

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Session

October 2, 2017
8:00 p.m.

Council Chamber
Bellevue, Washington

PRESENT: Mayor Stokes, Deputy Mayor Chelminiak¹, and Councilmembers Lee, Robertson, Robinson, Simas, and Wallace

ABSENT: None.

1. Call to Order

The meeting was called to order at 8:08 p.m., with Mayor Stokes presiding.

2. Roll Call, Flag Salute

All Councilmembers were present. Councilmember Lee led the flag salute.

Deputy Mayor Chelminiak commented on the tragedy of the Las Vegas mass shooting overnight. He quoted one of the musicians from the concert who said: "It is really sad that it takes the worst in America to bring out the best in America." Mr. Chelminiak said he knows that everyone's thoughts and prayers are with those directly affected by the event. He commended the first responders for their excellent work in a very challenging situation.

(a) Walk to School Day Proclamation

Mayor Stokes said this is the 15th year the City has been involved with International Walk to School Day, which has 10 Bellevue schools participating this year. He read the proclamation recognizing October 4 as International Walk to School Day in Bellevue. Mr. Stokes noted that the neighborhood transportation congestion, connectivity and safety levy approved by the voters in November includes sidewalks, trails, and other projects that are consistent with encouraging safe walking and exercise. The meeting was paused for photographs of the Council and the Walk to School Day representatives.

Janine Thorn, representing Ardmore School's Parent, Teacher, and Student Association (PTSA), said she is the chairperson for the Walk to School Day event at the school. She thanked the Council for the proclamation. Pierce Thorn said he is a fourth grade student at Ardmore

¹ Deputy Mayor Chelminiak left the meeting at 9:38 p.m.

Elementary School. He said Walk to School Day is important because it provides the opportunity for exercise to maintain a healthy weight and to stay strong. Three young students from Somerset Elementary School said Walk to School Day is great for exercise and for having the chance to say hello to friends on the way to school. They said walking to school is fun, and students will feel happy and accomplished upon arriving to school.

Ms. Thorn invited everyone to walk with the students on Wednesday.

3. Approval of Agenda

- Deputy Mayor Chelminiak moved to approve the agenda, and Councilmember Robertson seconded the motion.
- The motion carried by a vote of 7-0.

4. Communications: Written and Oral

- (a) Linda Nohavec noted that Michelle Wannamaker had surgery on her ankle and she looks forward to further engagement with the Council and the City upon her recovery. Mayor Stokes wished her well.
- (b) Don Marsh, President of the Coalition of Eastside Neighborhoods for Sensible Energy (CENSE), said they submitted a request to the Washington Utilities and Transportation Commission (WUTC) asking them to require PSE to update misleading or out-of-date assumptions the company has been using to justify the construction of the Energize Eastside project. He noted that he provided a copy of the request to the City. The letter questions PSE's growth projections, the amount of energy that Washington is obligated to send to Canada, the federal reliability standards applicable to the project, and the feasibility of modern technologies (e.g., batteries) to reduce peak demand for electricity. He highlighted the benefits of batteries, including the ability to deploy them to areas with power outages. He said the use of batteries is safer than collocating the new transmission line with the oil pipeline. Mr. Marsh said there are better solutions than what PSE is offering, and CENSE will continue to explore alternatives.
- (c) Pamela Johnston encouraged the Council to examine multiple factors in its consideration of the Downtown Livability Initiative Land Use Code Amendment (LUCA). She said air and light are important, but the Council should consider other factors that meet community goals.
- (d) Karen Morris spoke about issues of trust related to the proponents and opponents of the men's homeless shelter. She recalled past comments before the Council that there have not been any problems associated with the shelter. She said there are problems, however, which she has discussed with a shelter representative. She urged everyone to research issues and to make only factual statements. She said sharing false information and untrue statements are not conducive to the discussion or to building trust toward solutions that work for everyone in the community.

