

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Study Session

March 19, 2018
6:00 p.m.

Council Conference Room
Bellevue, Washington

PRESENT: Mayor Chelminiak, Deputy Mayor Robinson, and Councilmembers Lee¹, Nieuwenhuis, Robertson, Stokes, and Zahn

ABSENT: None.

1. Executive Session

The meeting was called to order at 6:03 p.m., with Mayor Chelminiak presiding. There was no Executive Session.

2. Study Session

(a) University of Washington Livable City Year Program Briefing

City Manager Brad Miyake announced that Bellevue was selected to be the University of Washington's Livable City Year partner for the 2018-2019 academic year. The program will involve students at multiple University of Washington campuses working on projects identified by the City. Mr. Miyake said a contract formalizing the partnership will be presented for Council action at a later date.

Nancy LaCombe, Assistant Director of the City Manager's Office, introduced Danielle Verwahren, Management Fellow in the City Manager's Office, who will lead the program for the City.

Ms. Verwahren said the City envisions partnering with the Livable City Year program for approximately 30 projects utilizing the talent and energy of UW students. Individual project costs range from \$10,000 to \$15,000, and the City's total commitment will range from \$200,000 to \$350,000. Ms. Verwahren said staff will return in the coming months with a final budget and contract for Council review.

¹ Councilmember Lee arrived at 7:26 p.m.

Teri Thomson Randall, LCY Program Manager, said the Livable City Year program is a partnership designed to create significant and lasting change in Bellevue. She said the City submitted a strong proposal and the university looks forward to working with Bellevue staff. The LCY program engages students to work on projects related to the needs of the City. Ms. Thomson Randall presented a video recapping the 2017-2018 partnership with the City of Auburn.

Jennifer Otten, LCY Co-Founder and Co-Director, said the program involves numerous disciplines at the University of Washington's Seattle, Bothell, and Tacoma campuses. Past efforts have involved more than 300 students working more than 40,000 hours in the partner community. At the end of the academic year, students provide a final presentation and written report to the City. The City's funding assists in covering the costs of LCY staff, teaching materials and supplies, site visit travel expenses, event expenses, and the production of the final report (i.e., writer, editor, graphic designer, and printing).

Anne Taufen, LCY Co-Director, said the program benefits students, cities, and faculty. She noted the value of providing opportunities for students to work in the field, and she highlighted examples of past projects.

Mayor Chelminiak concurred with the value of opportunities for students to work outside of the classroom. He highlighted the existing education programs in Bellevue including Bellevue College and the Global Innovation Exchange (GIX), the latter of which is also a partnership with the University of Washington.

Councilmember Stokes expressed support for the LCY program and said he looks forward to seeing the implementation of the projects.

Councilmember Zahn observed that the program differs from typical internship programs and engages students with cities to solve problems. Noting the estimated cost range to the City for the program, she questioned whether there are ways to quantify the benefits that correlate to different spending levels. Ms. Taufen said the program completed projects that the partner cities would not otherwise have been able to implement. Having the data from the program also assisted cities in receiving grant funds for certain projects. Councilmember Zahn encouraged exploring ways to quantify the benefits of the program. She said the partnership fits with Bellevue being very innovative, and the projects could potentially lead to the implementation of new ideas and solutions. Ms. Otten said the program allows students to learn more about careers in public service, which the LCY program is interested in quantifying.

Responding to Mayor Chelminiak, Ms. LaCombe said staff submitted a proposal identifying 28 projects and can provide that list to the Council.

Deputy Mayor Robinson expressed support for the program.

Councilmember Nieuwenhuis thanked staff for submitting a successful proposal allowing Bellevue to be selected for the LCY program.

Mayor Chelminiak suggested moving Agenda Item 2(c), Supported Employment Program, to the Regular Session as Agenda Item 5(b), and taking up Council Business during the Study Session.

Deputy Mayor Robinson announced that ARCH (A Regional Coalition for Housing) partner cities received the Housing Development Consortium 2018 Municipal Champion Award for increasing their financial commitment to ARCH and for creating additional funding resources to build more than 400 affordable housing units.

