

**East Bellevue Community Council**  
Summary Minutes of Regular Meeting

November 13, 2019  
6:30 p.m.

Lake Hills Clubhouse  
Bellevue, Washington

PRESENT: Chair Hummer, Vice Chair Walter, Alternate Vice Chair Gooding and Councilmembers Dhananjaya and Kasner

ABSENT: None.

STAFF: Catherine Drews, City Attorney's Office  
Molly Johnson, Transportation Department  
Cindy Lin, City Attorney's Office  
Toni Pratt, Development Services Department (DSD)  
Kyle Stannert, City Clerk's Office

1. **CALL TO ORDER**

The meeting was called to order at 6:30 p.m., with Chair Hummer presiding.

2. **ROLL CALL/FLAG SALUTE**

Assistant City Attorney Catherine Drews called the roll. Chair Hummer asked Vice Chair Walter to lead the flag salute.

3. **APPROVAL OF AGENDA**

Councilmember Dhananjaya moved to approve the agenda. Councilmember Kasner seconded the motion, which carried by a vote of 4-0.<sup>1</sup>

4. **COMMUNICATIONS: WRITTEN AND ORAL**

Chair Hummer said the East Bellevue Community Council (EBCC) was formed in 1969 when the area was annexed by the City of Bellevue. The EBCC has jurisdiction over land use code amendments, conditional use permits, Comprehensive Plan Amendments (CPAs), and certain property rezones within its boundaries. Ms. Hummer noted that written communications submitted to the EBCC are posted on its web page, [www.bellevuewa.gov/EBCC](http://www.bellevuewa.gov/EBCC).

5. **REPORTS OF CITY COUNCIL, BOARDS AND COMMISSIONS:** None.

---

<sup>1</sup> Councilmember Gooding arrived at 6:40 p.m.

6. **REPORT OF THE CHAIR**

Chair Hummer said that she and Councilmember Dhananjaya have been meeting with City Councilmembers and staff to improve communications.

7. **DEPARTMENT REPORTS:** None.

8. **PUBLIC/COURTESY HEARINGS**

(a) Courtesy Hearing: Puesta del Sol Elementary School

Toni Pratt, Senior Land Use Planner, said the City received applications for a conditional use permit (CUP) and for a critical areas land use permit related to the Puesta del Sol Elementary School project. After the Director of the Development Services Department (DSD) provides his recommendation on the CUP, the Hearing Examiner will conduct a hearing and prepare a recommendation to be submitted to the City Council for a final decision. The City Council ordinance will be forwarded to the EBCC for approval or disapproval. The decision on the critical areas land use permit is made by the DSD Director and may be appealed to the City's Hearing Examiner.

Ms. Pratt recalled that the first courtesy hearing regarding the Puesta del Sol project was held on January 8, 2019. The Bellevue School District (BSD) held public meetings on February 7 and July 31.

Thomas Wadkins, Sierra-Martin Architects, described the site located at 301 151<sup>st</sup> Place NE where the existing Bellewood Elementary School will be demolished to relocate the current Puesta del Sol school to that location. Carlos Sierra highlighted key design elements of the Spanish immersion school.

Melissa deVita, Bellevue School District, described the district's interest in a more central location for the Puesta del Sol program. She said the current school site in South Bellevue will be retained in anticipation of the need for an additional elementary school over the next 10 or more years. She noted that all of Bellevue's schools are intended to be community assets that are available for a number of activities outside of the typical school day.

Jack McLeod, Bellevue School District, said that following the EBCC's January 8 meeting, Councilmember Kasner asked him to meet with the neighbors along 151<sup>st</sup> Place NE. Comments raised during the February 7 meeting encouraged maintaining the maximum street parking, preferably on both sides of the street; maintaining rolled curbs and the current five-foot width for sidewalks; improving clearance issues for properties with steep driveways; increasing visibility for pedestrian safety; maintaining the current one-way traffic patterns with traffic exiting onto 151<sup>st</sup> Place NE; and minimizing impacts to neighbors' properties. A follow-up meeting was held with the residents on July 31.

Rick Tomkins, David Evans and Associates, noted the firm's extensive experience with transportation projects, including for the City of Bellevue. He said they were hired by the

Bellevue School District to develop a strategy for improving 151<sup>st</sup> Place NE that would be acceptable to the City. He noted that 16 residents live on 151<sup>st</sup> Place NE, which connects to Main Street.