5. Reports of Community Council, Boards and Commissions: None.
6. Report of the City Manager: None.
7. Council Business and New Initiatives

Councilmember Wallace presented a proposal regarding the men's homeless shelter and supportive housing project. He recalled that staff looked at five sites for the shelter and determined that the Eastgate location was the only viable site. In April, staff added Lincoln Center and Sound Transit's light rail operations and maintenance facility in the BelRed corridor (OMF East) as potential locations.

Lincoln Center is on 116th Avenue across I-405 from City Hall. Mr. Wallace said the building is not code compliant and the current seasonal shelter cannot be permanently housed there year-round. The Eastgate proposal sites the shelter on King County's property and involves a partnership with Congregations for the Homeless, Imagine Housing, and the City. Mr. Wallace said the shelter project includes 100 beds, a day center with 125 seats, complementary social services, and 50-60 affordable housing units.

Mr. Wallace described the OMF East site on 120th Avenue NE, which is adjacent to property targeted for transit-oriented development (TOD). He noted a parcel owned by the City that could accommodate the shelter project. He said the City has not committed to transferring the parcel to Sound Transit. He said the seasonal shelter was in the BelRed corridor for many years and there were no problems related to the shelter.

Councilmember Wallace described Sound Transit's concept design for its maintenance facility, which was presented to the Council in June 2017. He said the design was developed under a confidential arrangement involving a Bellevue staff member, but it was never presented to the Council or the public until June.

Mr. Wallace noted that the City-owned parcel overlaps two buildings included in Sound Transit's design for its maintenance facility. He said he worked with an architectural firm with the goals of adjusting the City's parcel boundary to accommodate the shelter and of staying out of the way of Sound Transit's TOD plans. He said the new, reconfigured parcel is the same size as the current parcel. Mr. Wallace said his proposal preserves the anticipated 1.2 million square feet of development potential in the TOD area, while also accommodating the shelter.

Mr. Wallace described a graphic depicting the proposed site plan. He said the project has a minimal impact on Sound Transit's plans while allowing the City to achieve its goal of providing a permanent shelter. He described the floor plans of the shelter, which includes the same components as the Eastgate proposal and adds the option for congregate housing with smaller rooms and community kitchens and living areas. Mr. Wallace proposed that Congregations for the Homeless operate the entire facility, which would enable individuals to move from the overnight shelter into more stable housing in the apartments or congregate housing.

Councilmember Wallace said Sound Transit sent a letter to the City approximately one month ago, taking issue with the proposed siting of the shelter at the agency's maintenance facility. The letter refers to the Memorandum of Understanding (MOU) and Implementation Agreement established between Bellevue and Sound Transit in 2015. Sound Transit's letter states that the MOU calls for 1.2 million square feet of TOD. Mr. Wallace noted that his proposal preserves that development capacity for TOD. The letter further states that Sound Transit has no interest in revisiting its plans and designs.

Councilmember Wallace said the City has not agreed to transfer its parcel to Sound Transit, and the City and Sound Transit need further discussion of the plans for the area. Sound Transit's letter states that the MOU and Implementation Agreement must be honored. However, he noted that his proposal is consistent with both of those agreements.

Mr. Wallace said Sound Transit's letter states that the shelter project will undermine the feasibility of achieving the envisioned TOD. He clarified that the shelter is separate from the TOD. Sound Transit's letter further states that the agency cannot recommend endangering the TOD vision by issuing a request for proposals (RFP) for developers that includes or seeks to incentivize a shelter. Mr. Wallace clarified that Sound Transit's comment is not relevant to his proposal, which involves a separate boundary line adjustment between the City's parcel and shelter project with Congregations for the Homeless and Sound Transit's project.

Councilmember Wallace said he hopes the proposal will help to advance the conversation regarding the shelter project. He urged the City to work with Sound Transit now to adjust the parcel boundaries.

Councilmember Robertson thanked Mr. Wallace for the presentation and for his ability to envision development solutions. Ms. Robertson said she finds it slightly appalling that Sound Transit states that the City does not have the right to negotiate regarding the use of City-owned property. She would like to know from staff the process or schedule for addressing the buildings in Sound Transit's plan that overlap the City's parcel.

