

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Extended Study Session

June 11, 2018
6:00 p.m.

Council Chambers
Bellevue, Washington

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

ABSENT: None.

1. Executive Session

The meeting was called to order at 6:07 p.m., with Mayor Chelminiak presiding. There was no Executive Session.

2. Approval of Agenda

→ Deputy Mayor Robinson moved to approve the agenda, amended to add the flag salute. Councilmember Nieuwenhuis seconded the motion.

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

Deputy Mayor Robinson led the flag salute.

3. Oral Communications

(a) David Hoffman, Puget Sound Energy (PSE), invited everyone to visit PSE's electric vehicle ride and drive event at the Strawberry Festival on June 23 at Crossroads Park. The public will have the opportunity to test drive an electric vehicle and to learn more about the technology.

(b) Ann Brasheer, a Newport Hills resident, expressed concern that the City's planning staff recommended that the Planning Commission move forward with the Comprehensive Plan Amendment (CPA) changing the zoning of the Newport Hills Shopping Center from neighborhood business (NB) to mixed use (MU). She said she has heard that at least two

Councilmembers support the change. Ms. Brasheer expressed concern regarding the negative impact on businesses and the amount of housing that could be developed.

- (c) Heidi Dean, Newport Hills, said she shares the previous speaker's concerns. She said a rezone of the shopping center was proposed in 2016, and the Planning Commission voted unanimously against moving the CPA proposal forward to threshold review because it did not meet the criteria regarding significantly changed conditions. She said City staff has not responded to her request to meet with them. She said mixed use zoning was intended to facilitate redevelopment in the Eastgate area, which she feels makes sense at that location as transit-oriented development (TOD). She said the Newport Hills Shopping Center is not a TOD node. Ms. Dean said that all of the other shopping centers in Bellevue are fully tenanted.

4. Study Session

- (a) Council Business and New Initiatives.

There was no discussion.

- (b) Lesbian, Gay, Bisexual, Transgender, Queer/Questioning (LGBTQ) Pride Month Proclamation

Mayor Chelminiak read the proclamation recognizing the month of June 2018 as Lesbian, Gay, Bisexual, Transgender, Queer/Questioning (LGBTQ) Pride Month in Bellevue. He noted that City of Bellevue staff will participate in the 44th Annual Pride Parade in Seattle on June 24, and the Pride flag will be displayed at City Hall from June 18 to June 24.

Elaine Acacio, Diversity and Inclusion Program Administrator, noted representatives of PFLAG Bellevue Eastside, Bellevue College, and the City's LGBTQ employee resource group in the audience. Chris Topping, Chair of PFLAG Bellevue Eastside, expressed appreciation for the proclamation as a step to remove the discrimination in people's hearts based on gender and sexual identity. Ginger Chien, PFLAG, commented on what the City's recognition and support of the LGBTQ community, including the display of the Pride flag, means for families and children. She presented the rainbow flag to be flown at City Hall during Pride week. Police Officer Bill McGuigan thanked the Council for the proclamation and for their support.

Mayor Chelminiak paused the meeting to take photographs with the visitors.

- (c) Public Hearing on Homeless Services Uses Land Use Code Amendment (LUCA)

Mayor Chelminiak noted that the Council would not take action on the homeless services uses Land Use Code Amendment (LUCA) that evening. He asked Councilmembers to identify the subject areas for which they plan to propose amendments for the next Council discussion and anticipated formal action.

City Manager Brad Miyake said the Council began discussing amendments to the Land Use Code after the Interim Official Control was adopted last year. The interim regulations were

extended in January, and the initial draft homeless services uses LUCA was introduced to the City Council on April 23. Since that time, the Council discussed the proposed regulations on May 7 and May 21.

Carol Helland, Code and Policy Director, said the purpose of the hearing was to provide an opportunity for public comment regarding the draft homeless services uses LUCA. She said formal Council action on the LUCA is tentatively scheduled for June 25. Ms. Helland said the Council vision includes a policy to work toward a permanent solution for developing a permanent men's homeless shelter on the Eastside. She said the City adopted the interest statement in 2015 of the regional Committee to End Homelessness (now called All Home), which is working to ensure that homelessness is one-time, rare, and brief.

Council input during previous policy discussions expressed concern that the adopted regulations do not inadvertently criminalize homelessness. Ms. Helland said that Council direction in January and March guided staff's development of the draft LUCA and endorsed the schedule and public engagement strategy. Staff reviewed input from the community and the previous due diligence report in drafting the LUCA. Several staff members visited shelters and day centers in the region and reviewed best practices and peer city approaches to managing services for individuals experiencing homelessness. During March, City staff surveyed interested stakeholders and held three workshops/listening sessions to inform the draft LUCA released on April 23, 2018.

Ms. Helland said the three major components of the Land Use Code address the why and the what (i.e., purpose statement, applicability, definitions), permit submittal and review requirements, and the where and the how (i.e., use requirements specific to shelters and day centers, underlying development standards of the land use district, and design guidelines) related to the regulations.

Toni Pratt, Senior Land Use Planner, described the permitting process options reflected in the draft LUCA. The Conditional Use Permit (CUP) process involves a Director recommendation and subsequent decision by the Hearing Examiner, with the option to appeal the matter to the City Council. The Development Agreement process involves the Director's decision followed by the City Council's decision. In both cases, the outcomes may be appealed to the Superior Court. Both processes include the same public notice requirements and the creation of a Good Neighbor Agreement (GNA) Advisory Committee.

