

DATE: February 13, 2017

TO: Mayor Stokes and City Councilmembers

FROM: Kyle Stannert, Assistant City Manager
Karin Roberts, Deputy City Clerk

SUBJECT: Item 5a – Council Business, Request from East Bellevue Community Council (EBCC)

The Washington Court of Appeals recently ruled in favor of Puget Sound Energy (PSE) and the City and against the EBCC regarding PSE's permits to construct an 115kV line between two substations in the Lake Hills neighborhood. The EBCC has 30 days to file a petition for discretionary review with the Washington Supreme Court (i.e., by March 2, 2017).

At their meeting on February 7, 2017, EBCC Members adopted the following:

- *Motion to direct the East Bellevue Community Council's appellate attorney, Kathleen Haggard, to continue representation for the purposes of filing an appeal of the Court of Appeals decision.*
- *Motion to formally request \$7,000 from the City of Bellevue to file a notice of appeal of the Court of Appeals opinion and, if the appeal is accepted, an additional \$20,000 to fund the appeal.*

Bill Capron, EBCC Chair, will be attending tonight's City Council meeting to request Council approval of \$7,000 to cover legal expenses to file the petition for review to the State Supreme Court, and an authorization of an additional \$20,000 should the Supreme Court accept the petition for review.

Following Mr. Capron's presentation, Council may direct staff to bring forward legislation for consideration at the February 21, 2017 meeting.

ATTACHMENTS

- A. Agenda Memo from February 16, 2016 Request from EBCC for necessary expenses (Resolution 9071)
- B. February 7, 2017 Email from Bill Capron, EBCC Chair, Requesting Funding