

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Session

November 5, 2018
8:00 PM

Council Chamber
Bellevue, Washington

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

ABSENT: None.

1. Call to Order

Mayor Chelminiak called the meeting to order at 8:00 p.m.

2. Roll Call, Flag Salute

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

(b) Pam Toelle Commendation

Mayor Chelminiak read the commendation honoring Pam Toelle's involvement with local government and her hard work on behalf of the community. Mr. Chelminiak introduced Pam's husband, Alan, and two daughters, Liz and Mary. Mr. Toelle thanked the Council for the recognition and noted that Pam's memorial service would be held on November 10.

Mayor Chelminiak paused the meeting to take photographs.

Councilmember Lee said Ms. Toelle was a wonderful volunteer in the community and he crossed paths with her on many issues. He noted that they both attended St. Margaret's Episcopal Church and would discuss concerns and ideas.

(a) Recognition of Representative Judy Clibborn and Representative Joan McBride

Mayor Chelminiak introduced Representative Judy Clibborn and Representative Joan McBride to recognize their service and retirement from the state legislature. He said both women served on City Councils and as Mayors, and continued to advocate for cities in the legislature.

Mayor Chelminiak said Representative McBride was relentless and decisive in working for the Eastside and was involved in preserving the Highland Village apartments in Bellevue for lower-income households. Mr. Chelminiak said she was compassionate, inclusive, and a good listener interested in all perspectives. He said Ms. McBride served Bellevue and all of her constituents well, and she will be missed.

Representative McBride thanked the Council for the recognition. She said it was a pleasure to represent Bellevue and to work together on transportation issues, the Highland Village project, and public records issues and regulations. She thanked Bellevue for its leadership with Highland Village. She expressed appreciation for her work with City Manager Miyake and Joyce Nichols, Director of Intergovernmental Relations. Mayor Chelminiak presented a bouquet of flowers to Representative McBride.

Mayor Chelminiak complimented Representative Clibborn for her tenacity and for her advocacy of transportation infrastructure projects, including the I-405 Master Plan and I-90 and SR 520 projects. Mr. Chelminiak said Ms. Clibborn's leadership was effective in building consensus across party lines and in finding solutions acceptable to a broad range of interests.

Representative Clibborn thanked the Council for the recognition and said she enjoyed working with the City on transportation issues. She said she will miss her colleagues in the legislature, who worked well together in a bipartisan manner. Mayor Chelminiak presented flowers to Representative Clibborn.

Mayor Chelminiak paused the meeting to take photographs.

Councilmember Robertson recalled that she first met Representative McBride when Ms. McBride was the Chair of the Houghton Community Council and Ms. Robertson was a young attorney who worked with the council. Ms. Robertson said Ms. McBride is kind, willing to listen, and passionate about her job. She thanked Representative McBride for her work in the areas of affordable housing and public records. Councilmember Robertson thanked Representative Clibborn for her contributions and effectiveness in the region, especially in the area of transportation funding.

Councilmember Stokes said his most meaningful moment as a City Councilmember was when Representative McBride announced to a group of residents at Stevenson Elementary School that Highland Village would be preserved as affordable housing. Mr. Stokes thanked Representative Clibborn for her leadership in the area of transportation and her ability to work throughout the community. He praised both representatives for their effectiveness and many accomplishments while serving in the legislature.

Deputy Mayor Robinson recalled Representative McBride calling her because she wanted to get involved in the Highland Village effort. Ms. Robinson said she has followed Representative Clibborn's career since the 1990s. Ms. Robinson said that both representatives have been an inspiration, and she thanked them for their service.

Councilmember Lee commended both Representative Clibborn and Representative McBride for their understanding and advocacy on behalf of cities. He thanked Ms. McBride for her accomplishments and work within the community. He thanked Ms. Clibborn for her work on statewide transportation packages, noting that her leadership was key in building consensus.

