

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Special Meeting

April 20, 2020
6:00 p.m.

Virtual Meeting/Online
Bellevue, Washington

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

ABSENT: None.

1. Call to Order

The meeting was called to order at 6:02 p.m., with Mayor Robinson presiding. All Councilmembers were present. Ms. Robinson noted that this is the second virtual meeting held by the City Council since the closure of City Hall in mid-March.

Mayor Robinson addressed two procedural items. She said that in-person attendance at City Council meetings by Councilmembers and the public is prohibited under the governor's current stay-at-home order that will expire at 11:59 p.m. on May 4.

A second order by the governor relates to the Open Public Meetings Act (OPMA) and the topics that may be discussed during a Council meeting. As a result, there are several provisions in the Council's procedural rules, Resolution No. 8928, that the Council should temporarily suspend involving the Council's ability to participate remotely and the process for accepting communications from the public. Section 13 of Resolution No. 8928 allows a Council procedural vote to be temporarily suspended. When suspension is requested and no objection is offered, the Mayor may announce the rule suspended.

- Deputy Mayor Nieuwenhuis moved to suspend until May 5, 2020, the provisions in Section 6.E of Resolution No. 8928 concerning the remote participation by Councilmembers, to allow all Councilmembers to participate remotely. Councilmember Robertson seconded the motion.
- The motion carried by a vote of 7-0.
- Deputy Mayor Nieuwenhuis moved to suspend until May 5, 2020, the provisions in Section 8.D of Resolution No. 8928 concerning Oral Communications from the public, to allow public comment to be provided in writing regarding the topics on the meeting

agenda and read during the Council meeting. Councilmember Stokes seconded the motion.

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

2. Roll Call

(a) Proclamation for Sexual Assault Awareness Month

Mayor Robinson said that April is Sexual Assault Awareness Month and, unfortunately, the number of domestic violence incidents has increased during the current pandemic and stay home order. She noted that assistance for individuals experiencing domestic violence is available in the community.

Councilmember Stokes read the proclamation recognizing April as Sexual Assault Awareness Month in Bellevue and asking all residents to commit to a safer future through prevention and education.

3. Approval of Agenda

→ Deputy Mayor Nieuwenhuis moved to approve the agenda, and Councilmember Lee seconded the motion.

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

4. Written Communications

City Clerk Charmaine Arredondo read a written communication from Jennifer Anderson, Government Affairs Manager with the Master Builders Association of King and Snohomish Counties. Ms. Anderson expressed support for Ordinance No. 6508, which extends the life of permit applications and issued permits by 180 days. She said she looks forward to continuing to work with the Council on additional steps that can be taken to prevent disruptions in permitting and construction activity and to enable the housing market to grow.

Ms. Arredondo said there was one other written communication. However, the individual commented on the Capital Investment Program (CIP) update, which is not on tonight's agenda. Pursuant to the criteria outlined in the governor's order regarding the OPMA, only communications addressing topics on tonight's agenda can be presented in the meeting. Ms. Arredondo said that both written communications were emailed to Councilmembers.

5. Report of the City Manager

(a) Economic Development Relief Work for Covid-19 Outbreak

Mayor Robinson said she is proud of the significant efforts of the City Manager and staff to reach out to both small and large businesses to address the impacts of the Covid-19 outbreak.

City Manager Brad Miyake noted the management brief summarizing the actions the City has taken during the current emergency to reach out to Bellevue businesses and the arts community.

Mac Cummins, Director of Community Development, described staff's ability to redirect its efforts to focus on identifying and facilitating relief services for local businesses. He said the impacts of the stay home order are different for smaller versus larger businesses. He noted the City's partnership with other Eastside cities, business groups, and community groups to mitigate the negative impacts of the pandemic.

