

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Study Session

April 3, 2017
6:00 p.m.

Council Conference Room
Bellevue, Washington

PRESENT: Mayor Stokes, Deputy Mayor Chelminiak, and Councilmembers Lee, Robertson, Robinson, Simas, and Wallace¹

ABSENT: None.

1. Executive Session

The meeting was called to order at 6:09 p.m., with Mayor Stokes presiding. There was no Executive Session.

2. Study Session

(a) Swearing in of Councilmember Ernie Simas

Mayor Stokes introduced the swearing in of new Councilmember, Ernie Simas. Mr. Stokes noted Mr. Simas' community involvement as Chair of the Transportation Commission, Co-Chair of the Downtown Livability Initiative Citizens Advisory Committee, and a member of the Bellevue Chamber of Commerce.

King County District Court Judge Janet Garrow conducted the swearing in, and Mr. Simas signed his oath of office.

Mayor Stokes thanked the guests in the audience. He announced a recess to take photographs and noted that the meeting would reconvene in the Council Conference Room at 6:30 p.m.

The Study Session resumed at 6:27 p.m.

(b) Eastside Men's Shelter and Supportive Housing Project

Mayor Stokes introduced discussion regarding the Eastside homeless men's shelter and supportive housing project. Noting that this is the third Council discussion on the topic, he said the item was first discussed in August. In November, the Council received a project update that

¹ Councilmember Wallace left the meeting at 7:41 p.m.

primarily focused on the outreach efforts conducted since the August meeting. It included a presentation by the Police Department of crime statistics related to shelters as well.

At that time, the Council directed staff to prepare due diligence reports focusing on a number of issues and aspects of the project. Mayor Stokes said public outreach included 13 stakeholder meetings and two well-attended community meetings. He said tonight's agenda item is an opportunity for the Council and the public to learn more about the proposed shelter and housing project.

Mr. Stokes said the Council is committed to doing what is right for the neighborhoods and the greater community. He thanked the public for their feedback, suggestions, and questions over the past several months. He said homelessness is a difficult issue and a real problem on the Eastside. Mayor Stokes said the Council became involved with the current men's winter shelter in 2008 and identified homelessness and affordable housing as priorities in the 2014 Council Vision.

Deputy City Manager Kate Berens said tonight's presentation is focused on providing foundational information resulting from the development of the due diligence reports. She said the documents are quite lengthy and they provide information on the City's past and current involvement with local shelter services. She noted that the information is provided on the City's website.

Ms. Berens said the City began working in 2015 with A Regional Coalition for Housing (ARCH), Congregations for the Homeless, and Imagine Housing to consider site alternatives for the shelter and supportive housing project. The joint letter of agreement regarding the proposed Eastgate site was presented to the Council in August, which initiated the public outreach process. In November, the Council requested a series of due diligence reports.

Ms. Berens said the Council's feedback and direction will inform the remaining steps outlined in the letter of agreement. The letter references the Eastgate Land Use Code Amendment (LUCA) process, continued negotiations with King County regarding the use of the Eastgate property for a project of this nature, and additional work to be completed if the City moves forward with a funding and program plan for a facility at the site.

Ms. Berens described the proposed project. She said Congregations for the Homeless proposes operating an emergency shelter with 100 beds, which replicates the current shelter facility in the interim location. CFH would also operate a drop-in day center and cafeteria with approximately 125 seats and provide space for complementary social services including medical and dental care, case management, employment support, addiction recovery, housing placement, mental health services, public assistance benefits enrollment, and legal assistance. Ms. Berens said CFH operated a shelter in Downtown Bellevue until last spring when the building was sold for redevelopment. There is currently a day center at the interim overnight shelter location in the Lincoln Center on 116th Avenue.

Ms. Berens noted that the Eastgate location is considered a good candidate because it could also accommodate affordable housing in the same building. Imagine Housing would operate this

portion of the project and provide 50-60 housing units for all genders. Approximately half of those would be designated for low-income households, and half would be set aside for individuals exiting homelessness.

