

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Meeting

November 21, 2022
6:00 p.m.

Council Chambers
Bellevue, Washington

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

ABSENT: None.

1. Call to Order

The meeting was called to order at 6:02 p.m., with Mayor Robinson presiding.

Mayor Robinson noted the loss of Police Officer Jordan Jackson, who died after a car collided with his motorcycle earlier in the day. She said this is a reminder that first responders put their lives on the line every day to protect the community.

Deputy Mayor Nieuwenhuis said Officer Jackson was an exemplary officer who was well liked by his colleagues. He joined the Bellevue Police Department in 2018 and frequently volunteered for community events. He was always proud to show off his motorcycle to all the young kids. Mr. Nieuwenhuis extended the Council's condolences to Officer Jackson's wife, his two young children and his colleagues in the Police Department. He said the entire community loves and supports those who are grieving and struggling with this loss. He asked everyone to join him in a moment of silence to honor Officer Jackson.

Councilmember Barksdale said he also rides a motorcycle. He often stops to talk to motorcycle officers, and Officer Jackson and his partner were frequently at community events. He expressed support for Officer Jackson's family and the entire Bellevue Police Department.

2. Roll Call; Flag Salute

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

(a) Native American Heritage Month Proclamation

Councilmember Zahn read the proclamation declaring November 2022 as Native American Heritage Month in Bellevue. She encouraged residents to reflect on the contributions and traditions of tribal communities, which enrich and strengthen the community's diversity.

Dr. Linda Whitehead, Chief Diversity, Equity and Inclusion Officer, thanked the Council for the proclamation. She said Native Americans came together with 53 Pilgrims in 1621 for a harvest celebration, which provided a foundation for Thanksgiving Day. She said the early celebrations were a time to be thankful and to share resources and food.

(b) Small Business Saturday Proclamation

Councilmember Barksdale read the proclamation recognizing November 26, 2022 as Small Business Saturday in Bellevue and urged residents to support small businesses and merchants on Saturday and throughout the year.

Kim Fredericks, Bellevue Chamber of Commerce, thanked the Council for the proclamation and encouraged everyone to support small businesses in Bellevue and the region.

3. Approval of Agenda

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

4. Oral Communications

- (a) Katherine Hollis, speaking on behalf of the Eastrail Partners, thanked the Council for the state legislative priorities regarding transportation, specifically the request for the distribution of Move Ahead Washington funds for Eastrail projects in Bellevue and the next segment of the Mountains to Sound Greenway Trail in Bellevue.
- (b) Annika English, a middle school student, spoke in favor of strong tree codes to protect the removal of mature trees. She thanked the Council for working to keep Bellevue a great place to live.
- (c) Alex Zimmerman, President of StandUp America, expressed concern regarding fascism in Seattle and King County. He said the Seattle City Council has virtual meetings and they do not show individuals on camera. He said the King County Council does not allow free speech.
- (d) Kate Sayers spoke about her love of trees and her concern regarding the removal of trees in her neighborhood. She noted areas where large trees have been removed including the site of the former Sears store and a school. She said a number of maple trees were

removed when Newport High School was rebuilt, and large maple trees were removed to construct a segment of the Mountains to Sound Greenway. She expressed concern about the continued removal of trees and efforts for redevelopment in the Crossroads area. She expressed concern regarding the removal of trees in the Spring District while the Bridle Trails and Somerset areas are fully treed. She suggested stronger tree codes related to development and redevelopment. She encouraged the City to hire staff to implement a plan for retaining trees.

- (e) Dr. Sue Mercer said she operates a nonprofit organization working to house individuals experiencing homelessness. A number of the people have had mental health issues. As a retired physician, she housed a physician who was suffering from paranoid schizophrenia. She encouraged the City to monitor the expenditures related to homelessness and mental health. She said she has no faith in Sound Mental Health. Dr. Mercer noted a situation in which the nurse practitioner from that agency was assigned to help a person living in her home, and the nurse practitioner did not monitor the individual's medication with the proper lab work. She said if she had not been the landlady, he would have died. She expressed concern that when police officers bring someone in for a 72-hour hold, they are sometimes released 6-12 hours later. She encouraged the Council to take action to keep the community safe and to keep those suffering from addiction and mental illness safe. She would like there to be two medical experts to evaluate individuals experiencing mental health issues before they are released.
5. Reports of Community Councils, Boards, and Commissions: None.
 6. Report of the City Manager
 - (a) Bellevue Botanical Garden Donation

City Manager Brad Miyake introduced staff to provide an update regarding a donation to the Bellevue Botanical Garden.