Deputy City Manager Kate Berens said staff has been involved in the RFP process for the design-build contract, including participating in scoring and evaluating the proposals. She said Sound Transit's plan is a concept design. The next step is to work with Sound Transit to establish the RFP process for the TOD project. Sound Transit will issue a Request for Information (RFI) next year, which will help the City understand how the market might respond to this opportunity. Ms. Berens said staff will engage the City Council to determine how the City-owned parcel might be used to accomplish the overall objectives of the MOU and Implementation Agreement.

Councilmember Robertson questioned whether Sound Transit or another party would be allowed to apply for permits for a project on the City-owned parcel. Ms. Berens said the MOU and Implementation Agreement call for Sound Transit to create a Master Development Plan for its OMF East project. Ms. Berens said Sound Transit submitted the plan to the City. The City subsequently submitted a letter, as the property owner, to the permitting agency indicating that the City understands that Sound Transit's plan is part of the MDP process.

Ms. Berens said the purpose of the MDP is to provide details about the OMF East facility. With regard to the TOD property, the City advocated for a single MDP to provide better certainty about how the TOD property would relate to the OMF East. Ms. Berens said the City previously bargained for certain utilities to be connected across the OMF East property to serve the TOD area, in order to make it more attractive for development when Sound Transit completes its project. She said the MDP is the entitlement for Sound Transit's OMF East project, and it sets the stage for future TOD. Ms. Berens said there is nothing that requires the City to sell the property or to contribute it to future TOD.

Responding to Councilmember Robertson, Ms. Berens confirmed that the disposition of the City-owned parcel falls under the Council's authority. Ms. Robertson said the City needs to have discussions with Sound Transit about the City-owned parcel, regardless of the status of Sound Transit's current design.

Deputy Mayor Chelminiak said he had a presentation as well. He noted there have been ongoing, serious discussions with Sound Transit. He said he has been a strong advocate for a permanent site for the Congregations for the Homeless shelter.

Mr. Chelminiak said there has been a multi-year process with A Regional Coalition for Housing (ARCH) to find a site for the shelter. During that process, a proposal came forward from King County, Imagine Housing, and Congregations for the Homeless to use the Eastgate King County Public Health site. He said King County is the major funder of the project. Mr. Chelminiak said he wants to have a shelter with a housing component.

Mr. Chelminiak said the City has conducted an extensive public process with a number of public meetings. He said some individuals have overstated the risk and others have understated the risk associated with a shelter. He said he was aware of some problems that occurred with Tent City 4.

Mr. Chelminiak said the Council adopted the Eastgate Land Use Code Amendment (LUCA) in September, which allows for a shelter, day center and supportive housing. He said the City has fulfilled the letter of agreement regarding the shelter project, and the next step is for King County to compile the funding agreement, property agreement, and other documents. Mr. Chelminiak said he would encourage the development of an operational plan for discussion as well.

Mr. Chelminiak noted principles from the City's Comprehensive Plan and the County's All Home Plan, which support the goal for homelessness to be rare, brief, and one time. He said a shelter is necessary to accomplish that goal. He said there also needs to be housing for individuals after they have spent time in the shelter. He said the City has developed an affordable housing plan and increased its funding for housing issues and services. Mr. Chelminiak said CFH's model of combining the day center and overnight shelter has been a success.

Mr. Chelminiak recalled that all of the Councilmembers were angry when Sound Transit initially proposed siting its operations and maintenance facility in Bellevue's BelRed corridor. He said that he and Councilmember Robertson went before the Sound Transit Board to advocate for retaining the 1.2 million square feet of development capacity. Mr. Chelminiak said Sound Transit

has kept its word and has been working with City staff, elected officials, and stakeholders. He said there was a small part of the process, developing the 30-percent design concept, that involved one City staff person.