Councilmember Zahn said she hopes to have opportunities to talk to Representative Clibborn and Representative McBride periodically to seek their input and advice. Ms. Zahn commended Ms. Clibborn's work on transportation priorities and Ms. McBride's involvement in the area of affordable housing. She thanked them both for their leadership and service.

Councilmember Nieuwenhuis thanked Representative Clibborn and Representative McBride and said their influence and advocacy will be missed. He wished them well in retirement.

Mayor Chelminiak thanked both Representative Clibborn and Representative McBride for everything they have done for the community.

3. Approval of Agenda

Mayor Chelminiak noted Deputy Mayor Robinson's request to add an item for discussion under Agenda Item 7, Council Business.

- Deputy Mayor Robinson moved to approve the agenda, amended to add Item 7(b) to request a waiver of the Council's 8-hour rule. Councilmember Stokes seconded the motion.
- The motion carried by a vote of 7-0.

4. Communications: Written and Oral

- (a) David Bowling, representing Congregations for the Homeless (CFH), thanked the Council and City staff for their work on behalf of the men's homeless shelter. He noted that keeping the shelter open year-round instead of seasonally will enable CFH to retain experienced staff and allow staff to maintain ongoing relationships with the men they are helping. He said it will also provide the opportunity for CFH to collect more data regarding the shelter's residents and operations. He said CFH would like to have a permanent shelter and day center operational by 2022.
- (b) Fiona Cofield thanked the City, Police Department, and Parks and Community Services Department for resolving an unlawful camping situation at Larsen Lake. She first contacted the City on October 14, and the matter was resolved by October 24. She said the camper was given 72 hours to vacate. She noted previous incidents of illegal camping and wondered whether the situations could be resolved within a shorter timeframe. She expressed support for operating a year-round shelter at Lincoln Center. She encouraged the City to keep the parks clean and safe for everyone. In response to Ms. Cofield, Mayor Chelminiak said staff would provide information regarding the emergency declaration related to the continued use of the Lincoln Center shelter.

- (c) Ryan Yap, a senior at Bellevue High School, encouraged the City to develop a Climate Action Plan. He noted the increasing incidence of severe weather disasters. He said the younger generations will be forced to live with the results of actions that are or are not taken now. He said the City of Portland has great action plan. He urged the Council to create a strong plan with a schedule, outcomes, and budget.
- (d) Vishnu Mangipudi, also a student, expressed concern regarding climate change and the need to reduce greenhouse gas emissions. He said the King County-Cities Climate Collaboration (K4C) will not meet its reduction goals. He encouraged the Council to include funding in the budget to create a Climate Action Plan.
- (e) Lisa Leitner said she attended the Study Session and appreciated the discussion about the men's homeless shelter. She expressed support for David Bowling and the efforts of Congregations for the Homeless. She asked why the shelter is not currently able to remain open year-round. She thanked the Council and staff for their work.
- (f) Martine Smets expressed concern about climate change. She said she was lucky enough to grow up in Europe in a safe and clean environment. However, she is concerned about the future. She noted a number of things her family is doing to reduce their carbon footprint. She urged the City to create a Climate Action Plan.
- (g) Vic Bishop said he was speaking also for Ernie Simas and Todd Woosley, the other co-authors of the October 25, 2018 letter regarding Main Street mitigation and the Downtown Access project. He noted the opportunity to mitigate traffic impacts that can be expected when the Washington State Department of Transportation (WSDOT) reconstructs the Main Street bridge over I-405 as part of the Bellevue to Renton \$1.2 billion express toll lanes project. The approved I-405 Master Plan includes a new crossing of I-405 at NE 2nd Street as well as a new set of on- and off-ramps to and from the south, which are not included in WSDOT's current project. Mr. Bishop said WSDOT has concluded that the Main Street bridge must be replaced. However, traffic mitigation has not yet been addressed. The new ramps to the south were proposed in the I-405 Master Plan at NE 2nd Street. However, more than \$60 million in real estate has been constructed in the path of those ramps since the approval of the I-405 Master Plan. Mr. Bishop said those properties can be avoided if the ramps are constructed at Main Street. Mr. Bishop encouraged the City to require the construction of the NE 2nd Street bridge before any work moves forward on the Main Street bridge.
- (h) Pamela Johnston noted the *Redmond Reporter* article about a new 100-bed women's homeless shelter in Kirkland. She said the project's costs are very different from Bellevue's proposed men's homeless shelter. That project received a \$2 million loan from the King County Department of Community and Human Services as well as other funding. She said she was surprised that the City of Kirkland spent only \$1.15 million. She expressed concern about the cost of renovating Bellevue's men's homeless shelter in Lincoln Center for interim use.

