

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Meeting

December 4, 2023
6:00 p.m.

Council Chambers
Bellevue, Washington

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

ABSENT: Councilmember Robertson

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 except Councilmember Robertson were present. Councilmember Barksdale led the flag salute.

(a) Councilmember Jeremy Barksdale Commendation

Councilmember Stokes read the commendation thanking Councilmember Barksdale for his service on the Planning Commission beginning in 2015 and on the City Council since 2019. Mr. Barksdale co-chaired the Wilburton Commercial Area Citizens Advisory Committee (CAC) and participated in a number of regional forums including the Cascade Water Alliance Board of Directors, King County Cities Climate Collaboration, Sound Cities Association (SCA) public issues committee, Probation Advisory Board, Youth Link Board and Puget Sound Regional Council (PSRC) Executive Board. Mr. Stokes noted Mr. Barksdale's particular interest in affordable housing, transportation options and ensuring that small businesses can succeed in Bellevue.

Councilmember Zahn said the comments shared about Councilmember Barksdale during the reception before the meeting captured her sentiments about him as a public servant and a friend. Ms. Zahn said Mr. Barksdale always leads with values to guide his input and decisions on behalf of the community. She said she will miss Mr. Barksdale and looks forward to working with him in the future on common priorities.

Councilmember Lee thanked Councilmember Barksdale for serving on the City Council and for always advocating for Bellevue's diverse community. Mr. Lee said Mr. Barksdale's perspectives and values have been an asset on the Council and he will miss serving with him.

Councilmember Stokes said Councilmember Barksdale exemplifies Bellevue's commitment to welcoming the world and recognizing the strength of diversity within the community. Mr. Stokes said he has enjoyed working with Mr. Barksdale and looks forward to working with him again in the future. Mr. Stokes wished him well as he moves on to other endeavors.

Deputy Mayor Nieuwenhuis said it has been a pleasure serving with Councilmember Barksdale and acknowledged the challenge of beginning his service on the Council as the pandemic was underway and City operations and meetings were largely virtual. Mr. Nieuwenhuis said he appreciated Mr. Barksdale's advocacy for small businesses, the apprenticeship program and for increasing opportunities for entertainment and activities in Bellevue. Mr. Nieuwenhuis said Mr. Barksdale brought a fresh perspective and sincere commitment to the community.

Mayor Robinson noted that Councilmember Barksdale's early service on the Council coincided with a tumultuous time in our country and community. Ms. Robinson said Mr. Barksdale learned about the budget process and was successful in advancing initiatives. She thanked him for his work as a Councilmember within the community and region and said he will be missed.

Acting City Manager Diane Carlson, on behalf of the Leadership Team, expressed appreciation for Councilmember Barksdale's service to the community. She thanked him for generously sharing his time and energy with staff and the community, supporting the City's continued efforts to be inclusive and welcoming to all, having an interest in ensuring City programs support local businesses, being an effective voice on regional boards and committees, and for leaving a lasting legacy of how the City has grown and will grow into the future. Ms. Carlson presented the gift of a Barksdale Place street sign in recognition of his contributions.

Councilmember Barksdale said he was moved by the kinds words and show of support for him. He thanked his fellow Councilmembers for their engagement and collaboration and said he looked forward to continuing to build on those relationships. He thanked staff for their hard work and for helping him learn how to integrate ideas and values into policies. He thanked the community for their support on a number of issues.

3. Approval of Agenda

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

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

4. Oral Communications

City Clerk Arredondo said the total time for oral communications is for a period not to exceed 30 minutes and topics must relate to City of Bellevue government. Persons speaking to items on the

agenda will be called first and if time remains, others will be called. The presiding officer is authorized to give preference to individuals who have not spoken to the Council within the past 60 days or who are speaking to items that will come before the Council in the upcoming 60 days.