Michael Shiosaki, Director, Parks and Community Services Department, introduced and thanked Terry Hayes, a longtime garden supporter, for establishing an endowment through the Seattle Foundation to fund a full-time curator position at the garden in perpetuity. The position is currently included in the City's proposed 2023-2024 budget and it will play an important role in achieving the garden's core objective of connecting people with plants. Mr. Shiosaki highlighted the skills and duties of the curator position.

Ms. Hayes said that after 30 years of volunteering and supporting the Bellevue Botanical Garden, she is honored to be able to endow the full-time curator position. The curator position contributes to the garden's role of educating the community, enhancing living conditions, helping to conserve biodiversity and bringing beauty to people's lives.

Mayor Robinson thanked Ms. Hayes for her generosity. Ms. Robinson said the garden has provided easy public access over the past 30 years to the knowledge and joy of the garden's plants. She thanked Ms. Hayes for attending the meeting.

7. Council Business and New Initiatives: None.
8. Consent Calendar
 - Deputy Mayor Nieuwenhuis moved to approve the Consent Calendar, and Councilmember Zahn 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 November 7, 2022 Regular Meeting
 - (b) Motion to approve payment of claims and payroll for the period October 1, 2022 – October 31, 2022.
 - (c) Ordinance No. 6687 of the City of Bellevue updating the school impact fee schedule for Issaquah School District No. 411 and Renton School District No. 403; amending Section 22.18.100 of the Bellevue City Code; providing for severability; and establishing an effective date.
 - (d) Ordinance No. 6688 approving the 2023 Transportation Impact Fee Rate Schedule to reflect updated Institute of Transportation Engineers (ITE) trip generation factors and a base fee rate of \$7,490 (Attachment A), to be effective January 1, 2023; retaining a fixed three percent indexing to be applied annually to the rate schedule beginning January 1, 2024; and repealing Ordinance No. 6491.
 - (e) Resolution No. 10162 authorizing the continuation of our SaaS based License Agreement for required cloud-based fire safety management solutions with Streamline Automation Systems, LLC.
 - (f) Resolution No. 10163 authorizing execution of a five-year General Services Contract with Canber Landscaping, in an amount not to exceed \$422,206, plus all applicable taxes, to provide Transportation trail maintenance.
9. Public Hearings: None.
10. Study Session
 - (a) 2023 State Legislative Agenda

City Manager Brad Miyake introduced staff's update regarding the 2023 State Legislative Agenda.

Genesee Adkins, Chief of External Affairs, said the 2023 state legislative session begins on January 9 and will be a long session. The state legislature will be focused on developing the operating, capital and transportation budgets. The governor typically releases his proposed budget by the third week of December.

Lacey Jane Wolfe, Assistant Director for Intergovernmental Relations, highlighted the Council's State Legislative Agenda. She said the state legislature is expected to address bills regarding affordable housing, with an emphasis on increasing the supply of housing through zoning changes. She said the Association of Washington Cities (AWC) convened a work group, including the City of Bellevue, to identify a compromise package. Cities agree that zoning alone will not solve the affordable housing crisis. Ms. Wolfe said that state investments, as well as local incentives and tools, are important to successfully build affordable housing.

Ms. Adkins said a new transportation revenue package is not anticipated in 2023. Bellevue was one of a few cities that received transportation funding in 2022 including \$450 million for I-405 projects and approximately \$25 million for the Mountains to Sound Greenway, Wilburton Trestle and I-90 steel bridge via Move Ahead Washington funding. She noted there will be stiff competition during the 2023 legislative session for phasing the Move Ahead Washington projects. Ms. Adkins said the third area of priorities relates to services and infrastructure for a growing community. She said the City is seeking state support for a utilities project and a community services project.

Turning to the Council's Legislative Statement of Policy, Ms. Adkins said the document reflects the Council's policy interests across a broad range of areas including homelessness and human services, climate and environment, fiscal sustainability, equity and social justice, public safety, transportation, public works and infrastructure, economic and workforce development, and the AWC's legislative priorities. The Statement of Policy guides the efforts by staff, the consultants and the Council in addressing topics that arise during the legislative session.

Ms. Wolfe said Bellevue will partner with the AWC to enable cities to have a stronger voice with the legislature. She said the AWC's top five priorities are included in the Council's draft State Legislative Agenda: 1) respond to the Blake decision, 2) address vehicle pursuits for public safety, 3) ensure basic infrastructure funding, 4) increase housing availability and affordability, and 5) provide behavioral health resources.