Deputy Mayor Chelminiak said Sound Transit brought in HR&A Advisors, an economic development and real estate firm with a strong national reputation, to create its plan. The firm considered a number of plan options for how the OMF East could fit into the selected location. The design resulted in locating the TOD closer to the light rail station. Mr. Chelminiak said the consultants focused on having an exemplary goal, value through placemaking, embracing the vision and principles, and maximizing the utilization of residual land. He said the City's parcel is residual land that anticipates retail development. He said Councilmember Wallace proposes using that parcel for the shelter.

Mr. Chelminiak said the Sound Transit plan has been carefully designed to accommodate retail, office, and parking. He said adjusting the plan, including moving buildings, becomes much more difficult. He said there are connections to be made, including a connection through the development to the Eastside Rail Corridor.

Mr. Chelminiak said the City has been working cooperatively with Sound Transit to ensure that the TOD development is consistent with the MOU. He said the stakeholder committee includes the Deputy City Manager, Deputy King County Executive, REI, Children's Hospital, University of Washington, representatives of the Eastside Rail Corridor, nearby property owners, and himself. He said the key is to determine the value of the City's parcel as well as the potential public purposes. He would like to see a park and affordable housing, the latter of which could be provided as part of the TOD, as a Bellevue Housing Trust Fund project, or through some type of revolving loan fund.

Mr. Chelminiak suggested allowing Congregations for the Homeless, Imagine Housing, and King County to move forward with developing their Eastgate site plan. If they are not going to move forward, the City could decide to take another approach.

Deputy Mayor Chelminiak said there are at least two sites he prefers over Councilmember Wallace's proposal. He said he believes his proposal is consistent with previous policy decisions by the Council.

Councilmember Lee complimented his colleagues on their presentations. He said he did not recall discussing Sound Transit's design for the OMF East site. He said there is always the opportunity to change things. He said the shelter topic is complex and important, and requires a comprehensive analysis and discussion.

Mr. Lee expressed an interest in Councilmember Wallace's proposal and would like to know more about it. He thanked Mr. Chelminiak for his presentation of the history of the shelter project and Sound Transit's maintenance facility. Mr. Lee said he would like a holistic review and discussion of the shelter project and issues.

Councilmember Wallace said his proposal is preferable because the shelter and residential component of the project could be collocated. He said it is in both the City's and Sound Transit's best interest to work collaboratively to determine the use of the City-owned parcel. Mr. Wallace noted that the space currently designated for retail use on the City-owned parcel is 1,887 square feet, which is relatively small. He said the concept design for the TOD component was not developed by Sound Transit through the typical public process that the City would use.

Councilmember Wallace said the OMF East stakeholder group was the equivalent of redesigning the Downtown Park with a group composed of Kemper Development, his tenants, and his consultants. He said Sound Transit's TOD site was designed under a confidentiality agreement with the participation of one City staff member. Mr. Wallace said a concept design can be easily changed, and now is the time to make changes. He said it is not appropriate for Sound Transit to state in its recent letter that the conversation is closed. Mr. Wallace said the conversation is just beginning for everyone who was not involved in the stakeholder group or the confidential design team.

Responding to Mr. Chelminiak, Mr. Wallace highlighted the buildings included in Sound Transit's concept design, noting that he proposes placing the shelter in the space designated for the retail kiosk.

Mayor Stokes noted his understanding that the City has not committed to the concept design. He said Sound Transit cannot build on the City's property unless the City agrees.

Responding to Mayor Stokes, Ms. Berens confirmed that Sound Transit's plan is a concept design, which was intended as part of the RFP process for the OMF East to encourage maximizing the ability of the surplus properties to support the development envisioned for the BelRed corridor. Based on previous Council direction and the TOD principles, MOU, and the Implementation Agreement, staff has had many conversations regarding a shared objective for the City's and Sound Transit's properties as they relate to TOD. Ms. Berens said the City has not committed to selling its parcel or to allowing a specific type of development. However, the City has been participating with Sound Transit for several years under the assumption that the area would result in a market development.