- (a) Barbara Hughes, representing the Bridle Trails Community Club, urged the Council to name the new park in their neighborhood the Bridle Trails Valley Creek Park. She commented on the importance of parks in creating a gathering place and a sense of community.
- (b) Barbara Braun, founding member of 300 Trees, expressed concern regarding the loss of trees in certain areas of Bellevue including related to highway expansion projects, housing developments adjacent to Coal Creek and the Energize Eastside project. She said 300 Trees supports the code recommendations from the Trees4Livability group including tree removal permit requirements, stronger minimum tree density requirements, tree protections on land through ownership changes, tree replacement requirements for large tree removals, better public education and easy code enforcement. She encouraged the City to partner with the Bellevue School District, King County and others to protect existing trees and forests and to expand the tree canopy. She thanked the Council for its continued commitment to the City's tree canopy goal.
- (c) Julie Tzucker expressed support for the comments of the previous speakers. She described how the recent removal of neighboring trees has adversely affected her quality of life. She encouraged strong code enforcement in which a developer or resident cannot obtain a retroactive permit without paying a significant fine. She thanked the Council for addressing the tree codes and encouraged the City to provide an easy way for residents to report concerns about specific tree removals and locations.
- (d) Elaine Duncan expressed concern about the costs associated with hiring an arborist and obtaining permits to remove landmark trees. She said she has at least two dozen landmark trees on her one-acre property on Cougar Mountain. One fell on her house in 2017 and last year a falling tree narrowly missed her house. She expressed concern about the permit costs to remove sick trees, as she recently learned there is laminated root rot affecting numerous trees on her property.
- (e) Loretta Lopez, co-president of the Bridle Trails Community Club, thanked the Parks and Community Services Department for working with residents over the past 15 years to develop the Bridle Trails Corner Park and the new neighborhood park. She thanked City staff Pam Fehrman and Scott VanderHyden for their patience and persistence in working with the neighborhood.
- (f) Pamela Johnston, co-president of the Bridle Trails Community Club, expressed support for naming the new park the Bridle Trails Valley Creek Park. She said parks are important to the neighborhood and help to create a sense of community.
- (g) Don Marsh, co-founder of 300 Trees, said he was pleased to review Bellevue's 2021 urban tree canopy assessment, which showed an overall increase in the tree canopy over

the past decade. However, the new report cautioned about the significant loss of tree canopy in suburban residential areas over the two-year pandemic. From 2019 to 2021, those areas lost 65 acres of tree canopy, undoing approximately half of the progress achieved during the previous eight years. Mr. Marsh said the removal of trees appears to be accelerating. He referred to statements in the report indicating that seven neighborhoods that account for more than half of the land area in Bellevue lost tree canopy. He said the recent decrease in the tree canopy was the greatest in the areas that already have a low tree canopy (e.g., Crossroads, Lake Hills and Northeast Bellevue). Mr. Marsh said those neighborhoods are more diverse and less affluent than the areas that gained tree canopy. He encouraged the Council to adopt tree protection measures that are fair, effective and enforceable.

- (h) David Loudenback said he last spoke to the Council in March. He said he learned that our brains shrink as we grow older. He noted that he earned his AA degree this past summer and is continuing his education at Eastern Washington University. He said he learned that the City of Kirkland is building a swimming pool at the old Houghton park and ride site. Noting plans to build an aquatic center in Bellevue, he said Airfield Park should be left as it is. He said the forests and parks help to keep Bellevue's waters healthy and provide homes for wildlife. He said the trees in neighborhoods make Bellevue truly special. Mr. Loudenback said he participated in the 2023 Bellevue Essentials program and learned a great deal about the City's operations. He encouraged the Council to protect the environment and land in Bellevue.
- (i) Craig Spiezle thanked Councilmember Barksdale for his leadership in the community. Mr. Spiezle said he was speaking on behalf of several businesses and residents to highlight three issues: staff's community engagement efforts, remote attendance at meetings and oral communications policies. He noted that he submitted a document earlier in the day with 10 recommendations. He encouraged an independent review of all outreach strategies, a requirement to engage neighborhood associations as key stakeholders, disclosure of the pros and cons of proposals, disclosure of community metrics, extended public comment periods, the prioritization of comments from Bellevue stakeholders over outside interests during oral communications and posting video recordings of meetings of Boards, Commissions and other groups within 48-72 hours. Mr. Spiezle noted that he previously made comments to the Council on July 24.
- (j) Phyllis White said she has been engaged in the Comprehensive Plan update process and the Bike Bellevue planning effort. She expressed concern that the public engagement process for the Bike Bellevue initiative has focused more on special interest groups and less on neighborhood leaders, stakeholders and constituents. She said she filed an ethics complaint earlier in the day that the Council should have received. She expressed support for a safe bicycle network in Bellevue. However, she is concerned about the potential loss of traffic lanes for bike lanes.
- (k) Diana Lin expressed concern about public safety at Crossroads Park. She said she appreciates Bellevue's park system and previously walked in the park every evening. She said she has been robbed twice in the park, including on April 6 when she was held at

