

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Meeting

February 27, 2023
6:00 p.m.

Council Chambers
Bellevue, Washington

PRESENT: Mayor Robinson, Deputy Mayor Nieuwenhuis and Councilmembers Barksdale, Lee, Robertson¹, Stokes and Zahn

ABSENT: None.

1. Call to Order

The meeting was called to order at 6:00 p.m., with Mayor Robinson presiding.

2. Roll Call; Flag Salute

City Clerk Charmaine Arredondo called the roll and all Councilmembers were present. Councilmember Barksdale led the flag salute.

3. Approval of Agenda

→ Deputy Mayor Nieuwenhuis moved to approve the agenda, and Councilmember Stokes seconded the motion.

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

4. Oral Communications

- (a) Kosha Upadhyay, a junior at Bellevue High School, said she has loved math and science from a young age. However, whenever she went to STEM competitions she rarely saw other girls. She is the founder and president of the Science for Community nonprofit organization created to encourage diversity and inclusion in STEM programs for the underserved and underrepresented. She described the development of Buzz Bowls, game show style competitions with questions in math, biology, physics and chemistry to involve more students, especially girls, in STEM programs. She said the group has raised \$18,000 to fund afterschool STEM clubs and activities in the Bellevue School District.

¹ Councilmember Robertson left the meeting at 9:15 p.m. during the last agenda item.

Ms. Upadhyay thanked Mayor Robinson for offering her kind support and for inviting her to share the program with the Council and community.

- (b) Jodie Alberts, speaking on behalf of the Bellevue Chamber of Commerce, commented regarding the apprenticeship utilization proposal under Agenda Item 10(c). She said the proposal does not appear to take into account the rippling effect that would occur if the program is rolled out without the gradual phasing of the program. She said it does not include an exemption for businesses that have struggled greatly in recent years, including small businesses and those owned by women and minorities. Ms. Alberts expressed concern that the apprenticeship program could take business away from smaller businesses. She encouraged a robust stakeholder process before making a decision.
- (c) Pamela Johnston commented regarding House Bill 1110 under consideration by the state legislature. She said the bill focused on missing middle housing does not align with the spirit of the Growth Management Act. She spoke in favor of cities maintaining local control over zoning and land use. She said Bellevue is working extensively to address housing needs and should be allowed to develop its own community.
- (d) Craig Spiegle spoke regarding HB 1110, which is focused on increasing middle housing in single-family districts. He asked the Council to direct staff to engage with state legislators to address local authority, preexisting declarations and covenants, and the prevention of short-term rentals. He said it would not be fair for neighborhoods with covenants to be exempt from the regulations. He expressed concern about an increase in Airbnbs and other vacation rentals. He cautioned against the foreign investment risk of unoccupied housing. Mr. Spiegle thanked Mayor Robinson, Deputy Mayor Nieuwenhuis, Chief of External Affairs Genesee Adkins, and State Representatives Amy Walen and Vandana Slatter for their support and community engagement. Mr. Spiegle said he believes the legislation can be improved to meet the goals of middle and affordable housing needs while protecting the environment and neighborhoods for future generations. He urged residents to contact their elected officials directly.
- (e) Sonja Forster said that Associated General Contractors (AGC) of Washington represents more than 650 members, half of which are headquartered in King County. AGC members include the state's largest public works contractors as well as small contractors interested in increasing their capacity. AGC of Washington has one of the largest memberships of women and minority owned contractors of any trade association in the state. Ms. Forster said AGC is interested in collaborating to develop a policy that is the right fit for Bellevue and that does not discriminate against any group or type/size of business. She said similar state legislation proposed in the past did not involve stakeholder engagement and did not move forward. She encouraged the City to initiate a stakeholder process that can benefit the City and the future construction workforce.
- (f) Christopher Randels, speaking on behalf of Complete Streets Bellevue, thanked the Council for tonight's update regarding Sound Transit projects. He said he recently heard Sound Transit CEO Julie Timm speak at a Bellevue Downtown Association (BDA) event. He expressed support for continued efforts to implement East Link light rail. Mr.

