

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Session

April 17, 2017
8:00 p.m.

Council Chamber
Bellevue, Washington

PRESENT: Mayor Stokes, Deputy Mayor Chelminiak, and Councilmembers Lee, Robertson, Robinson, Simas, and Wallace

ABSENT: None.

1. Call to Order

The meeting was called to order at 8:12 p.m., with Mayor Stokes presiding.

2. Roll Call, Flag Salute

All Councilmembers were present. Councilmember Wallace led the flag salute.

(a) Arbor Day-Earth Day 2017 and Tree City USA Award

Councilmember Robinson read the proclamation declaring April 22, 2017 as Arbor Day-Earth Day in Bellevue.

Park Ranger Curtis Kukal introduced Chuck Hersey, Acting Assistant Division Manager for the Forest Health, Fuel Reduction and Urban Forestry division of the Washington Department of Natural Resources. Mr. Hersey accepted the proclamation and highlighted the benefits of trees in urban environments. He presented the City of Bellevue with its 26th annual Tree City USA Award and with the City's 24th Growth Award. He congratulated the City on the awards and thanked everyone for their support of community forests.

(b) National Volunteer Week Proclamation

Councilmember Simas read the proclamation declaring the week of April 23-29, 2017, as National Volunteer Week in Bellevue and urging all citizens to recognize the valuable contributions of volunteers.

Marji Trachtman, Volunteer Coordinator for the Police Department, accepted the proclamation and thanked the Council for acknowledging the dedication and value of volunteers.

Paula Stevens, Assistant Director of the Transportation Department, expressed appreciation for the hard work of high school student volunteers.

Major Pat Spak thanked the volunteers in the Police Department and noted that they provide thousands of hours of work for the City and the community.

(c) Stand Against Racism Proclamation

Mayor Stokes read the proclamation declaring April 28, 2017, as Stand Against Racism Day in Bellevue.

Ed Smith, Lead Employment Specialist in the Community Jobs Program of the YWCA, thanked the City for being a longtime partner of the YWCA, which offers permanent housing and services for formerly homeless families. He said the Stand Against Racism campaign is part of the national strategy to fulfill the YWCA mission of eliminating racism. He accepted the proclamation and thanked the Council for the recognition and support.

3. Approval of Agenda

→ Deputy Mayor Chelminiak moved to approve the agenda, and Councilmember Robinson seconded the motion.

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

4. Communications: Written and Oral

Mayor Stokes said the Council previously voted to suspend Council rules regarding oral communications this evening to accommodate up to 30 additional minutes of comments on the Eastside men's homeless shelter topic. He noted a three-minute limit per speaker and said that individuals commenting on a topic other than the shelter would be called first.

(a) Stephanie Cherrington, Executive Director of Eastside Pathways, thanked the Council for supporting the partnership and presented the newly released community report. She noted the program's 70 public, private and nonprofit partners and the organization's efforts in collecting and sharing data to improve community outcomes.

(b) Linda Nohavec said she and other residents are working together to advocate for transparency and accountability in the City's process. She said the group will continue to conduct research. She expressed concern regarding the proposal to eliminate the ability to appeal Hearing Examiner's decisions to the City Council. She said she submitted a public disclosure request for the City's most recent audit. The residents group has hired an individual to conduct a forensic analysis to identify all fees in lieu paid to the City, including related to affordable housing.

The following five speakers spoke in favor of the proposed Eastgate men's homeless shelter:

- (c) Michael Brown spoke in support of the proposed Eastgate shelter and noted that he lives very close to the site. He described his work with Hero House, which provides mental health services. He noted the huge need for the shelter in Bellevue and thanked the City Council for all of their support of human services.
- (d) Jahkari Singh expressed support for the proposed men's homeless shelter. He said Bellevue College will continue to work with Congregations for the Homeless, the Bellevue Police Department, and Imagine Housing to ensure public safety.
- (e) Michell Billing said she currently lives at Velocity Apartments at the South Kirkland Park and Ride. She described her past experience with homelessness and the help she received from Congregations for the Homeless (CFH) and Imagine Housing. She expressed support for the Eastgate shelter.
- (f) Robert Odom noted that two months ago he was homeless, and he now has a place to live due to the assistance of Congregations for the Homeless. He praised the generosity of this community and described the services that CFH and Imagine Housing provide. He said the support of basic needs enabled him to make a plan and to take action to improve his situation.
- (g) Dwight Jackson noted his past experience as CFH shelter services director and described the organization's strategy for maintaining public safety around shelters. He said CFH has developed a strong partnership with the Bellevue Police Department, and the two parties meet regularly to discuss educational and community outreach issues. He challenged residents to take ownership in addressing homelessness and in public safety. He said Bellevue can be a model of a community in which everyone feels safe.

