

CITY OF BELLEVUE  
BELLEVUE PLANNING COMMISSION  
STUDY SESSION MINUTES

June 8, 2022  
6:30 p.m.

Bellevue City Hall  
Virtual Meeting

COMMISSIONERS PRESENT: Chair Malakoutian, Vice Chair Ferris, Commissioners Bhargava, Brown, Cuellar-Calad, Goepple, Morisseau

COMMISSIONERS ABSENT: None

STAFF PRESENT: Thara Johnson, Emil King, Janet Shull, Mike Kattermann, Department of Community Development; Matt McFarland, City Attorney's Office

COUNCIL LIAISON: Councilmember Robertson

GUEST SPEAKERS: None

RECORDING SECRETARY: Gerry Lindsay

1. CALL TO ORDER  
(6:31 p.m.)

The meeting was called to order at 6:31 p.m. by Chair Malakoutian who presided.

Chair Malakoutian took a moment to outgoing Commissioner Moolgavkar for participating as a member of the Commission. Commissioner Moolgavkar brought to the table a very unique perspective and will be missed.

Vice Chair Ferris added having learned a lot from Commissioner Moolgavkar over the years.

Commissioner Bhargava praised Commissioner Moolgavkar for the pragmatic perspectives brought to the table.

Commissioner Morisseau echoed the positive comments about Commissioner Moolgavkar, noting that it had been a true pleasure having Commissioner Moolgavkar on the Commission. A card should be signed and sent to Commissioner Moolgavkar in recognition of years of service.

Chair Malakoutian welcomed new Commissioner Luisa Cuellar-Calad. Many excellent and qualified applicants applied, and all who were interviewed were amazing. Commissioner Cuellar-Calad rose to the top and was selected by the Council.

Commissioner Cuellar-Calad voiced feeling privileged to have been selected to serve on the Commission. Born in Columbia and a resident of Bellevue since 2018, Commissioner Cuellar-Calad noted having traveled around the world and said Bellevue is the best city in the world.

Councilmember Robertson said it is always difficult in deciding who to appoint to the Commission given the task of choosing the pearl among many pearls. The Council unanimously confirmed Commissioner Cuellar-Calad, who is a Downtown resident.

2. ROLL CALL  
(6:38 p.m.)

Upon the call of the roll, all Commissioners were present in person, with the exception of Commissioner Morisseau who participated via Zoom.

3a. APPROVAL OF AGENDA  
(6:38 p.m.)

A motion to approve the agenda was made by Commissioner Goepple. The motion was seconded by Commissioner Brown and the motion carried unanimously.

3b. ELECTION OF OFFICERS

A motion to nominate Vice Chair Ferris to serve as Chair was made by Commissioner Brown. Absent additional nominations, nominations were closed.

Vice Chair Ferris was elected Chair by unanimous vote.

A motion to nominate Commissioner Bhargava to serve as Vice Chair was made by Commissioner Morisseau. Absent additional nominations, nominations were closed.

Commissioner Bhargava was elected Vice Chair by unanimous vote.

4. REPORTS OF CITY COUNCIL, BOARDS AND COMMISSIONS  
(6:42 p.m.)

Councilmember Robertson reported that the City Council's annual retreat would begin on June 9 and would focus on how to operate better, developing priorities, and focusing on specific issues for the budget year. Even though the economy remains strong in Bellevue, it is expected that close attention will need to be paid to the budget. Police officers are being added to close a gap, and more firefighters are being added because a new fire station is being opened, all of which will need to be taken into consideration. On June 6 the Council talked about potentially putting a parks levy on the ballot in November, one for capital and possibly one for maintenance and operations; a decision on that front will be made by the end of July.

The Council's discussion on June 8 also covered the issue of autonomous vehicles and the need to have places for such services to safely pick up and deliver at the curb. The Council decided that a dashboard should be added to the city's website to facilitate information sharing. Affordable housing continues to be a big item for the Commission and the city to grapple with. A limited ordinance regarding trees in the city has been directed to come forward for consideration following an incident where a person acting without a licensed contractor to take down a tree caused damage to a neighboring home. The Council will also be looking at updating the tree codes citywide, an issue that likely will come before the Commission.