Councilmember Robinson said she appreciates everyone's support for a homeless shelter in Bellevue. She thanked Deputy Mayor Chelminiak and Councilmember Wallace for their work. Ms. Robinson said she has received feedback from the community expressing concerns that the Eastgate site is too close to existing neighborhoods. She estimated that the nearest residence is approximately 500 feet, while the BelRed shelter is less than 100 feet from planned multifamily housing.

Councilmember Wallace noted there is currently no development near the OMF East site in the BelRed corridor, except for a warehouse across the street. He said the Eastgate plan places the shelter near existing residential properties, while the area around the OMF East is vacant land near the former shelter site, which experienced no problems or complaints from the community. He said the concept design can be changed to accommodate the shelter and mitigate the project's impacts.

Mr. Wallace said the intent of the shelter is to build it in accordance with the design guidelines from the BelRed code, consistent with the underlying zoning to be complementary to the other types of uses in the area. He said the shelter fits within the nature and feel that the City is trying to achieve with TOD in the area.

In further response to Councilmember Robinson, Mr. Wallace said the shelter and future multifamily housing can be designed to be consistent with each other. He recalled that Ms. Robinson has suggested in the past that it is a good idea to have a mix of income levels within a multifamily housing development. Ms. Robinson confirmed Mr. Wallace's recollection. Mr. Wallace said this is an opportunity to work with Sound Transit in developing TOD, and to locate the shelter and affordable housing component next to other residential development. He said the State requires that affordable housing needs to be provided. He said this is an opportunity to achieve the goals of the shelter as well as a new vision for affordable housing that mixes income levels.

Deputy Mayor Chelminiak said there are 300 housing units close to the proposed shelter site in the BelRed corridor, and 500 more housing units are planned. He said there has been a dramatic change in the neighborhood, which will continue to experience change, including more residential development, until light rail begins operating in 2023. He said both the Eastgate and BelRed sites are very similar.

Councilmember Wallace said he would like to get the process back to where it should have started, which is a thorough analysis of multiple sites instead of deciding on one site. He suggested moving forward with an open and honest discussion about both the Eastgate and BelRed locations.

Councilmember Simas complimented Mr. Wallace for presenting a compelling plan. Mr. Simas suggested that, instead of focusing on the areas surrounding the proposed sites, the City should be focusing on how it can design a shelter to make it work in the community. He said Mr. Wallace's proposal is an opportunity to determine how to take care of those needing assistance, the best environment for doing so, and the rules for the facilities that house the homeless and low-income individuals.

Mr. Simas opined that arguing about the distance to other uses loses sight of the problem to be solved, which is the problem of homelessness and how to help individuals in a way that is safe for them and the overall community. He said shelter facilities are badly needed, and he is open to considering two shelters in two different areas of Bellevue.

Councilmember Robertson thanked her colleagues for the presentations. She noted that she disagrees with some of conclusions that were inferred in Deputy Mayor Chelminiak's presentation. She said the Council unanimously approved the shelter letter of agreement. However, the agreement was considered approval for further exploration and due diligence. She stated her understanding that King County has not fulfilled its obligations under the letter of agreement. However, she has not received an update on the status of the agreement in a number of months.

Ms. Robertson said she believes the Eastgate site is fatally flawed due to the forested area around the shelter and near Bellevue College and residences. She has spoken with police officers about the difficulty of ensuring public safety in the woods.

Councilmember Robertson said the letter of agreement was not a final decision to place the shelter on the Eastgate site. She is troubled that certain individuals are concerned about a future development versus an existing neighborhood. She said a new development provides the opportunity for a feasible design that works for the community.

Ms. Robertson said she would like staff to come back to the Council with a rough outline of the process for an update of the Eastgate site work. She suggested that the letter of agreement should be on the homeless shelter web page on the City's website. She also would like staff to propose the process for addressing the TOD area near the OMF East. She said the Council was not allowed to know about Sound Transit's process to design the OMF East and TOD, due to a confidentiality agreement. She and others wanted updates during that process but could not access information.