knifepoint before she was able to run to the police for help. Following that incident, she changed to walking during the day. On November 20, she was stopped by a car with a couple, a baby and their mother. While they talked to her and gave her jewelry, they took her gold necklace that had belonged to her grandmother. Ms. Lin asked about the lack of security cameras in the park. She believes there are other victims of similar assaults.

Mayor Robinson asked the city manager to follow up with Ms. Lin and the Council regarding her comments.

- (l) Alex Tsimerman, president of StandUp America, said the last election was the worst election in many years. He said suggested that the Council is not a legal body.

Mayor Robinson indicated that the speaker was not addressing City business and asked him to conclude his comments.

At 6:55 p.m., Mayor Robinson declared a short break. The meeting resumed at 7:00 p.m.

- (m) David Haines, a resident of Redmond's Overlake neighborhood, said that if someone commits a crime in Redmond, such as stealing a bike, and walks across the street into Bellevue, he believes they are exempt from being pursued by Bellevue police. He expressed concern about individuals who are intoxicated and harassing others in Crossroads Park. He expressed concern about what he considers poor quality construction in new apartment buildings in Bellevue. He encouraged stronger enforcement of drug crimes.

5. Reports of Community Councils, Boards, and Commissions

- (a) 2024 Arts Grant Allocations

Acting City Manager Diane Carlson introduced a staff update regarding the Arts Commission's allocations for 2024 grants.

Lorie Hoffman, Arts Community Manager, said the City has been funding art grants since the early 2000s to ensure that residents can experience innovative art and diverse cultural traditions in Bellevue.

Manette Stamm, Arts Program Analyst, said staff is requesting Council approval of the recommended funding allocations for arts project grants.

Judy Gowdy, Chair of the Arts Commission, said the City has two arts grant programs, project grants and the Eastside Arts Partnership (EAP). Tonight's presentation addresses project grants, which are distributed on a yearly cycle, while EAP grants are allocated every two years. The City received 36 project grant applications totaling \$119,000 in funding requests from artists and organizations. The recommended allocations cover only half of the requested dollar amount.

Of the 36 applications, the Arts Commission recommended 22 grants to eight individuals and 14 organizations for a total of \$60,000. As part of the BelRed bonus program, five grants of \$1,000 each were awarded for projects in the BelRed Arts District. Chair Gowdy said the evaluation criteria are provided in the meeting packet materials and the Arts Commission approved the recommendations. One of the recipients of a BelRed bonus grant is Artma Poupus, which held three events in Bellevue this year at Marketplace Factoria, Yuan Ru Art Center and Emerald Ballet Theatre. A second example of a grant recipient is Danylo Sakara for the production of an original play at Theatre33 in the BelRed Arts District. Mr. Sakara arrived in Bellevue from Ukraine in June 2022.

Ms. Hoffman highlighted the economic impact of arts and culture activities. Arts and culture organizations in Bellevue supported 592 jobs and generated approximately \$54 million in economic activity in 2022. Arts events and performances generate an average spending in the community of \$49 per attendee beyond the cost of admission, which is \$10 above the national average, with non-residents typically spending more than \$100 per person above the cost of admission.

Ms. Stamm said arts and culture organizations and artists are anticipated to serve more than one million residents and visitors and provide more than 590,000 free and reduced admissions for the public in 2024. They provide support for diverse organizations and boost Bellevue's creative identity and tourism.

→ Deputy Mayor Nieuwenhuis moved to approve the Arts Commission's recommended funding allocations for 2024 Project Grants, and Councilmember Lee seconded the motion.

Councilmember Stokes, liaison to the Arts Commission, highlighted the economic and public benefits of arts and culture programs, activities and performances. He thanked the commissioners for their work and said he looks forward to the continued development of the BelRed Arts District.