The following five speakers spoke in opposition to the proposed Eastgate men's homeless shelter:

- (h) Kathryn Kitchen spoke in opposition to the proposed men's homeless shelter. She expressed concerns regarding drug and alcohol addiction and said that crime increases near shelters. Ms. Kitchen said she wants to help the homeless. She is concerned about the location of the shelter, shelter funding, police funding, and the lack of analysis of alternative sites.
- (i) Noah Litov said he supports building a homeless shelter in Bellevue. However, he does not support the Eastgate location. He expressed concern about the planned transit-oriented development (TOD) housing and suggested that a medium-barrier shelter would be more appropriate than a low-barrier shelter. He asked the Council to take a step back and to consider an alternate location.
- (j) Jared Nieuwenhuis encouraged a thorough analysis of the Sound Transit light rail maintenance facility in the BelRed corridor as a potential site for the homeless shelter. He

said the existing men's homeless shelter was formerly located in the BelRed area, and the location is closer to the Bellevue Police Department. He said the state legislature requires that Sound Transit develop affordable housing on the extra parcels adjacent to its OMFE facility. Mr. Nieuwenhuis expressed concern about protecting existing neighborhoods and said the BelRed site is a better location for the men's homeless shelter.

- (k) John Carlson thanked Councilmembers for their commitment to helping the homeless. He supports a shelter but believes the Eastgate location is the wrong place. He expressed concerns regarding public safety, especially for children and Bellevue College students. He suggested that a shelter in the Eastgate area should serve families, and low-barrier shelters should be located in light industrial areas. He stated that the project will be governed by county and federal rules and regulations instead of by the City's code and practices.
- (l) Michelle Wannamaker said that while CFH's current men's shelter might not have a very high percentage of residents who are mentally ill, the proposed shelter and permanent supportive housing on King County property will be used to house some mentally ill homeless individuals. She said the proposed location near residential areas is not an appropriate site, and she believes a better site can be found. She expressed support for the work of CFH and Imagine Housing in helping the homeless. However, she asked Council to reject the Eastgate site and to study alternative locations.

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

6. Report of the City Manager: None.

7. Council Business and New Initiatives

(a) Eastside Men's Homeless Shelter and Permanent Supportive Housing

Mayor Stokes said staff is seeking Council direction about how to proceed in regard to the proposed Eastgate men's homeless shelter and permanent supportive housing. He said the shelter is anticipated to open for the winter of 2019-2020. The public process involving the proposed Eastgate location began in August 2016. Since that time, the project and the Eastgate site have been vetted and the City has received a great deal of public input.

Mr. Stokes said staff's recommendation is to continue to move forward to enable the future phases of design and mitigation for the project in the Eastgate location and to address the concerns around project scope, project operations, and public safety issues. He noted the options presented by staff:

- 1. Confirm the King County Eastgate Public Health Center site as suitable for the Eastside Men's Shelter and Supportive Housing project, and direct staff to continue project development work with nonprofit development partners and King County, consistent with the recommendation by staff; and to further direct staff to: 1) modify the Eastgate Land Use Code Amendment (LUCA) currently under review to require a development

agreement rather than a conditional use permit (CUP) for the shelter; and to prohibit community health engagement locations (aka safe injection sites), 2) add a Bellevue City Code amendment work item to the existing Development Services Department's Code Amendment Work Program to prohibit safe injection sites citywide; 3) prepare options for Council consideration relating to stronger vehicle parking enforcement; 4) prepare public information and educational materials regarding citywide panhandling; and 5) require the formation and participation of an advisory committee composed of adjacent property owners and other community stakeholders to guide the development team in project design and mitigation strategies.

2. Decline to proceed any further with the Letter of Agreement on the Eastgate site, and direct staff to initiate a new approach to meeting the Council's priority of working with regional partners to establish an Eastside permanent homeless shelter as well as a revised project schedule.
3. Suspend the City's participation in site investigations for the Eastside Men's Shelter and Supportive Housing project.

Councilmember Wallace thanked staff, Congregations for the Homeless, neighborhood leaders, citizens, businesses, homeless advocates, and his Council colleagues for all of their hard work. He said he is committed to maintaining the Congregations for the Homeless (CFH) interim shelter and to locating the permanent shelter in Bellevue. He supports the proposed 100-bed shelter facility and a day center that can accommodate 125 clients.

Mr. Wallace encouraged the community to work together. He noted that he has received numerous emails from pastors in Bellevue. He would like to see more churches and citizens working together to produce an exceptional facility. He noted the importance of building effective relationships with the homeless men, and he supports continuing to partner with Congregations for the Homeless in that regard. He supports a shelter that furthers the City's goals to provide a path out of homelessness; ensure that homelessness is one-time, brief and rare; and to maintain order and cleanliness in parks, rights-of-way, and public and private properties.

Mr. Wallace noted his commitment to maintaining the quality and character of Bellevue neighborhoods. He said that is a critical consideration for the shelter and supportive housing project. He said the City needs to make sure that the shelter location is the best site for the mitigation of impacts and for providing services for the homeless.

