

East Bellevue Community Council
Summary Minutes of Special Meeting/Retreat

April 25, 2017
6:00 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: None.

1. **Council Retreat**

(a) Welcome and Introductions

The meeting was called to order at 6:00 p.m., with Chair Capron presiding.

Robert Jean, retreat facilitator, introduced himself as a semi-retired city manager. He helped to start the City of Newcastle and the City of University Place, and worked for the latter for 15 years before retiring. Over his 40-year career, he also worked for the City of Puyallup and other cities in Washington, Oregon and California.

Chair Capron said he has lived in Bellevue since 1968, which is the year the East Bellevue Community Council was formed. He has been a businessman over the past 35 years and currently owns the Chevron station at 148th Avenue and Main Street. He began attending EBCC meetings when the City was considering a zoning change that would have affected his business. He joined the EBCC six years ago with an interest in serving the community.

Mr. Capron said his goal for the retreat is to become more focused on the EBCC's purpose and authority under state law. He expressed concern that the Council spends time on issues that it cannot influence, which distracts from focusing on the few issues within its sphere of influence.

Councilmember Gooding said he joined the Council in 2006 to contribute to the community and to learn more about city government. His interest for the retreat is to become more focused on priorities and to function well as a group.

Councilmember Hughes said he has lived in Bellevue since 1982. He noted his past experience as a geo-physicist, computer programmer, economist, corporate and international planner, and financial planner. He wants his involvement with the EBCC to be worthwhile and beneficial for

the community. Mr. Hughes said he would like to see more effective communication and mutual respect during meetings.

Councilmember Hummer said she grew up in Bellevue in the Enatai neighborhood and moved to East Bellevue as an adult. She would like the retreat to lead to more effective EBCC meetings and community involvement. She listed her goals for the retreat: 1) build respect among EBCC members, 2) run more productive and civil meetings, and 3) effectively represent the community.

Councilmember Kasner said he served on the Bellevue Parks and Community Services Board in the 1990s, including as Board Chair, and he has served on the EBCC for a number of years. He noted his interest in discussing the issue of whether the EBCC is and/or should be proactive versus reactive. He would like more communication from the City on issues and projects before they are placed before the EBCC for input or a decision.

City Councilmember Jennifer Robertson, liaison to the EBCC, noted her interest in being a resource for the EBCC. She would like everyone to come out of the retreat feeling better about their working relationships with each other and the City. She suggested that the EBCC develop formal ground rules for discussions and meeting protocol, which she noted has been helpful for the City Council.

Kyle Stannert, Assistant City Manager and City Clerk, said he would like to see the retreat result in the identification of the EBCC's key priorities and/or objectives for the coming year.

Mr. Jean said he was hearing a common interest in improving communications and having a more effective, collaborative working relationship. He briefly highlighted the history of zoning, land use planning, and comprehensive plans in Washington, noting that the Community Council's role has become more complex over the past few decades. He observed it would be helpful for the EBCC to be alerted about potential quasi-judicial items and to use the blue permit bulletins to know about upcoming projects that might affect their jurisdiction. Mr. Jean acknowledged the EBCC's request that the City's permit checklists include an item to indicate whether the project falls within the EBCC's jurisdiction.

Responding to Mr. Jean, Deputy City Clerk Karin Roberts said she would like the EBCC members to be able to discuss their topics of interest and to leave the retreat feeling like it was a worthwhile meeting.

(b) Review of RCW 35.14.040 and Bellevue Land Use Code 20.35

Mr. Jean acknowledged that the attorney assigned to the EBCC changed recently. He suggested it would be helpful for the EBCC and the new attorney to discuss her role as well as the EBCC's understanding and expectations regarding that relationship.

Mr. Hughes expressed concern that, sometimes during oral communications, Councilmembers and audience members get into discussion/debate about specific issues. As a separate issue, he

said it would be helpful to know more about projects in East Bellevue in order to be able to respond better to inquiries from the public during meetings.

