East Bellevue Community Council
Summary Minutes of Regular Meeting

November 6, 2012
6:30 p.m.

Lake Hills Boys & Girls Club Meeting Room
Bellevue, Washington

PRESENT: Chair Kasner, Vice Chair Seal, and Councilmembers Capron, Gooding and Hughes

SPECIAL GUESTS: State Representative Larry Springer
Kirkland City Councilmember Penny Sweet
Houghton Community Councilmember John Kappler

1. **CALL TO ORDER**

The meeting was called to order at 6:30 pm with Chair Kasner presiding.

2. **ROLL CALL**

The Clerk called the roll, all members were present.

Chair Kasner led the flag salute.

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

(a) Kelsey Creek Center Update

Chair Kasner reported that the above update by Brian Franklin has been postponed until the December meeting.

4. **APPROVAL OF AGENDA**

Chair Kasner requested a change in the order of the agenda to take up Item 10, Unfinished Business, next to be respectful of Representative Springer's and Councilmember John Kappler's time.

Mr. Capron moved approval of the amended agenda. Mr. Hughes seconded the motion which carried 5-0.

10. **UNFINISHED BUSINESS**:

(a) Jr. Taxing District, Municipal Corporations & Local Government Finance Committee

Chair Kasner welcomed his honored guests State Representative Springer, Kirkland City Councilmember Penny Sweet and Houghton Community Councilmember John Kappler.

Representative Springer explained his proposed bill related to the rollup of Municipal Corporations into the Cities in which they reside. He noted his prior attempts at variations of this bill and stated his position, acknowledging strong opinions on both sides of the issue to retain or dissolve. He stated, given the charge of the Joint Select Committee to consider the consolidation of junior taxing districts, it seemed logical that this Committee undertake the question of the continuance of the two remaining community municipal corporations. The Committee will make their recommendation to the Legislature during the January session. The Joint Committee is currently in the midst of hearings, at which representatives of the community councils have been invited to testify on November 26th. He stated that current testimony from various other taxing districts have been predominantly against consolidation.

Mr. Springer explained the options before the Committee including consolidation into the general purpose, no consolidation or no opinion at all.

Representative Springer briefly provided his background in public service. He stated his fundamental issue is that he believes the land use veto authority granted to community councils disproportionately sets up unequal representation for the citizens of the city. The people who live within the jurisdictions of Houghton and East Bellevue essentially have two votes while those outside the jurisdictional boundaries have only one.

He stated the working relationship in Kirkland between the City Council and Community Council has been fine. Over the years there has been some disagreements but they have always worked it out. He characterized the relationship as congenial. But, that does not change the fact that he believes community councils are fundamentally not democratic. This has nothing to do with relationships; it has to do with equal access and ability of every citizen to have the same representation.

Chair Kasner noted that Representative Springer has invested political capital to accomplish the elimination of the East Bellevue and Houghton Community Councils. He stated that Mr. Springer had been in the Legislature for a long period of time prior to his proposed HB 1812. Mr. Kasner asked the impetuous for Mr. Springer's crusade to eliminate community councils.

Representative Springer provided a brief background of the introduction of HB 1812 and subsequent versions. He reiterated his fundamental objections, his involvement with governmental finance issues and the major effort to streamline local government to lessen the financial burden as his reasons for bringing this matter forward.

For clarification purposes, Chair Kasner stated that neither of the Community Councils have taxing authority.

Representative Springer summarized that a number of the junior taxing districts being reviewed do not have property taxing authority. He restated his belief that community councils are a layer of government that should not exist.

Mr. Capron stated that Houghton Community Council was created when the voters of the City of Houghton agreed to be absorbed into Kirkland with the stipulation that a community council be created. The East Bellevue Community Council was created as a condition of annexation into the City of Bellevue. He stated he appreciated Mr. Springer's perception that community council residents have two votes but that he fails to see it. He stated his disagreement with Representative Springer's position. Councilmember Capron clarified that state law does provide a sunset, in that the community councils must go back to the electorate to ask for continuance every four years. Case in point, he noted the demise of the Sammamish Community Council once the electorate felt they were no longer needed.

Councilmember Capron stated the East Bellevue Community Council provides valued representation to its constituents. He provided an example of a time long prior to his seat on the Council when their existence was beneficial to the continued existence of his business.

Representative Springer stated he respected the value this Council afforded Mr. Capron; however, his concern is that business owners outside the Community Council's jurisdiction would not be provided the same kind of opportunity.

Councilmember Hughes stated his view that sometimes it seems the City Council does not care about his community. He provided the example of the creation of a dog park in the Community Council area over the objections of the residents, stating there is not another such park in the entire City. He stated he does not understand why Representative Springer does not promote more community activity and take government down to the lowest level of representation.

Representative Springer stated he understood that position, especially when dealing with a city council unwilling to listen. He responded to Councilmember Hughes, stating his experience in the City of Kirkland and the influence of neighborhood associations. He argued that the answer to leveling out the playing field is not the creation of more community councils.

