East Bellevue Community Council
Summary Minutes of Regular Meeting

June 4, 2013
6:30 p.m.

Lake Hills Boys & Girls Club
Bellevue, Washington

PRESENT: Chair Kasner, Vice Chair Hughes[1], and Councilmembers Gooding and Seal

ABSENT: Councilmember Capron

STAFF: Monica Buck, Legal Counsel
Heidi Bedwell, Development Services Department
Sally Nichols, Development Services Department

1. **CALL TO ORDER**

The meeting was called to order at 6:40 p.m. with Chair Kasner presiding.

2. **ROLL CALL**

The Clerk called the roll with all Councilmembers present with the exception of Mr. Capron.

Chair Kasner led the flag salute.

3. **COMMUNICATIONS: WRITTEN AND ORAL**:

(a) Quality of Life in East Bellevue As We Advance in Age

Chair Kasner introduced Liz Tidyman, Volunteer Long Term Care Ombudsman.

Ms. Tidyman spoke on the subject of 'Aging Well in Bellevue'. She stated she volunteers with the Long Term Care Ombudsman Program. This program visits people who live in licensed long term care settings. It is a hub and spoke program with a few paid staff members and over 400 volunteers in Washington State. Ms. Tidyman stated her assigned area is Bellevue, where she visits long term care facilities patrons to hear their issues and help advocate for their rights.

She offered the idea that we are all aging and discouraged the use of labels such as elderly and young. She also encouraged the use of person first language and provided examples to help normalize the aging process. An important spectrum of aging is the idea of functional

[1] Mr. Hughes participated remotely by telephone conference call.

independence. From a practical standpoint, functional independence is made up of activities of daily living and instrumental activities. Activities of daily living include getting dressed, hygiene and eating. Instrumental activities are things others can do for us such as transportation, housework, and shopping. She explained the spectrum of independence as doing all of the above all of the time. She invited the audience to realize that everyone is interdependent with others.

Ms. Tidyman suggested the Department of Social and Health Services website for information and other local resources as an actionable step to convert worry related to aging into knowledge and positive action. She next covered facts related to licensed long term care in Bellevue. In East Bellevue there are about 17 adult family homes and, on the Eastside, 16 assisted living facilities and a number of nursing homes. In addition, there are numerous adult services to help adults stay at home in an independent living setting.

Chair Kasner thanked Ms. Tidyman for her presentation.

4. **APPROVAL OF AGENDA**

Councilmember Seal moved to approve the agenda as published. Councilmember Gooding seconded the motion, which carried by a vote of 4-0.

5. **COURTESY PUBLIC HEARING**:

(a) Eyas Global Montessori School Design Review

Chair Kasner provided general instructions on the courtesy hearing process.

Chair Kasner opened the courtesy hearing.

Heidi Bedwell introduced herself and the project architect Melanie Corey-Ferrini with Dynamik Space. Ms. Bedwell stated this was an informational hearing to familiarize people with the project and process. She stated the project is sited on two parcels located at 14219 and 14221 Lake Hills Boulevard in the R-20 Multi-family zoning district. It is adjacent to single family zoning to the east and north, and neighborhood business to the south. The proposal is to remodel, renovate and expand the existing structure approximately 885 square feet to house a Montessori School. The use is permitted outright in the R-20 zone but due to its location within a transition design district overlay, design review is required. Public comments will be accepted up to the staff report expected sometime in July.

Melanie Corey-Ferrini stated the proposed facility will house 40 children and is expected to be a great addition to the neighborhood. She described the project, pointing out the existing structure and proposed additions.

In response to Chair Kasner, Ms. Corey-Ferrini stated it is hoped the school will open its doors in the February/March 2014 timeframe.

The owner of the apartment building next door asked about the location of the additional square footage. Ms. Corey-Ferrini responded that the addition is up to the site's west side setback limit. The playground will be located to the front of the site. She clarified daytime operation hours were between 7:30 am to 5:30 pm.

Councilmember Gooding questioned previous uses of the site.

Mr. Hummer questioned ingress/egress to the parking area. Ms. Bedwell responded that there will be parking spaces provided on site with only one access. At this point, staff does not see any issues impacting traffic flow.