Mr. Wallace said he would like to see a plan for keeping the temporary facility open while creating a plan for the new permanent facility of the same size and establishing a business plan for ensuring a Bellevue-specific facility. He would like to consider a business plan in which the City is the builder of the facility, as with community centers, and has agreements with the operators of the programs. He expressed concern that the proposed partnership will limit the City's authority in ensuring that the facility is the right one for the community. Mr. Wallace said he would like the City to consider the option of owning the building.

Councilmember Wallace said he initially did not realize how close a number of residences are to the proposed Eastgate site. He also could not identify another viable site until Jared Nieuwenhuis spoke before the Council two weeks ago and suggested the Sound Transit Operations and Maintenance Facility East (OMFE). Mr. Wallace said there is no residential property within a quarter mile of the OMFE site. Sound Transit is required to provide affordable housing, and there is plenty of land to build the facility. He said more homeless individuals are in the Downtown than in the Eastgate area.

Mr. Wallace said it makes more sense to address the homeless where they are, which is also closer to services for the homeless who cannot stay at the shelter due to behavioral issues often related to mental illness or drug and alcohol use. He said the OMFE site has not been studied at the same level of detail as the Eastgate site.

Councilmember Wallace suggested moving forward to more fully define and describe the facility and to take it to a concept level that could be analyzed in some detail for the Eastgate, OMFE, and Lincoln Center sites. He said more information is needed to compare the three alternative sites and to make a decision based on the services to be provided and the potential mitigation measures.

Councilmember Robertson thanked all parties for being so engaged, respectful, and civil. She said she is committed to providing the services to help facilitate individuals' progression out of homelessness. She appreciates partnerships with Congregations for the Homeless and Imagine Housing, and anticipates collaboration going forward as they provide important services.

Ms. Robertson said she has been thinking about how we care for one another. We need to help those in crisis as well as those in need of long-term assistance. She said it is important to define how to provide the services that will enable individuals to succeed when they move beyond homeless shelter programs. She said it is important to determine where to provide the services based on balancing the needs of those providing the services, the people being served, and the people in the surrounding area. She observed that there are a number of unknown details related to the how and why in addressing homelessness.

Councilmember Robertson commented on the unknown factors. One is the level of commitment to public safety by King Country Metro if the shelter and housing is located at the Eastgate site. Similarly, the level of security to be provided by Bellevue College is known. How would security measures deal with the heavily forested surrounding area, both from a land use and critical areas perspective and from the perspective of ensuring that individuals visiting the shelter or who are turned away from the shelter do not camp in the woods? She said it is unknown whether the Police will have space in the shelter.

Ms. Robertson said the needs related to a year-round shelter are unknown. She suggested that now is a good time to conduct further study of those needs while the interim shelter is currently located at Lincoln Center. She wants to ensure a good quality of life for those in the shelter and for the homes and businesses around the shelter. She said the impact of the Eastgate location on planned transit-oriented development (TOD) is unknown. She said we do not know how requiring identification from shelter residents will impact services.

Ms. Robertson said the project plan, schedule, budget and the implications for the Land Use Code are unknown. It is unknown whether the City will have the authority of an exit strategy. She said the letter of agreement includes work to be completed by King County, including analyzing the requirements and need for the shelter. However, that information has not been made available. Ms. Robertson said she has not been given information about the contracts that would be involved in the project or their terms.

Councilmember Robertson said that, when the Council adopted the letter of agreement, she was not under the impression that the project would definitely be located at the Eastgate site. Her understanding was that the letter of agreement indicated a willingness to move forward to study the shelter project. She said the project has been studied by the City, the public, and homeless advocates. Her conclusion is that the Eastgate site is an excellent location for transitional housing. However, it is not an excellent or the correct site for a low-barrier men's shelter due to the number of unknown factors and the proximity of Bellevue College and wooded areas.

While the wooded areas provide a buffer, Ms. Robertson expressed concern about public safety in those areas. She suggested that having Metro, Bellevue College, King County, the City, and private partners working together on public safety can complicate matters and might not be the right approach. Ms. Robertson said the costs related to ensuring public safety are unknown. She said the OMFE and Lincoln Center sites would work better in terms of addressing public safety.

Ms. Robertson observed that the shelter project should have been initiated not by considering a specific site, but by studying the impacts, the type of land that would be best in mitigating impacts and serving shelter residents, and what additional mitigation could be provided. She suggested that early work include an analysis of the Land Use Code amendments needed to support the process. After that information is provided, it becomes appropriate to begin identifying and studying alternative sites. After a site is selected, site-specific issues are studied and the plan, schedule, budget, and citizen advisory committee (CAC) process are established.

Councilmember Robertson expressed a preference for Option 2 with regard to the shelter. However, she is willing to consider a letter of agreement to facilitate transitional housing on the Eastgate site. She would like to look at the Land Use Code for what is needed citywide on a number of issues including banning safe injection sites and car camping. She said it is important to determine the criteria for establishing a shelter with regard to both land use issues and performance standards. She is in favor of the City moving forward with the work she describes here.