Ms. Robertson said it is time to negotiate the concept design and City-owned parcel with Sound Transit, whether or not the shelter is located at the OMF East site. She would like to see additional due diligence work on the concept design. She requested a schedule and process for further development of the TOD and OMF East plan and of the Eastgate proposal, as well as of the further work that Council directed some time ago about the Lincoln Center, Eastgate, and OMF East options.

Councilmember Lee said he does not support the Eastgate proposal. He suggested moving on to the next topic.

Mayor Stokes said this has been a good conversation. He recalled that the Council was aware of Sound Transit's process for the TOD concept design. He said it is not productive to state that work has been secretly conducted. Mr. Stokes concurred with Councilmember Simas' overview of the broader issues.

Mr. Stokes suggested that both the Eastgate and OMF East sites would work for the shelter, as would a number of other locations. He recalled that there was a conscious choice to not consider a shelter in the OMF East TOD area. He said the City held a number of public meetings on the shelter project, including a meeting at the Champions Centre approximately one year ago that drew more than 100 attendees. Five optional sites were presented during that meeting.

Mr. Stokes suggested that, based on past practices, there needs to be a full public process when the Council starts looking at the OMF East plan. He said the issue is how to provide the shelter and to make it safe, regardless of where it is located. He suggested it could be sited anywhere in Bellevue. He said the community needs to work together. He said providing a permanent homeless shelter has been a Council priority for a number of years.

Mayor Stokes said the former shelter in the BelRed corridor did not experience any problems. He said Sound Transit can plan TOD with or without the City-owned parcel.

8. Consent Calendar

Deputy Mayor Chelminiak highlighted the following items on the Consent Calendar: pedestrian and bike improvements along Newport Way, pedestrian improvements related to the development of the new Wilburton Elementary School, and the sanitary sewer replacement in the Vuecrest neighborhood.

→ Deputy Mayor Chelminiak moved to approve the Consent Calendar, and Councilmember Robertson seconded the motion.

→ The motion to approve the Consent Calendar carried by a vote of 7-0, and the following items were approved:

(a) Council Minutes

Minutes of September 11, 2017 Extended Study Session

Minutes of September 18, 2017 Study Session

Minutes of September 18, 2017 Regular Session

(b) Resolution No. 9312 authorizing the City Manager or his designee to execute the First Amendment to the 2016-2066 Funding Agreement between the City and Performing Arts Center Eastside (PACE) extending the date for performance of the obligations contained in paragraph 4.a. from September 30, 2017 to November 13, 2017.

(c) Motion to reject all bids for Bid No. 17058 for Storm Pond Retrofit, 501 West Lake Sammamish Parkway, CIP Plan No. D-64, redesign the project and call for bids at a later date.

(d) Resolution No. 9313 ratifying execution of the purchase order with Lydig Construction, Inc. for emergency repairs to the Bellevue City Hall north garage, in the amount not to exceed \$134,006.46, plus all applicable taxes.

(e) Ordinance No. 6373: 1) authorizing execution of a 2017 Washington State Military Department Public Assistance grant agreement (and supplements if necessary) with the Washington State Military Department (WSMD) and Federal Emergency Management Agency (FEMA) to accept up to \$236,489 in grant funding for the repair or restoration of damaged city facilities for incident(s) occurring between January 30, 2017 and February 22, 2017; and 2) amending the 2017-2018 Operating Grants, Donations and Special Reserves Fund adopted by Ordinance No. 6333 on December 5, 2016, as previously amended, to increase the appropriation by \$236,489 with the acceptance of the WSMD and FEMA grant; and 3) authorizing administrative officials to receive, and expend said funds as authorized in said Grant Agreement.