Mr. Hummer asked if the design contemplated removal of a clump of trees on the southwest corner. Ms. Corey-Ferrini stated she believed the trees on the site are being maintained. She indicated she would get back with a definitive answer later but noted they are maintaining as many tree as they can.

Ron Murk questioned the parking lot and asked if there would be ample room for a turnaround. Ms. Bedwell responded affirmatively. Mr. Murk asked what protection is in place should this proposed use fail and another type of establishment move in? Ms. Bedwell stated the use is limited to allowable uses within the Land Use Chart (R-20 zoning).

In response to Chair Kasner, Ms. Bedwell stated the maximum student count is 40 children per state law based on square footage.

Seeing no one else wishing to speak, Chair Kasner closed the courtesy public hearing.

(b) Puget Sound Energy Conditional Use Application for a New Transmission Line Connecting Existing Lake Hills and Phantom Lake Substations

Chair Kasner opened the courtesy public hearing.

Sally Nichols provided a staff process update. She noted that staff is nearing the end of the conditional use review. Conditional use is a Process III decision. At the same time, staff is also reviewing Process II permits including a critical areas land use permit and environmental review. Thus far, Puget Sound Energy has held four meetings before applying for the conditional use permit, and, another two City public meetings after application was made.

Ms. Nichols reviewed the purpose of tonight's meeting is to provide an update as to what is new and present Puget Sound Energy's conceptual mitigation plan. She asked that the comments be limited to the conceptual mitigation plan.

Chair Kasner corrected staff, stating the Council will take comments on all issues related to the proposed transmission line for the record.

Chair Kasner provided an opportunity for Council to disclose any ex parte communications they may have had with any of the parties acting in support or opposition to this conditional use application. Mr. Kasner polled the Council.

The Council, each in turn, declared no ex parte communications.

Monica Buck, Legal Counsel to the Community Council, explained the procedure tonight's hearing will follow.

Chair Kasner next requested the proponent's presentation.

Jeff McMeekin, Puget Sound Energy, provided an update on the scope and schedule of the proposed project.

He noted the scope adjustment for SE 16th and the phasing of that portion of the project with the City of Bellevue's identified Transportation Improvement Project (TIP) that is planned to take place on SE 16th between 148th and 156th Avenues SE. This work is expected to include the addition of curbs and gutters, sidewalks, bike lanes and new landscaping. No specific construction date and/or funding have yet been identified. However, the City has indicated that this project might take place within the next 5-10 years. PSE is now proposing to defer final design and construction of the half-mile line segment along SE 16th Street to the Phantom Lake substation in order to coordinate the design of the transmission line work with the City and to undertake construction concurrently with the planned road and streetscape improvements.

In the meantime, PSE proposes to install three pole-mounted switches on the transmission line along 148th Avenue SE, near the intersection with SE 16th Street. The switches will allow PSE to change the flow of power to the Phantom Lake substation from the north or the south. This interim plan allows PSE to improve reliability for all customers in the area, although the full reliability benefits will not be realized until the SE 16th Street segment is constructed.

Mr. McMeekin next presented boards depicting the davit pole design. He stated the advantages of this design and style of arms, moving the lines away from privately owned property. PSE is hoping to finish up with permitting this year and continue with easement acquisition in 2014.

Mr. Kasner questioned tree removal and trimming. Some of the poles are set so that the wires are above the tree line. If the tree cover is thick enough, the wires are camouflaged to the point of hardly being noticeable. He noted the last drawing that he had seen showed severe tree trimming, making the canopy at or below the wires. Are the new style poles taller?

Andy Swayne, Puget Sound Energy, responded. PSE will need to remove or trim a number of trees pretty much all along the route. Some of those trees are in the public right of way, others are on private property. The count along the SE 16th portion, being deferred at present, is approximately 37 trees. Over the rest of the routes, the estimate is about 180 trees, all within the rights-of-way and generally consists of taller growing evergreen and deciduous trees. There will be some trees on private property that will need to be removed or trimmed. PSE will be working

with each of those private property owners individually. Shorter growing trees (15 to 20 feet) will be allowed throughout the corridor as reflected in the proposal.