Mayor Chelminiak noted the passing of Merle Keeney, who served many years on the Parks and Community Services Board.

Councilmember Stokes said Mr. Keeney served on the Parks and Community Services Board from 2002 to 2010, including four years as Chair. He was involved in many planning efforts including the Meydenbauer Bay Park project, the Land Use Plan steering committee, and as Chair of the 2008 Parks and Natural Areas Levy campaign. Mr. Stokes noted Mr. Keeney's strong advocacy for parks and open space and his ability to work effectively with staff and the community.

Mayor Chelminiak said Mr. Keeney was a positive person who was dedicated to the community and loved Bellevue's parks. Mr. Chelminiak offered the City's condolences to Mr. Keeney's family.

(b) Briefing on the Permitting Framework for the Citywide Bike Share Pilot Program

City Manager Miyake introduced discussion regarding the permitting process for the Citywide Bike Share Pilot Program.

Transportation Director Dave Berg introduced staff's presentation on the City's permitting framework for the pilot bike share program. The City is approaching bike share programs through a right-of-way use permit. The permits are issued under the Director's authority and will impose the conditions reasonably necessary to protect public health, welfare, and safety and to mitigate any impacts resulting from the use.

As background information, Mr. Berg said the Pedestrian and Bicycle Transportation Plan was adopted in February 2009, and the Council approved the Pedestrian and Bicycle Implementation Initiative (PBII) in 2015. The Transportation Commission approved the PBII scope of work in April 2015. Following a Council briefing in March 2017, the Eastside Bike Share Vendor Fair was held in September 2017. Since that time, the Transportation Commission held a number of discussions regarding the bike share pilot program and the related permit goals.

Mr. Berg noted that, in 2015, the State allocated \$5.5 million from the Connecting Washington Program for an Eastside bike share system. He said the City of Bothell recently issued a business license to LimeBike, and the Cities of Kirkland and Redmond are targeting a bike share launch in May 2018.

A bike share questionnaire involved 816 respondents, 52 percent of which were Bellevue residents. In addition, 34 percent work in Downtown Bellevue, 20 percent work in Seattle, and 17 percent work in other Eastside communities. Mr. Berg said 55 percent of the respondents indicated they would use a bike share in Bellevue, 22 percent said they would not, and 24 percent indicated they did not know.

The Bellevue Downtown Association (BDA) supports the permitted use of free-floating bike shares within Bellevue with the following conditions: 1) usage of the bike shares must be safe (e.g., helmet usage, obeying traffic laws), 2) bike share impacts should be mitigated, 3) a pilot program should be implemented initially, 4) permitting fees should be reinvested into pedestrian and bicycle facilities, and 5) the program must include appropriate enforcement.

Mr. Berg noted support from a number of Bellevue businesses and organizations including Microsoft, REI, Valve, Seattle Children's Hospital, Su Development, SAP Concur, Wright Runstad and Company, Cascade Bicycle Club, several bike share companies, and others. He said the City looks forward to establishing bike share parking hubs at office buildings throughout the Downtown. He said The Bellevue Collection, Wallace Properties, and the Vander Hoek Corporation have expressed concerns about the introduction of bike share programs.

Andreas Piller, Associate Planner, said there are nine permit topics: pilot project, quality, safety, parking, operations, evaluation, enforcement, cost recovery, and equity. Key messages expressed by the Transportation Commission during its January 25 meeting are that the program should be uniquely Bellevue, innovative, start small and focused, minimize clutter of parked bikes, protect private property, address safety concerns, and ensure cost recovery. Mr. Piller said the permit strategies are to implement a modest fleet size of electric-assist bicycles only. The program should provide a citywide service, bike share hubs, and defined "No Parking" areas. System growth will be based on the operators' compliance with the permit requirements.

Mr. Piller said the program will be implemented citywide in higher density areas and activity centers. He noted the low cost of installing bike hubs, as well as bike racks where possible. A mobile application will be provided for bike users. He presented photos showing examples of bike hubs and parking. "No parking" areas will be established through geofencing and will be depicted on a map in the mobile app. The bike share operators will be notified automatically if bikes are left outside of designated areas. After the program is launched, the City will work with the community to located appropriate sites for bike share hubs in neighborhoods. Mr. Piller highlighted education tools regarding bike safety and helmet usage (e.g., video, notifications from bike share operators).

