

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Meeting

July 13, 2020
6:00 p.m.

Virtual Meeting
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.

2. Roll Call

City Clerk Charmaine Arredondo called the roll. All Councilmembers were present and participating remotely.

3. Approval of Agenda

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

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

4. Written Communications

City Clerk Charmaine Arredondo said there were no written communications to read this evening.

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

6. Report of the City Manager: None.

7. Council Business and New Initiatives: None.

8. 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) Resolution No. 9785 authorizing execution of a professional services contract with The Watershed Company to provide environmental consulting services to complete a comprehensive forest health assessment of all undeveloped open space properties managed by the Natural Resource Division, in an amount not to exceed \$103,917.00, plus all applicable taxes.
 - (b) Ordinance No. 6519 amending Chapter 22.16 of the Bellevue City Code (Transportation Impact Fee Program); amending Sections 22.16.020, 22.16.040, 22.16.050, 22.16.070, 22.16.080, 22.16.085, and 22.16.087; and establishing an effective date.
 - (c) Resolution No. 9786 authorizing execution of a five-year General Services contract with Olson Brothers Pro Vac LLC, for a contract value not to exceed \$1,750,000 plus all applicable taxes, to perform sediment removal and closed-circuit television (CCTV) inspection services.
 - (d) Resolution No. 9787 authorizing the execution of a professional services agreement with Rolluda Architects to provide design, engineering, and construction administration services for the removal and replacement of the existing concrete roof deck and supporting structural system in the boat rental facility at Enatai Beach Park, in an amount not to exceed \$161,556.00, plus applicable taxes.
 - (e) Resolution No. 9788 authorizing execution of an agreement with Cummins Inc. for the purchase of one 200kW portable generator for the Utilities Department, in an amount not to exceed \$104,075, plus all applicable taxes.
 - (f) Resolution No. 9789 authorizing execution of a two-year General Services Contract for Transportation trail maintenance with Monarch Landscape WA, LLC in an amount not to exceed \$90,944.16, plus all applicable taxes, with an option to renew for an additional three years in an amount not to exceed \$136,416.24, plus all applicable taxes, with the same terms and conditions.
 - (g) Resolution No. 9790 authorizing execution of a five-year Professional Services Contract with Degenkolb Engineers for structural peer review services, in an amount not to exceed a contract total of \$900,000, plus all applicable taxes.

- (h) Resolution No. 9791 authorizing execution of a five-year Professional Services Contract with Maffei Structural Engineering for structural peer review services, in an amount not to exceed a contract total of \$900,000, plus all applicable taxes.
- (i) Resolution No. 9792 authorizing execution of a five-year Professional Services Contract with Magnusson Klemencic Associates for structural peer review services, in an amount not to exceed a contract total of \$600,000, plus all applicable taxes.
- (j) Resolution No. 9793 authorizing execution of a five-year Professional Services Contract with Nabih Youssef & Associates for structural peer review services, in an amount not to exceed a contract total of \$900,000, plus all applicable taxes.
- (k) Resolution No. 9794 authorizing execution of a five-year Professional Services Contract with Simpson Gumpertz & Heger for structural peer review services, in an amount not to exceed a contract total of \$900,000, plus all applicable taxes.

9. Public Hearing

- (a) Public Hearing on a Land Use Code Amendment (LUCA) to conform the frequently flooded areas regulations in the Land Use Code (LUC) to current federal and state standards and to adopt the Federal Emergency Management Agency's (FEMA) updated countywide Flood Insurance Rate Maps (FIRMs) and Flood Insurance Study (FIS), as necessary for continued eligibility in the National Flood Insurance Program (NFIP).

City Manager Brad Miyake introduced discussion regarding the Land Use Code Amendment (LUCA) to conform the frequently flooded areas regulations to current federal and state standards, and to adopt the updated Federal Emergency Management Agency (FEMA) countywide Flood Insurance Rate Maps (FIRMs) and Flood Insurance Study (FIS). Adoption of the federal updates is necessary for property owners' continued eligibility in the National Flood Insurance Program (NFIP). Mr. Miyake recalled that the topic was discussed with the Council on June 15, at which time the Council directed staff to hold this public hearing.