Ms. Pratt noted that, under the Development Agreement process, the public may submit information and feedback to the Council until it makes its decision. Under the CUP process, the Hearing Examiner creates a closed record and no further information or input is allowed if the matter is appealed to the City Council.

Ms. Pratt described the land use districts proposed for permitting shelters: 1) all areas in the Downtown, Factoria, and Medical Institution districts; 2) all districts in the BelRed area, with the exception of the BR-ORT (BelRed Office Residential Transition) zone; 3) specific commercial districts citywide (General Commercial, Community Business, and Eastgate-TOD); and 4) Office-Limited Business (OLB) and OLB-2 areas citywide.

Ms. Helland said the Council will continue its discussion during a future meeting and anticipates taking formal action on June 25.

Mayor Chelminiak said he would like to preserve July 2 as a possible LUCA adoption date. He noted that, if the LUCA is not adopted before the Council's August break, it will be necessary to consider an additional extension of the interim official control (IOC) expiring on August 6.

- Councilmember Robertson moved to add July 2 as a contingency date for formal Council adoption of the homeless services uses Land Use Code Amendment (LUCA). Deputy Mayor Robinson seconded the motion.
- The motion carried by a vote of 7-0.

Responding to Mayor Chelminiak, Ms. Helland said the Director has the role of selecting the members of the Good Neighbor Agreement (GNA) Advisory Committee, consistent with the defined makeup of the committee, with the exception of one at-large seat to be filled by a Council appointment.

- Deputy Mayor Robinson moved to open the public hearing, and Councilmember Stokes seconded the motion.
- The motion carried by a vote of 7-0.

Mayor Chelminiak invited the East Bellevue Community Council (EBCC) members in attendance to speak first, to be followed by the list of individuals who signed up to comment.

Kyle Stannert, Assistant City Manager, provided the rules for the public hearing and noted that the City Council will continue to accept written and oral comments regarding the draft LUCA.

The following individuals came forward to comment:

1. Betsi Hummer, EBCC Chair, said the community council held a courtesy hearing on June 5 and voted unanimously to recommend the following: 1) remove the Development Agreement permitting option, 2) Good Neighbor Agreement (GNA) Advisory Committee should not be considered solely by the Director, each affected neighborhood association should appoint its own representative, and each City Councilmember should select one representative, 3) light industrial districts should be included for future unanticipated services needs, and 4) shelter operators should be required to use a homeless metrics information system to highlight accomplishments and needs. The EBCC supported the following by a vote of 4-1: 1) the LUCA should include language excluding drug consumption sites, and 2) the code should have the same 1,000-foot buffer reflected in marijuana business regulations. Ms. Hummer said that constituents at the EBCC's hearing asked that a tracking system of homeless individuals be required of shelter operators, and that the information be made public. The EBCC wants the homeless services uses Land Use Code to be safe for existing neighborhoods and for those experiencing homelessness. She said the EBCC's position is consistent with

Comprehensive Plan elements that encourage open communication between developers and neighborhoods, transparency in the permit process, and safety for all citizens.

2. Stephanie Walter, EBCC Vice Chair, said the EBCC courtesy hearing on the topic was well attended and she appreciated the community's input.
3. Reverend Christina Jillard, Rector of St. Margaret's Episcopal Church, said the church was a founding member of Congregations for the Homeless (CFH) and will host the rotating shelter in September. She noted the church's moral imperative to respond to the needs of the poor and suffering. She said a job loss, health crisis, or other unanticipated life event can quickly change a person's housing status. She expressed opposition to requiring warrant checks because it will discourage people from seeking help. She opposes buffer requirements and noted that being homeless is not a crime. She urged the Council to adopt the final LUCA as soon as possible to allow service providers to move forward to develop a shelter.
4. Khizer Sherrif, Executive Director of the Muslim Community Resource Center (MCRC), asked the Council to remove language from the draft LUCA regarding the code of conduct and buffers. He said the latter implies that persons experiencing homelessness should be separated from the rest of the community. He said homeless individuals represent all walks of life. He encouraged Bellevue, as the largest Eastside city, to act now and to treat all persons with dignity.
5. Rabbi David Lipper, Temple B'nai Torah, said all residents deserve safe housing, and partnership is key in a forward-facing community. He said the synagogue has helped the poor and the homeless for the past 50 years. He quoted Rabbi Hillel: "If I am not for myself, who will be for me? If I am not for others, what am I? And if not now, when?" He encouraged Bellevue, as the city that welcomes the world, to live the values it promotes. He asked the Council to move forward as soon as possible.
6. Reverend Lisa Horst Clark, Lead Pastor at First Congregational Church, said the church has hosted the rotating shelter operated by Congregation for the Homeless, and formerly housed both a homeless men's day center and child care center. She said a buffer around a shelter is not needed. She said CFH staff have expertise in developing relationships with individuals seeking help. She expressed concern that men no longer have a place to go in Bellevue following the closing of the seasonal men's homeless shelter.
7. Judy Faast, a resident of the Eastgate area on the north side of I-90, commended the City for pursuing a permanent men's homeless shelter and for signing the agreement with King County to work cooperatively to develop a shelter. She said she is proud of the faith community's extensive efforts to provide shelters for individuals. She noted information from the Bellevue Police Department indicating that there has been no increase in criminal activity in the areas around past shelters in Bellevue. She said the shelter code of conduct should be created by the shelter operator instead of in the Land Use Code. She suggested using a non-City staff person to facilitate the GNA Advisory Committee's work. Ms. Faast said she opposes buffers and warrant checks.

