

East Bellevue Community Council
Summary Minutes of Regular Meeting

March 5, 2019
6:30 p.m.

Lake Hills Clubhouse
Bellevue, Washington

PRESENT: Chair Hummer, Vice Chair Walter, Alternate Vice Chair Gooding, and Councilmembers Dhananjaya and Kasner

ABSENT: None.

STAFF: Theresa Cuthill, Neighborhood Enhancement Coordinator, Community Development Department

1. **CALL TO ORDER**

The meeting was called to order at 6:32 p.m., with Chair Hummer presiding.

2. **ROLL CALL/FLAG SALUTE**

Chair Hummer asked Vice Chair Walter to lead the flag salute.

Deputy City Clerk Karin Roberts called the roll. All Councilmembers were present.

(a) 2019 Election of Officers

Councilmember Hummer introduced the election of the 2019 East Bellevue Community Council officers. She said the nominations would be voted in the order they are received and abstaining from voting would be counted in the affirmative.

Councilmember Walter nominated Councilmember Hummer to serve as Chair.

Councilmember Kasner nominated himself to serve as Chair.

Hearing no further nominations, Councilmember Hummer closed the floor for nominations.

The nomination for Councilmember Hummer to serve as Chair carried by a vote of 4-1, with Councilmember Kasner dissenting.

Chair Hummer nominated Councilmember Walter to serve as Vice Chair.

Hearing no further nominations, Chair Hummer closed the floor for nominations.

The nomination for Councilmember Walter to serve as Vice Chair carried by a vote of 5-0.

Councilmember Dhananjaya nominated Councilmember Gooding to serve as Alternate Vice Chair.

Hearing no further nominations, Chair Hummer closed the floor for nominations.

The nomination for Councilmember Gooding to serve as Alternate Vice Chair carried by a vote of 5-0.

3. **APPROVAL OF AGENDA**

Councilmember Kasner moved to approve the agenda, amended to add Item 12(c) a discussion of whether the EBCC should communicate a formal position on the SE 16th Street improvement program during the Transportation Commission's public hearing. Councilmember Dhananjaya seconded the motion, which carried by a vote of 5-0.

4. **COMMUNICATIONS: WRITTEN AND ORAL**

Chair Hummer highlighted written communications included in the meeting packet regarding Puesta del Sol school and Puget Sound Energy. She noted that the Puesta del Sol project is a quasi-judicial matter. PSE's letter addresses the Energize Eastside project.

Fiona Cofield expressed concern regarding the City Council's approval of Puget Sound Energy's permits to build the Lake Hills transmission line. She also expressed concern regarding the loss of trees. Ms. Cofield noted the lack of a sidewalk on the west side of 156th Avenue NE between NE 4th Street and NE 6th Street. She said she wanted to highlight the issue for consideration during the Neighborhood Enhancement Program (NEP) effort to be launched for the Lake Hills area in April.

Bart Goft recalled his previous suggestion to demonstrate and celebrate the diversity in East Bellevue by installing flags along 156th and 148th Avenues. He said representatives of the Lake Hills Neighborhood Association and the EBCC were in favor of deferring that initiative at that time. He said the City indicated that flags and banners could not be permanent. He encouraged involving children in the effort.

Warren Halverson expressed concern regarding Puget Sound Energy's Energize Eastside project. He questioned why the project is divided into north and south components in Bellevue. He said that, during the pre-hearing for the project, the City and PSE discussed the EBCC's rights and responsibilities. He encouraged the EBCC to: 1) request all pre-hearing documents before the next EBCC meeting, and 2) request that representatives attend the next meeting to explain the documents and the EBCC's rights. Mr. Halverson noted an upcoming hearing on March 28, 6:00 p.m., at Bellevue City Hall regarding the south portion of the Energize Eastside project. He expressed concern that the EBCC will not receive documents until after that hearing.