Mike Brennan, Director of the Development Services Department (DSD), said staff is seeking direction at the conclusion of the public hearing to finalize an ordinance for future Council action.

Trisna Tanus, Consulting Attorney, said the term frequently flooded areas refers to land that is subject to a 100-year flood. Those areas are identified on the Flood Insurance Rate Maps in FEMA's Flood Insurance Study (FIS). The purpose of the regulations is to delineate flood-prone areas, avoid and minimize damage to life and property, and to preserve and promote healthy floodplains and biological processes. Ms. Tanus highlighted a map of the frequently flood areas in Bellevue, which cover 980 properties and 135 structures. Of those properties, 98 are owned by the City.

Ms. Tanus said the City has participated in the NFIP since December 1, 1978. The City has a Class 5 rating by FEMA, which results in a 25-percent discount on NFIP policies. Of the affected properties, 229 have flood insurance policies. This includes 116 properties in the floodplain and 113 properties outside of the floodplain. As of April 17, 2020, the NFIP has paid 65 flood claims to Bellevue residents and businesses for a total amount of \$906,231. However, with the City's effective floodplain management, there have been only five substantial damage claims in which more than 50 percent of a structure's value was damaged since 1978.

FEMA transmitted the new FIRMS and FIS to the City on February 19, 2020. The purpose of the LUCA is to adopt the federal and state standards by August 19 for continued eligibility in the NFIP for residents and businesses. If this requirement is not met, the City will lose its eligibility for federal disaster relief and residents and businesses will lose their NFIP-backed insurance.

Ms. Tanus said staff recommends approval of the LUCA and requests that the Council direct staff to prepare an ordinance for Council action.

Nick Whipple, Senior Planner, said staff has worked closely with the FEMA and the Washington State Department of Ecology (DOE) to recommend a narrowly tailored LUCA. He noted that the meeting packet materials include a document comparing current regulations with the proposed revised language. The LUCA amends a number of terms, performance standards, procedures, and the variance process. New performance standards address the automatic entry and exit of floodwaters for garages, waterproofing of utilities, and the removal of the existing legally nonconforming provision. Mr. Whipple said that existing nonconforming structures and uses are not impacted by the removal of the latter code provision.

Amendments to the variance process include a new requirement for a variance when a development does not incorporate all of the required performance standards. Mr. Whipple noted that there are new decision criteria related to variances to be consistent with federal standards. Amendments to procedures include a new subsection for submittal requirements and a new subsection to clarify the role of the DSD Director in the administration and enforcement of the floodplain management regulations. Mr. Whipple said the changes reflected in the LUCA are consistent with the City's practices. However, they have been added to the code to comply with FEMA's requirements.

Mr. Whipple said that one of the changes reflected in the proposed LUCA since the Council's previous discussion is a new subsection related to information obtained and maintained by the City. FEMA requested the addition, reviewed the proposed language, and indicated that it meets federal requirements.

If the LUCA is adopted, the City continues to be eligible for federal flood disaster aid, and Bellevue residents and businesses (229 policies) retain their NFIP-backed flood insurance. The LUCA does not affect the FIRMS and FIS already approved by FEMA. The requirements for existing structures do not change the use of the structures. The requirements also do not change the procedures for reviewing a proposed modification to a structure under the substantial improvement provisions. For new structures, there is no change to the current restrictions related to building structures within a floodplain unless there is no feasible alternative. Mr. Whipple said

there are no changes to the existing requirements for docks, bulkheads, boathouses, and similar features.

Mr. Whipple said the public engagement process followed Process IV requirements regarding the noticing of the changes in FEMA regulations and tonight's public hearing. Prior to the June 15 discussion with the Council, a courtesy notice was mailed to property owners and residents impacted by floodplains. Staff held discussions with stakeholders to provide the information and to answer questions. A web page was launched during the week of June 8 and includes frequently asked questions, information regarding the status of the LUCA process, and contact information for public comment.

Staff requests Council adoption of the LUCA on July 27 in order to move forward to meet FEMA's August 19 deadline. The East Bellevue Community Council (EBCC) will hold a public hearing on August 4 and take action regarding the City Council's ordinance.