Ms. Adkins said staff will use the Council's approved State Legislative Agenda to produce marketing materials for legislators and the community.

Mayor Robinson thanked staff for their extensive work with individual Councilmembers in developing the State Legislative Agenda and Statement of Policy.

→ Councilmember Lee moved to strike the third sentence in the fiscal sustainability section of the Statement of Policy: "Bellevue supports replacing the one percent cap on any property tax levy increases with a limit that allows cities to respond to local needs." Councilmember Stokes seconded the motion.

Councilmember Lee opined that it is probably not appropriate for a local jurisdiction to be involved in tax issues that are established by the State. He said it is not in the City's best interest to include that sentence and he would like to remove it to allow for a future Council discussion. Councilmember Lee said the one-percent cap on annual property tax increases has been in place for nearly 20 years. He said Bellevue properties' assessed valuation continues to increase, which provides tax revenues. He said the City should not meddle in other cities' taxation, revenues or expenditures.

Responding to Mayor Robinson, Ms. Adkins said the issue is not one of the top five priorities shown in the presentation. However, the AWC identified it as a top priority. Ms. Adkins said it is up to the Council whether to include the statement or not.

Deputy Mayor Nieuwenhuis asked whether King County would be able to increase property taxes under the provision. Ms. Adkins said the sentence specifically refers to cities and not to the broader statewide limitations related to the property tax. She said the AWC tax work group, a bipartisan group of legislators, met last week and they are finalizing their recommendations. The work group reflects support for adjusting the city property tax limit but not the state property tax limit.

Responding to Mayor Robinson, Ms. Adkins said the Council could remove the sentence for now to allow time for the AWC tax work group to complete its work.

Councilmember Barksdale asked about the motivation for the proposed language. Ms. Adkins said the interest by the AWC and cities responds to the increasing costs of providing services and programs, especially given the current inflation. She does not anticipate that AWC will propose its own bill this session. Mr. Barksdale expressed support for retaining the sentence to preserve options for cities.

Councilmember Robertson said the sentence applies to the City's property tax and Bellevue property owners would not be affected by other taxing districts. She said the City of Bellevue has showed restraint and never uses the maximum capacity of its revenue tools. She recalled that in the 1990s, cities were allowed to increase property taxes by up to six percent annually. She said the one-percent increase does not keep pace with inflation. While Bellevue has other taxes to rely on (i.e., sales tax, REET, business and occupation tax), many cities statewide rely more heavily on the property tax. Those cities have been forced to cut service levels despite growth in their communities. Ms. Robertson spoke in favor of retaining the language as proposed.

Councilmember Zahn noted that there can be secondary effects when cities do not have adequate funding to meet the community's needs. She said it is important to have a number of revenue tools and she sees no harm in keeping the sentence as proposed.

Councilmember Stokes concurred with retaining the sentence as proposed by staff. He spoke in favor of preserving the option for a higher property tax increase to meet needs. Responding to Mr. Stokes, Ms. Wolfe said the Sound Cities Association (SCA) has produced its draft legislative agenda which in the past has included language similar to the AWC's legislative agenda. Noting the statewide support for the language, Mr. Stokes said he favors retaining the language.

Deputy Mayor Nieuwenhuis thanked Councilmember Lee for raising the issue and for his concern about the tax burden on property owners.

Mayor Robinson said she would not support the proposed amendment.

Councilmember Lee reiterated his concern about potential future tax increases. He said the City did not increase its property tax for approximately 10 years.

Responding to Mayor Robinson, Toni Call, Director of the Finance Asset Management Department, said state law allows the Council to take a one-percent property tax increase per year. The City of Bellevue also has the option to use its banked capacity based on the earlier years where it did not impose a property tax increase. Any property tax adjustment above those limits would require a vote of the people.

→ The motion to amend failed by a vote 1-6, with Councilmember Lee in favor.

Councilmember Zahn said the Council received a request from the City of Mercer Island to add language in support of funding for Mercer Island's marine patrol vessel. She proposed the following sentence: "Ensure continuous marine patrol services through funding to replace the two Mercer Island marine patrol vessels." She said the vessels provide mutual aid to Bellevue as well.

Mayor Robinson noted that she is not inclined to approve the request received shortly before this meeting unless staff has a strong recommendation.

