Agenda

CITY OF BELLEVUE
EAST BELLEVUE COMMUNITY COUNCIL
Regular Meeting

Lake Hills Clubhouse
15230 Lake Hills Boulevard, Bellevue WA

Tuesday, February 2, 2016 6:30 - 8:30 PM

1. **Call to Order**
2. **Roll Call**
3. **Flag Salute**
   (a) 2016 Election of Officers
4. **Communications: Written and Oral**
   (a) Update from Lake Hills Neighborhood Association
5. **Reports of City Council, Boards and Commissions**
   (a) Community Council Business and New Initiatives
6. **Approval of Agenda**
7. **Department Reports**
   (a) Memo re: Lake Hills Art Project 1
   (for information only; no staff presentation)
8. **Public/Courtesy Hearings**
9. **Resolutions**
   (a) Resolution 555 Electing 2016 Community Council Officers 2
10. **Committee Reports**
11. **Unfinished Business**
   (a) Memo regarding Adult Family Homes 3
   (for information only; no staff presentation)
   (b) Discussion regarding letter to City Council for Necessary Expenses 4
   (c) Discussion of potential Community Council retreat

The meeting room is wheelchair accessible. American sign language (ASL) interpretation available upon request (425 452-6466) at least 48 hours in advance. Contact email address for East Bellevue Community Council: EBCC@bellevuewa.gov

12. New Business

(a) Discussion Regarding Potential Future Agenda Items *

- National Pollutant Distribution Elimination System (NPDES)
- Shoreline Master Program
- Subarea Plan Update
- Lake Hills Art Project
- Affordable Housing Update
- Diversity Initiative Presentation
- False Alarm Ordinance Update

The future agenda items are not specific to any date. They will appear on the EBCC Agenda as they become ripe for discussion/action.

13. Continued Communications

14. Executive Session

15. Approval of Minutes

(a) Summary Regular Meeting Minutes January 5, 2016 7

16. Adjournment

City of Bellevue

January 25, 2016

SUBJECT

Lake Hills Pole Art Public Project

STAFF CONTACT
Scott MacDonald, Arts Program Coordinator 452-4852 smacdonald@bellevuewa.gov

DIRECTION NEEDED FROM EAST BELLEVUE COMMUNITY COUNCIL

Action
Discussion
X Information

INFORMATION

Process Overview

In 2015 the Arts Commission reviewed sites for possible public art throughout Bellevue. Staff reviewed seven possible sites and areas and assessed each site or area based off of feasibility and need or proximity of other public artworks. Based off of this analysis, the Arts Commission selected two sites for future public art projects: one on the three wireless communication poles owned by PSE outside of the Lake Hills Library on 156th Avenue SE and another in Lattawood Park in Eastgate.

Both projects will have a strong community outreach effort with themes developed with the local residents and stakeholders incorporated into the concepts of the artwork. For Lake Hills, there will be some kind of artwork attached to each of the three poles.

Staff has been working on an agreement between PSE, the City, and the wireless carriers that lease the poles. This agreement is intended to lay out terms of responsibility between all parties detailing when a work can be removed and other details. The intent of this agreement is to ensure that the efforts of the community are respected and the artwork can exist on the poles as long as possible and in the community's interest.

NEXT STEPS

Once the agreement is secured from PSE and the wireless carriers, staff will engage the community in the development of themes for the artwork.

EAST BELLEVUE COMMUNITY MUNICIPAL CORPORATION
OF THE CITY OF BELLEVUE, WASHINGTON

Resolution No. 555

A RESOLUTION electing Chair, Vice Chair and Alternate Vice Chair for the year 2016.

WHEREAS, at the regular meeting held on February 2, 2016, the Chair, Vice Chair and Alternate Vice Chair of the East Bellevue Community Council were duly nominated and elected; and

WHEREAS, the ensuing terms shall begin upon election and terminate at the first regular meeting in February, 2017;

NOW THEREFORE, THE EAST BELLEVUE COMMUNITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES RESOLVE AS FOLLOWS:

SECTION 1: _____ is hereby elected Chair of the East Bellevue Community Council, the term of office to expire at the first regular meeting in February, 2017.

