

East Bellevue Community Council
Summary Minutes of Regular Meeting

January 9, 2018
6:30 p.m.

Lake Hills Clubhouse
Bellevue, Washington

PRESENT: Vice Chair Kasner and Councilmembers Gooding, Hummer, and Walter

ABSENT: None.

STAFF: Nicholas Matz, Senior Planner, Department of Planning and Community Development (PCD)

1. **CALL TO ORDER**

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

2. **ROLL CALL**

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

3. **FLAG SALUTE**

Vice Chair Kasner asked Ms. Walter to lead the flag salute.

(a) Swearing In of Councilmembers

Vice Chair Kasner noted that Councilmember Gerald Hughes, reelected in November, resigned from the East Bellevue Community Council.

Judge Ketu Shah, King County District Court, officiated for the swearing in of Councilmembers Gooding, Hummer, Kasner and Walter. Judge Shah congratulated them and thanked them for their public service.

Vice Chair Kasner called for a brief recess to take photographs with Judge Shah.

Mayor John Chelminiak expressed his interest in working to realign the interests of the City Council and the East Bellevue Community Council. He congratulated EBCC members and said he looks forward to their selection of a fifth Councilmember.

Vice Chair Kasner thanked Mayor Chelminiak and noted his interest in maintaining a City Council liaison to work with the EBCC.

Mr. Kasner introduced discussion regarding the EBCC vacancy due to the resignation of Gerald Hughes.

Councilmember Hummer moved to declare Position No. 3 vacant. The motion was seconded by Councilmember Walter, and carried by a vote of 4-0.

Vice Chair Kasner referred to the desk packet memo outlining alternative methods for appointing a Councilmember, which will begin with a three-week recruitment period closing on January 31. He noted that the EBCC may discuss and evaluate the candidates in an Executive Session, however interviews, if conducted, must be held during an open public meeting.

Councilmembers Gooding and Hummer expressed support for option 1, conducting interviews at one of the EBCC's regularly scheduled meetings. Ms. Hummer said she would like to interview the candidates and to be able to hear feedback from her constituents. She suggested a broad outreach effort to publicize the vacancy.

Councilmember Walter also expressed support for option 1. She suggested reviewing the applications to narrow the list of candidates to a predetermined number to be selected for interviews.

Vice Chair Kasner expressed support for option 1. He indicated that he was open to interviewing all candidates during the February meeting.

Councilmember Hummer moved to conduct interviews during the February meeting of up to 10 applicants to fill the vacant position on the Community Council. The motion was seconded by Councilmember Walter and carried by a vote of 4-0.

4. **COMMUNICATIONS: WRITTEN AND ORAL**

Maria Ann Hudson described her concerns regarding the Bellevue Police Department and the Bellevue School District, including that her daughter is being mistreated at school. Ms. Hudson described school discussions and assignments that she believes negatively portray African-Americans. She noted that she settled a lawsuit with the Bellevue School District last year. She said the Bellevue Police Department does not take her seriously and, as a resident, she has the right to be protected. She said she and her family have been victims of crimes by white males, and no one has been prosecuted. Ms. Hudson said her daughter suffered a traumatic brain injury at a Bellevue School District elementary school. She said there needs to be a third-party investigation of the Bellevue Police Department.

Nia Lanier noted she is Ms. Hudson's daughter. Ms. Lanier said a middle school counselor led a session on anger management for African-American students only. She said she was harassed by the Bellevue Police Department during an incident involving her sister, who boarded the wrong bus and had not come home. She said the Bellevue School District and the Bellevue Police

Department did nothing when she and her sister were being bullied. She said the comments by her mother are all true, and she noted the stress throughout her childhood and as an adult due to the ongoing mistreatment of her family by the Bellevue Police Department and the Bellevue School District.

Vice Chair Kasner thanked the speakers for their comments.

Warren Halverson thanked staff for their work. He noted that questions raised during oral communications, whether before the City Council or the EBCC, are not answered. He asked for answers to be brought back to the EBCC and to the community.

Amanda Johnson expressed concern regarding the opioid epidemic, noting that she works with the homeless and addicts. She spoke to the importance of coming together to quantify the problem within the community and to recognize the signs of drug use. As an example, she noted evidence of blood splatters on the ceiling in a nearby public restroom.

Sonja Rossman noted her interest in the testimony provided by Ms. Hudson and Ms. Lanier. She said she might have other avenues for them to seek assistance.

Don Boettiger concurred with Mr. Halverson's request for answers to questions raised during oral communications. He recalled his question to Mr. McDonald last month regarding the curb cuts at Walmart. He asked to be referred to the correct staff person for answers to questions.