Responding to pole height, Mr. Swayne stated the poles are slightly taller to accommodate the davit arms, at approximately 80 feet. The poles are wood and/or engineered glued laminate structures to reduce the need for guide wires, spans and anchors. The davit arms move the wires away from trees or structures about 5 feet from the front of the pole. The proposal is to use the davit armed poles all along the roadside to get maximum clearance away from trees to minimize tree removal and trimmings.

In response to Don Boettiger, Mr. Swayne stated PSE is expecting to use wood poles wherever possible but it may be necessary to use a steel pole at corner locations where guide wires are not possible. PSE does not intend to run additional lines with this project but noted federal requirements to allow other communication lines to co-locate if the proper approvals are granted and if space is available. At present, co-location is not anticipated anywhere along this route.

Paul Leland, resident of Conifer Crest, stated his concern with the location of transmission lines along the backyards of his community. Mr. Swayne stated PSE is looking at alternatives, such as median installations. However, he noted there are challenges associated with pole location in medians.

Michael Richardson questioned the effects on EMF with new routing in contrast to what exists today. Mr. Swayne stated all electrical devices create electric magnetic fields and that there has been a tremendous amount of study on the subject. There will be the presence of electric and magnetic fields where a source does not exist at present. As a general rule, those field levels drop off very rapidly as distance away from the line increases. Keeping in mind the conductors are typically about 50 feet in the air so there is already a fair distance between. There will likely be an increase in field strengths above what is now the background level found naturally in the earth. Exactly what those changes will be is unknown but will vary over time as the amount of power flowing through the lines fluctuates during different times of year or day. Mr. Swayne stated that all studies in modern science suggests that there is presently no substantiation of any human or animal health affect from these kinds of facilities.

Mr. Swayne responded to Chair Kasner regarding the acquisition of easements. He stated PSE had begun working with property owners early on in the proposed project. There have been some easements that have been successfully negotiated and acquired. PSE is actively working with three properties currently. PSE has stopped pursuing additional easements at present, until there is confidence that the application has completed the required steps. The tradeoff is it will take longer to complete the project but, on the other hand, PSE will not acquire easements not needed.

Chair Kasner noted his concerns regarding the impacts of changing technologies on the project prior to actual build. Mr. Swayne stated there has been very little change in the past many decades in the way these kinds of lines are constructed. The improvements in cable design are not what is preventing undergrounding, it is a collection of other factors which on balance make

PSE believe, given the impact to rate payers, overhead transmission lines still make sense in this area.

Mr. Bailey stated his concern with area pollution with overhead lines.

Councilmember Hughes questioned tree trimming on Main Street between 148th and 156th. He stated during tree maintenance that entire portion of Main Street was blocked causing traffic delays. He asked how long this project would take to construct and how the traffic impacts to 148th will be handled. Mr. McMeekin responded, stating, for the duration of construction, impact will be on small sections (500 foot work zones) at a time. Mr. Swayne continued the response, stating, in addition to any land use permitting, PSE will be working in close coordination with the Transportation Department to arrive at traffic mitigation, control and hours of construction to minimize impacts to the travelling public. However, there will be spots and times where traffic will be affected and may, in fact, experience some delays. Construction in 2014/2015 on portions along NE 8th and 148th are multi-lane roadways and there should never be a need to close more than a one lane work zone at a time.

Mr. Hughes reiterated his concern of construction impacts on traffic given 148th is a traffic bottleneck during rush hour. Construction lane closures would probably cause traffic to back up for miles even if only 10 feet were impacted at a time. He suggested that the construction plan, if implemented, make sure that no section of 148th be reduced by a lane between 4 pm and 6:30 pm. He asked the project managers to try driving that stretch of road between SR520 south to I-90 during that timeframe before they start the project. He suggested that perhaps they could work only the late evening hours to avoid impacts to daytime traffic.

Curtis LaPierre, Otak, spoke to two projects. The first project was for the City of Bellevue for an urban boulevard concept plan. This is a landscaping master plan for all of 148th from Bellevue College to NE 8th. As projects along this corridor come in, improvements can be made in accordance with the adopted master plan. Their second project is for PSE and related to the current proposal. Through conversations with the City and PSE, it made sense to take a look at street landscaping in relationship to mitigated project impacts. As a point of clarification, no visual impact analysis was done. Otak looked at vegetation both on private property and the right-of-way and what could be done to apply the master plan to the PSE proposed project. He described the proposed landscaping. They looked at neighborhood scale and the value of trees to the character of the area in both appearance and screening.

