

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Meeting

June 27, 2022
6:00 p.m.

Council Chambers
Bellevue, Washington

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

ABSENT: Councilmember Lee

1. Call to Order

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

Mayor Robinson commented regarding the U.S. Supreme Court decision the previous Friday overturning abortion and privacy rights. She said the courts and politicians have no place in private medical decisions that belong between a pregnant woman and her family, their beliefs and their health care provider. She said it is crushing to witness the criminalization of a woman's right to choose. She noted the dramatic difference between those making the court's decision versus those most affected by the decision. Of the five Supreme Court justices who voted to make reproductive choice illegal for women, 80 percent are men. Ms. Robinson said that representation is about acting or serving on behalf of or in place of someone. Of the six states that have now made it illegal for a woman to choose to have an abortion, 66 percent of the governors are men.

Ms. Robinson said that taking away a woman's choice to have an abortion primarily affects young, impoverished Black women. She said that 68 percent of Black Americans support choice, 74 percent of young Americans support choice, 63 percent of women support choice, and 61 percent of all Americans support choice. Mayor Robinson said this is a strong lesson in the value of representation and she urged everyone to become involved in government, exercise their right to vote and to insist on having a seat at the decision-making table.

Councilmember Zahn said it feels like the country has gone back 50 years, and her daughters and future generations will have fewer rights as women than we did. As an elected official, Ms. Zahn said we cannot ignore the fact that this impacts every person in the community whether they are women or not. Since Friday, she has heard comments reflecting a sense of hopelessness, anger and frustration from the community. Ms. Zahn said many women have experienced an abortion for any number of reasons that are their own personal choice to make, and none of the decisions

are taken lightly. She said the ability to have bodily autonomy and to make our own choices about our bodies is key to our humanity and our individual freedoms.

Ms. Zahn said the overturning of the Roe v. Wade decision will not prevent abortions but it will make it more challenging and difficult for women who do not have the financial means and access to safe abortion and health care. She said that access to health care is a human right and dignity that should be available to everyone. She expressed concern about states where women have lost reproductive rights and about the potential for the courts to take away additional human rights in the future.

Councilmember Robertson said her first foray into politics was as a volunteer for the National Abortion Rights Action League when she was in college. In law school she worked on the Initiative 120 campaign in 1991, which codified Roe v. Wade in Washington state. Ms. Robertson said that when the Casey decision came out in 1992, she was still in law school. She recalled taking a big sigh of relief thinking that abortion and privacy rights were protected. She said the court's recent decision is devastating for everyone in American, especially for women and girls without the means to travel to another state for health care. The court took a fundamental right and turned it into a privilege for people living in certain states. Ms. Robertson asked what could be more fundamental than controlling our own bodies. Without bodily autonomy, a person cannot have economic freedom or other freedoms necessary to create the life that they want.

Ms. Robertson said she is devastated for her three daughters and future generations who, if they live in another state, will have fewer rights than she has had in her life. She said the court decision will lead to further inequity because people who have the means to travel to another state for health care will continue to have freedoms that others do not have. Councilmember Robertson said that overturning Roe v. Wade will not prevent abortions but will make women and girls less safe. She said that without bodily autonomy, we do not have life, liberty and the ability to pursue our own happiness.

- Deputy Mayor Nieuwenhuis moved to excuse Councilmember Lee from the meeting, and Councilmember Robertson seconded the motion.
- The motion carried by a vote of 6-0.

2. Roll Call; Flag Salute

City Clerk Charmaine Arredondo called the roll and all Councilmembers except Councilmember Lee were present. Councilmember Robertson led the flag salute.

3. Approval of Agenda

- Deputy Mayor Nieuwenhuis moved to approve the agenda, Councilmember Stokes seconded the motion.
- The motion carried by a vote of 6-0.

4. Oral Communications

- (a) Christopher Randels thanked Mayor Robinson, Councilmember Robertson and Councilmember Zahn for their comments. Speaking on behalf of the Complete Streets Bellevue organization, Mr. Randels expressed support for the Multimodal Concurrency Code amendments, which acknowledge that many people in Bellevue are already using transportation modes other than individual cars. With ongoing issues related to climate change and continued growth, Bellevue's future will need to rely more heavily on more sustainable and equitable forms of mobility than private vehicles. Mr. Randels thanked the Transportation Commission and the community for their work on the Multimodal Concurrency Code amendments.
- (b) Dr. Sue Mercer said she moved to Bellevue in 1969 and lives near Phantom Lake. She expressed concern that downtown streets are being blocked to accommodate development and construction. She said potholes and street overlays should have precedence over landscaping. She referred the Council and the public to her web site, metsof.com for the Mercer Evangelical Trade School and Orphanage Foundation, for more information. She said she hosts individuals experiencing homelessness in her home. She spoke to the urgent need for addiction and mental health services.
- (c) Alex Zimmerman commented on abortion rights and said that most women who have abortions are white.

