existing footprint. He is not sure whether there would be additional wetland or buffer impacts, but the general assumption is that there would not be additional environmental

impacts. There would be traffic impacts, as reflected in the level of service F designation in the DEIS which is based on not adding any new lanes on Bellevue Way.

Responding to Councilmember Wallace, Mr. Leimkuhler said the station cost estimates include the parking structures and the additional road lanes. Councilmember Wallace observed that if the South Bellevue Park and Ride is currently at a level of service F and lanes are needed to mitigate the impact, it might be getting closer to a parity on costs. Mr. Leimkuhler said he is not sure if that is an accurate conclusion. He said it would be necessary to look at what improvements would be done to Bellevue Way and develop cost estimates.

Responding to Councilmember Wallace, Mr. Leimkuhler said the cost of the original 118<sup>th</sup> Avenue SE station was incorporated into the overall B7 alignment costs by Sound Transit. For the purposes of their analysis, KPFF estimated a specific station cost for the 118<sup>th</sup> station in order to compare it to other station alternatives.

Responding to Councilmember Degginger, Mr. Leimkuhler said his firm is aware of the soil conditions. They looked at the WSDOT reports and how the foundation would need to be modified for these conditions, which is reflected in the cost estimates. In terms of the sequence of construction and, Mr. Leimkuhler said they have not gotten into any detailed traffic control studies. However based on his experience, he believes the facility can be constructed keeping all of the I-90 ramps open at all times. They added \$500,000 to the cost estimate to reflect the temporary construction measures anticipated with regard to the ramps. In continued response, Mr. Leimkuhler said it would not be necessary to close Bellevue Way, but there could be temporary lane closures.

Responding to Councilmember Balducci, Mr. Leimkuhler said they tried to use Sound Transit's methodology in their comparison of costs. However, there are certain line items without a number, which are elements that did not appear to have a corresponding Sound Transit factor.

Councilmember Balducci stated that the cost of the extra lanes for the construction portion is \$2.5 million. The bigger question, before leave the parking garage question, is to gain a clear understanding of the delta in total costs.

Mr. van de Kamp reviewed the cost comparison. Alternative B7 with modifications begins with a cost estimate of \$510 million from the DEIS. With Station A-2, the cost from KPFF for the Station and Park and Ride is \$170 million, which is \$55 million higher than the Sound Transit-proposed Station and Park and Ride at 118<sup>th</sup> Avenue SE. The cost increment for going with Station C is \$95 million, so the total cost of B7 with this station is \$210 million. Noting the difficulty of comparing costs at this point, Mr. van de Kamp suggested combining Segment B (\$510 million for B7) and Segment C (C9T tunnel is \$990 million) costs. The costs are similar for the B2M alignment and C9T tunnel.

Responding to Councilmember Balducci, Mr. Leimkuhler explained that access to Station A-2 involves direct maneuvers from the right lane. KPFF did a traffic analysis of the roundabout, and some movements in the roundabout need to be two lanes. He responded to additional questions of clarification.

Mayor Davidson moved on to the noise analysis peer review. Mr. van de Kamp introduced Julie Wiebusch from The Greenbusch Group, Inc.

Ms. Wiebusch explained that the B7 alignment is not included in this review because there has been additional work on I-405 between the time of the DEIS evaluation and today, which changes some of the ambient conditions, lines of sight, and shielding. Also, the model assumed lower train noise levels based on noise levels with Portland's light rail system. In Seattle, the Central Link line has experienced higher noise levels than predicted. Sound Transit is repeating its study using the noise levels now experienced in Tukwila. This additional review will be part of the Supplemental DEIS work this fall.

Ms. Wiebusch said that for the B2M alignment, the report issued was a Conceptual Design Report, which is a level below an EIS. It is a screening document that contains six options along 112<sup>th</sup> Avenue to be reviewed. It used the higher noise levels experienced with Central Link and included bells and the discontinuous track. They took more measurements in the neighborhoods. They identified the number and severity of impacts, as well as potential mitigation, for each option. They concluded that mitigation could achieve a level of no impact for all options.

Ms. Wiebusch explained that the Federal Transit Administration (FTA) looks at what constitutes an impact based on its level above ambient noise and cumulative levels. The FTA allows more project noise for lower ambient conditions than it does for higher ambient conditions. Ldn levels, a measurement used to characterize noise exposure for residential areas, range from 60-70 along 112<sup>th</sup> Avenue, which is on the higher end of overall background noise levels. This ambient noise level of 60 Ldn allows a project noise level of 57, which is three decibels below the ambient level. Adding these two together represents a cumulative increase of two decibels. In the segment with Ldn 70, 64 decibels are allowed for the project, which is an overall increase of one decibel. Ms. Wiebusch noted that the calculations involve a logarithmic add and subtract.

In theory, the sound level from the Sound Transit project will be below the current ambient level. This does not mean it will not be heard, however. The study included the speed of the train as well as bells at crossings and stations and on the train itself. It included segmented track, but it did not include wheel squeal on curves and wheel flats.