Charlene Sherwood, Otak, continued the presentation, stating they developed three different plans for high, medium and low based on the mitigation levels. She presented boards depicting each level of mitigation.

Mr. LaPierre continued review of the landscaping plans.

Chair Kasner noted that, unrelated to the PSE project, Council had a presentation on urban boulevards last December.

Ms. Sherwood continued the review.

In response to Mr. Kasner, Mr. LaPierre explained the triggers for low, medium and high mitigation.

Jeff Hummer stated, in terms of landscape mitigation, that PSE is doing the best they can. Usually what ruins it all is how it is maintained afterwards. He stated the stretch along Sammamish High School as an example.

Sonja Rossman stated the landscape mitigation planned is better than it was.

Chair Kasner reviewed the written questions submitted by Councilmembers Hughes and Capron.

Mr. Kasner noted on behalf of Councilmember Hughes, since it is a quasi-judicial issue, EBCC members cannot invite the public to attend the courtesy meeting where the Conditional Use Permit will be discussed. The public has to find out about it in some other way, not from us. For instance, we were informed by the city attorney that we could not send out emails to invite our community to this public meeting. Is Puget Sound Energy aware of this?

Chair Kasner stated there are many things that are published and this project has never been one of those things. So, people who drive on 148th and don't actually live within 500 feet of the line are not aware of the proposal. Why has there not been some general discussion with the community about these major plans? He stated that actual notice besides the boards themselves has not happened.

Ms. Nichols responded, stating the multiple times notice was provided to property owners within 500 feet of this proposal. PSE has held four meetings with the public prior to submitting application. She stated, in addition, that for all meetings before the Community Council on this issue that she personally sent out emails/letters to all 94 parties of record as to the meeting place and time.

Chair Kasner criticized the process, stating we are doing a poor job of explaining to people what actually is going on. The fact that there are more people here tonight then were present at the May 21, 2013 meeting at City Hall shows that we are not doing a good job of getting the word out. Notice did not go through Neighborhood Outreach, it did not have a wide distribution and only 10 people showed up.

Mr. Swayne responded that PSE has had a number of meetings over the better part of 4+ years. Every time PSE has hosted a meeting, including the first time when PSE was considering all the various routes, letters and/or postcards were mailed to every address within the project or potential project area. PSE tried every means available to them to engage the public. He noted the suggestion to notice the people who drive the corridor but stated it is near impossible to know who they are or how to reach them.

Sonja Rossman stated that she had received notice, but opined some of the road blocks to testifying.

Don Boettiger took exception to being notified. He stated he has 162 feet frontage on 148th and was never notified. Mr. Swayne apologized if there was an error in the mailing list, stating that PSE tries very hard to make sure those lists are correct and inclusive.

Mr. Kasner stated the way this project has been presented is that PSE has done a lot of work before actual application with root analysis done five or six years ago. He stated his hope for what the project would look like at the time of application was that all of the issues would be on the table. As Ms. Nichols presented tonight, the only issue on the table is what PSE has already vetted. He reiterated his process concerns that decisions were made based on the small number of people who showed up. The sample size does not feel large enough for a project of this magnitude. Mr. Swayne responded that PSE began outreach to the community 4+ years ago and the decisions made have been based on the input received from the public willing to come and meet with them, look at the PSE website or otherwise provide comment. He admits that has been a fairly small segment of the community and that this project which started out as a very large study area, overtime narrowed to the proposed route submitted to the City.

Chair Kasner explained Mr. Capron's position on the Community Council and as an impacted property owner within the 500 foot radius of this project. On his behalf, Mr. Kasner questioned the need for the project. Mr. Capron understands the interest of PSE for a redundant supply line or "loop". He noted that past responses from PSE have stated that there has never been a power outage that this line would have prevented. They said outages that result from problems in the distribution itself will not change with the addition of a new transmission line.