Gabie Lefebvre, David Evans and Associates, said that 151<sup>st</sup> Place NE does not currently provide ADA-compliant sidewalks or adequate emergency vehicle access. The proposed road design provides safe and adequate public facilities, minimizes impacts to neighbors, and retains on-street parking. Ms. Lefebvre described the proposal to provide new driveways and consistent front yard landscaping for the 16 residential properties.

Mr. Tomkins said the proposed improvements on 151<sup>st</sup> Place NE will enhance road safety and emergency access, retain street parking, and improve pedestrian accessibility and safety. He said the project provides the opportunity for a unified landscape design and for addressing concerns related to some of the residential driveways.

Dr. Ivan Duran, Superintendent, Bellevue School District, thanked everyone for their interest and involvement in the planning process and expressed the district's commitment to ensuring a good project for the neighbors of the Puesta del Sol school.

Molly Johnson, Transportation Development Review Manager, City of Bellevue, described the access to the school site via 151<sup>st</sup> Avenue NE and NE 4<sup>th</sup> Place. The school district proposes using 151<sup>st</sup> Avenue NE for parent traffic and NE 4<sup>th</sup> Place for bus traffic. The proposal will be reviewed by the City to ensure it meets the minimum safety standards for vehicles and pedestrians.

Katie Kendall, an attorney with McCullough Hill Leary, spoke on behalf of the Bellevue School District. She said an existing concomitant agreement requires that the school district develop a coordinated circulation plan that provides direct arterial access for the school site and minimizes traffic impacts on the existing single-family neighborhoods to the south and east of the site. The school district analyzed the existing access points to the school and explored the potential for new access points on the west and north sides of the site. However, the alternatives studied were determined to be infeasible.

Ms. Kendall said the topography of the site and the location of the stream and wetlands prevented the ability to designate an access point on the west side of the school site. The traffic analysis indicated that the west access point created traffic problems on 148<sup>th</sup> Avenue SE and the potential for the need for U-turns at Main Street and 148<sup>th</sup> Avenue SE.

The school district studied seven traffic circulation options for the overall site and ultimately developed a circulation plan that meets the standards for an adequate public facility, as outlined in the conditional use permit (CUP) criteria. Scheme 2 was identified as the best performing, most feasible, and least impactful circulation option to connect the school with an arterial road as directly as possible, as specified in the concomitant agreement. Ms. Kendall said that Scheme 2 meets the Bellevue School District's goals of separating bus, staff, and parental traffic to enhance student safety. Parking will be added to the school site, and additional on-site improvements will

help to alleviate vehicle queuing. The intersection at Main Street and 151<sup>st</sup> Place will be mitigated to provide a level of service that is similar to current conditions.

Ms. Pratt explained that if a member of the public wishes to be considered a party of record, they should notify her in writing at [tpratt@bellevuewa.gov](mailto:tpratt@bellevuewa.gov) or City Hall, 450 110<sup>th</sup> Avenue NE, Bellevue, WA, 98004. She noted that more than 82 individuals, organizations and tribes have commented on the school proposal to date. City staff will include the comments in the recommendation to be sent to the Hearing Examiner.

Chair Hummer noted that this is the fourth school project within the EBCC's boundary that has come before the EBCC. The previous projects were Sammamish High School, Lake Hills Elementary School, and Odle Middle School.

Responding to Chair Hummer, Assistant City Attorney Catherine Drews described the difference between a courtesy hearing before the EBCC and a public meeting. Ms. Drews said that, under the Land Use Code, the Director may and typically does require a public meeting related to CUP applications. The public meeting occurs in a less formal setting than the courtesy hearing before the EBCC.

Councilmember Gooding moved to open the Courtesy Hearing. Councilmember Dhananjaya seconded the motion, which carried by a vote of 4-0 with Vice Chair Walter temporarily away from the table.

Chair Hummer described the rules for the hearing, noting that approximately 40 individuals had signed up to speak.

Adam Droker said he has two children who attend the Puesta del Sol school. He expressed support for the opportunity to bring a world-class school to the Lake Hills community. He noted that members of his family have been in attendance at the school during 25 years of the school's 32 years of operation.

Stacey Brody, the Puesta del Sol librarian, said the school has been in need of remodeling since she began working there in 1999. She said the library has the largest collection of Spanish-language books in Bellevue, and patrons come from around the region to review the books. She noted a high level of community involvement and volunteerism associated with the school. She said the school is excited to see the project move forward and is dedicated to being a good neighbor.