Mr. Jean said residents might find it easier to take issues to the EBCC instead of the City Council. However, it is more effective to focus on issues that can be influenced by the EBCC, and to refer other issues to the City Council.

Councilmember Kasner expressed concern regarding proposed changes to the City Council's quasi-judicial role.

City Councilmember Robertson said that changing the quasi-judicial process has been on the City Council's work plan for 6-7 years. Under state law, the City Council takes the final action on rezones and would continue to do so. However, certain land use decisions processed through the Hearing Examiner would be appealed to the courts instead of to the City Council. Ms. Robertson clarified that the EBCC would still act on items currently within its jurisdiction (e.g., conditional use permits).

Mr. Stannert said that, due to state law requirements for rezones in the Community Council's jurisdiction, the EBCC's role as the decision maker in Process III applications would not change.

Mr. Kasner expressed concern that information on land use items within the EBCC's jurisdiction is not forwarded to the EBCC until the City Council takes action. Mr. Jean suggested it might be helpful for the EBCC to discuss the quasi-judicial issue with the EBCC attorney.

Ms. Robertson reiterated that any issue currently subject to EBCC review and action will continue to fall under its jurisdiction.

Mr. Jean said there is a formal procedure in Bellevue's Land Use Code that allows the EBCC to become involved in quasi-judicial matters earlier in the process. He suggested that the Community Council address those regulations with the EBCC attorney. He further suggested that EBCC members discuss their legislative, administrative, and quasi-judicial roles with the attorney.

Councilmember Hummer suggested moving on to discuss topics identified in the working agenda. She expressed concern that the retreat discussion was getting off topic, which happens in the regular EBCC meetings.

Mr. Jean suggested that the EBCC consider two threshold questions when a topic arises: 1) Is the item legislative, quasi-judicial, or administrative? and, 2) Is the item within the EBCC's authority and jurisdiction?

(c) EBCC Communications and Working Relationships

Mr. Jean said it is critical to have mutual respect on the Community Council, even when members disagree.

Chair Capron observed that he does not see issues with individuals not respecting each other's ideas. However, he expressed concern that Councilmembers and residents in the audience sometimes start talking without being acknowledged, and sometimes there are several conversations at one time. He said it is a challenge, as Chair, to keep the meetings organized and efficient while wanting to have less formal meetings than the City Council.

Mr. Jean suggested that every Councilmember have at least one chance to speak on a topic before anyone takes a second opportunity to speak.

Councilmember Gooding concurred that the meetings could be more orderly, and individuals should not speak unless recognized by the Chair.

Mr. Jean suggested a technique of listening, paraphrasing, summarizing the potential option/s, and seeking clarification regarding what the person is requesting. Then the EBCC can consider the two threshold questions before deciding how to proceed.

Regarding Ms. Hummer's concerns about discussions in EBCC meetings getting derailed, Mr. Jean suggested using the phrase "point of order" to steer the discussion back to the relevant topic. Ms. Hummer said she has tried that approach, but the discussion tends to continue. Mr. Jean said the EBCC could decide whether to formally recognize the technique and, if so, Councilmembers should be respectful of each other when a point of order is raised.

Ms. Hummer noted that sometimes a Councilmember's comment can become a personal attack. Mr. Jean said that would be another good time to call point of order. He said the Chair might also want to declare a short break to defuse the situation, and resume with a more focused approach. He said it is the Chair's job to facilitate the conversation and to ensure that everyone has the opportunity to speak, without one Councilmember dominating the discussion.

Responding to Ms. Hummer, Ms. Robertson observed that sometimes an issue raised during public comment will generate extensive discussion among the Community Council, even when the topic is not on the agenda. Ms. Robertson suggested two options to consider: 1) hold special quarterly meetings during which the public can engage with EBCC members, and/or 2) reserve Councilmembers' comments and reactions to a public speaker until the agenda item reserved for Council Business. City Councilmembers periodically use Council Business as a time to refer to a comment made during oral communications and to ask staff for follow-up information on the topic. Ms. Robertson noted that the City Council changed its practice of oral reports during Council Business to written reports, with a few exceptions (e.g., commenting on an oral communications topic or a new, time-sensitive item; voting to approve Board and Commission members).