8. Reverend Patty Ebner said she is opposed to requiring buffers around shelters. At one time, she lived in a facility in a residential area that provided substance abuse services and programs for individuals leaving prison. Everyone was held accountable to a code of conduct established by the staff of the facility. She shared her personal story of being helped by a member of the community who offered her a job. She said the LUCA must be written in a way that facilitates moving individuals out of homelessness. She said Bellevue is a city of success, and everyone deserves a chance for a good life.
9. Dana Gaddy, a member of the First Congregational Church in Bellevue, said the church has hosted the rotating men's homeless shelter that has been successfully operated by Congregations for the Homeless for many years. She expressed opposition to buffers and warrant checks. She has spent time with the men experiencing homelessness, who are looking for a safe place to rebuild their lives. She urged the City to move forward quickly and with courage. She noted that, if she were homeless, she would want someone to help her.
10. Tony Lopes noted that he attends Newport Presbyterian Church and spoke against conducting warrant checks and imposing buffers around shelters. He expressed concern that buffer requirements will eliminate any potential shelter sites. He said warrant checks can discourage individuals from seeking help, and the men will continue to remain homeless. He asked the public to overcome fear and to do the right thing.
11. Oswald Norton, a member of the First Congregational Church, said the church hosts the rotating men's shelter every November and helped Helen Leuzzi create the first women's shelter in Bellevue, The Sophia Way, now housed at St. Luke's Lutheran Church. Mr. Norton noted his past experience working with at-risk youth through Youth Eastside Services (YES) and with veterans through Hopelink. He came to understand that individuals experiencing homelessness have little chance of stabilizing their lives without first receiving shelter. He said that Congregations for the Homeless has had a group home in his neighborhood for many years, and there have been no impacts on the safety of residents. Mr. Norton said he believes the code of conduct should be created by the shelter operator. He said the GNA Advisory Committee should be an independent, non-politicized unit.
12. Alice Diambri, a member of Sacred Heart Parish, said the whole parish participates in serving individuals experiencing homelessness. She said many individuals would not have a place to go if not for the faith-based shelters. She noted the urgent need for shelter beds and asked the Council to move forward with approving the LUCA by the end of June.
13. Pastor Mary Alyce Burleigh, Holy Spirit Lutheran Church in Kirkland, thanked the City for its efforts to build a shelter in Bellevue. The church has hosted several tent cities and is currently engaged in building tiny houses for individuals who are homeless. She said homelessness is a regional problem in need of regional solutions. She thanked the City of Bellevue for hosting the men's seasonal homeless shelter for a number of years. She was the mayor when tent city first came to Kirkland and she understands the community's

fears. Pastor Burleigh expressed concern that requiring buffers will rule out most locations for a shelter in Bellevue. She opposes warrant checks. She said the City of Kirkland is working with the faith community to purchase a portion of the Salt House Lutheran Church property across the street from Lake Washington High School to build a year-round shelter for Eastside women and families.

14. Ron Snell, a member of the First Congregational Church, spoke against warrant checks because they are a tool for law enforcement and not valid for screening individuals seeking housing. He said a warrant is not a conviction, and warrants can be issued for minor infractions (e.g., parking ticket) or they may have been resolved but not removed from a person's record. He said shelters provide assistance to those in need to help them transition out of homelessness.
15. Netta Campbell Dedeaux, a minister with Catholic Community Services at First Congregational Church, said the number of individuals and families experiencing homelessness is growing. She said permanent shelters and transitional housing are more effective than the rotating shelters in helping those in need. She said the LUCA should provide a clear path for moving forward. She encouraged retaining both the development agreement and conditional use permit (CUP) permitting options. She said the Good Neighbor Agreement (GNA) Advisory Committee should include representatives of shelter providers and others with expertise in helping those who are homeless. She spoke against warrant checks because they will discourage individuals from seeking help.
16. Linda Benson said she has spent the past 25 years working in Bellevue and the surrounding areas with Hopelink and The Sophia Way. She opposes warrant checks because they will discourage individuals from seeking help and could affect funding resources. She expressed concern that requirements for buffers around shelters will preclude the construction of a shelter in Bellevue. She said the GNA Advisory Committee must include more than one service provider, as well as representatives of the faith community. She noted that she lived in tent city for a short time to experience what it is like for those residents
17. Gordon Wilson noted that he lives approximately one mile north of Bellevue College. He encouraged moving forward to develop a shelter to provide a pathway to independence for those in need. He opposes warrant checks because that will leave people outside, with little chance for rebuilding their lives. He said Congregations for the Homeless has been a good partner with the faith community and service providers. He spoke against a requirement for buffers around shelters. He referred to the language in the LUCA regarding shelter safety and security plans and said that shelter operators cannot be responsible for activity outside of the shelter. He said shelters should coordinate with the Police Department but the operators cannot function as law enforcement personnel.
18. Rabbi Aaron Meyer thanked the Council for planning for a shelter. He spoke against warrant checks and buffers, and compared the latter to a form of redlining. He noted that anyone can become homeless due to a job loss or other major financial setback. He said

people become homeless when they lose community, and permanent shelters can help to provide that sense of community.