Ms. Wiebusch said the consultant's conclusion in looking at the B2M Conceptual Design Report is that the study was done in line with industry standards and best practices. It did identify potential noise impacts for all the properties, the level of noise impacts, and potential mitigation.

One of the issues raised, in keeping with the FTA's methodology for conducting these evaluations, is that the FTA project noise level is based on an Ldn (i.e., an average over 24 hours) with a penalty for anything that happens at night, defined as 10:00 p.m. to 7:00 a.m. She said the Sound Transit trains run from 10:00 p.m. to 1:00 a.m., and from 5:00 a.m. to 10:00 p.m.

Ms. Wiebusch explained that the exception she would take is that the bells and the wheel impacts were also averaged on that same methodology, which dilutes the actual sound levels of the noise

occurrences. Sound Transit's report did identify potential wheel squeals at curves and potential mitigation. Mitigation for wheel squeals is identified as applying a lubricant, and the report does not assign a noise level to it.

Ms. Wiebusch opined that the mitigation proposed is appropriate. Sound Transit has a standard already specifying a quieter train, and also as a standard has wheel skirts on their trains, which covers the wheels. They have committed to put lubricators on the curves, which is what they are doing now on Central Link as a retrofit. Responding to Councilmember Wallace, she said this is working in some cases but Sound Transit is still struggling with one location.

Ms. Wiebusch said Sound Transit proposes sound walls along the B2M alignment, which can occur track-side to shield the wheels, or at the right-of-way which results in higher walls. Some of the 112<sup>th</sup> Avenue options have retained cuts, which provides a natural sound barrier. Sound Transit has committed to using a special track at the crossovers to avoid a gap. They now have the capability of doing their own wheel truing, so the trains are maintained periodically. If an engineer brakes during an emergency, he alerts them to round out the train's wheels again. As a last resort, Sound Transit has a residential insulation program, which is typically used for upper story receivers. It consists of acoustical windows, seals at the doors, and fan-assisted ventilation. However, the impact remains for exterior living space, which falls into the category of an unavoidable impact.

At Central Link on Martin Luther King Jr. Way, most of those homes received residential insulation because the noise walls, had Sound Transit put them up, would have had to be penetrated every few feet with a driveway. Here, there are many multistory facilities that will look down over any sound wall onto the alignment, and there is also a change in grade that puts residences above the alignment. Ms. Wiebusch said if there is line of sight to the train, the noise wall is not effective.

Ms. Wiebusch summarized that the study looked at the six B2M options. She feels the evaluation provides sufficient information to select a preferred option. Additional study would then be conducted on that option.

Councilmember Robertson said she appreciates this very important work, as noise is a significant concern for residents. She questioned whether light rail sounds are more noticeable even if they are not actually louder than overall noise. Ms. Wiebusch responded that they are not necessarily more noticeable. It depends on the other sounds in the area. Her sense is that the train will not be too noticeable, but the bells probably will be.

Responding to Councilmember Robertson, Ms. Wiebusch reiterated her understanding that Sound Transit is still working to resolve wheel squeal noise along one area of the Central Link line. Ms. Robertson stated that Sound Transit averages noise over 24 hours, although the trains operate for 20 hours per day. She observed that this does not fully represent the noise experienced by the community. Ms. Wiebusch said that is probably not a bad way to evaluate it for the train itself. It is the bells and the wheel clacks that cause an issue. In further response, she said she did not find any federal regulations for light rail requiring bells. However, bells are part of Sound Transit's policy for safety. Ms. Wiebusch has suggested that Sound Transit evaluate the

bells at an event level.

Responding to Councilmember Robertson, Ms. Wiebusch said of the six options in the B2M Conceptual Design Report, Option 4 is the best acoustically because it is in a trench down the center of the roadway. The street crossovers go over the trains, so there are no at-grade crossings. Ms. Wiebusch acknowledged that there are bells at the SE 8<sup>th</sup> Street station.

Councilmember Chelminiak questioned how noise reacts between sound walls, for example between the I-405 sound wall and a light rail sound wall. Ms. Wiebusch said the noise reflects back from the walls.

Councilmember Chelminiak questioned the FTA requirement that if the underlying decibel level is higher in a particular area, then the threshold for mitigation is lower. Ms. Wiebusch said it is lower in comparison to the ambient. However, the actual level is not lower. In further response, Ms. Wiebusch said the same decibel level at Surrey Downs Park and a condominium along the BNSF rail corridor would be treated the same in terms of noise mitigation.

Councilmember Balducci stated her understanding that the FTA has to approve a safety program, and the bells are part of that program. She said it would be interesting to hear from Sound Transit about whether there is flexibility in that regard. She noted work being done regarding high bells and low bells, and questioned whether that was considered as part of this study.

