

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Study Session

June 5, 2017
6:00 p.m.

Council Conference Room
Bellevue, Washington

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

ABSENT: None.

1. Executive Session

Deputy Mayor Chelminiak called the meeting to order at 6:02 p.m., and declared recess to Executive Session for approximately 45 minutes to discuss one item of potential litigation.

The meeting resumed at 6:53 p.m., with Mayor Stokes presiding.

2. Study Session

(a) Eastside Men's Shelter and Supportive Housing

City Manager Brad Miyake opened discussion regarding the Eastside men's shelter and supportive housing project. He noted that staff would address questions previously raised by the Council on April 17. At that time, the Council directed staff to continue to carry out the letter of agreement regarding the Eastgate site, while conducting an analysis of two additional sites: Lincoln Center on 116th Avenue NE and Sound Transit's Operations and Maintenance Facility East (OMFE) in the BelRed corridor.

Kate Berens, Deputy City Manager, recalled Council direction on April 17 confirming the King County Eastgate Public Health Center site as suitable for the Eastside men's shelter; directing staff to continue project development work with King County and nonprofit partners; and directing staff to engage in a 45-day exploration period to study the Lincoln Center and OMFE sites. The Council further directed staff to: 1) modify the Eastgate Land Use Code Amendment (LUCA) to require a Development Agreement rather than a conditional use permit (CUP), 2) add a code amendment work program to prohibit safe injection sites citywide, 3) prepare options for stronger vehicle parking and car camping enforcement, 4) prepare public information and informational materials, and 5) form an advisory committee for the Eastside men's shelter and housing project.

Dan Stroh, Planning Division Director, Department of Planning and Community Development (PCD), said the facility includes a 100-bed emergency shelter, drop-in day center and cafeteria with 125 seats, supportive social and health services, and affordable housing units. He said Congregations for the Homeless will operate the shelter, and Imagine Housing will operate the affordable housing component.

Mr. Stroh reviewed the history of shelters in Bellevue. The City began funding the winter shelter in 2008 and adopted the development of a permanent shelter as a 2014-2015 Council Vision priority. A Regional Coalition for Housing (ARCH) funding for the shelter was approved in 2015. Also in 2015, the Council issued an interest statement on homelessness and updated its Comprehensive Plan policies regarding housing. The 2016-2017 Council Vision included a priority to work with regional partners to establish a permanent Eastside winter homeless shelter to open for the winter of 2018/2019. In 2016, the Council entered into the letter of agreement with King County and the project partners to consider the County's Eastgate Public Health Center site for the shelter and supportive housing facility.

Mr. Stroh recalled that, on August 1, 2016, the Council directed the City Manager to sign the letter of agreement with King County to investigate the Eastgate site. Initial public feedback from September and October community meetings was presented to the Council on November 29, and due diligence reports were presented on April 3, 2017. Additional project information was presented on April 17, and exploratory criteria were discussed on May 1.

Mr. Stroh said the Housing First model recognizes that homelessness is generally an unusual and temporary situation. The goal is to get individuals into housing, and there are multiple paths to achieving independent housing.

Camron Parker, Senior Planner, said the Council directed staff in April to provide information regarding two additional sites: Lincoln Center and Sound Transit's OMFE. He said the analysis focused on uses within a quarter-mile radius of each site. He noted that all three areas are undergoing land use planning and redevelopment and are anticipated to have mixed use development.

Mr. Parker described the Eastgate site, which is adjacent to office buildings and Bellevue College. He noted the wooded hillside between the site and Bellevue College as well as the residential development closest to the site. The four-acre parcel is currently developed with a health clinic and parking lot owned by King County. He said King County has indicated the potential for offering a discount on the cost of the land if its public health and parking facilities are preserved. Mr. Parker said the Eastgate site falls into the medium range in terms of infrastructure needs. The Eastgate Land Use Plan includes a new pedestrian-oriented street connection through the King County property. It is possible that the shelter and housing project could be required to contribute to the development of that connection, which is an added project cost. Mr. Parker said construction could start as early as 2019.

Mr. Parker described the Lincoln Center site on 116th Avenue NE, which is the interim location for the current winter shelter. He noted that half of the existing north building property will be

needed for extending NE 6th Street for light rail, and the south building would need to be demolished to build the proposed shelter and housing facility. There would be additional project costs to relocate the interim shelter for approximately one year. He said the City owns the Lincoln Center property and currently leases space to Congregations for the Homeless to operate the interim men's homeless shelter.