Randels said his organization appreciates the support of Mayor Robinson and the City for the East Link starter line. He said they will continue to follow those discussions this year. He said the East Link Connections project represents a comprehensive restructuring of the Eastside bus network to achieve this goal. Mr. Randels encouraged the City to continue to build its network of protected bicycle infrastructure beyond the light rail stations' immediate walksheds. He thanked Councilmembers for their support of housing around frequent transit service. He urged the City to support Senate Bill 5466, which would provide Bellevue with substantial housing capacity in the areas best served by existing and future mobility resources.

- (g) Betsi Hummer said she is looking forward to the presentation regarding the Community Crisis Assistance Team (CCAT). She noted her support for the Police budget last fall and said she is pleased to see that officer positions will be filled. She praised the Fire Department's CARES (Community Advocates for Referral and Education Services) program and the professionalism and compassion of their staff. She said the program is data-driven and involves continuous feedback between the community and service providers. She thanked the Council for supporting public safety.
- (h) Paul Winterstein, representing the Issaquah Alps Trails Club, expressed support for the Save Coal Creek initiative. As a former Issaquah City Councilmember, he recalled that the City of Issaquah went through a public land acquisition process in a similar situation to preserve open space adjacent to City and County properties. He said the Trust for Public Land was critical in negotiating with potential sellers and providing a bridge loan. He encouraged the Council to listen to residents and to consider preserving the Isola property as open space.
- (i) Court Olson, representing People for Climate Action, thanked the City for adding five environmental stewardship and sustainability staff positions. He said PCA looks forward to engaging with City staff to help shape and build programs for the most effective and efficient outcomes.

Mayor Robinson suggested suspending Council rules to allow more individuals to speak regarding the apprenticeship program.

→ Deputy Mayor Nieuwenhuis moved to suspend Council rules to allow additional individuals to speak regarding the proposed apprenticeship program. Councilmember Stokes seconded the motion.

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

- (j) Paul Nichol expressed support for the Save Coal Creek initiative to preserve the Isola property as a park and open space. He noted the historical significance of the property and said it provides an important wildlife corridor between Cougar Mountain Park and the Coal Creek Natural Area. He noted investments in stream enhancement projects in recent years along Coal Creek. Mr. Nichol said he is a member of Trout Unlimited, which has a mission to protect and reconnect cold water fisheries. He said Trout Unlimited

believes a complete environmental impact statement (EIS) review is needed and that the Isola development permit should be denied based on environmental harm. Mr. Nichol noted the pending hearing with the City's Hearing Examiner and suggested that the City work quickly with King County to prepare a funding package to acquire the land.

- (k) Andrea Ornelas expressed support for the proposed apprenticeship program. As the mother of five children, the ability to participate in an apprenticeship program enabled her to remain housed and to start a career. She is a forewoman and has had the opportunity to mentor youth, purchase a home and to pay for child care without government assistance. She urged the Council to move forward with the apprenticeship utilization program to serve the community that is being left behind.
- (l) Lynne Cameron expressed support for the Save Coal Creek initiative and urged the City to work with King County to purchase the Isola property. She expressed concern about the loss of open space and habitat as well as the multiyear construction impacts related to developing housing at the site. She said the property currently connects the largest park in King County with the largest City park. She noted that environmental stewardship is a core value for the City. She urged the City to work with King County as soon as possible to acquire the land.
- (m) Katherine McCarter expressed concern regarding a man who camps at the Robinswood dog park every day and is hostile and abusive to others. She said the problem with the same man has been going on for approximately four years, beginning in the Newport Hills dog park, and residents are often afraid to use the dog park. She said they have tried to work with the Bellevue Police Department and the Parks and Community Services Department, and they are now working with the City's conflict resolution team. She said the man has targeted her specifically with verbal attacks.

Mayor Robinson asked City Manager Miyake to follow up with Ms. McCarter.