Ms. Wiebusch said she knows that Sound Transit has reduced the sound level of the bells, but they can reduce only to a certain point.

Councilmember Balducci explained that the bells put in place by the City of Seattle to provide safety for pedestrian crossings are smart bells, which vary their noise level depending on the ambient noise. They are programmed to be 10 decibels above the ambient noise. This helps at night because the bells are not as loud.

Ms. Balducci said she would like additional noise analysis at some points, in order for the consultant to help identify the best mitigation possible. She noted that the noise review did not evaluate the B7 route. Ms. Wiebusch responded that the preferred option for the B2M and new information for alternative B7 should both be in the Supplemental DEIS this fall. At that point, she will review them both again. She noted that the Central Link Station has a public address system that is turned off at night, and this could be done in Bellevue as well.

Deputy Mayor Lee expressed concern about the averaging of noise levels. While mitigation is possible, he is concerned that some measures will create a problem for someone else, as in the case of noise bouncing between sound walls. Ms. Wiebusch noted that there are absorptive sound walls to address that issue.

Deputy Mayor Lee observed that the technical analyses focuses on quantities, and he feels the community is asking for quality. He thanked Ms. Wiebusch for her work and indicated he wants to continue to obtain more information. Ms. Wiebusch reiterated that she feels the noise averaging is appropriate for the train, but not for the bells and wheel squeal.

Councilmember Degginger said he had the opportunity to meet briefly with the consultants last week. He noted that the executive summary in Ms. Wiebusch's report states that the methodology used in the predictions appears to be in line with industry standards and best practices for the evaluation of airborne transit noise. Responding to Mr. Degginger, Ms. Wiebusch said she has not changed her mind on that conclusion. Sound Transit did use FTA methodologies.

Councilmember Degginger observed that the consultant was not asked to look at the B7 line because the Council is still waiting for more information. She also was not asked to look at whether or not there are noise impacts for the South Enatai neighborhood related to the new Park and Ride options. Mr. Degginger characterized the study as a work in progress.

Councilmember Wallace questioned the issue of absorptive materials on sound walls. Ms. Wiebusch said this approach could be successful in mitigating noise. Mr. Wallace said Sound Transit is saying there are moderate to severe noise impacts, but that they can be mitigated to zero. He noted that this is what Sound Transit said to Tukwila regarding Central Link.

Ms. Wiebusch reiterated her understanding that there is only one area that still has a problem with wheel squeal. Some residents will be receiving residential sound insulation due to the disparity between the actual noise level from the train and the model used to predict noise impacts. She said Sound Transit is addressing the issue.

Councilmember Wallace questioned whether the bells and clacking along Bellevue Way and 112<sup>th</sup> Avenue SE, next to residential neighborhoods, will be considered an unavoidable impact. Ms. Wiebusch said she has asked Sound Transit to see what the event level would be, and what the level will be at the nearest residents. She has not seen that information yet.

Councilmember Wallace asked if it is possible to get the noise levels below federal standards, yet the noise could still be irritating to residents. Ms. Wiebusch stated that she could only answer with a yes, because federal standards are based on noise averaging.

Councilmember Wallace expressed concern that federal law is not going to protect the community as well as everyone would like.

Ms. Wiebusch reiterated her conclusion that the bells will be the problem. The wheel clacks will be taken care of with a special track or with wheel truing. The squeals will be addressed with lubrication.

Mayor Davidson thanked all of the consultants, and noted that the discussion will continue upon the completion of the Regular Session agenda.

### 3. Communications: Written and Oral

Mayor Davidson noted the Public Hearing later in the meeting and asked that individuals wishing to comment on the budget wait until that agenda item.