Mr. Piller said feedback from the community, including the online questionnaire, indicated a lack of support for using public funds for bike share programs. The general message was that bike shares should be private businesses only with no cost to taxpayers. Costs to be recovered include permit application and review, data collection and analysis, bike share hubs/parking, and administrative oversight. Mr. Piller reiterated that the City is developing a permit process and does not intend to operate a bike share service.

Transportation Commissioner Clifford Chirls said the Commission endorsed the pilot permit framework by a vote of 4-3 on March 8, 2018. Key messages from the Commission to staff during its most recent meeting were to be flexible (e.g., number of bikes in pilot program), provide options (electric and non-electric), focus on operators (i.e., number of bikes, quality of bikes), and to closely monitor bike safety.

Commissioner Chirls said the Transportation Commission discussed clutter, rebalancing the distribution of bikes, and safety issues. He said the concerns raised by Commissioners who did not support the pilot program related to helmets, waiting for an evaluation of Seattle's program, impacts to private property, utilization-based growth, and an interest in proceeding via a Land Use Code Amendment (LUCA). Mr. Chirls said the City Attorney's Office advised that there will be no liability risk to the City related to helmet usage or impacts to private property, and that a LUCA is not necessary to change any existing laws.

Mr. Chirls said the program will be launched in May, which is National Bike to Work Month. The Commission looks forward to receiving an update from staff in September regarding the preliminary results of the pilot program, operator compliance, potential issues, and adjustments to requirements under consideration or already implemented. The final evaluation and staff recommendation will be discussed with the Transportation Commission in early 2019, followed by an update to the City Council to discuss the next steps for bike shares in Bellevue.

Councilmember Nieuwenhuis noted the important role of bicycle infrastructure to support Bellevue's multi-modal transportation system. He expressed support for e-bikes, parking hubs, and cost recovery.

Responding to Mr. Nieuwenhuis, Mr. Piller said staff has not determined the number of operators. A total of 400 bikes is proposed, whether there is one or multiple operators. Mr. Piller noted that Seattle's program initially allowed 500 bikes for each of the three operators, which increased to 1,000 bikes per operator by the third month. In further response, Mr. Piller said operators' compliance will be measured by the appropriate distribution of bikes in activity centers, the appropriate percentage of the fleet being located within the proximity of bike share hubs, and responsiveness to notifications that rebalancing is required.

Mr. Nieuwenhuis expressed concern that the majority of riders will not use helmets due to the spontaneous nature of using a bike share. Noting that riding a bike on the sidewalk is legal, he expressed concern that sidewalks could become overcrowded. He questioned whether it might be more efficient to work with one bike share operator, and he questioned the metrics to be used to gauge the effectiveness of the pilot program. Mr. Berg said the metrics will include the compliance factors noted above as well as other criteria to be developed through discussions with the Transportation Commission.

Councilmember Robertson said she appreciates the thoughtfulness of the pilot program. However, she expressed concern that the program conflicts with the right-of-way use code, which refers to site-specific uses. She said the bike share program equates to applying one ROW use permit to every right-of-way in the city.

Mr. Berg said the City does issue citywide ROW use permits for activities related to City maintenance and for private utilities.

[Councilmember Lee arrived at 7:26 pm.]

Councilmember Robertson recalled trying to obtain permission for the Girl Scouts to sell cookies on the sidewalks outside Bellevue Square. She was told by the City that the abutting property owner must approve that type of request. Ms. Robertson questioned how that situation differs from bike share programs. Mr. Berg said staff would follow-up with more information.

Councilmember Robertson expressed concern about the use of e-bikes on sidewalks because they can travel faster than traditional bikes. Mr. Piller said e-bikes in Seattle are limited to 14 miles per hour, and the state legislature set a limit of 20 miles per hour.