Ms. Robertson requested information on the Lincoln Center site: What would be needed to maintain and/or improve while the City continues to study alternative sites? What would it take to convert the location to a year-round shelter? She would like more information on the OMFE site as well, particularly on the parcel that is closest to the facility. When the City previously studied the potential land use for parcels around the facility, there were questions about the viability of developing the site. Ms. Robertson said the shelter might be a good fit for the site in terms of the feasibility of development.

Ms. Robertson would like an analysis of separating the shelter and transitional housing projects.

Councilmember Lee said everyone wants to come to Bellevue. He expressed support for the comments made by Councilmembers Wallace and Robertson and for the wisdom of the community. He said there might be other factors and issues that need to be studied. He thanked everyone, including the faith community, for being involved and engaged. He observed that residents do not necessarily disagree on the need to help the homeless. He said Bellevue is a great place and everyone wants to come here. Noting Easter over the weekend, Mr. Lee said he saw Pope Francis speak about the world and how people should live. He said we do things the Bellevue way as we have grown from a suburb into an urban center.

Mr. Lee said it is important to approach the issue of homelessness as solving a community problem. He said everyone wants to provide the services. However, it is important to do it right. He said many questions have been raised and should be answered. He said it is important to continue to work with Congregations for the Homeless, which has been an effective provider of social services in the community. He commended Imagine Housing and A Regional Coalition for Housing (ARCH) as well. He said he has spoken to homeless individuals and has been told they come to Bellevue because it feels safe.

Mr. Lee expressed support for Councilmember Robertson's suggestion to study a number of issues before determining the shelter location. He said it is important to engage the community in the decisions and planning. He expressed support for the continued operation of the interim facility to allow time for a more comprehensive review of the proposed project. He said this is a big decision, and it needs to be done the Bellevue way with the City having control over the project. He said it is important to establish a citizens advisory committee (CAC) to be involved in the planning process. He noted that shelter programs should be studied within the broader context of the affordable housing strategy.

Councilmember Robinson thanked everyone who reached out to her and noted that the contacts were equally split between support for and against the Eastgate site. She said the City needs to find a way to clearly identify and address the needs of the homeless as well as the needs of neighbors in determining whether a well-managed facility and services program for the homeless can work effectively in the Eastgate area without adversely impacting the neighborhood.

Ms. Robinson observed that, after tonight, the conversation needs to extend well beyond the most basic question of location to the issues of the design of the facility and its programs, the target population to be served, the management plan and policies, services provided, shelter rules and regulations, and public safety. With the help of the stakeholder group, the City needs to discuss the facility plans for the shelter and permanent supportive housing, whether the shelter should operate in the winter or year-round, the appropriate barrier level for individuals, the parameters of success, and how success will be measured.

Ms. Robinson said she wanted to get rid of the premise that the City cannot site the facility near neighborhoods or schools or anywhere else where people live, work, or congregate. In order to succeed, it is important to have a safe and clean environment for nearby uses (e.g., market-rate housing and offices). The community has expressed concerns regarding homeless loitering;

personal and property crimes; public safety at Bellevue College, the Park and Ride, and adjacent neighborhoods; and the retention of property values. Ms. Robinson said she will not support a facility on any site until there is a strategy in place for addressing those concerns.

Councilmember Robinson said the community has expressed support for serving the homeless in Bellevue. The question facing the Council tonight is whether the Eastgate site is the appropriate location for the project and whether the project can create success for homeless individuals and the surrounding community by creating opportunities for rapid re-housing with shelter services and permanent housing in a safe environment. She expressed support for Option 1 and for the Eastgate location.

Councilmember Simas observed that everyone has done a good job in considering the Eastgate site. However, the project team identified the Eastgate site without bringing the community into the process. He believes the Eastgate site could work. However, that does not mean it is the best location for the shelter and housing. He said the OMFE site provides a number of possibilities. One of the critical elements of the project is funding, and Imagine Housing could lose funding. However, Mr. Simas said funding should not be the primary driver of the decision.

Mr. Simas said it is important to look at whether the Eastgate site is the best location for what the project is trying to accomplish. He noted comments by Councilmembers Robertson and Wallace about the need to look at long-term needs. He supports the creation of a year-round shelter. He observed that the Lincoln Center site is not ideal and could require significant costs by the City. However, he suggested considering extending the interim location to allow for further study of alternative sites.

Mr. Simas said residents in the Eastgate area need to be comfortable with the shelter decision. He observed that there are approximately equal numbers of individuals in favor of and opposed to the Eastgate location. He suggested greater public involvement in the process of determining the long-term ramifications of having a homeless shelter near residences. He believes the project could work and that Bellevue Police would come up with a good plan for ensuring public safety. Mr. Simas said he has visited the current shelter and he believes they are the kind of people who are eager to move out of homelessness and improve their lives. He said the issue of dealing with individuals involved in crime and substance abuse is a separate challenge.

