

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Meeting

October 11, 2021
6:00 p.m.

Virtual Meeting
Bellevue, Washington

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

ABSENT: Councilmember Robertson

1. Call to Order

The meeting was called to order at 6:00 p.m., with Mayor Robinson presiding.

2. Roll Call; Flag Salute

Deputy City Clerk Karin Roberts called the roll. All Councilmembers except Councilmember Robertson were present and participating remotely. Councilmember Zahn led the flag salute.

(a) Indigenous People's Day Proclamation

Deputy Mayor Nieuwenhuis read the proclamation recognizing October 11, 2021 as Indigenous People's Day in Bellevue and urged all residents to reflect on the history and contributions of indigenous people to the community.

(b) National Disability Employment Awareness Month Proclamation

Councilmember Stokes read the proclamation recognizing October as National Disability Employment Awareness Month and urged all residents to support disability equity by recognizing the value and contributions of individuals with disabilities in the workplace.

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 6-0.

4. Oral Communications

- (a) Evelyn Huffman expressed concern regarding the lack of affordable housing in Bellevue. She said her daughter earns \$24,000 annually and qualifies for 30 percent AMI (area median income) housing. However, she has been unable to find a studio apartment for anything less than 80 percent AMI. Ms. Huffman said she has contacted A Regional Coalition for Housing (ARCH) a number of times and they often do not call back. When she has spoken to someone at ARCH, she has been told that there are one-year to five-year waiting lists.

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

6. Report of the City Manager

- (a) 2021 National Roadway Safety Award

City Manager Brad Miyake announced that the City recently received the 2021 National Roadway Safety Award sponsored by the Federal Highway Administration and the Roadway Safety Foundation in recognition of its video analytics project. Mr. Miyake thanked all staff who worked on the project.

Andrew Singelakis, Transportation Director, said the award recognizes the Video Analytics Toward Vision Zero Program, which is a technology development partnership to convert raw footage from the existing traffic camera network into flow, speed and conflict event data. The Vision Zero program's objective is to eliminate serious injury and fatal traffic collisions by 2030. Mr. Singelakis thanked Franz Loewenherz, Paula Stevens, Chris Long, Darcy Akers, Justin Santos, David Grant, Matt Diemer, Chelo Picardal, Garrett Solberg, Joel Taylor, Monica Buck, and Nicholas Melissinos for their involvement in the video analytics program. Mr. Singelakis said the U.S. Secretary of Transportation highlighted the Bellevue project during the award ceremony.

7. Council Business and New Initiatives: None.

8. Consent Calendar

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

→ The motion to approve the Consent Calendar carried by a vote of 6-0, and the following items were approved:

- (a) Council Minutes
Minutes of September 27, 2021 Regular Meeting
- (b) Resolution No. 10007 authorizing the execution of Amendment 1 of the ProjectCorps professional services agreement to increase spending authority from

a not to exceed amount of \$90,000 plus all applicable taxes to a not to exceed amount of \$490,000 plus all applicable taxes. The executed Amendment shall be substantially in the form of the Amendment in the Council Library.

- (c) Resolution No. 10008 authorizing execution of the agreement with Nearmap US Inc., for the purchase of a subscription service for aerial imagery for the City of Bellevue for a 60-month term, with a not to exceed amount of \$272,000, plus all applicable taxes.
- (d) Resolution No. 10009 authorizing execution of an amendment to the Master Services Agreement with GovQA for public records request management to increase the not to exceed amount to \$150,000, plus all applicable taxes.
- (e) Resolution No. 10010 authorizing the execution of Supplement 4 of a Professional Engineering Services Agreement with HDR Engineering, Inc. in the amount of \$200,004, plus all applicable taxes, to provide engineering support services during construction of the 124th Avenue NE - NE 12th Street to NE Spring Boulevard Project (CIP Plan No. PW-R-169).
- (f) Motion to award Bid No. 21000, 124th Avenue NE - NE 12th Street to NE Spring Boulevard (CIP Plan No. PW-R-169) to Interwest Construction, Inc. as the lowest responsible and responsive bidder, in the amount of \$8,701,145.81, plus all applicable taxes.

9. Public Hearings: None.

10. Study Session

- (a) Washington State Department of Transportation (WSDOT) Update regarding Fish Passage Projects along I-90

City Manager Miyake introduced the presentation regarding I-90 Lewis Creek and Sunset Creek fish passage projects.