- (f) Motion to award Bid No. 17003 for Vuecrest Sanitary Sewer Replacement Project 2017 to Goodfellow Brothers, Inc., as the lowest responsible and responsive bidder, in the amount of \$1,525,460 plus all applicable taxes (CIP Plan Nos. S-66 and W-16).
- (g) Motion to award Bid No. 17085 for Woodridge Open Space Sewer Replacement to Road Construction Northwest, as the lowest responsible and responsive bidder, in the amount of \$413,836.00 plus all applicable taxes (CIP Plan No. S-66).
- (h) Ordinance No. 6374 amending Ordinance No. 5272, which established parking restrictions in the downtown area and certain other areas of the City, to establish time restricted parking on the east side of 111th Avenue NE between NE 4th Street and NE 2nd Street.
- (i) Ordinance No. 6375: 1) authorizing execution of a Memorandum of Understanding (MOU) with the Bellevue School District to accept \$515,165 to support construction of pedestrian improvements as a condition of the development of the new Wilburton Elementary School; 2) amending the 2017-2018 General Capital Investment Program (CIP) Fund to increase the appropriation by \$515,165; and, 3) amending the 2017-2023 CIP Plan to increase the project budget for the Neighborhood Sidewalks Program (CIP Plan No. PW-W/B-76) by \$515,165.
- (j) Resolution No. 9314 authorizing execution of Amendment No. 1 to the Professional Services Agreement with Jacobs Engineering Group, Inc. in the amount of \$784,300, for a total contract amount of \$1,422,651, plus all applicable taxes, to provide bid ready Plans, Specifications and Estimate (PS&E) to construct pedestrian and bicycle improvements on SE Newport Way, between 150th Avenue SE and Somerset Boulevard (CIP Plan No. PW-R-185).

9. Public Hearing

- (a) Public Hearing on Resolution No. 9315 authorizing execution of documents necessary to relinquish a water line easement and a portion of a sanitary sewer easement located at 16231 NE 12th Place, in consideration for the granting of replacement easements, the granting and recording of such replacement easements being deemed in the best interest of the public.

City Manager Brad Miyake introduced the staff report regarding Resolution No. 9315.

Ira McDaniel, Real Property Manager, recalled that, in May, staff presented a new administrative procedure for the release of easements. Staff has been working to process a number of easements under the new procedure.

Patti Ebert, Senior Real Property Agent, described the request to release two utility easements. City staff worked with the developer and determined that, with the redevelopment, the easements are no longer need. The original easements were both acquired in 1967 by the Lake Hills Sewer District and King County Water District 97. In the 1970s, the City assumed both of those districts, including their assets, real property, and easements.

Ms. Ebert recalled that, on September 5, the Council set the public hearing date and determined the easements to be surplus. On September 18, public notice was mailed to residents within a 500-foot radius and the public hearing notice was published in the newspaper. The property is located at the Viscaia Condominiums at 164th Avenue NE and NE 12th Place in the Crossroads area. She described a map showing the easements to be surplus.

Ms. Ebert said staff is requesting Council direction on Resolution No. 9315 following the public hearing.

- Deputy Mayor Chelminiak moved to open the public hearing, and Councilmember Robertson seconded the motion.
- The motion carried by a vote of 6-0, with Councilmember Robinson temporarily away from the dais.

No one came forward to comment.

- Deputy Mayor Chelminiak moved to close the public hearing, and Councilmember Robertson seconded the motion.
- The motion carried by a vote of 6-0.
- Deputy Mayor Chelminiak moved to approve Resolution No. 9315, and Councilmember Robertson seconded the motion.
- The motion carried by a vote of 7-0, with Councilmember Robinson returned to the dais.

Deputy Mayor Chelminiak left the meeting at 9:38 p.m.