Mr. Cummins said that approximately 1,000 Eastside businesses responded to a recent survey about the effects of the pandemic. Approximately 38 percent of the respondents were concerned about their ability to pay rent and utilities bills. Many expressed concern about their ability to reopen their businesses. Mr. Cummins said that 56 percent of the respondents indicated that they have reduced staff capacity in some way, and 36 percent have already laid off employees. The most negatively impacted businesses are retail, tourism, hotels, and arts/cultural organizations. Mr. Cummins noted that the number of passengers traveling through SeaTac Airport has decreased significantly.

Mr. Cummins said City staff is conducting outreach to local business owners, who often do not know about the availability of financial assistance and/or how to apply for assistance. Staff is working to develop a business assistance packet. He said City staff initiated a number of actions following the announcement of the stay home order, including to designate specific parking spaces for food pickup at Downtown restaurants. Mr. Cummins said that staff from multiple departments are on the outreach team.

Mr. Cummins praised the regional cooperation and coordination through this emergency. He said there are frequent meetings and briefings with regional and national counterparts to monitor information and plan for the future. Mr. Cummins noted discussions regarding post-Covid-19 recovery planning and reopening the economy. He said the outreach efforts are also focused on working with arts organizations to determine funding mechanisms as well as the City's response.

Jesse Canedo, Chief Economic Development Officer, said the City has been working with regional partners to respond to the pandemic. Since March 10, there have been weekly calls with numerous Eastside partners, including cities, business associations, tourism organizations, and others, to coordinate economic relief efforts. Mr. Canedo said there are a number of regional work groups to address specific issues.

Mr. Canedo said Economic Development staff are working to reach all businesses in Bellevue. He noted that smaller businesses have the most critical needs. He said the City has engaged the 20 largest employers in Bellevue to understand their challenges and post-pandemic plans. Mr. Canedo thanked the 3,000 employees of Overlake Medical Center for their dedicated service to the community.

Mr. Canedo said staff has contacted 195 small businesses to date to provide information regarding the resources available to help them. He noted the City's efforts with Square Lotus

restaurant in the Factoria area, which typically relies heavily on lunch business from nearby workers. City staff referred the restaurant owner to business resources, including assistance with applying for a loan. Mr. Canedo noted that arts and cultural organizations are heavily impacted by the lack of economic activity as well.

Mr. Canedo described the launch of a technical assistance service to aggregate the range of relief support, information, application criteria, and availability of funds. Bellevue and the cities of Issaquah, Kirkland, Redmond, and Renton have contracted with Business Impact NW, a local nonprofit organization, and the Community Development Finance Institution to provide more direct advice for small businesses. Mr. Canedo said the resources will be available to businesses in the five cities and will provide individual consultations with business advisors.

Mr. Canedo said that in late March, City staff created a map of more than 300 Eastside restaurants that continued to provide delivery and pickup service. He noted that a web page has been created to share stories and to highlight the positive responses to the stay home order.

Mr. Canedo highlighted the City's work with community partners and other jurisdictions for an effective response to support local businesses. He thanked City staff in the Transportation Department, Community Development Department, Parks and Community Services Department, and Finance and Asset Management Department who have helped with the economic relief outreach.

Mr. Canedo said the Small Business Administration (SBA) provided approximately 30,000 businesses in Washington with relief funds totaling \$7 billion. He said the City is supporting language and cultural needs related to the economic relief counseling and assistance effort. He said that many business owners are reluctant to take on debt through the SBA program and are unsure about their ability to qualify for the loan forgiveness terms.

Mr. Cummins commented on post-pandemic planning and acknowledged that there will be long-term economic and other impacts in the community. Staff is exploring the potential guidelines for reopening businesses and schools and providing information and assistance. He said staff is researching opportunities for community resources to address career changes and the learning of new skills as the economy recovers. Mr. Cummins said staff is planning a public campaign of support for local businesses when they reopen.

Mayor Robinson thanked staff for the presentation. She thanked the community for complying with the governor's stay home order and said she understands everyone's desire to reopen the economy. She noted that she, Deputy Mayor Nieuwenhuis, and City Manager Miyake are in regular contact with the Governor's Office, aggressively advocating a plan that opens up businesses in a measured way that protects the health of our community. Ms. Robinson said the Governor's Office is committed to an ongoing dialogue with City governments and civic leaders as they work through a plan.