SECTION 2: _____ is hereby elected Vice Chair of the East Bellevue Community Council, the term of office to expire at the first regular meeting in February, 2017.

SECTION 3: _____ is hereby elected Alternate Vice Chair of the East Bellevue Community Council, the term of office to expire at the first regular meeting in February, 2017.

SECTION 4: The Clerk is hereby directed to certify the original of this Resolution and to keep the same on file in the Clerk's office.

PASSED by a majority vote of the East Bellevue Community Council on this day of February 2, 2016, and signed in authentication of its passage this day of February 2, 2016.

(SEAL)

_____
EBCC Chair

ATTEST:

Charmaine Arredondo
Deputy City Clerk

City of Bellevue

Memorandum

Date: January 25, 2016

To: Chair Capron and Members of the East Bellevue Community Council

From: Monica Buck, Assistant City Attorney - 425-452-4082 MB

RE: Regulation of Adult Family Homes

At the December 1, 2015 East Bellevue Community Council meeting the Council requested information regarding the regulation of Adult Family Homes in Bellevue.

An "Adult Family Home" means "a residential home in which a person or persons provide personal care, special care, room, and board to more than one but not more than six adults who are not related by blood or marriage to the person or persons providing the services." RCW 70.128.010(1). The State Department of Social and Health Services is responsible for licensing and enforcing regulations applicable to adult family homes. RCW 70.128.040 and 70.120.160.

An adult family home must be considered a single-family residential use of property for zoning and public and private utility rate purposes. Adult family homes are a permitted use in all areas zoned for residential or commercial purposes, including areas zoned for single-family dwellings. RCW 70.128.140(2). The Washington State Attorney General has opined that by enacting RCW 70.128.140, the Legislature intended to preempt the City's zoning power to treat adult family homes more restrictively than other residential or commercial uses. AGO 1992 No. 25. As a result, local governmental units, including the City of Bellevue and the East Bellevue Community Council, have very limited authority to regulate adult family homes. Adult family homes must be regulated in the same manner as single family residential homes.

Adult family homes must meet applicable local licensing, zoning, building, and housing codes, and state and local fire safety regulations as they pertain to a single-family residence. RCW 70.128.140(1). In Bellevue the dimensions (including height, setbacks and lot coverage) for single-family homes, including adult family homes, is provided in Bellevue Land Use Code (LUC) 20.20.010. Single-family homes, including adult family homes, are also required to have a minimum of two off street parking spaces. LUC 20.20.590.F.

City of Bellevue

East Bellevue Community Council

Post Office Box 90012 Bellevue, Washington 98009

January 25, 2016

RE: EAST BELLEVUE COMMUNITY COUNCIL REQUEST FOR COVERAGE OF LEGAL EXPENSES

Dear Mayor Stokes and Members of the City Council,

Chapter 35.14 RCW authorizes the creation of community municipal corporations, such as the East Bellevue Community Council (EBCC), when unincorporated areas are annexed to cities and towns. The EBCC was established in 1969 when the Lake Hills area was annexed by the City of Bellevue. Formation of a community municipal corporation was a necessary condition for that annexation to occur, and the EBCC continues to serve its constituents over land use issues. The city has a statutory obligation to pay for "the necessary expenses" of its community councils. RCW 35.14.030. "Necessary expenses" can include legal expenses. *Sammamish Community Municipal Corp. v. City of Bellevue*, 107 Wn. App. 686 (2001).

The EBCC's chief power is to approve or disapprove specific land use actions of the city within its service area. At issue are two permits sought by Puget Sound Energy (PSE) in conjunction with an electrical transmission project, which were disapproved by the EBCC: a shoreline conditional use permit (SCUP) and a conditional use permit (CUP). PSE appealed the EBCC's disapprovals to the King County Superior Court. The City Council approved funding for the EBCC's legal expenses for the superior court appeal.