Ms. Berens said the due diligence reports provided pursuant to the Council's direction in November address project and program design, community feedback, best practices, and impacts and mitigation for the surrounding area.

Steve Roberts, Congregations for the Homeless, described a conceptual drawing of the shelter and housing facility. The first floor provides parking and offices, the second floor is the day center and shelter, and the upper floors are the affordable housing units. Mr. Roberts said a number of sites have been studied, and the Eastgate site appears to be the best in terms of meeting the project's objectives.

Mr. Roberts said the community has raised questions about the term "low barrier" when referring to a shelter. He noted that all public places are essentially low barrier. He said CFH does routine checks for sex offenders and has a protocol with the Bellevue Police Department for dealing with those situations. He said the current shelter has firm behavior standards. He said individuals' names are collected and reported to the King County homeless information system. In addition to the Police, Mr. Roberts said CFH collaborates with security personnel of nearby entities. Drug and alcohol use is not allowed in the shelter, and there are no plans for designating the facility as a safe injection site.

Mr. Roberts said CFH has been operating under the low-barrier model for the past eight years, and it is a best practice for King County, Washington state, and throughout the country. The objective is to provide stability, food, social services, and a place to store belongings.

Mike McCormick Huentelman, Neighborhood Outreach Manager, said the City has received 400 pages of written comments from the community as well as a petition signed by 2,755 individuals who are opposed to the proposed project. He said the public involvement related to the project has been thoughtful, civil, and helpful. He said there is widespread concern regarding the homeless and helping them to transition out of homelessness. However, in general, residents are not supportive of programs that enable individuals to remain homeless.

Mr. McCormick Huentelman said there is general support for the shelter services provided in Bellevue since 2008. He said Congregations for the Homeless and Imagine Housing have a good reputation and strong track record in working with the homeless and those in need of affordable housing. He said potential partnerships have been discussed including with Bellevue College, businesses, libraries, and the faith community.

Mr. McCormick Huentelman said the public has voiced concerns regarding the low-barrier shelter designation; crime and public safety; the public planning process; the project's proximity to residential areas, Bellevue College, and the transit center; and the long-term accountability of those operating the shelter and housing facility. He said nearby residents are concerned about the behavior of shelter residents outside of the shelter. With regard to accountability, residents have

questioned the City's authority once the project is operational and whether it will be able to address concerns. Citizens have questioned whether the shelter will impact surrounding businesses and the plans for transit-oriented development (TOD) at the Eastgate Park and Ride. Residents have also questioned the City's ability to act if King County decides to implement a safe-injection program at the site.

Dan Stroh, Acting Director of Planning and Community Development (PCD), said staff visited similar facilities in Portland, Seattle, and Tacoma. He indicated that a successful project needs to meet local needs and to be driven by local values. He said facility design is crucial and it is important to build relationships with clients. He noted the value of strong relationships with law enforcement and with neighbors. Mr. Stroh noted the importance of performance measures and accountability as well, with the objective of moving people out of homelessness.

Mr. Stroh said that, if project moves forward, the report identifies some preliminary mitigation options. Those include Crime Prevention through Environmental Design (CPTED), security coordination with neighbors and businesses, potential code amendment to prohibit safe injection sites, and establishing performance standards and monitoring. Mr. Stroh noted the need to also address spillover effects including camping in nearby woods or neighborhoods and trespassing on private property.

Mr. Stroh said staff is seeking Council direction about whether to move forward with the partnership at the Eastgate Public Health site as outlined in letter of agreement. He requested feedback on what the Council would need to see in a successful negotiation with partners. He said initial Council direction is requested in order to prepare for the April 17 discussion.

Mayor Stokes recalled that the Council Vision priorities directed the City to work with regional partners to establish a permanent Eastside winter shelter by the winter of 2018-2019. The Diversity Advantage Plan includes an action item supporting the establishment of a year-round homeless shelter on the Eastside. Those directives are consistent with the Comprehensive Plan Update adopted in 2015, including provisions to support regional efforts to address homelessness.