Transportation Director Andrew Singelakis introduced Steve Costa, Bellevue Transportation Regional Project Coordinator, and Amir Rasaie, Assistant Regional Administrator for Project Development with the Washington State Department of Transportation (WSDOT).

Mr. Rasaie introduced Tim Nau, Assistant Project Engineer; Ruth Park, Environmental Manager; and Kris Olsen, WSDOT Public Information Officer.

Mr. Rasaie said that culverts have been placed along the state highway system for many years and WSDOT found that many of these culverts block fish migration and negatively impact habitat. WSDOT created a fish passage program in 1991 and since that time 344 barriers have been corrected, opening up 1,161 miles of fish habitat. A 2013 federal injunction addressing the culverts requires WSDOT to accelerate its program. Mr. Rasaie said WSDOT is working with 21

northwest Washington tribes to open 90 percent of the habitat blocked by state culverts since 2030.

Mr. Rasaie said that two projects affected by the federal injunction are Sunset Creek and Lewis Creek. Sunset Creek crosses under I-90 approximately one-half mile from the I-405 interchange. WSDOT will build four fish passages along Sunset Creek at eastbound I-90, westbound I-90, SE Eastgate Way and SE 36th Street. The fish passage structures will be bridge spans over the creek at the two I-90 locations, with bridges or box culverts on the two Bellevue streets. Mr. Rasaie said that all roadways will be returned to their original configuration at the conclusion of the project. He said WSDOT will hire a design-build contractor to finalize the design and to explore ways to reduce the duration of lane and road closures. He said WSDOT is coordinating with City staff to discuss a number of options. Construction of the project is anticipated to extend over a two-year period and will involve lane closures on I-90, nearby freeway ramps and local streets.

The Lewis Creek project is located at milepost 13.83 in Issaquah, east of the Bellevue-Issaquah boundary and near Timberlake Park, Lakemont Community Park and the Cougar Mountain Zoo. Mr. Rasaie said that WSDOT will build fish passages under I-90 and at additional locations in Issaquah. The structures will be either bridges or box culverts. Mr. Rasaie said the project will cause lane closures on I-90 over a two-year period. West Lake Sammamish Parkway SE will be closed for no more than one month, and SE Newport Way will be closed for no more than three months.

Mr. Rasaie said that WSDOT anticipates hiring the design-build contractor in Fall 2022 and beginning construction in Spring 2023. Construction will be completed in late 2028. WSDOT is currently studying how wide the radius should be for mailing notices to residents and businesses at least 14 days in advance of the project. The project team is coordinating with health care providers to ensure that vibrations caused by the project do not interfere with medical equipment in the area. Mr. Rasaie said WSDOT staff will continue to coordinate with Bellevue staff to address overnight limitations on noise. He noted that restrictions on overnight work would likely lengthen the duration of the projects.

Three Bellevue utilities facilities will need to be relocated for the Sunset Creek project: 1) water line at SE 36th Street, 2) sanitary sewer across I-90 and connections along SE 36th Street, and 3) telecommunications conduit at Eastgate Way and SE 36th Street. Mr. Rasaie said that WSDOT has requested that the City enter into a cost sharing agreement for the utilities work and discussions are ongoing. The City of Issaquah's water lines south of SE Newport Way and on West Lake Sammamish Parkway SE will need to be relocated. Additional utilities equipment owned by the Cascade Water Alliance, Puget Sound Energy and telecommunications companies will be relocated as well.

Mr. Rasaie said there will be 1.7 miles of potential habitat gain with the Sunset Creek project, and 2.7 miles of potential habitat gain, including Kokanee salmon habitat, with the Lewis Creek project. The Sunset Creek project will benefit from the removal of other culvert barriers through separate projects.

Mr. Rasaie said that WSDOT's community engagement strategies include public meetings and open houses, traditional media, social media and other online content, and a hotline for public comments. He thanked Bellevue staff for their hard work and collaboration with WSDOT staff.

Councilmember Zahn noted that the construction of the Congregations for the Homeless (CFH) shelter in the Eastgate area is scheduled to take place in 2022. She expressed concern regarding the traffic impacts of construction activity.

