

EAST BELLEVUE COMMUNITY COUNCIL

Packet Materials for
REGULAR MEETING

May 2, 2017



Welcome to Your East Bellevue Community Council Meeting

Community Council meetings offer you the chance to express your opinions to your elected officials. Community Council members welcome your participation and hope that the following information is helpful:

Oral Communications

Public participation is encouraged by the Community Council. On each agenda, Item 4 and 13 are set aside to allow you to speak on any subject you wish, except those subjects listed for public hearing. You must sign up in order to be recognized by the Chair. When you are called upon, stand up, give your name and address for the record, and state your views. Please speak loudly and clearly if you are in the back of the room so that your remarks will be audible on the recorder. If many people wish to speak, the Chair may decide to limit the amount of time allowed for each individual's comments in the interests of conducting the meeting in a reasonable and practical fashion. The Community Council will not respond to comments directly, but will take matters under advisement and will ask for staff to prepare a response when necessary.

Courtesy Public Hearing

A courtesy public hearing on a particular project gives the citizen, the applicant, and Community Council members an opportunity to review a project, ask questions, make suggestions, and express concerns prior to the formal processing of the application and the commencement of the Hearing Examiner process. Community Council members take no formal action at this time.

Courtesy public hearings are also held on proposed legislation, such as changes to the Comprehensive Plan. In this case, citizens have the opportunity to provide input to staff and elected officials in this informal setting. Such testimony does not take the place of an appearance before the Planning Commission, however.

If you wish to speak at a courtesy public hearing, sign your name on the sign up sheet and do as you would for "Oral Communications", i.e., stand up, state your name and address and present your views as briefly as possible. If you have no new information to be considered, simply say that you support or disagree with a previous speaker.

Public Hearing

State Statute allows the Community Council 60 days to approve or disapprove City Council ordinances or resolutions regarding land use matters within its jurisdiction. Disapproval means that the legislation does not apply within the Community Council service area, or that the project is denied. A public hearing is held before the decision is made. First, the staff makes a presentation and Council members ask their questions. Then the hearing is opened and the public is invited to comment. To speak, follow the procedures described above. Everyone who wishes to speak will have the opportunity to do so. After the last person has spoken, the hearing is closed. Then Council members discuss the issue and make their decision. The audience may not comment during the Community Council's deliberations unless invited to do so.

If you have any questions, feel free to call the City Clerk's office at (425) 452-6806.

Agenda

CITY OF BELLEVUE
EAST BELLEVUE COMMUNITY COUNCIL
Regular Meeting

Lake Hills Clubhouse
15230 Lake Hills Boulevard, Bellevue WA

Tuesday, May 2, 2017 6:30 - 8:30 PM

Page No.

1. Call to Order

2. Roll Call

3. Flag Salute

4. Communications: Written and Oral

5. Reports of City Council, Boards and Commissions

(a) Community Council Business and New Initiatives

6. Approval of Agenda

7. Department Reports

(a) Management Brief re: Proposed amendments to the
Land Use Code (LUC) to eliminate quasi-judicial appeals to the
City Council (*for information only; no staff presentation*)

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8. Public/Courtesy Hearings

9. Resolutions

10. Committee Reports

11. Unfinished Business

12. New Business

(a) 2016 Neighborhood Safety, Connectivity and Congestion Management
Levy Presentation

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(b) Bellevue School District Update

(c) Discussion Regarding Potential Future Agenda Items *

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

**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 April 4, 2017

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16. Adjournment



DATE: May 2, 2017

TO: Chair Capron, Members of the East Bellevue Community Council

FROM: Catherine Drews, Assistant City Attorney

SUBJECT: Proposed amendments to the Land Use Code (LUC) to eliminate quasi-judicial appeals to the City Council

The City Council is considering eliminating quasi-judicial appeals of land use applications to the Council for Process I and Process III land use decisions, thereby streamlining these decisions. If the Council decides to eliminate its quasi-judicial role, **this action will have no change on the EBCC's decision-making authority.** Process III land use matters include applications for all rezones, shoreline conditional use permits, and all conditional use permits (CUPs), preliminary plats, and planned unit developments (PUDs) within the jurisdiction of the EBCC.

In summary, for Process III decisions, the Hearing Examiner issues a recommendation on an application to the City Council. This recommendation may be appealed to the Council simultaneously with Council's consideration of the application and the Hearing Examiner's recommendation. Although the Council considers the Hearing Examiner's recommendation on a given application, the Council issues the final decision, subject to EBCC approval for CUPs, Plats, and PUDs within the EBCC's jurisdiction.

The attached agenda materials state that the draft Land Use Code amendments would eliminate appeals of the Hearing Examiner's recommendation to the Council, and would preserve: (1) the Hearing Examiner's roll in providing a recommendation to the Council; (2) the Council's role as the final decision-maker; and (3) the EBCC's role in land use matters that fall within its jurisdiction. The Council's final decision remains appealable to Superior Court or, as required by law, the Shorelines Hearings Board.

The agenda materials from the April 10th City Council meeting are attached. Attachment A is a table that shows the two processes, how the processes work under the Land Use Code, and anticipated process changes if quasi-judicial appeals to the Council were eliminated. Attachment B is the Agenda Memo.