- (a) Mayor Davidson introduced Senator Randy Gordon, who represents the 41<sup>st</sup> Legislative District. Mr. Gordon noted that he is a resident of Lake Bellevue, and commented on the location of the light rail hospital station. He spoke in favor of option B, which provides good visibility and allows the distance between stations to be the most useful. He is troubled by the noise issues associated with light rail, and does not think the federal standard of averaging noise over a 24-hour period is adequate to provide effective mitigation. Senator Gordon said that Lake Bellevue village is a well established community, and residents would like to have distance between the lake and the lights, noise, and bells of the light rail station. He suggested the consideration of pedestrian and bicycle facilities over NE 8<sup>th</sup> Street and across 116<sup>th</sup> Avenue NE to connect to the hospitals and medical offices. Mr. Gordon thanked the Council for the opportunity to comment. Senator Gordon encouraged the community to work together to maintain Bellevue's quality of life as one of the best places to live in the country.
- (b) Dick Barbieri, Red Lion Hotel, commented on the Sound Transit East Link 112<sup>th</sup> Avenue SE options. Red Lion favors the west side option, which is the only route that compensates the most impacted residential properties along 112<sup>th</sup> Avenue SE by paying them the fair market values of their properties. Any of the other routes compensate only the commercial properties along 112<sup>th</sup> Avenue SE. The west side option has the greatest certainty and the shortest construction time. It is the least disruptive during construction, and has the least risk of unexpected costs or delays. The east side option runs into the complicated problem of trying to value partial takings of commercial properties, such as the Bellevue Club. The west side option brings closure to properties on both sides on 112<sup>th</sup>. It also brings the best result in terms of allowing for the future extension of the route, if desired, via an underpass at Main Street to connect to the tunnel portal at NE 2<sup>nd</sup> Street. The west side route allows the siting of a station anywhere along the route from SE 8<sup>th</sup> Street to Main Street, depending on what is most favorable to residents and the commercial properties. It is the only option that provides a 60-foot buffer between the tracks and the residential properties on the west side, all along the route between Surrey Downs Park and Main Street.
- (c) Cole Sherwood spoke regarding the West Lake Sammamish Parkway project. The City of Redmond has completed improvements along the west side of the parkway. However, when it crosses NE 24<sup>th</sup> Street into Bellevue, the roadway is broken and cracked. Noting Bellevue's plans to improve the road in a series of projects, Mr. Sherwood suggested that it would be more cost efficient to resurface the entire five-mile stretch in Bellevue at the same time. He is concerned that the planned widening of the road would negatively impact property owners with driveways facing the parkway. He further commented that the proposed signal at SE 34<sup>th</sup> Street is unnecessary and a poor use of funds.

Councilmember Balducci suggested that Mr. Sherwood talk with staff about the project to better understand the reasoning and issues associated with the project.

- (d) Phil Morrissey, President of the Horizon Heights Neighborhood Association, noted that his neighborhood is in south Bellevue, just up the hill from Eastgate Elementary School.



He commented on concerns about improvements in the neighborhood, which he has discussed with City staff as well. He described the steep hill at the main entrance into the neighborhood and entry way improvements, which the residents supported. The project plan also included a traffic median to be constructed at the entry way, which was voted down due to neighborhood concerns. Mr. Morrissey asked the City to use the funds that would have been used for the median to extend the sidewalk on the south side of the entry way. He commented on an additional concern about getting up and down the hill safely in snow and ice conditions. He said the neighborhood association would like to have a trail on the west side of 152<sup>nd</sup> Place SE to improve pedestrian safety. Residents have offered to assist with funding and labor for a trail project. Mr. Morrissey submitted his comments in writing, along with photos.

City Manager Steve Sarkozy said he will have staff look at this and contact the neighborhood association.

- (e) Debi Lelinski, representing the Surrey Downs Community Club, testified that residents do not support any of the proposed 112<sup>th</sup> Avenue light rail alternatives. The Surrey Downs community believes that the fundamental facts cannot be changed. None of the alignments are acceptable. She encouraged a focus on how the light rail project will meet the parameters clearly outlined in Bellevue's Light Rail Best Practices Report and Comprehensive Plan. She expressed concerns including impacts to residential properties and noise, which will not be fully mitigated. Ms. Lelinski said residents expect the preliminary engineering and environmental review process to fully document the true costs of all alignments, including mitigation measures.
- (f) Mary Colette Wallace, President of the Carriage Hills Condominium Homeowners Association, described the configuration of the development along 112<sup>th</sup> Avenue SE, which was built in 1966. The homeowners association understands that the west side alignment option would entail the acquisition of residents' property and homes. An informal survey of homeowners indicates that 82 percent prefer the west side alignment, fully aware that this means acquisition. Any other option would negatively impact residents' property and lives and remove mature trees along 112<sup>th</sup> Avenue SE. Ms. Wallace noted concerns about construction impacts for years as well.
- (g) Brent Weaver, who owns a condo on Lake Bellevue, spoke in favor of Hospital Station Option B which spans NE 8<sup>th</sup> Street. Benefits include high visibility which encourages ridership and discourages crime. Mass transit has located many bus stops at that location because it best serves the area. Option B provides a pedestrian bridge which will enhance access and the safety of light rail.
- (h) Wendy Jones, representing the Enatai Neighborhood Association's Light Rail Committee, testified that Enatai residents favor a light rail alignment using I-405. However, residents learned of the proposal to build a station and park and ride facility further south on Bellevue Way late in their process of canvassing neighbors about their preferred alignment. As a result, the association is not representing a position on the proposed station at this point. She presented copies of the neighborhood petition

reflecting 460 residents in favor of the I-405 alignment.

- (i) Aaron Laing commented that a significant development in the light rail issue is that residents of the Carriage Hills condominiums have testified that they would rather be bought out than be subjected to the noise, vibration and aesthetic impacts. Residents are concerned about how mitigation and compensation would be handled with any of the alignments. Mr. Laing said that Sound Transit does not do a formal condemnation of property unless it is physically taking property. If Sound Transit is not taking physical property, property owners are not compensated for impacts. From a mitigation perspective, Sound Transit has talked about house-by-house. However, the City's consultant has indicated that this type of approach is considered a last resort. Mr. Laing expressed concern about the unavoidable impacts to the exterior of residences. He stated that, on average, everyone along Bellevue Way and 112<sup>th</sup> Avenue SE will have a sound impact equivalent to a garbage disposal at two feet in their yards and potentially in their homes every five to seven minutes, 20 hours a day. This is considered an unavoidable impact and has been acknowledged by Sound Transit. From a property value perspective, residents will still be paying taxes but will be unable to enjoy their property.