Councilmember Robertson said she appreciated all of staff's work to assist local businesses. She knows that the initial SBA funding is no longer available. However, more funding is anticipated.

She expressed an interest in what the City can do to help ensure that businesses apply for assistance in a timely manner and are able to reestablish their operations.

Responding to Councilmember Robertson, Mr. Cummins said staff has learned that many small businesses have little understanding of the availability of government assistance. Staff is developing a public education campaign to reach out to the business community with information and referrals to resources.

In further response to Ms. Robertson, Mr. Canedo said that Business Impact NW will provide the individual technical assistance to small businesses as described earlier. Mr. Canedo said that many business owners need assistance with completing the application forms and understanding the loan terms.

Councilmember Robertson said she is pleased with the City's collaboration with numerous cities and community partners. She looks forward to being able to reopen the economy at the appropriate time.

Responding to Councilmember Barksdale, Mr. Cummins said staff will be working to share information with all companies who are engaged in teleworking. Mr. Canedo noted that more accurate data regarding teleworking and business closures will become available over the coming weeks. Mr. Canedo said he would follow up with Mr. Barksdale.

Deputy Mayor Nieuwenhuis thanked staff for their responsiveness to the needs of the business community and for their updates to the City Council. He thanked the many large employers who have offered assistance to small businesses. He expressed an interest in the number of Bellevue businesses that participated in the Eastside business survey. Mr. Canedo said he would provide more information.

Responding to Mr. Nieuwenhuis, Mr. Canedo said the partner cities all contribute to support the technical assistance services. Mr. Nieuwenhuis said he wants to be sure the City is helping as many businesses as possible. He thanked everyone for their hard work.

Councilmember Zahn thanked staff for their work and assistance to the Council. She praised the City's regional collaboration and proactive assistance to local businesses. Responding to Ms. Zahn, Mr. Canedo noted staff's efforts to assist small businesses in accessing federal, state and private grant funds. In further response, Mr. Canedo confirmed that the City will work with the community to implement social distancing and any other requirements related to returning to work.

Councilmember Lee thanked everyone for working so hard. He said he has experienced a number of recessions, including layoffs by The Boeing Company in the late 1970s, but never a pandemic. He said that economic downturn led to innovation and entrepreneurship as the population adapted and started new businesses, including Microsoft. Mr. Lee said this is a community effort and everyone needs to look out for each other. He thanked the local restaurants that have donated food to healthcare workers and first responders.

Councilmember Stokes praised City staff for their work with partners throughout the region. He expressed concerns regarding the impacts of closing schools on students and families and about the adverse impacts for small businesses and workers. Mr. Stokes said it will be important to stay focused on ensuring that Bellevue continues to be the place where people want to be.

Mayor Robinson said she shared Councilmember Stokes' concerns regarding the impact of school closures on families. Ms. Robinson suggested inviting the Bellevue School District to provide an update on their challenges and successes.

6. Consent Calendar

- Deputy Mayor Nieuwenhuis 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
 - Minutes of February 24, 2020 Extended Study Session
 - Minutes of March 2, 2020 Study Session
 - Minutes of March 2, 2020 Regular Session
 - Minutes of March 9, 2020 Extended Study Session
 - Minutes of April 6, 2020 Special Meeting
 - (b) Resolution No. 9742 authorizing the execution of a five-year General Services Contract with JEM Contractors Inc. in the amount of \$100,000, plus all applicable taxes, to provide maintenance and repairs to the City's pedestrian pathways, sidewalks and crosswalks that feature pavers and stamped died concrete surfaces.
 - (c) Resolution No. 9743 authorizing execution of a five-year General Services Contract in an amount not to exceed \$350,000, plus all applicable taxes, between the City and Combined Construction Inc. for City-wide Boardwalk Repair and Maintenance.
 - (d) Motion to award Bid No. 20011 for AC Water Main Replacement 2020 Phase 1 to Kar-Vel Construction, as the lowest responsive and responsible bidder, in an amount not to exceed \$4,797,099.60 plus all applicable taxes (CIP Plan No. W-16).
 - (e) Resolution No. 9744 authorizing execution of a change order to increase the construction contract with Active Construction, Inc. (Bid No. 19023) by \$679,353.61 to \$3,399,042.35, plus all applicable taxes, for the 150th Avenue SE/SE Newport Way to SE 38th Street - Roadway Improvements Project (CIP Plan Nos. PW-M-19, PW-R-198 and PW-R-202).