Mr. Simas said everyone is interested in a solution that addresses homelessness in the Bellevue way. For him, this involves identifying a solution that works the best for the overall community. If that takes more time, he believes the City, CFH, and Imagine Housing will be able to find a way to finance the final and best solution.

Deputy Mayor Chelminiak said he shares many of the sentiments that have been expressed, even if he is reaching different conclusions than his colleagues. He said the Council is working through a very difficult issue. He recalled that, during the earlier Study Session, the Police Chief said that having a shelter makes the community safer. Mr. Chelminiak observed that it also makes things safer for the homeless individuals who are served. He said those individuals are our neighbors, friends and family members.

Mr. Chelminiak acknowledged that there are risks in dealing with the homeless. However, there are risks in many aspects of life. He said the City is in a situation in which the politically expedient answer is to not move forward until questions are answered. He said the Council has asked many questions and received many answers. He said the project was put on hold to expand community outreach, which caused the project to miss the February 1 deadline. He said many neighbors in the Eastgate area do not want the shelter at the proposed location, and he understands those concerns.

Mr. Chelminiak said the Council has heard nothing indicating that there are fatal flaws for the site. He would like to see a process in which the City moves forward with the Eastgate site and the funding agreement can be finalized. He said the City has done its research, and the project can be provided in a safe manner. He said the City is working with the right partners, and the needs are too urgent to wait. He said it has been difficult to continue to find locations for the winter homeless shelter.

Mr. Chelminiak said the number one priority of the City's human services plan is a roof overhead. During the earlier Study Session, the Council heard that the roof at the current interim shelter has deteriorated, and the shelter will not be able to stay at the site much longer without putting hundreds of thousands of dollars into the site. He said the question is not the need or the location, but the primary issue is a matter of when the project can be completed. Mr. Chelminiak said the Eastgate site addresses the issue of when.

Mr. Chelminiak noted the volunteers from Congregations for the Homeless who are wearing red sweaters in the audience. He thanked them for taking care of the homeless who are down on their luck, afraid, and living outside. He said the shelter services keep the clients and the broader community safe. He suggested moving forward while questions raised are addressed. When is this going to be a permanent, full-time shelter? How are we going to do that? What are other potential sites for the supportive housing?

Mr. Chelminiak said he knows a great deal about the Sound Transit OMFE site. He said that providing a shelter at the site would be difficult and could not be studied and implemented as quickly as needed. However, he is not opposed to providing affordable housing at the location.

Mr. Chelminiak suggested moving forward with the negotiations while engaging the community in that discussion. He said the City has not yet been able to do that, and he would like to be able to do so with the agencies providing the services. He said it is important to secure funding from the County for their involvement as well.

Mayor Stokes thanked Councilmembers and the public for their comments. He observed that there is agreement about the need to help the homeless and about the effectiveness of CFH, Imagine Housing, and ARCH in providing services. Mr. Stokes said the Council has expressed a commitment since 2014 to developing a permanent men's homeless shelter. He understands the concerns and pressures related to the Eastgate site. He noted that when the City mentioned the Lincoln Center facility in the Wilburton area as a possibility for a permanent shelter, the residents of that community said they did not want the project in their neighborhood.

Mayor Stokes said the Eastgate location is a good site for the shelter. He said the Sound Transit OMFE site was considered in the past. He said affordable housing is not the same as a shelter. He said the Council previously committed to this project and to making it work. He said moving forward with the Eastgate site is the right thing to do, and the City will work with the community. If mitigation and other issues cannot be resolved, the City is not required to move forward.

Mr. Stokes observed that residents around any proposed shelter location will oppose the siting. By the time the shelter could be provided at the OMFE site, there will be apartments in the area. He said the Bridle Trails community, located across SR 520 from the facility, opposed that site for the shelter. He said fear is a natural reaction. However, if the community wants to help the homeless, the City and residents need to work together on a path to move forward. He said the City has been working on the shelter issue for a long time, and there is a need for a permanent shelter.

Mayor Stokes said that now is the time to take action, before conditions reach a crisis. He said Councilmembers care about the community. He noted comments from some individuals in the community that the City is avoiding the OMFE site due to the concerns of certain developers. He said that is not true. He said the primary owner of most of the property near the Eastgate site is willing to work with the City for a successful project.

- Deputy Mayor Chelminiak moved to extend the meeting to 10:30 p.m., and Councilmember Robertson seconded the motion.
- The motion carried by a vote of 7-0.

Mayor Stokes said the Council could decide to not move forward. He believes King County needs to be part of the project. He said the project will be funded by all Bellevue taxpayers and this is a decision for the overall community. He observed that the same issues and concerns will be raised for any location. He said the Lincoln Center site is not a viable option with the light rail alignment and the extension of NE 6th Street. He noted that the Grand Connection and residences will be constructed in that area as well.

Mr. Stokes said comments from the public about the OMFE site are not entirely accurate. He said the light rail and OMFE plan references affordable housing and transit-oriented development (TOD), but does not include a shelter. He said it is not a viable site. He said he lives in the Woodridge area, and he would not be opposed to a shelter in his neighborhood. He believes the Eastgate location is the best site.