With regard to Wilburton, Councilmember Robertson noted that the relevant Council priorities were created before the CAC created the Wilburton plan. The Council discussed the priorities and made no changes to them, but did conclude that the CAC plan should serve as the base going forward. The Commission was cautioned against going backwards and making the area less dense than the CAC's recommended vision.

5. STAFF REPORTS  
(6:48 p.m.)

A. Introduction to Community Development Director

Comprehensive Planning Manager Thara Johnson took a moment to introduce Mike Kattermann, new director of the Department of Community Development.

Mike Kattermann noted having started as director in late April and highlighted his previous experience at the city as a senior planner from 2007 to 2018. It is an exciting time to be working on planning issues in Bellevue.

B. Planning Commission Meeting Schedule

Thara Johnson took a few minutes to review the Commission's schedule of upcoming meeting dates and agenda items.

6. ORAL AND WRITTEN COMMUNICATIONS  
(6:54 p.m.)

Todd Woosley, one of the owners of Briarwood Center in the Wilburton neighborhood to the south of the Spring District, noted having looked forward to the Wilburton rezone since 2007. The opportunity is exciting and the work of the Commission is appreciated. The time is right given that the need is beyond measure. The Commission should look at the area as the gateway into the BelRed corridor. Briarwood Center is located between two light rail stations, Spring District and Wilburton. Additionally, the city is investing \$300 million in Complete Streets for transit oriented development. The Briarwood property has been reduced on three sides to provide for the transportation infrastructure. If not listed as a transit oriented development area, the site could lose five feet of allowed building height. It is time for the properties that were developed in the 60s and 70s to transition into the 21<sup>st</sup> Century.

Thara Johnson noted having received and including in the Commission's packet a letter relating to HB 1099 and the importance of addressing climate change.

7. PUBLIC HEARING – None  
(6:59 p.m.)

8. STUDY SESSION  
(6:59 p.m.)

A. Briefing on the Wilburton Vision Implementation

Assistant Director Emil King said the Wilburton study was launched by the Council on April 25 and includes both a Comprehensive Plan amendment and a Land Use Code amendment. The preferred alternative as outlined by the Wilburton CAC is to serve as the baseline for the Commission's discussion. The CAC's report was transmitted to the Council in mid-2018. The work represents a huge opportunity to create a true new urban neighborhood in the city. Tremendous growth and changes are occurring in the city, all of which will continue. Wilburton offers a key opportunity to help balance the city's job and housing growth. Also part of the effort is Eastrail and the Grand Connection. The CAC's vision statement from 2018 was referenced

and it was noted that the statement highlights the opportunities to serve the needs of a diverse population.

The Wilburton area is the last of the planning areas in the transit growth corridor. It covers about 300 acres. While the area is currently largely commercial, the vision calls for a sustainable vibrant and mixed use neighborhood. Wilburton's location is unique in that it has walkable access to the East Main, Downtown, Wilburton and Spring District light rail stations, and to Eastrail. The Grand Connection on NE 6<sup>th</sup> Street also connects the Downtown to Wilburton.

Deleted: some

The new plan and code for BelRed was adopted in 2009. That helped to drive where the stations are located in the BelRed area. The Downtown Livability Initiative work was adopted in 2017, and just in 2021 the East Main Land Use Code amendment was adopted. Wilburton is the last piece of the transit corridor puzzle.

Emil King said the 15-member Wilburton CAC was appointed by the Council. The CAC wrapped up its work in 2018 after more than a year of work. Half the members of the CAC were board and commission members and the other half were residents and business interests. As previously noted, the Council has directed the Commission to use the CAC's preferred alternative as the baseline and to consider any necessary updates when looking at growth targets, housing affordability, sustainability, equitable access, Grand Connection impacts and integration, universal design and multimodal transportation.