**ATTACHMENT A:
Comparison of Process I and Process III Land Use Matters Under Existing
Land Use Code (LUC) And Under LUC Amendments**

Process I	<u>Existing LUC</u>	<u>LUC Amendments</u>
Permit Types:	Conditional Use Permit (CUP), Shoreline Conditional Use Permit (SCUP), Preliminary Subdivision Approval (Plat), and Planned Unit Development (PUD) LUC 20.35.015.B	No change
Director Role:	Makes recommendation LUC 20.35.130	No change
Hearing Examiner Role:	Holds public hearing and issues decision LUC 20.35.137 LUC 20.35.140	No change
Appeal of the Hearing Examiner Decision:	Hearing Examiner decision appealable to City Council LUC 20.35.150	Hearing examiner decision appealable to Superior Court, or to State Shoreline Hearings Board for SCUP
Council Role in Process I Land Use Matters:	Issues decision on appeal LUC 20.35.150.B	No Council role

Process III	<u>Existing LUC</u>	<u>LUC Amendments</u>
Permit Types:	Rezones, along with CUPs, SCUPs, Plats, and PUDs within EBCC jurisdiction LUC 20.35.015.D	No change
Director Role:	Makes recommendation LUC 20.35.330	No change
Hearing Examiner Role:	Holds public hearing and provides recommendation to City Council LUC 20.35.337 LUC 20.35.340	No change
Appeal of the Hearing Examiner Recommendation:	Hearing Examiner recommendation appealable to City Council LUC 20.35.350	Hearing Examiner recommendation NOT appealable to City Council
Council Role in Process III Land Use Matters:	Adjudicates any appeal of Hearing Examiner recommendation Issues decision on Process III application LUC 20.35.350 LUC 20.35.355	Issues decision on Process III application only
EBCC Role in Process III Land Use Matters within EBCC jurisdiction:	Final action within 60 days of City Council decision LUC 20.35.365	No change
Appeal of final decision:	Council decision appealable to Superior Court, or to State Shorelines Hearings Board for SCUP EBCC decision appealable to Superior Court LUC 20.35.355.G LUC 20.35.365	No change

ATTACHMENT B

April 10, 2017

CITY COUNCIL STUDY SESSION ITEM

SUBJECT

Initiate amendments to the Land Use Code (LUC) to eliminate quasi-judicial appeals to the City Council.

STAFF CONTACTS

Matt McFarland, Assistant City Attorney, 452-5284
City Attorney's Office

Carol Helland, Land Use Director, 452-2724
Development Services Department

POLICY ISSUES

This item begins the process to amend Part 20.35 of the LUC to eliminate quasi-judicial appeals to the City Council following Process I decisions and Process III recommendations by the Hearing Examiner.

Comprehensive Plan Policy CE-5:

Develop and maintain Land Use Code provisions that define the process and standards relevant to each stage of land use decision making, and educate the public about these processes and standards to promote meaningful citizen engagement.

Comprehensive Plan Policy ED-6:

Strive to provide an efficient, streamlined, timely, predictable and customer-focused permit processes, conducted in a manner that integrates multiple city departments into a coordinated entity, recognizing the role of development in creating places for economic activity.

DIRECTION NEEDED FROM COUNCIL

ACTION

DIRECTION

INFORMATION ONLY

This is Council's first study session initiating amendments to the LUC in order to eliminate quasi-judicial appeals to the City Council. No action is requested tonight. If directed, staff will return to present draft LUC amendments and to schedule a public hearing prior to requesting action.

Staff requests direction from Council regarding whether Council will retain authority to conduct the public hearing on the draft LUC amendments or whether the Planning Commission will conduct the public hearing.

ATTACHMENT B

BACKGROUND/ANALYSIS

Process I Land Use matters include applications for Conditional Use Permits (CUP), Shoreline Conditional Use Permits (SCUP), Preliminary Subdivision Approval (Plat), and Planned Unit Developments (PUD). Under Part 20.35 LUC, the Hearing Examiner issues final decisions on Process I Land Use matters, and the Hearing Examiner's final decision is appealable to Council.

Process III Land Use matters include applications for all Rezones and SCUPs, along with all CUPs, Plats, and PUDs proposed within the jurisdiction of the East Bellevue Community Council (EBCC). Under Part 20.35 LUC, the Hearing Examiner issues a recommendation—not a decision—to Council on Process III applications. Council considers the Hearing Examiner's recommendation, but Council issues the final decision on Process III Land Use matters (subject to EBCC approval for CUPs, Plats, and PUDs within its jurisdiction). In addition, the Hearing Examiner's recommendation may be appealed to Council, with the merits of the appeal decided contemporaneously with Council's final decision on the rezone or permit at issue.

Under the current Process III framework, the appeal of the Hearing Examiner's recommendation to Council adds process to a matter that is already in front of the Council for a final decision, and eliminating the appeal to Council would streamline Process III decisions. Moreover, because of state law requirements associated with rezones and community council jurisdiction, the Council's role as the decision-maker in Process III applications for these actions would not change.

Similarly, Hearing Examiner Process I decisions do not require further Council action in the absence of an affirmative appeal to Council. Eliminating Process I appeals to Council would streamline Process I decisions and streamline appeals of the Hearing Examiner's final decision.

When Council hears Process I and Process III Land Use appeals, it acts in a quasi-judicial capacity, which requires Council to adjudicate land use matters similar to a judge. Council must abide by specific rules related to contact with citizens regarding matters that Council will hear on appeal, and Council's ultimate decision is subject to appeal to the Superior Court or, where required under state law, to the State Shoreline Hearings Board. On several occasions, Council has indicated a preference that appeals of Process I decisions and Process III recommendations by the Hearing Examiner should be adjudicated by state courts (or by the State Shoreline Hearings Board, where required by law).

In response to Council's request, staff began drafting amendments to the procedures section of Part 20.35 LUC that eliminate quasi-judicial appeals to the Council. The draft LUC amendments would leave the current five land use processes in place. Although Process I decisions would remain quasi-judicial decisions by the Hearing Examiner, any appeal of the Hearing Examiner's Process I decisions to Council would be eliminated. Instead, the Hearing Examiner's decision would be appealed directly to Superior Court, or, as required by law, directly to the Shoreline Hearings Board.