Mr. Swayne stated this transmission line is about ensuring there are two ways to bring power to each of the substations. The vast majority of the citizens of Bellevue today enjoy that dual feed capability. The purpose of this project is to bring this same level of redundancy to this area. He stated that PSE did visit this project almost 15 years ago but the community rose up in opposition, and, along with other issues at play agreed to go away for a while. Now, PSE has waited as long as is prudent and does not believe this part of the community should have a lesser quality of service than the rest of Bellevue. That is what this proposal is about.

Ms. Rossman stated that we cannot have development without power. And, looking 20+ years down the road, denser housing in the Lake Hills area is a foregone conclusion.

In response to Mr. Kasner, Mr. Swayne responded there are three substations that feed this general large neighborhood. These are the Lake Hills Substation, Phantom Lake Substation and College Substation. The Phantom Lake and College Substations have a single source of transmission feed. If something happens to any part of that feed, both substations go dark. All customers served from those substations go dark until PSE can fix something. The Lake Hills Substation is also fed from a single transmission line but from another source. If PSE builds this new line per the original proposal, it will create a transmission loop. There will be two transmission lines to each of those substations so that if something happens to one of the

transmission lines, there is a second line to make sure that power can be maintained to all three substations. He explained the circumstances when the second line would be needed.

In response to Mr. Boettiger, Mr. Swayne identified the Mid Lake Substation and the dual transmission feeds.

Wes Clarke stated his concerns related to the magnetic fields. He believes it is the responsibility of PSE and perhaps the City of Bellevue to provide research easily accessible online. He stated it would have been good to have that information provided. He noted traffic on 148th whether the transmission line was constructed above or below ground would result in the same traffic impacts. He stated his biggest concern is with the effects of the created magnetic fields. He feels there is not enough information for his comfort.

Mr. Swayne suggested places on the internet to look for more information regarding electric magnetic fields. He continued response to questions related to magnetic fields.

Ms. Rossman commented that we live in an urban environment; this is not a rural environment anymore. This is part of the tradeoff of living in an urban area.

Chair Kasner continued with comments on behalf of Councilmember Capron. PSE has chosen a route that is 50% longer than the 156th street routing based on their small sample size at the time. As a businessman he finds this idiotic. They have only applied for permitting on the 148th street route. This makes other routes not open for discussion. PSE states that they heard strong opposition to other routing. In our meetings Mr. Capron also heard strong opposition to the 148th street routing. And, residents along S.E. 16th already have one 115kv line on their street; the proposed routing adds a second one on the other side of the street. He feels one line is enough for these residents. The 156th street route would not impact those residents any more.

Chair Kasner stated his confusion as to why the City is not doing an independent analysis.

Chair Kasner continued with Mr. Capron's comments, stating one of the most important projects the EBCC has ever done was the 148th street corridor. It is looked upon by many as a wonderful boulevard that allows travel without destroying the communities it travels through. He would hate to see this damaged by the addition of a large power line, the resulting support structures, and mature landscape removal. And finally, Mr. Kasner stated Mr. Capron's wish to be able to attend more meetings about this and do research. He would like more Information as to how it affects his personal property on the northeast corner of 148th and Main Street.

Chair Kasner stated he understood the quasi-judicial nature of this proposal but as we look at projects throughout the City, it makes it difficult for decision makers to make decisions when consideration can only be based on information provided at the hearings. He hoped that, over time, adjustments can be made to this process so that people can feel heard and decision makers have adequate information on which to base their decisions.

In response to Mr. Kasner, Mr. Swayne spoke to the safety of the power grid.

John Kappler stated he has taken the opportunity to read as much information regarding the proposal as possible. He stated his confidence that the City provided notice to the best of intent. He referred to the Comprehensive Plan and applicable decision criteria. The Utilities Element of the Comprehensive Plan talks to the level of service which was discussed tonight, and the safety and health factors which were discussed yet unresolved. It also talks about reasonable price for the installation of utilities; and, from my understanding, it was the meeting previous to this where costs were possibly discussed more than they were tonight. From the documentation that he read, he noted the cost of overhead versus undergrounding. The last item, most importantly, is the community's desire to have an aesthetically compatible system and that's in the Utilities Element of the Comprehensive Plan too. Continuing with the Comprehensive Plan, under residential neighborhood portion of the Comprehensive Plan, Policy LU22 discusses protecting residential areas from the impact of nonresidential uses that are incompatible in scale. So, a project like this is obviously incompatible with the residential use aesthetically, however it is very compatible with residential use in terms of need. So, the point he want to get to is the City of Bellevue is one of the few cities that list the cost of infrastructure before needs and aesthetics. And because of that, cost has had a tremendous influence on this particular project. His suggestion to the Council is that in balancing cost, aesthetic and need, why not ask for a quick analysis on where biggest aesthetic impact of overhead wires is and look at undergrounding those sections. Look at the overall not just the individual elements, everything he has heard and read about this project is either been one way or another, underground the whole thing or don't, put the whole thing in the middle of the road or don't. And, his suggestion to the Council is to ask to look at specific segments to better balance the direction of the Comprehensive Plan.