Strategic Planning Manager Janet Shull said the vision presents a preferred urban design framework. It discusses and presents a number of design principles specifying building design and character, transportation, streets and streetscapes, parks and open space, affordable housing, a number of precedents, and recommended implementation strategies. Slides of what the various areas of the study area could look like based on the design principles were shared with the Commission.

Deleted: principals

Janet Shull noted that the report contains a robust discussion and many recommendations in terms of transportation and increasing connectivity to improve access to transit and the Eastrail corridor. Potential future local streets and what are referred to as activated alleys are all included in the report along with pedestrian paths. The CAC recognized the need to think about connectivity as a means of having a walkable and livable neighborhood. The report emphasizes pedestrian and bicycle access as well as street-level activation. There is the potential for activation projects along the Eastrail corridor.

Within the study area there are opportunities to address sustainability, parks and open space. There is an existing wetland and Sturdivant Creek runs north and south through the study area. In thinking about transportation projects, there are opportunities to include green storm water infrastructure.

Deleted: s

Deleted: opportunity

The transportation recommendations reference inspired designs, places to incorporate art or interesting pavement and materials, and an overall greater sensitivity to placemaking as a way of making a dense and activated place attractive and welcoming.

Parks and open space is talked about extensively in the report. The Eastrail corridor is highlighted as a facility for pedestrian and bicycle movement but also an opportunity to provide active open space opportunities to Wilburton as well as to the broader community. Adjacent to the trail things like restaurants, shop and services should be offered, particularly in the core area of the study area. In addition to the major open space, there is a vision expressed involving

having well-designed publicly accessible pocket parks and plazas associated with development. The Grand Connection Sequence 2 is not part of the Wilburton study, but it should be kept in mind. The Grand Connection was specifically referenced in the CAC vision.

Turning to the topic of affordable housing, Janet Shull noted that the need currently is even greater than it was in 2018. The CAC report speaks to the importance of affordable housing and states Wilburton should have a role in helping to provide places for it. The need for associated supportive services is also mentioned, and the need for culturally relevant amenities is called out as well.

Janet Shull stressed the importance when moving toward implementation of recognizing the role Wilburton will play in relation to compliance with the Growth Management Act in terms of housing capacity, housing choice and responding to the city's growth targets. The importance of Wilburton as a diverse and connected neighborhood should also be kept in mind. One key aspect that will be looked at is the future of the NE 6th Street extension. Currently NE 6th Street is an on- and off-ramp associated with the transit center and is accessible by HOV vehicles and buses. There is a plan on the books to extend the roadway all the way north to 120<sup>th</sup> Avenue NE. The Wilburton vision includes a specific recommendation that NE 6th Street should terminate at 116<sup>th</sup> Avenue NE. Some things that have changed since the 2018 report, including the guiderail for the light rail station that will cross over the area; and the recognition that if NE 6th Street extended all the way to 120<sup>th</sup> Avenue NE it would intersect with the Eastrail trail, providing another at-grade intersection with a lot of traffic. Sustainability and equity are also major elements to consider in terms of implementation.

(7:26 p.m.)

Commissioner Goeppele said one major change since 2018 has been the need for affordable housing. Additionally there is the trajectory for job growth and the likelihood that Bellevue will well exceed the projected new 70,000 jobs, resulting in a desperate need to supplement housing. Even many who work in the high-tech industry face challenges in locating near where they work. Employers face challenges in terms of recruitment as well as retention.

Commissioner Brown echoed the clear need for affordable housing. Wilburton appears to be one of the city's best opportunities to add density, affordable housing and workforce housing. The pandemic has forced all companies to figure out how to work remotely, resulting in a need for far less office space. It is not yet known if companies will have all their employees return to work or face a continued demand by employees to be able to work remotely. All of that will need to be taken into account in terms of the balance between jobs and housing.

Commissioner Cuellar-Calad commented that the proposal shows an area that would be perfect for single persons with no kids or responsibilities. Nothing is shown to accommodate families with children, however. Companies wanting to be able to retain their employees will want to see a balance in the neighborhood.