Last fall, Judge William Downing of King County Superior Court ruled that the EBCC has no statutory authority to approve or disapprove SCUPs in its service area. This was at odds with the experience of the EBCC and the City, which has forwarded SCUPs to the EBCC for approval or disapproval for almost half a century in accordance with Chapter 35.14 RCW. Judge Downing then quashed the EBCC's stay of this decision and ordered the City to transmit the SCUP to the Department of Ecology, which approved the SCUP on November 25. The City Council approved $15,000 in necessary legal expenses for the EBCC to appeal the trial court's order finding a lack of jurisdiction to Division I of the Court of Appeals.

Because the EBCC was unable to persuade Judge Downing to stay his decision regarding jurisdiction over the SCUP, the EBCC filed a petition for review of the Ecology

decision approving the SCUP with the Shorelines Hearings Board. The filing of the petition imposed an automatic stay. Had the EBCC not filed the petition, the Ecology decision would have become final, rendering EBCC's appeal of Judge Downing's jurisdictional decision a pointless exercise.

The Shorelines Hearings Board (SHB) has set a hearing on the EBCC's Petition for March 14-16. This fast timeline is driven by the SHB's statutory mandate to decide all cases within 180 days of filing, unless all parties waive this deadline. The standard of review in the SHB is *de novo*, meaning that the Board will consider all issues anew. The SHB rules allow for discovery, including interrogatories and depositions, and the testimony of witnesses including experts.

The EBCC's primary purpose for filing the Petition with the SHB was to secure meaningful review of Judge Downing's decision regarding its alleged lack of jurisdiction, and the EBCC desires to be careful stewards of public money. Accordingly, the EBCC sought a stay of proceedings with the SHB, seeking to spare all parties the effort and expense of a hearing until after the Court of Appeals rules on the jurisdictional question. Unfortunately, PSE refused to agree to a stay, and refused to waive the 180 day deadline for decision.

Meanwhile, on December 18 Judge Downing issued his decision on the second PSE permit at issue: the Conditional Use Permit. This time, Judge Downing upheld the EBCC's disapproval of the permit and denied PSE's appeal. PSE appealed that order to Division I of the Court of Appeals. The two appeals—EBCC's appeal of the SCUP decision and PSE's appeal of the CUP decision—have been consolidated.

At this time, the EBCC seeks additional funding for necessary legal expenses. Since the City Council's original decision regarding expenses for the Court of Appeals review, the scope of the appeal has increased significantly. Not only does the EBCC still wish to appeal Judge Downing's decision denying jurisdiction over the SCUP, but the EBCC must also defend its decision to disapprove the CUP. The EBCC requests $15,000 (in addition to the $15,000 already granted) for a total of $30,000 for the consolidated appeals.

In addition, the EBCC seeks funding for the proceedings before the Shorelines Hearings Board. The EBCC's counsel has estimated up to $30,000 to cover the proceedings before the SHB, including discovery, expert witnesses, and hearing time. As noted, the EBCC has attempted to spare all parties this expense by seeking a stay of the hearing until after the Court of Appeals issues its decision, but PSE opposed the stay.

The appeals have been filed and deadlines are quickly approaching. The EBCC requests the City Council act on this matter at its _____ meeting so that counsel for EBCC can continue to meet deadlines in the SHB matter.

We thank you for your careful consideration.

William Capron

Chairman, East Bellevue Community Council

East Bellevue Community Council
Summary Minutes of Regular Meeting

January 5, 2016
6:30 p.m.

Lake Hills Clubhouse
Bellevue, Washington

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

ABSENT: None.

STAFF: Carol Hamlin, Senior Planner

1. **CALL TO ORDER**

The meeting was called to order at 6:31 p.m. with Chair Capron presiding.