10. Land Use: None.
11. Other Ordinances, Resolutions and Motions: None.
12. Unfinished Business: None.
13. Continued Oral Communications

- (a) Pamela Johnston said Councilmember Simas is right about the shelter discussion when he says that everyone is not talking about the right things. She said individuals are focusing too much on the site instead of the purpose and function of the facility. She said the City needs to decide its role and level of involvement in the shelter project. She understands that Lincoln Center cannot be a long-term shelter site. However, she recalled past comments that it could be used for another 1-2 years. She questioned the type of supportive housing under consideration, and whether it includes transitional housing and/or long-term affordable housing. She questioned the plan to place TOD residential housing next to Sound Transit's OMF East, which is an industrial, 24-hour facility.
- (b) Sid Golestane expressed concern about placing the shelter near existing housing in the Eastgate area. If the shelter is sited in the BelRed corridor, future residents will have a choice about whether to live there. He said there was no public process by the City, and residents were not notified about the Eastgate proposal until after the Council made a decision. He said public meetings were not held until the negative public reaction to the City's process.
- (c) Lara Litov expressed support for Councilmember Wallace's proposal, which solves many of the problems that residents are trying to solve. The site is near the hospital and medical offices, the Police Department, a methadone facility, and other facilities and services. She expressed concern that Deputy Mayor Chelminiak does not want to consider siting the shelter in the Spring District. Ms. Litov said she reviewed the letter of agreement earlier in the day, and it is clear that it is a non-binding agreement to move the discussion of an Eastgate shelter and housing project forward. She said Mr. Wallace's proposal provides a good opportunity for the homeless and fits with the regional plan. She does not understand how anyone would oppose it.
- (d) Tzachi Litov thanked Deputy Mayor Chelminiak and Councilmember Wallace for their presentations. He said Mr. Chelminiak indicated there has been an extensive public process, which Mr. Litov believes is disingenuous. Mr. Litov said there are significant concerns in the community about the process. He noted Mr. Chelminiak's comment that there was unanimous Council approval of the Eastgate project. However, Mr. Litov recalled that Mr. Chelminiak made a statement at the time the letter of agreement was signed, that it did not represent a final decision to place the shelter and housing project in Eastgate. Mr. Litov expressed concern that no one is talking about the Eastgate TOD plan. He said he does not understand why Mr. Chelminiak does not want to consider siting the shelter at the OMF East site in the BelRed corridor. Mr. Litov said the area is a blank slate for redevelopment.
- (e) Julia Tai said she lives in a townhome near the proposed Eastgate shelter site. She learned about the project from the *Bellevue Reporter* newspaper, and not from the City. Following the publication of that article, the townhome residents initiated a meeting with the City. At that time, she asked whether any staff person had ever walked around the site, and she was told no. Ms. Tai said that, since that time, she and other residents have walked around the area to determine whether and how the impacts to neighbors could be mitigated. However, they concluded it is not possible to mitigate the impacts of the

shelter on residences. She said there is not a way to install security systems in the area. Ms. Tai invited Councilmembers to come and walk the property with residents.

- (f) Heidi Dean, a Newport Hills resident, said Sound Transit is an unelected board, and residents do not vote for the agency, Congregations for the Homeless, or Imagine Housing to speak for them. She said it is not right for those entities to have closed meetings with City staff without residents in attendance to represent their interests. She said that is what occurred for two years before the Eastgate shelter was announced to the public. She recalled the August 2016 Council meeting in which the Eastgate proposal was first discussed, and several Councilmembers expressed their surprise to learn about the proposal. She disagreed with the Deputy Mayor's earlier comments that there has been a lengthy public process.
- (g) Jim Nathman said the shelter due diligence report states that the Eastgate site is 2,500 feet by car. He questioned the assumption that a homeless man would have a car. He said the report states that Bellevue College is a short bus ride away. However, he opined that no one would take a bus when the shelter is approximately 100 feet from the college campus. He said the report indicates that the shelter will "prime the pump" for the Eastgate area. However, the existing shelter at Lincoln Center has not primed any pump for the Wilburton neighborhood. He recalled the first public meeting on the shelter project and said staff indicated that Eastgate was the only site considered. During a later meeting, staff presented information on three potential sites.

14. New Business: None.

15. Executive Session: None.

16. Adjournment

At 9:58 p.m., Mayor Stokes declared the meeting adjourned.

Kyle Stannert, CMC
City Clerk

/kaw