- Deputy Mayor Nieuwenhuis moved to open the public hearing, and Councilmember Stokes seconded the motion.
- The motion carried by a vote of 7-0.

City Clerk Charmaine Arredondo presented the rules for the public hearing, noting that individuals are allowed three minutes each to provide comments. Ms. Arredondo said additional written comments regarding the hearing topic were received and are provided in the Council's desk packet.

The following individuals provided comment:

1. Marty Nizlek, speaking on behalf of the Washington Sensible Shorelines Association (WSSA), recalled that the organization previously provided background information regarding the history and conditions in and around Lake Sammamish. He said the FIRMS are not new and are based on information dating back to 1995. He said that many more parcels could be declared to lie in flood prone areas if FEMA were to update its regulations in the future. He said the regulations appear to benefit property owners by offering a discount on NFIP policies. However, declaring a property to be flood prone will affect what the owner can do on their property and will lead to reduced property values. Mr. Nizlek asked the Council to assure it has answers to key questions: How many properties would be impacted if the flood maps were based on today's provisions? How many properties could be protected by better management of the Sammamish River flood control system? Do any of the code changes go beyond FEMA's minimum requirements and, if so, why? Mr. Nizlek expressed concern that the proposed code changes could have significant detrimental effects on many residents. He said that Bellevue residents are assessed more than \$6 million annually for King County flood protection. He asked the City to work to apply some of those funds to resolving the flooding problems before adopting the federal regulations in the LUCA.

2. Brian Parks, speaking on behalf of the Phantom Lake Homeowners Association, expressed concern that the updated provisions designate properties that have never experienced flooding as being located in frequently flooded areas. He said residents have complained for 34 years that the floodplain designation has been too high. Although FEMA proposes lowering the floodplain by 0.8 feet, residents believe that does not reflect existing conditions. Mr. Parks said there is a structure impeding water flow in the outlet channel to the east. He said the City is unable to provide any lake level data, and the 1978 FIRM was based on very slim data instead of an actual FEMA study of Phantom Lake. He opined that FEMA should base the updated FIRM on the conditions over the past four years due to changes in the weir regulating lake levels. Mr. Parks noted that additional comments are detailed in his email to the Council.
- Deputy Mayor Nieuwenhuis moved to close the public hearing, and Councilmember Stokes seconded the motion.
- The motion carried by a vote of 7-0.

Councilmember Barksdale said it sounds like the concerns regarding property values are related to the maps. He asked staff to comment on the relationship between the LUCA and the maps. Mr. Whipple said that FEMA's process to update the FIRMs ended in 2018 when the final appeal period lapsed. The final maps were transmitted to the City and must be adopted without modifications to comply with the updated federal regulations.

Mr. Barksdale asked whether the regulations preclude anyone in the community from being able to make an appeal to FEMA regarding changes to the maps. Mr. Whipple said that community members may petition FEMA through that agency's process. Councilmember Barksdale said that, given the purpose of the flood insurance and related FIRMs to minimize risk to property, and that changes to the maps are FEMA's responsibility, he supports approving the LUCA to meet the federal deadline.

Councilmember Stokes expressed support for the LUCA. He observed that the failure to adopt FEMA's regulations would be detrimental to property owners with NFIP policies. He encouraged continuing to work with residents to address flooding issues related to Phantom Lake and Lake Sammamish.

Councilmember Robertson thanked staff for the presentation and for adding a web page, meeting with stakeholder groups, and providing individual briefings to Councilmembers as requested. She acknowledged that the maps appear to be causing the most concern within the community. She asked whether there is anything that a property owner can do with their primary dwelling unit, accessory structures, and any part of their property under the current code that they will not be able to do if the LUCA is adopted.

Mr. Whipple said the requirements related to rebuilding and replacing structures located in a floodplain will remain the same under the proposed LUCA. He confirmed that property owners may still replace, repair, and expand structures.

Councilmember Robertson expressed support for the LUCA.

Councilmember Lee said he sympathizes with the concerns of property owners about the potential impact of the regulations on property values. He said he supports the proposed LUCA because it benefits property owners and maintains their eligibility for national flood insurance. He questioned whether the City can raise the question about property value impacts. If not, what can the residents do with FEMA? Mr. Lee said he understood the need to meet the August 19 deadline.