5. **REPORTS OF CITY COUNCIL, BOARDS AND COMMISSIONS:** None.
6. **REPORT OF THE CHAIR:** None.
7. **DEPARTMENT REPORTS**
 - (a) Neighborhood Enhancement Program

Theresa Cuthill, Neighborhood Enhancement Coordinator, said the Neighborhood Enhancement Program (NEP) will launch its Lake Hills planning effort in April. The NEP is a Council-directed, City-funded capital improvement program that provides residents the opportunity to propose and select enhancement projects for their individual neighborhood areas. The NEP was suspended during the recession in 2008 and was reactivated in August 2015. There are currently 11 NEP projects underway throughout Bellevue. She described a map of the Lake Hills neighborhood area and noted that the EBCC's jurisdiction slightly overlaps the Crossroads and Wilburton neighborhood areas as well.

Ms. Cuthill described the NEP process in which residents submit project ideas to the City. Staff reviews the projects against a set of criteria to determine the feasibility of the proposed projects. Residents will vote on the final list of projects, and the selected project will be implemented within 3-5 years. Ms. Cuthill noted that a number of projects have been completed within two years, however.

The NEP provides \$508,000 for the Lake Hills neighborhood. The types of NEP projects include safety, recreation, bike lanes, pedestrian amenities, gathering spaces, and/or community identity elements. During the most recent effort in Lake Hills, there were 14 projects on the ballot and three of those were funded (i.e., Larsen Lake blueberry farm enhancements, sidewalk at SE 24th Street and 137th Place SE, and landscaping enhancements along Lake Hills Boulevard).

Ms. Cuthill encouraged residents to submit project ideas. She noted that some of the projects not selected through the NEP process are ultimately completed through other City programs. The Lake Hills kickoff meeting will be held on Tuesday, April 16, 6:30-8:30 p.m., at the Sammamish High School Library, 100 140th Avenue SE. Project managers will be in attendance to answer questions and receive input. Residents will be allowed to submit project ideas from mid-April through the end of May. A project open house will be held on September 12 to provide information on the final candidate projects. Residents will receive a voters pamphlet listing all of the projects on the ballot and their estimated costs, and each household will have one vote.

Warren Halverson expressed support for the City's NEP activities.

Bart Goft reiterated his interest in placing banners celebrating diversity throughout the area. He would like to get children involved in the effort. As an option to posting banners along 148th and 156th Avenues, he suggested placing them in certain locations on public property and at public schools. He is hoping this will become a prototype for the entire community.

Vice Chair Walter expressed support for the NEP. Responding to Ms. Walter, Ms. Cuthill said information on non-NEP projects in the Lake Hills area will be provided at the April 16 kickoff meeting as well.

Councilmember Gooding said he is pleased to have the NEP funding for projects selected by residents.

Chair Hummer asked about the differences between the program in 2008 and today. Ms. Cuthill said there was previously a cap of \$150,000 for an individual project. However, a neighborhood may now spend all of its funding on one or more projects. Overall funding levels increased when the program was reactivated in 2015.

Councilmember Kasner questioned the City's review of the proposed projects. Ms. Cuthill said staff from multiple departments evaluate the proposals based on established criteria. Mr. Kasner said it would be helpful to see a list of all suggested projects with notes explaining why certain projects were not included on the final neighborhood ballot. Ms. Cuthill said that additional information, including the criteria, is available online at www.bellevuewa.gov/NEP. Project ideas may be submitted online as well.

Chair Hummer concurred with Councilmember Kasner that it would be helpful for residents to be able to see the full list of the projects proposed for their area.

Responding to Bill Capron, Ms. Cuthill confirmed that the cost of public mailings is included in the NEP budget for each area. She said the City must notify every resident in the Lake Hills neighborhood area.

Responding to Councilmember Kasner, Ms. Cuthill said that anyone may submit project ideas. However, voting is restricted to residents within the neighborhood area with one vote per household.

