

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Meeting

February 14, 2022
6:00 p.m.

Virtual Meeting
Bellevue, Washington

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

ABSENT: None.

1. Call to Order

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

Mayor Robinson noted that Saturday, February 19, would mark a significant anniversary for our nation and the Japanese-American community. On that date in 1942, President Franklin Roosevelt signed Executive Order 9066, which authorized the U.S. government to create military exclusion areas, frequently referred to as internment camps, for Japanese-Americans living on the west coast. Among those incarcerated were 300 women, men and children, all residents of Bellevue. Order 9066 is a troubling event in our history and the costs were heavy, both emotionally and financially. Ms. Robinson noted the importance of protecting the rights and freedoms of everyone. She reiterated the City's commitment to inclusion, access, equality and opportunity for all.

2. Roll Call; Flag Salute

City Clerk Charmaine Arredondo called the roll. All Councilmembers were present and participating remotely. Councilmember Zahn 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) Craig Spiezle spoke opposed to the 2022 Comprehensive Plan Amendment (CPA) proposal for property at 115 100th Avenue NE. He said the CPA does not provide any public benefit and would create a number of negative effects and irreversible damage to the neighborhood. He said the Northwest Bellevue neighborhood area plan was recently updated following a lengthy and thorough process. He expressed concern about making any amendments now to the plan. Mr. Spiezle said the application includes inaccurate statements, including the assertion that the rezone is necessary for commercial development. He said he strongly opposes expanding the geographic scope of the CPA proposal. He asked the Council to help protect their neighborhood.
- (b) Mark Walters said the Council will discuss an application to amend the Comprehensive Plan to change the zoning for a large parcel in his neighborhood to be redeveloped above the R-30 height and to include first floor retail and/or food service with either residential or hotel units on upper floors. He questioned whether the applicant was an authorized agent of the property owner when the application was submitted. He urged the Council to request proof that the applicant was an authorized agent of the property owner.
- (c) Billy Hetherington, a member of LIUNA Local 242, expressed support for the proposed apprenticeship program to be discussed under agenda item 7. He thanked Councilmember Barksdale for his leadership in raising this concept with the Council in September. He thanked all Councilmembers for the time they have taken to discuss the proposed program. He said that he and others in the building trades have heard nothing but positive feedback in conversations with Bellevue College Interim President Gary Locke, the Bellevue Chamber of Commerce, the Construction Industry Training Council, Bellevue School District, and several other community groups. Mr. Hetherington said the federal infrastructure package will provide significant funding for Washington state. He said the need for steel and construction workers will increase over the next decade. He asked the Council to consider an apprenticeship utilization policy and program for adoption in the near future.
- (d) Munsoir Eddie Williams expressed support for the proposed apprenticeship program to be discussed under agenda item 7. After working in the hotel industry for a number of years, he was temporarily out of work due to the pandemic and learned about the LIUNA pre-apprenticeship program. He said he ultimately joined the Local 242 union and has been working on the light rail project.
- (e) Jason Rock expressed concern about the high housing prices in Bellevue. He said he and his wife are both highly paid tech workers but they still could not afford a home in Bellevue. He said they instead purchased a townhome in the Columbia City neighborhood of Seattle. He encouraged the Council to prioritize the housing needs assessment and to separate it from the overall Comprehensive Plan discussions.
- (f) Andrea Ornelas, a mother of five, expressed strong support for the proposed apprenticeship program. She said she joined the union following the pre-apprenticeship

program and has had multiple promotions. The career has enabled her to repay debt, save money and to go from homeless to buying a home. Ms. Ornelas said she now mentors young women interested in working in the trades. She asked the Council to consider both the community and individual benefits of an apprenticeship program.

- (g) Leslie Geller, a resident of the Eastgate neighborhood, commented on Consent Calendar Item 8(h), Ordinance No. 6551, adding \$650,000 from the King County Conservation Futures Open Space Acquisition Program to the Capital Investment Program (CIP). She requested that the money be used to fund a neighborhood park in Eastgate in the area between the frontage road on the south side of I-90 and Newport Way. She thanked the City for recognizing the need for a neighborhood park in that area in the parks and open space system plan.

