

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Session

May 7, 2018
8:00 PM

Council Chamber
Bellevue, Washington

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

ABSENT: None.

1. Call to Order

Mayor Chelminiak called the meeting to order at 8:07 p.m.

2. Roll Call, Flag Salute

All Councilmembers were present. Mayor Chelminiak led the flag salute.

(a) Asian Pacific American Heritage Month Proclamation

Councilmembers Lee and Zahn read a proclamation recognizing May as Asian Pacific American Heritage Month in Bellevue and encouraging all citizens to celebrate the rich diversity of this community, to enjoy the work of the many Asian and Pacific Islander artists, to reflect on the many challenges faced in their past, and to look forward to a future of hope and optimism.

Alaric Bien accepted the proclamation on behalf of the one in three Bellevue residents who are of Asian or Pacific Islander heritage.

(b) Better Hearing and Speech Month Proclamation

Deputy Mayor Robinson, noting the hearing loop technology in the Council Chamber, read the proclamation recognizing May as Better Hearing and Speech Month in Bellevue and encouraging all citizens to recognize the achievements of audiologists and speech-language pathologists in improving the quality of life for people with communication disorders.

(c) Older Americans Month Proclamation

Mayor Chelminiak read the proclamation recognizing May as Older Americans Month in Bellevue. He suggested a pause in the meeting to take photographs with Mr. Bien.

3. Approval of Agenda

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

4. Communications: Written and Oral

- (a) Pamela Johnston spoke regarding the Homeless Shelter Land Use Code Amendment (LUCA). She asked the Council to think about how the Good Neighbor Agreement Advisory Committee will function. She encouraged a citizen-focused committee. She expressed support for one at-large member and four residents living near the shelter on the committee. Noting the proposed requirement that committee members attend every meeting, she suggested meetings focused on different topics so that members could attend the meetings most directly related to their areas of expertise.
- (b) Reverend Patty Ebner, Pastor for Congregational Care and Outreach, First Congregational Church, thanked Councilmembers for their commitment to establishing a solution for individuals experiencing homelessness, and for listening to all of the voices regarding this important topic. She said she speaks at the invitation of the Church Council of Greater Seattle. Reverend Ebner noted the church's partnership with The Sophia Way for women, which has a shelter and day center at St. Luke's Lutheran Church. She has met with numerous individuals residing at the men's shelter in her church. She said they are not dangerous people and they are eager to work and to move out of homelessness. She submitted her comments in writing.
- (c) Karen Studders, representing the Eastside Interfaith Social Concerns Council, said the organization is located in Bellevue and one of its main focuses over the past 20 years has been helping individuals experiencing homelessness. She said Congregations for the Homeless and The Sophia Way were founded through the organization. She noted the efforts of the Church Council of Greater Seattle, which has been in existence for 99 years. She highlighted a regional survey indicating the contributions of the faith community in helping low-income and homeless individuals in King County and commented that the faith community's efforts are even more extensive than reflected in the survey. She requested that the Good Neighbor Agreement (GNA) Advisory Committee have at least one representative of the faith community given its long history of helping persons experiencing homelessness in Bellevue over the past 20 years.
- (d) Lisa Leitner referred to the earlier Study Session discussion and the suggestion that notifications would be sent to residents within 500-600 feet of a proposed shelter. She said the proposed Eastgate shelter site is 875 feet from the closest residence and therefore no residents would receive mailed notices. Ms. Leitner recalled a comment during the earlier Study Session that, if there are no residents within 500 feet of the proposed shelter site, they would not be represented on the GNA Advisory Committee. She suggested

notifying residents and businesses within one mile of the proposed facility, which is consistent with the Bellevue Police Department's analysis of crime data within one mile of the current and former men's homeless shelters.

- (e) Karen Morris observed that some of the language in the draft Shelter Land Use Code Amendment (LUCA) is quite broad while other language is very specific. She suggested a clear definition for the term "services." She noted that certain comments by her and others do not appear to be reflected in the summary of public feedback. She appreciated Councilmember Zahn's support of having an at-large community member on the GNA Advisory Committee.

Mayor Chelminiak noted that staff is available to meet with residents to help clarify the LUCA.