Responding to Chair Hummer, Ms. Cuthill said neighborhood subarea planning is underway through a separate program called Great Neighborhoods. Planning for the NW Bellevue and NE Bellevue areas will begin this year. The next two neighborhoods for neighborhood area planning will be Crossroads and Newport. The next two neighborhoods for NEP planning are Crossroads and Wilburton.

Fiona Cofield commended the City for its NEP funding and outreach.

- (b) Memo re: Kelsey Creek at Glendale Passage Restoration and Stabilization
[No presentation; information provided in meeting packet.]

Chair Hummer noted the memo in the meeting packet regarding the Kelsey Creek restoration project at the Glendale Golf Course. She said she would like a follow-up report demonstrating the before and after monitoring of the stream improvements. She said Kelsey Creek is very important to the EBCC, Lake Hills, and the entire community for its storm drainage management and the preservation of stream habitat.

Councilmember Kasner said the water table is high in East Bellevue, and it is difficult to understand what is happening in Kelsey Creek without understanding the entire floodplain.

Councilmember Hummer noted the importance of Kelsey Creek to the neighborhood. She expressed concern regarding the potential for future projects affecting 148th Avenue, the Lake Hills Greenbelt, and Kelsey Creek.

8. **PUBLIC/COURTESY HEARINGS**: None.

9. **RESOLUTIONS**

(a) Resolution 572 Electing the 2019 Community Council Officers

The 2019 Election of Officers took place earlier in the meeting, however there was no motion made to adopt Resolution 572. The formal adoption of Resolution 572 will be brought forward and placed on the April 2, 2019 agenda.

10. **COMMITTEE REPORTS**: None.

11. **UNFINISHED BUSINESS**: None.

12. **NEW BUSINESS**

(a) EBCC Retreat Discussion

Chair Hummer noted that the EBCC's July meeting is often cancelled due to the 4th of July holiday. She suggested moving the July meeting to July 9 to hold a retreat at City Hall.

Councilmember Kasner moved to schedule a retreat for July 9, 2019 at City Hall. Vice Chair Walter seconded the motion.

Vice Chair Walter expressed support for the motion, noting that the retreat will help the EBCC choose and focus on the priorities for the year.

Councilmember Dhananjaya encouraged a specific agenda for the meeting and suggested perhaps inviting a staff person and/or a City Councilmember to discuss key upcoming issues and projects.

Councilmember Kasner suggested inviting Board and Commission members to the retreat. He said that would provide the opportunity to learn about current and emerging priorities and to enable the EBCC to focus its efforts.

The motion to schedule a retreat carried by a vote of 5-0.

(b) Discussion of 2019 EBCC Regular Meeting Dates

Chair Hummer suggested moving the July 2 meeting to July 9 due to the 4th of July holiday, and moving the September 3 meeting to September 10.

Vice Chair Walter moved to reschedule the regular July meeting to July 9 and the regular September meeting to September 10. Councilmember Dhananjaya seconded the motion.

Councilmember Kasner said he preferred to not reschedule the September meeting. Chair Hummer noted that the City Council meeting will be held on September 3 due to Labor Day on September 2.

The motion carried by a vote of 4-1, with Councilmember Kasner dissenting.

- (c) Discussion of whether EBCC should take a position regarding SE 16th Street Improvements project during the Transportation Commission's Public Hearing

Chair Hummer introduced discussion about whether the EBCC should take a position regarding TFP-158, the SE 16th Street (148th Avenue SE to 156th Avenue SE) bike lane and sidewalk project. The project would add a five-foot wide bicycle lane on both sides of SE 16th Street and a six-foot wide sidewalk on the north side of the street between 148th Avenue NE and 156th Avenue NE.

Ms. Hummer said the EBCC has consistently opposed the project and asked the Transportation Commission to remove the project from the Transportation Facilities Plan (TFP). However, it remains in the plan.