Mayor Robinson noted her support for the recommendations and appreciation of the Arts Commission.

Councilmember Zahn said she hopes the City will be able to expand its arts funding and partnerships in future years. She said she would like to follow up with staff to learn more about how the decisions were made and what made some of the proposals more competitive. She expressed support for the continued development of the BelRed Arts District. She suggested expanding BellHop services to more arts venues in the future. Ms. Hoffman said BellHop was used as an event shuttle during the wine walk and is interested in serving more activities.

Councilmember Lee said that funding the arts is consistent with the City's objective of welcoming the world and highlighting Bellevue's diversity. He noted the role of the arts in bringing people together and providing a positive economic impact for local businesses.

Councilmember Barksdale said he appreciated the balance reflected in the funding recommendations in terms of the sizes and types of organizations.

Deputy Mayor Nieuwenhuis said he regularly hears from the public asking why there are not more performing arts and art exhibits and installations in Bellevue. He suggested looking for additional funds during the next budget cycle to increase the number of grants. He said residents want more opportunities and the events create a strong economic impact.

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

6. Report of the City Manager

(a) Bellevue Convention Center Authority (BCCA) Board Reappointments

Acting City Manager Carlson requested Council concurrence to reappoint three Bellevue Convention Center Authority (BCCA) Board members for terms ending January 1, 2027: Rick Carlson, Uzma Siddiqi and Laurie Tish. The other four BCCA Board members are John Christison, Roger Anderson, Ron Hofilena and Ann Kawasaki.

Deputy Mayor Nieuwenhuis, liaison to the BCCA Board, expressed support for the recommendation.

Mayor Robinson noted a Council consensus in support of the reappointments.

(b) Bellevue Essentials 2023 Program Update

Ms. Carlson noted that the Bellevue Essentials 2023 graduation ceremony was held the previous week.

Julie Ellenhorn, Community Relations Coordinator, Community Development Department, said the Bellevue Essentials program is in its 11th year and the most recent class had 33 graduates. She thanked Councilmember Barksdale and Councilmember Robertson for their support of the program while they served on the Council. She said the City receives approximately twice the number of applications as spaces available in the program. The participants learn about the City's departments and operations and, due to a donation from Amazon this year, were able to take two bus tours exploring local parks and neighborhood character. Walking tours included the Wilburton commercial area, BelRed area, City Hall art and the Anne Frank Exhibit.

The Bellevue Essentials program now has 374 alumni and many are serving with community organizations and neighborhood associations. More than 70 of the graduates have served on Boards and Commissions over the past 11 years, including 36 individuals who are currently serving. Deputy Mayor Nieuwenhuis and incoming Councilmember Mo Malakoutian were also graduates of the program. Ms. Ellenhorn said Bellevue's program staff has been instrumental in helping to start civic engagement programs in other cities.

Carmen AlmaJose thanked Councilmembers for speaking to the class about their vision for community involvement. She said she has lived in Newport Hills for most of her life and became interested in Bellevue Essentials while participating in a neighborhood walk with City staff. She said her classmates were friendly, curious and lively and represented the diversity of the community. She thanked Mayor Robinson for speaking to the class and for asking every participant to comment on their thoughts about City government. Ms. AlmaJose said every class was eye-opening, thought-provoking and packed with information. She said the participants learned about how the City handles competing priorities and manages rapid growth. She said the Bellevue Essentials program reflects the Council's values of welcoming the world and building strength through diversity. She said she has made new friends who are eager to serve their community and neighborhoods.

Anthony Mackay said the Bellevue Essentials program has changed his life and welcomed him as a relatively new resident. He noted that he has lived in a number of cities around the world and he believes Bellevue is the most forward-thinking, safe and tolerant city he has experienced. He learned about the Bellevue Essentials program while watching Channel 21 and knew he wanted to participate. He commended City staff as knowledgeable and passionate about serving the community. He said the program brings people from diverse backgrounds together for the common purpose of civic engagement. He said he and the other participants did not want the classes to end. Mr. Mackay thanked every Councilmember for working tirelessly for the betterment of the community.

Mayor Robinson congratulated the Bellevue Essentials graduates and thanked them for their commitment to the community.