With regard to personal attacks or disrespect between Councilmembers, Ms. Robertson said the City Council addressed the subject during a retreat, established ground rules, and agreed that treating each other with respect is necessary and fosters genuine positive feelings between individuals over time.

Responding to questions about staff's role related to the EBCC, Mr. Stannert said Councilmembers may direct questions and requests for information through Ms. Roberts, who will speak with the appropriate staff. If staff is not responsive, Mr. Stannert said he can step in and contact staff.

Chair Capron expressed concern that sometimes staff in other departments have not been responsive to requests. Mr. Jean suggested that Mr. Capron take those issues through Ms. Roberts or, if necessary, the City Manager's Office. If multiple attempts are not successful, Mr. Jean said every citizen has the right to take issues and concerns to their elected officials. However, he advised that going directly to the Mayor or City Council could jeopardize the trust between the EBCC and staff.

Responding to City Councilmember Robertson, the EBCC members confirmed they have received responses to requests that she has forwarded to staff on their behalf.

Councilmember Hughes observed that the Chair does not always maintain firm control of EBCC meetings and sometimes allows individuals to speak and dominate discussions. He also suggested it would be helpful if Councilmembers submit, perhaps a week before the meeting, key topics and/or agenda items they expect to raise in Council business or under other agenda items.

Councilmember Kasner reiterated his concern that the EBCC needs to receive information about upcoming items and projects earlier in the process.

Councilmember Hummer suggested first working out the issues related to how meetings are planned and managed, and how EBCC members and the public interact in meetings, before addressing the issue of whether the EBCC should/can be proactive versus reactive. She said EBCC members may raise issues and seek a Council consensus to be a spokesperson before the City Council, as she did in advocating for year-round operations of certain park restrooms that were closed during the winter due to the recession.

Ms. Hummer expressed support for using the point of order cue, listening carefully to constituents but withholding comments until later in the meeting, and submitting Council Business reports in writing before meetings. She suggested deferring extensive discussion related to public comment or Council Business topics to the Unfinished Business or New Business agenda items. She noted that certain meeting attendees may have an interest in one topic and it would be respectful to the public to address those issues earlier in the meeting. Mr. Jean concurred and suggested limiting discussion on topics that are not on the agenda until they can be added to a future agenda.

Councilmember Kasner said the EBCC's meeting attendance is at record highs. He disagreed with comments from his colleagues that meetings are not run efficiently.

Chair Capron acknowledged that he could do a better job sometimes at managing the meetings.

Responding to Ms. Hummer, Councilmember Robertson concurred that the meetings could be more efficient. Ms. Robertson suggested focusing on specific agenda items, limiting the length of

time that residents are allowed to speak, and submitting written Council Business reports in advance of the meetings and/or moving Council Business to later in the agenda.

Mr. Jean recapped the discussion so far, including the issue of whether the EBCC is proactive versus reactive. Chair Capron noted that, if the EBCC is not given information in advance, it is forced to be reactive.

Responding to Councilmember Hughes regarding the relationship between the EBCC and the Lake Hills Neighborhood Association, Mr. Jean confirmed that three EBCC members should not attend without public notice. However, all EBCC members are allowed to go to the same party or other event, as long as members are not deliberating toward a decision.

Ms. Hummer asked to go back to the topic of EBCC meeting etiquette. Mr. Jean observed that the Council can effectively balance the formal versus informal nature of the meeting. If the meeting discussions stray too far from the agenda or someone is dominating the conversation, Mr. Jean suggested asking for the point of order, at which point the Chair may ask the Council how it wants to proceed.