- (f) Resolution No. 9745: 1) authorizing execution of a grant agreement (and supplements if necessary) with the Washington State Department of Transportation (WSDOT) to accept \$2,725,030 in federal Surface Transportation Program (STP) funding; and, 2) authorizing execution of a grant agreement (and supplements if necessary) with Sound Transit to accept \$1,000,000 in regional transit System Access Fund (SAF) funding to support construction of segments of the Mountains to Sound Greenway Trail between 132th Ave SE and 142nd Place SE (CIP Plan No. PW-W/B-84).
- (g) Motion to award Bid No. 20019 for Cougar Mountain 3A Reservoir Reline to Industrial Coatings Unlimited, as the lowest responsive and responsible bidder, in an amount not to exceed \$158,000 plus all applicable taxes (CIP Plan No. W-85).
- (h) Motion to award Bid No. 20031, 2020 Overlay Program (CIP Plan Nos. PW-M-1, W-16 and P-R-11) to Watson Asphalt Paving Co., Inc. as the lowest responsible and responsive bidder, in the amount of \$3,795,866.20, plus all applicable taxes.
- (i) Motion to award Bid No. 20018 for the Downtown Park NE Gateway project to Ohno-Touchdown JV Company, as the lowest responsible and responsive bidder in the amount of \$6,369,286 plus all applicable taxes (CIP Plan No. P-AD-100).
- (j) Resolution No. 9746 authorizing execution of the 2020-2025 Emergency Medical Services Advanced Life Support (ALS) contract with King County in an amount up to \$11,389,720 for the first year of the contract.
- (k) Resolution No. 9747 authorizing execution of the 2020-2025 Emergency Medical Services Basic Life Support (BLS) contract with King County in an amount up to \$3,942,512 for the first year of the contract.
- (l) Ordinance No. 6509 amending Ordinance 6493, adopted December 2, 2019, as previously amended, to increase the General Fund 2019-2020 biennial appropriation by \$1,102,156 for CARES Mobile Integrated Health and Basic Life Services.
- (m) Resolution No. 9748 authorizing execution of a permanent sign easement on City-owned property located at 11100 NE 6th Street, known as the Meydenbauer Center, to the Washington State Department of Transportation as part of the I-405 Renton to Bellevue Widening and Express Toll Lanes project.
- (n) Motion to approve payment of claims and payroll for the period March 1- March 31, 2020.
- (o) Motion to award Bid No. 20005 for Meydenbauer Basin NE 8th Street and 100th Avenue NE Flood Control to Shoreline Construction, as the lowest responsive and responsible bidder, in an amount not to exceed \$2,188,460 plus all applicable taxes (CIP Plan No. D-94).

