

East Bellevue Community Council
Summary Minutes of Regular Meeting

May 2, 2017
6:30 p.m.

Lake Hills Clubhouse
Bellevue, Washington

PRESENT: Chair Capron, Vice Chair Kasner, Alternate Vice Chair Hummer and Councilmembers Gooding and Hughes

ABSENT: None.

STAFF: Ron Kessack, Transportation Department

1. **CALL TO ORDER**

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

2. **ROLL CALL**

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

3. **FLAG SALUTE**

Vice Chair Kasner led the flag salute.

4. **COMMUNICATIONS: WRITTEN AND ORAL**

Keri Pravitz, Puget Sound Energy, spoke about the Energize Eastside Phase 2 Draft Environmental Impact Statement (EIS) coming out on Monday, May 8. The public comment period ends on June 21. A public hearing will be held on Thursday, May 25 at Bellevue City Hall, 6:00-9:00 p.m. Ms. Pravitz said PSE will continue its analysis of the EIS as it prepares its permit applications this summer. She said PSE continues to meet with property owners along the alignment to discuss construction and project impacts.

Responding to Councilmember Kasner, Ms. Pravitz said six routes will continue to be studied for the preparation of the Final EIS.

Barbara Benson provided an update on the recent Lake Hills Neighborhood Association (LHNA) meeting. She said City Code Compliance staff attended to talk about Airbnb and single-family room rentals. She noted that City staff respond to complaints regarding potential violations of the single-family room rental ordinance. Bellevue Police Captain Andrew Popochock attended the meeting to talk about safety and crime prevention in the neighborhood.

Ms. Benson said the LHNA is organizing a gardening group for exchanging information and perhaps providing gardening and lawn assistance to neighbors who are elderly or ill and unable to work in their yards. The first meeting will be May 13 at the ranger station on 156th Avenue. Ms. Benson said the neighborhood picnic will be held in July.

Irene Fernandes said Code Compliance staff expressed an interest in rental registration, noting that is the best way to address room rental issues. However, so far the proposal has not been moved forward with the City Council.

5. REPORTS OF CITY COUNCIL, BOARDS AND COMMISSIONS

- (a) Community Council Business and New Initiatives

[Moved to later in agenda.]

6. APPROVAL OF AGENDA

Councilmember Hummer moved to shift Agenda Item 5(a), Reports of City Council, Boards and Commissions to follow Agenda Item 13, Continued Communications. Councilmember Hughes seconded the motion. The motion carried by a vote of 5-0.

Responding to Chair Capron, Deputy City Clerk Roberts said a permanent change in the EBCC agenda format requires a resolution to modify the Rules of Procedure. Responding to Councilmember Kasner, Ms. Roberts confirmed that would be an opportunity to review all of the rules to consider amendments.

Councilmember Hughes suggested adding Agenda Item 12(c), Discussion regarding how potential future agenda items are chosen and added to the agenda.

Vice Chair Kasner suggested adding Agenda Item 12(d), Retreat Follow-Up Discussion.

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

7. DEPARTMENT REPORTS

- (a) Proposed Land Use Code Amendment (LUCA) regarding City Council and Quasi-Judicial Appeals

Chair Capron noted the management brief in the meeting packet from Catherine Drews, Assistant City Attorney, regarding the proposed Land Use Code Amendment (LUCA) to eliminate quasi-judicial appeals to the City Council. He noted the memo indicates that the change would have no effect on the EBCC's current decision authority.

Councilmember Kasner said he was alerted to this issue by Don Marsh. Mr. Kasner said it troubles him on a number of levels, whether it affects the EBCC or not. Chair Capron suggested

staying focused on what affects the EBCC's jurisdiction. Mr. Kasner said the memo raises a number of questions for him.

Chair Capron said the timing of the City Council's decision is not known, and it does not affect the EBCC's authority. He suggested waiting for the City Council's decision and asking Ms. Drews to attend an EBCC meeting to provide a briefing.

Mr. Kasner said he would like an explanation of why it does not change the EBCC's authority. He said the change would eliminate appeals of Hearing Examiner's decisions to the City Council for certain land use applications.

Mr. Capron observed that the proposed change appears to be an improvement.

Councilmember Hughes questioned whether it is accurate that the change will not affect the EBCC's decision authority.