Deputy Mayor Chelminiak recalled working with staff to develop the Tent City ordinance approximately 11-12 years ago. However, tent cities are not adequate to deal with the homeless issue. He said there is no single model that works for every community, and the success of programs depends on the providers and partners involved in operating facilities and programs

Ms. Chelminiak said the SHARE organization operates shelters in Seattle and Tent City 4 on the Eastside. He said SHARE's operations are not consistent with Eastside values. He said SHARE held the required public meetings with neighbors but essentially ignored the input. Mr. Chelminiak said he is very interested in moving forward with the proposed project due to the involvement of trusted partners, Congregations for the Homeless and Imagine Housing.

Mr. Chelminiak observed that Bellevue's values are compassion, responsibility, and success. As a member of the King County All Home Coordinating Board, he shared his perspective that

individuals have some responsibility in getting themselves out of homelessness. He said most of the Board members were not interested in discussing that issue. However, certain members representing the Eastside and South King County were in agreement.

Mr. Chelminiak said the organizations involved in the Eastside project are local and have compassion for the homeless. He observed that individuals who have presented negative comments about the proposed project have compassion for the homeless as well.

Mr. Chelminiak said the project partners understand they have a responsibility to the community and to the homeless individuals they serve. While the shelter is low-barrier in terms of gaining entry, there are high standards for appropriate behavior to stay in the shelter. Mr. Chelminiak said he wants to ensure that the City's involvement influences the choice of operators for the facility. He said Bellevue needs to work with the project partners and to be a guiding influence.

Mr. Chelminiak said CFH and Imagine Housing have strong track records of success. He said the project is not about receiving a stipend for each person served. The goal of both organizations is to move people out of homelessness.

Mr. Chelminiak said that, if the City moves forward with its involvement in the project, it will be important to establish an outreach team to those in need of help. He said there is a need to help the homeless on the Eastside who are sleeping in parks and under freeway ramps. With regard to concerns about public safety, Mr. Chelminiak said there are ways to handle and mitigate risks. He observed that sex offenders live throughout the community, including five registered sex offenders living in the general East Bellevue neighborhood between Factoria and Main Street.

Deputy Mayor Chelminiak said Councilmember Robertson suggested, in another meeting, considering a code amendment prohibiting safe injection sites in Bellevue. He supports that suggestion. Mr. Chelminiak suggested that the best way to deal with general safety and operational issues would be through a development agreement, which would allow public involvement in agreements considered by the Council.

Councilmember Robertson said it is a Council priority to have a homeless shelter in Bellevue and to provide it in the Bellevue way, focusing on our values. She said it is important to make sure that those being helped make progress to move out of homelessness and that there is effective mitigation for the areas around the facility.

Ms. Robertson said there are many details to be learned, and she questioned whether that information can be prepared before the April 17 meeting. One unknown factor is project costs, including for City services potentially affected by the project. For example, the due diligence report refers to placing a Police bike patrol in the vicinity of the shelter, which would be a City cost. She would like more information on those types of issues.

With regard to the Eastgate site, Councilmember Robertson said she would like more information regarding concerns about the adjacent woods and greenbelt. While it provides a buffer for neighboring areas, it also provides a refuge that could create problems. She expressed

concern regarding the safety of Bellevue College students. Ms. Robertson said she is also concerned whether the project is consistent with the Eastgate Land Use Code Amendment (LUCA), including its redevelopment goals and plans for creating a gateway to Bellevue.

Councilmember Robertson said she did not initially realize that the project is 850 feet from certain residences. She would like more information about the potential use of the Lincoln Center site that houses the interim shelter. She said the City owns the site and would have more control to ensure that the facility is operating in the Bellevue way. She would like information regarding appropriate distances from other uses, zoning, and other issues related to the surrounding area. She said the current shelter is operating well. She said it would be good to know the City's costs for policing for the Lincoln Center site versus the Eastgate location. Additional factors related to the Eastgate site include security at the transit center and at Bellevue College. She would like an analysis of the Lincoln Center site.