- (f) Loretta Lopez, Bridle Trails Community Club, said they have been following the Puget Sound Energy (PSE) Energize Eastside project for five years. The final EIS is more than 5,000 pages, and the project application is hundreds of pages. She is concerned that the City allowed PSE to bifurcate the project and to file separate applications for the southern and northern portions of the project. She expressed concern that two project applications could result in two hearings, two reviews by the Council, two Superior Court appeals, two Court of Appeals appeals, and two State Supreme Court appeals.
- (g) Norm Hansen concurred with the concerns expressed by Ms. Lopez. He asked the Council to study the impacts of splitting the Energize Eastside project into two projects. He noted PSE's plans to temporarily deactivate a portion of the existing system for construction. He questioned how the project can be needed if PSE is able to continue providing electricity under those conditions.
- (h) Heidi Dean commented on the proposed Comprehensive Plan Amendments (CPAs). She said the hearing for the Newport Hills is scheduled for June 27, while the other five CPAs are scheduled for hearings on June 13. She is concerned that people will be less likely to attend on June 27 because school will be out for the summer and residents might be taking vacations. She noted the Mayor's comment to the public that written feedback is as effective as speaking before the Council. She said some residents are not comfortable providing written or oral comments. However, they want to attend City Council meetings to show their support for those speaking on their behalf. Ms. Dean asked the City to change the Newport Hills hearing date.

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

6. Report of the City Manager

- (a) Neighborhoods Conference Update

City Manager Brad Miyake introduced staff's update on the Neighborhoods Conference held on April 21.

Mike McCormick Huentelman, Neighborhood Outreach Manager, said the City's second Neighborhoods Conference partnered with REI, the Global Innovation Exchange (GIX), Bellevue College, King County, Microsoft, Imagine Housing, the King County Library System, and others. He said the 120 participants were able to choose four of 16 workshops to attend. The goals for the conference were to: 1) promote education and civic engagement, 2) provide opportunities for people to experience Bellevue's innovation, and 3) work together to discuss the community's vision for the future. The workshop sessions included an affordable housing forum, tour of the City's traffic management center, planning for the Eastside Rail Corridor, and the opportunity to test drive electric vehicles.

Mr. McCormick Huentelman thanked the Council for its support of the conference and ongoing neighborhood outreach activities. He noted that Deputy Mayor Robinson provided opening remarks for the conference, and Councilmembers Lee, Nieuwenhuis, and Zahn attended throughout the day. The conference involved staff from a number of departments. Mr. McCormick Huentelman thanked Julie Ellenhorn, Community Relations Coordinator, and Katherine Gu, Intern, for their hard work. He noted the next conference will be held in 2020.

Councilmember Nieuwenhuis thanked staff for their work and observed that participants were interested and engaged during the conference. He noted that he recognized a number of graduates of the Bellevue Essentials program, which he attended in the past as well. He said it would be great to be able to have annual conferences.

Councilmember Lee highlighted the diversity of the community reflected in the photos from the day's events.

Councilmember Zahn complimented staff on both of the Neighborhoods Conferences held to date and noted the high energy of the participants. She concurred with Mr. Nieuwenhuis' suggestion for annual conferences.

Mayor Chelminiak noted the ongoing success of the City's neighborhood outreach efforts in attracting a broad range of residents to events and to the Bellevue Essentials program. He said he would have liked to attend the conference but had a prior commitment out of town.

7. Council Business and New Initiatives

Mayor Chelminiak noted that Councilmember Zahn will be traveling to Bellevue's Sister City Yao, Japan.

- Deputy Mayor Robinson moved to excuse Councilmember Zahn's absence from the May 14 meeting, and Councilmember Stokes seconded the motion.
- The motion carried by a vote of 7-0.

City Manager Brad Miyake said the Council vision and priorities are the result of discussions during the January and March Council retreats. He noted that additional staffing will be

necessary to complete the priorities identified for the three-year period. Mr. Miyake said staff is seeking Council direction to draft a budget proposal for two senior planners and one code developer, to be funded from the Council Contingency fund and through budget savings in other areas.

Councilmember Lee noted a preference for going beyond planning to the implementation of the priorities.