19. Reverend Roger Harwerth, Newport Presbyterian Church, said the length, detail, and tenor of the LUCA appears to be a way to prevent the creation of a shelter in Bellevue. He opposes buffers and the formation of the GNA Advisory Committee. He thanked everyone for their time.
20. Mike Knowles said he is self employed and volunteers approximately 20 hours per week, primarily at St Margaret's Church thrift shop. He has been involved with CFH as a liaison with the church. He said shelter housing is needed to help individuals transition out of homelessness. He said Councilmember Robertson helped to establish the transitional housing adjacent to the church. He said there is a preschool next to the church, and Newport High School and residences are nearby, and there has never been any problems related to the residents. He said the shelter code of conduct should be established by the shelter operator. He said members of the faith community with the appropriate expertise should be included in the GNA Advisory Committee.
21. Villette Nolon, CEO of Imagine Housing, thanked the Council for its support of affordable housing. She noted that approximately 25 percent of Imagine Housing residents have recently left homelessness. She said Imagine Housing provides both housing options and support services for individuals. She opposes warrant checks and buffers. She encouraged moving forward as quickly as possible to help people in their journey out of homelessness.
22. Danielle Rowland, representing the Eastside Friends Meeting House in the Eastgate area, said they provide meals and resources to individuals experiencing homelessness. She has slept at shelters over a number of years and strongly supports the siting of a permanent shelter in Bellevue. She opposes warrant checks and buffers, and expressed concern that the latter will exclude any shelter locations. She asked everyone to not be driven by fear and noted that she has lived near shelters in the past and did not experience any issues.
23. Reverend Deacon Sam Besta, St. Louise Catholic Church, noted that he serves on the Board of Operation Nightwatch in Seattle. He said a shelter is needed soon, and he noted that individuals experiencing homelessness did not want to leave a large encampment in Seattle known as the Jungle because it provided a sense of community. He encouraged the City to avoid overly restrictive regulations.
24. Reverend Paul Benz said he is Co-Director of the Faith Action Network, which lobbies on behalf of social justice issues. He reminded everyone that the Statue of Liberty welcomes everyone.
25. Angela Murray, a resident of Sammamish and the Director of The Sophia Way, thanked the Council for its ongoing efforts to address the need for affordable housing. She opined that the LUCA is overly restrictive and sounds like it is criminalizing homelessness. She said shelters provide a safe environment for everyone. She acknowledged that the purpose of the proposed GNA Advisory Committee is to foster a relationship and

communication with the community. However, she noted the need for appropriate experts on the committee, including those from the faith community and current shelter operators. She is opposed to warrant checks because they will discourage individuals from seeking help.

26. Karen Studders said she works and volunteers in Bellevue, including serving on the Eastside Interfaith Social Concerns Council and the Eastside Human Services Forum. She highlighted statistics regarding the increase in homelessness and noted the need for facilities beyond the rotating shelters in local churches. She said recent statistics indicate that homelessness increased by four percent in King County overall and by 23 percent in East King County. Homeless individuals in Bellevue increased by 16 percent. She encouraged moving forward as soon as possible. She recalled the successful effort to preserve Highland Village as affordable housing and commended the City for its work with King County on that issue.
27. Michael Ramos said he is Executive Director of the Church Council of Greater Seattle, which has been addressing the issue of homelessness over the past 40 years in King County and in parts of Snohomish and Pierce Counties. He said vehicle residency continues to increase, and the faith community has been a leader in providing shelters. He said every person experiencing homelessness deserves dignity and respect. He opposes buffers because they eliminate most locations in Bellevue. He opposes warrant checks because they discourage people from seeking help. He said the faith community looks forward to continued partnership with the City of Bellevue and the broader community.
28. David Bowling, Executive Director of Congregations for the Homeless (CFH), said the organization's mission is to help people leave homelessness and achieve stable housing. CFH operates a winter shelter, day center, and year-round shelter, and provides outreach, case management, and 80 units of subsidized housing to help meet its goals. In 2017, 96 percent of the clients in CFH facilities had remained in stable housing for two or more years. In addition, 70 percent of the men who participated in CFH's year-round program left with stable housing. CFH served 1,200 individuals last year and provided 63,000 bed nights and 83,000 meals. He commended the collaborative efforts of the faith community, volunteers, the broader community, social services providers, and the City. He thanked the Council for its efforts.
29. Pat McDermott, current Chair of the CFH Board of Directors, noted it is important for the public to understand the Board's role. He read a letter sent by the Board to the City Council. He said CFH has worked to fulfill its mission over the past 25 years. He expressed concern regarding warrant checks and buffers, which he believes are well intentioned but ill-advised. He said shelters and day centers are critical facilities for initiating contact with individuals experiencing homelessness. He urged the Council to adopt a LUCA that is less restrictive and onerous. He encouraged everyone to look beyond their fears, and he thanked the Council and City staff for their work.
30. Lisa Leitner noted three themes related to the homeless shelter permitting LUCA: fear transparency, and community. She said the fears about individuals experiencing

homelessness are due to concerns about the shelter residents who do not adhere to the code of conduct. She thanked the City for its transparency in the LUCA drafting process. She spoke in favor of the CUP pathway and questioned the rationale for the proposed development agreement option. She said the Good Neighbor Agreement is intended as a communication plan between the shelter operator and neighbors. She said that detailed code language will help to balance compassion and risk management.

At 8:15 p.m., Mayor Chelminiak declared a short break. The meeting resumed at 8:30 p.m.