Sarah Thompson expressed concern regarding vehicle speeds and traffic impacts on 156<sup>th</sup> Avenue. She expressed an interest in understanding emergency vehicle access as well as the anticipated traffic and neighborhood impacts related to school events. She wondered how the project will affect traffic congestion on 148<sup>th</sup> Avenue and on Main Street. She questioned whether there are plans for overflow parking.

Paul Herber spoke in support of the school project and noted that there has been a school at the site for many years. He believes the school is a valuable and worthwhile amenity for the area.

Chad Hansen concurred with Mr. Droker's comments above. Mr. Hansen said he lives in the northern half of the school district, and the proposed relocation of the Puesta del Sol school will be more convenient for many of the students and parents.

Donna Simon acknowledged that the circulation plan for the school site meets transportation standards. However, she said the proposed traffic flow appears to be less safe than the current situation, in part due to the narrower roads and limited street frontage. She expressed concern regarding the lack of sidewalks in the area and low visibility on the roadway approaching the school.

Bal Simon concurred with Ms. Simon's comments, noting that he has no objection to the school. However, he expressed concern regarding traffic and quality of life impacts. He wishes the residents would have been involved in the project planning and treated more fairly.

Jennifer Meyer said she understands the concerns about the neighborhood impacts related to the school. However, she noted the value of having a walkable early learning center in the neighborhood. She encouraged installing a modern security system at the school, noting that student safety is critical.

Jonathan Shearer, Principal of Puesta del Sol school and a resident of Issaquah, said the school has maintained a focus on working with parents and the community at the current school site. He said the school encourages carpooling and busing to access the site when possible. He said the school provides one of the best language immersion programs in the country and has been recognized with national awards. He thanked residents for working with the school district and the City.

Eckart Schmidt expressed concern regarding the impacts of building a larger school. He said the location is not appropriate for a school that attracts students from outside of the area. He said a 30 percent increase in student enrollment is anticipated. Mr. Schmidt said that eight-foot sidewalks were not installed with the redevelopment of other elementary schools. He encouraged additional environmental review of the project. He expressed concern that the Bellevue School District did not involve residents in planning the project until the City facilitated enhanced communication. He suggested that access via 148<sup>th</sup> Avenue would be a preferred solution.

Andrea Figueroa expressed support for the school as a community asset. However, she is concerned about safety and traffic flow issues.

Allan Figueroa concurred with Ms. Figueroa's comments.

Lily Dias said she has lived in the Lake Hills area for 11 years due specifically to the language immersion program at Puesta del Sol school. She expressed support for the value of the school and its global perspective, and for moving the school to a more central location than the current school. She noted that several teachers from the school were in the audience and urged approval of the school project.

Tonya Peters concurred with the comments in support of the school project. However, she acknowledged the challenges related to construction and road impacts. She noted that traffic congestion in the area is due to an increase in the number of employers and multifamily housing in Bellevue and Redmond.

Randy Polajzar said his family moved to Bellevue due to its education system. He encouraged moving the project forward as quickly as possible to avoid future cost increases.

Allen Dunn said he lives next to the school and is concerned about traffic impacts and emergency access. He said his family is accustomed to and supports having a school at the site. However, he is concerned about the proposed reduction in the size of his driveway, limited visibility on the road next to the school, loss of street parking, and the overall safety of the traffic circulation.

Leonard McGhee expressed concern regarding the impacts on 151<sup>st</sup> Place due to the lack of arterial frontage for the school. He said the concomitant agreement required the Bellevue School District to make a good faith effort to identify the most direct access for the site. He said the existing traffic circulation pattern has served the school site for more than 20 years. He said the proposed eight-foot sidewalks are consistent with the design standard for an arterial collector instead of a local street.

Aubra Moore said she has a child who attends Puesta del Sol school and she looks forward to a more central location in Bellevue. She said the school encourages busing and walking. She said the school is a community asset, and the project provides the opportunity to address safety and to alleviate school overcrowding.

Stephanie Parkins expressed support for the Puesta del Sol school project. She said the current school encourages busing and uses off-site parking facilities for events.