- (n) Justin Hanlon expressed concern regarding the man at the Robinswood dog park who displays threatening behavior toward other park users. He said the man has called the police on him and behaves well when officers are present. However, the man resumes harassing him and others after the police officers leave. Mr. Hanlon said the Bellevue Police Department suggested that residents work with the City's conflict resolution team. He said the man is ruling the dog park, preventing residents from using it, and using the police as his private security force. He noted that, while he lives five minutes from the park, he now takes his dog to parks in other cities. He asked the City to enforce Bellevue City Code section 3.43.320 related to expulsion from parks.
- (o) Ashley Salazar said she and her daughter have been verbally harassed and called vulgar names by the man at the Robinswood dog park. She said he creates an intimidating and hostile environment. She said she has observed the man filming her and at times he has called the police on her. She asked the Council to support residents in maintaining a peaceful and safe environment at Bellevue's only dog park.

- (p) Billy Hetherington, a member of Laborers Local 242, thanked Councilmembers for their consideration of an apprenticeship utilization program as a workforce development tool. He noted the union's community outreach and the creation of a state-registered construction pre-apprenticeship program at Interlake High School.
 - (q) Marianna Talbot expressed support for the apprenticeship utilization proposal. She is the Pre-apprenticeship Outreach and Retention Coordinator for the Northwest Carpenter's Institute of Washington and an active member of Piledrivers and Divers Local 196. She noted her work with Seattle Public Schools, Highline School District and Federal Way Public Schools. She said the programs provide opportunities for individuals wishing to enter the trades directly after high school, where they earn \$30.86 per hour as apprentices and receive medical, dental, vision and pension benefits. She noted that journeymen earn a minimum of \$60 per hour.
 - (r) Alex Zimmerman said he was trespassed for six months after speaking during a Seattle School Board meeting. He noted concerns about Bellevue schools and what is being taught.
5. Reports of Community Councils, Boards, and Commissions: None.
6. Report of the City Manager
- (a) Fourth Quarter 2022 Update regarding Implementation of 2020 Economic Development Plan [*Written information only. No presentation*]
7. Council Business and New Initiatives
- Deputy Mayor Nieuwenhuis moved to excuse Mayor Robinson's absence from the March 6, 2023 City Council Regular Meeting. Councilmember Stokes seconded the motion.
 - The motion carried by a vote of 7-0.
8. Consent Calendar
- Deputy Mayor Nieuwenhuis moved to approve the Consent Calendar, and Councilmember Stokes seconded the motion.
 - The motion to approve the Consent Calendar carried by a vote of 7-0, and the following items were approved:
 - (a) Council Minutes
 - Minutes of February 6, 2023 Regular Meeting*
 - Minutes of February 13, 2023 Regular Meeting*

- (b) Ordinance No. 6726 amending the 2023-2024 budget to increase appropriations to the Operating Grants, Donations, and Special Reserves Fund by \$100,974 to reflect the amount to be spent through the Washington State Department of Commerce Middle Housing Grant in 2023; providing for severability; and establishing an effective date.
 - (c) Ordinance No. 6727: 1) authorizing execution of an Electric Fire Apparatus Grant Program Agreement with the State of Washington Department of Ecology to accept grant funds up to \$648,578.63 for the purchase of an electric fire engine and associated infrastructure; and 2) amending the 2023-2024 Operating Grants, Donations, and Special Reserves Fund to increase appropriation by \$648,578.63.
 - (d) Ordinance No. 6728 to increase the threshold for administrative approval by amending Bellevue City Code Chapters 4.28 Procurement, 4.30 Real Property Acquisition and Leasing, and 4.32 Sale of City Property.
 - (e) Resolution No. 10229 authorizing the execution of Supplemental Agreement No. 5 to the Professional Services Agreement with KPFF Consulting Engineers in the amount of \$331,887.00, plus all applicable taxes, for a total contract amount of \$3,721,641.72 for additional franchise utility design and other engineering work necessary to complete the bid packages for the 120th Avenue NE Stage 4, NE 16th Street to Northup Way Project (CIP Plan No. PW-R-186).
 - (f) Resolution No. 10230 granting authority to the Finance & Asset Management Director or their designee to approve annual purchase orders for various vendors for small goods and routine services used by City departments, for amounts not to exceed the estimated values for the specified vendors set forth in Attachment A, plus applicable taxes.
 - (g) Resolution No. 10231 authorizing execution of a labor agreement between the City of Bellevue and the International Association of Firefighters, Local 1604, representing Battalion Chiefs, for a two-year contract period starting January 1, 2021, and expiring December 31, 2022.
 - (h) Resolution No. 10232 authorizing execution of a grant agreement with King County for \$550,000 through the King County Flood Control District's Flood Reduction Grant Program for the Upper Kelsey Creek Phase 2 - Lake Hills Blvd Culvert Replacement Project, with the executed agreement to be substantially in the same form as the agreement in the Council Library.
9. Public Hearings: None.
10. Study Session Items
- (a) Introduction of Sound Transit's Chief Executive Officer and Update regarding Eastside Projects