Councilmember Balducci asked staff to comment on the statement that noise impacts would be as described by Mr. Laing. She questioned whether this is consistent with the findings of the City's noise consultant.

Bernard van de Kamp, Regional Projects Manager, noted that the consultant has left for the evening. However, he does not believe that the intent was to imply that the noise levels would be that high in exterior spaces.

Councilmember Balducci requested follow-up information on that point.

- (j) Sharon Lee, Executive Director of the Low Income Housing Institute, commented on the proposed light rail tunnel portal at NE 2<sup>nd</sup> Street. She reported that she attended a meeting of the Sound Transit Board's capital committee, which has narrowed its focus to Options 2,4, and 6. Ms. Lee said that Sound Transit's analysis demonstrated that Option 2, with a Main Street portal, has lower construction risk and a shorter construction period compared to the 2<sup>nd</sup> Street portal. The 2<sup>nd</sup> Street portal clearly shows the highest construction risk, longest construction duration, and more construction disruption than Options 2 or 6. Ms. Lee described LIHI's site which is intended to provide 60 units of affordable housing. She expressed concern that the 2<sup>nd</sup> Street portal will eliminate this project. According to the Eastside Homeless Advisory Committee, there is a tremendous need for affordable housing on the Eastside, particularly for families. The project is located to be close to the Transit Center, and LIHI would like to also have convenient light rail service adjacent to the site. Ms. Lee asked the Council to support either Option 2 or 4 and to not support the NE 2<sup>nd</sup> Street portal.
- (k) Susan Woerdehoff, Building a Better Bellevue, thanked the City for the consultants' work and reports. However, the group believes that further comprehensive, independent study and analysis are warranted to ensure that the data used to inform the Council's

decisions are sound. She referred to the Greenbusch Group's noise study, which notes a breaking in period for adjusting to noise. Ms. Woerdehoff said that residents of Tukwila have been waiting 20 months for Sound Transit to appropriately mitigate noise impacts. They cannot open their windows, sit on their decks, or sell their homes. Ms. Woerdehoff said that Bellevue residents should not suffer a breaking in period or an ill-informed choice on alignment. She referred to further findings in the report indicating that a tunnel, retained cut, or area with higher ambient noise are considered preferred configurations for light rail.

- (l) Bob Bankford, an Enatai resident and user of bus route 550, said that he lives near the South Bellevue Park and Ride and he is one of the few who want light rail in their front yard. He supports alignment B2, and would like to hear from Enatai residents along 113<sup>th</sup>, especially those along the west side. Mr. Bankford said he is not convinced that the noise and visual impacts will be greater for those along 112<sup>th</sup> than for all of the residents along 118<sup>th</sup> Avenue, who are affected by the B7 option, or for residents who would be impacted by a light rail station south of the current Park and Ride. He expressed concern about the increased costs of the B7 route, as well as the implications for the term sheet and tunnel agreement between Sound Transit and the City. He suggested that the Council consider how it would like the gateway into Bellevue at I-90 to look. He supports the west side running option along 112<sup>th</sup> Avenue SE.
- (m) Bill Thurston, President of the Bellevue Club, stated that his comments are already on record. Mayor Davidson confirmed that the Council understands his position and has received written communications from the Bellevue Club.
  - At 9:55 p.m., Deputy Mayor Lee moved to extend the meeting. Councilmember Robertson seconded the motion.
  - The motion to extend the meeting carried by a vote of 7-0.
- (n) Russ Clark, representing RBJK Ventures, Arthur Murray dance schools, and Sunset Glass, asked the Council to request that the Sound Transit Board move forward with a recommendation for Hospital Station Options B and C. He believes that further study is needed. He has been involved in this process for approximately 18 months, and he has found that sometimes full information is not available on an issue. He feels that Sound Transit is asking the Council to move forward with a recommendation without knowing all of the facts.
- (o) Rebecca Sears, an Enatai resident and transit rider, expressed an interest in being able to mitigate light rail impacts to communities and the environment. She feels it is important for the Bellevue City Council to unite around a course of action and to start directing resources toward mitigation. She did not sign the Enatai area petition in favor of an I-405 alignment. She shared misinformation that was communicated to at least some neighbors when they were asked to sign the petition, which is that Bellevue Way would be closed for a year, the South Bellevue Park and Ride would be closed, and traffic would be rerouted to 108<sup>th</sup> Avenue SE. While the Park and Ride might be closed, there was no

follow-up information about whether bus service would continue. Ms. Sears feels that the proposed light rail station south of the Park and Ride was misrepresented as having no impacts to the Enatai neighborhood. She believes that it is also incorrect to say that Sound Transit will not cover any mitigation, but that only the City would have to cover those costs. She asked the Council to keep her comments in mind when considering the Enatai petition.