Ms. Adkins said the email was received immediately before tonight's Council meeting. She contacted the City of Mercer Island's lobbyist for more information. She said she spoke with representatives in the Police Department and the Fire Department and they confirmed the mutual aid agreement with Mercer Island. However, they were not aware of the request. Ms. Adkins recommended that the Council could provide verbal direction to staff to be supportive of their request. She said there is nothing in the State Legislative Agenda that precludes Bellevue from supporting the marine patrol request.

→ Councilmember Zahn moved to support the City of Mercer Island's written request regarding continued marine patrol services. Councilmember Lee seconded the motion.

Councilmember Robertson noted that she saw the email sent by the City of Mercer Island at 5:48 p.m. She said it is difficult to support the proposal on such short notice.

→ Councilmember Robertson proposed a substitute motion to not add the language to the State Legislative Agenda but that the Council and staff continue to gather more information and work with the City of Mercer Island in reference to their marine patrol services. Councilmember Stokes seconded the motion.

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

Moving on, Councilmember Zahn referred to the transportation section of the State Legislative Agenda. She proposed amending the second sentence to add at the end: "...consistent with our adopted Vision Zero goals."

- Councilmember Zahn moved to revise the sentence referenced above as follows:
"Bellevue's mobility, land use, equity and climate goals depend on an integrated transportation network that improves safety and efficiency while investing in vulnerable populations consistent with our adopted Vision Zero goals."

The motion was not seconded.

- Councilmember Zahn referenced the second paragraph in the transportation section and moved to amend the sentence that begins with "Bellevue supports..." as follows:
"Bellevue supports infrastructure improvements to maximize the effectiveness of the I-405 corridor and upgrades to state highways and regional corridors. This includes the following improvements..." Councilmember Barksdale seconded the motion.

Councilmember Stokes asked staff about the impact of the proposed language. Ms. Adkins said it provides clarifying language. She said there will be a reprioritization effort by the Washington State Department of Transportation (WSDOT) next year regarding the I-405 Master Plan and the Connecting Washington investments and Move Ahead Washington funding. She said a number of the plan's components have not been funded, and several years have passed since the plan was established.

Councilmember Zahn said she wanted to comment on why this proposed amendment is coming this late in the process. She said that as part of the work by the Eastside Transportation Partnership (ETP) on their legislative agenda, City staff worked with staff from other cities to create this language to clarify the City's objectives regarding the I-405 corridor and other highways.

Mayor Robinson said she is inclined to support the amendment.

Councilmember Robertson said the I-405 Master Plan has been in the Council's State Legislative Agenda for the past 13 years that she has served on the Council. She asked whether the proposed language steps away from the full implementation of the plan. She asked whether the City would lose anything by approving Councilmember Zahn's proposed amendment.

Ms. Adkins said that removing the words "master plan" removes by reference all of the components of the original plan. She said what is being offered by WSDOT is a more holistic approach to the functionality of the I-405 corridor. She said the proposed amendment does not change the three projects listed in the legislative agenda. She said staff's goal was to lay a foundation for those projects to be high on the list when the legislature funds the next transportation package.

Councilmember Robertson said this is similar to when the state legislature removed congestion relief as a transportation metric. She said she cannot support removing the reference to the I-405 Master Plan because she is unsure about the potential implications.

Councilmember Barksdale suggested adding Councilmember Zahn's language rather than replacing the proposed language.

Ms. Zahn suggested that using the words "master plan" does not necessarily advance the City's objectives in optimizing the effectiveness of the I-405 corridor and broader transportation network.

Councilmember Robertson said Bellevue and many cities were involved in developing the I-405 Master Plan. If the Council is going to change its State Legislative Agenda to step away from that position, she wants to fully understand the impacts. She said she could support Ms. Zahn's amendment if language is added to indicate the City's continued support for the implementation of, and potential updates to, the I-405 Master Plan.

Councilmember Stokes expressed support for the proposed amendment and for Councilmember Robertson's suggestion.

- The motion to amend failed by a vote of 1-6, with Councilmember Zahn in favor.
- Councilmember Robertson moved to incorporate the language proposed above by Councilmember Zahn and to add new language as follows: "Bellevue supports infrastructure improvements to maximize the effectiveness of the I-405 corridor, update of the I-405 Master Plan and implementation of the same, upgrades to state highway and regional corridors, and requests funding that supports the following improvements..." Councilmember Lee seconded the motion.

Councilmember Zahn thanked everyone for the discussion and expressed support for the motion.