Referencing liability, Ms. Robertson said the ROW code requires indemnification and insurance. She questioned whether the bike share operators will be required to name the City as an additional insured. Mr. Piller said they will include the City as an insured. Mr. Berg said the dollar amount of the coverage has not yet been set.

Councilmember Robertson said a property owner can be held liable for injuries that occur on the sidewalk in front of their property. She questioned how private property owners will be protected if a person is injured because a bike was left on their sidewalk.

Mr. Piller said the permits will state that the bikes are the operator's property and responsibility to maintain in compliance with the permit. Councilmember Robertson said the operators should be required to indemnify both the City and private property owners.

Ms. Robertson said she wants to be sure that comments and complaints from private property owners regarding bike shares are documented and tracked.

Responding to Ms. Robertson, Mr. Piller said information on the bike share program will be included in the video under development by staff that will address the overall bicycle infrastructure in Bellevue.

Councilmember Robertson suggested modifying the ROW use code to add more appropriate penalties for bike shares, for example, when bikes are not left in proper places. She suggested monetary fines per bike and per day for violations. She encouraged a greater use of geofencing to protect parks, businesses, sidewalks, and other areas. Ms. Robertson noted that 400 bikes in the Downtown at the same time equates to 10 bikes per intersection.

Responding to Mayor Chelminiak, Mr. Piller said the bikes will be distributed throughout a number of activity centers.

Councilmember Zahn said the program fits the spirit of Bellevue. She said it will be helpful to understand the origins and destinations of bike share users. She concurred with Councilmember Robertson's interest in tracking complaints. Mr. Piller said the bikes will have a 24-hour number

to call to submit complaints. He noted that the City of Seattle receives complaints directly as well. Ms. Zahn said she appreciates the focus on tracking operators' compliance with permit requirements.

Responding to Ms. Zahn, Mr. Piller said permits will be issued for one year from the date of the system launch. Data collected through December will be analyzed while the pilot program continues. In further response, Mr. Piller said a small percentage of the bikes will be allowed to remain outside of the targeted areas and hubs during the pilot program. Ms. Zahn suggested launching the program with a safety fair focusing on helmet usage. Mr. Piller said safety education will be provided.

Councilmember Lee thanked staff and the Transportation Commission for their work. He expressed concern regarding costs, including the potential need for staff to rebalance bike distribution if the operator does not respond in a timely manner, the cost of providing public education, and the cost of potential staff time and/or legal action if operators do not comply with the permit.

Mr. Piller said staff is working on cost estimates. Mr. Berg said the permit fees contribute to the City's administrative oversight functions. Mr. Lee expressed support for developing performance measures for evaluating the pilot program.

Councilmember Stokes said staff and the Transportation Commission have done an excellent job in putting the program together. He said similar programs have worked in many cities. He noted that Bellevue is innovative and has received positive feedback from the community regarding bike shares. He said the City will have the opportunity to evaluate the pilot program before deciding whether it should be continued.

Deputy Mayor Robinson expressed support for the bike share pilot program and thanked the Transportation Commission for their work. She noted her experience using bike shares in Washington, D.C.; Chicago; New Orleans; and Seattle. She said Chicago's program was the best and it is very similar to Bellevue's proposed program. She suggested partnering with the Cascade Bicycle Club to provide public education.

Mayor Chelminiak said he wants this program to work. However, he expressed concern that it might be too early for it to work well. He supports the City's ongoing efforts to provide safe bicycle infrastructure. He said helmets are important, and he encouraged employers to make helmets available for their employees. Mr. Chelminiak said bike shares will provide a good travel option throughout the Downtown and citywide.

Mayor Chelminiak thanked the Transportation Commission and staff for their work.

Commissioner Chirls noted that this will be the first program in the country using only electric bikes. He said Bellevue is putting itself ahead of the pack with this innovation.

(c) Supported Employment Program

[Moved to Regular Session, Agenda Item 5(b).]

3. Council Discussion of Upcoming Items: None.

At 7:57 p.m., Mayor Chelminiak declared recess to the Regular Session.

Kyle Stannert, CMC
City Clerk

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