Vice Chair Bhargava acknowledged the fantastic work done by the CAC in developing the 2018 plan. The application of open space accessible to all kinds of users is an excellent idea. One thing that has changed since the plan was developed is the density of jobs in Downtown Bellevue, which has grown beyond expectations and will continue to grow. The question then is not just about affordable housing but the density of housing in general and a mix of housing typologies that allow for a diversity of family types to be accommodated. One thing that changes quickly is technology. There have been evolutions over the last ten years that may or may not be thought

about that have direct ties to land use, infrastructure, zoning and planning, such as recycling and district-wide heating and cooling systems that differ from the conventional. Wilburton offers great opportunities to explore new approaches.

Commissioner Morisseau echoed the comments about the impact of Covid on housing. The key word should be flexibility. It is not known when things will go back to normal, if indeed they ever will. It is not known whether all workers will end up back in offices. In thinking about different land uses, there should be a focus on flexibility. A building constructed to serve as an office should be offered the flexibility to be adapted for some other use. Gas prices have gone up and if they ever go back down, they likely will not go down as far as they were, which means there is a potential for an increase in the number of electric vehicles and Wilburton should be set up to be ahead of the curve.

Commissioner Malakoutian thanked the staff for their presentation and the CAC for providing an amazing baseline. Everything the CAC highlighted about accessibility, affordability, sustainability, equitability and flexibility is great, but it will all come down to how they are implemented to achieve the right outcome.

Chair Ferris said Bellevue has the best school district in the entire state. To be able to accommodate families so that they can have access to the schools is critical. On the other end of the scale, senior citizens need to have safe places to live; they should be considered when talking about placemaking. In terms of technologies, it would be good to research what other cities around the world have done to get ahead of the curve. Bellevue should lead rather than follow.

Addressing the question concerning important considerations in aligning the Wilburton vision with the citywide vision, Commissioner Malakoutian said the opportunity should be taken to marry Wilburton to the Downtown.

Commissioner Morisseau stressed the need for flexibility. The recommended building height range of 70 feet and up to 450 feet closer to the freeway is intended to accommodate the coming growth. In the past, however, the city has fallen short of meeting its goals. There is a need to be bold in thinking about the area. The work of the CAC should be respected, but if possible consideration should be given to building heights of even more than 450 feet near the freeway. That could be done with incentives to provide things like affordable housing. Wilburton's location and proximity to the freeway and the Downtown makes it appropriate for going up to 600 feet where it makes sense.

Vice Chair Bhargava noted that Wilburton has easy access to several transit stations and Eastrail. In thinking about walkability and creating unified centers that will allow for various densities, the urban diagrams shown in the CAC plan do not fully work. As shown, it looks like each transit station area becomes a core with densities radiating out from them. What is needed is more of a center core.

Commissioner Brown commented that the Wilburton exercise will serve as an opportunity to shape the city for the future by creating an important and vibrant part of the community that is shockingly affordable and walkable with access to transit. The city needs to take the opportunity to be bold. Incentives could be the right way to gain affordable housing and accommodate families. Every lever under the command of the city should be used to gain affordable housing and spaces that will work for future communities.

Commissioner Goepple said he did not see in the slide presentation any changes around Lake

Bellevue. If nothing is planned for that area, it would seem to be a lost opportunity, particularly in regard to green space. Commissioner Goeppele concurred with the comments made about incorporating technology and infrastructure and said now is the time to do it.

Chair Ferris agreed the Lake Bellevue area would be ideal for incorporating housing and open space. While the need for density is clear, Wilburton should not become another Downtown. It should be truly a separate neighborhood with a different look and feel.

Chair Ferris noted that there are some big box stores in the Wilburton neighborhood that do not seem to fit in with the vision for the area.

