

East Bellevue Community Council
Summary Minutes of Regular Meeting

April 5, 2016
6:30 p.m.

Lake Hills Clubhouse
Bellevue, Washington

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

ABSENT: None.

STAFF: None.

1. **CALL TO ORDER**

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

2. **ROLL CALL**

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

3. **FLAG SALUTE**

Chair Capron led the flag salute.

4. **COMMUNICATIONS: WRITTEN AND ORAL**

Chair Capron noted that Mindy Garner, President of the Lake Hills Neighborhood Association (LHNA), would provide an update later in the meeting. The association generally meets quarterly, and the next meeting will be April 14. Mr. Capron said he recently had a conversation with Ms. Garner, and she indicated that she would like the LHNA and the Community Council to work together on addressing priorities and issues.

Responding to Mr. Capron, Sandra Hughes, Co-Secretary of the LHNA, acknowledged that it would be beneficial to have a regular meeting schedule for the association. Councilmember Kasner said City Councilmember Lynne Robinson will provide a presentation on the affordable housing initiative during the April 14 meeting.

Don Boettiger said he might have some questions or comments later during Puget Sound Energy's update on the Lake Hills Transmission Line project. On another topic, he said the white lines along 148th Avenue are sections of sidewalk to be repaired or replaced by the City.

Vice Chair Hummer said she would like City staff to let the EBCC know about projects in their area. She attended the Transportation Commission meeting in recent months to request updates via email on transportation projects.

5. REPORTS OF CITY COUNCIL, BOARDS AND COMMISSIONS

(a) Community Council Business and New Initiatives

Councilmember Hughes said he recently attended a meeting with the Muslim community, which he learned about from a gentleman he met during the Bellevue Essentials program. Mr. Hughes said he has been meeting with this individual on a weekly basis to discuss ideas for encouraging relationships between residents. Mr. Hughes said he suggested holding a Muslim night at City Hall. As a result, the resident worked with the City's Neighborhood Outreach staff to arrange an educational and social event, which was attended by approximately 150 individuals.

Mr. Hughes said he attended a traffic-related meeting in which approximately 50-70 percent of the participants were retirees. He observed that the presentation did not address travel and traffic issues for this sector of the population.

Mr. Hughes said the EBCC participated in a mediation meeting with PSE regarding the Lake Hills Transmission Line litigation.

Mr. Hughes noted that Larson Lake is beautiful this time of year. He said vegetation management efforts have been successful in improving the area and environment. However, he noted that areas of the trail were flooded. Irene Fernandes said the flooding was caused by a beaver dam and affected both public and private property. She said the flooding was largely resolved when she visited the lake earlier in the day.

Councilmember Gooding said new telephone poles are being installed in areas of East Bellevue.

Chair Capron said the recent storm cut the power to his business, and a power surge when electricity was restored caused his credit card encryption module to be unusable for approximately three days.

Councilmember Kasner said a community forum for neighborhood leaders is scheduled for May 21. He said a number of attendees at the traffic seminar mentioned earlier by Mr. Hughes were from the Lake Hills area. Mr. Kasner said he recently participated in one of the presidential election caucuses. He noted that the Lake Hills Elementary School auction is April 23.

Mr. Kasner said he met with City Councilmember Lynne Robinson.

Ms. Hummer reminded everyone to use www.publicstuff.com or the MyBellevue app to learn about City projects and activities and to report problems or concerns.

6. APPROVAL OF AGENDA

Councilmember Kasner moved to approve the agenda. Vice Chair Hummer seconded the motion, which carried unanimously.

7. **DEPARTMENT REPORTS**

(a) Memo regarding Parking Code Update

Chair Capron noted the memo and attachments in the meeting packet regarding the Parking Code Update adopted by the City Council on March 7. He expressed concern about whether adequate replacement parking will be provided while the new South Bellevue Park and Ride/light rail station will be under construction for several years.

Responding to Vice Chair Hummer, City Clerk Kyle Stannert said the parking regulations are enforced by Police Patrol Officers. However, citizens may report suspected violations as well, especially with regard to parking infractions in their neighborhoods. Mr. Stannert said the changes are described on the City's web site. Responding to Mr. Kasner, Mr. Stannert said he would research the restrictions that apply to the City's posting of information on NextDoor.com.