Councilmember Simas said the one barrier he has is the potential of the OMFE site. If that question could be definitively answered, he believes the Eastgate location could be made to work. He would like to continue with a two-pronged approach: 1) continue to study the Eastgate site with the involvement of the community, and 2) conduct discussions with Sound Transit regarding the feasibility of the OMFE site. He said the answer to the viability of the OMFE site is a factor in his decision.

Deputy Mayor Chelminiak expressed support for Councilmember Simas' suggestion. However, Mr. Chelminiak opined that the Council needs to take action.

Councilmember Wallace observed that there is a plurality of Councilmembers interested in studying the Eastgate, OMFE, and Lincoln Center sites, while continuing to advance discussions about the Eastgate site to be able to compare the three sites. He said that working with Sound Transit to determine its plans for the OMFE site should be part of the conversation. He observed that the City raised the topic of the Eastgate shelter as if it was the only possible site. He feels the City can continue to move forward at a reasonable pace to answer the questions that have been raised and to compare multiple sites over the next two months to three months.

Councilmember Robinson noted that the project cannot achieve financing unless there is a site. She has visited the current shelter, which has approximately 75 men sharing two portable showers. When she attempted to heat up their food, the electricity went out because the power could not support two microwave ovens working at the same time. Ms. Robinson said the continued operation of the current facility will lead to increased tent encampments because individuals will not find a way out of homelessness without services and the next step of affordable housing. She encouraged moving forward with a stakeholder group to allow the project team to move forward with securing financing.

→ Deputy Mayor Chelminiak moved to approve Option 1 as presented by staff, with a 45-day exploration period of the status of the Lincoln Center property and the OMFE property.

Option 1 - Confirm Public Health Site

Direct concurrent actions:

- Require and participate in formation of project advisory committee.
- Add Development Agreement for shelter uses to Eastgate LUCA.
- Prohibit safe injection sites in Eastgate LUCA and add citywide prohibition to code work plan.
- Prepare options for strong vehicle parking enforcement.
- Undertake public education campaign on panhandling.

Councilmember Robertson seconded the motion.

Mr. Chelminiak said he is trying to move this forward. He believes further study can continue and that process does not need to take another year. He said the City is very familiar with the Lincoln Center site. The City has worked with Sound Transit regarding the OMFE site, including with regard to the general contractor/construction manager (GC/CM). He believes the City can clarify how the memorandum of understanding (MOU) with Sound Transit governs the OMFE site. He believes the City can achieve a much better idea of the timeline and that questions can be answered within 45 days. He spoke in favor of allowing the County, the City, Imagine Housing, and CFH to move forward with the process underway for the Eastgate site, and of involving the community in those efforts.

Deputy Mayor Chelminiak observed that the issue of low barrier can be defined and addressed within the context of that discussion with the community. He said it is important that CFH and the other project partners address the concerns raised within the community related to the low-barrier shelter designation. He said it is important to move forward with the letter of agreement in order to process the Eastgate Land Use Code Amendment and to move forward with the development of the area. He expressed concern about getting stuck in this process and said he wants to move forward in a way that can balance everyone's concerns.

Mr. Chelminiak asked for the Council's support and reiterated his interest in a 45-day period for further study of the Eastgate and OMFE sites.

Councilmember Robertson said she will not support the motion. While she supports three-quarters of what the motion is intended to accomplish, she does not want to proceed with identifying the Eastgate site. She does not believe it is the right location. She supports further study of the OMFE and Lincoln Center sites. She does not want to be rushed into making a decision for the sake of expediency. She said doing this right is more important than doing it quickly.

Ms. Robertson said that, if the motion fails, she would like to propose an alternate motion regarding the analysis requested by the Council. Whether the motion carries or fails, she wants the 45-day study period to include analyzing the benefits of the City owning the shelter and supportive housing.

Councilmember Lee said he appreciates the Deputy Mayor's good intent. However, Mr. Lee said he is not comfortable moving forward given the limited 45-day period for further study. He would like to ensure there is adequate time to study all of the issues and to work with the community. He does not want the decision to be rushed. He said it is important to conduct a more thorough analysis of alternative sites before making a decision. He expressed support for Councilmember Robertson's position.

Councilmember Wallace said he will not support the motion. He believes there needs to be an equal analysis of the three sites. He said the Eastgate site is in no position to pursue financing. He said this is the perfect point to continue to advance the purpose of defining the facility and the other questions that have been raised as they relate to all three sites. He said it is important to give equal weight to the three sites in the analysis and to make a well-informed decision based on the impacts of each site, potential mitigation, costs, partners, and other criteria. He believes this could be accomplished within 45-90 days. However, it does not make sense to move forward with the Eastgate site until a comparison and informed decisions can be made about all three sites.

Councilmember Simas questioned the impact of the 45-day period on the project's financing.

Villette Nolon, Imagine Housing, said site selection must be completed by May 30 to move forward with financing.