Mr. Capron requested that Ms. Drews come to the June EBCC meeting with a presentation regarding the topic.

Ken Seal observed that the quasi-judicial proposal appears to remove the City Council's authority on land use decisions. He wondered whether that would comply with state law.

Mr. Kasner stated his understanding that the City believes using Hearing Examiners puts the City in a better position than having laymen Councilmembers trying to understand zoning and codes in order to rule on the advisability of a land use change. He believes this is an abdication of the City Council's responsibility. He said it is legal. However, the Hearing Examiner is not elected and there are other issues as well.

Mr. Seal expressed concern that the proposal would remove accountability for the City Council.

Councilmember Hummer suggested waiting for Ms. Drews to provide a presentation to the EBCC, rather than speculating on the implications of the proposed change.

Cynthia Vautier said she has concerns about the proposed change. Chair Capron suggested she consider taking her concerns to the City Council, which will make the decision.

Councilmember Hughes said there are residents who have submitted letters on the topic to the City Council.

Mr. Capron observed that the City Council will likely make a decision before Ms. Drews' update. He reiterated his request to invite Ms. Drews to the next EBCC meeting. Mr. Kasner said he would like to receive information on the topic that will be provided in the City Council's meeting packet.

Councilmember Hummer suggested that residents consider contacting City Councilmember Jennifer Robertson, liaison to the EBCC, with their concerns as well. Ms. Hummer noted that Ms. Robertson is a land use attorney and is responsive to citizens' inquiries.

8. **PUBLIC/COURTESY HEARINGS:** None.
9. **RESOLUTIONS:** None.
10. **COMMITTEE REPORTS:** None.
11. **UNFINISHED BUSINESS:** None.
12. **NEW BUSINESS**
 - (a) 2016 Neighborhood Safety, Connectivity, and Congestion Management Levy Presentation

Ron Kessack, Transportation Department Assistant Director, presented information regarding the 2016 Neighborhood Safety, Connectivity and Congestion Management Levy. He provided a general update on the levy and identified specific projects within and bordering the EBCC area. He provided a map showing all of the 2017 and 2018 transportation projects.

Mr. Kessack said the levy is intended to address the substantial backlog of project requests. The November ballot measure approved a property tax of \$0.15 per \$1,000 assessed value (AV), which will generate approximately \$7.4 million annually. The levy is intended to complete projects within six categories: 1) neighborhood safety, 2) congestion management, 3) intelligent transportation systems (ITS), 4) maintenance, 5) sidewalks and pathways, and 6) bike projects. He said the City Council's general direction was to set aside \$2 million per year for congestion management projects, double sidewalk project funding, double neighborhood safety programs, and implement the Bicycle Rapid Implementation Program.

Mr. Kessack said the first two congestion management projects selected by the City Council are on the 148th/150th Avenue corridor.

Mr. Kessack said the funding per category may change over time based on project needs and community input. He noted that the property tax dollar amount per property is set in the first year of the levy, and it will not increase over time. He highlighted the 2017-2018 Biennial Project List provided in the meeting packet, which includes projects prioritized for safety and maintenance, sidewalk and bike projects previously prioritized by the Transportation Commission, and congestion management projects prioritized by staff based upon current land use discussions. He said the selection of projects considers the coordination of certain projects for optimal efficiency, geographic equity, and other factors.

Mr. Kessack said staff's recommended project list will be studied and discussed by the Transportation Commission before going to the City Council. He said staff will provide annual updates to the Transportation Commission and to the City Council regarding expenditures, funding carry-forwards, project status, and related issues. There will be a web page for public information and project requests and comments.

Mr. Kessack highlighted the 2017-2018 projects that fall within the EBCC area, which all will be under construction in 2018:

- Two traffic signals on the 148th Avenue corridor (SE 16th Street and SE 22nd Street).
- Protected permissive signal phasing for left turns.
- Flashing-enhanced pedestrian crossings and radar speed signs indicating a vehicle's actual travel speed on Lake Hills Boulevard, Main Street, and 156th Avenue.
- SE 16th Street (between 156th and 164th Avenues) project to install a pedestrian pathway and crossings. Mr. Kessack noted this is outside of, but adjacent to, the EBCC boundary.