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

6. Report of the City Manager: None.

7. Council Business and New Initiatives

(a) Apprenticeship Utilization Policy and Program Proposal

Councilmember Barksdale said he was looking for support from his colleagues to direct staff to return to the Council with details about the fiscal and legal implications of an apprenticeship utilization policy and program. He said that workforce development, including technical and trade education, is mentioned as part of the achieving human potential strategic target area of the Council Vision. He said apprenticeships are a workforce development strategy that help people to learn and work in a skilled trade.

Mr. Barksdale recalled that he raised the topic in September 2020, as had Mayor Robinson, Councilmember Lee and Councilmember Zahn during the previous few years. He noted that Bellevue is not an affordable place to live for many lower income earners, and the affordable housing strategies help by lowering the cost of living. He said there is a need for alternatives to college for people who would like to learn a trade or who are going through a transition. He said the human needs update indicated that there is a decrease in middle income job opportunities, which makes it harder for people in lower income jobs to access better jobs. He said the living wage for a family in Bellevue is higher than in other parts of King County.

Mr. Barksdale said there is a shortage of skilled labor and an increasing need for people to work on public works projects. He said that, in 2020, six of 17 public works projects exceeded \$1 million. However, only one of the projects (Mountains to Sound Greenway) used apprentices. He said there is a broad range of capital projects that would utilize apprentices. He said the development of an apprenticeship utilization policy would provide job opportunities and much needed labor.

Councilmember Barksdale said the proposed apprenticeship utilization policy would require that at least 15 percent of the work be performed by apprentices. The policy would apply to public

works projects with contracts exceeding \$1 million. In the event a contractor does not meet the required number of hours, they would be assessed a fee of \$10 per hour. That money would go into a fund to support workforce development. Mr. Barksdale proposed that staff would provide regular reports on the apprenticeship program.

The anticipated costs of an apprenticeship utilization policy are related to changes to the request for proposals (RFP) and to the contract language tracking to ensure compliance and equity, and the establishment of an accountability structure for enforcement action. Mr. Barksdale said the City of Kent currently spends approximately \$1,500 to \$2,500 per month to administer its ordinance. The utilization of apprentices provides a number of benefits to the community including building and maintaining aging infrastructure, training for young people interested in the trades, and the potential to earn a good income and to live closer to their job.

Councilmember Barksdale compared his proposal with similar policies in Burien, Kent and Shoreline. He noted his response to questions previously raised by the Council in the presentation. He said the next steps would be to assess the feasibility of the proposal and to return to the Council with details regarding the financial and legal implications. If adopted and funding is allocated, staff would execute the policy by designing and implementing a program, regularly reporting back to Council, and making improvements as needed.

Councilmember Stokes expressed support for Councilmember Barksdale's proposal to conduct further analysis and continue the Council discussion.

Councilmember Robertson said this type of proposal typically includes information regarding the estimated timing for the project, as well as staffing and other resource needs. Nathan McCommon, Deputy City Manager, said staff would follow up with more information.

Ms. Robertson expressed support for studying the proposal. However, she wants to make sure that the needed resources are available and that there are not negative impacts to other priorities. Ms. Robertson said she would like the staff work to include outreach to labor, outreach to businesses, an evaluation of best practices, economic impact and legal reviews, and an estimate of resource needs and the impact on the work plan.

Councilmember Zahn thanked Councilmember Barksdale for bringing the proposal forward. She said there are many construction projects in Bellevue as well as federal infrastructure funding to be received for future projects. She said apprenticeship programs are already utilized in many agencies in Washington state, and many of the provisions in Mr. Barksdale's proposal are part of established apprenticeship programs with other agencies. Ms. Zahn expressed support for staff moving forward to evaluate the financial and legal implications. She suggested collecting additional information from other cities and agencies regarding their programs. She encouraged collaborating with the Bellevue School District, labor, and others.

Councilmember Zahn encouraged the Council to consider advocating for Senate Bill 5600 given the interest in workforce development.