7. Council Business and New Initiatives: None.

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 6-0, and the following items were approved:

- (a) Council Minutes
Minutes of November 13, 2023 Regular Meeting
- (b) Ordinance No. 6765 amending Section 4.52.090 of the Bellevue City Code to increase the maximum size for Very Small Dwelling Units and adjust the applicable Area Median Income level for said units; providing for severability; and establishing an effective date.
- (c) Resolution No. 10321 approving the A Regional Coalition for Housing (ARCH) 2024 Administrative Budget and Work Program as recommended by the ARCH Executive Board.

- (d) Ordinance No. 6766: (1) authorizing execution of a sub-grant agreement with King County to accept \$387,500 in reimbursable grant funding to support the Energy Smart Eastside Heat Pump Program; (2) amending the 2023-2024 General Capital Investment Program (CIP) Fund to increase the appropriation by \$387,500; and (3) amending the 2023-2029 CIP Plan to increase the budget for the Environmental Stewardship Initiative (ESI) Plan Implementation (CIP Plan No. CD-46) by \$387,500.
- (e) Resolution No. 10322 authorizing the execution of an amendment for a two-year extension to the Slalom Professional Services Agreement for a variety of technology, management, and strategic consulting services and an increase in spending authority from \$490,000, to a not-to-exceed amount of \$2,000,000, plus applicable taxes.
- (f) Resolution No. 10323 authorizing the execution of Supplemental Agreement No. 6 to the Professional Services Agreement with KPFF Consulting Engineers in the amount of \$286,889.00, plus all applicable taxes, for a total contract amount of \$4,008,530.72 for right-of-way acquisition and negotiation supports for the 120th Avenue NE Stage 4, NE 16th Street to Northup Way Project (CIP Plan No. PW-R-186).
- (g) Resolution No. 10324 authorizing execution of a labor agreement between the City of Bellevue and the Teamsters Local 763, representing Development Services Department Inspectors, Plans Examiners, and Building Technical Specialists for a four-year contract period starting January 1, 2023, and expiring December 31, 2026. The executed agreement shall be substantially in the form of the agreement in the Council Library.
- (h) Resolution No. 10325 authorizing execution of a Master Services Agreement with Employee Benefit Specialists, Inc., d/b/a Workterra to provide health benefit online enrollment and management services for up to five years in an amount not to exceed \$775,000, plus all applicable taxes.
- (i) Resolution No. 10326 authorizing the execution of an amendment to update the scope of work and add \$80,000, to a not-to-exceed total of \$1,278,071, for the Professional Services Contract with Environmental Science Associates to prepare an Environmental Impact Statement for the Comprehensive Plan Periodic Update in accordance with the state Growth Management Act.

9. Public Hearing

- (a) Resolution No. 10327 authorizing the execution of documents necessary to release one existing water line easement and a portion of a second water line easement located at 15600 NE 8th St, which have been declared surplus to the City's needs and are no longer required for providing continued water service; the

granting and recording of such releases being deemed in the best interest of the public.

Acting City Manager Carlson introduced the staff report regarding the proposed release of one water line easement and a portion of a second easement.

Loren Matlick, Real Property Manager, said the proposed easement release is located at 15600 NE 8th Street. On October 23, the Council declared the easements as surplus to the City's needs. Mr. Matlick said a portion of the Crossroads shopping center's parking area is being redeveloped for an apartment building where 20 percent of the units will be offered as affordable housing through the multifamily tax exemption (MFTE) program. The development will also include 14,460 square feet of retail space and transit stops are adjacent to the site.

Mr. Matlick said the existing utilities equipment within the easement will be removed by the developer and new utilities service will be provided through a new easement. Staff is requesting Council action on the easement release following the public hearing.

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

City Clerk Arredondo noted that no one signed up to speak and no written comments were received.

- Deputy Mayor Nieuwenhuis moved to close the public hearing, and Councilmember Stokes seconded the motion.
- The motion carried by a vote of 6-0.
- Deputy Mayor Nieuwenhuis moved to approve Resolution No. 10327, and Councilmember Stokes seconded the motion.
- The motion carried by a vote of 6-0.

10. Study Session Items

- (a) Presentation of Options and Background to Name a New Park Located on 140th Avenue NE in the Bridle Trails Neighborhood.