31. Melissa Harp said the LUCA allows a political body to approve a shelter. She said there are no specific criteria involved in the development agreement permitting option. She said the Hearing Examiner is an expert and is obligated to listen to public testimony. She opined that there is no obligation to involve the public in the development agreement process. She said the City studied three cities as models for shelter regulations, and none of them provide the development agreement approach. She noted that Washington is development friendly and she encouraged transparency. She urged the Council to follow the CUP process for shelters.
32. Elizabeth Maupin, an Issaquah resident, said she has served as the Night Shift Supervisor at The Sophia Way and as a member of the Issaquah Human Services Commission. She has hosted individuals who have been without housing, as she experienced homelessness in the past. She said Bellevue's actions and leadership, as the largest Eastside city, affect the whole region. Four years ago, one in four of her neighbors in Issaquah was in need of low-income housing, but only three out of 100 individuals could find it. She said shelters are more effective than housing people in hotels, typically without support services. She urged the City to include experts in the issues surrounding homelessness to serve on the GNA Advisory Committee.
33. Heidi Dean recalled the Council's past statements of commitment to transparency and communication. She said the conditional use permit (CUP) process accomplishes those goals. She said the public is left out of the development agreement permitting process. She encouraged the City to include language regarding the citywide ban on safe injection sites in the homeless shelter permitting LUCA. She said the proposed buffers are not intended to criminalize homelessness and noted the buffers imposed around marijuana shops. She acknowledged that a small subset of individuals experiencing homelessness pose a potential threat to the community. She thanked the faith community for all of their hard work. She concurred with Ms. Leitner that the purpose of the Good Neighbor Agreement is to facilitate communication between the shelter operator and the neighborhood. She expressed concern about a breakdown in the separation of church and state.
34. Birgit Hansen, a resident of the Eastgate area, expressed support for the CUP process and opposition to the development agreement permitting option. She said the CUP process is a transparent, non-political process that provides a consistent process for all shelter operators. She said development agreements open the door to favoritism and political influence.

35. Maria Balsamo concurred with the comments by the previous speaker, who is a neighbor of hers.
36. Julia Tai suggested allowing the Police Department to conduct background and warrant checks on individuals seeking entry to the shelter. She noted recent violent crimes by persons experiencing homelessness. She urged the Council to increase the public noticing radius to one mile from the shelter site, and to expand the GNA Advisory Committee membership to include residents up to one mile from the shelter. She encouraged buffer requirements around the shelter.
37. Daniel Ribeiro said he lives near the Eastgate Park and Ride lot, and he has observed a steady growth in the homeless population. He expressed concern that the Bellevue community, with its new wealth, will turn its back on the homeless. He is strongly in favor of a permanent shelter and supports the proposed LUCA. He expressed concern that imposing buffers will prevent a shelter from being sited in Bellevue. He said shelter operators should not be expected to conduct background checks, and screening will discourage people from seeking help. If more shelters are not provided, there will be more people sleeping in public areas.
38. Karina O'Malley, a Kirkland resident, said the City of Bellevue made a commitment in 2012 to site a permanent men's homeless shelter. She recalled a man who died from exposure to the cold weather in Bellevue in 2007, at which time the City responded by opening temporary winter shelters. She said the men have no place to go now with the closure of the winter shelter. She noted that a man was fatally injured recently because he was sleeping in a recycling dumpster. She urged the City to not pass rules that treat poor people differently, which she said is a form of redlining. She said The Sophia Way operated a permanent shelter and day center, with no barriers to entry, within three feet of a preschool for six years and there were no problems.
39. Mike Kattermann, Board Member for Congregations for the Homeless (CFH), said he is also a member of the First Congregational Church. While he does not live in Bellevue, he is invested in the community and worked for the City as a planner for a number of years. He said he knows the Council has the best interests of the community in mind. He cautioned against overregulating shelter permitting and noted the risk that the LUCA could preclude the possibility of opening a shelter in Bellevue. If that happens, there will be more men sleeping on the streets and in wooded areas. Mr. Kattermann expressed concern regarding buffers and the proposed warrant checks. He said those apply to situations in which there is a known problem. However, existing shelters operate very effectively and have not experienced problems in Bellevue.
40. Steve Bottoms said he is currently a client of CFH, which provides peer support along with help in finding employment and handling other challenges. He said things have become more difficult since the winter shelter closed. However, he stays in contact with CFH for their assistance and encouragement. He noted the difficulty of dealing with medical issues while he is homeless and said that stable housing would provide a big relief. He said CFH provides effective programs managed by good people. He said they

are an organization that the City should want to work with, and he encouraged moving forward with shelter regulations.