Likewise, the draft LUC amendments would eliminate appeals to the Council of Process III Hearing Examiner recommendations. Although the amendments would eliminate Process III appeals to Council, they would preserve (1) the Hearing Examiner's role in providing a recommendation to Council, (2) Council's role as the final decision-maker, and (3) the EBCC's role in certain land use matters that fall within its jurisdiction. The Council's final decision would remain appealable to Superior Court, or, as required by law, to the Shoreline Hearings Board.

ATTACHMENT B

The action to amend the LUC is subject to the State Environmental Policy Act (SEPA). However, the LUC amendments to the Process I and III appeal procedures would be categorically exempt from SEPA review pursuant to WAC 197-11-800(19) which excludes procedural actions.

Attachment A provides a summary of the differences between the existing and amended Process I and Process III provisions.

ALTERNATIVES

1. Initiate the LUC amendments and retain public hearing authority.
2. Initiate the LUC amendments through the Planning Commission and have the Commission conduct the public hearing.
3. Do not initiate the LUC amendments.

RECOMMENDATION

Alternative 1

ATTACHMENTS

A. Comparison of Process I and Process III Land Use Matters Under Existing LUC And Under LUC Amendments.

AVAILABLE IN COUNCIL DOCUMENT LIBRARY

N/A



MEMORANDUM

DATE: May 2, 2017

TO: East Bellevue Community Council

FROM: Ron Kessack, Assistant Director, 452-4631
rkessack@bellevuewa.gov
Transportation Department

RE: 2016 Neighborhood Safety, Connectivity and Congestion Management Levy ("Levy")

INFORMATION

In establishing the policy guidance behind the Ordinance that placed the Levy on the November 2016 ballot, Council expressed a desire to respond more quickly to the backlog of requested neighborhood projects than the current capital budget would allow. The focus was on six project categories eligible for Levy funding:

- Congestion Management projects
- Intelligent Transportation System (ITS) projects
- Maintenance
- Sidewalks/Pathways projects
- Bike projects
- Neighborhood Safety projects

At \$0.15 per \$1000 assessed value the Levy will generate approximately \$7.4 million per year. Council discussions identified a desire for \$2 million per year to fund preliminary design for Congestion Management projects with the potential of funding small scale capacity improvements. Also sought was to generally double the funding for existing Neighborhood Safety programs and the Sidewalk program, implementing the Bicycle Rapid Implementation Program in a timely manner, addressing the backlog of maintenance needs and continuing to prepare the transportation system for intelligent transportation system projects.

PROJECT PRIORITIZATION

As several of the project categories supplement existing program funding, the 2017-2018 project list includes projects that have been previously prioritized by staff for Neighborhood Safety and maintenance projects and/or by the Transportation Commission for Sidewalks/Pathways via the Neighborhood Sidewalk Program and Bike Projects via the Bicycle Rapid Implementation Program. Staff also considered additional criteria such as speed of implementation, synergy between projects in a given area, geographic equity and funding cycles in the development of the recommended project list.

In the future staff will provide a recommended list of Sidewalk/pathway, Bike, ITS and Congestion management projects to the Transportation commission for their consideration, then present the recommended list of these projects to Council for final confirmation.

REPORTING

In order to be fully transparent with the use of levy funds we will be providing Council with an annual update of project expenditures in the prior year, any necessary carry-forwards (and why), and the proposed projects and expenditures for the next year. This information will also be provided on the city's website along with appropriate levy performance measures.

Attachment A: Neighborhood Safety, Connectivity and Congestion Project List for 2017-2018
February 21, 2017