The total cost of levy projects within the EBCC area is approximately \$1,060,000. Mr. Kessack noted that the City's web site is in the process of being redesigned and updated. However, the levy project information will be posted upon the completion of that work.

Councilmember Hummer thanked Mr. Kessack for the presentation. She said she attended the Transportation Commission meeting in which the 148th/150th corridor projects were discussed. She noted Michelle Wannamaker's role in advocating for those projects. Responding to Ms. Hummer, Mr. Kessack confirmed that those projects were studied in the past as part of the broader effort to update the Eastgate/I-90 transportation and land use plan.

Councilmember Hummer noted that projects in the Eastgate and Crossroads areas affect East Bellevue neighborhood cut-through traffic. She questioned whether the City of Bellevue works with other cities that contribute to traffic in the Eastgate area. Mr. Kessack said Bellevue cannot influence land use planning in other jurisdictions. He acknowledged the impacts of regional growth and suggested that freeway and transit improvements will likely have the greatest positive impact on reducing congestion within Bellevue.

Ms. Hummer said a constituent shared her difficulty in getting out of her neighborhood onto 164th Avenue at times. Ms. Hummer noted the need for improvements to 164th and 156th Avenues, which are used as arterial routes.

Responding to Ms. Hummer regarding transit, Mr. Kessack said the City works on an ongoing basis for bus service enhancements. Ms. Hummer questioned the status of the Bellevue College Connector project. Mr. Kessack said there is currently no funding but the City is interested in a partnership with the college.

Councilmember Hughes asked why the project at Main Street and 148th Avenue has taken so long. Mr. Kessack said the weather and contractor problems were factors in the delays. In addition, with the high volume of construction activity in the region, there is intense competition for concrete during periods of dry weather. He said there are only a couple of concrete suppliers and three asphalt suppliers in the area.

Sandra Hughes asked the City or contractor to remove the pile of orange pylons in the bushes at SE 8th Street and 145th Place SE.

Responding to Irene Fernandes, Mr. Kessack confirmed that the levy property tax assessment went into effect at the beginning of this year. The levy extends over a 20-year term.

Councilmember Kasner recalled that a traffic signal project at NE 8th Street was initially included with two similar projects. However, there are design issues with the location. Mr. Kessack said modeling is underway for that location and staff continues to work toward a solution.

Mr. Kasner questioned the project elements of the planned signals on 148th Avenue at SE 16th and SE 22nd Streets. Mr. Kessack said the sidewalks referenced in the project description have been completed.

Councilmember Kasner concurred with Councilmember Hummer's concern about traffic from adjacent cities causing negative impacts in Bellevue. Mr. Kasner said he looks forward to improved travel times on 148th/150th in the Eastgate area.

Responding to Mr. Kasner, Mr. Kessack said the LED street lighting project results in significant energy savings. He said LED lights are more white than yellow.

Councilmember Kasner complimented the City on its timely pothole repairs. Mr. Kessack said roadways in the region suffered more damage than usual this winter due to the record rainfall. He said Bellevue has the most robust street overlay program he has known, and potholes are repaired within 24 hours. The frequency of street overlays varies depending on the road and traffic volumes. Responding to Mr. Kasner, Mr. Kessack said the City typically repairs sidewalk or related problems as part of the overlay program.

Responding to Mr. Kasner, Mr. Kessack said the Transportation Facilities Plan (TFP) is a 12-year list of unfunded projects. The seven-year Capital Investment Program (CIP) Plan is comprised of funded programs. Mr. Kessack said that, while the levy focuses on CIP projects, it is possible that certain TFP projects will be funded as well.

Councilmember Hummer encouraged the Lake Hills Neighborhood Association to become involved in advocating for improvements to 156th and 164th Avenues.

Chair Capron noted that the levy provides approximately \$7.4 million annually. He questioned the existing budget for sidewalk projects prior to the levy. Mr. Kessack said sidewalks were already funded at approximately \$1.3 million annually. Mr. Capron said he hopes the City Council will not divert the \$1.3 million to other projects.

Chair Capron thanked Mr. Kessack for his thorough presentation and answers to questions.

Councilmember Hummer asked staff to forward transportation project information to the EBCC on a regular basis.

(b) Bellevue School District Update

Chair Capron provided an update on Bellevue School District projects. He said the construction of Sammamish High School is a four-year project that is on schedule and expected to be completed this fall. The Odle Middle School project ran into problems due to bankruptcies of

several suppliers and contractors. The problems have been resolved for the most part, however. Stevenson Elementary School is the next project for the school district.