Councilmember Kasner said the Transportation Improvement Program (TIP) and the Transportation Facilities Plan (TFP) do not sync with each other. He said the Transportation Commission voted the SE 16th Street project out of the TIP. He said he was told by staff that, with the project out of the TIP, it will automatically fall out of the TFP. However, the project is still reflected in the TFP. He said the EBCC has not been supportive of the project. He suggested drafting a Resolution to formally document the EBCC's position on the project and to express support for further development of east-west bike corridors. Mr. Kasner would like the City to enhance the existing bike corridors on SE 22nd Street and Lake Hills Boulevard. He expressed concern regarding the safety of cycling on SE 16th Street.

Chair Hummer recalled that, when the Transportation Commission presented information to the City Council, the Commission Chair communicated a recommendation to remove the project from the budget. She said a citizen testified that the project is needed for children accessing school buses. She said one City Councilmember suggested collecting data on pedestrian traffic before moving forward with the project. She concurred with the suggestion to draft a resolution communicating the EBCC's objectives and priorities.

Councilmember Kasner noted his longtime involvement opposing the project and suggested that he and Councilmember Dhananjaya present the EBCC's position to the Transportation Commission.

Vice Chair Walter suggested that sending new and different EBCC representatives would perhaps provide a fresh perspective and garner better results. She also suggested encouraging a focus on the two existing bike corridors and noted that there are other priorities that would be a better use of the funding.

Councilmember Kasner moved to draft a resolution regarding the EBCC's disapproval of TFP-158, to present to the Transportation Commission during its March 14 public hearing. Councilmember Dhananjaya seconded the motion, which carried by a vote of 5-0.

Mr. Kasner said the SE 16th Street bike lane project is inconsistent with the Vision Zero program's goal of no traffic-pedestrian fatalities by 2030. He reiterated that the strongest argument is to advocate for enhancements to the two existing bike corridors.

Moving on, Chair Hummer spoke about Puget Sound Energy's Energize Eastside project. She said she heard that the EBCC was mentioned during the pre-hearing arguments before the Hearing Examiner. She said the next hearing is scheduled for March 28. She invited feedback from EBCC members.

Councilmember Kasner recalled that the court determined that the EBCC does not have shoreline jurisdiction. He said the PSE Energize Eastside project was split into two segments. He said the City could potentially argue that the EBCC does not have jurisdiction because this matter is a continuation of a previously approved project that would be detrimental to the City if disapproved by the EBCC. He said it is important that the EBCC participate in the hearing.

Chair Hummer suggested drafting a resolution to communicate the EBCC's position. She suggested reaching out to the Houghton Community Council in Kirkland because the project also affects its jurisdiction.

Vice Chair Walter spoke in favor of a resolution to formally transmit the EBCC's position.

Vice Chair Walter moved to draft a resolution regarding the permit approval for the south half of Puget Sound Energy's Energize Eastside project, to present to the Hearing Examiner on March 28. Councilmember Gooding seconded the motion.

Councilmember Kasner said the resolution should be drafted during a public meeting. He opined that it cannot be drafted and emailed to all EBCC members. He expressed concern about the complexity of drafting the resolution but noted he would defer to the EBCC's attorney.

Chair Hummer said the resolution can be drafted, and she can then discuss it with the EBCC's attorney. She noted that the EBCC may modify and approve the draft document during a public meeting.

Councilmember Kasner expressed concern about the ability to draft, review, and approve the resolution by March 28.

Vice Chair Walter said the issue for her is the importance of maintaining the responsibilities and authority of the EBCC. Chair Hummer concurred.

Councilmember Dhananjaya said he looks forward to seeing the draft resolution and ensuring that the EBCC's powers are not diminished.

Chair Hummer said the motion will approve the Chair to draft the resolution and to call a special meeting for formal action by the EBCC.

The motion carried by a vote of 5-0.