- (p) Paul Skogland, a resident of south Enatai, said he was petitioned by neighbors in both the south and north sections of Enatai. He noted the significance of new information regarding a proposed station and large Park and Ride adjacent to south Enatai, as well as additional overpasses to access the station. He did not sign either petition and cannot support either the B2 or B7 at this point. He feels that individuals who signed the petitions might want to reevaluate their positions based on new information.
- (q) Gary Ritner referred to testimony from a Surrey Downs resident regarding light rail and the setbacks on how many houses per 100 feet. He speculated that the setback distance for the 170 families in Brookshire Condominiums and nearby residences is a minimum of 25 feet and probably closer to 100 feet.

At 10:06 p.m., Mayor Davidson called for a 10-minute break.

The meeting resumed at 10:14 p.m.

- 4. Reports of Community Council, Boards and Commissions: None.
- 5. Report of the City Manager
  - (a) Bel-Red Awards from PSRC Vision 2040 and Governor's Smart Communities

City Manager Steve Sarkozy deferred this item in the consideration of time.

- 6. Council Business and New Initiatives

[No reports.]

- 7. Approval of the Agenda

→ Deputy Mayor Lee moved to approve the agenda, as amended at the beginning of the meeting. Councilmember Robertson seconded the motion.

→ The motion to approve the agenda, as amended, carried by a vote of 7-0.

- 8. Consent Calendar

→ Deputy Mayor Lee moved to approve the Consent Calendar, and Councilmember Robertson seconded the motion.

→ The motion to approve the Consent Calendar carried by a vote of 7-0, and the following items were approved:

- (a) Minutes of June 21, 2010 Study Session  
Minutes of June 21, 2010 Regular Session
- (b) Resolution No. 8120 authorizing execution of all documents necessary for approval of payment in the amount of \$80,000, to implement settlement of the lawsuit for personal injury damages filed by William H. Wood against the City.
- (c) Resolution No. 8121 authorizing execution of a one-year software maintenance and modified licensing agreement for the Enterprise Content Management (ECM) system with Oracle Corporation, in an amount not to exceed \$171,445.83, renewable for one year, and further authorizing termination of the City's current ECM maintenance agreement with ImageSource Inc.
- (d) Resolution No. 8122 authorizing execution of the Agreement for Home Energy Report Pilot Program in an amount not to exceed \$185,000.
- (e) Limited Tax General Obligation Bonds

Ordinance No. 5954 providing for the issuance and sale of limited tax general obligation (LTGO) refunding bonds of the City in the aggregate principal amount of not to exceed \$13,700,000, to provide funds for the purpose of defeasing and refunding certain LTGO bonds of the City, and paying costs of issuance of the bonds; authorizing the plan of refunding; authorizing a preliminary and final official statement; providing the form and terms of the bonds; providing for the disposition of the proceeds of the sale of such bonds and plan of refunding; and providing for continuing disclosure.

Ordinance No. 5955 providing for the issuance of limited tax general obligation bonds of the City in the aggregate principal amount of not to exceed \$12,000,000 for the purpose of providing funds to finance, reimburse or refinance a portion of the cost of the City's capital improvement program; authorizing a preliminary and final official statement; approving a competitive sale of such bonds; providing the form and terms of the bonds; providing for the disposition of the proceeds of sale of such bonds; and providing for continuing disclosure.

- (f) Motion to approve payment of claims for the period April 9, 2010 through July 2, 2010, and payroll for the period March 16, 2010 through June 15, 2010.
- (g) Motion to award Bid No. 10178 to Milne Electric, Inc., in the amount of \$121,282.66, as the lowest responsible bidder, for lighting replacement projects at the South Bellevue Community Center gymnasium and Robinswood Tennis Center.