2. **ROLL CALL**

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

3. **FLAG SALUTE**

Councilmember Kasner led the flag salute.

Councilmember Gooding moved to amend the agenda to take up Items 6 and 7 as the next topics. Mr. Kasner seconded the motion, which carried by a vote of 5-0.

6. **APPROVAL OF AGENDA** [See above]

7. **DEPARTMENT REPORTS**

(a) Palmer Preliminary Short Plat File #15-125983-LN

Carol Hamlin, Senior Planner, provided a report on the Palmer Preliminary Short Plat at 15340 SE 22nd Street. She noted that the East Bellevue Community Council does not have decision authority in this matter. However, she wanted to let them know about this activity within their boundaries and to address questions and feedback.

Ms. Hamlin said the applicable regulations are found in Land Use Code sections 20.35.200 through 20.35.250. Mr. Palmer owns a half-acre lot at SE 22nd Street and 154th Avenue. The

existing house will be demolished and the application proposes dividing the property into three lots. The property is zoned R-5, which allows five units per acre.

Councilmember Hummer recalled that the original King County zoning of the area was largely established to allow higher density residential development. However, the first East Bellevue Community Council changed that zoning designation.

Mr. Hamlin said the large, 23-inch diameter tree on the corner of the lot will be retained. Redevelopment of the lots will require compliance with transportation requirements.

Chair Capron said the property to the west was subdivided into three nice homes. He observed that this type of redevelopment is more consistent with the character of the neighborhood than the large mega-homes.

Councilmember Hughes expressed support for the proposal. He said that he and Councilmember Kasner visited the site. Mr. Hughes shared photos of the site and adjacent development with the other Councilmembers.

Jim Loring said he lives two blocks north of the site. He expressed concern about the size and scale of the structures to be built on the lots. He suggested that the homes should be more consistent with development to the north instead of the subdivision adjacent to the west boundary.

Chair Capron said the structures will be required to comply with the Land Use Code. He noted that the Community Council cannot change the proposed redevelopment.

Dave Elliott, speaking as a realtor, said the value of the property is in the land. If houses become too small, builders will not be interested in redeveloping sites. He observed that a builder would not be interested in building a rambler on the property because the return on investment would not be a sufficient incentive. A larger, two-story house would be more attractive to a developer and to potential home buyers. Mr. Elliott said there is a shortage of new housing in the Seattle area.

Councilmember Kasner said the neighborhood is anticipated to convert to larger houses over the next 25 years. Houses built through the 1950s are no longer functional and appealing to buyers. He noted residents' concerns about the extremely large structures that are operating as businesses instead of single-family homes. He encouraged the public to provide feedback that could be carried to the City Council.

Stephanie Walter suggested that the housing boom will not continue over the next 30 years. She said it is important to think about how the neighborhood will be in the future based on more than just factors of the housing industry. She opined that the three houses on the adjacent subdivision look out of place. Residents have expressed concern that the infill development does not match the original planning for the Lake Hills area.

Councilmember Kasner suggested that nicer ramblers will be in demand for the aging population.

Irene Fernandes said a new 4,000-square foot house nearby has been on the market for more than six months.

Jim Loring said it is important for residents to think about how they want to live 20 years from now. He observed that some of the mid-century ramblers are appealing to certain buyers who want a more modest home and who want to live closer to Downtown Bellevue and jobs.

Don Boettiger said property taxes on land values are skyrocketing in Bellevue.

Responding to Robert Rode, Chair Capron said the Community Council cannot influence the size of the homes or the size of the short plat. Mr. Capron said it meets the criteria of the Land Use Code.

Councilmember Hummer said she believes it helps the City and developers to solicit organized feedback from the neighbors and community. Mr. Capron said the reality is that developers want to maximize their returns on investment.