Councilmember Hummer spoke about the One City culture in which employees of different departments share information and work together across the City organization. She said there should be a system for receiving follow-up information related to questions raised during EBCC meetings.

Pamela Johnston noted that the public can contact the City via the MyBellevue app, City website, or by calling the Service First desk at City Hall (425-452-6800), who will refer callers to the appropriate staff.

Councilmember Hummer encouraged the public to also access www.Nextdoor.com for information. She has used the MyBellevue app to report graffiti and to make other requests. She said City staff respond promptly to inquiries and complaints.

Vice Chair Kasner introduced City Councilmember Jennifer Robertson, liaison to the EBCC.

Councilmember Robertson said she looks forward to another great year together. She noted the Mayor's comments about creating a better relationship and enhanced collaboration with the EBCC. She noted that 2018 is a biennial budget year for the City, and that the Council's annual retreat is scheduled for late January.

Councilmember Robertson introduced the City Council's new members: Jared Nieuwenhuis, an East Bellevue resident, and Janice Zahn.

Councilmember Hummer thanked the City Councilmembers for being responsive to her emails and contacts.

Councilmember Nieuwenhuis noted his involvement with the Lake Hills Neighborhood Association and congratulated the EBCC on their re-election. He invited the public to contact him regarding issues and said he looks forward to working with everyone.

Irene Fernandes said the Lake Hills Neighborhood Association (LHNA) is holding its first Family Fun Fest at the Lighthouse Church in the Lake Hills Village shopping center. She noted that the LHNA rents a room at the church for its regular meetings, but there will not be a meeting for Saturday's event. She recalled the Trunk or Treat event at the shopping center on Halloween, and noted that the association is planning an Earth Day event. Ms. Fernandes invited everyone to Family Fun Fest, noting there will be games and treats.

Councilmember Hummer encouraged LHNA members to attend the monthly EBCC meetings.

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

(a) Community Council Business and New Initiatives

Councilmember Walter said she resigned from the Planning Commission and looks forward to serving on the EBCC and continuing to work with bodies at City Hall. She said she had a very positive meeting with the Mayor.

Councilmember Hummer recalled Councilmember Walter's activism related to creating the single-family room rentals ordinance. She noted that Ms. Walter served on the Planning Commission, including as Chair, until she was elected to serve on the EBCC.

Ms. Hummer said an important initiative for East Bellevue and the entire community is the City's Affordable Housing Strategy. She said East Bellevue is home to 25 percent of the government-subsidized affordable housing in Bellevue. She noted that the implementation of the strategy could involve zoning changes. She said it is important to develop close working relationships with the Boards, Commissions, and City staff to follow the activities related to the Affordable Housing Strategy. Ms. Hummer said one item in the strategy is multifamily housing, potentially on church properties. She noted a church on 140th Avenue in a single-family zoned neighborhood, which has King County Housing Authority multifamily units across the street. She favors maintaining a similar balance of single-family and multifamily development, churches, schools, and affordable housing in neighborhoods throughout the city. She noted that the implementation of affordable housing could increase the number of multifamily zones in East Bellevue.

Ms. Hummer said two constituents have recently voiced concerns about single-family homes that have been divided into rooms for individual rental versus being rented to families or a group living as a family unit. She said residents are reluctant to report violations of the single-family room rental ordinance because they are afraid of retaliation from the owner and/or the tenants.

Ms. Hummer spoke in favor of implementing rental registration to address the issue. She said one home has had repeated violations and continues to operate illegally under the ordinance.

Vice Chair Kasner recalled that the EBCC previously requested updated information regarding the enforcement of single-family room rentals. He requested copies of the Code Compliance report that was sent to the City Council in October.

Mr. Kasner said the City Council is expected to begin discussing neighborhood subarea planning in February. He said the City's subarea plans have not been updated in 20 years, and the neighborhood boundaries were amended a few years ago. He said East Bellevue is slated for developing a project under the Neighborhood Enhancement Program (NEP) in 2019.

Don Boettiger said the Code Compliance division is understaffed and overwhelmed. However, he said it would be more effective if Code Compliance staff could observe the subjects of complaints at times other than during the normal work day. For example, the 8-12 cars parked at a house overnight will not be there during the day.

Councilmember Hummer noted that staff indicated to her that they are authorized to adjust their schedules to be able to work earlier or later, primarily to address the issue raised by Mr. Boettiger. Mr. Kasner said City staff have worked on Saturdays as well to observe specific situations.

Continuing his report, Mr. Kasner noted a new eyeglass store and new restaurant moving into Lake Hills Village. He said the last building at Kelsey Creek Center is anticipated to be completed over the next few months.