Council Affirmed Project List	Area	Work (date/length/season)	PW-R-198					PW-R-199					Project Total
			Congestion	Safety	Sidewalks	ITS	Maintenance	Bike					
NE 24th St - Northup to SR-520 Trail	Bridle Trails	d/c									\$55	\$55	
Main St - 100th to 108th	Downtown	d/c									\$22	\$22	
NE 1st St - 100th to Bellevue Wy	Downtown	d/c									\$20	\$20	
106th Ave NE - Main to NE 12th	Downtown	d/c									\$222	\$222	
150th Avenue/I-90 Interchange Study	Eastgate	d	\$1,000									\$1,000	
150th Ave SE/SE Newport Wy	Eastgate	d	\$1,000									\$1,000	
Eastgate Wy - Richards to I-90 Trail	Eastgate	d/c									\$100	\$100	
SE 38th St - I-90 Overpass to 154th Ave	Eastgate	d/c									\$67	\$67	
139th Ave SE - Eastgate Wy to Kamber	Eastgate	d/c									\$49	\$49	
Tyee Middle School Safety	Eastgate/Factoria	d/c		\$300	\$450							\$750	
Newport Wy w/o 150th Ave	Eastgate/Somerset	d/c									\$15	\$15	
Newport Wy e/o 150th Ave	Eastgate/Somerset	d/c									\$90	\$90	
148th - SE 16th/22nd plus sidewalks	Lake Hills	d/c		\$250		\$250						\$500	
SE 16th St - 156th to 164th	Lake Hills	d/c		\$700								\$700	
Lake Hills Bd - 148th Ave to 159th Ave	Lake Hills	d/c		\$180								\$180	
Main St - 140th to 164th	Lake Hills	d/c		\$280								\$280	
158th Pl SE - Lk Hills Bd to SE 5th St	Lake Hills	d/c		\$100	\$1,105							\$1,205	
156th Ave NE Corridor X-Walks	Lake Hills	d/c		\$400		\$400						\$800	
Village Park Dr - Lakemont to 179th	Lakemont/Cougar Mtn	d/c									\$15	\$15	
Lk Wash Bd - So City L to Loop Trail	Newport	d/c									\$27	\$27	
NE Bellevue X-Walk Grant Match	Northwest Bellevue	d/c		\$200								\$200	
100th Ave NE - NE 14th to NE 24th (ph 1)	Northwest Bellevue	d/c		\$1,000								\$1,000	
112th Ave NE - NE 12th to ERC	Northwest Bellevue	d/c		\$300		\$300						\$950	
SE 6th St - 100th to Bell Way	Northwest Bellevue	d		\$75	\$250							\$325	
108th Ave NE - NE 12th to NE 24th	Northwest Bellevue	d/c									\$46	\$46	
NE 24th St - Bell Wy to 112th Ave	Northwest Bellevue	d/c									\$12	\$12	
Forest Drive Ped Crossings	Somerset/Lakemont	d/c		\$430								\$430	
ITS - Comms Upgrade and Travel Time	Various	d/c					\$600					\$600	
ITS - LED Lighting Upgrades	Various	c					\$100					\$100	
114th Ave - SE 8th to NE 6th	West Bellevue	d/c									\$60	\$60	
108th Ave SE - SE 30th to Main St	West/Northwest Bellevue	d/c		\$100							\$65	\$165	
128th Ave/NE 2nd Sidewalks	Wilburton	d/c			\$600						\$15	\$615	
SE 8th St - 114th to Lk Hills Cn	Wilburton/West Bellevue	d/c									\$350	\$350	
Richards Rd - Eastgate Wy to Lk Hills Cn	Woodridge/Eastgate	d/c									\$150	\$150	
New ITS Partnerships							\$300					\$300	
Congestion 2018 Project #1		d	\$1,000									\$1,000	
Congestion 2018 Project #2		d	\$1,000									\$1,000	
Total Per Levy Category			\$4,000	\$4,315	\$2,405	\$1,000	\$950	\$1,730	\$14,400				

Estimated Available 2-yr Funding: \$14,400
Projected Expenditure: \$14,400

FY2017-2023 Capital Investment Program

PW-R-198 Neighborhood Congestion Management (Levy)

Category: **Improved Mobility-Connectivity** Status: **New**
 Department: **Transportation** Location: **Citywide**

Programmed Expenditures

Programmed Expenditures	Appropriated To Date	FY 2017 Budget	FY 2018 Budget	FY 2019 Budget	FY 2020 Budget	FY 2021 Budget	FY 2022 Budget	FY 2023 Budget
14,000,000	-	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000

Description and Scope

The Transportation Department has a backlog of neighborhood safety, connectivity and congestion management needs. Utilizing 2016 Neighborhood Safety, Connectivity and Congestion Management levy funds, this project specifically addresses Council funding guidance for \$2 million annually to help address the neighborhood Congestion Management issues by progressing pre-design/design work on congestion management projects to identify best project scope and costing for future project implementation funding.

- Reduce neighborhood congestion: Projects to address and ease congestion for motor vehicles within, near and/or connecting neighborhoods to services to improve access and mobility.

Rationale

In November 2016, the residents of Bellevue approved Bellevue Proposition 2 which assessed a \$0.15 per \$1000 levy to fund Neighborhood Safety, Connectivity and Congestion Management projects. This project addresses Council's desire to provide approximately \$2 million per year for design analysis work on intersection and roadway projects that would improve neighborhood access/egress. At Council direction, funds may be used to leverage other funding sources, or as contribution to levy-backed construction.

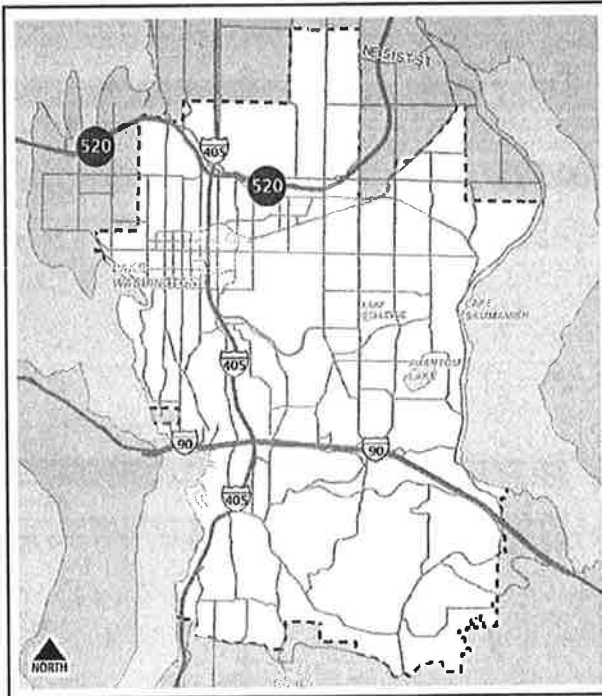
Environmental Impacts

There are no environmental impacts associated with this project fund. Should Council elect to fund project construction utilizing levy funds then a project-specific environmental study may be required.

Operating Budget Impacts

Operating costs for this program will be determined on a project specific basis as required. Depending on the specific infrastructure constructed, costs may include street lighting/signal (electricity) and maintenance of the roadway and landscaping.