Responding to Councilmember Zahn, Mr. Rasaie said this is a traditional design-build project and a number of culverts will be replaced or repaired. He acknowledged concerns about traffic impacts. However, he noted that limited closures will lengthen the construction period. Ms. Zahn noted that other fish passage projects involve a progressive design-build process to facilitate enhanced collaboration throughout the project. Mr. Rasaie said WSDOT staff will work closely with Bellevue staff through the design-build process. Ms. Zahn said she wants to be sure the City is acting in the best interests of the community.

Councilmember Barksdale asked whether there are opportunities to coordinate City water and sewer infrastructure projects and/or to consolidate projects with WSDOT. He asked about opportunities to daylight the creeks and to create open space.

Mr. Singelakis said he was unsure about the Utilities Department's plans in the Sunset Creek and Lewis Creek areas.

Ms. Park said the creeks will be daylighted in certain locations and there will be opportunities for plantings and other efforts to increase habitat for salmon.

Councilmember Barksdale expressed an interest in more information regarding the potential opportunities for public benefits related to the fish passage projects. Mr. Miyake said staff would follow up with him.

Councilmember Stokes expressed support for the projects. As the chair of the Water Resource Inventory Area 8 (WRIA 8) salmon recovery council, he suggested that WSDOT staff discuss the projects with them next year. Mr. Stokes said it is great to see city, county and state governments working toward the same objective.

Mr. Rasaie said WSDOT is making a significant investment in salmon recovery efforts, \$3.8 billion, over the next 8-9 years.

Councilmember Lee said there has been strong collaborations between City and WSDOT staff in the past. He expressed concern regarding traffic impacts on SE 36th Street during the Sunset Creek project. He noted that previous construction in the area was recently completed and expressed concern about having another construction project.

Mr. Rasaie said the fish passage project recently received funding from the state legislature. He clarified that the overall project will extend over two years. However, the impacts on SE 36th Street should be a much shorter time period.

Mr. Nau said WSDOT and City staff meet every two weeks and traffic control has been a primary topic, including with regard to SE 36th Street. He said the work on SE 36th Street is estimated to extend over a nine-month period. However, staff hopes to shorten that timeframe. Mr. Nau said the City has made it clear that a full closure of SE 36th Street is not an option. Mr. Rasaie said WSDOT is continuing to refine its schedule. Councilmember Lee said that maintaining access to the medical offices in the area is critical.

Deputy Mayor Nieuwenhuis thanked staff for the presentation. Responding to Mr. Nieuwenhuis, Mr. Rasaie said there are other culverts along the creeks that are not within WSDOT's jurisdiction. However, he said WSDOT is always looking for partnerships to coordinate public infrastructure projects. Ms. Park said grant funding is available, and projects adjacent to a WSDOT-owned crossing receive higher scores because they are known to have a strong habitat benefit.

In further response to Mr. Nieuwenhuis, Mr. Rasaie said WSDOT staff has started reaching out to businesses in the area that will be affected by the projects. Ms. Olsen said the communications consultant team will develop its public outreach plan after the design-build firm is hired.

Mayor Robinson suggested signage at the project sites indicating that they are fish passage restoration projects to help the public understand the benefits to be gained from the inconvenience of the construction. Mr. Rasaie concurred.

Councilmember Zahn asked about the City's share of the utilities project costs and whether the money is included in the Capital Investment Program (CIP) Plan. Mr. Rasaie said that utilities staff from both agencies are currently identifying specific projects.

Ms. Zahn requested information regarding the potential for additional habitat enhancements as part of the WSDOT projects as well as opportunities for grant funding. City Manager Miyake said staff will follow up with additional information.

Mayor Robinson thanked everyone for the discussion.

(b) Affordable Housing Strategy Update

City Manager Miyake introduced staff's update regarding progress on the implementation of the Affordable Housing Strategy adopted in 2017.

Mac Cummins, Director of the Community Development Department, said the City is well on the way to achieving the 2,500 affordable housing units contemplated in the Affordable Housing Strategy.

Thara Johnson, Planning Manager, recalled that the Affordable Housing Strategy identified 21 actions organized under five interrelated strategies. She noted that 1,354 housing units or beds have been preserved or provided since 2015. Recent funding helped preserve 36 units of affordable housing at Illahee Apartments, and 95 units will be provided through the Eastgate

Permanent Supportive Housing project with Plymouth Housing Group. Ms. Johnson said that approximately 772 affordable housing units will be built over the next few years in the BelRed, Downtown, and Eastgate areas. This includes approximately 200 multifamily tax exemption (MFTE) units.