Glenn Price said he moved recently to be near the new Puesta del Sol site for his daughter. He noted the importance of considering the broader public benefit of projects. He believes that many people will experience positive impacts related to the school's presence. While he has concerns about the potential impacts, he supports the proposed school redevelopment project.

Anna Wenzel said she lives east of the school and is concerned about the proposed two-way traffic circulation. She expressed concern regarding traffic volumes and the lack of sidewalks. She said the current circulation plan has worked well for years. She encouraged the project team to develop a better solution for routing traffic through the school site.

Terry Shirt said her son attended Bennett Elementary School in 2016 when it was temporarily located at the proposed Puesta del Sol school site. She said there were concerns that the school was not a good neighbor to adjacent residents. She noted traffic and parking impacts. Ms. Shirt encouraged everyone to work together and to move forward before the costs continue to increase.

Hailey Moilanen said she lives approximately 10 blocks from the school site. She noted that the new location will enable more students to walk and bus to the school. She said the school's playground will be a community asset. She acknowledged that many residents support the school but have concerns about traffic impacts.

Kate Jesse expressed support for the development of a new Puesta del Sol school at the proposed site.

Carmel Sasaki encouraged moving forward with the project without delay. She said the school is committed to being a good neighbor, and many students ride the bus.

At 8:25 p.m., Councilmember Kasner moved to extend the meeting to 9:00 p.m. Councilmember Dhananjaya seconded the motion, which carried by a vote of 5-0.

Angela Chen said she has one child currently enrolled at Puesta del Sol school and two others previously attended the school. She opined that the neighbors will ultimately support the school and its role as a community asset. She encouraged a more flexible traffic flow design. She said her son rides the bus to and from school.

Bob Riley acknowledged that change is hard and unfortunately a small group of people will experience the greatest impacts from the school. He expressed support for the project. He noted that he has heard good ideas tonight related to mitigation that are worth exploring. He said he appreciated the respectful tone of the courtesy hearing.

Tara Brossard said she lives near the Redmond border and sends her children to Puesta del Sol school. She said there is a strong bus culture among parents and students.

Joel Ingraham said that his wife is a public-school teacher. He commended the Bellevue School District's bus system, including its service to the Puesta del Sol school. He said the growth in Bellevue will continue to increase the demand for school capacity.

Marna Jamison said that she recently bought her home on 151<sup>st</sup> Place NE and was reassured at that time regarding the one-way traffic on the street. She is enthusiastic about relocating the school to her neighborhood. However, she is now concerned about the proposed two-way school traffic and eight-foot sidewalks. She said longtime residents have indicated that the previous traffic circulation plan has worked well for many years.

Vice Chair Walter moved to close the courtesy hearing. Councilmember Kasner seconded the motion, which carried by a vote of 5-0.

Chair Hummer thanked everyone for their attendance and comments.

Councilmember Kasner thanked Dr. Duran for attending the meeting and expressed support for the school project. Mr. Kasner expressed concerns regarding the proposed eight-foot sidewalks and low visibility in the area. He encouraged everyone to work together to create a traffic pattern that works for everyone.

Vice Chair Walter thanked everyone for their presentations and acknowledged that the Puesta del Sol school is a community asset. She expressed an interest in feedback from the neighbors who met with the project team. She expressed concern regarding the eight-foot sidewalks.

Councilmember Gooding thanked everyone for their participation. He said the Bellevue School District has great facilities and he is confident that the result will be a successful project.

Councilmember Dhananjaya observed that parking and traffic impacts to 148<sup>th</sup> Avenue should be addressed along with the neighborhood impacts closer to the school. He concurred with his colleagues that the sidewalk width should be reevaluated.

Responding to Chair Hummer, Ms. Johnson said the wider sidewalks will be safer for pedestrians. However, further analysis will be completed.

Councilmember Kasner said he would like to see five-foot sidewalks on both sides of the street, with or without a planter strip. Ms. Johnson said this is an unusual circumstance in which the street does not meet the City's current standards. She noted that the City rarely builds five-foot sidewalks.

Responding to Mr. Dhananjaya, Ms. Johnson said that the last four schools built in Bellevue have eight-foot sidewalks.

Ms. Hummer said she has not heard any comments regarding access on the north side of the school and the housing development on NE 6<sup>th</sup> Street. Ms. Kendall said there is a native growth protection area (NGPA) that restricts development, and the City's Parks and Community Services Department is opposed to adding a road for access to the north. The existing pedestrian trail connection will be maintained.