Deputy Mayor Nieuwenhuis thanked Councilmember Barksdale for the proposal. He expressed support for learning more about the issues and impacts and concurred with Councilmember Robertson's requests for information. Mr. Nieuwenhuis expressed concern about any impacts of the proposed staff work on other priorities.

Councilmember Lee said that workforce development is a critical component of economic development. He encouraged a study of similar programs in other jurisdictions before tailoring a program for Bellevue. He encouraged collaborating with community colleges and the Department of Labor and Industries. He acknowledged the need to coordinate with the unions and other stakeholders. He suggested exploring the potential for advanced manufacturing. He expressed support for learning more about the proposal.

Mayor Robinson thanked Councilmember Barksdale for his research and proposal. Ms. Robinson said her dad joined a union at age 15 in Canada and worked for Boeing, and he hired union workers throughout all of his projects when he later had his own firm in San Francisco. She said the workforce is aging and there is a critical need for skilled workers.

Ms. Robinson proposed two alternatives. One is to give permission to staff to spend more than eight hours on the requested information. The other is to discuss the proposal along with other priorities during the Council retreat in March.

Councilmember Robertson concurred with Mayor Robinson's comments about competing priorities. Ms. Robertson expressed support for deferring the discussion to the March retreat. She reiterated her request for information regarding the estimated resources needed to administer the policy and whether the new initiative would impact other projects.

Councilmember Stokes suggested authorizing staff to spend more than eight hours to analyze the proposal and respond to questions before returning to the Council for a robust discussion during the retreat. He said the proposal is core to Bellevue's future and comes at an important time in history.

Councilmember Zahn concurred with Councilmember Stokes's suggestion to authorize staff to spend more than eight hours to conduct additional work. Ms. Zahn noted the opportunity to partner with the Department of Labor and Industries and other agencies to develop the appropriate policy for Bellevue.

Councilmember Robertson asked whether staff had an estimate for the number of hours needed to conduct the analysis.

Councilmember Stokes said he suspects it would take longer than eight hours. He said this is part of the economic development program and he would like staff to have sufficient time to complete the work before the Council retreat.

Mayor Robinson said that any further work by staff will exceed eight hours because Councilmember Barksdale has already spent time working with staff. Ms. Robinson suggested

that the Council could place a maximum limit on the number of hours if desired. However, she did not feel it was necessary.

→ Councilmember Barksdale moved to authorize staff to spend additional time beyond the eight-hour rule to further investigate the fiscal, legal and economic implications of the apprenticeship utilization policy proposal, as well as the impacts on other priorities, in preparation for continued discussion during the Council retreat in March. Deputy Mayor Nieuwenhuis 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 January 24, 2022 Regular Meeting

(b) Resolution No. 10066 appointing a Board Member and Alternate Board Member to the Cascade Water Alliance Board of Directors.

(c) Ordinance No. 6649: 1) authorizing execution of a grant agreement with the State of Washington Recreation Conservation Office (RCO) to accept \$1,850,000 in Washington Wildlife and Recreation Program grant funds; 2) amending the 2021-2022 General Capital Investment Program (CIP) Fund to increase the appropriation by \$1,850,000; and 3) amending the 2021-2027 CIP Plan to increase the budget for Parks and Open Space Acquisition (P-AD-82) by \$1,850,000.

(d) Motion to reject the bid protest of Award Construction and award Bid No. 22006 for 2022 Crosswalk Improvements (CIP Plan No. PW-R-199) to Kamins Construction as the lowest and responsive bidder, in the amount of \$1,758,086.20, plus all applicable taxes. This project is fully funded by the Neighborhood Safety, Connectivity and Congestion Levy.

(e) Ordinance No. 6650: 1) amending the 2021-2027 General Capital Investment Program (CIP) Plan to create a new project entitled, 148th Avenue SE at Larsen Lake Flood Mitigation Project (CIP Plan No. PW-M-21) with total funding of \$460,000; 2) decreasing the budget for the 150th Avenue SE at SE Newport Way Project (CIP Plan No. PW-R-202) by \$60,000; 3) authorizing execution of an interlocal agreement (and supplements if necessary) with the King County Flood Control Zone District (District) to accept up to \$400,000 in King County funding

to support the preliminary design of the 148th Avenue SE at Larsen Lake Flood Mitigation Project; and 4) amending the 2021-2022 General CIP Fund appropriation to increase by \$400,000.