Councilmember Seal stated his fifty year history in the region and his involvement with the community. He stated annexation of the East Bellevue area was attempted twice and failed. Not until the option of a community municipal corporation did the annexation into the City of Bellevue succeed. He provided examples of successful partnerships between the Community Council and City.

Representative Springer stated the two existing community councils, created at time of merger/annexation into their respective cities, were clearly a governance structure setup to facilitate that merger. Absent of those two actions, neither area had the critical mass to sustain itself. He argued that, at the very least, when that decision was made some 46 years ago, that a logical approach would have been to establish a firm sunset that would allow time to fully integrate with the City.

Chair Kasner noted state law created a mechanism for the creation of community councils but it was the will of the electorate that established those councils. He again reiterated the history of the East Bellevue annexation and past failed attempts prior to the ability to retain control of their

land use authority. At the time this state law was enacted it was envisioned to allow the existence of community councils until such time that the electorate within its jurisdictional boundaries determined it was no longer needed.

Councilmember Seal stated his disagreement with Representative Springer's position.

Councilmember Gooding stated neighborhoods are more integrated today, but, at the same time, it does not seem that they are as involved in their communities.

Representative Springer acknowledged the differences between Kirkland and Bellevue.

Chair Kasner recapped tonight's discussion.

John Kappler, Houghton Community Council Vice Chair, stated Houghton's area of purview includes three neighborhoods, the largest and most active being the Central Houghton Neighborhood. He stated he will bring this issue to them at their next meeting to enlist their help. In addition to relaying Representative Springer's position, he will present the Community Councils reasons for disagreeing with that position and provide a strong argument for community involvement.

Mr. Kappler noted what he did not hear from Representative Springer are the judging criteria to be applied for including or exempting junior taxing districts or community municipal corporations from consideration for dissolution. He stated that he had heard that school districts and probably the Liquor Board will be plucked out. He recapped the issues he heard tonight and asked what other issues he should take back to the Houghton Community Council to inform their discussion and articulate their position.

Councilmember Capron stated the existence of the Community Councils actually make the Cities' job easier in a lot of ways. He feels without the Community Council the City would ignore the area. He noted past difficulties and much improved current relationships.

There was Council discussion with Mr. Kappler regarding the benefits of retaining community councils.

Mr. Boettinger stated the Community Council provides a voice for East Bellevue.

Councilmember Gooding confirmed the Community Council's role as advocate for its constituency.

Discussion continued.

Mr. Kappler recapped talking points to present during testimony before the Select Junior Taxing District, Municipal Corporations and Local Government Finance Committee on November 26th.

Wendy Pender, Lake Hills Library, stated that she agrees with the Community Council's assertion that Representative Springer's argument of duplicity of voting privilege is incorrect.

5. **PUBLIC HEARING:** - None.

6. **RESOLUTIONS:** - None.

7. **REPORTS OF CITY COUNCIL, BOARDS, AND COMMISSIONS**:

(a) Community Council Business and New Initiatives

Councilmember Gooding stated no report.

Councilmember Seal reported on his attendance at a City Council Session where a presentation was made related to zoning procedures.

Councilmember Hughes who has just returned from aboard, noted the political differences between England and the United States. He next reported on the Newport High School football schedule.

Councilmember Capron reported on the new business activity at Kelsey Creek Center.

Ms. Pender reported on the progress at the Lake Hills Shopping Center.

Councilmember Kasner reported on his attendance at the Eastside Transportation Alliance where discussion centered on improvements to I-405.

8. **DEPARTMENT REPORTS**: None.

9. **COMMITTEE REPORTS**: None

10. **UNFINISHED BUSINESS** (Taken up at beginning of meeting)

11. **NEW BUSINESS**:

Chair Kasner noted the CIP information included as an attachment to the mailed packet. He commented on the CIP climate and limited availability of funds. He noted his concern with CIP budget proposal 130.18NA that presupposes the location of a proposed PSE transmission line. The Clerk explained the rules related to any project of a quasi-judicial nature. There was no further discussion.

Chair Kasner noted the information in the desk packet pertaining to the proposed code amendments to establish a Light Rail Overlay District.

Councilmember Seal questioned the Community Council's approval authority if the light rail overlay district should be extended through their jurisdictional boundaries at some future date?

Chair Kasner stated, of the five proposed sites for a maintenance facility, none are located within the Community Council's boundaries.

He noted that the City has invited the Community Council to host a public meeting for the purpose of reviewing an update to the Comprehensive Plan.

Councilmember Capron moved approval of hosting the Comprehensive Plan Update at an upcoming special meeting. Mr. Hughes seconded the motion which carried 5-0.

12. **CONTINUED COMMUNICATIONS**: None.

13. **EXECUTIVE SESSION**: None.

14. **APPROVAL OF MINUTES**:

Councilmember Seal moved to approve the summary minutes of October 2, 2012 as presented. Councilmember Hughes seconded the motion which carried 5-0.

15. **ADJOURNMENT**

Councilmember Capron moved to adjourn. Motion was seconded by Councilmember Gooding and approved by a vote of 5-0.

At 8:37 pm, Chair Kasner declared the meeting adjourned.

Michelle Murphy, CMC
Deputy City Clerk