Ms. Hummer said she has heard concerns from residents who are unhappy because they believe the Community Council had allowed the development of mega-homes. She noted that the City Council sets policies for residential development. The Planning Commission provides input into the City Council's process. Ms. Hummer said the City is developing low-impact development guidelines and regulations. She wondered whether these could provide incentives for builders to install rain gardens, underground utilities, and other elements.

Ms. Hamlin said the City Code does not require that driveways are Grasscrete. However, the City provides a credit for pervious surfaces. Responding to Councilmember Hummer, Ms. Hamlin said the driveways on the Palmer short plat will be along 154th Avenue and will meet all transportation requirements.

Chair Capron thanked Ms. Hamlin for the report. He noted that he has no objection to the proposed redevelopment.

4. COMMUNICATIONS: WRITTEN AND ORAL

Robert Rode said he is pleased with the addition of the crosswalk at Kelsey Creek Center.

Chair Capron said he was pleasantly surprised by the court's decision in the Community Council's favor with regard to the Puget Sound Energy transmission line project. He said PSE immediately filed an appeal the next business day after the court decision.

Councilmember Kasner said it is disappointing that, for years, residents have been told that PSE wanted to find a solution acceptable to the community. He said the Community Council is committed to finding a solution that does not involve the proposed transmission line. Mr. Kasner said there are those in the community who believe that some type of project related to electrical infrastructure is needed. He said PSE has been unwilling to work with East Bellevue residents.

Chair Capron noted that the Community Council is not opposed to increasing electrical reliability in East Bellevue but feels there are alternatives to the proposed PSE project. He suggested that outages could be minimized through enhanced vegetation management and the replacement of transformers. PSE's current maintenance protocol is to respond to failures before replacing any transformers.

Mr. Kasner said technology has changed over the seven to eight years that the project went from concept to a specific plan.

Don Marsh said residents are thrilled with the court's decision and are pleased that the park-like environment along 148th Avenue will be preserved. Residents outside of East Bellevue who travel along 148th Avenue are pleased with the decision as well. He read a statement he made to the City Council the previous evening. He referred to page 49 of the City's Electrical Reliability Study report for a solution. The report indicates that PSE already has the capability to re-power the substations in the case of a failure using lower voltage feeder lines. He said the switches must be operated manually, however, and sometimes PSE manpower is in great demand if other outages are occurring at the same time.

Mr. Marsh said the City's Electrical Reliability Study recommended the installation of "smart switches" that can restore power in seconds rather than hours. These switches are not radical new technology but have been available for decades. Mr. Marsh said he asked that the City Council meet with the East Bellevue Community Council, PSE representatives, and interested residents to develop a solution that is acceptable to everyone. Mr. Marsh thanked the Community Council for representing the neighborhood in this important matter.

Councilmember Hummer said Don Marsh was instrumental in getting residents to the court hearing. She said three PSE attorneys, the City's attorney, and the EBCC's attorney were present at the hearing.

Mr. Marsh said the judge commented that he was surprised to see so many neighbors there. Mr. Marsh noted that signs and yellow ribbons around trees will be placed along 148th Avenue by the Coalition of Eastside Neighborhoods for Sensible Energy (CENSE) for one to two weeks to celebrate the victory.

Steve Fricke said he filed an appeal to the State Department of Ecology (DOE) in response to it granting Puget Sound Energy approval with regard to shoreline jurisdiction. He said the East Bellevue Community Council filed its own appeal and has its own attorney.

Councilmember Hughes said he would appreciate it if speakers waited to be acknowledged by Chair Capron before speaking. He expressed concern that Councilmembers are not having the opportunity for discussion. He asked Mr. Fricke to clarify what he is appealing.

Steve Fricke said there are two permits related to the PSE transmission line project: land use and shoreline. The Shoreline Conditional Use Permit (SCUP) was granted through the courts. He opined that the City filed a brief opposing the EBCC's jurisdiction, which he believes is an inherent conflict involving the City Attorney. He said this excluded the EBCC from the DOE hearing, which is one of the reasons he filed his own appeal.

