

CITY OF BELLEVUE  
CITY COUNCIL

Summary Minutes of Regular Meeting

January 9, 2023  
6:00 p.m.

Council Chambers  
Bellevue, Washington

PRESENT: Mayor Robinson, Deputy Mayor Nieuwenhuis, and Councilmembers Barksdale, Lee, Robertson, Stokes, and Zahn<sup>1</sup>

ABSENT: None.

1. Call to Order

The meeting was called to order at 6:01 p.m., with Mayor Robinson presiding.

2. Roll Call; Flag Salute

City Clerk Charmaine Arredondo called the roll. All Councilmembers were present. Deputy Mayor Nieuwenhuis led the flag salute.

(a) Martin Luther King, Jr. Day Proclamation

Councilmember Barksdale read the proclamation recognizing January 16, 2023 as Martin Luther King, Jr. Day in Bellevue. He encouraged all residents to visit [www.MLKDay.gov](http://www.MLKDay.gov) to learn more about service opportunities and ways to work together to build a more just and united society.

Dr. Linda Whitehead, Chief Diversity, Equity and Inclusion Officer, shared a quote by Dr. King: “The ultimate measure of a man is not where he stands in moments of comfort and convenience, but where he stands at times of challenge and controversy.”

Councilmember Stokes said he was a law school student in Washington, D.C., and attended the March on Washington on August 28, 1963, where Dr. King delivered his historic “I Have a Dream” speech. Mr. Stokes said the experience meant a lot to him personally, and he visited Washington, D.C. again on the 40<sup>th</sup> and 50<sup>th</sup> anniversaries of that event.

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<sup>1</sup> Councilmember Zahn participated remotely.

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) Steve Williams noted that he is a volunteer with the Eastside Heritage Center. He expressed concern regarding the Isola proposal to build 35 expensive homes on the old Swanson homestead in the Lakemont area. He said the development will block the wildlife corridor and eliminate the horse pasture and barns. He shared a 1928 map of the former coal mining area encompassing modern Cougar Mountain Park and Newcastle. He commented on the history of the coal industry in the area since 1863. By 1909, the area was producing more than \$2 million worth of coal annually and Puget Sound was the third largest coal port in the United States.
- (b) Alex Zimmerman objected to the Council's rules for oral communications. He commented that Martin Luther King Jr. is a hero for everyone regardless of race or ethnicity.

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

6. Report of the City Manager

- (a) Preview of 2023 State Legislative Session

City Manager Brad Miyake introduced staff's briefing regarding the 2023 state legislative session.

Genesee Adkins, Chief of External Affairs, said today is the first day of the 105-day state legislative session. She said staff has been working closely with the 41<sup>st</sup> district and 48<sup>th</sup> district legislators based on the legislative agenda approved by the Council in December. She noted that Mayor Robinson participated in most of those conversations. Ms. Adkins said that five of the six elected officials from the 41<sup>st</sup> and 48<sup>th</sup> districts are committee chairs, and one member sits on the Senate Rules Committee.

Ms. Adkins said staff will provide weekly written updates to the Council and provide monthly updates during Council meetings. She requested the Council's engagement in the Association of Washington Cities' Action Days on February 15 and February 16.

7. Council Business and New Initiatives

- Deputy Mayor Nieuwenhuis moved to excuse Councilmember Robertson's absence from the January 17 Council 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 December 5, 2022 Regular Meeting*  
*Minutes of December 12, 2022 Regular Meeting*
- (b) Motion to award Bid No. 22067 for 119th Avenue SE Speed Cushions, Phase 2 Project (CIP Plan No. PW-M-7) to Watson Asphalt Paving Company Inc. as the lowest responsible and responsive bidder, in the amount of \$96,644.00, plus all applicable taxes. This project is funded by the Neighborhood Traffic Safety Program (CIP Plan No. PW-M-7).
- (c) Motion to award Bid No. 22001 for Wilburton Pump Station Rehabilitation to Strider Construction Co, Inc, as the lowest responsive and responsible bidder, in an amount not to exceed \$1,348,174.50 plus all applicable taxes (CIP Plan No. S-16).
- (d) Ordinance No. 6710: 1) authorizing execution of a grant agreement (and supplements if necessary) with the Washington State Department of Transportation (WSDOT) to accept up to \$1,240,000 in federal Highway Safety Improvement Program (HSIP) funding to support the design and construction of the Coal Creek Parkway Corridor Safety Improvement Project (Coal Creek Parkway CSI) as part of the Traffic Safety Improvements Program (CIP Plan No. PW-R-46); 2) amending the 2023-2029 General Capital Investment Program (CIP) Plan to increase the budget for the Traffic Safety Improvements Program (CIP Plan No. PW-R-46) by \$1,240,000; and, 3) amending the 2023-2024 General CIP Fund to increase the appropriation by \$1,240,000.
- (e) Ordinance No. 6711 amending Ordinance Nos. 270 and 277 to release a public utility easement and a portion of a second public utility easement, all located at 10300 NE 8th Street, which have been declared surplus to the City's needs and are no longer required for providing continued public utility service; the release of these easements being deemed in the best interest of the public.
- (f) Ordinance No. 6712: 1) authorizing execution of a Grant Agreement (and supplements if necessary) with King County Metro (KCM) for acceptance of \$500,000 in pass-through grant funds from KCM for the 2023-2024