Mr. Brennan said he has been in contact with several of the residents and organizations that have expressed an interest in the regulations. He said he has appreciated the opportunity to provide guidance for the community, including how to contact FEMA. He said the Council could provide direction to staff in the future to initiate studies and engage with FEMA and residents. He said that would be a fairly significant undertaking with financial and staffing implications. He noted that residents may initiate their own process as well. Mr. Lee expressed an interest in learning more about FEMA's process to update floodplain regulations.

Councilmember Zahn thanked staff for the extra research and outreach to follow up on the Council's previous questions. She questioned whether the proposed LUCA includes any code revisions not required by FEMA. Mr. Whipple said the LUCA meets the minimum requirements to remain in the NFIP and to maintain Bellevue's rating as a Class 5 community.

Regarding the issue of advocacy with FEMA, Ms. Zahn said that both speakers during the public hearing expressed concerns about how FEMA calculates flooding events, as well as the base flood elevation. Ms. Zahn said those are things the City can monitor. Responding to Councilmember Zahn, Mr. Brennan confirmed that staff provided contact information for FEMA to residents. Ms. Zahn said it seems like extreme weather events and flooding are becoming more frequent.

Deputy Mayor Nieuwenhuis thanked staff for their work. He expressed support for the LUCA, which allows property owners to continue to use the NFIP and maintains the community's eligibility for federal disaster aid.

Responding to Mayor Robinson, Councilmember Lee suggested approving the LUCA and asking staff to take a more active role in advocating for Bellevue residents as they work with FEMA.

Responding to Mayor Robinson, Mr. Brennan said staff will provide additional information. He cautioned that advocacy covers a broad range of involvement. Mr. Brennan said that working with FEMA to amend the floodplain maps would be a significant undertaking requiring staffing and resources. He noted that the City can communicate its support for Bellevue residents to FEMA. Mr. Brennan said that FEMA has the technical expertise to establish the floodplain elevations.

Noting that the maps were drafted in 2018, Mayor Robinson questioned whether they are based on 1995 data. Mr. Brennan said staff would follow up on that issue. Mr. Whipple said that many of the changes were cosmetic in nature and were needed for converting to digital maps.

Mayor Robinson reiterated her interest in the timing of the data that was used. She said, however, that she does not want to slow this process. She suggested moving forward with the LUCA and helping the community in their effort to get the correct data to FEMA. Mr. Brennan said staff can reach out to FEMA and bring in more City staff experts to develop more information for the Council. He said it would take a few weeks to pull that information together.

Mayor Robinson said that would be an acceptable course of action for her.

Councilmember Barksdale concurred.

Councilmember Stokes suggested that the LUCA and the advocacy role are two separate issues. He said it is important for the Council to take action on the LUCA in a timely manner to meet the August 19 deadline. He said he is interested in exploring the map and advocacy issues in the future.

Councilmember Robertson said the Council's decision should be made before the East Bellevue Community Council's meeting on August 4. She expressed support for both the LUCA and for exploring the City's potential advocacy role with FEMA. She expressed support for approving the LUCA by the end of July.

Councilmember Zahn expressed support for the LUCA and the advocacy issue. She would like to move the LUCA forward in a timely manner. She said FEMA does not work quickly. She suggested that staff could contact other cities to ask if they have been involved in community efforts to work with FEMA.

Deputy Mayor Nieuwenhuis concurred with Ms. Zahn that expecting FEMA to address the issue in a short timeframe is not realistic. Mr. Nieuwenhuis expressed support for continuing to work with FEMA and residents. However, he urged moving forward with the LUCA to meet the federal deadline.

Councilmember Lee concurred with moving forward to adopt the LUCA now and to later address the advocacy role and issues.

→ Deputy Mayor Nieuwenhuis moved to direct staff to draft a final ordinance, and to return to the Council for its adoption as a Consent Calendar item at a future meeting. Councilmember Lee seconded the motion.

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

10. Study Session

(a) East Link Light Rail Construction Update

City Manager Brad Miyake introduced staff's update regarding East Link light rail construction and Sound Transit's Operations and Maintenance Facility East (OMFE).