Councilmember Wallace said there is not yet a draft agreement between King County, CFH, and Imagine Housing.

Ms. Nolon said she has been asked to remind the Council that State funding will also be lost if the project does not move forward.

Mayor Stokes said the City will continue to study the project's issues and components. He opined that it is possible to move forward while also conducting further analysis. He said moving forward with the agreement is the vehicle for working with the community and for exploring issues that have been raised. He is willing to consider the OMFE site if it is demonstrated to be a better location. However, he believes the Eastgate location is the best site.

Mr. Stokes expressed support for the motion, noting his concern that the process not be further delayed. He said the Council needs to make a decision now and to move forward.

Mr. Chelminiak restated the motion, which is the approval of Option 1 and the items listed under that option, as well as a 45-day analysis involving both the OMFE and Lincoln Center sites.

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

8. Consent Calendar

→ Deputy Mayor Chelminiak moved to approve the Consent Calendar, and Councilmember Robinson 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 March 27, 2017 Extended Study Session

Minutes of April 3, 2017 Study Session

Minutes of April 3, 2017 Regular Session

(b) Resolution No. 9259 authorizing execution of a Professional Services Contract with Hayre McElroy & Associates, LLC to provide third party testing, monitoring, and reporting services to support construction of the Meydenbauer Bay Park Phase 1, in an amount not to exceed a total contract value of \$133,124 (inclusive of all taxes).

(c) Resolution No. 9260 authorizing the conveyance of an easement to Puget Sound Energy, Inc., for the installation of new electric facilities to serve the Bellevue Downtown Park.

(d) Resolution No. 9261 authorizing the execution of a three-year Microsoft Enterprise Agreement for required Microsoft software licenses, with anticipated

annual true-ups that are necessary for the continued and future utilization of Microsoft software products by the City, in an amount not to exceed \$1,352,057, plus all applicable taxes.

- (e) Motion to approve payment of claims and payroll for the period March 1, 2017 through March 31, 2017.
- (f) Resolution No. 9262 authorizing execution of an agreement with Eastside Pathways, in an amount not to exceed \$400,000 (plus taxes if applicable), as directed in the Council Operating Contingency of the adopted 2017-2018 General Fund Budget.
- (g) Resolution No. 9263 authorizing execution of Amendment 1 to the general services agreement with Access Information Protected for professional records storage and destruction services that increases the “not to exceed” contract amount to \$412,500 and extends the term of the agreement through December 31, 2018.
- (h) Motion to award Bid No. 17023 for Storm Drainage Dig & Repair - 2017 to Trinity Contractors, Inc., as the lowest responsible and responsive bidder in the amount of \$85,661 plus all applicable taxes (CIP Plan D-64).
- (i) Motion to award Bid No. 17007 for the Crossroads/East Bellevue Sidewalk Replacement Project (Neighborhood Safety and Connectivity Levy project); CIP Plan No. PW-R-199, to Trinity Contractors Inc., as the lowest responsible and responsive bidder, in the amount of \$826,780.30.
- (j) Ordinance No. 6351: 1) authorizing execution of a grant agreement (and supplements if necessary) with the Transportation Improvement Board (TIB) to accept up to \$6,752,000 in state funding to support construction of roadway improvements on 124th Avenue NE; 2) amending the 2017-2018 General Capital Investment Program (CIP) Fund to increase the appropriation by \$6,752,000; and, 3) amending the 2017-2023 CIP Plan to increase the project budget for the 124th Avenue NE - Spring Boulevard to Ichigo Way project (CIP Plan No. PW-R-166) by \$6,752,000.
- (k) Resolution No. 9264 authorizing execution of a grant agreement (and supplements if necessary) with the Washington State Department of Transportation (WSDOT) to accept \$400,000 in federal Congestion Mitigation and Air Quality (CMAQ) funding to advance design and environmental work on the Mountains to Sound Greenway Trail (CIP Plan No. PW-W/B-78) at grade segment between the Sunset Pedestrian Bridge and Lakemont Boulevard.

9. Public Hearings: None.

10. Land Use: None.

11. Other Ordinances, Resolutions and Motions

- (a) Initiating a Comprehensive Plan Amendment proposal into the 2017 CPA work program, under *LUC 20.30I.B.1.a*, for Downtown Subarea Plan transportation policies, as recommended by the Transportation Commission. Under *LUC 20.30I.B.1.b*, amendment proposals initiated by Council will be reviewed by the Planning Commission and acted upon by Council.
- Deputy Mayor Chelminiak moved to approve the motion initiating a Comprehensive Plan Amendment proposal into the 2017 CPA work program, under *LUC 20.30I.B.1.a*, for Downtown Subarea Plan transportation policies. Councilmember Wallace seconded the motion.
- The motion carried by a vote of 7-0.
- (b) Ordinance No. 6352 providing for: 1) the issuance of a limited tax general obligation bond of the City in a maximum principal amount of \$120,000,000, to evidence the City's obligations under a TIFIA loan agreement with the United States Department of Transportation; 2) approving and authorizing execution of the loan agreement and providing for the disposition of the proceeds of the loan, the delivery of the bond to the United States Department of Transportation, and the payment of costs of issuance of the bond; and 3) delegating the authority to approve the final terms of the bond.
- Deputy Mayor Chelminiak moved to adopt Ordinance No. 6352, and Councilmember Robinson seconded the motion.
- The motion carried by a vote of 7-0.