Councilmember Stokes recalled that the vision was adopted in 2014. He said the Council has discussed the priorities extensively and the strategies are good. He encouraged moving forward with staff preparing a budget proposal.

Responding to Councilmember Zahn, City Manager Miyake said the requested positions and staffing needs would be reevaluated after the completion of the associated Council priorities.

Councilmember Robertson expressed support for the priorities and for directing staff to develop a budget proposal.

→ Deputy Mayor Robinson moved to approve the Council's vision, strategic target areas, and priorities as presented. Councilmember Robertson seconded the motion.

Mayor Chelminiak said the vision and priorities are the result of the work of the current and past City Councils and of input from the community. He commented that, when the vision states that Bellevue welcomes the world, it refers to more than racial and cultural diversity. He said Bellevue welcomes its place in the international community and global business. He said the concept that diversity is the community's strength refers to both the population demographics and to choices in housing, jobs, education, and other areas. Mayor Chelminiak said it will be a challenge to complete all of the priorities in the three-year plan. He concurred with Councilmember Lee's interest in implementation as well as planning.

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

→ Deputy Mayor Robinson moved to direct staff to bring forward a budget amendment for Council consideration on an upcoming consent calendar. Councilmember Stokes seconded the motion.

Councilmember Lee said he supports the overall vision. However, he said it is important to consider the priorities within the context of the competing priorities and proposals in the overall City budget. He does not necessarily want to approve a proposal if it might take funding from other budget priorities.

Deputy Mayor Robinson expressed support for placing the item on the consent calendar, given staff's suggestion that funding of the budget proposal would come from the Council Contingency fund and from existing General Fund resources. She said the staffing additions would not take funds from other programs.

Responding to Mayor Chelminiak, Mr. Miyake confirmed staff's intent to bring the item back on a consent calendar. Mr. Chelminiak noted that any Councilmember may remove an item from the consent calendar. He suggested a briefing under the City Manager's Report on the evening that the item appears on the consent calendar.

Acknowledging Councilmember Lee's concern, City Manager Miyake noted that the Council maintains authority over the entire budget, and items may be added or removed during budget discussions until the budget is adopted in December.

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

8. Consent Calendar

→ Deputy Mayor Robinson moved to approve the Consent Calendar, and Councilmember Stokes seconded the motion.

→ The motion to approve the Consent Calendar carried by a vote of 7-0, and the following items were approved:

(a) Council Minutes

Council Retreat Report March 17, 2018
Minutes of April 16, 2018 Study Session
Minutes of April 16, 2018 Regular Session

(b) Motion to award Bid No. 18028 for AC Water Main Replacement 2018 - Phase 1 to Kar-Vel Construction, as the lowest responsible and responsive bidder, in the amount of \$3,102,486.85 plus all applicable taxes (CIP Plan No. W-16).

(c) Motion to award Bid No. 18032, 2018 Citywide Bicycle Improvement Project (CIP Plan Nos. PW-R-182 and PW-R-199) to NPM Construction Co., as the lowest responsible and responsive bidder, in the amount of \$294,487.65, plus all applicable taxes.

(d) Motion to award Bid No. 18035, Wilburton Area Sidewalk Projects (CIP Plan Nos. PW-W/B-76, PW-R-199, PW-M-19, PW-M-7, and P-R-11) to Award Construction, Inc., as the lowest responsible and responsive bidder, in the amount of \$2,219,335.00, plus all applicable taxes.

(e) Motion to award Bid No. 18042, 108th Avenue NE Main Street to NE 12th Street Bike Lanes Project (CIP Plan No. PW-R-199) to Apcon Tech, Inc., as the lowest responsible and responsive bidder, in the amount of \$365,933.70, plus all applicable taxes.

(f) Motion to approve an increase to the construction contract with Goodfellow Brothers, Inc., (Bid No. 17003) by \$400,595.21 to \$2,078,601.21, plus all

applicable taxes, for the Vuecrest Sanitary Sewer Replacement Project 2017 (CIP Plans No. S-66 and No. W-16).