- (f) Resolution No. 10067 authorizing execution of a Professional Services Agreement between the City of Bellevue and Aspect Consulting LLC in the amount not to exceed \$193,106, plus all applicable taxes, to conduct a Stormwater Best Management Practices Study
- (g) Resolution No. 10068 granting authority to the Finance & Asset Management Director or his/her designee to approve annual purchase orders for various vendors for small items not stocked by City departments, and recurring services for amounts not to exceed the estimated values for the specified vendors set forth in Attachment A to this Resolution, plus applicable taxes.
- (h) Ordinance No. 6651: 1) authorizing execution of an Interlocal Cooperation Agreement with King County for the Conservation Futures open space acquisition program, providing the City with \$650,000 in King County Conservation Futures proceed; 2) amending the 2021-2022 General Capital Investment Program (CIP) Fund to increase appropriation by \$650,000; and 3) amending the 2021-2027 CIP Plan to increase the budget for the Parks & Open Space Acquisition (CIP Plan No. P-AD-82) by \$650,000.

At 6:57 p.m., Mayor Robinson declared a break. The meeting resumed at 7:10 p.m.

9. Public Hearing: None.

10. Study Session

- (a) Informational Overview of Privately-Initiated Proposed Comprehensive Plan Amendment (CPA) for 2022

Deputy City Manager Nathan McCommon introduced staff's presentation regarding the privately initiated Comprehensive Plan Amendment (CPA) for the 2022 work plan.

Emil King, Assistant Director, said the Comprehensive Plan sets forth the vision for the City, goals and policies, and a series of land use maps to guide development and property zoning designations in Bellevue.

Kate Nesse, Senior Planner, said no action is requested of the Council this evening. She noted that the CPA process includes threshold review and final review phases. During threshold review, the Planning Commission considers the geographic scope of the proposed amendment and whether to include neighboring properties. The commission provides a recommendation to the City Council about whether a CPA should be included in the current year's work program. If an item passes threshold review, the Planning Commission recommends and the City Council makes a decision based on the merits of the proposal to amend the Comprehensive Plan.

Ms. Nesse said the CPA was introduced to the Planning Commission on December 8, 2021. The commission will consider the geographic scope issue later this month and hold a public hearing in March. The commission will make a decision regarding threshold review, and the City Council will consider and take action on whether to include the CPA proposal in the work program for final review.

The privately initiated CPA application applies to the former Chimney Condominiums at 115 100th Avenue NE. The CPA proposes a map amendment from Multifamily-High (MF-H) to Neighborhood Mixed Use (NMU) on a one-acre site. Ms. Nesse said the property is located across the street from the Downtown Park and it is surrounded by single-family, multifamily, office and retail land use designations.

Ms. Nesse compared the development potential of the site under the MF-H designation to the potential development under the NMU designation. The MF-H designation allows a building height of 30 feet with bonuses to build up to 40 feet. Under the NMU designation, the maximum height is 45 feet with no bonus opportunities. Ms. Nesse noted that NMU development requires commercial uses on the first floor with multifamily housing or a hotel on the upper floors.

Ms. Nesse said that 38 public comments were received through February 9, 2022. She noted that the Lochleven Community Association is engaged in this issue. Key issues mentioned in the public comment communications include the process, building height, retail and hotel uses, parking and housing units. Staff will continue to engage with the community throughout the entire process. She said the CPA web page will be updated periodically and public comments continue to be accepted. She said the Planning Commission will hold a public hearing this spring and there will be opportunities for public comment at the Planning Commission and City Council meetings. The Council will determine whether to include the proposal in the 2022 CPA work plan in April.

Councilmember Robertson, liaison to the Planning Commission, said that one of the criteria for the review of CPA proposals is to determine whether there have been significantly changed circumstances affecting the property. With the adoption of the Northwest Bellevue neighborhood area plan last year, Ms. Robertson wondered whether the significantly changed circumstances analysis is based on the last general Comprehensive Plan or the newly adopted neighborhood area plan. Mr. King said staff will be using the updated neighborhood area plan as well as the Comprehensive Plan. Ms. Robertson said she looked forward to hearing from the Planning Commission following its review.