Mr. Parker said the closest residential development to the Lincoln Center site is multifamily development across I-405 to the west and single-family development east of the site. Mr. Parker said all three sites have similar distances to child care centers and schools. He said no additional infrastructure is needed to develop the Lincoln Center site, and the shelter and housing program would begin construction in 2020 or later.

Mr. Parker said the Sound Transit OMFE site is adjacent to commercial and light industrial uses and the Eastside Rail Corridor. Sound Transit owns the property and is in the process of acquiring multiple parcels for the maintenance facility. There are a few single-family homes as well as preschools and child care centers on the western border of the quarter-mile radius around the site. The Spring District development outside of the quarter-mile circle includes apartments and a child care center.

Mr. Parker said the interim men's homeless shelter was located at the OMFE site for three years. Transit access requires walking north to Northup Way or south to NE 12th Street. However, both the OMFE and Lincoln Center sites will have access to light rail beginning in 2023. Mr. Parker noted four school properties outside of the quarter-mile radius of the shelter site. The OMFE site could potentially be available to begin construction between 2020 and 2022. Mr. Parker said street, water and sewer infrastructure is needed for the site.

Deputy Mayor Chelminiak said this is not a final decision about whether to build a shelter at the Eastgate site. He said the Council's recent action indicates an interest in proceeding with the process outlined in the letter of agreement to determine whether a facility could be built at the Eastgate site.

Mr. Chelminiak said the Council rules indicate that the Council cannot reverse an action within six months unless there is a substantial change of circumstances. Issues to be addressed include the adjacent native growth protection area, public safety/security, and the proposed low-barrier shelter designation. He said that continued study and discussions do not represent a decision to build at the Eastgate site.

Mr. Chelminiak said he prefers moving the letter of agreement process forward while also considering the Eastgate LUCA. He observed that Councilmember Simas provided the fourth vote in favor of the previous Council direction. He noted he would like to hear Mr. Simas comment on his perspective about whether anything has changed and what he would like to see. Mr. Chelminiak noted that the project partners cannot building anything that is illegal and/or not allowed by the Land Use Code.

Councilmember Wallace suggested that staff provide more information on the progress made since April with regard to the analysis of the Eastgate site proposal.

Deputy Mayor Chelminiak said he would prefer to move forward consistent with the letter of agreement and previous Council direction to staff. He said the analysis of sites has detracted from the ability to move the letter of agreement work forward.

Mr. Wallace suggested further Council discussion regarding the analysis of the three sites.

Mr. Chelminiak said he is happy to proceed in any way. However, the City needs to proceed in this matter.

Mayor Stokes suggested continuing this agenda item during the later Regular Session.

Councilmember Robertson said she was surprised to learn of the Council rule that prohibits the reconsideration of a vote for six months. She did not interpret the previous vote as a final decision but as direction to staff for further analysis of the three sites. Ms. Robertson objected to the application of the Council rule in this case because the April motion was not presented as a final decision. She opined that there is a substantial change of circumstances because additional information is now available.

Deputy Mayor Chelminiak said the Council approved a motion to proceed with the Eastgate site. However, he concurred with Councilmember Robertson that the motion was not a final decision to build at that site. He said the vote may be reconsidered if four Councilmembers agree that there is a substantial change in circumstances.

Councilmember Robertson asked the City Clerk to comment on the rule.

Kyle Stannert, City Clerk, recalled that the Council's motion in April had three parts: 1) moving forward with the steps in the letter of agreement, 2) identifying the 45-day period for further study, and 3) directing staff to conduct additional research. He suggested that the presentation of new information following the 45-day period could cause the Council to stop moving forward with the terms of the letter of agreement.

Councilmember Robertson said the motion had multiple elements and implied that moving forward with the shelter and housing project letter of agreement would be reconsidered upon the completion of the 45-day period dictated in the motion for further study. Mr. Stannert confirmed that a change in Council direction should be based on facts.

Mr. Chelminiak said that he and the Mayor wanted the Council to be aware of the rule for reconsideration.

Mayor Stokes said the Council approved Option 1 in April and provided additional direction for a 45-day exploration period to determine the status of the Lincoln Center and OMFE sites. He recalled that Option 1 confirmed the King County Eastgate Public Health Center site as suitable

for the Eastside men's shelter and supportive housing project and directed staff to continue project development work with King County and the nonprofit partners, consistent with the recommendation detailed in the April 17 agenda memo. Mr. Stokes said the Council provided additional direction to: 1) modify the Eastgate LUCA currently under review to require a development agreement rather than a conditional use permit (CUP) for the shelter and housing project, 2) add a code amendment work program to prohibit safe injection sites citywide, 3) prepare options for stronger vehicle parking enforcement, 4) prepare public information and informational materials regarding panhandling for use citywide, and 5) form an advisory committee of adjacent property owners and other stakeholders to advise the development team on project design and mitigation strategies.