Ms. Robertson would like information on capital and operating costs for the project and on operational standards. From reading the due diligence reports, she concurred with the suggestion for identification cards to understand who the individuals are and to track the success of moving individuals out of homelessness.

Ms. Robertson said she is in favor of a code amendment banning safe injection sites in Bellevue. She questioned whether the current code already bans that type of facility based on a general provision that bans land uses not specifically allowed. Ms. Berens said King County Councilmember Claudia Balducci indicated that the county is not considering a safe injection site in Bellevue. King County staff have communicated that to City staff as well. However, Ms. Berens said the City Attorney suggested it would be helpful to amend the code to clearly ban safe injection sites.

Councilmember Robertson suggested limiting the number of days or months a person could stay in the shelter and affordable housing if they are not making progress toward exiting homelessness.

Ms. Robertson questioned the timing for creating a neighborhood group to be involved in project planning. She questioned the topics of discussion and who the group would work with and report to. She would like to see a proposal on how the group would be established and the aspects of the project that the group could influence.

Ms. Berens said the concept of a neighborhood group was not addressed in the due diligence reports. The reports focused more on relationships with neighbors after the facility is in operation, including provisions for communications and monitoring.

Ms. Robertson said she would like to determine whether a citizens advisory committee (CAC) would be able to discuss and influence the project during the planning phase before the facility becomes operational. If a group is in place after the facility opens, who do they report to? Would the City, as a funding partner, have a role?

Councilmember Robertson said she supports code amendments regarding parking and car camping. She would like to establish a system for tracking the success of clients as well as monitoring secondary impacts to neighborhoods.

Councilmember Robinson said she looked at the demographics of the population to be served by the shelter. The current Eastside winter shelter serves 50-85 men per night and served a total of 513 individuals in 2016. The residents are mostly white men aged 25-54 years, and 42 percent are veterans. They are almost entirely from Bellevue, Kirkland and Redmond, with most coming from Bellevue. She said the problem of homelessness is not going away, and housing is critical in supporting individuals to improve their lives. She said the City is trying to determine the best way to help those individuals.

Ms. Robertson said that, in order to obtain housing, individuals must fill out forms and have an address for communicating with others. She said the resources provided with the day center will be invaluable in helping individuals with overall life skills.

Ms. Robinson outlined her thoughts on success in helping the homeless. She said similar programs exist at Andrew's Glen and August Wilson Place in Bellevue. She said success is affordable housing throughout the entire city versus in one area. Success involves a stakeholder group that exists throughout the lifetime of the shelter, a decrease in those returning to homelessness, and no negative effects on property values (as noted on pages 5-10 of the due diligence reports). She would like to see a shelter that is welcoming to the entire community, perhaps with a coffee shop work program and flexible community space. She said a successful shelter model could have adjacent market housing. The project should provide a safer environment than the current situation of the homeless living in woods and parks. Additional factors of success are enforcement tools to manage the parked RVs, panhandling, and encampments.

Councilmember Robinson supports prohibiting safe injection sites in Bellevue.

Ms. Robinson questioned the current encampment ordinance and the profile of the panhandlers. She suggested an outreach campaign to educate the public to not give money to panhandlers.

With regard to encampments, Ms. Berens said a City staff group shares information between the Police, Utilities, Transportation, and Parks Departments, and with Human Services staff. An outreach worker makes contact with individuals in encampments, if they are present. If not, the site is posted giving notice that belongings must be removed by a set date or the City will remove the items. If encampments are on private property, the City coordinates efforts with the property owners to address the problem. The City also works with the Washington State Department of Transportation (WSDOT) for encampments on state property.

With regard to panhandling, Ms. Berens said she will provide more information. The City has an ordinance but has restricted authority to prevent panhandling unless there is criminal activity.

Major Carl Kleinknecht said Congregations for the Homeless conducted a survey of panhandlers more than a year ago. The panhandlers seem to be a different group than those living in the local winter shelter. He has spoken with three individuals, and all three were housed. Major Kleinknecht said the ordinance prohibits aggressive panhandling including threats or coercion to obtain money from the public.