- (h) Motion to award Bid No. 10188 to Bravo Landscaping, in the amount of \$63,035.00, as the lowest responsible bidder, for the construction of the Mercer Slough Environmental Education Center irrigation system located at 1625 118th Avenue SE.
- (i) Motion to award Bid No. 10190 to AGR Contracting, Inc., in the amount of \$67,346.25, as the lowest responsible bidder, for construction of the Coal Creek SE 60th Street Trailhead improvements located at approximately 12910 SE 60th Street in the Coal Creek Natural Area.
- (j) Motion to award Bid No. 10198 to Stanley Roofing, Co. Inc., in the amount of \$768,077.63, as the lowest responsible bidder, for parks roofing projects at the Bellevue Aquatic Center, Crossroads Park Golf Course, Highland Community Center, Wilburton House and Northwest Arts Center.
- (k) Resolution No. 8123 accepting appointment as the administering agency for A Regional Coalition for Housing (ARCH).
- (l) Resolution No. 8124 authorizing execution of an Interlocal Agreement with King County, in an amount not to exceed \$52,600, for guardrail installation to be performed by the King County Road Services Division.
- (m) Resolution No. 7923 authorizing execution of: 1) a Turnback Agreement (TB-1-0207) between the Washington State Department of Transportation (WSDOT) and the City leading to the transfer of right-of-way located at 112th Avenue NE and NE 10th Street to the City, and 2) a General Maintenance Agreement (GM1492) between WSDOT and the City for certain improvements constructed by WSDOT, as part of the NE 10th Street Extension, 112th Avenue NE to 116th Avenue NE (CIP Plan No. PW-R-149).
- (n) Ordinance No. 5956 repealing and amending Sections of Chapter 12.04 of the Bellevue City Code (i.e., the Harbor Code); adopting new Sections 12.04.085; and 12.04.335 to Chapter 12.04; adopting a new Chapter 12.02 to Title 12 of the City Code; and adopting a new Section 12.02.010 relating to the City's Harbor Code governing activities upon all waters located within the jurisdiction of the City of Bellevue, including Lake Washington and Lake Sammamish.

9. Public Hearings

- (a) Second Public Hearing on the 2011-2012 Budget and 2011-2017 Capital Investment Program (CIP) Plan

→ Councilmember Chelminiak moved to open the Public Hearing, and Councilmember Balducci seconded the motion.

→ The motion to open the Public Hearing carried by a vote of 7-0.

The following individuals came forward to comment:

- (1) Charles Watts, an attorney in Bellevue, thanked the Council for its support of the Eastside Legal Assistance Program (ELAP) and requested continued financial assistance.
- (2) Stan Kiel, Executive Director of ELAP, reported that the program served more than 800 people in 2008 and 1,000 people in 2009. ELAP represents low income individuals including seniors and domestic violence victims.
- (3) With the assistance of an interpreter, a client described her experience with the Eastside Legal Assistance Program, which helped her obtain a small inheritance to which she was entitled.
- (4) Jo Ellen Munson, Branch Manager for Therapeutic Health Services, thanked the Council and Human Services Commission for its consistent support of human service agencies. Therapeutic Health Services is an out-patient substance abuse and mental health agency.
- (5) Wendy Bain described her personal history of owning a home and having a successful career. She acknowledged that some bad choices led her to seek help from Therapeutic Health Services, at which time she was unemployed and homeless. She is now working again and has been promoted twice, and rents a home for herself and her daughter. She thanked the agency for helping her turn around her life between last September and this past May. Ms. Bain hopes the agency will be able to continue to help others.
- (6) Barbara Cohen said she began working in 1979 with the Eastside Recovery Center, which became Therapeutic Health Services. She was employed by the City of Bellevue in probation services for 10 years, is a resident of Bellevue, and has served on the Board of Therapeutic Health Services for 20 years. She encouraged continued support of this agency.
- (7) Jo Ellen Munson read a translated statement from a client of Russian Counseling Services, which is an active partner with Therapeutic Health Services. The individual stated that he has been sober for five years, has a family and successful business, and has quit smoking. He feels that counseling is more helpful than detention to help people to understand their problems and find the right way to solve them. He has referred others to THS, which unfortunately is not able to help all of them due to budget constraints. He encouraged the Council to support the agency's important services, including assistance to Russian-speaking individuals.
- (8) Karina O'Malley spoke on behalf of Helen Leuzzi, Executive Director of The Sophia Way, which is the first shelter and housing program for single homeless women on the Eastside. She thanked the City for its amazing support of human services and its commitment to help its citizens. The Sophia Way opened 19 months ago and has housed 33 women in apartments and community housing. The group plans to help a total of 48

women by the end of the year. She asked the Council for its support of this provider.