City Clerk Arredondo indicated that there was no longer a Council quorum on the dais.

Mr. Zimmerman expressed concern about Amazon jobs in Bellevue and the impact on rental housing rates.

Mayor Robinson declared that the good thing about the United States of America is we have both freedom of speech and freedom of listening.

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

6. Report of the City Manager

- (a) Mobility Implementation Plan Award

City Manager Brad Miyake introduced staff's announcement of a recent award.

Andrew Singelakis, Transportation Director, said the City's Mobility Implementation Plan received the Puget Sound Regional Council's Vision 2050 Award. He thanked Transportation Commission Chair Karen Stash, Assistant Transportation Director Paula Stevens, and Project Manager Kevin McDonald for their work. Mr. Singelakis said the MIP was the result of extensive public outreach and work sessions with the Transportation Commission, and the plan provides the framework for multimodal transportation concurrency. A multimodal approach will

result in a transportation system that is equitable, measurable and sustainable. Mr. Singelakis thanked staff for the hard work recognized by the award.

Paul Inghram, Director of Growth Management, Puget Sound Regional Council (PSRC), said the organization represents four counties and 82 cities that work together on transportation, growth management, environmental and economic development policies. He said the Vision 2050 awards recognize efforts by jurisdictions to implement the region's Vision 2050 plan. He said Bellevue's Mobility Implementation Plan is an outstanding example of how planning ahead can meet a multimodal future both locally and regionally. He said the City's plan includes a performance measurement and prioritization system that aligns the transportation investments with the region's land use vision.

7. Council Business and New Initiatives: None.

8. Consent Calendar

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

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

(a) Council Minutes

Minutes of June 6, 2022 Regular Meeting

(b) Resolution No. 10106 authorizing the execution of a general services contract regarding fabrication and installation of a public artwork as part of the BelRed Subarea Plan with artist Po Shu Wang, in an amount not to exceed \$160,000, plus all applicable taxes, to build and install artwork, celebrate the BelRed Arts District, and support the growth of tourism in BelRed.

(c) Resolution No. 10107 authorizing execution of all documents necessary to implement settlement of the claim brought by Jeffrey Bohman in the amount of \$214,183.54.

(d) Resolution No. 10108 authorizing the execution of an Amendment to a Professional Engineering Services Agreement with DKS Associates, for an additional \$75,000, plus all applicable taxes, for a total contract amount of \$150,000, plus all applicable taxes, to conduct and document six Road Safety Assessments along Bellevue's High Injury Network for the School Zone Ped-Bike Road Safety Assessments (CIP Plan No. PW-R-205).

(e) Resolution No. 10109 authorizing submittal of three grant applications requesting a combined total of up to \$3.35 million from the State of Washington's Recreation and Conservation Office (RCO) for (1) up to \$2 million to assist with the cost of constructing a neighborhood park on 140th Avenue NE in the Bridle

Trails Neighborhood Area, (2) up to \$997,400 to assist with the cost of constructing a multi-use trail at Mercer Slough Nature Park to connect the Mountains to Sound and Eastrail regional trails, and (3) up to \$350,000 to assist with the cost of replacing the existing aged synthetic turf sports field at Newport Hills Park.

- (f) Ordinance No. 6666: 1) authorizing execution of a Spill Prevention, Preparedness, and Response Equipment Grant Agreement with the State of Washington Department of Ecology to accept grant funds in the amount of \$166,900 for the purchase of hazardous materials air monitoring equipment; 2) amending the 2021-2022 budget, to authorize the acceptance and deposit of said funds into the Operating Grants, Donations, and Special Reserves Fund in the amount of \$166,900; 3) appropriating the unanticipated grant revenues to that fund; and 4) authorizing expenditures of said grant funds for the purchase of hazardous materials air monitoring equipment.

9. Public Hearings: None.

10. Study Session Items

- (a) Multimodal Concurrency Code Amendments

City Manager Miyake introduced staff's update regarding proposed Multimodal Concurrency Code amendments. He said staff is seeking direction to return to a future meeting with an ordinance for final action on the amendments.

Karen Stash, Chair of the Transportation Commission, said the commission began reviewing the Multimodal Concurrency Code amendments in April and a virtual open house was held in May. In early June, the commission unanimously approved the recommended code amendments.

Mark Poch, Assistant Director, Transportation Department, recalled that in December 2021, a Comprehensive Plan Amendment (CPA) was adopted to revise the Transportation Element to better address multimodal concurrency. Policy TR-28 applies a citywide multimodal level of service concurrency standard that provides transportation facilities to meet the demands of new development. In April 2022, the Council adopted the Mobility Implementation Plan, which contains the framework for implementing multimodal concurrency. Mr. Poch said the existing concurrency system is no longer supported by policy.