Deputy Mayor Nieuwenhuis asked for more details regarding the 38 public comments. He has heard there is a great deal of concern from a number of Lochleven residents. Ms. Nesse confirmed that Lochleven residents represent the vast majority of the comments. In further response to Mr. Nieuwenhuis, Ms. Nesse said public notices are sent to property owners within 500 feet of the site, and signage is posted on the site. Ms. Nesse said the City accepts emailed comments as well.

Councilmember Stokes said some of the emails seem to assume that the Council could stop the process right now without going through the CPA proposal review. He said more information will be gathered and reviewed before a final decision is made, and this is the beginning of the process.

Responding to Mayor Robinson, Mr. King said the Planning Commission will discuss geographic scoping on February 23 and hold a public hearing likely in March. The commission's recommendation is anticipated to go to the City Council in April.

Responding to Councilmember Lee, Mr. King said the Planning Commission will address the issue of significantly changed conditions as it evaluates the CPA proposal.

Councilmember Robertson clarified her earlier comment and said an applicant must demonstrate the existence of changed circumstances since the Comprehensive Plan was last updated. She suggested it would be difficult to demonstrate changed circumstances over the past 60 days since the Northwest Bellevue neighborhood area plan portion of the Comprehensive Plan was adopted.

Councilmember Stokes said this item is for information only tonight. He cautioned against prejudging the CPA proposal before the Planning Commission conducts its analysis and makes a decision.

Mayor Robinson said she looks forward to seeing what the commission recommends.

(b) Initiation of Comprehensive Plan Amendment Work Plan related to the development of a Curb Management Plan

Deputy City Manager McCommon introduced discussion regarding the initiative to develop a curb management plan. This topic was last before the Council in November 2021, when the Council authorized a consulting agreement to support the analysis. Staff is seeking Council direction to advance elements of the Comprehensive Plan to the appropriate commissions for potential amendment and to recommend a curb management plan.

Andrew Singelakis, Director of the Transportation Department, introduced Chris Iverson, Project Manager for developing the curb management plan. He said staff is seeking direction to refer this work to the Transportation Commission and to refer work on potential Comprehensive Plan language to the Planning Commission and the Transportation Commission.

Mr. Iverson said curb management seeks to inventory, optimize, allocate and manage the curb space to maximize mobility, safety and access for the wide variety of curb demands. Curb uses include on-street parking, bus lanes, ride shares and taxis, employer-operated shuttles, bicycles, and drop-off zones. Mr. Iverson said that continued growth in Bellevue is placing a burden on infrastructure, including along curbs, and it is important to prioritize the use of those spaces. He noted that the pandemic has affected the usage of the curb with the introduction of curbside dining.

Mr. Iverson said the curb management plan will establish a vision and values framework and a contextualized prioritization framework for the use of the curb. The process will involve analyzing options, developing tools to deliver better curb outcomes, and building an organizational and staffing framework to oversee the curb management plan. Mr. Iverson presented artistic renderings of street scenes depicting multiple curb uses.

Mr. Iverson said staff is requesting Council direction to the Transportation Commission to develop policy recommendations through the CPA work. He said the Council may initiate a CPA at any time, and this is a City-initiated CPA proposal. He recalled that the Transportation Commission worked approximately nine years ago to develop the Downtown Transportation Plan, which includes policies related to curb management. He said this work will update policies in the Downtown Subarea Plan and the Transportation Element of the Comprehensive Plan.

Mr. Iverson highlighted the project timeline which includes stakeholder and public engagement as the curb management plan recommendations are developed throughout the rest of the year. He said the City will launch a public survey and interactive map on the EngagingBellevue.com web site this week.

Mayor Robinson thanked staff for the presentation and noted that curb management will significantly affect the experience of living and working in the downtown.