Chair Capron recalled that the EBCC initially denied PSE's permit application based on the Land Use Code, but did not discuss the Shoreline Conditional Use Permit (SCUP) application. PSE then appealed the EBCC's decision, and Judge Downing ruled that the EBCC did not have jurisdiction over shoreline regulations. He also confirmed that the EBCC does have jurisdiction over the land use permit.

Mr. Capron said the City has always brought shoreline issues to the EBCC, which decided to appeal the court's decision on shoreline jurisdiction. He said that shoreline regulations were not issued by the State until a few years after the East Bellevue Community Council was established. The EBCC's position is that the legislation mentioned cities and not the EBCC because it did not yet exist. The EBCC believes this was a legislative oversight. Chair Capron said PSE is appealing the court decision granting the EBCC authority over the land use Conditional Use Permit (CUP). He noted that shoreline permits are automatically reviewed by the State DOE and the agency's decisions can be appealed.

Sandra Hughes said some residents are concerned that PSE will not restore power to East Bellevue in a timely manner with future outages, as retribution for the EBCC's action.

Councilmember Hughes recalled that he read a PSE document in the past indicating that Lake Hills is a lower priority in restoring power because there are no hospitals or major industries in the area.

Bob Parker, PSE representative, was present in the audience and confirmed that hospitals, first responders (e.g., fire stations), and emergency shelters are the first priorities for restoring power.

Responding to Courtney Johnson, Chair Capron said the City covers the EBCC's outside legal counsel expenses. The City's staff provides general counsel on a day-to-day basis.

Councilmember Kasner said the City Council granted slightly more funding than requested by the EBCC to cover necessary legal expenses. He said the EBCC would prefer to avoid litigation. However, it is necessary in order to defend the interests of the East Bellevue community.

Chair Capron said the City Council is aware that the EBCC will need additional funds for the appellate attorney's services.

5. REPORTS OF CITY COUNCIL, BOARDS AND COMMISSIONS

(a) Community Council Business and New Initiatives

Councilmember Hughes noted that the Sound Transit 3 package could include light rail from Kirkland to Issaquah via Bellevue. He expressed support for mass transit. However, he expressed concern about the high cost (estimated at $3.3 billion) of providing this section of infrastructure for a relatively small population/ridership, when compared to New York City and other urban areas. He described the challenging topography along the light rail route.

Councilmember Kasner said the City is hosting a meeting to discuss the Eastside Rail Corridor, or former BNSF rail line. The City of Kirkland removed its railroad tracks and created a trail. Sound Transit's comment period for the proposed ST3 package projects ends on January 21. The agency is working to develop a November ballot measure for voter approval of the package. Mr. Kasner said the cost of the package will be more than $15 billion through 2040.

Mr. Kasner said a width of approximately 30 feet will be used for light rail or buses, and a 70-foot width is available for a trail. However, the actual trail is depicted as 15 to 20 feet wide in the middle of the total width.

Mr. Hughes said the two potential light rail routes to Issaquah are along I-90 or 148th Avenue. He said this would be worse than having power lines along 148th Avenue. He said the Community Council does not have any authority over Sound Transit's decision and project.

Councilmember Kasner encouraged citizens to attend the meeting on Saturday at City Hall regarding the Eastside Rail Corridor. He noted the importance of citizen involvement and collaboration.

Mr. Kasner said he and Councilmember Hughes attended Claudia Balducci's swearing in as a King County Councilmember. Mr. Kasner expressed concern that, with the loss of Ms. Balducci from the City Council, there is no direct representative for the Lake Hills area. He said it is important for residents to communicate to the City Council directly about issues important to them.

Mr. Kasner commended The Neighborhood Church's holiday displays and lights. He said the next meeting of the Lake Hills Neighborhood Association is Thursday, February 4. It will focus on traffic and inviting speakers to update residents on the City's plans.