Mr. Stokes said the 45-day period has ended and reports have been provided. If Councilmembers decide that any information acquired during that analysis leads them to believe that there is a change that would necessitate an alternative direction, the Council would need to vote on that issue. Mr. Stokes observed that there was clear Council direction to move forward with the letter of agreement. He reiterated his suggestion to continue the discussion during the later Regular Session.

Moving on, Deputy City Manager Berens said the proposed Development Agreement would govern the scope and scale of the shelter and day services center, define the operation parameters, require CPTED (Crime Prevention Through Environmental Design) analysis as part of the design process, define and initiate an advisory committee, require a Good Neighbor Plan as a product of the committee's work, and provide other requirements.

The proposed advisory committee would involve a broad spectrum of representatives from neighboring institutions and businesses, neighborhood residents, community stakeholders, and the City of Bellevue (e.g., Police Department and the Human Services Division of the Planning and Community Development Department). The Development Agreement would set expectations about the communications going forward between the shelter/housing project team and the community. There would potentially be two phases of involvement for the advisory committee. If established earlier in the process, the group would inform the developer's design of the project. The second phase would address the facility's operations.

Ms. Berens described the Eastgate road map for the development of the shelter and housing project. The major components of the project are finalizing the Eastgate Land Use Code Amendment, completing the King County land transfer, establishing the Development Agreement, establishing and involving the advisory committee, and processing the design permit and building permit.

Ms. Berens said there have been questions about the project's funding. She said this is not a City project or direct capital cost. The project partners will begin funding applications, including the tax credit application, in 2018, before beginning construction in late 2019.

Deputy Mayor Chelminiak questioned the timing for the Council decision on whether the Eastgate project moves forward. Ms. Berens said the final decision will be the Development

Agreement. That process requires public notice, environmental review, and a public hearing before the City Council.

In response to Mr. Chelminiak, Ms. Berens said staff's proposed model has the Development Agreement setting the stage for the advisory committee's involvement after the agreement is adopted. The committee's work will form the basis of the project that is ultimately submitted for the design review permit.

Councilmember Simas thanked Mr. Chelminiak for his comments. Mr. Simas said the issue of the Council rules and the inability to reconsider the April 17 motion is frustrating. He said he heard information tonight that substantially changes what the Council voted on in April. Mr. Simas said the primary point of this effort is to determine how to help the homeless, work with residents, and make the community stronger. He said it is important to show compassion for both the homeless individuals and Bellevue taxpayers.

Mr. Simas said he originally thought the Eastgate site could be a good location for the project. However, he has learned a great deal since he joined the Council. He thanked City staff for their assistance in answering questions and providing information. He thanked the public for their emails and phone calls and noted that he has gathered valuable information through those contacts.

Mr. Simas said he would like the affordable housing component and a medium-barrier shelter at the Eastgate site. He said there are two primary groups of homeless individuals, those who are temporarily homeless and those who are chronically homeless. He said the latter is a relatively small group. However, they cause the greatest concern within the community. He opined that a medium-barrier shelter would be appropriate in the Eastgate area, with a smaller low-barrier shelter for the chronically homeless at another location. Based on his discussions with the community, Mr. Simas said he believed many residents would agree with that concept.

Deputy Mayor Chelminiak said he was not aware of the definition of a medium-barrier shelter. He said the primary goal is to attract homeless individuals to the shelter to be able to assess their needs and to refer them to other facilities as appropriate. Mr. Chelminiak noted the need to define the barriers. If the City and the project partners cannot agree on the appropriate barrier level for the shelter, the Council could choose to disapprove the Development Agreement. Mr. Chelminiak said the City of Seattle deliberately decided to allow its public places, including sidewalks, to be a place for homeless camping and sleeping. He said the Development Agreement approach is important for Bellevue because it allows the Council to make the final decisions.

Mr. Simas said it is important to build trust with the community, and there needs to be some assurances for the public. He would like to be able to move forward with creating a plan and working with the community to mitigate the impacts. He encouraged moving forward and not taking any steps backward.

Mayor Stokes thanked staff for the presentation and said the discussion would be continued during the Regular Session.

At 8:02 p.m., Mayor Stokes declared recess to the Regular Session.

Kyle Stannert, CMC
City Clerk

/kaw