Project Map



Schedule of Activities

Project Activities	From - To	Amount
Project Costs	2017 - 2023	14,000,000

Total Budgetary Cost Estimate: 14,000,000

Means of Financing

Funding Source	Amount
Neighborhood Safety, Conn. & Cong. Levy	14,000,000

Total Programmed Funding: 14,000,000

Future Funding Requirements:

Comments

FY2017-2023 Capital Investment Program

PW-R-199 Neighborhood Safety & Connectivity (Levy)

Category: **Improved Mobility-Connectivity** Status: **New**
 Department: **Transportation** Location: **Citywide**

Programmed Expenditures

Programmed Expenditures	Appropriated To Date	FY 2017 Budget	FY 2018 Budget	FY 2019 Budget	FY 2020 Budget	FY 2021 Budget	FY 2022 Budget	FY 2023 Budget
37,800,000	-	5,400,000	5,400,000	5,400,000	5,400,000	5,400,000	5,400,000	5,400,000

Description and Scope

The Transportation Department has a backlog of neighborhood safety, connectivity, sidewalk, bicycle, technology, and maintenance needs. Examples include: a backlog of 30-plus neighborhood sidewalk projects identified by community members that would take more than 30 years to complete at current funding levels; backlogs of 55 pedestrian crossing projects, 35 traffic calming projects in neighborhoods and 12 school traffic improvement projects; and a funding shortfall for 52 identified projects that would provide 57 miles of new or upgraded bike facilities citywide.

This fund will help address the backlog projects and prioritized new projects in the following categories:

- Neighborhood safety projects: Provide traffic calming, reduce speed and non-local traffic, reduce potential for collisions in neighborhoods and around schools, add mid-block crossings and other crosswalks with enhanced safety features such as flashing lights, and other projects;
- New sidewalks/trails/paths: Add sidewalks and paths to provide walking access to connect neighborhoods and provide safe walks to schools, parks, shopping and other destinations;
- Technology for safety and traffic management: Improve city's capability to implement technology that improves safety, traffic flow, traveler information and other emerging technology, such as autonomous vehicles;
- Enhance maintenance: Repairs and improvements to existing transportation facilities with outstanding maintenance needs such as sidewalks, trails, slopes, walls, poles, lighting, wiring and street cleaning; and
- New bike facilities: Add facilities to create a safe and connected bike network for commuting, recreation and family activities.

Rationale

In November 2016, the residents of Bellevue approved Bellevue Proposition 2 which assessed a \$0.15 per \$1000 levy to fund Neighborhood Safety, Connectivity and Congestion Management projects. This project addresses Council's desire to address the backlog of projects and potential prioritized new projects in the project categories above. Funds may be used to leverage other funding sources and as a supplement to existing programs that seek to address issues within these project categories.

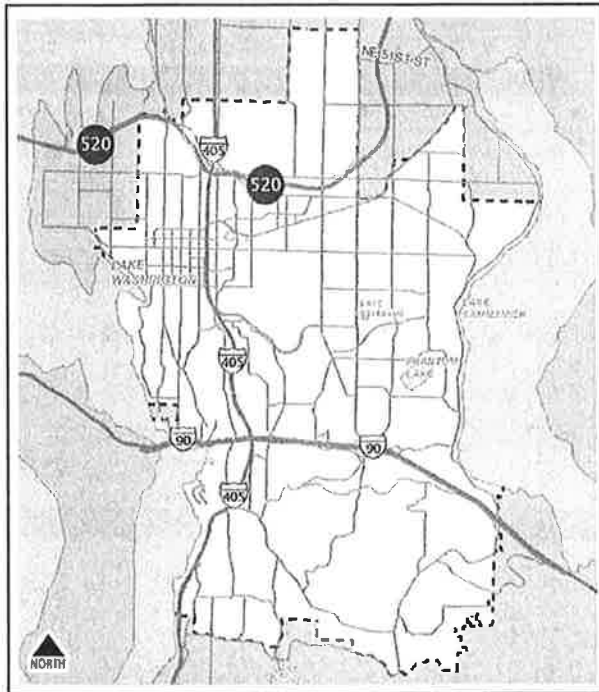
Environmental Impacts

Project-specific environmental studies may be required and will be addressed on a per-project basis.

Operating Budget Impacts

Operating costs for this program will be determined on a project specific basis as required. Depending on the specific infrastructure constructed, costs may include street lighting/signal (electricity) and maintenance of the roadway and landscaping.

Project Map



Schedule of Activities

Project Activities	From - To	Amount
Project Costs	2017 - 2023	37,800,000

Total Budgetary Cost Estimate: 37,800,000

Means of Financing

Funding Source	Amount
Neighborhood Safety, Conn. & Cong. Levy	37,800,000

Total Programmed Funding: 37,800,000

Future Funding Requirements:

Comments

East Bellevue Community Council
Summary Minutes of Regular Meeting

April 4, 2017
6:30 p.m.

Lake Hills Clubhouse
Bellevue, Washington

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

ABSENT: Councilmember Gooding

STAFF: None.

1. **CALL TO ORDER**

The meeting was called to order at 6:30 p.m., with Chair Capron presiding.

2. **ROLL CALL**

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

3. **FLAG SALUTE**

Chair Capron led the flag salute.

4. **COMMUNICATIONS: WRITTEN AND ORAL**

Don Boettiger suggested that the East Bellevue Community Council focus more on topics that it can influence within its jurisdiction.

Ernie Simas introduced himself as the newly appointed Bellevue City Councilmember. He noted his previous service on the Bellevue Transportation Commission and his work with the Bellevue Chamber of Commerce transportation committee. He highlighted key issues facing the City Council including the homeless shelter, affordable housing, and Fire Station 10. He said an estimated 200 people were in attendance for the April 3 City Council meeting to learn about and comment on the proposed homeless shelter. He observed that the Eastgate location has a number of positive aspects including its close proximity to Bellevue College, the Park and Ride, and social services. Mr. Simas said the project includes a homeless shelter, day center, and affordable housing component. He said potential alternative locations have been suggested by the public and certain City Councilmembers. He said the City Council would address the topic again on April 17.