Transportation Demand Management (TDM) Implementation and SchoolPool programs; 2) amending the 2023-2024 Operating Grants, Donations and Special Reserves Fund by increasing the appropriation by \$500,000; and, 3) authorizing execution of a professional services contract amendment (and supplements if necessary) with Bellevue Downtown Association (BDA) in the total reimbursement amount of \$181,000 for trip reduction services associated with implementing the 2023-2024 TDM Implementation and SchoolPool programs.

- (g) Ordinance No 6713 authorizing execution of an Interagency Agreement with the Washington State Department of Commerce to accept up to \$162,500 in grant funds to support processing the Comprehensive Plan Periodic Update and development regulations under RCW 36.70A.130(5), and amending the 2023-2024 Operating Grants, Donations, and Special Reserves Fund to increase the appropriation by \$162,500; providing for severability; and establishing an effective date.
- (h) Ordinance No. 6714: 1) amending the 2023-2024 General Capital Investment Program (CIP) Fund to increase the appropriation by \$100,000 with funds contributed by Amazon; and 2) amending the 2023-2029 CIP plan to increase the appropriation by \$100,000 for the Off-Leash Facilities (CIP Plan No. P-AD-111).
- (i) Ordinance No. 6715 amending Ordinance No. 6688 to replace Attachment A with a revised Attachment A-1 to reflect corrected rates.
- (j) Resolution No. 10199 authorizing execution of Amendment #1 to the Professional Services Agreement with Pacifica Law Group LLP (Contract No.1950036), outside counsel for the City, in an amount not to exceed \$300,000, plus all applicable taxes, for legal services related to the acquisition of the property rights needed for the Transportation Capital Investment Program (CIP) projects involving the widening of 124th Avenue NE from NE 12th Street to Northup Way (CIP Plan Nos. PW-R-166, PW-R-169, PW-R-191).
- (k) Resolution No. 10200 authorizing execution of an amendment to a Professional Services Agreement with Kenyon Disend PLLC, outside counsel for the City, in an amount not to exceed \$75,000, plus all applicable taxes, for legal services and representation in property acquisitions related to the NE 4th Street Extension - 116th to 120th Avenues NE (CIP Plan No. PW-R-160).
- (l) Resolution No. 10201 authorizing the execution of a three-year Carahsoft/NASPO Agreement for required Boomi licenses and subscriptions, which ensures level pricing for the entire three-year term. The total cost of this three-year contract is not to exceed \$259,286 plus all applicable taxes.
- (m) Resolution No. 10202 authorizing execution of a professional services agreement with Full Circle Environmental, Inc., to provide solid and hazardous waste technical assistance to local businesses, for an initial 2-year term, with the option

of a 2-year renewal, for a maximum of four years, and for a total contract amount not to exceed \$300,000, plus all applicable taxes.

- (n) Resolution No. 10203 authorizing execution of a professional services agreement with Wilder Environmental Consulting, to provide solid waste, hazardous waste, and pollution prevention outreach and technical assistance to Bellevue schools and residents, for an initial 2-year term, with the option of a 2-year renewal, for a maximum of four years, and for a total contract amount not to exceed \$288,000, plus all applicable taxes.
- (o) Resolution No. 10204 authorizing execution of a professional services agreement with Triangle Associates, Inc., to provide community and school outreach on how to reduce waste, prevent pollution, and dispose of solid and hazardous waste safely, for an initial 2-year term, with the option of a 2-year renewal, for a maximum of four years, and for a total contract amount not to exceed \$270,000, plus all applicable taxes.
- (p) Resolution No. 10205 authorizing execution of an Interlocal Agreement for the Eastside Climate Partnership with the Cities of Kirkland, Redmond, Issaquah, and Mercer Island to support collaborative climate action. The executed agreement shall be substantially in the form of the agreement in the Council Library.