Mr. Poch said the Growth Management Act (GMA) requires transportation system improvements to accommodate new development and requires a standard for determining whether the impacts are accommodated by the improvements. The existing concurrency system considers vehicles only and congestion levels at specific intersections. The new Multimodal Concurrency Code is system completeness-based or plan-based. System completeness refers to the implementation of a transportation system to improve mobility for all modes of travel that aligns with a planned amount of growth and a planned amount of transportation investments.

In order to implement the multimodal concurrency system, the City needs to establish mobility units (MUs) of supply (i.e., transportation investments) and demand (i.e., transportation needs generated by new development). If MU supply exceeds MU demand, then concurrency is met.

Mr. Poch described the proposed code amendments: 1) Traffic Standards Code [Bellevue City Code 14.10], 2) Transportation Development Code [BCC 14.60], and 3) Transportation Impact Fee Program [BCC 22.16]. The first amendment is the most substantive and important, while revisions to the other two codes are relatively minor and update the nomenclature to be consistent with the new Multimodal Concurrency Code.

Mr. Poch said staff is asking the Council to repeal the current Traffic Standards Code and to replace it with the new Multimodal Concurrency Code. He said the Transportation Commission unanimously recommended the adoption of the new code. Public outreach included a virtual open house as well as input from the Bellevue Downtown Association (BDA), Bellevue Chamber of Commerce, Wright Runstad and Wallace Properties, all of which expressed support for moving the code forward.

Mr. Poch said the code includes a provision to develop an implementation guide for the administration of the program. The guide documents the model for determining the MUs, explains to staff and practitioners how to implement and administer the program, and establishes guidelines to monitor and update the system on a periodic basis.

Mr. Poch requested Council consideration of the code amendments on July 5. A public hearing regarding the implementation guide will be held before the Transportation Commission on September 8, 2022. After the guide is approved by the Transportation Director, the new code will become effective 30 days later.

Councilmember Zahn, liaison to the Transportation Commission, thanked staff and the commission for their work related to multimodal concurrency. Responding to Ms. Zahn, Chair Stash said the impact fee program is not changed. However, language was added to clarify that the code applies only to vehicles.

Councilmember Robertson expressed support for the Multimodal Concurrency Code. She said it acknowledges that people travel differently today than they did when the Traffic Standards Code was initially written. She is comfortable with staff bringing this item back on a consent calendar for approval.

Deputy Mayor Nieuwenhuis thanked everyone for their work and expressed support for moving forward to adopt the new code. Responding to Mr. Nieuwenhuis, Molly Johnson, Development Review Manager, said the implementation of the code will include a process for monitoring and updating the affected programs.

Councilmember Stokes said he is ready to move forward. He thanked everyone for their work over many years to get to this point.

Mayor Robinson said she is pleased to see this effort moving forward. She noted she is comfortable having the item return on the consent calendar.

- Deputy Mayor Nieuwenhuis moved to direct staff to return with an ordinance on a future consent calendar to adopt the proposed Multimodal Concurrency Code amendments as recommended by the Transportation Commission and staff. Councilmember Stokes seconded the motion.
- The motion carried by a vote of 6-0.

(b) Regional Issues and Update on Federal Funding Opportunities

City Manager Miyake introduced staff's update regarding federal legislative priorities and funding opportunities.

Genesee Adkins, Chief of External Affairs, noted the regional issues briefings in the meeting packet. She said the federal legislative agenda adopted by the Council earlier this year is the primary lens the City uses to assess funding opportunities and to develop strategies to gain traction on important priorities.

Ms. Adkins said federal earmarks, called congressionally directed spending in the Senate and community project funding in the House, are back after not being part of the congressional funding process for a number of years. Staff from multiple departments developed funding requests and two of those requests are moving forward. Ms. Adkins said the congressional delegation is reviewing the bipartisan infrastructure law and the return of earmarks, and the two projects they are moving forward might not otherwise be eligible for upcoming competitive grant programs.

Katie Kuciemba Halse, Transportation Policy Advisor, said the bipartisan infrastructure law (also known as the Infrastructure Investment and Jobs Act) provides a historic opportunity for federal funding to invest in local communities. She said the administration's priorities related to equity, resiliency, climate change, reaching all communities and partnerships are important for the City to consider during the implementation of the law. She said partnerships are allowed and encouraged in many of the competitive grant processes.

The funding provided by the bipartisan infrastructure law totals \$1.2 trillion. Of that, \$650 billion reauthorizes existing surface transportation programs for 2022-2026 and \$550 billion creates a new formula for the competitive and discretionary grant programs. Half of the \$550 billion represents transportation funding and the remaining funding will provide grants to address water, broadband, environmental remediation, energy and resiliency issues. Ms. Halse said Bellevue's congressional delegation helped to include grant programs that address fish passage, ecological functions and water quality.