5. Reports of Community Council, Boards and Commissions

(a) Transportation Commission Multimodal Level of Service Briefing

Lei Wu, Chair of the Transportation Commission, introduced Vice Chair Clifford Chirls. They provided an update on multimodal level of service (LOS), concurrency standards, and other mobility measures. Ms. Wu said the Commission worked with staff and the City's consultant to prepare a report recommending performance measures for each mode of travel, as well as standards and guidelines that reflect the land use context. She highlighted a number of the performance measures, including those related to walking and bicycling (e.g., pedestrian and cyclist comfort, safety and access). In the area of transit, the Commission identified several features to be included at bus stops including benches, shelter from the weather, and wayfinding. Ms. Wu noted that the Commission's overall review of transportation issues considered the relationship of land uses as well.

Vice Chair Chirls said the funding sources discussed by the Commission included the transportation impact fee, which is currently limited to usage for motorized capacity-related projects. He said that, while it is not the Commission's purview to recommend specific fees, the Commission suggested that the Council might want to consider expanding the use of impact fees for non-motorized transportation projects. Mr. Chirls said the Commission is seeking Council feedback and direction before refining specific options. He suggested a joint Commission-City Council study session on multimodal level of service issues in early 2019.

Councilmember Lee, liaison to the Transportation Commission, complimented the Commissioners for their innovative and creative approach to analyzing multimodal level of service priorities. He thanked them for their dedication and interest in serving the community. He said he appreciated the Commission's suggestion that the Council consider options for the use of transportation impact fees.

Councilmember Robertson thanked the Commissioners for the update and for their work. She noted that Comprehensive Plan Transportation Policy 30 guides the City's work on multimodal level of service and other mobility concurrency standards. She said those policies are helpful to the staff and the Council when scoring capital and levy projects. However, she expressed concern about the potential for expanding the use of impact fees beyond capacity projects. She said the City Council should provide policy guidance before the Commission continues its discussions. She said it is important to study the implications of modifying the impact fee, including impacts on development. She said the Council first needs to determine whether a new funding source is needed and/or whether current funding should be reallocated. Ms. Robertson said that, if the Council wishes to move forward to reconsider the uses for impact fees, it needs to provide a scope and guiding principles for the Commission's review.

Mayor Chelminiak said the purpose of tonight's update was to provide information for the Council before moving forward with a policy discussion next year. Councilmember Robertson said she wants to be sure that the Commission does not proceed without Council direction.

Councilmember Stokes thanked the Commissioners for the update and noted that he did not feel they were prematurely making a recommendation regarding specific fees, but rather that they were encouraging the Council to consider impact fee options. Mr. Stokes said he appreciated the input. He noted there is value in hearing ideas and suggestions from the City's Boards and Commissions. He thanked the Transportation Commissioners for their hard work.

Councilmember Zahn recalled working on the issue of multimodal level of service when she served on the Transportation Commission. She said that corridor travel speed was a measure that was piloted when reviewing the Eastgate area. The analysis led to including improvements in the Eastgate area in the neighborhood transportation levy package.