Addressing the question about how the Wilburton vision can help Bellevue advance its goals for housing, equity, sustainability and economic opportunity, Commissioner Brown commented that the area certainly provides all the features needed to support those goals. Looking to incorporate new technologies in infrastructure makes perfect sense. Retaining trees should be done to the degree possible, and opportunities should be provided for mom and pop stores, restaurants and family run businesses along the Eastrail and major pedestrian walkways to help create a sense of place along with providing economic opportunities.

Commissioner Cuellar-Calad commented that equity can be accomplished by providing for a healthy mix of housing opportunities.

Vice Chair Bhargava asked how the Wilburton vision can offer incentives for local businesses. Over the last 20 years there has been a decline in local business ownership. Also asked was how the city defines equity. Emil King said a definition of equity will be added to the Comprehensive Plan as part of the periodic update. With regard to local businesses, the city's economic development folks are currently working to understand what is currently done relative to business retention and attraction. There are currently a lot of small businesses in the Wilburton area, but as areas redevelop some could be displaced. That will need to be addressed.

Commissioner Morisseau [stated that](#) a recent leadership class taught the lesson that everyone impacted by a problem should be part of the conversation aimed at finding a solution. The city must do a better job with public engagement if it really wants to solve the housing crisis. The conversation about equity needs to happen at the city level in terms of drafting a definition, but it also needs to happen in the community. Too often people think equity and equality are the same. The best way to define the term will be to bring the various demographics represented in the city to the table to be part of the conversation. All too often the city has discussions and then members of the public show up at a meeting saying they had not previously even heard about an issue being discussed. If the city is serious about finding solutions for the people who are served, a better job of engaging the community needs to be done. New and innovative ways to reach out to the community need to be found.

Commissioner Malakoutian allowed that as the area redevelops, existing small businesses will find they cannot afford the rent and will be forced to leave. Places with affordable rents already are hard to find. There have been conversations about affordable housing but not about affordable spaces for small businesses. That issue needs to be part of the conversation going forward.

Commissioner Morisseau commented that in the past the city has either offered greater FAR or greater height as incentives for affordable housing. In some instances developers either build affordable housing or pay a fee in lieu. The reality is that most developers take advantage of the

fee in lieu and the desired affordable housing does not materialize. Maybe the city needs to be a little more thoughtful in reviewing the incentives used in the past to determine which of them have been the most successful and which have not been successful. Bolder steps should be taken with the incentive system to get the results the city wants.

Commissioner Brown asked if there have been incentives that worked successfully in Bellevue, and if there are incentives used by other cities that have actually resulted in affordable housing. Most of the world's least affordable cities are in the United States. There needs to be a clear focus on incentives that will actually work in causing affordable housing to be built. Emil King said the short answer is that the staff, at the direction of the Council, are currently doing the work of reviewing what has worked in Bellevue and investigating what works in other cities nationally and internationally.

Commissioner Goepple raised the issue of the NE 6th Street extension and how certain and predictable it is from a permitting standpoint. Presumably it will involve dealing with the Washington State Department of Transportation and the like. The question was asked whether or not the extension will be able to be constructed, making the Grand Connection work the way it is intended to work. Emil King said at a future meeting staff will go into more detail regarding NE 6th Street and the relationship of Wilburton to the Grand Connection. The short answer is that the extension of the HOV lane that currently goes from Downtown to the center of I-405 can feasibly be extended eastbound to the Wilburton area. The Council's current vision regarding the Grand Connection is to have the lid concept occur between NE 4th Street and NE 6th Street. WSDOT has the NE 6th Street extension on its radar. The Grand Connection is still only a vision and a lot more design work needs to happen.

**\*\*BREAK\*\***

## 9. OTHER BUSINESS

### A. Amendments to the Planning Commission Bylaws

Assistant City Attorney Matt McFarland reminded the Commissioners that prior to the pandemic city code limited remote participation for all board and commission members to no more than two members per meeting, and no more than four meetings per year. That is memorialized in the Commission's current bylaws in Article V Section G. On June 1, 2020, in response to the Governor's emergency order with respect to the Open Public Meetings Act, the Council amended the city code provisions and eliminated the remote participation restrictions, allowing for full remote participation. The Council explained at the time that the amendments were only response to the pandemic and were meant to be temporary. Also in June of 2020, the Commission acted to suspend Article V Section G of the bylaws, allowing all members to participate remotely.