41. Chris Jowell, a CFH Board member, thanked the previous speaker for sharing his story. Mr. Jowell, Director of Operations for Catholic Housing Services, noted his 25 years of experience in developing affordable housing and operating programs for individuals experiencing homelessness. He encouraged the Council to approve the LUCA without onerous buffer, warrant check, and Good Neighbor Agreement requirements. He reminded everyone of the men that the shelter is trying to serve.
42. Sterling Bentsen, said he has worked with CFH for 25 years, including 10 years as the Director of Housing in a volunteer position. He said all types of individuals experience homelessness, and it is dangerous to apply the behavior of a subset of people to an entire group. He said men experience homelessness for a number of reasons including job loss, financial setbacks, mental health issues, substance abuse issues, and the loss of a family or other social network. He said the shelter residents follow a code of conduct and are held accountable for violating the rules. He said CFH has knowledgeable, experienced staff who know how to help their clients transition out of homelessness.
43. Allen Bolen said he works in Bellevue and lives in the rotating CFH shelter. As a client, he receives a mat to sleep on, food, shower, laundry, safety and sanity, and a place to securely store his belongings. He said it is exhausting to move so often. He acknowledged that he has made some mistakes in his life, but his parents raised him to be a good person and he accepts responsibility for his own life. He said CFH needs a permanent shelter to continue helping men move forward.
44. Steve Roberts said he has been working with CFH for a long time to plan and build a permanent men's shelter. He acknowledged that the City has been supporting housing programs for more than 25 years. He said he appreciates the Council's work and efforts to engage the community. He expressed concern that closing the seasonal shelter pushed men back to the streets. He said CFH will study all possible shelter sites to determine which location is best for the community. He encouraged Council to include language in the LUCA that will allow the shelter to move forward as soon as possible. He thanked the City for its support of the winter shelter over the past several years and for its longtime partnership with CFH.
45. Nancy Evans noted her volunteer work with persons moving to transitional housing. She said she and her family moved here from Seattle, where they lived near three schools and a community of tiny houses in the Licton Springs area. She said the low barrier encampment allows drug use and attracted drug dealers, theft and prostitution activity, and litter including needles and condoms. During its first year of operation, fewer than 16 percent of the residents moved to permanent housing. While the crime rate in the district decreased, crime around the shelter increased and there are large-scale, stolen bike operations behind the tiny homes. She said the homeless shelter permitting LUCA needs to include five elements: 1) buffers between existing and future development (e.g., schools and other sensitive uses), 2) warrant and background checks, 3) commitment from the police regarding service levels, 4) broader consultation from neighbors within

one mile or a 10-15 minute walk of the site, and 5) clear definitions of key performance indicators with regular reporting. She said compassion and common sense are not mutually exclusive.

46. Michelle Wannamaker expressed support for the previous speaker's comments. She said all shelters should require the CUP process, and the development agreement permitting option should not be allowed. She disagreed with earlier comments that a 1,000-foot buffer would rule out any sites in Bellevue for locating a shelter. She said marijuana shops have the same requirement and have found locations. She said the LUCA should allow the City to revoke the shelter permit if the operator does not address problems. She thanked Steve Roberts for his involvement with CFH in evaluating potential shelter sites.
47. Daniel Renn, a member of the Wilburton Commercial Area Citizen Advisory Committee (CAC), said the Council will soon receive two reports: 1) Wilburton Draft Environmental Impact Statement (DEIS), and 2) Wilburton Commercial Area Study Draft Report. He asked the Council to consider current and future development in the area. He said the Wilburton CAC envisions an urban village, and any consideration of a shelter will affect development. He said code provisions will affect how the area redevelops.
48. Karen Morris said she tends to agree that the CUP process would be more objective, and that the development agreement approach could be problematic in terms of the public's level of trust. She encouraged including language regarding the City's prohibition of safe injection sites in the homeless shelter permitting LUCA. She expressed concern that the GNA Advisory Committee might be too large. She supports buffer requirements and warrant checks. She noted that she was required to show her ID at the Service First desk in City Hall. She said that checking for proof of identification does not necessarily exclude someone from receiving help, but it allows the operator to know who is in their shelter.
49. Lara Litov said she supports much of what is included in the draft LUCA. However, she expressed concern regarding the development agreement permitting option. She said that process provides no checks and balances, protection against biases, or opportunity for public engagement. She said it is important to have an independent professional review of permit applications by the Hearing Examiner.
50. Linda Nohavec said residents do not oppose a shelter but they have concerns. She said all shelters should require the CUP process. She noted that the Hearing Examiner has the expertise to consider applications. She said there is no jurisdiction that permits shelters through the development agreement approach. She spoke in favor of requiring a 1,000-foot buffer around shelters. She said she recently moved out of Bellevue, largely due to this issue. She thanked Councilmembers for their service.
51. Pamela Johnston thanked the Council for increased accountability and transparency. She suggested separating the City's roles as a regulator and as a potential funder of a shelter project. She encouraged focusing on the intensity of the use, as with other development, rather than the use itself. She said the Good Neighbor Agreement (GNA) is a matter

between the shelter operator and neighboring businesses and residents. She said success will be dependent on the shelter operator and not on the LUCA. She asked the City to consider the boundary of the shelter's responsibility outside of the facility.