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

Responding to Councilmember Barksdale, Ms. Adkins said the proposed State Legislative Agenda and Statement of Policy are intended to provide direction for staff to have clarity and confidence in advocating for Bellevue's priorities. If an issue emerges that is not reflected in those documents, staff will bring the issue back to the Council.

Councilmember Robertson thanked staff for working with individual Councilmembers over the past several weeks to draft the State Legislative Agenda and Legislative Statement of Policy.

- Deputy Mayor Nieuwenhuis moved to adopt the State Legislative Agenda with the transportation amendment, and Councilmember Stokes seconded the motion.
- The motion carried by a vote of 7-0.

At 7:30 p.m., Mayor Robinson declared a break. The meeting resumed at 7:41 p.m.

(b) Council Initiation of Tree Canopy Code Amendments

City Manager Miyake introduced discussion regarding proposed tree canopy code amendments.

Liz Stead, Interim Co-Director, Development Services Department (DSD), said staff is seeking direction to initiate work on the tree canopy code amendments and to direct the Planning Commission to process the Land Use Code Amendment (LUCA).

Nick Whipple, Planning Manager, DSD, said Strategy N.1 of the Environmental Stewardship Plan includes six priority near-term actions to increase the tree canopy to 40 percent citywide, and to ensure sufficient code provisions for tree preservation, retention, replacement, and protection during construction. The strategy addresses the use of incentives and ways to collect data to understand changes in the tree canopy. The Comprehensive Plan includes policy EN-71 regarding the preservation of significant trees to sustain fish and wildlife habitat and policy PA-31 regarding the management of Bellevue's forest resources to ensure long-term vitality.

Mr. Whipple said the City has performed a tree canopy assessment every 5-10 years to understand changes to the canopy and to permeable and non-permeable surfaces in Bellevue. The most recent survey in 2019 estimated that the tree canopy had increased to 39 percent, reflecting a 3.4 percent increase from 2011 to 2019. Mr. Whipple said the West Bellevue, Wilburton, Newport and BelRed areas experienced net losses in the tree canopy of one percent to three percent during that time period. The objectives of the tree canopy project are to conduct a comprehensive code review, balance housing production needs, capture better data, improve the function and clarity of the code, and to support tree preservation, retention, replacement and protection.

Kristina Gallant, Senior Planner, DSD, highlighted the City's existing regulations applicable to trees, which differ with or without a development proposal. Tree retention requirements in the Land Use Code apply under a development proposal. The clearing and grading code applies when there is not a development proposal, for example, in the case of a single property owner. In both situations, the critical areas ordinance and the transportation code apply as well. Ms. Gallant noted that enforcement is regulated through the City's civil violations code. Ms. Gallant said the City does not regulate all trees and the current definition of a significant tree is a healthy tree with a minimum diameter of eight inches. She recalled that the Council adopted an interim landmark tree ordinance earlier this year.

In cases without a development proposal, a permit is required to remove any landmark tree, more than five significant trees in five years, any significant tree in the Bridle Trails R-1 district, or more than 25 percent of the live crown of any significant tree. Tree replacement is currently required in limited cases. Ms. Gallant said this is an opportunity to evaluate tree removal limits and replacement requirements.

When there is a development proposal, the first step is to determine which trees are subject to the City's retention standards. The City does not count tree stumps, smaller trees or dead trees in its

regulations. Ms. Gallant said there is an opportunity to amend the code to count recent tree removals in tree retention calculations. In many cases, the requirement is to retain 30 percent of the total diameter inches of significant trees. Tree replacement is required only in limited cases. Ms. Gallant said the current code requires tree protection techniques during construction. She said the code does not currently define the duration for the retention of trees.

Ms. Gallant said there is limited data to track the removal and retention of trees, and enforcement is largely based on complaints. Many property owners are unaware of the City's requirements and typically work toward voluntary compliance. She noted opportunities to improve tracking systems and to assess current enforcement mechanisms.

Ms. Gallant said staff's proposed process is slightly different than the usual code amendment process due to the complexity of the project and the need for robust public outreach. Phase 1 involves focusing on education and communication, soliciting input regarding priorities, and confirming the code approach and key definitions. Phase 1 is anticipated to extend through the first quarter of 2023, and staff will then provide updates to the Planning Commission and City Council. Phase 2 is the review and refinement phase in which staff will incorporate what they have heard, develop recommendations, conduct additional outreach regarding the recommendations, and work with the Planning Commission through its review. After additional study session discussions by the commission, Phase 3 involves the Planning Commission public hearing and action, followed by the City Council discussion and action.