Acting City Manager Carlson introduced discussion regarding the options considered for naming the new park in the Bridle Trails neighborhood on 140th Avenue NE.

Pam Fehrman, Planning Manager, Parks and Community Services Department, said staff is seeking direction to return with a resolution adopting the Council's preferred name for the new Bridle Trails park. She recalled that the park property was acquired in 2014. Staff's work with

the Bridle Trails Community Club and residents throughout 2015 and 2016 resulted in the selection of a preferred park plan in 2016. Construction of the park began in May 2023 and is anticipated to be completed by the end of the year.

Ms. Fehrman said the 1.5-acre park is located on 140th Avenue NE south of the Bellevue Municipal Golf Course. The park will provide open space where there is currently no park within at least one mile. The eastern edge of the property borders a City-owned utilities site, which is a protected wetland, and the park's design protects and enhances the environment of the adjacent wetland. The preferred park plan includes both active and passive use elements including play areas, a picnic shelter, restroom, benches, picnic tables, looped trail and 12 parking spaces.

Ms. Fehrman said Resolution No. 10151 provides the policies for naming public parks and recreation facilities based upon public input using the following criteria: 1) neighborhood or geographical identification, 2) natural or geographical feature, 3) historical name or name of historical or cultural significance, 4) organization or individual that has made a significant contribution to the park system, and 5) consideration of equity, diversity and inclusion for names based on individuals or historic figures. Park name suggestions were solicited through the park planning process from 2015 through 2023 through neighborhood mailings, online updates and Bridle Trails Community Club communications and events. The final name preference survey was conducted this summer and the Parks and Community Services Board approved its recommended name in October.

Ms. Fehrman said that all of the submitted names were evaluated for conformance with the City's adopted park naming policy. Seven names were ultimately nominated for final consideration. The names receiving the most votes by the public were Valley Creek Park, Bridle Trails Valley Creek Park, Birdsong Park and Bridle Trails Birdsong Park.

Paul Clark, Chair of the Parks and Community Services Board, said the Board voted unanimously to recommend Bridle Trails Valley Creek Park as the new park name. He said there was some discussion by the Board. However, everyone generally concurred with public input to include Bridle Trails in the park's name. Mr. Clark thanked City staff for their outreach and coordination between the public and the Board. He thanked the Bridle Trails Community Club for their engagement and involvement in the park planning and naming process.

Mayor Robinson thanked Ms. Fehrman and Mr. Clark for the presentation.

Councilmember Stokes, liaison to Parks and Community Services Board, said there was a robust discussion by the Board. He said there was strong community support for the name and for including Bridle Trails in the name to help in locating the park.

Deputy Mayor Nieuwenhuis thanked the Bridle Trails Community Club for their involvement in the process and said he looks forward to the opening of the park. He thanked Chair Clark for his leadership and all Board members for their work in creating the park.

- Deputy Mayor Nieuwenhuis moved to direct staff to return with a resolution for future Council action adopting the name Bridle Trails Valley Creek Park for the new neighborhood park on 140th Avenue NE. Councilmember Stokes seconded the motion.
- The motion carried by a vote of 6-0.
 - (b) Land Use Code Amendment (LUCA) and Bellevue City Code Amendment to Support Tree Preservation, Retention, Replacement, and Protection.

Ms. Carlson said staff is requesting Council action on Ordinance No. 6767 following the presentation and discussion regarding tree preservation, retention, replacement and protection.

Rebecca Horner, Director of the Development Services Department, said the presentation would provide an update on the continued development of tree canopy code amendments and the landmark tree ordinance.

Nick Whipple, Assistant Director, Development Services Department, said staff will request Council action tonight to extend the interim landmark tree ordinance until permanent code amendments are adopted.

Kristina Gallant, Senior Planner, said staff was last before the Council on June 26 to provide an update on the tree canopy code amendment process. Staff provided an overview of that discussion to the Planning Commission on July 26, at which time the Commission communicated an interest in a better definition for hazardous trees, promoting native and climate-resilient species, preventing tree removal before development, and enhanced consistency across neighborhoods. The Commission cautioned against being overly restrictive in the definition of significant trees to avoid excessive costs to property owners.