Mr. Capron said the field at Lake Hills Elementary School has not been completed due to weather issues.

(c) Discussion regarding the Process for Selecting Agenda Items

- Eastgate Land Use Code Amendment
- Kelsey Creek Culvert Replacement
- Proposed Verizon Wireless Small Cell Projects Presentation

Deputy City Clerk Roberts said the Eastgate Land Use Code Amendment (LUCA) was last reviewed by the City Council on March 20. The Council anticipates formal action on the LUCA following upcoming reports on the Affordable Housing Strategy and the men's homeless shelter. Presentations on the Kelsey Creek culvert project and the Verizon project are anticipated for the EBCC's June meeting. Ms. Roberts said she was contacted by Verizon who offered to provide a presentation to the EBCC.

Responding to Councilmember Kasner, Chair Capron said two individuals applied to be on the Pro statement committee for the continuation of the EBCC. There were no applicants to write the Con statement. Mr. Capron said Catherine Drews suggested that the EBCC reopen the application period through mid-May.

Councilmember Hummer said the meeting minutes regarding previous elections indicate May 31 as the application deadline.

Mr. Kasner said Pro statements were written in both 2009 and 2013, but no one wrote Con statements. He noted his preference to not reopen the application period. However, Mr. Kasner said he was curious about Ms. Drews' rationale for extending the deadline.

Ms. Roberts said King County requests that the City do all it can to advertise to recruit statement committees. If a Con committee/individual is not identified, the City must notify King County and document the City's efforts to recruit a committee. She said the County's rules indicate that the King County Elections Office may appoint committee members if none are submitted by jurisdictions. As a result, Ms. Drews advised extending the application deadline.

Ms. Roberts said the press release was sent to subscribers of other City department news, which is approximately 1,100 recipients. She sent the notice to all 500 residents who subscribe to EBCC agendas, and the recruitment effort is posted on the City's web site. She said the notice could be posted on social media.

Chair Capron moved to extend the application deadline to May 31 for the elections Pro and Con statement committees. Councilmember Hummer seconded the motion.

Councilmember Kasner said he would be okay with extending the deadline. However, he observed that the City advertised more extensively this year than it has in the past. He is not sure why the EBCC should do more than that this time.

Chair Capron suggested following the attorney's recommendation to extend the deadline.

Councilmember Kasner moved to amend the motion to extend the deadline to May 15, and Mr. Capron seconded the motion. The motion carried by a vote of 5-0.

Councilmember Kasner requested a report regarding the Arts Commission's action for the neighborhood art project. Responding to Mr. Capron, Ms. Roberts said she will follow up to request a staff memo.

Mr. Kasner said that Tom Campbell, Code Compliance, offered at the Lake Hills Neighborhood Association meeting to provide a map of locations with violations of the single-family room rentals ordinance. He would like a follow-up presentation by September.

Mr. Kasner would like a future agenda item for an update from the developer/owner of Kelsey Creek Center regarding their ongoing development.

Councilmember Hughes said he wanted to add this agenda item about developing a procedure for selecting future agenda items to avoid this type of conversation. He requested moving to Item 13 before continuing the discussion and the remainder of the agenda.

Vice Chair Kasner moved to amend the agenda to address Item 13 before continuing with the rest of the agenda. Councilmember Hughes seconded the motion, which carried by a vote of 5-0.

13. CONTINUED COMMUNICATIONS

Saghar Rasoulamini announced that Bellevue College is hosting a forum regarding the Eastgate men's homeless shelter on Tuesday, May 30 at 6:00 p.m. She said Mayor Stokes, and potentially other City Councilmembers and Police Chief Mylett, will be in attendance. She invited EBCC members to attend as well. She said the college plans to increase its public safety staff and is working closely with the Bellevue Police Department.

Jakari Aujla-Singh said representatives of Congregations for the Homeless and others will attend the forum. The meeting is anticipated to last for two hours and light refreshments will be served.

Councilmember Kasner said the Bellevue College administrative services manager will hold meetings in May and June on the third Wednesdays, 6:00-8:00 p.m., to provide updates on the college's construction plans.