Ms. Gallant said the public engagement process will involve discussions with a number of stakeholders including residents, environmental advocacy groups, developers, and staff in the Parks and Community Services Department and the Transportation Department. Staff will also seek input from neighboring cities.

Ms. Gallant summarized the list of key issues and opportunities:

- Evaluating the definition of significant and landmark trees,
- Evaluating limits on tree removal,
- Clarifying retention requirements,
- Improving tracking systems for tree removal and retention,
- Evaluating expanding tree replacement requirements,
- Assessing enforcement mechanisms, and
- Avoiding barriers to housing production.

Ms. Gallant requested Council action to initiate work on the tree canopy code amendments and to direct the Planning Commission to process the LUCA.

Mayor Robinson thanked staff for the presentation.

→ Deputy Mayor Nieuwenhuis moved to direct staff to initiate work on the tree canopy code amendments and to direct the Planning Commission to process the LUCA. Councilmember Stokes seconded the motion.

Councilmember Zahn said she is excited to move forward with this initiative. She noted the community's interest in stricter tree codes and their concerns about the impacts of development. She expressed support for public education and for creating incentives for tree protection and retention. Ms. Stead suggested that the environmental stewardship program staff might be able to help with public education and ideas for incentives. Responding to Ms. Zahn, Ms. Stead said the code can identify certain species for special protection as well.

Councilmember Robertson expressed support for moving forward. She concurred with Councilmember Zahn's interest in considering certain species that are more valued by the community than others. Ms. Robertson noted her interest in the impacts on tree retention, housing production, and the cost of housing.

Ms. Robertson suggested that the City consider the impacts of covenants and view protections and that there be codes written to address both. She concurred with the need for outreach to builders and noted that there have been lawsuits by developers against tree codes. She said she likes that the City conducts a tree survey every 5-10 years. She suggested an aerial survey of Bellevue when the tree canopy LUCA is adopted to document the status and location of trees for future reference.

Councilmember Barksdale expressed support for initiating the work and moving it to the Planning Commission. He wondered whether tracking data could be provided on the City's web site. He suggested involving landscapers and tree removal businesses in the stakeholder outreach process. Ms. Stead said staff will continue to work on how to publicize the tree data currently available. She confirmed that staff will reach out to landscapers, arborists and others for input.

Councilmember Lee said he appreciates the public's interest in this topic and the impacts of climate change. He concurred with Councilmember Robertson's comments regarding trees versus views. He said if there are neighborhood covenants, it would be good for the relevant community organization or association to enforce their rules. He said the City can provide guidance and he hopes that most of the codes would be self-enforcing.

Councilmember Stokes expressed support for moving forward with the tree canopy code amendment process. He thanked the community for their advocacy and concern regarding trees and the impacts of development. He suggested gathering input from the Parks and Community Services Board.

Deputy Mayor Nieuwenhuis expressed support for moving forward as proposed by staff. He concurred with Councilmember Barksdale's suggestion to reach out to landscapers and professional tree removers. He expressed support for Councilmember Robertson's suggestion about an aerial survey of the tree canopy. He said it is important to ensure that all stakeholders are involved and heard.

Mayor Robinson said she looks forward to continued public input, including from experts in tree regulations. Responding to Ms. Robinson, Ms. Stead noted the major Comprehensive Plan update process and said staff can work with the Council regarding possible policy amendments related to tree regulations.

Ms. Robinson asked whether the MyBellevue app could be used to provide information about current tree codes and to allow residents to report concerns. Ms. Gallant said staff will look into the potential for adding to the MyBellevue app.

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

11. Land Use: None.

12. Other Ordinances, Resolutions, and Motions

- (a) Ordinance No. 6689: 1) adopting the Human Services Commission's 2023-2024 Human Services Fund funding recommendations and 2) authorizing the City Manager or his designee to enter into contracts with local human services agencies in accordance with the recommendations

City Manager Miyake requested Council approval of a series of ordinances related to the adoption of the 2023-2024 Operating Budget and the 2023-2029 Capital Investment Program (CIP).

Toni Call, Director of Finance and Asset Management, summarized the budget process, including numerous Council discussions and three public hearings. The 10 ordinances and one resolution presented tonight for Council action are all part of the overall budget adoption.