9. Public Hearing: None.

10. Study Session

- (a) Safe Parking Pilot Program for Homelessness Response

Mayor Robinson thanked Councilmember Zahn for initiating consideration of a safe parking program.

Bianca Siegl, Assistant Director, City Manager's Office, introduced staff's presentation regarding the safe parking pilot program.

Nico Quijano, Homelessness Outreach Program Manager, recalled that the Council directed staff on July 11, 2022, to develop an implementation plan for the safe parking program, and the 2023-2024 budget provides \$450,000 per year for the pilot program. He said the University of Washington's Livable City Year project in 2019 recommended that the City support religious organizations that would like to operate their own safe parking programs. In 2022, staff conducted outreach to vehicle residents, current safe parking programs and potential safe parking program facilitators. Staff explored potential sites and identified Lincoln Center for the pilot program.

Mr. Quijano said staff reached out to neighboring properties and sent formal notices regarding the proposed project. Staff worked with nonprofit organizations and interviewed individuals experiencing homelessness to gather input and to determine their interest in participating in a

safe parking program. Mr. Quijano said a number of cities commented on the difficulty of finding a program operator.

Mr. Quijano said staff spoke with 15 vehicle residents to ask whether they would participate in a safe parking program. One person said no because they are on a path to stable housing. The remaining individuals identified the services they would need from a safe parking program including bathrooms, showers, security, clear rules, electricity, internet access and the ability to keep a pet on site.

Mr. Quijano said Lincoln Center is an ideal site because it has ample parking, relative seclusion, and daily living facilities in the existing day center and shelter operated by Congregations for the Homeless. The day center and shelter programs will move to the new men's shelter this spring, at which time the safe parking pilot program will be implemented at Lincoln Center.

The purpose of the safe parking program will be to find stable housing for vehicle residents. Vehicle residents will be allowed in both cars and RVs, and the program operator will be required to develop a safety plan and code of conduct for participants. Mr. Quijano said the program operator will be able to establish satellite safe parking sites as well. The Livable City Year work produced a recommendation that the City coordinate with religious organizations to facilitate the development of safe parking programs on their properties. Mr. Quijano said that satellite safe parking sites can serve smaller, especially vulnerable populations (e.g., adults with children) and target services to those populations.

Next steps are to release the request for proposals (RFP) for a pilot program operator, complete the environmental and land use review and to select the program operator. Staff anticipates that the operator will launch the pilot program this spring. Mr. Quijano said staff will conduct monthly reviews of the program's performance and continue to proactively tailor the program to the needs of the community.

Mayor Robinson thanked staff for the presentation.

Councilmember Robertson said the program is urgently needed and she is pleased to see it moving forward so quickly. Responding to Ms. Robertson, Mr. Quijano said the Lincoln Center site will accommodate 20 vehicles. In further response, Mr. Quijano said that in December 2021, the City counted 83 vehicle residents in Bellevue. He said he and a co-worker worked with 57 vehicle residents over the past year. Councilmember Robertson expressed support for the program and encouraged ongoing efforts to meet the demand for services.

Councilmember Zahn thanked her colleagues for their support of this initiative. She asked whether performance measures to monitor and evaluate the program have been established. She expressed support for the proposed safety plan and code of conduct. She asked about funding to sustain the program as long as needed.

Mr. Quijano said performance measures have been identified and more are likely to be established as the program is implemented. He said the pilot program will enable the City to

determine how a safe parking program works in Bellevue and what will be needed to continue to meet the community's needs. Ms. Siegl said the City will continue to seek funding sources.

Councilmember Barksdale asked whether pets would be allowed. Mr. Quijano said that most safe parking programs allow pets and the City will work with the program operator to address the issue. In further response to Mr. Barksdale, Mr. Quijano said program operators have talked about the importance of involving community groups in safe parking programs, including meal programs and other activities. Responding to Mr. Barksdale, Ms. Siegl said the City will work with vehicle residents to let them know about the safe parking program. Mr. Barksdale expressed concern about vehicles that are towed and the impacts on those residents.