Councilmember Robinson questioned whether the police can address panhandling that distracts drivers. Major Kleinknecht said it could potentially be disorderly conduct if an individual steps into the roadway. However, the police would have to observe the behavior.

Councilmember Robertson asked about panhandlers with children in the right-of-way. Major Kleinknecht said that has occurred, and he described an incident involving a couple and baby who were panhandling during the holiday season. He said the police received a number of calls and sent Child Protective Services to assess the situation. However, it is not illegal to panhandle with an infant.

Councilmember Wallace indicated that, due to his foot injury, he would be leaving the meeting in time to watch oral communications during the later Regular Session from home.

Mr. Wallace said the City needs to improve its code with respect to the RV camping/parking issue. He said there needs to be a solution other than allowing the vehicles to remain parked if they move the vehicle enough to conceal the parking enforcement markings on tires. He noted to the public that the police will respond to complaints regarding RVs parked on local streets. However, he said the Council can do more to give the police better tools to address the issue. Mr. Wallace said he wants to be sure that Bellevue's camping ordinance prevents the problems currently existing in Seattle.

With regard to the proposed Eastgate shelter, Mr. Wallace acknowledged the need for a permanent shelter site. He suggested a maximum capacity of 100 beds. He observed that there are project-specific issues and site-specific issues.

With regard to the project, Mr. Wallace posed the following questions:

- Who owns the land?
- Who will own the building?
- Who is developing the building?
- Who are the occupants of the building once developed?
- What are the agreements between partners?
- Who is applying for the project permit? What types of permits are required?
- What agreements govern the rules of operation?
- Of the agreements applicable to the project, which ones do the City have the ability to influence? Which ones put the City in the best position to influence the outcome that is right for Bellevue?
- How is the project funded? Is Bellevue a direct funder in the facility? If not, would the City have better leverage if so? Should the City be a direct funder versus funding through

A Regional Coalition for Housing (ARCH)? Would that provide better control for the City?

- What are the rules of operation? What barriers are there? How do the operators triage the men who access the facility?
- What are the mitigation measures, and how might they vary for different sites?

Mr. Wallace concurred with Deputy Mayor Chelminiak's suggestion for development agreements because he feels that provides the best flexibility for the City.

With regard to site-specific issues, Councilmember Wallace questioned whether the Eastgate location is the only site that would work for the proposed project. He concurred with Councilmember Robertson's request for an in-depth analysis of the Lincoln Center site. He observed that the alternative sites listed in documents were identified before many details about the project were known. Now that more is known, he suggested going back and conducting an additional review to determine whether there is a better location with a lesser impact on neighborhoods. He observed that the analysis could be completed without slowing down the project because the project elements would likely apply to any location.

Mr. Wallace said he would like an analysis of at least one other option to compare to the Eastgate location. He noted that, if there is only one option and it fails, what is the course of action? Mr. Wallace said the City needs to find a permanent solution with a 100-bed facility. However, more time is needed to analyze a comparison site.

Councilmember Lee recalled the Council's past efforts developing regulations governing Tent City 4. He said those regulations were focused on creating a Bellevue-appropriate solution, which he feels is very important. He observed that everyone has compassion for the homeless, and everyone wants to see measurable outcomes related to the proposed project. He concurred with comments by Councilmember Robertson and Councilmember Wallace.

Mr. Lee said a missing component in the information is the project costs. He said there is still a great deal of uncertainty about the project including risks, costs, public safety, mental health needs, operations, and project partners. Mr. Lee said he does not want to delay the project. However, it is important to have more information, including answers to questions raised this evening, before moving forward. He said the Council is committed to the need for the project. However, many issues need to be considered. He concurred with Councilmember Robertson's suggestion for a neighborhood group to monitor and address concerns on an ongoing basis.

[Councilmember Wallace left the meeting at 7:41 p.m.]