City Manager Brad Miyake introduced Julie Timm, CEO for Sound Transit, for an update on Sound Transit projects, including East Link light rail through Bellevue.

Genesee Adkins, Chief of External Affairs, noted that Ms. Timm previously worked in leadership positions for public transit agencies in Virginia, Tennessee and the Puget Sound region.

Julie Timm, CEO, Sound Transit, said she recently spoke at the Bellevue Downtown Association (BDA) dinner. She noted Sound Transit's interest in activating the areas around light rail stations in Bellevue. She described current efforts to begin operating a Bellevue-Redmond light rail starter line given the delay in the implementation of East Link light rail between Seattle and the Eastside.

Ms. Timm said the project team is working to understand the risk factors associated with the potential implementation of a starter line. She said Sound Transit will need to be able to hire the staff needed to maintain the system. King County Metro is a key partner in helping Sound Transit achieve its benchmarks to open light rail during spring 2024. Ms. Timm said the Passenger Information Management System (PIMS) is critical to opening a starter line. She said more testing of the light rail vehicles is needed. Another risk factor that Sound Transit is managing relates to the centralized Link Control Center. Ms. Timm said a starter line might not be possible. However, Sound Transit is working to identify and manage the risks and Ms. Timm remains optimistic. A decision is anticipated this fall. Ms. Timm said the implementation of a starter line will help to support Transit Oriented Development (TOD), including affordable housing, around Bellevue's stations.

Ms. Timm noted that the East Link project's delay is based on issues related to light rail on I-90. She said that plinths, long concrete blocks with rebar that support the rails, are being demolished and rebuilt. The newly designed plinths have passed the first inspection and Sound Transit is ramping up the replacement project.

Ms. Timm said the I-405 Stride Bus Rapid Transit (BRT) will provide faster, more reliable bus service along a 37-mile corridor from Lynnwood to Burien. Stride BRT is anticipated to begin operating during the 2027-2028 timeframe and the project is moving forward in three phases.

Ms. Timm commended the TOD to date in the Spring District, including the Complete Streets environment, large sidewalks and pedestrian crossings.

Mayor Robinson thanked Ms. Timm for the update. She said the Council appreciates the collaboration between Sound Transit and the City.

Councilmember Stokes recalled that he, Councilmember Robertson, and former Councilmember Kevin Wallace were part of the team that worked with Sound Transit to promote Bellevue's interests. He said Ms. Timm is the person that Sound Transit needs to continue to move light rail forward. Councilmember Stokes commended Sound Transit staff and said he looks forward to using light rail.

Ms. Timm acknowledged that billions of dollars of successful infrastructure is in place today due to Sound Transit's partnerships with cities and counties.

Councilmember Lee welcomed Ms. Timm and commended her enthusiasm and willingness to try new things. Mr. Lee expressed an interest in more information from staff about the delay in light rail construction across I-90. He said Amazon recently announced its plan to require employees to work in the office at least three days per week. He asked how Sound Transit is planning to create a lifelong transit experience despite many unknowns about future transit patterns.

Ms. Timm said the staff working to address the I-90 issues are identifying the critical path risks and looking at a comprehensive cross-departmental function to identify those issues earlier in order to remain on target with the schedule. She said the usage of transit is dependent upon the mode of transportation and the community being served. Despite setbacks due to the pandemic, Sound Transit completed the extension of light rail to the Northgate station and ridership is back to pre-pandemic levels. Ms. Timm said she feels confident that ridership will continue to increase as light rail opens in more areas. She said Sound Transit has four new contracts with firms to increase the security presence on trains and at stations. She acknowledged the importance of cleanliness, which has suffered due to staffing challenges, as well as safe, reliable service.