Abner Pagunuran said he works in Bellevue College student government and he has heard support, concerns, and questions regarding the homeless shelter. He offered to assist the EBCC with student outreach if desired.

Sam Akeyo introduced himself as the student body president at Bellevue College.

Connor Sinnott, Associated Student Government (ASG) emerging technology and entrepreneurial representative at Bellevue College, said he has heard concerns from Running Start students regarding the proximity of the homeless shelter.

12. **NEW BUSINESS**

- (c) Continued discussion regarding the Selection of Future Agenda Items

Chair Capron noted that it is his job to work with staff to develop the agenda. He would prefer to not amend the agenda during a meeting.

Councilmember Hughes suggested that proposals for future agenda items be approved by a majority of the Council. He suggested the following process:

- A member sends a proposed item to the Chair by the third Tuesday of the month.
- At the meeting, a vote is taken on whether or not that item should be placed on a future agenda.
- If the item is added, the proposing member then works with the Deputy City Clerk to place it on the agenda.

Chair Capron said the top priorities are action items that fall within the EBCC jurisdiction as well as projects outside of the EBCC area that will have an impact (e.g., traffic impacts). He said the EBCC can request, but not compel, third parties to provide updates and presentations on projects and development in the neighborhood.

Mr. Hughes said he would like the EBCC to vote whether to add suggested agenda items. If the request involves an outside party (e.g., Kelsey Creek Center developer) and the Council approves of the agenda item, the Councilmember who proposed the item can work on inviting the outside party.

Mr. Capron said he does not receive agenda item requests between meetings because EBCC members wait until meetings to request amendments to the agenda. He expressed support for Mr. Hughes' proposal.

Mr. Hughes suggested trying the procedure for three months. Ms. Hummer concurred and noted it is each Councilmember's responsibility to submit agenda item requests to the Chair.

Mr. Capron confirmed that members should submit suggested agenda items to the Chair in advance of discussing whether to add them as future agenda items.

Councilmember Kasner said the historic practice has been that the Chair can suggest postponing items if there is a full agenda.

Councilmember Hughes moved to approve implementing the proposed procedure for adding items to future EBCC meeting agendas. Councilmember Hummer seconded the motion, which carried by a vote of 5-0.

Chair Capron noted that July's meeting falls on Independence Day and there are currently no agenda items. He said the bylaws state that, in those cases, meetings should be moved to the next day. Mr. Capron suggested making a decision during the June meeting. However, tentatively the July meeting could be cancelled or moved to the following Tuesday (July 11) instead of the next day (July 5).

5. REPORTS OF CITY COUNCIL, BOARDS AND COMMISSIONS

(a) Community Council Business and New Initiatives

Councilmember Hummer reported that she attended a few meetings related to the men's homeless shelter. She has posted on www.NextDoor.com to encourage residents to take input and concerns directly to the City Council and to contact City staff.

Vice Chair Kasner commented on the cross-cultural communications presentation regarding American conversational styles and about being more proactive in enhancing communications between the City and the EBCC. He encouraged interested citizens to apply for the next Bellevue Essentials class that will begin in September.

Councilmember Hughes said he attended the Lake Hills Neighborhood Association meeting, and he periodically contacts members of the mosque. He noted that, as a group leader for a national program, he holds a meeting every Monday night for people suffering from anxiety, depression, or PTSD. The meetings are held at 7:00 p.m. at Campus Office Park on 116th Avenue NE, everyone is welcome and there is no charge for attending.

Councilmember Gooding said he has a new dog so he is spending time walking on the Lake Hills Greenbelt. He noted some trees were damaged by recent weather events.

Chair Capron said he reached out to Brian Franklin for an update on the Kelsey Creek Center project, but has not heard back from him yet.

14. EXECUTIVE SESSION: None.

15. APPROVAL OF MINUTES

(a) Summary Regular Meeting Minutes of April 4, 2017

Councilmember Hummer moved to approve the minutes of the April 4, 2017 Regular Meeting. Vice Chair Kasner seconded the motion, which carried by a vote of 5-0.

16. **ADJOURNMENT**

Councilmember Hummer moved to adjourn, and Councilmember Gooding seconded the motion. The motion carried by a vote of 5-0 and the meeting was adjourned at 8:51 p.m.

Karin Roberts
Deputy City Clerk

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