Maher Welaye, East Link Engineering Manager, introduced the following Sound Transit staff: Jon Mikhels, Deputy Executive Project Director for the OMFE project, and John Lebo, Deputy Executive Project Director for the East Link project. Mike Bell, Executive Project Director for the East Link project, was unable to attend the meeting.

Mr. Mikhels provided an update regarding the construction of the OMFE to support the delivery of light rail throughout the region. He said the project will be substantially complete in September 2020 and will be available to support East Link testing and initial operations. The OMFE project budget totals \$379.2 million. The facility is designed for 96 light rail vehicles and 260 employees. Mr. Mikhels highlighted the project timeline since 2012, including the development of the Amended and Restated Memorandum of Understanding (MOU) in 2015. The related implementation agreement initiated procurement and the City participated in the selection of the design-build team. Mr. Mikhels said the OMFE will prepare for the initiation of East Link light rail operations in 2022.

Mr. Mikhels shared and described photos of the OMFE construction site. He noted that the OMF building will have 160,000 square feet of shops and offices. He described the art installation, Nails, along the Eastrail corridor. He said the new East Link light rail vehicles have begun to arrive in Seattle for testing.

Upcoming challenges and milestones include responding to COVID-19 impacts, managing unforeseen issues that may arise during the light rail system testing, and preparing for the initiation of light rail service, including the hiring and training of staff. Issuance of the Temporary Certificate of Occupancy is slated for August, and Council action regarding easements will be requested this fall. Substantial completion and the issuance of the Certificate of Occupancy are anticipated as early as September. Mr. Mikhels said that Sound Transit staff plan to move into the new facility during the fourth quarter.

Mr. Lebo presented an update regarding the East Link light rail project, which involves six contracts. East Link's revenue service date is targeted for late 2023. Mr. Lebo noted the contractors' efforts to maintain a safe work environment amid the pandemic.

Mr. Lebo presented photos of the East Link alignment, beginning with the Judkins Park Station in Seattle and continuing through Downtown Bellevue and the BelRed corridor. He described photos depicting the South Bellevue Station and parking garage, Winter's House on Bellevue Way SE, East Main Station area, Downtown tunnel portals, I-405 crossing to the Wilburton Station, and continued stops at 120th Avenue NE, 130th Avenue NE, and the Overlake Village Station.

Mr. Lebo said that most of the work causing the greatest traffic impacts on Bellevue Way SE will be completed this summer. He highlighted the Spring District Station at 120th Avenue NE and the surrounding mixed use, transit-oriented development (TOD), as well as the Redmond Technology Station.

Marie Jensen, East Link Public Involvement Manager, provided an update regarding public engagement. She noted Sound Transit's efforts involving public outreach, construction alerts, the East Link web site, and social media updates. The City provides much of the same information as well as links to the Sound Transit web site. Ms. Jensen described the City's role in public education and outreach through online information, City publications and mailers, and social media, including Nextdoor.

Ms. Jensen said that complaints regarding the light rail construction project continue to fall into three areas: 1) construction noise, 2) traffic impacts, and 3) environmental impacts. She recalled that earlier in the East Link project, the City issued expanded work hour permits in all segments for certain work. She acknowledged that work sometimes occurs outside of the permitted hours. She noted that closures on Bellevue Way SE and 112th Avenue SE are planned for this summer.

Ms. Jensen recalled earlier traffic modifications in the Enatai neighborhood to successfully discourage cut-through traffic. She said the City has received input regarding environmental concerns related to tree and landscape preservation, animal habitat, and water quality. Ms. Jensen said there have been no complaints regarding construction activity at the OMFE site.

Ms. Jensen highlighted the Access Bellevue initiative included as a commitment in the East Link MOU with Sound Transit. In May 2020, Bellevue residents received the third edition of the citywide mailer, Access Bellevue, which provides an update on the status of the Sound Transit and City transportation projects related to the construction of East Link light rail. Ms. Jensen said that a spring public engagement event was postponed due to the pandemic restrictions.

Mayor Robinson thanked staff for the presentation.