Ron Murk stated the need for better notification on the specifics of the project. He explained his involvement many years ago working on the 148th Boulevard Improvement Project and the importance of its beautification to the community.

Mr. Boettiger questioned the vegetation plantings? He stated past experience with promised buffering on 148th that has never materialized.

Wes Clarke stated if consideration is given to undergrounding, he does not believe the property owners along the route should be held responsible for the cost but that the cost should be spread amongst all rate payers.

Councilmember Hughes asked, due to the poor acoustics and his inability to hear all the comments, if he could talk with the Chair about what has transpired tonight at a later time.

Responding to Councilmember Hughes, Ms. Buck advised that he instead request a copy of the audio recording and presentation boards from the Clerk.

Mr. Richardson stated the rules as they apply to quasi-judicial matters stink in terms of people being able to discuss concerns with their representatives. He feels these rules impede freedom of speech.

Chair Kasner clarified allowable communications and those covered under quasi-judicial proceedings.

Seeing no one else wishing to speak, Chair Kasner closed the courtesy public hearing.

Ms. Nichols walked through the approval process and scheduled review timeline.

6. **RESOLUTIONS**: None.

7. **REPORTS OF CITY COUNCIL, BOARDS, AND COMMISSIONS** None.

8. **DEPARTMENT REPORTS**: None.

9. **COMMITTEE REPORTS**:

Councilmember Seal reported on his attendance at the Eastside Transportation Association meeting.

Chair Kasner reported on his attendance at the ARCH bus tour of the Housing Trust Fund properties in Kirkland, Redmond and Bellevue. He also reported his attendance at the Climate Change meeting held at City Hall and last night's City Council meeting where there was a presentation on neighborhood stressors.

10. **UNFINISHED BUSINESS**

(a) November 2013 Election

Chair Kasner noted the Community Council's responsibility to appoint committees to prepare statements in favor of and in opposition to the Community Council Continuation Proposition slated for the November 5, 2013 General Election.

The Community Council solicited applicants to represent both sides of the issue via two media releases and recruitment on the City's website. At the conclusion of the May 31st deadline, two applications were received, both wishing to participate on the Argument Committee "For Continuation". As one of the applicants resides outside the East Bellevue Community Council area, only one applicant is qualified to serve.

By Council consensus Ms. Tammy Foss was appointed to the Pro Continuation Argument Committee to write the "For Continuation" position statement in the 2013 Voters Pamphlet.

Chair Kasner noted no applications were received for appointment to the Against Continuation Argument Committee.

Councilmember Seal moved approval of the Explanatory Statement as printed in the packet for the 2013 Voters Pamphlet. Councilmember Gooding seconded the motion which carried 4-0.

11. **NEW BUSINESS**: None.

12. **CONTINUED COMMUNICATIONS**: None.

13. **EXECUTIVE SESSION**: None.

14. **APPROVAL OF MINUTES**

Councilmember Gooding moved to approve the minutes of the May 7, 2013 Regular Meeting. Councilmember Seal seconded the motion.

Motion to approve the May 7, 2013 minutes carried 4-0.

In response to Councilmember Hughes, Chair Kasner noted an email received from Kevin Baldwin related to traffic on Lake Hills Boulevard. He asked that this issue be placed on the July agenda.

15. **ADJOURNMENT**

Moved by Councilmember Seal and seconded by Councilmember Gooding, the motion to adjourn carried 4-0.

Chair Kasner declared the meeting adjourned at 9:23 pm.

Michelle Murphy, CMC
Deputy City Clerk