Emil King, Assistant Director, Community Development, said the Council's 2021-2023 priorities include direction to look at code amendments instead of Comprehensive Plan Amendments (CPAs) for projects with exceptional amounts of low- and middle-income housing and to strengthen the housing bonus program.

Mr. King described the key accomplishments since the last update to the Council. He recalled that the Council lowered minimum residential parking requirements in areas with frequent transit service and adopted specific provisions for affordable housing. The Council updated the MFTE program and expanded its geographic scope. As part of the HB 1590 funding, the Council allocated \$1.66 million to 19 agencies for housing-related human services. This summer, the Council allocated \$8 million in capital funding for the Eastside Men's Shelter (\$3.6 million), Eastgate Supportive Housing (\$400,000) and Illahee Apartments (\$4 million).

Mr. King highlighted items in the ongoing work program. He noted two new staff, Caleb Miller and Anthony Avery, who are involved with housing planning. Mr. King said staff anticipates the City will surpass its current target of 2,500 affordable housing units over a 10-year period. The East Main Land Use Code Amendment (LUCA) and affordable housing incentive system are currently under review by the Council, with the goal of accomplishing that work by the end of the year. Staff continues to work with Sound Transit regarding the potential for housing near the light rail operations and maintenance center and in the 130th Avenue light rail station area.

Mr. King said staff plans to return in November to discuss the supportive housing best practices related to outreach and service levels. Staff anticipates discussion later this year regarding the Action C-1 density bonus for the development of housing on faith-based, nonprofit and certain public-owned properties. Mr. King said that capital funding requests related to HB 1590 tax revenues will be presented to the Council in early 2022, and the potential bonding of those revenues will be addressed later in the year. Staff will update the City's housing needs assessment in 2022 and process the annual CPA proposals. Mr. King said staff is currently involved in the pre-launch work for the Wilburton area planning effort, which is anticipated to move forward during the first half of 2022.

Mr. King highlighted remaining items from the 2017 Affordable Housing Strategy: 1) encourage micro apartments near light rail stations, 2) update accessory dwelling unit (ADU) standards and allow detached units in self-selected neighborhoods, 3) promote universal design to ensure accessibility for all ages and abilities, 4) increase funding and expand eligibility for the home repair and weatherization programs, and 5) promote energy efficiency in the design and construction of affordable units to reduce ongoing costs for residents.

Mr. Cummins said a neighborhood forum was held on September 23 to discuss housing issues and priorities. Topics from the event included diversity of housing options for various income levels, permanent supportive housing, ADUs in single-family neighborhoods, senior housing and

options for aging in place, and issues affecting neighborhoods (e.g., the redevelopment of older homes into much larger houses). Mr. Cummins said more than 100 people participated in the virtual meeting.

Mr. Cummins said staff recently reviewed the work of the affordable housing technical advisory group (TAG) as well as past community and Council discussions, resulting in a list of policy topics and options for future consideration: 1) range of housing ownership models, housing typologies and additional incentives, 2) potential for rezones instead of CPAs for affordable housing, 3) formal land acquisition strategy, 4) framework for minimum housing requirements in Bellevue growth areas (i.e., Downtown, BelRed, East Main and Wilburton), 5) mandatory affordable housing units in new development, and 6) potential new revenue sources (e.g., linkage fees for new commercial development, housing levy, etc.). Mr. Cummins noted that Bellevue had a mandatory inclusionary housing program in the 1990s. He said staff will conduct extensive public outreach over the next several months and return in 2022 to discuss the findings and input.

Mayor Robinson thanked staff for the update and for the progress to date in implementing the Affordable Housing Strategy. She suggested prioritizing micro housing without parking requirements in transit-oriented development (TOD) areas. She noted the need for three-bedroom apartments for families. She expressed support for exploring home ownership models and mandatory inclusionary housing.

Councilmember Barksdale asked whether there has been discussion about the ability to use ADUs to help mitigate the development of huge houses. He said he would like to know the annual rate of housing production needed to achieve the targets identified through the housing needs assessment. He suggested establishing criteria outlining which strategies should be used first and when it is time to move to another strategy if housing goals are not being met.