12. Unfinished Business: None.

13. Continued Oral Communications

- Deputy Mayor Chelminiak moved to extend the meeting to 10:40 p.m., and Councilmember Robinson seconded the motion.
- The motion carried by a vote of 6-0.¹
- (a) Lisa Leitner said she lives within one-quarter mile of the proposed Eastgate men's homeless shelter. She said her brother died as a homeless man at the age of 24 because he abused drugs. She has never questioned the need for the proposed facility. She has questioned the process and the lack of community involvement. She expressed frustration that the community is not allowed to contribute to repairs and improvements needed at

¹ Councilmember Wallace was temporarily away from the dais.

the Lincoln Center interim facility. She said there must be a plan for ensuring public safety.

- (b) Heidi Dean, a Newport Hills resident, expressed her disappointment in the Mayor's and Deputy Mayor's comments on the project. She does not trust the City of Bellevue staff in dealing with Sound Transit or in providing the Council relevant information. She finds there is a conflict of interest with Claudia Balducci being a King County Councilmember and advocating for the Eastgate site while also serving as a Sound Transit Board Member. Ms. Dean observed that residents have been addressed in a condescending manner.
- (c) Tzachi Litov said he lives within one-half mile of the Eastgate site. He said the shelter planning process has been disingenuous from the beginning. He expressed frustration that the Mayor and Deputy Mayor have characterized the shelter siting as a not-in-my-backyard (NIMBY) issue. Mr. Litov said residents want to work with the City to resolve the issues and concerns. However, he feels the Council is forcing this decision on the community. He said the Council is creating a legacy that deserves further study for the best long-term solution.
- (d) Pamela Johnston questioned the action plan when the current winter shelter closes at the end of April. She would like funding to be provided to keep the shelter open year-round. With regard to the low-barrier designation, Ms. Johnston said she has not heard the process for addressing the almost homeless, homeless, and the movement into housing and employment. Ms. Johnston said King County has identified 18 months for discussing its affordable housing strategy. She said it is difficult to determine whether the shelter and program fits when King County is not involved at this point. Ms. Johnston read from RCW 43.1853(c).080, which states that "any city may assert responsibility for homeless housing within its limits" and that cities would receive funding that otherwise would go to the County for that purpose. She said she does not fully understand the Housing First process. She suggested moving forward now with providing services for homeless individuals throughout the community.
- (e) Carol Janssen expressed her disappointment with the Council. She expressed support for Councilmember Robertson's questions and comments, and encouraged others to listen to her. She expressed support for Councilmember Wallace's comments as well. She said she appreciated Councilmember Simas' comments. However, she was disappointed that he voted in favor of the motion. Ms. Janssen opined that the Mayor has ignored everyone affected by the Eastgate shelter location. She thanked Councilmember Lee for his comments. She strongly supports the Bellevue Police Department. However, they cannot be everywhere and she is concerned that they cannot manage this, given current resources. She wants to take care of the homeless. However, the Eastgate location has been moved forward without sufficient study of other options.
- (f) Maria [last name not given] questioned the reason for a low-barrier shelter at the Eastgate location. She said it might be easier to alleviate the community's concerns if a different

designation was possible. She lives two blocks from the shelter, and there are woods on both sides of her townhouse. She and other residents are concerned about public safety.

Deputy Mayor Chelminiak suggested that the motion includes defining the concept of a low-barrier shelter and working with the community in addressing the designation.

Maria clarified that she is asking whether the City can designate higher barriers to prevent felons, sex offenders, and addicts from staying at the shelter.

Deputy Mayor Chelminiak said this is an emergency shelter for individuals who do not have other options. He expressed an interest in discussing the low-barrier further with staff.

- (g) Laura Litov, an Eastgate resident, thanked Councilmembers Lee, Robertson and Wallace for providing a rational, thoughtful, and logical response to this situation. She said they raised questions that make a lot of sense. She said she is unhappy with the Councilmembers who are not as committed to creating a successful program. She referred to a comment by a Councilmember about the CFH volunteers in the audience. She observed that the comment implied that others in the community do not do anything. Ms. Litov questioned whether, if the Lincoln Center facility is not appropriate due to the deteriorating conditions of the building, the City could utilize volunteers and obtain funding to improve the facility. She observed there are community members who would donate to that effort to provide more time for reaching the best decision.

14. New Business: None.

15. Executive Session: None.

16. Adjournment

At 10:40 p.m., Mayor Stokes declared the meeting adjourned.

Charmaine Arredondo, CMC
City Clerk's Office Assistant Director

/kaw