Councilmember Zahn said she looks forward to the opening of light rail by 2023. She encouraged opening the parking garages as early as possible. She said she has heard concerns regarding the elevators and escalators for accessing light rail. Mr. Lebo said that the elevated and below-grade stations have stairs, escalators, and elevators that exceed the standards expected for transit systems. Responding to Ms. Zahn, Mr. Mihkels said the OMFE is not an energy neutral project. He said, however, that Sound Transit always analyzes what it would take to produce projects that are energy neutral.

Responding to Ms. Zahn, Mr. Mihkels said the transit-oriented development (TOD) project is in active procurement and staff is evaluating the proposals. He said Sound Transit or City staff can provide an update of the results of the procurement process. He said the work has been delayed somewhat due to the pandemic.

Councilmember Zahn thanked Sound Transit staff for their public engagement and education efforts.

Councilmember Robertson thanked staff for the comprehensive update. She recalled that light rail service was originally planned to begin operating in 2020. The opening is now anticipated in 2023. Ms. Robertson said she has heard that the East Link project is ahead of schedule. She

suggested that if things go well, light rail could potentially open for fare service earlier than 2023.

Mr. Lebo said construction is slightly behind schedule, and Sound Transit is not yet ready to commit to the opening date for fare-based operations. He said the opening date will depend on the systems work next year and the testing scheduled for 2022. Mr. Lebo said it is possible that light rail service could open earlier if each contract is completed as planned. Ms. Robertson asked Sound Transit to share information regarding the opening date as soon as it is available early next year.

Councilmember Barksdale said he is pleased to see the progress of the East Link and OMFE projects. Given the proximity to the Global Innovation Exchange (GIX), Mr. Barksdale asked whether staff sees the opportunity for the area to become a future innovation hub for transit. He questioned whether the OMFE could provide opportunities for apprenticeships.

Mr. Mihkels said that many transit agencies are facing challenges in finding qualified staff and in training staff. He said he believes that everyone is open to considering innovative approaches to developing the workforce. He said two more maintenance facilities are planned as part of the Sound Transit 3 (ST3) package.

Responding to Mr. Barksdale, Mr. Lebo said the light rail stations will offer bike parking and bike lockers.

Deputy Mayor Nieuwenhuis asked whether there have been delays in equipment or supplies related to the COVID-19 pandemic that affect the project schedule. Mr. Mihkels said that essentially everything has been impacted, including orders for light rail vehicles. Sound Transit has not experienced any delays in equipment or supplies related to the OMFE project. Mr. Mihkels noted the need to comply with public health guidelines regarding work activity and workforce safety.

Responding to Mr. Nieuwenhuis, Mr. Lebo said that every light rail station has a different art installation. The most prominent ones will be at the Wilburton Station and the Downtown Bellevue Station. Mr. Lebo said the art elements are designed to integrate with the architecture of the stations. Mr. Nieuwenhuis expressed an interest in seeing the most recent designs.

Responding to Mr. Nieuwenhuis, Ms. Jensen said Park Place Motors has not reached out in recent weeks. She acknowledged there have been significant construction and traffic impacts. She said she also has not heard from Pacific Northwest Ballet.

Councilmember Stokes commented on the evolution of the East Link planning process with Sound Transit over the past eight years. He said he appreciates all of the hard work by staff and his colleagues. He said it is exciting to see how the light rail alignment will shape the future of the community. He said this has been a transformational effort that is worth celebrating. Councilmember Stokes said he is proud of the work of the Council, staff, residents, businesses, and others over a number of years.

Councilmember Lee said he appreciates the good working relationship between City staff and Sound Transit staff. He thanked staff for their work with the Council as well. He questioned whether any budget impacts are affecting the East Link project schedule. He asked about the status of the I-90 section of the East Link alignment.

Mr. Lebo said the I-90 section of the light rail project is proceeding well. Sound Transit recently installed equipment at the transition from the fixed portion of the alignment to and across the floating bridge. He noted a program on the Science channel regarding the engineering design for the transit alignment across the floating bridge. Regarding the project schedule, Mr. Lebo said Sound Transit hopes to be able to better project the opening date for light rail by early next year. He said a number of systems need to be installed, including information and payment systems in light rail stations.

Councilmember Lee thanked Ms. Jensen for her role in public outreach and coordination.