Councilmember Dhananjaya noted the concerns regarding parking impacts and wondered whether the City is able to mitigate the impact by ensuring that residents have priority access to parking. Ms. Johnson said the City has a parking permit program and residents may request the creation of a parking zone with certain restrictions.

Councilmember Kasner expressed concern regarding any potential delay in the project. He stated his understanding that most elementary schools have approximately 500 students. He questioned the maximum number of students that could be accommodated at the new site. Ms. deVita said Puesta del Sol currently has nearly 550 students, and the new school will have four classrooms per grade. Enrollment at Puesta del Sol school is managed differently than other elementary schools because it attracts students from throughout Bellevue. Ms. deVita said the school will be built to accommodate 650 students. Responding to Mr. Kasner, Ms. deVita said the current enrollment of 543 students does not include the preschool program.

Responding to Chair Hummer, Ms. Pratt said that the comments heard tonight are consistent with previous public feedback to the City. Ms. Pratt said that staff will respond to each written public comment before the matter is forwarded to the Hearing Examiner. In further response to Ms.



Hummer, Ms. Pratt said the Bellevue School District held several public meetings before submitting its permit application. The EBCC has held two courtesy hearings, and representatives of Puesta del Sol school have led two public meetings this year. Ms. Pratt said the Hearing Examiner is expected to hold the public hearing on the CUP application during the first quarter of 2020. In further response to Ms. Hummer, Ms. Pratt said that all of the public comments will be provided to the Hearing Examiner.

At 9:00 p.m., Councilmember Kasner moved to extend the meeting to 9:30 p.m. Councilmember Dhananjaya seconded the motion, which carried by a vote of 4-0, with Vice Chair Walter temporarily away from the table.

Councilmember Dhananjaya said he would like more information regarding the proposed sidewalks.

Responding to Mr. Kasner, Ms. Pratt said staff will compile the comments from tonight's courtesy hearing for submittal to the Hearing Examiner.

Chair Hummer said there is support from the EBCC and residents for constructing the new Puesta del Sol school. However, there are concerns about the traffic impacts to the surrounding neighborhoods. Ms. Hummer encouraged continued discussions to work through the mitigation issues.

Principal Shearer said the school currently coordinates with residents to promote carpooling and respect for the neighborhood.

At 9:03 p.m., Chair Hummer declared a break. The meeting resumed at 9:12 p.m.

Councilmember Dhananjaya moved to extend the meeting to 9:45 p.m. Councilmember Gooding seconded the motion, which carried by a vote of 5-0.

(b) Courtesy Hearing: Temporary Encampment Land Use Code Amendment (LUCA)

Ms. Pratt recalled that the City Council initiated the Temporary Encampment Land Use Code Amendment (LUCA) work on September 9, 2019, and a number of discussions have occurred since that time. Tonight's hearing fulfills the requirement for a courtesy public hearing before the EBCC. A public hearing before the City Council is scheduled for November 18. Final City Council action is anticipated on December 9, and the matter will go before the EBCC during its January 7 meeting.

Cindy Lin, Assistant City Attorney, said the City adopted Land Use Code section 20.30U in 2005 to regulate permitted temporary encampments. The first permit was issued with conditions to the Temple B'nai Torah, which sued the City claiming that the permit conditions violated state and federal constitutional requirements regarding the free exercise of religion. The lawsuit was settled in January 2006 with the consent decree, which modified the way in which the City interprets and applies the provisions of LUC 20.30U. The consent decree has been extended twice and expires on January 27, 2020. Ms. Lin noted that LUC 20.30U does not regulate

unlawful camping on public property, parking or sleeping overnight in vehicles, or temporary or permanent shelters for persons experiencing homelessness.

Ms. Pratt said she processed all temporary encampment permits over the past 13 years. The Temple B'nai Torah hosted five times and the first three deployments went well. There were problems with the fourth deployment due largely to a change in leadership at the synagogue and the lack of effective communication. Ms. Pratt noted that the fifth deployment was considered successful. Additional host churches have been The Episcopal Church of the Resurrection in East Bellevue and St. Luke's Lutheran Church and the First United Methodist Church in north Bellevue. She said the latter church worked well in responding to residents' concerns and implementing changes.

Ms. Pratt noted that 63 units of affordable housing opened at St. Luke's Lutheran Church earlier this year. She said the City has not received a request for a temporary encampment permit since 2016.