Mr. Kasner said the City recently released an interim report related to diversity in Bellevue. He noted that he attended the safety and community policing forum sponsored by Eastside area police agencies which was held at the Bellevue School District. He said the City is still working on preparing to move the artwork from downtown to 148th Avenue in East Bellevue. Mr. Kasner encouraged the public to continue to attend meetings and to engage in issues of interest to them.

Councilmember Gooding questioned whether there are churches currently interested in providing multifamily housing. Mr. Kasner said St. Margaret's Church and Bellevue First Presbyterian Church have housing related to their mission of helping the community.

Ms. Hummer said the Church of the Resurrection on Main Street has cottages on its grounds. However, in her research, she found no evidence of permits or other information about the cottages. She heard that the Unity Church on 164th Avenue is considering selling its property.

Ms. Walter said the cottages at the Church of the Resurrection have been around for a long time, and they provide senior housing. She noted plans for affordable housing at St. Luke's Church in North Bellevue, which also has The Sophia Way women's shelter. Councilmember Hummer said some residents are concerned about the increased density and that they did not receive public notice about the new housing project at St. Luke's Church.

Ms. Walter said the EBCC can be a conduit for public education regarding the City's zoning and permitting processes.

6. **APPROVAL OF AGENDA**

Councilmember Gooding moved to approve the agenda, as amended. Councilmember Walter seconded the motion, which carried by a vote of 4-0.

7. **DEPARTMENT REPORTS**: None.

8. **PUBLIC/COURTESY HEARINGS**

- (a) Public Hearing to consider approving City Council Ordinance No. 6395, Complete Streets Comprehensive Plan Amendment (CPA)

Nicholas Matz, Senior Planner, provided the staff report regarding the Complete Streets Comprehensive Plan Amendment (CPA) adopted by the City Council under Ordinance No. 6395. He said the Planning Commission held its hearing on the item in November. The East Bellevue Community Council held a November 7, 2017, courtesy public hearing, and the City Council did not amend the CPA following that presentation to the EBCC. Mr. Matz highlighted the revisions to the Comprehensive Plan, described in Attachment A as reflected in Ordinance No. 6395 and the Complete Streets CPA.

Councilmember Gooding questioned the meaning of Comprehensive Plan policy TR-23: Coordinate improvements and operations among travel modes and provide facilities to support people who are making connections between modes [underlined text reflects added language]. Mr. Matz said facilities include the Bellevue Transit Center and features at shopping centers, for example, that accommodate cars, buses, and pedestrians.

Responding to Councilmember Hummer, Mr. Matz said the Complete Streets CPA does not dictate specific facilities. However, it highlights policies to consider when planning for connections between travel modes at the Transit Center, Park and Ride lots, and other key transfer points.

Councilmember Hummer questioned the decision to make the Complete Streets program a part of the Comprehensive Plan. She learned that the heart of the Complete Streets initiative is an award program with a potential grant of \$500,000. To be eligible for the award, a jurisdiction must have an adopted Complete Streets ordinance. Ms. Hummer expressed concern that the City adopted the CPA to be eligible for grant funding. Responding to Ms. Hummer, Mr. Matz said the funding was provided for specific work that is already planned or underway. He said the Bellevue City Code includes regulatory language regarding the Complete Streets model. A CPA helps to ensure that the City's right-of-way provides a broad public benefit in different ways at different times. He said the CPA amends and strengthens existing transportation policies, and integrates the objectives of the Complete Streets and Vision Zero programs. Responding to Ms. Hummer, Mr. Matz said the City anticipates additional future funding related to Complete Streets as well.

Councilmember Robertson noted that she works as the city attorney for a number of cities, and she prepared Complete Streets ordinances to ensure they were eligible for grant funding before the deadline. She said Bellevue's CPA provides consistency with the ordinance and existing policies. She said the Complete Streets CPA is also consistent with the recent update to the Downtown CPA. Responding to Ms. Robertson, Mr. Matz confirmed that the ordinance and CPA were handled in a different order than the usual process.

Councilmember Walter said the adoption of the ordinance and CPA occurred in a non-traditional manner. She suggested that the goals should be predictability and transparency.

Councilmember Robertson and Mr. Matz said the City is trying a new approach to consider Comprehensive Plan and Land Use Code changes simultaneously, which enhances transparency and clarity regarding the City's processes. However, this was an unusual situation.

Responding to Ms. Hummer, Mr. Matz said the \$500,000 grant is being spent on 106th Avenue NE adjacent to the Pedestrian Corridor. Road projects require planning, design, issuance of a contract, and construction.