Councilmember Barksdale expressed support for the starter line. Responding to Mr. Barksdale, Ms. Timm said Sound Transit's qualitative risk assessment and programmatic review of delays on different light rail projects included an analysis of the causes including the pandemic, soil liquefaction, and the I-90 plinths. She noted her understanding that the openings of some of the projects were originally anticipated to overlap. She said Sound Transit currently operates 26 miles of light rail. When the current construction projects are completed, there will be 62 miles of light rail service.

In further response to Mr. Barksdale, Ms. Timm said there has been public discussion about light rail service to Lynnwood being delayed as East Link is completed. She said she was not confident that that is an accurate representation. One of the first things she was asked to do at Sound Transit was to come forward with information as the agency knows it, even if incomplete information, to enable conversations around decisions. She said Lynnwood light rail is anticipated to complete construction and testing in the June through December 2024 timeframe. However, risks have been identified and are being managed by Sound Transit.

Councilmember Robertson thanked Ms. Timm for the update and commended the effective collaboration between Sound Transit and the City. Ms. Robertson said the City worked hard to decide on the best alignment for Bellevue and to avoid at-grade crossings. She concurred with the importance of providing a transit experience that is safe, comfortable and clean. She expressed concern regarding accessibility for people in wheelchairs and frequent malfunctions with elevators.

Regarding the East Link starter line, Councilmember Robertson asked whether it would affect bus service. She asked how riders would get from the South Bellevue station to stations in Seattle and what can be done now to prepare riders for more frequent service using light rail.

Ms. Robertson said she is grateful to see that Sound Transit is considering electric buses for the Stride BRT project. She asked whether the project will change the design or operations of BRT service in Bellevue. She noted that the project has reached 60-percent design and asked about community outreach related to the project. She asked whether there is anything the City can do to help with the 60-percent design.

Ms. Timm said she receives daily reports regarding elevators and escalators at transit stations. She acknowledged that Sound Transit's wayfinding is not adequate to provide guidance regarding alternate routes if elevators are out of service. She said the outages are sometimes caused by members of the public and Sound Transit will eventually replace the elevators.

Ms. Timm said there were specific plans about what is supposed to happen to Sound Transit Express buses as light rail begins operating. She said there are questions about the flexibility of the agency to maintain or shift those plans, and she has asked staff to study the issue. She said Sound Transit determined that Sounder, Link and Sound Transit Express serve different markets and needs. She supports exploring whether express bus service can be maintained when light rail begins operating. She noted that Stride BRT will not change operations. However, it will require infrastructure upgrades at certain stations to allow rapid charging of the electric buses.

Regarding the 60-percent design milestone, Ms. Timm said portions of the BRT project are under construction. She said the 60-percent design is associated with improvements along SR 522 and Sound Transit is conducting ongoing public meetings to address the community's input and concerns. Councilmember Robertson asked Ms. Timm to let Bellevue staff know how the City can help with public outreach. Ms. Timm said it might actually be quicker to use Stride BRT than light rail to get to the airport.

Councilmember Zahn expressed enthusiasm for the projects and noted that she is a regular rider on the 560 bus route to the airport. She said she appreciated Ms. Timm's comments about hyper-local placemaking, especially in the Spring District and BelRed corridor. Ms. Zahn noted opportunities related to arts programming and activities in those areas.

Ms. Zahn said she serves on the I-405/SR 167 advisory committee. Her understanding is that the BRT south line will be implemented first, which means there will be a lot of buses coming into downtown Bellevue without the north line. She wants to ensure that early BRT service works well until the north segment is in place.

Responding to Ms. Zahn, Ms. Timm said Sound Transit anticipates an early fall decision regarding the starter line.

Deputy Mayor Nieuwenhuis welcomed Ms. Timm to the region and expressed support for the East Link starter line. He asked about plans for public engagement and how the City can continue to be involved. He concurred with the importance of safety and cleanliness on transit.

