

East Bellevue Community Council
Summary Minutes of Regular Meeting

September 10, 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: None.

1. **CALL TO ORDER**

The meeting was called to order at 6:35 p.m., with Chair Hummer presiding.

2. **ROLL CALL/FLAG SALUTE**

Councilmember Gooding led the flag salute.

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

3. **APPROVAL OF AGENDA**

Vice Chair Walter moved to approve the agenda. Councilmember Kasner seconded the motion, which carried by a vote of 5-0.

4. **COMMUNICATIONS: WRITTEN AND ORAL**

Chair Hummer indicated that the EBCC cannot consider public comment on Puget Sound Energy's conditional use permit (CUP) application for the south Bellevue segment of the Energize Eastside project because the matter is not before the EBCC. A public hearing regarding the Development Services Department (DSD) Director's recommendation on the project was held on March 28 and 29, 2019 before the City's Hearing Examiner. All public comment, both written and oral, is now closed.

Ms. Hummer said the EBCC cannot consider public comment on the CUP application for the Puesta del Sol school project because it is a quasi-judicial matter in which the EBCC will act as triers of fact when considering the application in the future. She said the public may submit written comments to the Deputy City Clerk or to the Director of the Development Services Department (DSD).

5. **REPORTS OF CITY COUNCIL, BOARDS AND COMMISSIONS:** None.

6. **REPORT OF THE CHAIR**

Chair Hummer said that she and Councilmember Dhananjaya met recently with Mayor Chelminiak and Deputy Mayor Robinson, who provided positive feedback regarding the direction the EBCC has taken over the past two years. Ms. Hummer said they learned about a recent meeting in which a member of City Hall felt misunderstood by EBCC members. She reached out to that person and will work to ensure that all are welcome and respected at EBCC meetings. Ms. Hummer noted that personal attacks and attacks directed toward City Hall do nothing to further the EBCC's mission. Councilmember Dhananjaya said they talked about the importance of projecting a unified voice and of clearly distinguishing between the EBCC's official position and the opinions of individual EBCC members.

Chair Hummer said the City has determined that signage regarding EBCC meetings is not a necessary expense under state law. She said similar signage is not provided for the City Council, Board, or Commission meetings, and meeting information is available online.

Vice Chair Walter concurred with the importance of having a unified front. She said she was disappointed about the lack of funding for signage and suggested listing the EBCC meetings on the reader board in City Hall.

Councilmember Gooding agreed with the importance of clear communication and conveying a consistent message. He suggested that the EBCC post its meeting schedule on social media.

Councilmember Kasner said the community no longer feels interested in coming to EBCC meetings. He noted the lack of agenda items in recent meetings and suggested more attention to topics of interest to the community.

Councilmember Dhananjaya suggested that the EBCC should highlight mutual priorities and goals rather than oppose activities at City Hall. He said he shares Mr. Kasner's interest in attracting residents to the EBCC meetings. However, the EBCC's decision authority is limited to specific land use matters.

Chair Hummer said that many in the community believe the EBCC should not exist. She noted that the EBCC has supported the majority of City Council decisions forwarded to them for action. Since 2009, only two City Council resolutions were disapproved by the EBCC (i.e., Lake Hills transmission line project and Homeless Services Uses Land Use Code Amendment). Ms. Hummer noted that the EBCC's meetings are posted on Nextdoor.com. She said that some of the types of issues discussed by the EBCC in the past are better addressed through the Lake Hills Neighborhood Association.

Councilmember Dhananjaya suggested that City staff presentations on projects and issues might attract more residents to the EBCC meetings.

Chair Hummer said that presentations on many topics are available through City Council, Board, and Commission meetings. She encouraged everyone to demonstrate the EBCC's unity in both public and private conversations.

7. **DEPARTMENT REPORTS**

(a) Memo re: Islamic Center of Eastside Rebuild Update

Chair Hummer read the memo regarding the reconstruction of the Islamic Center of Eastside. Construction permits are currently under review. The building permit will be issued this fall after the start of the clearing and grading work on the site.

Vice Chair Walter suggested an EBCC presence at the project's groundbreaking.

Councilmember Kasner expressed his disappointment that the project has not yet started.

(b) Memo re: Gupta Airbnb

Chair Hummer read the memo regarding the request by Deepika Gupta for a Home Occupation permit to allow a short-term rental in their home. She noted that the application is reviewed for compliance with the Home Occupation permit decision criteria provided in Land Use Code Section 20.30N.140 and with the requirements for Bed and Breakfast operations as reflected in LUC 20.20.140.

Vice Chair Walter commented on the requirements for a Home Occupation permit. She said that the Airbnb rental of a whole home is not allowed in Bellevue's single-family residential zones. She noted that the ordinance regulating single-family room rentals did not change the City's home occupation regulations.

Councilmember Kasner expressed concern about operating vacation and business rentals in single-family neighborhoods. He questioned whether Airbnb rentals are consistent with the intent of the City's transient lodging regulations.

Councilmember Dhananjaya encouraged more consistent regulations for room and home rentals.

Chair Hummer said it would be helpful for the public to understand the regulations applied to Airbnb-type rentals and to understand the differences between a boarding house and short-term rentals. Under boarding house regulations, owners must live in the home and are allowed to rent two rooms. Ms. Hummer said the EBCC will receive an update on single-family room rentals in November. She requested information on home occupations and short-term rentals at the same time.

Councilmember Dhananjaya noted that residents will likely be interested in this topic. He said it would be interesting to know the level of tax revenue generated by the uses.

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

9. **RESOLUTIONS:** None.