- (p) Ordinance No. 6510 authorizing: 1) execution of Amendment No. 3 to the Professional Services Agreement with McMillen Jacobs Associates in the amount of \$20,000, plus all applicable taxes, for a total contract amount of \$350,000, plus all applicable taxes, to provide additional claims support needed during the negotiation of the construction claims for the 120th Avenue NE, Stage 2, from NE 7th Street to NE 12th Street Project (CIP Plan No. PW-R-164); 2) amending the 2019-2025 General Capital Investment Program (CIP) Plan to increase the budget for PW-R-164 by \$1,245,000; and, 3) amending the 2019-2020 General CIP Fund appropriation by \$1,245,000.
- (q) Resolution No. 9749 authorizing execution of Supplement No. 2 of a Professional Engineering Services Agreement with HDR Engineering, Inc. in the amount of \$64,499, plus all applicable taxes, for a total contract amount of \$1,539,467 plus all applicable taxes, to provide engineering support services during construction of the 124th Avenue NE - NE Spring Boulevard to Ichigo Way Project (CIP Plan No. PW-R-166).
- (r) Resolution No. 9750 authorizing execution of Amendment No. 3 to the professional services agreement with Stantec Consulting Services Inc., in the not to exceed amount of \$77,384.04, plus all applicable taxes, bringing the total contract value in the not to exceed amount of \$589,478.67, plus all applicable taxes, for Midlakes Pump Station Capacity Improvements (CIP Plan S-61).
- (s) Ordinance No. 6511 authorizing: 1) award of Bid No. 20010, for Waste Water Pump Station Automatic Transfer Switch (ATS) Replacement to Colvico, Inc., as the lowest responsive and responsible bidder, in an amount not to exceed \$280,560 plus all applicable taxes (CIP Plan No. S-59); 2) amending the 2019-2025 General Capital Investment Program (CIP) Plan to transfer budget totaling \$253,000 from the Utilities Sewer Facilities -120th Ave NE (CIP Plan No. S-63) to the Waste Water Pump Station ATS Replacement Project; and, 3) increasing the 2019-2020 Utility CIP Fund appropriation by \$253,000.

7. Other Ordinances, Resolutions, and Motions

- (a) Ordinance No. 6508 extending the life of certain complete building permit applications, complete clearing and grading permit applications, issued building permits, and issued clearing and grading permits; providing for severability; declaring a public emergency; and establishing an immediate effective date.

City Manager Miyake said staff is seeking Council action on Ordinance No. 6508, which extends the life of certain complete building permit applications and clearing and grading permit applications, issued building permits, and clearing and grading permits.

Mike Brennan, Director of the Development Services Department (DSD), said staff recommends adoption of the proposed ordinance. He said the governor's stay home order issued on March 23

suspended construction for most residential and commercial projects. He said the City is continuing to process all incoming permit applications.

Mr. Brennan said that Ordinance No. 6508 adds 180 days to the life of building permit applications and clearing and grading permit applications and adds 180 days to the terms of issued building permits and clearing and grading permits.

Mr. Brennan said the City is working to assist developers, homeowners, and contractors through the current circumstances and restrictions. He said staff is working with developers and builders to plan for resuming construction activity.

Moving on, Mr. Brennan said the State updates the Building and Fire Codes every three years. He noted that the original July 1 deadline was extended to November 1, 2020 by the governor.

Mayor Robinson thanked staff for all of their good work.

Deputy Mayor Nieuwenhuis expressed support for the proposed ordinance and thanked Councilmember Robertson for bringing the issue forward.

Responding to Councilmember Zahn, Mr. Brennan said the Council could choose to extend the permit and application terms again if warranted. Mr. Brennan recalled that the Council extended permit terms twice following the 2008 economic recession. Ms. Zahn said she would like to support contractors as much as possible.

Mayor Robinson thanked Councilmember Robertson for advocating for the proposed ordinance.

Councilmember Robertson thanked staff for responding so quickly to this issue. She confirmed that the application and permit terms can be extended again, and the City can also extend land use entitlements if needed. Mr. Brennan confirmed that staff is monitoring land use entitlements and reviewing all new applications. Ms. Robertson said it is good for the City to be able to provide assistance and to send the message that the City wants to help businesses to succeed. She said she would like to see the construction ban lifted as soon as possible.

Mayor Robinson said the governor has the hard job of reviewing the data and balancing public health and economic priorities. She looks forward to the time when businesses can reopen.

→ Councilmember Robertson moved to adopt Ordinance No. 6508, and Councilmember Stokes seconded the motion.

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

Mayor Robinson thanked everyone for their hard work and thoughtful comments, and for all they do in advocating for Bellevue businesses and residents.

8. Adjournment

At 7:26 p.m., Mayor Robinson declared the meeting adjourned.

Charmaine Arredondo, CMC
City Clerk

/kaw