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East Bellevue Community Council
Summary Minutes – April 4, 2017

Responding to Councilmember Kasner, City Councilmember Simas said the Council anticipates taking action on April 17 about whether to proceed with the shelter project. Mr. Simas said crime statistics indicate no increase in violent crimes near homeless shelters. However, there have been slight increases in petty crimes.

Councilmember Hummer asked Mr. Simas to comment on traffic congestion on 148th Avenue. Mr. Simas acknowledged that Microsoft employees and others who work outside of Bellevue use 148th Avenue and contribute to the congestion. He said 148th Avenue will always have heavy traffic. However, the challenge is how to mitigate the congestion and negative impacts. He said the City's implementation of an adaptive traffic signal system (SCATS) and the use of flashing left-turn arrows have improved traffic flow.

Ms. Hummer said the EBCC has an interest in projects on both 156th Avenue and 164th Avenue to improve traffic flow and to provide sidewalks and other amenities.

Ms. Hummer expressed concern about preserving the Lake Hills Greenbelt and Larsen Lake. She noted discussions within the community about using public land to provide affordable housing, and expressed concern that parks could be considered for that use. Mr. Simas said the City would not move in that direction. His ideas for potential affordable housing options include subdividing one-acre lots and different types of micro housing. Ms. Hummer said the one-acre lots are located in single-family neighborhoods and are generally on septic tanks. Mr. Simas acknowledged that there are no easy answers to address affordable housing.

Councilmember Hughes spoke against allowing developers to pay a fee in lieu instead of providing affordable housing to comply with the code. He said that does not provide affordable housing. City Councilmember Simas said he is not in favor of allowing fee in lieu payments. He would prefer offering incentives that allow developers to build affordable housing at a lower cost. Mr. Hughes noted the challenge of defining "affordable housing" in Bellevue. He said housing prices will continue to increase.

Councilmember Kasner said all of the City's park lands are in residential zones. The City does not have a park district designation. Mr. Kasner expressed an interest in understanding the protections to retain parks in residential zones.

Mr. Kasner noted the planned bike lane and sidewalk project on SE 16th Street (148th Avenue to 156th Avenue). He said the EBCC wants projects in its area. However, there is not sufficient pedestrian activity to warrant sidewalks on that section of SE 16th Street. Mr. Kasner said he will provide oral comments to the Transportation Commission on April 13 to express the EBCC's ongoing opposition to the proposed project. He thanked Councilmember Simas for attending the EBCC meeting.

Responding to Louis Avanzino in the audience, Mr. Simas said Fire Station 10 will be located in Downtown Bellevue.

5. **REPORTS OF CITY COUNCIL, BOARDS AND COMMISSIONS**

(a) Community Council Business and New Initiatives

Councilmember Hughes said he invited the new football coach at Sammamish High School to attend an EBCC meeting. He noted that the Jewish Community Center on Mercer Island is holding security meetings due to recent threats directed toward Jewish organizations.

Councilmember Hummer commented on the Downtown Livability Initiative work and suggested exploring what the East Bellevue neighborhoods can learn from that process when the City initiates the update to the subarea plan. She said she attended one of the affordable housing meetings and provided public comment that East Bellevue has its own fair share of affordable housing, and that new affordable housing should be located elsewhere. She encouraged everyone to take the affordable housing survey. She attended the Bellevue City Council meeting the previous night. She encouraged residents to attend the upcoming Bellevue College meetings scheduled for April, May and June to share concerns and ideas regarding future planning and projects. Ms. Hummer said the new student housing to be built does not include parking.

Responding to Saghar Rasoulamini, Councilmember Hummer said she believes developers in the Downtown should be required to provide a certain amount of affordable housing. She noted that affordable housing required in the Downtown between 1991 and 1996 still exists.

Ms. Hummer said she would like a map of the affordable housing currently located in Bellevue, as well as information on the type of housing. She noted the Imagine Housing units at Chalet Apartments near Bellevue College. Also nearby are the Carrington Apartments, which are market-rate units that accept Section 8 vouchers. The complex has a diverse group of residents ranging from senior adults to students. Hidden Village and College Crest include affordable housing, and there are additional King County Housing Authority and Section 8 units on 148th Avenue.

Councilmember Hummer said there is also the YWCA affordable housing, the Highland Village complex recently purchased by King County, and subsidized housing next to Super Supplements. Her research indicates that affordable and subsidized housing is clustered in the Lake Hills and Crossroads areas. There is one complex in the Downtown, zip code 98004, that accepts Section 8 vouchers. She is opposed to the City allowing Downtown developers to pay a fee in lieu of providing affordable housing in their developments. Ms. Hummer said there are also a number of adult family homes in East Bellevue. She said the Bellevue College student dorms will be market-rate units and not affordable housing.

Ms. Hummer said affordable housing needs to be spread throughout the city. She said the money collected from developers as fee in lieu payments is intended to be used for affordable housing elsewhere. However, she is unclear about the details of that code provision.

Chair Capron noted that the EBCC does not have authority over the placement of affordable housing throughout Bellevue. He suggested that residents provide input to the City Council.