10. **COMMITTEE REPORTS:** None.

11. **UNFINISHED BUSINESS**

(a) Continued Discussion of EBCC's Advisory Role

Chair Hummer referenced the memo in the meeting packet following up on the August 6 retreat discussion.

Councilmember Dhananjaya spoke about rotating the attendance of EBCC members to the Board and Commission meetings.

Vice Chair Walter suggested that the EBCC focus on representing the interests of its constituents instead of advocating for personal priorities. She said that a strong focus on the EBCC's mission will enhance its effectiveness and credibility over time. She suggested that the EBCC formally communicate its decisions during City Council meetings.

Councilmember Kasner expressed concern that comments regarding Transportation Facilities Plan project 158 (TFP-158) were ignored by the City Council. He hopes the project will not ultimately be funded. He expressed support for working together on the behalf of constituents.

Mr. Kasner encouraged building relationships with Board and Commission members. He said it would be helpful to receive periodic updates from Boards and Commissions during the EBCC meetings.

Vice Chair Walter spoke about advising on issues within the EBCC's legislative authority. She acknowledged that the EBCC provided input on TFP-158 to the Transportation Commission and to the City Council. However, it does not have authority over transportation decisions. She noted the importance of building good relationships with the City Council related to issues within the EBCC's jurisdiction.

Chair Hummer said the EBCC's focus is on Land Use Code Amendments, Comprehensive Plan Amendments, and certain conditional use permits, and not on transportation decisions. She said the City Council determined that TFP-158 is a necessary part of the City's pedestrian-bicycle network. She noted that City Councilmember Robertson requested data regarding buses and overall safety along SE 16th Street. Chair Hummer suggested that it is time to move beyond discussion of TFP-158.

Councilmember Kasner recalled a previous unanimous vote of the EBCC in favor of asking the Transportation Commission to oppose the project. He noted that TFP-158 is not yet funded in the budget, and he will continue to advocate against funding the project. He said he will make it clear that he is not representing the EBCC.

Vice Chair Walter said it is imperative for the credibility of the EBCC to treat this decision as a professional action, and for Mr. Kasner to delineate his personal comments from the EBCC's official position when he provides testimony to other bodies.

Councilmember Kasner opined that the EBCC is currently almost irrelevant to the City and he wants to keep it relevant. He said he will continue to hold the EBCC's constituents in the highest regard and to represent them as a member of the EBCC and as an individual.

Chair Hummer said that TFP-158 is not within the EBCC's power or duties. She suggested focusing on issues within the EBCC's jurisdiction, such as the upcoming Temporary Encampment Land Use Code Amendment (LUCA). She encouraged better cooperation with the City Council and staff in order to have an early seat at the table on emerging issues.

Vice Chair Walter moved that the EBCC no longer pursue advocating for the removal of TFP-158 from the transportation budget. Councilmember Dhananjaya seconded the motion, which carried by a vote of 3-2 with Councilmembers Gooding and Kasner dissenting.

Chair Hummer encouraged focusing on issues within the EBCC's decision authority.

Councilmember Dhananjaya spoke in favor of continuing to provide feedback to the City Council and others regarding projects and issues that affect the East Bellevue service area.

Ms. Hummer said the Mayor clarified that the Boards and Commissions serve the City Council. She said it is important to determine how the EBCC can best support those bodies as well as its own constituents. She recalled Ms. Walter's leadership, as a citizen, advocating for the regulation of single-family room rentals.

Chair Hummer said that EBCC members should focus on issues that will come before them for a decision. A courtesy hearing regarding the Temporary Encampment LUCA will be held during the EBCC's November meeting. Deputy City Clerk Roberts noted that individuals may sign up for information alerts on the City's website.

Councilmember Kasner said that the Lake Hills Neighborhood Association (LHNA) will host a candidates' forum on September 19 and the annual Trunk or Treat event on October 26. He said there will be no other general meetings until next year. However, he said the LHNA could send notices of the EBCC's meetings to individuals on its email list.

Chair Hummer said that staffing is not available for the EBCC meeting currently slated for November 5, election day. She noted that the City Council will meet on November 12, due to the Veterans Day holiday on November 11, and suggested that the EBCC reschedule its meeting to November 13.

Councilmember Kasner moved to schedule the EBCC's November meeting for Wednesday, November 13. Councilmember Dhananjaya seconded the motion, which carried by a vote of 5-0.

Chair Hummer recalled previous discussion about meeting at City Hall in November.

Councilmember Dhananjaya moved to hold the November meeting at the Lake Hills Clubhouse, and Councilmember Kasner seconded the motion. The motion carried by a vote of 5-0.

12. **NEW BUSINESS:** None.

13. **CONTINUED COMMUNICATIONS:** None.

14. **EXECUTIVE SESSION:** None.

15. **APPROVAL OF MINUTES**

(a) Summary Minutes of the August 6, 2019 Regular Meeting

Vice Chair Walter moved to approve the minutes of the August 6, 2019 Regular Meeting. Councilmember Gooding seconded the motion, which carried by a vote of 5-0.

Vice Chair Walter shared that during the City Council meeting on September 9, Deputy Mayor Robinson commented that the EBCC previously voted to not allow homeless shelters within its jurisdiction. However, the Mayor clarified that the EBCC voted against the Homeless Services Uses LUCA and chose to retain the current conditional use permit (CUP) process for shelters.

16. **ADJOURNMENT**

At 8:15 p.m., Chair Hummer declared the meeting adjourned.

Karin Roberts, CMC
Deputy City Clerk

/kaw