Ms. Pratt described the input received by the City from the encampment hosts, operators, and surrounding residents. The original signatories of the consent decree were the City, SHARE/WHEEL, Temple B'nai Torah, and the Church Council of Greater Seattle. She noted the hosts' interest in a simplified permitting process for religious institutions that previously hosted an encampment. The neighborhood focus group was composed of residents from the areas around the four encampment locations. Residents expressed an interest in increased accountability for hosts and operators, Bellevue-based solutions, a focus on the best practices of previous hostings, and flexibility for hosts that are committed to working with the surrounding neighborhood.

Ms. Pratt said the four topical areas addressed in the Temporary Encampment LUCA are the alignment of health standards with the consent decree, neighborhood engagement, encampment duration and frequency, and the permit process. Staff recommends amending the health and safety standards included in LUC 20.30U to reflect the actual operation of encampments under the consent decree. In the area of neighborhood engagement, staff recommends removing the litter patrol requirement based on input from residents and establishing an optional post-permit issuance meeting between the encampment host and the neighborhood. The Director will have the discretion to require the meeting in certain circumstances.

Moving to duration and frequency, Ms. Pratt said the current framework allows an encampment for up to 90 days at one location. Staff recommends increasing the maximum duration to 120 days as a compromise with those who wanted a minimum of 120 days. The current framework requires a 18-month gap between deployments to the same site, limits deployments to one per calendar year citywide, and requires a minimum 180-day gap between deployments in Bellevue. Staff recommends consolidating the site-specific and citywide requirements to require a 12-month gap between deployments in Bellevue.

Ms. Pratt said the application requirements for an initial temporary encampment permit have not changed, and the typical processing time is 120 days. Staff recommends a streamlined, five-year

permit option for subsequent hostings if there are minor or no modifications to the encampment's operations.

Councilmember Dhananjaya moved to open the courtesy hearing. Councilmember Kasner seconded the motion, which carried by a vote of 5-0.

Karen Morris noted her 14 years of involvement with this topic and said she was representing residents who oppose the majority of the changes in the proposed LUCA. She expressed concern that City staff has not been adequately involved in resolving problems that have occurred with temporary encampments. She opined that temporary encampments continue to encourage and support a failed model in dealing with homelessness. She expressed concerns regarding the encampment operator SHARE and their inability to work effectively with other service providers. Ms. Morris encouraged stronger regulations regarding public health and safety.

Councilmember Dhananjaya moved to extend the meeting to 10:30 p.m. Councilmember Gooding seconded the motion, which carried by a vote of 4-1, with Vice Chair Walter dissenting.

Jonathan Kallay expressed support for providing services to individuals experiencing homelessness. He believes that the majority of residents want to help the homeless.

Councilmember Dhananjaya moved to close the courtesy hearing. Councilmember Kasner seconded the motion, which carried by a vote of 5-0.

Vice Chair Walter recalled that the consent decree was created after the City was sued. She wondered why the City would want to relax regulations in the absence of litigation. She expressed concern that the City is more interested in being a facilitator than regulator. Noting concerns regarding public health and safety, Ms. Walter said she would like the City to focus on its role as a regulator. She spoke in favor of indoor shelters instead of tent encampments. She said she attended The Episcopal Church of the Resurrection when it hosted a successful encampment.

Ms. Pratt clarified that staff's goal as a facilitator is for the host churches, operators, and residents to be able to work well together without enforcement activity by the City. She said the option for a post-permit issuance meeting is intended to establish lines of communication for all of the parties at the beginning of the encampment.

Vice Chair Walter reiterated her interest in a stronger regulatory role by the City. Ms. Lin noted that the optional post-permit issuance meeting, which can be required by the City, is one element of the City's regulatory responsibility. Ms. Lin said the proposed streamlined permitting process for a five-year permit is an additional new regulatory element, and eligibility to use the process is dependent on the previous experience of the host and operator.

Responding to Councilmember Kasner, Ms. Lin said the current code does not prevent multiple temporary encampments in Bellevue at the same time. Staff recommends changing that provision to instead require a 12-month waiting period between encampments in Bellevue. Councilmember Kasner expressed concern about the waiting period. He supports allowing encampments to

operate consecutively at different locations throughout Bellevue. Ms. Pratt said LUC 20.30U is silent regarding simultaneous hostings. However, the consent decree refers to allowing one encampment per year in Bellevue.