Councilmember Simas concurred with the comments and questions posed by Councilmembers Robertson and Wallace. He said there is a clear need in Bellevue to address homelessness. He said his initial impression was that the Eastgate location was a good site for the proposed facility due to the proximity of transit, social services, and education programs at Bellevue College. He said the goal of the shelter program should be to permanently move individuals out of homelessness.

Mr. Simas said that, as he read all of the information and spoke with staff, he realized that many details about the project are missing. He thanked the community for their extensive input and engagement. He questioned the role of Bellevue College related to the project and how the police will address public safety in the area. He suggested there will be additional law enforcement costs at any location. However, the important issue is effectively managing the costs in a way that keeps all Bellevue citizens safe.

Councilmember Simas expressed support for creating a community group and providing answers to questions before the project plan's are finalized. He noted the importance of transparency and said there needs to be a comfort level within the community and adjacent neighborhoods.

Mr. Simas expressed support for an analysis of the Lincoln Center site. He will consider the project successful if it addresses the needs related to homelessness, affordable housing, and the overall community.

Mayor Stokes observed a Council consensus in favor of prohibiting safe injection sites in Bellevue. With regard to establishing a citizens committee, he expressed concern that the process would be delayed, potentially over a two- to three-year period. He said construction of the facility will take two to three years. He observed that the questions raised by the Council center around determining how the City and community can make the project work. If the process goes back to reviewing site alternatives, Mr. Stokes suggested that the project will be delayed and the problem of homelessness will worsen.

Mr. Stokes said the Council made a commitment to the project in the letter of agreement signed last year. He suggested that many of the Council's questions are answered in the due diligence reports or can be answered relatively soon. He expressed concern about delaying the project. He said sometimes a decision needs to be made based on the best information available at the time. He observed that the issues associated with a site will essentially be the same at any location. He said he is hearing community concerns about how the project will operate and about public safety.

Mayor Stokes said the shelter and housing project affects all of Bellevue, and the issues are complicated. He concurred with suggestions for further study of the Lincoln Center site. However, he is not sure there are other viable alternatives. He observed that many of the questions being asked can only be answered as the project moves forward. He acknowledged that this is a difficult issue and there needs to be a balance in meeting needs and concerns.

Deputy Mayor Chelminiak said the process needs to reach a point in which the Council and the City can move forward. He posed the following questions he would like to see answered by April 17: What is the framework for Bellevue's involvement? Should there be direct City investment? What other sites could be considered, and what are their advantages and disadvantages? What can be achieved at those sites?

Mr. Chelminiak said he knows of only two viable sites: 1) King County-owned utility site near the proposed Eastgate location, and 2) Lincoln Center, which would require significant dollars to place the facility on the site. Given the future extension of NE 6th Street, Mr. Chelminiak said he does not think the Lincoln Center site is large enough for the proposed shelter and housing project. However, he is interested in further analysis as suggested by his colleagues.

Additional questions include: What is the financial role of the City? What is the City's land use role, and what are staff's best recommendations for that (e.g., development agreements)? What are the long-term implications? Who are the partners and how does the City ensure a successful facility? Mr. Chelminiak said he believes the Council would be able to make a decision about whether to move forward with answers to those questions. If the City is not a partner, the City would be simply the land use regulator in reviewing and issuing permits for the project.

Mr. Chelminiak requested staff's advice regarding the establishment of a citizens group. When would that occur, and who would be involved? He said this is ultimately a private development. He said his neighborhood includes commercial property, and neighbors do not have a group that is able to influence how those businesses are operated. He said there should be public involvement in the shelter project. However, he would like a recommendation from staff on its role and how it might be structured. He envisions that the Police Department and Human Services Division would be involved in those activities.

Mayor Stokes said the Council needs to look at the project from the perspective of the overall community, including with regard to costs. Regardless of the selected site, he said most of the questions need to be studied and answered. He said there will be ongoing public involvement as the Council continues to discuss the project.

Councilmember Lee said good questions have been raised by the Council and the public. He reiterated his interest in the City's costs related to the project.

At 8:00 p.m., Mayor Stokes declared recess to the Regular Session.

Kyle Stannert, CMC
City Clerk

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