Continuing, Matt McFarland noted that over the last few months the Council held a number of study sessions that included lengthy and robust discussions about remote participation for the boards and commissions. Ordinance 6662 was adopted on May 16, 2022, amending all of the city's personnel code provisions in Title III, in which the Commission's specific section is Chapter 364. With Council action taken to define the parameters of remote participation, it is possible to amend the Commission's bylaws accordingly.

Ordinance 6662 applies equally to all city boards and commissions and limits the number of members who can participate remotely at any one meeting to three. There are no limits on the



number of times any individual member can participate remotely during the year. Under the ordinance, the presiding officer must be present in person. Typically the Chair is the presiding officer, but in the instance where the Chair is one of the three persons participating remotely, the presiding officer duties must be passed to another member present in person for the meeting in order to facilitate the meeting. The substance of the provisions of Ordinance 6662 are not variable.

Deleted: Those

Matt McFarland said additional audit-based changes were identified. Article III Section A and Article V Section G have both been amended to conform to Ordinance 6662. The other changes are needed either to correct outdated or incorrect citations. The sign-in process was updated to reflect the new hybrid meeting status, allowing people to sign in in-person or electronically or digitally. Article VII Section C Paragraph 2 and Article VII Section D both contain the language that captures the hybrid meeting oral communications process. An amendment was also added to the bylaws about seconding motions and the Chair announcing motions. Over the years there have been instances in which motions made were discussed and voted on without having been seconded. While the bylaws and Roberts Rules processes of making sure motions are seconded should be followed, actions taken by a majority on motions without a second are not invalid. All city boards and commissions have adopted or will be adopting the same amendments, with the exception of those specific to the Planning Commission.

Matt McFarland said one new provision relative to remote participation is the requirement for approving in advance all remote participation. The recommendation was made to have a standing item on the agenda, perhaps under Other Business, where requests to participate remotely at future meetings are voted on in order to comply with 3.64.030.E. Given the new restrictions, members unable to attend a meeting in person due to an emergency will not be able to participate remotely by virtue of not previously having been approved to participate remotely. The silver lining may be the fact that the Council included in the ordinance a provision to revisit the new rules after one year to see how well they are working.

Commissioner Malakoutian said there are complex issues in Ordinance 6662. The provision that disallows someone experiencing an emergency from attending remotely due to a lack of prior approval is troublesome. There could be an instance in which one or more members are voted by the Commission to participate remotely for several meetings, and it does not necessarily make sense that someone faced with an unexpected circumstance would not be allowed to participate remotely as well, even without voted permission.

Commissioner Brown echoed those comments and could see no reason not to allow a member to participate remotely should unforeseen circumstances arise. Matt McFarland noted that during the pandemic attendance by Commissioners at Commission meetings has been at very high levels. Remote participation actually facilitated that, and that has not been lost on the City Attorney's Office. There have been instances in the past when the previous remote participation restrictions were in place where getting a quorum proved difficult. Those are the types of things to monitor and note and to bring up in a year when the provisions are revisited.

Vice Chair Bhargava asked if there has been a difference in the functional outcomes of the boards and commissions owing to remote participation that led the Council to adopting the pre-approval requirement. Matt McFarland was unable to speak for the Council but allowed that the Planning Commission has lately done a very good job dealing with difficult subject matter and conflicting public input, all via remote participation. It is hard to know if that is the result of having a full Commission feeding off of each other, or whether it is a function of all the Commissioners simply hitting their stride in terms of the subject matter. The work being done by

the Commission and the discussions being had at the end of two years of remote participation is as strong and sophisticated as any ever. Having a lot of Commissioners helps owing to having a range of diverse opinions. Matt McFarland stressed that at the end of the day the City Attorney's Office is not advocating one way or the other in regard to remote participation.