→ Deputy Mayor Nieuwenhuis moved to adopt Ordinance No. 6689, and Councilmember Stokes seconded the motion.

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

- (b) Ordinance No. 6690: 1) adopting recommendations for the use of 2023 Community Development Block Grant funds as transmitted by the Human Services Commission; 2) authorizing the City Manager or his designee to submit a proposal to the United States Department of Housing and Urban Development (HUD) for the 2023 CDBG Program; 3) authorizing the City Manager or his designee to accept a grant award contract with HUD; and 4) authorizing the City Manager or his designee to enter into agreements with grant subrecipients and contractors.

→ Deputy Mayor Nieuwenhuis moved to adopt Ordinance No. 6690, and Councilmember Robertson seconded the motion.

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

- (c) Ordinance No. 6691: 1) adopting the Human Services Commission's 2023-2024 Behavioral Health and Housing-Related Services Housing Stability Program funding recommendations and 2) authorizing the City Manager or his designee to

enter into contracts with local human services agencies in accordance with the recommendations.

- Deputy Mayor Nieuwenhuis moved to adopt Ordinance No. 6691, and Councilmember Robertson seconded the motion.
- The motion carried by a vote of 7-0.
- (d) Ordinance No. 6692 regarding development services under the Bellevue City Code; fees for applications requiring construction, land use, fire, survey, sign, transportation, utility, and clearing & grading review and inspection services; repealing Ordinance No. 6620.
- Deputy Mayor Nieuwenhuis moved to adopt Ordinance No. 6692, and Councilmember Stokes seconded the motion.
- The motion carried by a vote of 7-0.
- (e) Ordinance No. 6693 establishing revised charges for water service, water consumption, and water standby capacity for private fire protection for the Water Utility for the City of Bellevue; repealing Ordinance No. 6552; providing for severability; and establishing an effective date.
- Deputy Mayor Nieuwenhuis moved to adopt Ordinance No. 6693, and Councilmember Lee seconded the motion.
- The motion carried by a vote of 7-0.
- (f) Ordinance No. 6694 establishing revised sewerage service charges for the Sewer Utility for the City of Bellevue; repealing Ordinance No. 6553; providing for severability; and establishing an effective date.
- Deputy Mayor Nieuwenhuis moved to adopt Ordinance No. 6694, and Councilmember Lee seconded the motion.
- The motion carried by a vote of 7-0.
- (g) Ordinance No. 6695 establishing revised storm and surface water drainage rates and charges for the Storm and Surface Water Utility of the City of Bellevue; repealing Ordinance No. 6554; providing for severability; and establishing an effective date
- Deputy Mayor Nieuwenhuis moved to adopt Ordinance No. 6695, and Councilmember Lee seconded the motion.
- The motion carried by a vote of 7-0.

(h) Ordinance No. 6696 relating to the Business and Occupation Tax; increasing the rate of the tax; providing an effective date therefor; providing for a referendum procedure in accordance with the statute; and amending Bellevue City Code 4.09.050.

→ Deputy Mayor Nieuwenhuis moved to adopt Ordinance No. 6696, and Councilmember Stokes seconded the motion.

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

(i) Ordinance No. 6697 establishing the amount of property taxes to be levied for the year 2023, the first year of the City of Bellevue's 2023-2024 fiscal biennium.

→ Deputy Mayor Nieuwenhuis moved to adopt Ordinance No. 6697, and Councilmember Stokes seconded the motion.

Councilmember Lee said he will not support the proposed property tax adjustment because its use is not clearly identified, and it is intended to address the projected gap in revenues and expenditures. He believes there is adequate revenue and capacity to accomplish the City's goals.

Councilmember Robertson noted that without the property tax adjustment, the City would need to identify \$700,000 in budget reductions. Ms. Call said the budget reductions would be closer to \$1 million. Ms. Robertson said this is an important budget that is adding more police officers, making investments in human services, and supporting other significant needs.

Councilmember Zahn said she appreciated Councilmember Lee raising the question. However, she concurred with Councilmember Robertson about the importance of this budget and noted that she could not contemplate where \$1 million could be cut from the budget.

→ The motion carried by a vote of 6-1, with Councilmember Lee dissenting.

(j) Resolution No. 10164 providing for the banking of levy capacity pursuant to RCW 84.55.005, 84.55.0101, 84.55.050, and 84.55.092.

→ Deputy Mayor Nieuwenhuis moved to adopt Resolution No. 10164, and Councilmember Lee seconded the motion.