- (9) Linda Nageotte, President and CEO of Food Lifeline, said that they are the largest hunger relief organization in Washington state. Bellevue has historically funded local food banks, but Food Lifeline has not been recommended for funding. Food Lifeline is a member of the Alliance of Eastside Agencies and recognizes the importance of the City's funding of a range of human services. Ms. Nageotte said that King County has eliminated its funding to Food Lifeline, at a time in which the need for their services has risen to the highest level ever recorded by hunger relief organizations. The agency can feed a family of four for every dollar it receives. She noted that Seattle and Shoreline provide assistance to both local food banks and Food Lifeline. Ms. Nageotte asked the Council to reconsider Food Lifeline's request for \$10,000 to provide 40,000 meals.
- (10) Gloria Veal, a Microsoft employee in Bellevue, spoke to the problem of hunger and requested the City's support of Food Lifeline.
- (11) Chris Katzmar Holmes, President of the Youth Eastside Services (YES) Board of Trustees, thanked the City for its ongoing support. She encouraged the Council to accept the budget recommendation of the Human Services Commission to continue its support of YES. Bellevue's contribution to YES in 2009 provided more than 10,000 hours of services to youth and families struggling with stress, depression, violence and substance abuse. The majority of individuals seen by YES successfully overcome their problems. Ms. Katzmar Holmes said the recession has increased family stress and violence, and has resulted in more acting out by children with more of them turning to drugs and alcohol.
- (12) Jeremy Vargas, Clinic Administrator for Sea Mar Community Health Centers Bellevue Clinic, explained that Sea Mar is a community-based organization that is committed to providing quality and comprehensive health and human services to the diverse community. They have specialized over the years in providing assistance to the Latino community.
- (13) A Bellevue resident who works for Sea Mar Community Health Centers described the agency's assistance to the community and to those without health insurance. She thanked the Council for considering its request for City support. Manuela Pacheco, a Spanish-speaking client and Bellevue resident, described the services she received from Sea Mar Community Health Centers in helping her to recover from an injury.
- (14) Ms. Clark, Manager for the Family Development Program at Hopelink, said the program provides a range of services including a food bank, energy financial assistance, adult education, housing, employment services, and transportation assistance. She thanked the Council for providing the essential support for human services.
- (15) Marty Jacobs, Family Services Director for Child Care Resources, requested the City's ongoing support of its services. She described the importance of helping children at a young age to ensure healthy development. CCR helps families obtain child care services, offers training and technical assistance to child care providers, assists working families



with child care scholarships, and supports homeless families with child care subsidies.

- (16) Cindy Sandoval spoke on behalf of the Children's Response Center, which assists children and families affected by child abuse, including sexual victimization. She thanked the City for its support over the past 20 years, which helps the Center to leverage other public revenue. Early prevention programs are also provided by the Center.
  - Deputy Mayor Lee moved to extend the meeting until midnight, and Councilmember Robertson seconded the motion.
  - The motion to extend the meeting carried by a vote of 7-0.
- (17) Susie Winston, Sound Mental Health, testified that the support of the City Council and the Human Services Commission is critical to all human service agencies. She thanked Bellevue for providing assistance to their counseling services, Children's community support services, and behavioral responsibility program.
- (18) Alaric Bien, Executive Director of Chinese Information and Service Center, spoke on behalf of the Alliance of Eastside Agencies. He asked the Council accept the budget recommendations of the Human Services Commission. He thanked the Council for its ongoing support of human services and its understanding of significant needs in the community that are often hidden and overlooked.
- (19) Karen Anderson-Bittenbender, Deputy Executive Director of the Low Income Housing Institute (LIHI), spoke on behalf of the Eastside Homeless Advisory Committee (EHAC). She encouraged the Council's continued support of housing through its membership in A Regional Coalition for Housing (ARCH). She reviewed statistics on homelessness in Bellevue, which is increasing with the high unemployment rate.
- (20) Kevin Kelly, Bellevue Chamber of Commerce, noted Bellevue's recognition in Money magazine as one of the best places in the country to live. He testified that the top priorities of Chamber members are the retention of current businesses, transportation infrastructure and accessibility, and public safety. A total of 72 percent of surveyed members felt that the best way to close the budget shortfall is to reduce the size of government or find efficiencies, even if that means service reductions. Mr. Kelly said the Chamber has formulated a budget task force and looks forward to working with the Council to look at critical needs.
- (21) Karen Williams, Housing Development Consortium of King County, thanked Bellevue for being a regional leader in providing affordable housing. She commended the Bel-Red Corridor Plan for including affordable housing in connection with employment centers. Ms. Williams noted that Bellevue created and continues to support ARCH, which has not been successfully replicated anywhere in the country. She thanked Bellevue for this leadership and noted that ARCH's Bellevue staff are conscientious and effective.
- (22) Patrick Bannon, Bellevue Downtown Association, expressed support for the capital side

of the budget and urged a continued focus on adopted plans and projects. He encouraged the Council to continue its efforts in addressing the M&O transfer between the capital and operating budgets, exploring the potential for the long-term use of debt, securing state and federal grants, and participating in public and private partnerships. The BDA would like the City to review its urban design and livability policies and plans as outlined in the Downtown Implementation Plan.

(23) Christine Addison, representing KITH (Kirkland Interfaith Transitions in Housing), noted properties in Kirkland and a housing partnership in the Crossroads area of Bellevue. She encouraged Council's support of the Human Services Commission's recommended allocations. She invited Council and the public to KITH's party and fundraiser at the Bellevue Hilton on October 2.

→ Deputy Mayor Lee moved to close the Public Hearing, and Councilmember Robertson seconded the motion.

→ The motion to close the Public Hearing carried by a vote of 7-0.

10. Land Use: None.

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 11:19 p.m., Mayor Davidson declared recess to resume discussion of the Study Session item regarding East Link light rail.

[See Study Session minutes for remainder of discussion.]

Myrna L. Basich, MMC  
City Clerk

/kaw