Commissioner Cuellar-Calad expressed an interest in learning more about the thought process that led to the Council's decision to require prior permission for remote participation. The Commission is pushing for investments in technology and relying on their benefits and anything that might prevent remote participation seems contradictory.

Commissioner Brown noted that participating on the Commission can require some finagling if not being done from the privacy of one's own home. There are issues involving families with young children and having to juggle daycare and transportation. There are issues with family members with disabilities or who are otherwise compromised who cannot take the risk of being physically present but who can absolutely participate remotely and provide much-needed perspectives. Even the process of receiving input from the public has worked well remotely. The process should be kept as open and as participatory as possible. Matt McFarland allowed that those factors were a big part of the Council's discussions.

Chair Ferris stated that she would be out of town the last meeting of July. Absent knowing if there will be an internet connection at the destination site, the question was whether to request permission to be allowed to participate remotely or to just indicate an absence since there is no in between. Matt McFarland said the best process in that situation would be to seek permission to participate remotely under the assumption that the technology will cooperate. The down side, of course, would be using a remote participation slot for that meeting that for technical reasons may not be fulfilled, possibly taking away from someone else the ability to participate remotely. Those are the logistics that will need to be worked out through trial and error. Chair Ferris said sadly the inclination was to simply indicate an absence rather than messing things up.

Deleted: . There

Commissioner Malakoutian expressed a full understanding of the intent behind the Council's direction, which is not to have in-person attendees outnumbered by remote participation attendees. That is, however, the wrong lens to use. The whole idea of needing to obtain remote participation permission two weeks before a meeting makes no sense. While there are times when a Commissioner can know for sure they will not be able to attend an upcoming meeting in person, more often than not unforeseen circumstances dictate, by which time it is too late to ask for permission.

Commissioner Morisseau voiced support for all the previous statements and added that the opportunity taken to vouch for the hybrid meeting approach during a previous Commission meeting was the only opportunity to voice that opinion. It has been said that the Council listened to the voices of the boards and commissions in reaching a decision, but outside of the one Commission meeting there has been no other opportunity to provide input. Had the opportunity been provided, everything said by the Commissioners probably would have been said to the Councilmembers. Commissioner Morisseau voiced a strong desire to be present in the room with all the other Commissioners given the comradery that comes from persons physically meeting together, that luxury is not an option by virtue of having a husband who is high risk. The rules as proposed by the Council necessitate always taking one of the three remote participation slots available. Another Commissioner who might need a slot may not get one as a result. It is not known if the Council took such instances into account in making its decision. With regard to process, Commissioner Morisseau asked for confirmation of what it means to be approved to participate remotely, adding that unless things change with Covid, remote participation will be

the only option available. For the majority, however, they will not know when they will need to participate virtually until a situation occurs. Something better than having to be approved by the body to participate remotely at the next or a future meeting needs to be found. Waiting a whole year before reviewing the issue is a long timeline. Covid has made it clear to all that no one knows what is going to happen tomorrow.

Matt McFarland said the main factor with the approval process is the Commission being subject to the Open Public Meetings Act. When collectively the Commission takes action, and admittedly “action” is a broadly defined term, it must happen in an open public meeting. The approval that is required by law has to happen in one of the Commission’s meetings. The best approach for how to implement the newly adopted code provisions might be to have as a standard item at every meeting a vote to approve remote participation. The code does not prescribe taking a formal motion, only that action must be taken in a formal meeting. The decision to revisit the issue in a year, which is memorialized in the ordinance, was also a Council decision. Accordingly, where the Commission has feedback for the Council, it should go through the Commission’s Council liaison Councilmember Robertson. The Commission will also always have the support of the City Attorney’s Office.

Commissioner Goeppele agreed the approach requiring advance approval is not very practical. Commissioner Morisseau’s reason for needing to participate remotely is valid and should be given priority. The Commission unfortunately does not have much of a choice and will need to follow the rules, but there should be an ongoing discussion with Councilmember Robertson. Matt McFarland noted that because the approach is codified, should the Commission elect not to modify its bylaws it would still need to comply with the provision.