He asked what the City can do to help Sound Transit in making sure riders are comfortable and safe. Responding to Deputy Mayor Nieuwenhuis, Ms. Timm concurred that there are concerns about safety and cleanliness on transit in other cities and regions. She said Sound Transit is increasing its security presence and adding trash cans to help address litter. Sound Transit partners with King County Metro, which is also having staffing issues related to keeping stations and facilities clean.

Ms. Timm said staff has been directed to remove individuals from transit who are violating the state code regarding unlawful conduct, including drug use. Sound Transit will have resources available for security personnel to call for crisis intervention or social services to help those individuals.

Responding to Mr. Nieuwenhuis regarding outreach, Ms. Timm said there will be public engagement related to Title VI requirements and issues. She said Sound Transit Board and committee meetings are open to the public as well.

Mayor Robinson thanked Ms. Timm for coming and said she looks forward to light rail in Bellevue.

At 7:50 p.m., Mayor Robinson declared a short break. The meeting resumed at 8:00 p.m.

(b) Community Crisis Assistance Team (CCAT) Update

City Manager Miyake introduced staff's update regarding the activities of the Community Crisis Assistance Team (CCAT).

Fire Chief Jerome Hagen noted that the last briefing to the Council on this topic occurred on November 14, 2022.

Chief of Police Wendell Shirley recalled the Council's support for community outreach and encouragement that staff remain open to new perspectives and ideas as the CCAT program was implemented. He said staff communicates with a number of organizations on an ongoing basis regarding the community's needs. A community meeting will be held on March 14 to provide public education and to solicit input.

Chief Hagen said CCAT staff hosted a job fair in City Hall on January 31 to recruit mental health professionals (MHPs) for the program, and five hiring agencies joined the job fair. The City has hired a MHP supervisor to begin hiring the rest of the staff.

Chief Shirley said the sergeant and five officers for the CCAT program will be internal hires. He noted a suggestion from the public to invite a person with lived experience to participate on the interview panel, which is what the Police Department intends to do.

Andrew Popochock, Assistant Chief of Police, said they have been researching similar programs in other cities. He said the Bellevue Police Department wants to make sure that the data they are

collecting is comparable to data from other cities. He noted BPD's involvement with King County, especially related to drug/substance use and jail rebooking data.

Councilmember Barksdale thanked staff for the data-focused approach and for aligning with King County. He said he appreciated the plan to include a person with lived experience on the interview panel.

Deputy Mayor Nieuwenhuis concurred regarding the benefit of cooperating with King County to share data. Responding to Mr. Nieuwenhuis, Chief Shirley said a person's history with law enforcement, including arrests, will be captured in the calls for service data.

Councilmember Zahn asked about the training for the CCAT teams. Assistant Chief Popochock said there is both internal and external training for the officers and mental health professionals. He said staff receives helpful feedback and suggestions from the public.

Responding to Ms. Zahn, Chief Hagen said the Fire Department hopes to hire all of the MHPs by this summer. He noted the challenge in recruiting qualified individuals and said that their training extends over several weeks. In further response, Chief Hagen said the average length of a client's involvement with the CCAT program is 100 days, typically with weekly contact.

Responding to Councilmember Lee, Chief Shirley said the co-response model pairing law enforcement and mental health professionals is being duplicated across the country. Mr. Lee said he is pleased with plans to compare Bellevue's data with other agencies. Chief Shirley confirmed that the data will be analyzed to determine whether action is needed. Chief Hagen said Bellevue is working with the Denver STAR program to learn from their experience and to share data and best practices.

Mayor Robinson said there will be a mental health crisis center on the Eastside in the near future. She asked whether the City is measuring the trajectory of the people that staff encounters. Chief Hagen confirmed that City staff will coordinate with the crisis center after it opens.

Councilmember Stokes thanked staff for the presentation and expressed support for the data collection efforts. He said he would like more frequent updates regarding the CCAT program metrics.