Responding to Ms. Zahn, Ms. Wu confirmed that the Commission discussed transit travel time as a measure of level of service as well. Ms. Wu said King County Metro has an ambitious long-range plan known as Metro Connect that includes a focus on expanding rapid ride lines and other transit services on the Eastside. Councilmember Zahn said this body of work is consistent with the Vision Zero and Complete Streets programs. She is pleased to see Bellevue's leadership in creating and using multimodal performance measures.

Mayor Chelminiak thanked the Commissioners for the update.

6. Report of the City Manager

[Items completed during earlier Study Session.]

7. Council Business and New Initiatives

(a) Remote Participation Request

→ Deputy Mayor Robinson moved that the Council allow her to participate remotely during the November 13, 2018 Extended Study Session. Councilmember Stokes seconded the motion.

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

(b) Request to Waive 8-Hour Rule

Deputy Mayor Robinson asked the Council to waive the 8-hour rule for staff time in response to an individual Councilmember's request for staff work. She would like staff to do some additional work in support of affordable housing and transit-oriented development (TOD). The Human Services Commission's report indicated the urgent need for affordable housing for low and moderate income households. Ms. Robinson said that helping individuals maintain housing stability is critical to making homelessness rare, brief and one time. Her request complements the Council's work to ensure there is a year-round men's homeless shelter as soon as possible, and is consistent with the Comprehensive Plan and the Affordable Housing Strategic Action Plan.

Ms. Robinson said her request is urgent because TOD is getting ready to permit and to go through the planning process. A large development boom around transit nodes is approaching. Deputy Mayor Robinson wants to ensure that the City does not miss the opportunity for affordable housing in TOD projects. She expressed concern that, if the City does not reach its affordable housing goals, the State and/or the County will mandate that Bellevue increase density in its single-family neighborhoods to create affordable housing.

Ms. Robinson asked the Council to waive the 8-hour rule to enable staff to conduct additional work in support of affordable housing with TOD projects. The work should include a review of: 1) the units that have been generated or are moving forward since the Council adopted the multifamily tax exemption (MFTE) program and the Affordable Housing Strategic Action Plan, 2) how that number of units compares to the City's goal of 300 new affordable housing units per year for 10 years, 3) additional strategies the City should pursue to reach the affordable housing goals, and 4) recommendations focused on TOD areas within a quarter mile or half mile of light rail or transit facilities, excluding single-family neighborhoods.

Mayor Chelminiak invited the Council's input about how to proceed with the request.

Councilmember Robertson said she first heard of the proposal today and is interested in having a discussion regarding the merits of the request. She said she was unclear about the scope of "additional work in support of affordable housing and TOD." She said the Council recently adopted the Affordable Housing Strategic Action Plan. She would like the opportunity to review a written version of the Deputy Mayor's request that outlines the scope of the requested work. Ms. Robertson recommended deferring the Council's discussion and providing a written proposal in the appropriate meeting packet. She noted that previous requests of this nature were presented in writing in the meeting packet in advance of the meeting.

Responding to Councilmember Zahn, Deputy Mayor Robinson restated that she was asking the Council to waive the 8-hour rule to allow staff conduct additional work in support of affordable housing in TOD areas. The work would include a review of the units generated or pending since the Council adopted the MFTE program and the Affordable Housing Strategic Action Plan, and how that number compares to the goal of creating 300 new affordable housing units each year for 10 years. It would include a request for staff's recommendations on additional strategies to achieve affordable housing goals and on TOD areas within one quarter mile or one half mile of transit or light rail facilities, excluding single-family neighborhoods.

Responding to Ms. Zahn, Mac Cummins, Director of Community Development, said staff would request a clarification regarding the items for further study, which will affect staffing and the other resources needed to respond to the request. He recalled that the Affordable Housing Technical Advisory Group (TAG) identified a number of strategies and solutions.