Mr. Kasner welcomed John deVadoss, Planning Commissioner, in the audience. Mr. Kasner said he recently met with City staff members to communicate certain concerns. He met with Kirkland Councilmember Shelley Kloba to discuss issues of mutual interest. Mr. Kasner said he attended Bellevue's Cultural Competence training in December.

Chair Capron said he ran into former Mayor Claudia Balducci and they discussed light rail. He communicated that the EBCC would likely support a subway, but it would not support above-ground light rail trains.

Councilmember Gooding observed that bus transit is very effective and relatively inexpensive. He said subways work in more densely populated areas, but he does not feel they are warranted on a large scale on the Eastside. He noted that autonomous cars are not too far into the future, and that will change the transportation system.

Irene Fernandes said the City of Kirkland is considering electric buses along its Cross Kirkland Corridor (Eastside Rail Corridor). She said they are very quiet and would run only during peak travel times.

Councilmember Hummer said she attended the court hearing for the PSE case. She attended a number of City Council, Board, and Commission meetings. She ran into former Deputy Mayor Kevin Wallace before tonight's meeting and briefly discussed Sound Transit's ongoing plans. He referred her to the City's web site for more information.

Don Boettiger said former Mayor Balducci supported the PSE transmission line application. He said he is not so sure she is a supporter of East Bellevue.

Sara Matthews said she represents a townhome association of 24 units on 148th Avenue. She is pleased with the court's decision regarding the transmission line project and that trees will not be removed.

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

9. **RESOLUTIONS**: None.

10. **COMMITTEE REPORTS**: None.

11. **UNFINISHED BUSINESS**: None.

12. **NEW BUSINESS**

(a) Discussion Regarding Potential Future Agenda Items

Responding to Chair Capron, Deputy City Clerk Charmaine Arredondo said the Lake Hills art project will come to the EBCC in February. The Diversity Initiative and adult family homes will be discussed in March.

Councilmember Kasner said the desk packet includes a list of issues that could be addressed during a Community Council retreat. He noted that this is a budget year for the City and suggested that the EBCC receive information and updates in order to be prepared to provide input. He would like to place a potential retreat on the February agenda, with the desk packet list as a starting point for the EBCC to decide what information it would like to be provided.

Mr. Kasner said he read a news editorial related to the State Growth Management Act and whether to move the urban growth boundary.

Councilmember Hummer thanked residents for their involvement with the EBCC and the community. She urged residents to get involved with the City's Boards and Commissions.

Mr. Kasner introduced Kyle Stannert, Acting City Clerk.

Dave Elliott said he served 12 years on the Transportation Commission. He encouraged residents to follow the Boards and Commissions and to communicate questions and concerns with staff.

Ms. Hummer said the City Council, Board, and Commission meetings provide the opportunity for public comments.

13. **CONTINUED COMMUNICATIONS**: None.

14. **EXECUTIVE SESSION**

At 7:55 p.m., Chair Capron declared recess to Executive Session for approximately 45 minutes to discuss one item of pending litigation.

The meeting resumed at 8:43 p.m., with Chair Capron presiding.

15. **APPROVAL OF MINUTES**

(a) Summary Regular Meeting Minutes of December 1, 2015

Councilmember Hughes noted that Councilmember Hummer reported that 1,500 Lake Hills residents voted in the last Community Council election, which was not accurate. The Community Council agreed that the number was actually 1,900 residents.

Councilmember Kasner moved to approve the minutes of the December 1, 2015 Regular Meeting. Councilmember Hughes seconded the motion, which carried unanimously.

(b) Summary Special Meeting Minutes of December 9, 2015

Councilmember Hummer moved to approve the minutes of the December 9, 2015 Special Meeting. Councilmember Hughes seconded the motion, which carried unanimously.

16. **ADJOURNMENT**

Chair Capron declared the meeting adjourned at 8:45 p.m.

Charmaine Arredondo
Deputy City Clerk

/kaw