Chair Hummer thanked Ms. Cofield for coming and keeping 300trees.org at the forefront. Ms. Hummer recalled that the EBCC disapproved the Lake Hills transmission line project and the related removal of trees along 148th Avenue. She said she would like to see a discussion of the topic during the Lake Hills Neighborhood Association meeting and to continue to receive updates from PSE.

Ms. Hummer invited councilmembers to comment on any communications from the public.

Councilmember Dhananjaya asked whether the trees to be removed for PSE's project have been marked.

Ms. Cofield said the City asked 300trees.org to remove the signs and caution tape they placed along the tree corridor, which they did. She said there are silver tags on some of the trees. She noted an additional concern regarding the wetlands.

Councilmember Kasner requested a timeline for the Puesta del Sol school project. Chair Hummer shared preliminary information regarding the process.

Mr. Kasner said a number of residents are concerned about traffic impacts. He suggested that the EBCC hold a hearing before the Hearing Examiner's hearing. Chair Hummer said that is not reflected in the City's process. After the hearing before the City Council and their decision, the matter will go before the EBCC for a public hearing and decision.

Chair Hummer questioned whether EBCC members are allowed to attend the Hearing Examiner's hearing.

Councilmember Kasner said the EBCC can hear information about the project only during its own open meetings. He said the EBCC is not allowed to hear outside input on the project.

Chair Hummer said she would like to confirm the quasi-judicial rules with the EBCC's attorney. She noted that Councilmembers are not necessarily prevented from communications regarding quasi-judicial matters, but are required to disclose those communications and to affirm whether they can participate in a fair and unbiased manner in making a decision. Ms. Hummer said it is important to avoid the appearance of a bias.

Mr. Kasner said it would be helpful to have a presentation from the EBCC's attorney regarding the quasi-judicial process and the Puesta del Sol project.

Councilmember Dhananjaya said he would like more information regarding the project alternatives, especially option 5a.

Responding to Councilmember Kasner, Deputy City Clerk Roberts noted two upcoming items for the EBCC: 1) City Council consideration of an appeal Land Use Code Amendment (LUCA), and 2) the garden supply/nursery LUCA.

Ms. Hummer would like the EBCC to be invited to the Puesta del Sol ribbon-cutting ceremony. She said the EBCC reviewed the conditional use permit (CUP) for Sammamish High School. However, the EBCC was not invited to participate in the opening of that project.

Councilmember Kasner noted the May update regarding the City's single-family room rental enforcement efforts. Given the departure of the City's Code and Policy Director, he would like to know who will present the update and to ensure that they understand the background of the issue.

Ms. Hummer said the next EBCC meeting will be held on April 2.

13. **CONTINUED COMMUNICATIONS**

Bart Goft reiterated his suggestion for diversity banners throughout the community. He suggested installing the banners at schools and other public locations, instead of his earlier suggestion to install them along 148th Avenue. He said the City previously indicated it would provide 14 flags along 148th Avenue.

Chair Hummer suggested that Mr. Goft contact Julie Ellenhorn regarding his suggestion. She said the EBCC does not have jurisdiction over that type of initiative.

Councilmember Kasner said the EBCC was well received at the Neighborhood Leadership Gathering. He and Chair Hummer participated in the event, which included a discussion of the City's tree canopy.

Councilmember Kasner moved to extend the meeting to 8:37 p.m. Vice Chair Walter seconded the motion, which carried by a vote of 5-0.

14. **EXECUTIVE SESSION:** None.

15. **APPROVAL OF MINUTES**

- (a) Summary Minutes of the January 8, 2019 Regular Meeting

Vice Chair Walter moved to approve the minutes of the January 8, 2019 Regular Meeting. Councilmember Gooding seconded the motion, which carried by a vote of 5-0.

16. **ADJOURNMENT**

At 8:34 p.m., Chair Hummer declared the meeting adjourned.

Karin Roberts, CMC
Deputy City Clerk

/kaw