Commissioner Brown asked if the Commission could give prior approval for Commissioner Morisseau to attend virtually for the foreseeable future. Matt McFarland said approach would be acceptable and appropriate given Commissioner Morisseau’s unique situation. There is no requirement to give approval one meeting at a time.

There was consensus that Commissioner Morisseau be allowed to participate remotely for as long as necessary.

(8:57 p.m.)

A motion to extend the meeting for 15 minutes was made by Commissioner Brown. The motion was seconded by Commissioner Malakoutian and the motion carried unanimously.

Thara Johnson noted that the City Clerk’s Office has created a tracking mechanism for comments made by every board and commission.

With regard to the comments made about the bylaws at the Commission’s retreat, Thara Johnson said one recommendation was to add to the agenda a consent calendar and move the approval of minutes to the consent calendar. There was general support for making that change. If changes are identified as needing to be made to the minutes, approval of them would need to be pulled from the consent calendar and moved to a separate topic on the agenda, which in the long run would not save the Commission all that much time. The recommendation of the staff was to keep things as they are.

Deleted: safe

A motion to add a consent calendar to the agenda and to move approval of meeting minutes to the consent calendar was made by Commissioner Brown. The motion was seconded by Vice

Chair Bhargava.

Commissioner Malakoutian asked if under the proposed approach a Commissioner finding something amiss in the minutes could raise the issue before the meeting and have it corrected. Matt McFarland said that would not be allowed. Where a Commissioner wants to make a correction could communicate directly with staff a desire to see the minutes removed from the consent calendar for separate discussion and approval. That is why staff believe having the minutes added to a consent agenda may not have the desired effect of streamlining the process.

Chair Ferris asked if approval of the agenda could be added to the consent agenda along with approval of meeting minutes. Matt McFarland said approval of the agenda is a standalone item. The need to amend the agenda is admittedly rare, and where something needs to be discussed it is usually done under Other Business. Taking action to approve the agenda is consistent with the Council's procedure and may be derived from Roberts Rules. [Additional research will need to be done to determine if approval of the agenda needs to be a standalone item.](#)

Chair Ferris agreed that if the consent agenda would only have approval of the meeting minutes, not much time would be saved. If both the agenda and the minutes could be approved in one motion it would make sense. Matt McFarland recommended moving forward with amending the bylaws so as to comply with Ordinance 6662 and to incorporate the proposed improvements, and to hold the order of business unchanged while giving direction to staff to conduct more research and bring back the issue of the consent agenda at a future meeting.

Commissioner Brown withdrew her motion.

A motion to adopt the amendments to the bylaws as proposed by staff, save for the order of business and the agenda amendments, was made by Commissioner Brown. The motion was seconded by Commissioner Goeppele and the motion carried unanimously.

## 9. OTHER BUSINESS

Chair Ferris noted the previous approval given by the Commission to allow Commissioner Morisseau to participate remotely for as long as necessary.

Vice Chair Bhargava indicated not being able to attend the June 22 Commission meeting.

Commissioner Goeppele expressed a desire to see added to the agenda for the next meeting a discussion of HB 1099 and whether it might be useful for Bellevue to adopt.

Commissioner Brown left the meeting at 9:12 p.m.

Commissioner Morisseau thanked the Commissioners for their understanding of the reasons for the need to participate remotely.

## 10. APPROVAL OF MINUTES

### A. May 11, 2022

A motion to approve the minutes as submitted was made by Commissioner Brown. The motion was seconded by Vice Chair Bhargava and the motion carried unanimously.

11. CONTINUED ORAL COMMUNICATIONS – None

12. EXECUTIVE SESSION – None

13. ADJOURNMENT

A motion to adjourn was made by Commissioner Goeppele. The motion was seconded by Vice Chair Bhargava and the motion carried unanimously.

Chair Ferris adjourned the meeting at 9:13 p.m.