52. Jodi Gable commented on four points regarding the LUCA: 1) the CUP process is imperative, 2) the LUCA should include language regarding the City's ban of safe injection sites, 3) there should be a buffer of at least 1,000 feet between a low barrier shelter and schools and residences, and 4) a shelter should never be close to a college. She noted that she does not live in the Eastgate area. However, while younger students are in a more secure and supervised environment, college students are independent for the first time and inexperienced in dealing with many situations. She said they are also at an age that is most vulnerable for drug use. She said a Good Neighbor Agreement must involve everyone within a one-mile radius. She said the Council has an obligation to keep the law-abiding taxpayers of Bellevue safe, and does not have a responsibility to the City of Seattle or to King County. She said the City of Seattle has failed in its policies, which have attracted individuals from around the country who want to use, buy, and sell drugs without fear of law enforcement as well as camp in and render toxic Seattle's public spaces. She noted the recent rape in Ballard by a homeless individual, the situation in Licton Springs described by an earlier speaker, and the sexual molestation and attempted abduction of a girl last week. She said those individuals came to the area from other states.
53. John-Otto Liljenstolpe said he was the Director of Operation Nightwatch and gained a great deal of experience about homelessness in Seattle. He said businesses and residents around a tiny home village in Ballard would say they have not encountered any significant problems. Similarly, there have not been any problems associated with shelters in Bellevue churches. He said shelter residents hold each other accountable and will report bad behavior because they do not want those individuals living with them and causing problems. He said shelter operators coordinate with support services and enable individuals to receive medical care for the treatment of infectious diseases.
54. Terry Sinclair expressed support for the CUP process in permitting a homeless shelter. He encouraged including language in the LUCA regarding the City's ban on safe injection sites. He suggested different buffer distances for specific adjacent uses. He expressed support for warrant checks in order for shelter operators to know who is in their shelters. He suggested that the City of Bellevue has a potential liability if something bad happens related to the shelter.
55. Joan Sinclair addressed the proposed guideline for public notification regarding shelter projects. She said the 1,000-foot requirement at Sound Transit's OMFE facility in the BelRed corridor would not inform the residents of new condominiums at 1212 122nd Avenue NE, residents living around Lake Bellevue, the New Horizons preschool, or businesses on 116th Avenue NE. For the Lincoln Center site, the 1,000-foot requirement would not provide public notice to Overlake Hospital, Kaiser Medical Center, other medical providers along 116th Avenue, Home Depot, Best Buy, the Extended Stay and Sheraton hotels, or the tenants of several office buildings. For the Eastgate site, the 1,000-foot requirement would not inform approximately half of the residents of Sunset Ridge

Townhomes, any of the residents of the Madrona Park Townhomes, hotels, car dealerships, and the residents along SE 37th Street.

56. Stephanie Hui said everyone wants a shelter and wants to ensure that shelters are permitted in a way that will enable their success. She said there needs to be a balance between the needs of individuals experiencing homelessness and the needs of the community. She highlighted the importance of transparency and accountability. She said a men's homeless shelter could house up to 100 men, and she supports a buffer requirement to adjacent schools and housing. She encouraged the City to include language regarding the ban on safe injection sites in the LUCA. She spoke in favor of the CUP process.
57. Tiang Wu said he is the father of two middle school students. He suggested increasing the proposed buffer around shelters to 1,000 feet to address the community's concerns. He said his primary concern is public safety. His review of a 2017 study regarding Portland, Oregon indicated that shelters have a detrimental effect on the surrounding neighborhoods and on tourism. He said the problem is not necessarily the shelter residents, but the drug dealers and other criminal activity that the shelter attracts, including those who prey on vulnerable individuals in the shelter. He wants there to be a mechanism for ensuring the accountability of shelter operators.
 - Deputy Mayor Robinson moved to extend the meeting until 10:45 p.m., and Councilmember Stokes seconded the motion.
 - The motion carried by a vote of 7-0.
58. Fiona Cofield, a Lake Hills resident, opined that the Council does not favor a shelter in the BelRed area or the Downtown because it would discourage developers. She noted that those areas have good access to transit and to medical facilities. She said that, according to the National Coalition for the Homeless, individuals experiencing homelessness are 27 times more likely to be involved in crime and 40 times more likely to be involved in violent crime. In addition, 30 percent of the individuals have a serious mental illness and 60 percent abuse drugs and/or alcohol. She said the primary shelter locations under consideration are near residences. She expressed concern regarding a lack of commitment to public safety and noted that shelters in other cities are located in urban areas. She expressed support for the CUP process.
59. Linda Hillesheim said she has been a member of Unity of Bellevue for 25 years and is currently the president of the Eastside Interfaith Social Concerns Council. She noted that Congregations for the Homeless and The Sophia Way were overseen by that organization until they achieved their own nonprofit status. She asked the Council to adopt the LUCA expeditiously and discouraged restrictive codes that would hinder the development of a shelter. She expressed concern that requiring buffers will exclude potential shelter sites. She said shelter residents must be treated with dignity. She thanked the Council for its diligence in responding to the need for shelters.

60. Heather Van Schoiack, a resident of the Horizon Heights neighborhood, expressed support for creating services in Bellevue for people experiencing homelessness. However, she expressed concern regarding a low barrier shelter. She said she reviewed a study released earlier this year that examined the impact on crime rates related to the opening of 19 winter shelters in Vancouver, B.C. between 2009 and 2016. Residential property crimes increased by 82 percent in the immediate vicinity of the shelters while property crimes for commercial buildings decreased in the same areas. She encouraged the Council to consider enhanced security around the shelter, including a 1,000-foot or wider buffer. She said the City needs to protect residents, and there is evidence that shelters cause problems. She suggested that acknowledging those problems now will increase the chance for success in planning for a shelter. She expressed support for the CUP process and opposition to the development agreement permitting process.
61. Father Gary Zender, St. Louise Catholic Church, shared a story about a woman and her child who attend the church. While volunteering to serve a meal and spend the evening with families experiencing homelessness, he was surprised to see the woman and her daughter because he had no idea they were not housed. He said the St. Louise Parish partnered with other churches over the past two years to create the New Bethlehem Day Center that opened in Kirkland in November 2016. Through that experience, he learned that great things can happen when the faith community partners with city and county governments as well as with other organizations. He said the St. Louise Parish looks forward to collaborating with partners in Bellevue to create housing for individuals experiencing homelessness.
62. Tzachi Litov, an Eastgate resident, said his synagogue works with Congregations for the Homeless and he attends daily prayers. He noted his history of volunteering, advocating, and serving individuals who are food insecure and/or experiencing homelessness. He has managed a mental health facility and served as the Board Chair of a Seattle nonprofit organization that advocates for homeless youth. He expressed concern that the City and CFH have divided the community and that a Bellevue shelter will attract individuals from Seattle. He expressed support for the proposed 1,000-foot buffer, background checks of shelter clients, and the CUP process for permitting a shelter. He said he is worried about a blurring of the line in the separation of church and state.
63. Chuck Kimbrough said he was disappointed in some of the comments heard tonight, which he feels are largely driven by fear. He noted his longtime experience in Bellevue, including serving on the Parks and Community Services Board and the Planning Commission. As a trial lawyer for the past 50 years, he highlighted the importance of listening to facts. He said he opposes buffers and warrant checks, and he questioned the legality of the latter. He said shelters in churches already exist in neighborhoods, including in areas represented by some of the speakers this evening.
64. Colleen Meehan said she lives near the Bellevue Regional Library, where individuals experiencing homelessness often go. She has not had any problems with any of the individuals. She said they sleep outside and need shelter. She said it is heartbreaking to have to refer people to Seattle to receive assistance.