Responding to Mayor Robinson, Mr. Lebo said the East Link project is under budget and construction is roughly on schedule. However, one of the biggest risk factors for the project budget and schedule is the COVID-19 pandemic, which is slowing construction and causing additional work for contractors. Mr. Lebo said that most of the work on Bellevue Way SE affecting traffic will end this year. However, there will be traffic impacts as construction continues in the BelRed area. He said there will also be road impacts early next year around the Downtown Bellevue Station.

Mayor Robinson said she is pleased to see the public benefit of the light rail project. She thanked Sound Transit staff for their participation.

(b) Neighborhood Enhancement Program Update

City Manager Brad Miyake introduced staff's update regarding the Neighborhood Enhancement Program (NEP), which was initiated in 1988. He noted that no Council action is requested this evening.

Mark Heilman, Neighborhood Outreach Manager for the Community Development Department, presented a video providing an overview of the NEP. The program allows residents in Bellevue's 14 neighborhood areas to propose and select small capital improvement projects for their neighborhoods. City staff work with two neighborhood areas per year to implement projects desired by residents for safety and quality of life enhancements.

Mr. Heilman said the NEP core team includes staff from the Community Development, Transportation, Utilities, and Parks and Community Services Departments.

Theresa Cuthill, Neighborhood Enhancement Coordinator, said that 1,100 project ideas have been submitted to the City since 2015, and nearly 4,000 ballots were received regarding 24 small to medium capital projects that are now being implemented. She noted that a list of projects compiled through last year is provided in the meeting packet.

Ms. Cuthill presented photos and drawings of NEP projects including the Lattawood Park lighting project, Ardmore Park playground improvements, and Lake Hills Greenbelt bat houses.

Mr. Heilman highlighted elements of the SE 38th Street landscaping beautification project in the Eastgate/Factoria area. He noted that the project was supported by the new Eastgate Community Association. He said staff implemented enhanced outreach efforts that were recommended by one of the projects resulting from the 2019 Livable City program with the University of Washington. The enhanced efforts included broader multifamily housing outreach and expanded resources provided in Spanish.

Ms. Cuthill noted that the NEP expanded its outreach beyond the five direct mail pieces sent to residents. She described staff's work with the managers and residents of multifamily housing complexes, as well as efforts to identify and engage traditionally underrepresented communities. This year, the NEP launched a pilot Spanish language translation program in the Crossroads neighborhood area. She said Spanish was chosen for the pilot project because it is the most-spoken non-English language in the Crossroads area.

Mr. Heilman said Ms. Cuthill is currently working in the Crossroads and Wilburton neighborhoods. The NEP will work with West Bellevue and Woodridge residents in 2021, and with the Newport and Somerset neighborhoods in 2022.

Councilmember Lee thanked staff for the update and for reaching out to multifamily and rental properties. Responding to Mr. Lee, Mr. Heilman said staff would follow up with more information.

Councilmember Zahn expressed support for the NEP and its work with residents. She likes that if there is an idea that does not quite fit with the NEP but could be done within the City budget, City departments are exploring ways to implement those projects. She thanked staff for the outreach to multifamily residents.

Responding to Ms. Zahn regarding the impact of the pandemic, Ms. Cuthill said the NEP is a relatively self-sustaining program with engagement by mail and online. While a couple of public meetings were cancelled, staff has been able to continue to work with residents through the public health emergency. Ms. Cuthill said the return rate on ballots varies by neighborhood. She said she would follow up with additional information.

In further response to Ms. Zahn, Ms. Cuthill said staff is working to develop relationships with community organizations that work with underrepresented populations, including multifamily residents.

Councilmember Robertson said she is pleased to see the Spanish language outreach through the NEP. She thanked staff for their good work. She recalled a request in 2010 or 2011 to terminate the NEP. However, the Council chose to retool and retain the program. Ms. Robertson said she is open to further refinements to the program if appropriate. Mr. Heilman said staff will continue to explore improvements and to update the Council.

Councilmember Stokes said it is good to see the community's enthusiasm for NEP projects. He encouraged City staff to continue to consider NEP project ideas for implementation through other City programs as well. Mr. Stokes thanked staff for their effective public engagement.