In further response to Ms. Zahn, Deputy Mayor Robinson expressed concern that the City will miss the opportunity for affordable housing in local TOD areas. Ms. Robinson would like staff to look at the housing stock created since the Council adopted the MFTE program. She would like staff to identify strategies for consideration by the Council as development and the light rail project continue to move forward.

Councilmember Nieuwenhuis said he would prefer to review a written proposal with more details regarding the objectives of the additional work. He thanked Deputy Mayor Robinson for her work and concurred with her concern about missing out on affordable housing opportunities.

Councilmember Lee said the affordable housing plan was approved by the Council and staff is moving the items forward. He invited staff to let the Council know how the proposed work fits into the efforts that are already underway. Mr. Lee said he would like a proposal from staff regarding the estimated time and resources needed to complete the work.

Councilmember Stokes expressed support for the request. He believes it is specific enough for staff to explore the issues that have been raised by the Deputy Mayor. He suggested that staff move forward with preliminary work and return to provide an update to the Council.

Deputy Mayor Robinson thanked her colleagues for the discussion. She would like staff to look at every strategy that has been reviewed in the Affordable Housing Strategic Action Plan. However, she is not asking staff to identify new items that have not previously been discussed.

Mayor Chelminiak expressed support for the request. He said he hears an interest in determining which strategies would be most effective in producing affordable housing related to TOD projects. He believes the request is consistent with the current work program.

Mr. Cummins said there were strategies and ideas considered by the Affordable Housing TAG that were not ultimately included in the approved Affordable Housing Strategy. His understanding of the Mayor's comment is to ask staff to examine the success of the currently adopted strategies. Deputy Mayor Robinson clarified that she is asking staff to look at all of the strategies that were reviewed by the Affordable Housing TAG and narrowed for the final action plan.

Councilmember Robertson reiterated that she would prefer to review a written proposal. She does not want to reevaluate and reconsider the items identified in the adopted Affordable Housing Strategy. She said there needs to be a realistic scope of work in light of planning staff's already heavy workload. She is open to further discussion regarding the proposal next week. She expressed an interest in learning about the effectiveness of the actions that have been implemented to date.

Mayor Chelminiak suggested that the Deputy Mayor work with staff to prepare a written proposal of her request.

8. Consent Calendar

→ Deputy Mayor Robinson moved to approve the Consent Calendar, and Councilmember Stokes seconded the motion.

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

- (a) Council Minutes
Minutes of October 8, 2018 Extended Study Session
Minutes of October 15, 2018 Study Session
Minutes of October 15, 2018 Regular Session
- (b) Resolution No. 9481 determining that the existing storm drainage easement located at 10700 SE 25th Street is surplus to the City's needs and no longer required for providing continued public utility service; and setting a time and place for a public hearing to consider the release of this easement.
- (c) Resolution No. 9482 authorizing execution of an amendment to increase the construction contract with Award Construction, Inc. (Bid No. 18035) by \$280,118.85, plus all applicable taxes, for a total contract amount of \$2,499,453.85, plus all applicable taxes, for the Wilburton Area Sidewalk Projects (CIP Plan Nos. PW-W/B-76, PW-R-199, PW-M-19, PW-M-7, and P-R-11).
- (d) Ordinance No. 6430 amending: 1) the 2017-2023 General Capital Investment Program (CIP) Plan to increase the budget for the Major Maintenance Program (CIP Plan No. PW-M-19) by \$280,971; and, 2) the 2017-2018 General CIP Fund to increase the appropriation by \$280,971 for maintenance work in the Eastgate Annexation Area and funded by annexation sales tax revenue provided through the State of Washington.
- (e) Resolution No. 9483 authorizing execution of all documents necessary to: 1) grant the City and the Norwood Village Corporation the option of pursuing a Boundary Line Adjustment to modify the property boundaries between the Norwood Village Neighborhood Park and the Norwood Village Corporation property currently leased by the Norwood Swim Club for a neighborhood pool, 2) convey approximately 2,240 square feet of Norwood Village Neighborhood Park property to the Norwood Village Corporation to be used for pool purposes, with a reversionary interest, in exchange for approximately 1,950 square feet of property from the Norwood Village Corporation to be incorporated into the existing park for public benefits, and 3) accept an easement for shared use of at least four (4) off-street parking stalls from the Norwood Village Corporation; such transaction providing the City with equivalent or greater value.
- (f) Resolution No. 9484 authorizing the use of digital and electronic signatures in the City of Bellevue.
- (g) Resolution No. 9485 authorizing execution of a four-year Professional Services Agreement with Puget Sound Executive Services (PSES) to provide Uniformed Police for flagging, traffic control and security services that are required on Transportation CIP projects, in the amount not to exceed \$625,000, plus all