Councilmember Zahn, liaison to the Transportation Commission, recalled that she was serving on the commission when it worked on the Downtown Subarea and transportation planning. She expressed support for moving forward with this work. She encouraged considering how the City can be more strategic, proactive and predictive to reduce conflicts between curb uses. Ms. Zahn asked whether the work will include collaboration with the University of Washington's Urban Freight Lab. She said they have developed a toolkit that is available to cities. She recalled another project involving UW students a few years ago that studied curb management.

Mr. Iverson confirmed that City staff will be working with the UW's Urban Freight Lab, which has been a great partner to the City over the past several years. He recalled that the City was a partner agency under a grant from the U.S. Department of Energy a few years ago to look at reducing emissions for the last-mile delivery systems. He said the City also worked with the Urban Freight Lab as part of the curb pilot project with Transportation for America.

In further response to Ms. Zahn, Mr. Iverson said staff is always looking for grant funding opportunities, including through the federal infrastructure package.

Deputy Mayor Nieuwenhuis asked whether the curb management plan will address new technologies such as autonomous vehicles. Mr. Singelakis said the City is currently working on an autonomous vehicle vision plan that dovetails well with the curb management plan effort.

Mr. Nieuwenhuis asked how the work will intersect with the pedestrian and bike plan. Mr. Iverson said that as the City starts to develop the prioritization framework, staff will reference existing adopted plans (e.g., Pedestrian and Bike Plan, Transit Master Plan, Mobility Implementation Plan) to guide some of the recommendations.

In further response to Deputy Mayor Nieuwenhuis, Mr. Iverson said the curb is the most important infrastructure that most people never think about. In addition to the survey, staff will engage with a number of stakeholders including businesses, residents, developers, and mobility specialists and advocates. He said the City will host a curb summit event to provide workshops to address the curb management plan.

Councilmember Lee expressed support for the development of a curb management plan, which has been a topic of interest for him for many years. He noted the importance of being proactive and being ready for opportunities when they arise. He said the work is consistent with the goals of the Vision Zero program. He encouraged working with local businesses, transit agencies and electric vehicle businesses. He said it is important for technology to be accepted by the public. He said the federal government should use this as a model for the rest of the country.

Councilmember Robertson expressed support for initiating the CPA work related to the development of the curb management plan. She concurred with suggestions to study technology innovations and autonomous vehicles. However, she said the City should also look at how it can use technology to regulate the demand on curb space by providing real-time information. She encouraged the consideration of the impacts related to bikes and pedestrians. Ms. Robertson suggested looking for opportunities for private property owners to provide pick-up and drop-off zones. She said it is important to address idling vehicles and excessive emissions. She said the City will need to devise a way to ensure that all codes work together and are enforceable. She suggested considering an incentive system for certain curb features.

Councilmember Barksdale expressed support for moving forward with the CPA work. He asked about outreach to community based organizations, including cultural festivals and events, regarding the curb management plan. He suggested that this is an opportunity to leverage tactical urbanism to understand how people and vehicles move through streets and interact with the curb. Ms. Nesse said that is something that could be explored. She noted that she serves on the curb management team.

Councilmember Stokes said this has been a good conversation. He thanked staff for their work and expressed support for moving forward as proposed.

Responding to Mayor Robinson, Mr. Iverson confirmed that the City is working with Old Bellevue businesses as well as other retailers and small businesses.

- Deputy Mayor Nieuwenhuis moved to direct staff to initiate the Comprehensive Plan Amendment (CPA) proposal into the 2022 CPA work program to incorporate policies in the Transportation Element and the Downtown Subarea Plan related to curb management, and to direct work with the Transportation Commission, the community and staff to prepare a Curb Management Plan recommendation for the City Council. Councilmember Stokes seconded the motion.
- The motion carried by a vote of 7-0.

Mayor Robinson noted that the February 22 meeting is cancelled.

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

At 8:07 p.m., Mayor Robinson declared recess to Executive Session for approximately 20 minutes to discuss one matter pursuant to RCW 42.30.110(1)(i). She said the meeting would adjourn following the conclusion of the Executive Session.

16. Adjournment

The meeting was adjourned at 8:18 p.m.

Charmaine Arredondo, CMC
City Clerk

/kaw