8. **PUBLIC/COURTESY HEARINGS**

(a) Courtesy Hearing regarding East Link Replacement Parking

Leah Chulsky, Associate Land Use Planner, said Sound Transit is requesting approval of an Administrative Conditional Use Permit to allow two existing parking lots to be used for commuter parking for up to 50 vehicles to offset the impacts related to the closure of the South Bellevue Park and Ride during the construction of the East Link light rail project. She said this agenda item is a courtesy hearing to provide information for the EBCC and the public. No action is required by the EBCC.

Administrative Conditional Use Permits are governed by the Process II review procedures that require a decision by the Director of the Development Services Department. Sound Transit applied for two replacement commuter parking facilities within the EBCC area boundaries.

Responding to Chair Capron, Ms. Chulsky said the use falls under an administrative decision versus a full CUP because the maximum number of parking spaces is 50.

Responding to Mr. Kasner, Ms. Chulsky said the current church park and ride lot closest to the EBCC boundary is St. Andrew's Church on 148th Avenue SE. The new locations within the EBCC area are the Bellevue Neighborhood Church on 140th Avenue NE and the Cross of Christ Church on 156th Avenue NE. Three additional lots in East Bellevue that fall under an Administrative CUP are Lake Hills Baptist Church, Bellevue Foursquare Church, and Overlake Presbyterian Church. Ms. Chulsky noted that more information is provided on Sound Transit's web site.

Councilmember Kasner recalled that there were concerns during the past 10 years about whether there was adequate parking when the Islamic Center wanted to expand its facility. He expressed concern about the total number of parking spaces at the multiple church lots. He would like to see the full Sound Transit parking plan related to the closure of the South Bellevue Park and Ride lot.

Responding to Mr. Kasner, Ms. Chulsky said there is no appeal process until the notice of decision is published. The process is currently in the comment period. In further response, Ms. Chulsky said the EBCC's comments this evening will be forwarded to the appropriate staff. She suggested that the EBCC consider submitting its comments in writing as well. Mr. Kasner suggested submitting the minutes of tonight's meeting as public comments.

Responding to Councilmember Hughes, Ms. Chulsky said the South Bellevue Park and Ride will reopen following light rail construction. Mr. Hughes questioned how long the lot will be closed. Ms. Chulsky said the project manager would be able to answer that question. In further response, she said the churches have agreements with Sound Transit and the issue of whether the churches are being compensated is a matter between those two parties.

Responding to Mr. Hughes, Ms. Chulsky said she was unsure about which bus routes will be serving the church lots. She said the lots are within walking distance of bus stops, however.

Vice Chair Hummer thanked Ms. Chulsky for attending the meeting. Ms. Hummer said she would like the EBCC to have more frequent courtesy hearings to learn about projects earlier in the application process.

Councilmember Kasner said he thought one park and ride lot would be located at the Humane Society facility on Eastgate Way. He reiterated that he would like to understand the full impacts of all lots throughout Bellevue.

Chair Capron said the EBCC had a retreat discussion immediately before that evening's meeting. One of the main topics was the EBCC's interest in hearing about permit applications earlier in the process for permits within the EBCC's boundaries. Mr. Capron said the EBCC would like the City Council to notify them of permit applications.

Councilmember Hughes said the EBCC would like to be treated with more respect by the City and City Council. He expressed concern about the total number of spaces in the new park and ride lots planned for East Bellevue. Ms. Chulsky said the permits are issued on a site-specific basis, and each site falls within the ACUP guidelines. Mr. Hughes said the City could have interpreted and handled it differently.

Mr. Capron expressed concern that, if more than 50 parking spaces are available in individual lots, more than 50 vehicles might end up parking in them.

Mr. Kasner said he hopes that when the City's new web site is completed, it can list every permit application and the status of each permit.

Chair Capron opened the courtesy hearing on the East Link replacement parking Administrative Conditional Use Permit.

Don Boettiger questioned how he would get from a church parking lot to Seattle. He asked whether it would take him to the Eastgate Park and Ride first. Councilmember Hummer suggested a trip plan responsive to Mr. Boettiger's request.

Mr. Capron said the City does not make the decision about the transit routes.

Hearing no further comment, Chair Capron closed the hearing.

9. **RESOLUTIONS:** None.

10. **COMMITTEE REPORTS:** None.