Ms. Halse said there are two primary methods for the distribution of infrastructure funding. One relates to formula-based funding through the State, Puget Sound Regional Council or other

metropolitan planning agencies (e.g., transit). The second applies to competitive grant programs that allow cities, with or without eligible partners, to apply directly for funding.

Ms. Halse said staff is working to position the City for the influx of federal dollars. She said the City is approximately six months into the five-year program to develop a project pipeline, establish the bipartisan infrastructure law interdepartmental team, and to explore partnerships. The development of the project pipeline will be informed by the federal legislative agenda, the Comprehensive Plan and other plans, and partner agency plans.

The staff team, with representatives from eight departments, will meet every three weeks to focus on prioritizing infrastructure needs, identifying funding programs to target needs, ensuring consistency with regional plans and creating a resource library. Ms. Halse said it will be important to address the administration's priorities including equity, climate change, resiliency, and partnerships. She noted the need for adequate staffing capacity to apply for and to administer the grants.

Ms. Halse said the City will work to build and enhance relationships with elected leadership, federal agency regional offices, stakeholders (e.g., community-based organizations, advocacy organizations, businesses and community leaders), and resource organizations and programs (e.g., Local Infrastructure Hub sponsored by the National League of Cities).

Ms. Adkins said a number of City representatives attended the annual meeting of the Association of Washington Cities (AWC) the previous week and there was a panel that discussed the infrastructure law and grant programs. She said staff will continue to use the federal legislative agenda in its work with the congressional delegation. Staff will take advantage of the August recess to meet with members of the congressional delegation and their staff in their local offices to highlight key projects of interest to Bellevue. Ms. Adkins said staff anticipates a trip to Washington, D.C. in the fall. She said the City will continue to coordinate with federal consultants for strategic advice and counsel.

Councilmember Barksdale said he is pleased to see that the Diversity Advantage team is represented on the interdepartmental staff team. Responding to Mr. Barksdale, Ms. Halse said that eligibility, including for partner organizations, will vary for the different grant programs. Ms. Halse said staff is currently assessing a potential advocacy for the Safe Streets and Roads for All grant. The City is exploring a partnership with a county, likely King County, to develop a joint application for that grant program.

Ms. Halse said partner agencies may also be supporters but not co-signers of the entire grant application. Ms. Adkins noted that during the round of earmarks earlier this year, the City collected letters of support from community partners, small businesses, and others to consider future partnerships. Ms. Halse said staff can always use the Council's help in making introductions and establishing opportunities for dialogue.

Councilmember Robertson thanked staff for their work and offered to help in identifying opportunities and gathering letters of support related to grant applications.

Deputy Mayor Nieuwenhuis expressed support for staff's plan and approach. He said this is a good opportunity for the City to advocate for its priorities and to create partnerships. Responding to Mr. Nieuwenhuis, Ms. Adkins said the development of the project pipeline list will help the City to conduct informed evaluations to choose the grants to pursue. She said the Move Ahead Washington bill provides resources as well related to transportation, clean energy, fish passage and other priorities. Ms. Halse said staff is also developing a checklist to ensure they are matching the right programs to the right projects. She said the City is exploring partnerships with both public and private entities.

Mayor Robinson expressed her strong confidence in staff and thanked them for their work. She said she looks forward to learning more about how the Council can help in advocating for City priorities.

Councilmember Stokes expressed support for the approach recommended by staff and the creation of the interdepartmental staff team. He acknowledged the importance of staffing capacity to deliver the programs. He said he looks forward to working with the congressional delegation. Ms. Adkins concurred that relationships with the congressional delegation and their staff are critically important.

Responding regarding staffing capacity, Ms. Halse said contractors are another resource for legislative efforts. She recalled that when the interdepartmental staff team was initially created, the ability to coordinate and streamline resources was discussed. She raised the issue of cross-training more staff to complete grant applications.

Councilmember Zahn expressed support for staff's approach and noted that federal agencies are familiar with the City of Bellevue. She said infrastructure projects are increasingly important as Bellevue continues to grow. She recalled discussion during the Council retreat about creating access to opportunities for women and minority owned small businesses.

Ms. Zahn said it is helpful that the U.S. Secretary of Transportation was a mayor and is supportive of local needs, and the person assigned to oversee the implementation of the infrastructure law was the mayor of New Orleans. She stated her understanding that the grant program is exploring ways for cities to potentially submit one application for a number of grant opportunities. She encouraged staff to seek help from the Council as needed and thanked them for developing a strategic approach.

11. Land Use: None.
12. Other Ordinances, Resolution, and Motions: None.
13. Unfinished Business: None.
14. New Business: None.
15. Executive Session: None.

16. Adjournment

At 7:26 p.m., Mayor Robinson declared the meeting adjourned.

Charmaine Arredondo, CMC
City Clerk

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