Deputy Mayor Nieuwenhuis expressed support for the proposed pilot program. He recalled that he was involved with a safe parking program at The Sophia Way facility at St. Luke's Lutheran Church. He said the vast majority of the vehicle residents were going to school and/or working. He spoke in favor of developing a safety plan and allowing pets for the pilot program at Lincoln Center. He expressed support for services to help individuals achieve housing stability. He encouraged staff to periodically brief the Council and the Human Services Commission about the program's progress.

Responding to Mayor Robinson, Mr. Quijano said the availability and location of restrooms will be discussed further with the program operator. However, it might be possible to install a portable toilet in the lot closer to the vehicles than the restrooms in the adjacent indoor shelter and day center. In further response to Ms. Robinson, Mr. Quijano said staff will work with the program operator to organize volunteers. Mr. Quijano said stable housing includes transitional and permanent arrangements.

Councilmember Lee said that safety for the vehicle residents and the community is a top priority. He said the program operator must understand the varied needs of the people to be served. He expressed support for the proposed pilot program.

Councilmember Stokes expressed support for the program and noted that the City will learn more about the needs of vehicle residents as the program is implemented. He said the safe parking program will complement other efforts by the City to address homelessness.

- (b) Land Use Code Amendment (LUCA) to conform provisions within the Shoreline Master Program (SMP) and to amend the Environmental Procedures Code

City Manager Miyake introduced staff's update regarding a Land Use Code Amendment (LUCA) related to the Shoreline Master Program (SMP) and State Environmental Policy Act (SEPA) conformance amendments.

Liz Stead, Interim Co-Director, Development Services Department, said staff is asking the Council to enter a finding of necessity for the Council to retain the processing of the SMP Conformance LUCA and to direct staff to prepare the SEPA amendments ordinance for final adoption at a future meeting.

Caleb Miller, Senior Planner, recalled that Ordinance No. 6670 terminated the East Bellevue Community Council (EBCC) pursuant to HB 1769 and revisions to state law [RCW 35.14]. Previous code revisions addressed EBCC-specific provisions and references in the Land Use Code but did not include amendments to the SMP [Land Use Code 20.25E].

Ordinance No. 6673, adopted on August 1, 2022, was related to quasi-judicial appeals and removed the Council's authority to hear appeals for Process I Hearing Examiner decisions and Process III Hearing Examiner recommendations. All appeals are now directed to the King County Superior Court. Ordinance No. 6673 did not include amendments regarding quasi-judicial appeals to the SMP [LUC 20.25E] or revisions to environmental procedures [Bellevue City Code 22.02].

Mr. Miller said staff's proposed amendments to the Land Use Code remove references to the EBCC and remove the Council's appeal authority for Shoreline Process I actions. The City and the Washington State Department of Ecology (DOE) are involved in a joint review process. The DOE will determine the consistency of code amendments with the Shoreline Management Act.

Mr. Miller said amendments to the Environmental Procedures Code [BCC 22.02] implement SEPA requirements and procedures, including removing a reference to the Council's involvement in Type I appeals and clarifying the appeal process when a SEPA review is required. These amendments do not require any outside approval and may be adopted at any time by the Council separately from the LUCA adoption.

Mr. Miller said that legal notice of the joint City/DOE 30-day comment period was published on December 22, 2022. The public hearing for the SMP LUCA is scheduled for January 23, 2023. The DOE will issue its initial determination of consistency with the Shoreline Management Act in February or March. Following Council action on the LUCA in March or April, the DOE is expected to issue its final determination regarding consistency by May 2023.

Mayor Robinson suggested bringing the SEPA amendments ordinance back as a consent calendar item.

→ Deputy Mayor Nieuwenhuis moved to enter a finding of necessity for the City Council to retain processing of the proposed SMP Conformance LUCA and to direct staff to prepare the SEPA amendments ordinance for final adoption at a future meeting on the consent calendar. Councilmember Stokes seconded the motion.

Mayor Robinson thanked Councilmember Robertson for her involvement in updating the SMP when Ms. Robertson served as the Council liaison to the EBCC.

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

11. Land Use: None.

12. Other Ordinances, Resolutions, and Motions: None.



13. Unfinished Business: None.

14. New Business: None.

15. Executive Session

At 7:07 p.m., Mayor Robinson declared recess to Executive Session for approximately 20 minutes to discuss one item of pending litigation. She noted that the meeting would adjourn following the session.

16. Adjournment

The Executive Session concluded at 7:35 p.m. and the meeting was adjourned.

Charmaine Arredondo, CMC  
City Clerk

/kaw