At 8:16 p.m., Councilmember Gooding moved to open the Public Hearing. Councilmember Walter seconded the motion, which carried by a vote of 4-0.

Bill Capron recalled a discussion about helicopters approximately six years ago when he served on the EBCC. He said he was not sure whether the issue of helicopter landing pads fits into the Complete Streets model. However, he noted that the issue has not been addressed by the City since that time.

At 8:18 pm, Councilmember Hummer moved to close the Public Hearing. Councilmember Walter seconded the motion, which carried by a vote of 4-0.

9. **RESOLUTIONS**

- (a) Resolution 567 approving City Council Ordinance No. 6395

Councilmember Walter moved to approve EBCC Resolution 567 adopting City Council Ordinance No. 6395. Councilmember Gooding seconded the motion.

Responding to Councilmember Hummer, Mr. Matz said that disapproving the ordinance would affect spending in the EBCC area and contribute to confusion regarding the implementation of the policies citywide.

The motion carried by a vote of 4-0.

Catherine Drews, Assistant City Attorney, introduced Nick Melissinos, the City's new Deputy City Attorney.

Mr. Matz said he would follow up with information regarding the City's expenditure of the Complete Streets grant funding, as requested by Councilmember Hummer.

10. **COMMITTEE REPORTS:** None.

11. **UNFINISHED BUSINESS**

Mr. Kasner recapped his earlier comment regarding the pending request for information on single family room rentals. Ms. Walter requested a staff presentation regarding the topic.

12. **NEW BUSINESS**

(a) Discussion Regarding Potential Future Agenda Items

- Larsen Lake Culvert Replacement project
- Open Public Meetings Act (OPMA) Training
- Review and update of Community Council Rules of Procedures

Deputy City Clerk Roberts said staff will provide a presentation on the Larsen Lake Culvert Replacement project in June.

Referring to the installation of the two culverts at NE 8th Street/Kelsey Creek and at Larsen Lake, Don Boettiger asked what is happening to the large parcels of land owned by Bellevue Utilities on NE 4th Street off 148th Avenue. He questioned how the creek flows naturally. Are there swamps and where do the fish go to access Larsen Lake?

Vice Chair Kasner said he would like information on neighborhood subarea planning as soon as the City Council takes up the topic. Mr. Stannert said he will be meeting with the Director of Planning and Community Development (PCD) to review items anticipated to go before the Council during the first half of the year. A date for City Council discussion of neighborhood planning has not yet been set.

Responding to Mr. Kasner, City Councilmember Robertson said the budget process typically involves a Council workshop in late spring and the first public hearing in May or June. The second public hearing is typically held late summer, and the third hearing is held in November. Mr. Stannert noted that one public hearing is required by law. However, the City traditionally holds three budget public hearings.

Mr. Kasner said residents question how much money is available to spend and how much is discretionary spending. Mr. Stannert said the spring workshop typically addresses the long-range financial forecast as well as the capital budget.

Mr. Kasner said it would be useful to understand which projects in the Transportation Facilities Plan (TFP) are in the Capital Investment Program (CIP) plan.

Responding to the Council, Ms. Roberts said she contacted staff requesting information on the City's program of placing decorative wraps on utility boxes. She will follow up.

Councilmember Hummer requested information on the EBCC budget and expenditures.

Councilmember Kasner said it would be helpful to have the EBCC's questions about the budget, including performance measures, addressed between June and August.

Councilmember Walter requested information regarding the 10-year trend of the EBCC budget.

Former EBCC Chair Bill Capron noted that, under state law, Community Councils must be funded to cover "necessary expenses." However, the law does not dictate a budget or performance measures, and the EBCC must be reauthorized by voters every four years.

Ms. Walter said she would like information on the EBCC total budget line item in the City's budget as well as actual expenditures over the past 10 years.

13. **CONTINUED COMMUNICATIONS:** None.

14. **EXECUTIVE SESSION:** None.

15. **APPROVAL OF MINUTES**

(a) Summary Minutes of the December 5, 2017 Regular Meeting

Councilmember Walter noted a scrivener's error on page 11 of the EBCC packet (meeting minutes from the November 7, 2017 meeting). She asked that, in the second paragraph from the bottom, "Ms. Bishop" be changed to "Mr. Bishop." Staff confirmed that the items will be corrected in the November meeting minutes.

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

16. **ADJOURNMENT**

Councilmember Hummer moved to adjourn. The motion was seconded by Councilmember Gooding and carried by a vote of 4-0.

At 8:41 p.m., Vice Chair Kasner declared the meeting adjourned.

Karin Roberts, CMC
Deputy City Clerk

/kaw