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

(k) Ordinance No. 6698 adopting the City of Bellevue's 2023-2024 Budget and 2023-2029 Capital Investment Program (CIP) Plan; setting forth the estimated revenues and appropriations; establishing job classifications and pay ranges; and establishing an effective date.

→ Deputy Mayor Nieuwenhuis moved to adopt Ordinance No. 6698, and Councilmember Lee seconded the motion.

Mayor Robinson thanked City Manager Miyake, Ms. Call and staff for their significant work on the budget. She said the budget process begins with the Council's annual retreat when it reviews its vision, values and priorities. The process involves extensive public outreach, including the three public hearings before the Council. Ms. Robinson said this is a responsive and responsible budget with minimal tax increases.

Responding to Ms. Robinson, Ms. Call said that under the new Parks levy, the owner of a \$1 million home will pay approximately \$16 monthly. The two-percent property tax adds \$1.50 per month. Mayor Robinson noted that the revenues support increased investments in public safety, transportation, environmental issues, parks and open spaces, human services, and increased efficiency in development services, all while continuing to support ongoing investments. She said the budget is adapted to a growing population of diverse needs and serves individuals of all ages, abilities and incomes. She said the budget continues to preserve Bellevue as a City in a Park, as well as one of the top places to live, work, learn or visit in the United States. Mayor Robinson said the budget reflects the City's commitment to serving the entire community and its economy. She thanked the community and the Council for their work and input into the budget.

Deputy Mayor Nieuwenhuis thanked staff and everyone who contributed to the development and review of the budget. He thanked residents for providing valuable perspectives that the Council might not see. He highlighted the themes related to public safety, the environment, and overall quality of life. He said he is happy with the significant increase in the number of police officers, including the transit unit. Mr. Nieuwenhuis expressed strong support for human services, especially related to housing insecurity, food insecurity and education.

Councilmember Lee complimented the City Manager and staff for their work through one of the most challenging times for the City. He said the budget process was well organized and transparent. He said there was a great deal of public input into the budget process. He noted the important investments in public safety and environmental priorities. He encouraged partnerships to supplement the City's support of projects. He believes that Bellevue will always be successful and he is proud of this budget.

Councilmember Robertson said the budget is the biggest policy document approved by the Council, and it reflects the Council's priorities and values. She said people love Bellevue because it is safe, clean, compassionate, sustainable, inclusive and livable. She said the budget shows compassion for those in need, including individuals experiencing homelessness, food insecurity, mental health and/or addiction issues, or domestic violence. She expressed support for investments in the Police and Fire departments, including crisis intervention services. The budget funds transportation priorities to enhance mobility and safety, invests in parks and environmental sustainability, and increases funding for the arts.

Councilmember Robertson thanked City Manager Miyake, Finance and Asset Management Director Call, the boards and commissions, staff and the public. She said the development and business community supported the proposed budget so much that they supported raising their

own taxes to fund the Council's priorities. She said her primary goal throughout her years on the Council is to keep Bellevue safe, inclusive and livable, and she believes the budget supports those objectives.

Councilmember Stokes expressed appreciation and admiration for the efforts of the City Manager and staff during the budget process. He complimented staff for their significant efforts during the challenges related to the pandemic. He said he is proud of the budget and the impacts on the community, including investments to address homelessness, affordable housing, transportation needs, arts and culture priorities, parks and public safety. Mr. Stokes expressed strong support for the budget.

Councilmember Zahn thanked City Manager Miyake, Ms. Call, staff and her colleagues for their work on the budget. She thanked the community for their engagement and suggestions and for approving the Parks levy. She said she appreciated the emphasis on equity throughout the budget. She noted the investments in housing, public safety, human services, workforce development and the arts. She thanked the Council for increasing the budget for environmental stewardship and the Vision Zero program. She noted the importance of supporting small businesses, especially during the pandemic. She said the budget is consistent with the Council's State Legislative Agenda. She appreciates the funding for enhanced data analytics, the cross-cultural center, and work related to ensuring diversity, equity and inclusion.

Councilmember Barksdale thanked staff for their hard work, especially during a challenging time for the economy. He thanked everyone for developing a budget that serves everyone in the community. He thanked the community for engaging in the budget process.

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

13. Unfinished Business: None.

14. New Business: None.

15. Executive Session: None.

16. Adjournment

At approximately 8:55 p.m., Mayor Robinson declared the meeting adjourned.

Charmaine Arredondo, CMC
City Clerk

/kaw