- (g) Ordinance No. 6412: 1) authorizing execution of a Grant Agreement with the State of Washington Recreation Conservation Office - Aquatic Lands Enhancement Account, to recognize \$500,000 in grant funds; 2) amending the 2017-2018 General Capital Investment Program (CIP) Fund to increase the appropriation by \$500,000; and 3) amending the 2017-2023 CIP Plan to increase the budget for Meydenbauer Bay Park Phase 1 Development (CIP P-AD-92) by \$500,000.
- (h) Resolution No. 9404 authorizing execution of a Department of Homeland Security (DHS) Subgrant Agreement with the Washington State Military Department to accept grant funds in the amount of \$329,897 for vulnerable populations planning, citizen preparedness and outreach and sustainment.

9. Public Hearings

- (a) Public Hearing: Shoreline Master Program (SMP) Update

City Manager Miyake recalled that the Council last discussed the Shoreline Master Program (SMP) Update in mid-April. Tonight's public hearing will satisfy the periodic review requirement of the Shoreline Management Act and will allow the City's SMP to remain in effect for eight more years before the next review.

Carol Helland, Code and Policy Director, recalled that the SMP Update involved efforts by the City Council, staff, Planning Commission, and the community. The periodic review of the SMP is due by June 2019. The Washington State Department of Ecology (DOE) has expressed support for the City's program and will allow combining the adoption of the SMP Update with the periodic review originally targeted for 2019.

Catherine Drews, Assistant City Attorney, said the DOE's requirements of the periodic review are to: 1) review the SMP Update for compliance with amendments to the Shoreline Management Act and Shoreline Rules, 2) review for consistency with the City's Comprehensive Plan and development regulations, and 3) reflect on changed circumstances, new information, and/or improved data. Ms. Drews said one amendment is required to address the Americans with Disabilities Act (ADA). The amendment adds an exemption from shoreline permits under Land Use Code 20.25E.170.C for ADA retrofits to existing structures.

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

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

City Clerk Kyle Stannert noted that the City Clerk's Office did not receive any written comments. The following individuals came forward to comment:

1. Marty Nizlek, a Board member for the Washington Sensible Shorelines Association (WSSA), noted other Board members in the audience. He urged the City to move forward with completing the SMP Update. He acknowledged the efforts of the community and thanked the City for listening and for incorporating a number of residents' proposals. He said it is important that local data and input advised and informed the process to reach a uniquely Bellevue compromise. He said the SMP reflects a balanced approach with regard to property rights and environmental objectives. He said WSSA is willing to work with the City to help educate shoreline property owners about the requirements and provisions.
 2. Charlie Klinge, speaking on behalf of WSSA, summarized the SMP Update process. He thanked everyone for their hard work and said he looks forward to the DOE's final approval.
- Deputy Mayor Robinson moved to close the public hearing, and Councilmember Robertson seconded the motion.
- The motion carried by a vote of 7-0.

Mayor Chelminiak said Council action to direct staff to amend the Land Use Code to meet the ADA requirement, and to prepare the final SMP Update ordinance for final adoption and transmittal to the DOE, is slated for May 21. Ms. Helland noted that the regulations will become effective upon DOE approval. The item will not come back to the Council after that point for any additional action.

Councilmember Robertson expressed support for moving forward and for placing the item on the consent calendar. Mayor Chelminiak noted a Council consensus to proceed in that manner and reiterated that any Councilmember may remove the item from the consent calendar before noon on the day of the Council meeting.

Councilmember Stokes referred to page 3 of Attachment D in the meeting packet. He is proud of the language stating that one of the objectives of the SMP is to facilitate stewardship efforts that start with the shoreline property owners, and to recognize that the effective stewardship of shoreline resources requires a partnership of all Bellevue residents and the City departments responsible for managing public lands and programs.

Councilmember Lee said he is pleased that the SMP Update resulted in a Bellevue-specific outcome.

Mayor Chelminiak thanked the Council, WSSA and other stakeholders, and City staff who worked hard through this effort.

10. Land Use: None.

11. Other Ordinances, Resolutions and Motions: None.
12. Unfinished Business: None.
13. Continued Oral Communications: None.
14. New Business: None.
15. Executive Session: None.
16. Adjournment

At 9:31 p.m., Mayor Chelminiak declared the meeting adjourned.

Kyle Stannert, CMC
City Clerk

/kaw