East Bellevue Community Council
Summary Minutes of Special Meeting

September 15, 2015
5:00 p.m.

City Hall, Room 1E-122
Bellevue, Washington

PRESENT: Chair Capron, Vice Chair Kasner, Councilmember Gooding, Councilmember Hughes, and Councilmember Hummer

ABSENT: None.

STAFF: Monica Buck, Assistant City Attorney

1. CALL TO ORDER

The meeting was called to order at 5:01 p.m. with Chair Capron presiding.

2. ROLL CALL

The Deputy City Clerk called the roll. All Councilmembers were present.

3. FLAG SALUTE

Chair Capron led the flag salute.

4. EXECUTIVE SESSION

At 5:07 p.m., Chair Capron declared recess to Executive Session for approximately 45 minutes to discuss one item of pending litigation. He indicated that the public portion of the meeting would resume following that session.

The meeting resumed at 6:02 p.m.

5. UNFINISHED BUSINESS

(a) Consideration of Motion regarding Puget Sound Energy v. East Bellevue Community Council

Chair Capron recalled that, on June 24, 2015, the East Bellevue Community Council adopted Resolution No. 550 disapproving the Bellevue City Council's approval of the Conditional Use Permit and the Shoreline Conditional Use Permit for Puget Sound Energy's 115kV transmission line project in the Lake Hills neighborhood. PSE appealed this decision to the King County Superior Court and the Shoreline Hearings Board. Following motions by PSE and the EBCC at

the initial hearing, the Superior Court ruled that the EBCC does not have jurisdiction over the Shoreline CUP.

Chair Capron said the question before the Community Council is whether to appeal the September 8 Superior Court ruling regarding the Shoreline CUP. If the EBCC does not appeal, the case before the Shoreline Hearing Board will be moot and the matter will be dismissed. The CUP is pending review under the Land Use Petition Act (LUPA) before the Superior Court, and the hearing is scheduled for December 14.

Chair Capron requested a motion to either appeal, not appeal, or to have an additional Special Meeting with legal counsel participation for further questions and discussion.

Councilmember Kasner moved to schedule a Special Meeting for September 17, to include the EBCC's legal counsel, to determine whether to appeal the Superior Court decision on the Shoreline Conditional Use Permit. Councilmember Hughes seconded the motion.

The motion carried by a vote of 4-1, with Chair Capron dissenting.

6. ADJOURNMENT

Councilmember Kasner moved to adjourn, and Councilmember Gooding seconded the motion. The motion carried unanimously and the meeting was adjourned at 6:09 p.m.

Charmaine Arredondo
Deputy City Clerk

/kaw