(c) Proposed Ordinance to Create Apprenticeship Utilization Requirements for Certain Public Works Projects

Councilmember Barksdale recalled that he introduced this initiative a year or more ago. He said the intent is to provide opportunities for community members to have access to jobs and careers in the trades as an alternate to attending college.

City Manager Miyake said staff intended to seek Council direction tonight about whether to move forward with preparing an ordinance to implement an apprentice utilization program. However, given the extent of public comment and communications over the weekend and today,

staff has decided to conduct more outreach before bringing the proposal back to the Council for direction.

Ira McDaniel, Assistant Director, Finance and Asset Management (FAM) Department, said that three components of an apprenticeship program are setting the contract price threshold for required participation, establishing the apprenticeship utilization ratio (i.e., number of apprentice hours to total labor hours), and enforcement policies. The desired outcomes for the program are to increase the supply of skilled construction workers, provide opportunities to gain experience while earning a living wage, and to preserve opportunities for open shop contractors as well as small and diverse businesses.

Mr. McDaniel recalled Council discussion on February 14, 2022, at which time the Council asked staff to research other agencies. He said that experience informed the 2023-2024 budget proposal and the development of draft program elements. Staff researched policies from 19 public agencies. More than 70 percent of the agencies have a \$1 million public works contract price threshold, an apprenticeship utilization ratio of 15 percent, and creating the framework for waivers and reductions. Every agency defines an apprentice as an individual enrolled in a State-approved and recognized apprenticeship program, which includes both union and non-union programs.

Karen Phu, Assistant City Attorney, said the proposed ordinance would amend the Bellevue City Code to outline the apprenticeship utilization requirements for certain City public works contracts. The code amendment will give policy direction on key elements of the program to be implemented. Ms. Phu said the proposed ordinance states that the requirements would apply to City public works contracts with an estimated cost of \$1 million or more. The proposed ordinance would require that on those City public works projects, at least 15 percent of the labor hours worked must be performed by apprentices approved through the training council.

Ms. Phu said the proposed model allows the apprenticeship utilization requirements to be waived or reduced under certain circumstances. Under the draft model, the Finance and Asset Management Department Director would have the authority to waive or reduce the requirements based on a number of reasons: 1) conflicts with state or federal funding, 2) insufficient apprentices available, 3) high ratio of equipment and material costs, 4) contractor demonstrates best efforts to comply, 5) displacement of workforce, 6) emergencies and 7) other reasons deemed appropriate and consistent with the program's objectives.

To enforce the requirements of the program, the draft model proposes that a contractor who fails to comply with the apprenticeship utilization requirements will not be considered a responsible bidder for two years. Ms. Phu said this enforcement method was one of several that staff observed in their original research.

Mr. McDaniel provided an overview of the contract process including the bid phase, construction and final project acceptance. The next steps are stakeholder engagement and additional Council discussion before adoption of the ordinance. Upon adoption of the ordinance, notice will be issued to the contractor community. The City will develop specifications, administrative policies, reporting tools and templates.

Mayor Robinson expressed support for an apprenticeship program. She said the ultimate goal is high quality work by a highly skilled workforce. She noted that she submitted comments to staff over the weekend regarding enforcement and the projects subject to the requirements. She expressed support for additional public outreach.

Deputy Mayor Nieuwenhuis thanked City Manager Miyake and Deputy City Manager Nathan McCommon for all their work on this topic. He looks forward to additional public outreach and believes it will benefit the City in designing its program. He asked whether there has been any consideration to delaying the program's implementation to allow contractors to continue to rebound following the pandemic. He suggested perhaps phasing the requirements and considering setting a minimum time period for the length of applicable construction projects.

Mr. Nieuwenhuis expressed concern about the proposed enforcement mechanism that designates a contractor as non-responsible for two years if they fail to comply with the apprenticeship utilization requirements. He said he has heard from the public about this issue and their concern that the recommended enforcement is too harsh. He expressed support for continuing to move forward to adopt apprenticeship policies.

Councilmember Zahn said the Council has heard how apprenticeship opportunities have changed lives. She expressed support for additional public engagement. She asked whether waivers or reductions would be applied during the initial bidding process or later after the contract moves forward with the selected contractor. She concurred with concerns that the proposed enforcement policy is too punitive. She suggested requiring bidders to submit an apprenticeship utilization plan.