Ms. Gallant said the second phase of the work is underway to develop draft code amendments. A technical consultant is working with staff to provide guidance and internal focus groups are discussing the implications of tree code amendments and how to establish the best plan for the future.

The tree canopy code amendments will update the definition of significant tree, add a permanent definition for landmark tree and add a definition for hazardous tree. The second topic area is tree removal and the code amendments will address permitting for the removal of significant trees, expanding tree replacement requirements and imposing financial penalties for violations.

Ms. Gallant said the City's current tree retention approach is based on retaining a certain percentage of the trees in place when a development permit is submitted. In considering tree retention amendments, staff is exploring a new system based on achieving a minimum tree credit per site. Tree retention amendments will address new retention criteria, development types, recent tree removals, tree protections during construction and inspection requirements. The tree canopy code amendments will establish a permanent definition for landmark tree, permanent permit requirements and criteria to encourage retaining landmark trees with development.

Ms. Gallant said staff anticipates three study sessions with the Planning Commission to continue to review and consider tree code amendments. A public information session is planned for January 11, 2024 and the draft recommendations will be shared with the Bellevue Development Committee on January 10. Staff anticipates returning for Council action on the code amendments during the second quarter of 2024.

11. Land Use: None.

12. Other Ordinances, Resolutions, and Motions

- (a) Ordinance No. 6767 amending Ordinance No. 6665; extending the expiration date of Ordinance No. 6665's permitting requirements to remove Landmark Trees; providing for severability; and establishing an effective date.

Ms. Gallant said staff is seeking Council action to extend the temporary landmark tree ordinance by adopting Ordinance No. 6767. The interim ordinance was adopted in June 2022 and defined a landmark tree as one that is at least 20 feet tall with a diameter at breast height of 24 inches or greater. A clearing and grading permit is required to remove a landmark tree and the applicant must provide information about their licensed tree removal contractor.

Ms. Gallant said approximately 90 permits have been issued for landmark tree removal since June 2022 for tree removals not linked to a development permit or process. The existing ordinance will expire on December 31, 2023, and Ordinance No. 6767 will extend those provisions until a permanent code is adopted.

Ms. Gallant said a form has been added to the MyBellevue app for reporting landmark tree violations. There have been 52 complaints to date via the form and most of the complaints were determined to be violations.

Mayor Robinson thanked staff for the update and requested Council action on Ordinance No. 6767.

→ Deputy Mayor Nieuwenhuis moved to adopt Ordinance No. 6767, and Councilmember Stokes seconded the motion.

Councilmember Zahn thanked staff for the data regarding the number of landmark tree permits and the number of complaints.

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

Mayor Robinson invited Councilmembers to raise any questions or comments.

Councilmember Barksdale expressed support for the concept of establishing tree credits based on the type of development.

Mayor Robinson said she appreciated staff's work based on previous Council direction. She expressed an interest in considering financial penalties for the inappropriate permitting and/or removal of landmark trees. She said she looks forward to hearing what staff will propose for the Council next year.

Councilmember Zahn expressed support for both penalties and incentives to encourage the retention of trees. She encouraged partnering with the Transportation Department to preserve and expand street trees where possible. She asked whether the City has engaged with youths to solicit input and ideas.

Councilmember Lee thanked staff for their work and public engagement efforts to address the tree canopy and landmark trees. He encouraged looking at both appropriateness and effectiveness in developing tree codes. He recalled that years ago, the Council supported the idea of different tree codes for different neighborhoods. At that time, codes were developed specifically for the Bridle Trails area. However, he noted that other neighborhoods are interested in retaining views as well as trees.

Councilmember Stokes acknowledged the complexities involved in developing tree codes. He observed that some areas of Bellevue have many trees while other areas have a reduced tree canopy. He expressed support for considering incentives and for focusing on both the retention of the tree canopy and the retention of landmark and significant trees. He noted the need for public education with property owners and developers. He thanked staff for their progress on this work.

13. Written Reports: None.

14. Unfinished Business: None.

15. New Business: None.

16. Executive Session: None.

17. Adjournment

At 8:22 p.m., Mayor Robinson declared the meeting adjourned.

Charmaine Arredondo, CMC
City Clerk

/kaw