applicable taxes, with an option to extend the contract for an additional year and \$125,000, plus all applicable taxes, with the same terms and conditions.

- (h) Ordinance No. 6431 amending Bellevue City Code Section (BCC) 4.09.030L, as previously amended, making minor changes to the definition of "engaging in business" as required by State Legislation creating a model municipal business license ordinance.
- (i) Ordinance No. 6432 amending Bellevue City Code section (BCC) 4.03.025, as previously amended, to add a threshold exemption for business registration/license requirements as required by State legislation creating a model municipal business license ordinance.
- (j) Resolution No. 9486 authorizing the payment of a hiring bonus of \$16,000 to new hire lateral police officers of the Bellevue Police Department to remain competitive with other jurisdictions that are seeking to fill these hard-to-fill vacancies.

9. Public Hearings

- (a) Resolution No. 9487 authorizing the execution of documents necessary to release a water easement located at 15500 NE 20th Street, that has been declared surplus to the City's needs and is no longer required for providing continued public utility service; the granting and recording of such release being deemed in the best interest of the public.

Ira McDaniel, Real Property Manager, requested Council approval to release utilities easements that are no longer needed by the City. If the City did not originally pay for an easement or receives a replacement easement, staff recommends against requiring financial compensation.

Hannah Peshkov, Senior Real Property Agent, described the water easement located at 15500 NE 20th Street that has been declared surplus to the City's needs and is no longer required for providing continued public utility service. The developer requested the removal of the water easement and will provide a replacement easement.

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

No one came forward to comment.

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

Responding to Councilmember Lee, Mr. McDaniel confirmed that the release of the easement has no financial impact to the City.

→ Deputy Mayor Robinson moved to approve Resolution No. 9487, and Councilmember Stokes seconded the motion.

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

(b) Resolution No. 9488 authorizing the execution of documents necessary to release a portion of one existing electrical service easement and the entirety of a second electrical service easement, located at 905 Shoreland Drive SE, that have been declared surplus to the City's needs and is no longer required for providing continued public utility service; the granting and recording of such release being deemed in the best interest of the public.

→ Deputy Mayor Robinson moved to open the public hearing, and Councilmember Stokes seconded the motion.

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

No one came forward to comment.

→ Councilmember Robertson moved to close the public hearing, and Deputy Mayor Robinson seconded the motion.

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

Responding to Mayor Chelminiak, Mr. McDaniel confirmed that the proposed release of electrical easements at 905 Shoreland Drive SE has no financial impact to the City. The developer will provide a replacement easement with the underground power line adjustment.

→ Deputy Mayor Robinson moved to approve Resolution No. 9488, and Councilmember Stokes seconded the motion.

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

10. Land Use: None.

11. Other Ordinances, Resolutions and Motions: None.

12. Unfinished Business: None.

13. Continued Oral Communications: None.

14. New Business: None.

15. Executive Session: None.

16. Adjournment

Mayor Chelminiak declared the meeting adjourned at 9:57 p.m.

Charmaine Arredondo, CMC
Assistant Director, City Clerk's Office

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