11. **UNFINISHED BUSINESS**

Mindy Garner, President of the Lake Hills Neighborhood Association, invited everyone to the next meeting on April 14. She said the neighborhood picnic is scheduled for July 23.

Chair Capron reiterated that it would be beneficial if the association had a regular meeting schedule. Ms. Garner said they have been working with a number of meeting locations. However, if a permanent location can be secured, it will be easier to have a regular schedule. She noted that some of the meetings are scheduled to discuss a current topic in a timely manner.

Irene Fernandes said a representative of Bellevue College will attend the meeting on April 14 to talk about student housing.

12. **NEW BUSINESS**

(a) Potential Future Agenda Items *[No discussion]*

- National Pollutant Discharge Elimination System (NPDES) Permit
- Shoreline Master Program *[Pending review by the State Department of Ecology.]*
- Subarea Plan Update
- Affordable Housing Update
- Group Homes/Adult Family Homes/Skilled Nursing Facilities Presentation

Responding to Chair Capron, the Deputy City Clerk said the group homes, adult family homes, and skilled nursing facilities presentation is scheduled for the May 3 EBCC meeting. There will also be an update on the single-family room rental ordinance.

(b) Presentation by PSE regarding Phantom Lake/Lake Hills Transmission Line

Chair Capron clarified that the Puget Sound Energy Phantom Lake/Lake Hills Transmission Line project is separate from PSE's Energize Eastside project.

Mr. Capron recalled that the East Bellevue Community Council denied PSE's permit applications (Land Use Conditional Use Permit and Shoreline Conditional Use Permit) for the Lake Hills Transmission Line project. PSE appealed the decision to King County Superior Court, which determined that the EBCC has the final decision authority over the project's land use permit. However, the judge found that the EBCC does not have jurisdiction over shoreline permits. PSE is appealing the land use permit decision made in the EBCC's favor, and the EBCC is appealing the decision regarding shoreline jurisdiction.

Given the court decision regarding shoreline jurisdiction, the City submitted the shoreline permit application to the State Department of Ecology. The DOE issued the shoreline permit, which the EBCC appealed. Under state law, the appeal requires a mediation process. The result of the mediation is that Puget Sound Energy must fully comply with the DOE's requirements related to shoreline regulations. Chair Capron said it initially appeared to the EBCC that the permit did not have a mitigation plan. However, a mitigation plan will be developed later in the process.

Mr. Capron said the issue of undergrounding electrical infrastructure was discussed during mediation. He said Bob Parker, Puget Sound Energy, was able to describe how PSE arrived at its estimates for the high costs associated with undergrounding facilities. Mr. Capron said that conversation clarified a number of issues regarding the selection of the Lake Hills Transmission Line route. Mr. Capron said he still does not like the alignment along 148th Avenue. However, he has a better understanding of PSE's plan.

Mr. Parker introduced the six components of his presentation on the Lake Hills Transmission Line project: 1) reliability, 2) planning, 3) underground transmission, 4) route selection, 5) mitigation, and 6) an opportunity for questions.

Mr. Parker described distribution lines, transmission lines, and substations. He highlighted federal requirements regarding electrical infrastructure.

Mr. Parker described how underground transmission lines can be installed horizontally or vertically. He described the high costs related to extensive excavation, the need for more equipment compared to overhead lines, cost of underground cable (\$200/foot) versus overhead transmission wire (\$2/foot), installation of underground vaults, and potential conflicts with other underground utilities. State law indicates that cities must pay the cost difference between overhead and underground lines, and the City of Bellevue decided to not pay.

Mr. Parker summarized PSE's considerations in looking at alternative transmission line routes. He said PSE held seven public meetings between 2007 and 2012 to discuss the Lake Hills project. Two key themes were that residents did not want the lines going along their front yards and they did not want additional costs. PSE's analysis of alternatives looked at the number of residences that would be affected, existing power lines, other utilities, tree counts, shoreline implications, traffic impacts, and other factors. Mr. Parker said PSE followed the City's process

and ultimately ended up with the NE 8th Street and 148th Avenue alignment. The City determined that the alignment had the lowest level of impacts to residential properties.

Mr. Parker said that, in 2013, there was a compromise between City staff and PSE regarding the City's future SE 16th Street project. There was a decision to delay PSE's work on that street in order to coordinate it with the City's future transportation project to reduce project impacts by completing them at the same time.