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Vice Chair Kasner reported that he attended the 48th District Town Hall meeting, which was followed by a school district forum with state legislators. He attended the affordable housing meeting at City Hall. He said participants were asked whether they preferred a sales tax or a property tax, and whether developer incentives for affordable housing should be voluntary or mandatory. Mr. Kasner said he is not a fan of fee in lieu payments that allow developers to avoid providing affordable housing within their developments. He said the affordable housing survey is important because the City Council will be making a series of decisions over the coming year. With regard to Bellevue College student housing, Mr. Kasner said his understanding is that most of the units will be used for international students.

Councilmember Kasner said he met with John Kappler, a member of the Houghton Community Council (Kirkland), to discuss the Puget Sound Energy litigation and the potential impacts in Kirkland. He said the Houghton Community Council has joint meetings with their Planning Commission to proactively work with the City of Kirkland.

Mr. Kasner said he attended a Bellevue Transportation Commission meeting, where he provided public comment regarding the proposed SE 16th Street project. He said a Transportation Commission workshop is scheduled for April 13 to discuss the project list for the use of levy funds. He attended a meeting on civil discourse co-sponsored by the City and the Bellevue Regional Library, the safety forum at the Jewish Community Center, and the Lake Hills neighborhood planning meeting. Mr. Kasner expressed an interest in obtaining demographic information on East Bellevue from City staff. He encouraged the EBCC to work more closely with the Lake Hills Neighborhood Association (LHNA), which is required to rent meeting space.

Chair Capron said the LHNA is welcome to attend EBCC meetings.

Chair Capron said the sidewalks associated with the traffic signal project were poured at the corner of 148th Avenue and Main Street. He said the crosswalks are better and wider. He said an increasing number of housing units are being built in the Overlake area, which will have an impact on traffic on 148th Avenue and 156th Avenue. Most of that housing is within the Redmond city limits. Mr. Capron concurred with Ms. Hummer that East Bellevue does have its fair share of affordable housing. However, he said that does not mean that East Bellevue is not the place for additional affordable housing. Mr. Capron said he personally does not think that affordable housing is the government's responsibility.

Mr. Capron suggested that residents provide feedback and express their concerns on affordable housing to the City Council, which has the authority to make decisions within that arena. With regard to the LHNA, he said he cannot attend those meetings because two EBCC members serve on that board, and three EBCC members in attendance becomes a quorum.

Chair Capron reiterated that the EBCC's authority is over specific types of land use decisions within its boundaries, and the EBCC's decisions occur at the end of the process following City Council action. Mr. Capron said he would like the EBCC meetings to be more focused on the issues over which the EBCC has authority.

Mr. Capron referenced Councilmember Hummer's comments about the Highland Village affordable housing apartment complex. He said what makes it affordable is that it is a rundown

complex that has not been properly maintained. He said that is typical of affordable housing unless the government is subsidizing rents and maintaining better units using taxpayer dollars.

Mr. Kasner noted that the new housing project on 140th Avenue, the previous health club site, contains nine buildings with 49 units, which he believes is market-rate housing.

6. **APPROVAL OF AGENDA**

Vice Chair Kasner moved to approve the agenda, amended as follows:

- Add Item 7(a), Introduction of new EBCC in-house attorney.
- Move to Item 12(a), Bellevue College Student Legislative Affairs Presentation.
- Add Item 12(b), Bellevue College Administration Presentation.
- Move to Item 12(c), Discussion Regarding Potential Future Agenda Items.
- Move to Item 12(d), November 7, 2017 General Election Ballot Process.
- Move to Item 12(e), EBCC Retreat Discussion.

Councilmember Hughes seconded the motion, which carried by a vote of 4-0.

7. **DEPARTMENT REPORTS**

- (a) Introduction of new EBCC in-house attorney

Chair Capron introduced the EBCC's new in-house attorney Catherine Drews, Assistant City Attorney. Ms. Drews noted her previous role as Legal Planner in the Development Services Department (DSD). She lived in the EBCC jurisdiction for 19 years before moving to southeast Bellevue. As Assistant City Attorney, she represents the Department of Planning and Community Development (PCD) and the Utilities Department.

Responding to Councilmember Kasner, Ms. Drews said the City has eight civil attorneys and approximately the same number of prosecuting attorneys, who prosecute misdemeanors. She said Monica Buck represents the Transportation Department and issues related to the East Link light rail project.

Chair Capron asked Ms. Drews to stay for a 15-minute Executive Session.

8. **PUBLIC/COURTESY HEARINGS:** None.
9. **RESOLUTIONS:** None.
10. **COMMITTEE REPORTS:** None.
11. **UNFINISHED BUSINESS:** None.

12. **NEW BUSINESS**

(a) Bellevue College Student Legislative Affairs Presentation

Saghar Rasoulamini, Municipal Liaison for Bellevue College students, and Jahkari Aujla-Singh, External Legislative Affairs Representative for the Associated Student Government of Bellevue College, provided a presentation.

Mr. Aujla-Singh commented on the college's search for a new president. The finalists were Karen Clos, Angelia Millender, and Jerry Weber; and Mr. Weber has been nominated for the position.

Ms. Rasoulamini described the demographics of Bellevue College's 34,000 students, campus housing, and the college's programs (e.g., Bachelor's degrees, Associates degrees, certificate programs, continuing education, and adult basic skills). The college has approximately 2,400 international students every year as well as 2,500 Running Start students. The college's students are 55 percent full-time and 45 percent part-time.

Mr. Aujla-Singh said 75-80 percent of students in campus dorms will be international students. The remaining rooms will be occupied by out-of-state students. Ms. Rasoulamini noted that government-supported affordable housing is available only to Americans. She said A Regional Coalition for Housing (ARCH) has housing for international students.

Mr. Aujla-Singh and Ms. Rasoulamini continued their report on the student demographics and the college's programs.