Councilmember Robertson expressed strong support for apprenticeship programs. She suggested a phased approach to implement the contract threshold and apprentice ratio requirements. She urged staff to seek feedback from the public on that issue. She suggested that the City consider a higher contract value threshold. She expressed support for waivers for small and minority owned businesses. She concurred with Councilmember Zahn that the recommended enforcement measure is too harsh.

Responding to Ms. Robertson, Mr. McDaniel said there is a directory on the Washington Department of Labor and Industries web site of the state-approved and recognized apprenticeship programs.

Councilmember Lee expressed support for an apprenticeship program and for a more robust community outreach effort.

Councilmember Stokes asked how the City will determine whether a contractor is complying with the requirements. He expressed support for an apprenticeship program and for gathering more public input.

Councilmember Barksdale thanked staff for their work on the apprenticeship utilization proposal. He encouraged moving forward as quickly as possible. He said he is always inspired by the stories of the positive impacts of gaining a skill and earning a living wage.

Responding to Mr. Barksdale, Mr. McDaniel estimated that the public engagement process would extend over 2-4 weeks.

Mayor Robinson asked staff to return with a draft ordinance based on tonight's discussion.

(d) Intergovernmental Affairs [*Written information in packet. No presentation.*]

Deputy Mayor Nieuwenhuis asked staff to provide an update regarding House Bill 1110 related to single-family zoning.

Ms. Adkins said HB 1110 was most recently amended on Friday and now sits with the House Rules Committee. She said the deadline for bills to leave house of origin is Wednesday, March 8. She said the City's representatives are working with elected officials, including the proponents of the legislation, to address outstanding concerns. Ms. Adkins said a recent amendment provides the flexibility for local governments to choose to permit six of eight middle housing types.

Ms. Adkins said the transit definition has been revised to include Bus Rapid Transit and fixed guideway rail. She said the parking requirements have been improved to be based per unit instead of per lot. She said HB 1110 does not preclude cities from having their own affordability programs. She said there have been revisions and improvements related to critical areas, buffers and non-buildable parcels. There were also improvements in the legislation regarding the ability to delay or phase in infrastructure improvements to support increased density.

Ms. Adkins said there are two outstanding concerns. The first is adding in not just adjacency to high-capacity transit and BRT, but also to community amenities. She said the definition in the bill is fairly broad and parks could potentially be considered community amenities under the regulations. She said Bellevue is working with other cities to narrow the definition and to focus on transit-adjacent areas.

The second concern relates to the use of "substantially similar" in language stating that the Washington State Department of Commerce would have the ability to allow cities that have taken substantially similar regulatory action by the effective date of the bill to not have to follow the details of HB 1110. She said Bellevue is advocating for setting the deadline as one year from the effective date of the bill. Ms. Adkins said that despite the concerns regarding the proposed legislation, there have been a number of improvements.

Deputy Mayor Nieuwenhuis thanked Ms. Adkins for the update and noted that the Council is receiving calls from residents who are trying to understand the impacts to their neighborhood.

Councilmember Lee said he is happy to see the progress in improving the proposed legislation. However, he is concerned about the potential outcome and believes that cities should maintain local authority.

Responding to Councilmember Lee, Ms. Adkins said everyone will know more about the final bill, if it moves forward, after March 8. She said it would be helpful to engage the Council after that point in advocating for Bellevue's interests.

Councilmember Stokes thanked staff and the City's lobbyist for their work on this issue. He acknowledged that change is difficult and praised everyone who is working to improve the legislation. He said it is important to consider what is best for the whole community and not just certain areas.

Councilmember Zahn thanked staff and the lobbyist for their hard work and representation of Bellevue.

11. Land Use: None.
12. Other Ordinances, Resolution, and Motions: None.
13. Unfinished Business: None.
14. New Business: None.
15. Executive Session: None.
16. Adjournment

At 9:23 p.m., Mayor Robinson declared the meeting adjourned.

Charmaine Arredondo, CMC
City Clerk

/kaw