Mr. Parker said the City had a number of concerns about mitigation related to the Lake Hills Transmission Line project, including the impact on trees. The mitigation plan includes a contribution from PSE of labor costs and \$856,000 for materials (e.g., vegetation, irrigation) needed for the mitigation of project impacts. Mr. Parker said the work will be scheduled during daily non-peak traffic periods.

Mr. Parker said PSE appreciates the EBCC's priority of preserving the character of the road and vegetation along 148th Avenue. He said the City's Code requirements for urban boulevards do not limit the types of uses along those roads.

Chair Capron thanked Mr. Parker for the presentation. Mr. Capron said PSE's deadline for filing documents with the court of appeals is April 21. The matter will be decided by a three-judge panel.

Mr. Hughes noted that the EBCC is not in favor of the City's planned SE 16th Street road project. Responding to Mr. Hughes, Mr. Parker highlighted PSE's plans for SE 16th Street and described how that segment relates to the overall Lake Hills Transmission Line project.

Don Boettiger said there was negative feedback from the community regarding the transmission line during public meetings, and he does not believe those issues were addressed.

Mr. Kasner said that, during PSE's annual meeting with the City in August, it was stated that the reliability of the entire Bellevue system was well within the goals set for Bellevue. He questioned whether PSE plans double poles along SE 16th Street. Mr. Kasner said his understanding was that the Hearing Examiner allowed poles on only one side of the road. Mr. Parker said the project has not yet been designed or permitted.

Mr. Kasner said he heard no new information tonight and the presentation did not identify a reliability problem. He said he has heard the same information for five years.

Responding to Ms. Hummer, Mr. Parker said the transmission lines on 148th Avenue were installed in 1968 or earlier. Ms. Hummer said she researched county building permits from that period and there were no years on any College, Phantom Lake, or Lakeside development permits.

In further response to Ms. Hummer, Mr. Parker said there have been only two transmission line failures in the Lake Hills area since 2007. He said wire mesh guards were added to the substations in recent years to help prevent outages related to squirrels.

Vice Chair Hummer suggested that this project presented the opportunity for improvements along 164th Avenue in conjunction with placing the new transmission line along that corridor. She feels that would be a much better solution.

Ms. Hummer said that, while the urban boulevard designation does not specifically preclude power lines, discussions since 1974 have referred to the future undergrounding of utilities along 148th Avenue. She said the EBCC's objective has been to maintain the greenbelt along the corridor, and the Lake Hills Transmission Line project will destroy it. She said the issue is not just the loss of trees, but the visual presence of the tall power poles. She said this will ruin a national example of a great thoroughfare and commute route.

Responding to Mr. Kasner, the following PSE staff introduced themselves:

Keri Pravitz, Community Projects Manager,
Marta Gronlund, Communications Initiatives Program Manager,
Katherine Taylor, Government Affairs, and
Sara Leverette, outside Legal Counsel.

Responding to Ms. Leverette, Mr. Parker highlighted the boundaries of the EBCC area relative to the project.

Don Boettiger noted an article in *The Seattle Times* about 150 trees that were cut down in West Seattle.

Sandra Hughes noted that planning for the transmission line project began in 2006, and 148th Avenue has changed dramatically since that time. There are more businesses, homes, and cars. She suggested it would be beneficial to reconsider the project given the passage of time.

13. **CONTINUED COMMUNICATIONS:** None.

14. **EXECUTIVE SESSION**

At 8:50 p.m., Chair Capron declared recess to Executive Session for approximately 20 minutes to discuss one item of pending litigation.

The meeting resumed at 9:10 p.m.

15. **APPROVAL OF MINUTES**

(a) Summary Regular Meeting Minutes of March 1, 2016

Responding to Mr. Kasner, the Deputy City Clerk said the City's Cultural Competency training will be offered for the Boards, Commissions, and EBCC this summer.

Vice Chair Hummer moved to approve the minutes of the March 1, 2016 Regular Meeting, and Mr. Hughes seconded the motion. The motion carried by a vote of 5-0.

(b) Summary Special Meeting Minutes of March 8, 2016

Mr. Kasner moved to approve the minutes of the March 8, 2016 Special Meeting, and Chair Capron seconded the motion. The motion carried by a vote of 5-0.

16. **ADJOURNMENT**

At 9:15 p.m., Chair Capron declared the meeting adjourned.

Charmaine Arredondo
Deputy City Clerk

/kaw