65. Susanna Chung said she supports the comments made by the East Bellevue Community Council (EBCC) Chair and Vice Chair at the beginning of the public hearing. She said a low barrier shelter cannot be compared to church shelters and will potentially jeopardize the safety of the public. She wants the shelter to succeed by having the right permit and regulations. She expressed concerns regarding neighborhood and property value impacts.
66. Kan Qiu said the Council should listen only to residents and not to special interest groups or individuals who do not live in Bellevue. He said he is troubled by what the faith community and special interest groups are doing to influence the City. He concurred with comments made earlier by Jodi Gable and Stephanie Hui. He encouraged the Council to include language regarding the City's ban on safe injection sites in the LUCA. He said that is especially important if a shelter is located on King County property. He expressed support for a 1,000-foot buffer adjacent to schools and residential areas, and noted that shelter clients could include sex offenders.
67. Wei Duan expressed support for including language regarding the ban on safe injection sites in the LUCA. She supports background checks and buffer requirements. She said the Council should listen only to Bellevue residents. She said the Council has an obligation to protect and create a safe environment for the public. She thanked the Council for the opportunity to comment.
68. Shirley Meng said she has two children in school and public safety is important to her. She expressed support for including the language regarding the ban on safe injection sites in the LUCA. She supports buffers greater than 1,000 feet adjacent to schools, child care centers, and the library. She supports background checks for shelter clients. She expressed support for the comments made earlier by Jodi Gable. She said the Council should be responsive to Bellevue residents.
69. Shengli Wu said she has two children and she attends Bellevue College in the evenings. She expressed concern regarding the potential for a homeless shelter near the college. She said the campus is dark and she is afraid that if she had to call 911, she would have difficulty communicating due to her limited proficiency in speaking English. She said she loves Bellevue and does not want it to become like Seattle. She urged the Council to consider security around homeless shelters.
70. Anne Coughlin, a psychologist and Bellevue resident, commended the efforts of the faith community for many years. However, she was alarmed that the first half of the public hearing included so many non-residents. She said there is a big difference between the individuals currently in CFH shelters and those who will stay at a low barrier shelter. She expressed support for warrant and background checks, and she encouraged locating a low barrier shelter separately from other types of shelters. She said the Council must represent Bellevue residents.
71. Shirley Lomree [unable to verify spelling] expressed support for the shelter permitting LUCA. She is not in favor of buffers or warrant checks. She is a member of St. Peter's United Methodist Church, which hosted the men's low barrier shelter for two years. She

said there were some initial objections from neighbors, but the shelter was successful overall. She said there is child care in the church and there were no problems related to hosting the shelter. She said the church began hosting a women's shelter this week. She encouraged the public to sign up to donate a meal and to come and meet the women. She said CFH does a good job working with those experiencing homelessness.

72. Sid Golestane said he lives within walking distance of the proposed shelter site in the Eastgate area. He expressed support for a shelter in Bellevue and said he believes that most residents of a shelter are regular people who do not pose a danger. However, shelters do attract some bad individuals and activity. He expressed concern that individuals who are turned away from a shelter for bad behavior will remain in the neighborhood.

→ Deputy Mayor Robinson moved to close the public hearing, and Councilmember Stokes seconded the motion.

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

→ Deputy Mayor Robinson moved to extend the meeting until 11:00 p.m., and Councilmember Nieuwenhuis seconded the motion.

→ The motion carried by a vote of 4-3, with Councilmembers Lee, Robertson, and Stokes opposed.

Mayor Chelminiak said that any amendments suggested by Councilmembers would be provided in the following week's meeting packet. However, there will not be a discussion of the topic on June 18. He said he anticipates proposals regarding:

- Membership of the Good Neighbor Agreement (GNA) Advisory Committee
- Criteria included in safety and security plan
- Code of Conduct
- Content of Good Neighbor Agreement
- Buffers
- Warrant checks, and
- Conditional Use Permit (CUP) and Development Agreement permitting processes.

Councilmember Robertson said she would like to consider the idea of different types of shelters with different criteria and requirements.

Councilmember Lee acknowledged public comments regarding transparency and public trust.

Deputy Mayor Robinson said she anticipates offering a proposal regarding the requirements included in the safety and security plan.

Mayor Chelminiak encouraged Councilmembers to work with staff as soon as possible if assistance is wanted to develop proposals.

5. Continued Oral Communications: None.

At 10:48 p.m., Mayor Chelminiak declared the meeting adjourned.

Kyle Stannert, CMC
City Clerk

/kaw