Mr. Aujla-Singh noted that white supremacist and neo-Nazi groups have gained a presence on the University of Washington and Bellevue College campuses. He cautioned the public to not touch any posted notices they might see because there have been instances at other colleges in which the notices have razor blades or other hazards. If those are found, he encouraged everyone to call the police.

Ms. Rasoulamini and Mr. Aujla-Singh said the students' City agenda includes priorities related to public safety, housing insecurity and affordable housing, transportation, food insecurity, and student access to municipal services. Mr. Aujla-Singh said a food bank is available on campus.

Councilmember Kasner asked the students to comment further on the issue of housing insecurity. Mr. Aujla-Singh said a student survey identified the issue as a top concern. He said housing insecurity for the students is defined as the inability to live, work, and attend Bellevue College at the same time.

Mr. Kasner questioned whether the college coordinates room rentals in surrounding neighborhoods, for example, with senior adults. Ms. Rasoulamini said international students have encountered unsafe situations in certain living arrangements and can be particularly vulnerable due to language barriers. The preference is to live with other students.

Mr. Aujla-Singh noted that the City Council will make a decision on April 17 about the homeless shelter, which is currently proposed for the Eastgate area near Bellevue College.

Councilmember Hughes said the Mini City Hall at Crossroads Mall provides assistance to the public in different languages, which might be helpful for students. He encouraged the students to check the schedule for assistance in specific languages.

Warren Halverson congratulated the students on pursuing an education. He noted that probably many people in the room worked their way through college. He said residents receive lower tuition because they live in the state and contribute to taxes that go toward public education. He noted that in-state students may feel it is not fair to not have student housing available to them. Mr. Halverson acknowledged that these are difficult issues and challenges.

Ms. Rasoulamini noted that some international students do have jobs. However, there are limited jobs available to them.

Councilmember Kasner thanked the students for their presentation.

- (b) Bellevue College Administration Presentation: None
- (c) Potential Future Agenda Items
 - Neighborhood Safety, Connectivity, and Congestion Ballot Measure Project Funding Presentation
 - Bellevue School District Presentation
 - Eastgate Land Use Code Amendments
 - Kelsey Creek Culvert Replacement

Responding to Chair Capron, Deputy City Clerk Karin Roberts said the Neighborhood Safety, Connectivity, and Congestion Ballot Measure Project Funding Presentation will be on the May meeting agenda. Responding to Councilmember Kasner, Ms. Roberts said information will be available on the City's website regarding the April 13 Transportation Commission meeting.

Chair Capron asked Ms. Roberts to provide information to EBCC members in advance of upcoming transportation presentations, which will help EBCC members prepare their questions and input.

Chair Capron said he has been remiss in contacting the Bellevue School District regarding a presentation but will do so in the upcoming week.

Ms. Roberts said the Eastgate Land Use Code Amendments were discussed during the March 20 City Council Study Session, but no action was taken by the City Council. The item is anticipated to come to the EBCC after the City Council's final action, which is slated for the first half of 2017.

Ms. Roberts said she would request information from staff on the Kelsey Creek Culvert Replacement project.

Councilmember Kasner requested information regarding the City's schedule for updating neighborhood subarea plans.

(d) November 7, 2017 General Election Ballot Process

Deputy City Clerk Karin Roberts described the steps of the upcoming election process. She said the EBCC needs to take action on whether to solicit committees to write pro and con statements for the ballot measure related to the continuation of the EBCC.

Responding to Mr. Kasner, Ms. Roberts said the EBCC will review the applications and make the appointments to both committees.

Vice Chair Kasner moved to authorize the City to recruit individuals for the pro and con statement committees regarding the proposition to continue the EBCC. Councilmember Hummer seconded the motion, which carried by a vote of 4-0.

(e) EBCC Retreat Discussion

Following Council discussion, Chair Capron said the retreat will be tentatively scheduled for Tuesday, April 25, 6:00-8:00 p.m. He asked the City to provide a facilitator for the retreat. Ms. Roberts said she would see if that is possible. Councilmember Kasner suggested that perhaps Cheryl Kuhn could serve as facilitator.

Councilmember Hughes suggested that two EBCC members meet separately to discuss potential agenda items for the retreat. There was a consensus for Mr. Hughes and Ms. Hummer to work together, and Mr. Kasner and Mr. Capron to work together, to discuss agenda items.

13. **CONTINUED COMMUNICATIONS**

Louis Avanzino questioned whether a decision had been made regarding the Lake Hills art installation. Chair Capron said the EBCC provided its input to City staff. However, the EBCC does not have the decision authority on the matter.

Graham Siebe said he wrote a letter to the Bellevue Arts Commission, on behalf of the Lake Hills Neighborhood Association, suggesting that the art be placed on 148th Avenue NE at the crossing of the Lake to Lake Trail. He said the Arts Commission was scheduled to make a decision on the location for the art piece tonight.

Chair Capron expressed support for Mr. Siebe's proposed art installation location.

14. **EXECUTIVE SESSION**

At 8:26 p.m., Chair Capron declared recess to Executive Session for approximately 15 minutes to discuss the legal risks of current or proposed litigation.

The meeting resumed at 8:57 p.m.

15. **APPROVAL OF MINUTES**

- (a) Summary Regular Meeting Minutes of March 7, 2017

Vice Chair Kasner moved to approve the minutes of the March 7, 2017 Regular Meeting. Councilmember Hummer seconded the motion, which carried by a vote of 4-0.

16. **ADJOURNMENT**

At 8:58 p.m., Chair Capron declared the meeting adjourned.

Karin Roberts
Deputy City Clerk

/kaw