Mr. Cummins said that concerns were expressed during the neighborhood forum regarding the appropriate use of ADUs and their impact on neighborhood character. He noted that the goal of providing 2,500 affordable housing units was not based on a needs assessment. Rather, it was the number derived for what is likely to be produced using all of the tools in the Affordable Housing Strategy. Mr. Cummins said a number of Councilmembers have suggested focusing on specific housing needs instead of on the number of housing units that can be produced through certain policies.

Deputy Mayor Nieuwenhuis commended staff for their hard work and effectiveness in addressing affordable housing priorities. He expressed an interest in housing solutions in other cities and states, including for senior housing. He expressed support for focusing on specific needs such as micro housing in TOD areas and growth corridors.

Mr. Cummins concurred with the need to discuss senior housing and aging in place. He said there is a broad spectrum of housing types and options.

Councilmember Lee said Bellevue has done more for affordable housing over the past six months than any city in the region. He thanked staff for their work, and he thanked Mayor Robinson for making affordable housing a top priority. He recalled that Bellevue founded A

Regional Coalition for Housing (ARCH) nearly 30 years ago. Councilmember Lee concurred with staff about the importance of conducting an updated housing needs assessment and collecting data. He encouraged public education about housing types and related issues.

Councilmember Stokes thanked staff for the update. He expressed concern regarding the inclusion of preserved units in the number of affordable housing units achieved. He said the emphasis should be on creating new housing units. However, he understands that if existing affordable units are not preserved, homelessness could increase. Mr. Stokes said housing is the most important public policy issue to tackle and he looks forward to continuing to implement the Affordable Housing Strategy. He thanked staff for their work.

Councilmember Zahn expressed an interest in considering minimum housing requirements in the Wilburton, East Main and other areas. She is pleased to hear about community discussions regarding different housing types and affordability levels. She said the City should be bold and should align its targets with the growing housing needs. She is interested in considering bonding related to HB 1590 revenues. Ms. Zahn expressed support for energy efficiency and environmentally sustainable housing units. She concurred with Mayor Robinson's interest in exploring micro housing without parking requirements. She suggested housing options with private bedrooms and shared living spaces. She expressed an interest in mandatory affordable housing. Ms. Zahn expressed concern that people will leave Bellevue before housing options are available.

At 7:58 p.m., Mayor Robinson declared a short break. The meeting resumed at 8:12 p.m.

11. Land Use

- (a) Ordinance No. 6608 approving with a condition the NE 8th Street Partners rezone application submitted by Harold Moniz of Collins Woerman for a rezone of two (2) parcels totaling 0.93-acres located at 13635 and 13655 NE 8th Street from Office (O) to Residential High Density (R-30). Permit File No. 21-104902-LQ.

Deputy City Attorney Nick Melissinos said the NE 8th Street Partners application requests a rezone of two parcels totaling nearly one acre located at 13635 and 13655 NE 8th Street from Office (O) to Residential High Density (R-30). This is a Process III quasi-judicial proceeding. The Hearing Examiner held a public hearing and recommended approval of the application with one condition. No appeals have been filed.

Mr. Melissinos recalled that staff provided a briefing on September 27 regarding the rezone application. The Council may approve the Hearing Examiner's recommendation, approve with additional conditions, remand the matter back to the Hearing Examiner for an additional hearing limited to specific issues identified by the Council, or deny the application. Mr. Melissinos suggested that the Mayor give Councilmembers the opportunity to disclose any ex parte communications regarding the rezone request.

Responding to Mayor Robinson, all Councilmembers indicated that they did not have ex parte communications to disclose.

Liz Stead, Land Use Director, presented a drawing of the subject parcel and surrounding land uses.

→ Deputy Mayor Nieuwenhuis moved to adopt Ordinance No. 6608, and Councilmember Stokes seconded the motion.

→ The motion carried by a vote of 6-0.

12. Other Ordinances, Resolution, and Motions: None.

13. Unfinished Business: None.

14. New Business: None.

15. Executive Session: None.

16. Adjournment

At 8:16 p.m., Mayor Robinson declared the meeting adjourned.

Karin Roberts, CMC
Deputy City Clerk

/kaw