Responding to Councilmember Dhananjaya, Ms. Pratt said the Process V application process requires signage at the site, publication of a legal notice, and mailings to adjacent properties and residents. In further response to Mr. Dhananjaya, Ms. Lin said LUC 20.30U specifically focuses on allowing religious exercise.

Chair Hummer said the Archdiocese of Seattle owns duplexes near Lake Hills Elementary School. She questioned whether a temporary encampment would be allowed at that site. Ms. Lin said it would depend on the basis and details of the specific proposal.

Mr. Dhananjaya questioned who would be allowed to participate in the neighborhood engagement effort and how the encampment's operations would be evaluated. Ms. Pratt said that the streamlined permitting process requires periodic operation reports to the City to monitor regulatory compliance. She noted that LUC 20.30U states that public notice will be provided to individuals and properties within 600 feet of the encampment host site.

In further response to Mr. Dhananjaya, Ms. Lin said LUC 20.30U outlines a permit revocation process that is available when there are sustained findings of violations of the code or of the conditions of the permit approval.

Responding to Councilmember Gooding, Ms. Lin said LUC 20.30U does not require warrant checks. However, it requires that the host and permit applicant submit their security plan and measures, which typically include screening for warrant checks. Ms. Lin said that information regarding a warrant should be forwarded to the Police Department. In further response, Ms. Lin said that sex offender checks are treated in the same manner. Ms. Pratt noted that the Police Department conducts a meeting with the encampment host and operator before the facility opens.

Responding to Chair Hummer, Ms. Lin said there are constitutional implications related to search and seizure practices when checking for warrants.

Noting that the City has not received a request for a temporary encampment since 2016, Councilmember Kasner said that LUC 20.30U establishes a process that might not be used. Responding to Mr. Kasner, Ms. Pratt acknowledged that not every religious institution is willing or equipped to host a temporary encampment.

Responding to Chair Hummer, Ms. Lin said there are a number of constitutional and legal issues related to requiring warrant checks. She said the City relies on the permit applications and on the security plans submitted to the Police Department to monitor public safety.

Chair Hummer opined that there should be an ongoing list of encampment residents. Responding to Ms. Hummer, Ms. Lin said the recommended 120-day duration is based on current practices in the region.

In further response to Ms. Hummer, Ms. Lin said a public hearing is required when the City receives a temporary encampment permit application. Ms. Pratt said staff is not recommending mandatory neighborhood meetings because experience has shown that communication between the hosts and residents has been effective in addressing issues. She said the First United Methodist Church worked directly with the residents to resolve issues without involving the City. However, under LUC 20.30U, the City may require a neighborhood meeting if problems cannot be resolved.

Chair Hummer noted her preference for an encampment duration of 90 days, mandatory neighborhood meetings, and mandatory registration for encampment residents.

Councilmember Dhananjaya said he did not have a preference for 90 days versus 120 days. However, he would like to see stronger enforcement of problems if they arise.

Vice Chair Walter expressed support for the 90-day encampment duration, noting that the number of days is significant to the surrounding residents.

Councilmember Gooding said he had no preference for 90 days versus 120 days. He expressed concern about limiting religious exercise.

Councilmember Kasner noted his experience teaching next door to the Temple B'nai Torah during two separate encampments. He spoke in favor of allowing an encampment for up to 120 days due to the significant effort required to establish the camps and the need for stability for the residents.

Mr. Kasner recommended that the EBCC take no action on the LUCA, given the lack of permit applications.

9.     **RESOLUTIONS:** None.
10.    **COMMITTEE REPORTS:** None.
11.    **UNFINISHED BUSINESS:** None.
12.    **NEW BUSINESS:** None.
13.    **CONTINUED COMMUNICATIONS:** None.
14.    **EXECUTIVE SESSION:** None.
15.    **APPROVAL OF MINUTES**

Vice Chair Walter moved to postpone action on the meeting minutes. Councilmember Gooding seconded the motion, which carried by a vote of 4-1, with Councilmember Kasner dissenting.

- (b) Summary Minutes of the September 10, 2019, Regular Meeting
- (c) Summary Minutes of the October 1, 2019, Regular Meeting

16. **ADJOURNMENT**

At 10:30 p.m., Chair Hummer declared the meeting adjourned.

Kyle Stannert, CMC  
Assistant City Manager

/kaw