Deputy Mayor Nieuwenhuis said he is pleased to see the public outreach, community engagement, and creative suggestions and ideas. He said the NEP is one of the programs that makes Bellevue special. He thanked Councilmember Robertson for her advocacy to provide more information in multiple languages. Ms. Cuthill said that language needs will be evaluated for each NEP process.

Councilmember Barksdale thanked NEP staff for their work. He asked how the NEP work aligns with neighborhood subarea planning. He asked if and how ideas received through the NEP inform neighborhood area planning and engagement. Ms. Cuthill said she is currently working closely with the Great Neighborhoods team, and she has shared NEP project ideas with them to help them understand residents' interests. Mr. Heilman said staff learns a lot about neighborhood character as it initiates each of the neighborhood processes.

Mr. Barksdale suggested that staff review the results of the community performance surveys to capture additional feedback from residents. He questioned whether youth are involved in the NEP process. Ms. Cuthill said that one resident involved students in planning a project near their school. However, there has not been a specific effort to engage youth.

Councilmember Barksdale suggested exploring ways to engage youth in the NEP process. He suggested, in addition to capital projects, soliciting feedback regarding programming and other priorities of interest to residents.

Mayor Robinson thanked staff for their great work.

11. Land Use: None.

12. Other Ordinances, Resolutions, and Motions

- (a) Ordinance No. 6520 amending Chapter 3.79 of the Bellevue City Code (Human Resources Code); amending Subsection 3.79.040(R) and Subsection 3.79.135(B); to (1) align the definition of "domestic partner" with the eligibility requirements under State law and (2) establish consistent requirements for declarations of marriage and domestic partnerships.

City Manager Miyake said that Ordinance No. 6520 amends Bellevue City Code Chapter 3.79 regarding the definition of domestic partner and the requirements for declarations of marriage and domestic partnership.

Joy St. Germain, Director of the Human Resources Department, said staff recommends aligning the definition of domestic partner with state law and establishing uniform requirements for declarations of marriage and domestic partnership. Staff is requesting Council direction in order to plan for employees' health benefit enrollment this fall.

Ms. St. Germain recalled that the State of Washington created a domestic partnership registry in 2007, which extended powers and rights, including health care visitation and health care consent, to domestic partners. She highlighted the state registry's eligibility requirements. In 2007, the City created a definition for domestic partnership and established requirements and policies regarding the ability of domestic partners to receive health care coverage. Employees with domestic partners are required to sign a declaration and to be willing to submit at least three of a list of documents supporting their domestic partnership if requested.

In 2012, after same sex marriage became legal, the State narrowed its eligibility for domestic partnerships to require that at least one of the individuals be age 62. All state-registered domestic partnerships where neither party was age 62 were converted to marriages as of June 30, 2014.

Ms. St. Germain said the purpose of Ordinance No. 6520 is to align the City's definition for domestic partnership with the State's definition, and to establish uniform requirements and documentation for declarations of marriage and domestic partnership. The following jurisdictions have aligned their code definitions with state law: Auburn, Bothell, Issaquah, Kent, Redmond, Renton, and Tacoma.

The ordinance adopting the proposed changes reflects a phased implementation plan for current domestic partners to maintain their benefit status for three years. Beginning January 1, 2021, all new domestic partnerships must be registered with the State of Washington. After January 1, 2024, benefits for non-qualifying individuals will end and only State-registered domestic partners of employees and their dependents will be eligible for City-provided benefits. Ms. St. Germain noted that 34 employees currently have domestic partners.

Councilmember Stokes expressed support for the proposed ordinance.

Deputy Mayor Nieuwenhuis thanked staff for the presentation and expressed his support for the ordinance.

Councilmember Barksdale expressed his support for the proposal.

Councilmember Robertson said it is always a good idea to align the City's code with state law.

Councilmember Zahn expressed support for the ordinance.

Councilmember Lee concurred with his colleagues' support.

Mayor Robinson said she supports the proposed ordinance.

→ Deputy Mayor Nieuwenhuis moved to adopt Ordinance No. 6520, and Councilmember Stokes seconded the motion.

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

13. Unfinished Business: None.

14. New Business: None.

15. Executive Session: None.

16. Adjournment

At 9:02 p.m., Mayor Robinson declared the meeting adjourned.

Charmaine Arredondo, CMC
City Clerk

/kaw