Councilmember Hughes suggested addressing how Councilmembers behave at meetings, which is different than the formal versus informal issue. He noted that some Councilmembers like to wear a tie and jacket, while others are less formal. Mr. Jean said the Councilmembers' behavior and mutual respect is more important than how the Council dresses. Chair Capron opined that more professional clothing shows respect for the elected office. Mr. Jean said the topic could be discussed among Councilmembers. However, he said members are elected as individuals and may dress and represent themselves as they choose.

Councilmember Kasner said the Boards and Commissions are served full dinners, and members often continue to eat through the meeting. The EBCC receives sandwiches, and he tries to get to the meeting early enough to eat before taking his seat at the Council table. He observed that more people will notice if he is not at the table because he is sitting at the back of the room eating than will notice if he is at the table eating. He said there are more important things to discuss.

Mr. Jean said he is aware of a Council that designates the first half hour of meetings as a study session and eats during that time.

Moving on, Mr. Jean noted the issue of subcommittees and strongly recommended against them due to potential complications related to whether there is a quorum and how decisions are being made.

Councilmember Kasner said he would like EBCC members to be assigned as liaisons to Boards and Commissions. Mr. Jean said that sending one EBCC member to a Board or Commission does not represent a subcommittee. However, if two members become involved with the same Board or Commission meeting, that becomes a subcommittee, which is subject to all of the same noticing and open meeting rules as the regular EBCC meetings.

Councilmember Robertson suggested sending City Council, Board, and Commission agendas to EBCC members, if they want them. Mr. Stannert said citizens may sign up on the City's web site to receive City Council meeting agendas.

Noting the time, Mr. Jean summarized the general ground rule concepts touched on during the discussion:

- Be respectful if you want to be respected.
- Be professional if you expect people to act professionally.
- Practice active listening. Seek first to understand, then to be understood.
- Paraphrase what you heard and encourage discussion of options and/or solutions.
- One speaker at a time.
- Every member should have the opportunity to speak before a second round.

Mr. Jean said he would submit his notes to Ms. Roberts. He suggested the Council might want to select topics from tonight's discussion for follow-up at future regular meetings.

Mr. Jean noted Mr. Gooding's suggestion to allow informal discussion, but to move to a motion/formal action within a reasonable amount of time. Mr. Jean said that would help the EBCC to focus and to be clear about outcomes.

Mr. Jean summarized that Ms. Hummer commented she would like more positive community and staff interaction and to have better controlled, effective meetings.

Mr. Jean recalled Chair Capron's interest in focusing discussions on agenda items and topics within the EBCC's influence.

Mr. Jean said Mr. Hughes indicated he would like meetings to be more effective and efficient as well as a more positive and constructive experience.

Mr. Jean said he heard Mr. Kasner say that he wants more effective engagement and information early in planning processes to enable the EBCC to be proactive.

Mr. Jean noted Councilmember Robertson's interest in being helpful to the EBCC as a resource and in connecting them with the appropriate person to respond to their requests for information. Mr. Jean recalled Mr. Stannert's suggestion that the EBCC Chair contact him if staff is not responding to the EBCC's or Deputy City Clerk's requests.

Councilmember Hughes suggested a presentation to the EBCC about how to access City information, including from staff and the web site. Mr. Stannert said staff is available to provide that training to the EBCC.

Mr. Hughes said the greatest gift in life is one's time, and the meetings should be time well spent.

Councilmember Hummer questioned how EBCC members can help the Chair in his role. Mr. Jean said the job of a Mayor or Chair is to ensure the opportunity for input from the community,

staff, and EBCC members. He suggested that the Vice Chair or another designated member assume the role of timekeeper to help keep the meetings on track and to suggest deferring new topics to future meetings.

Responding to Mr. Jean, Councilmember Kasner said the evening's discussion was a good beginning. Mr. Kasner acknowledged Don Marsh and Pam Johnston for sitting through the retreat and listening. He said he likes the idea of choosing specific items for follow-up in future meetings.

Councilmember Hughes thanked Mr. Jean and everyone for coming to the retreat.

Councilmember Hummer said the discussion was worthwhile.

Councilmember Gooding said it was a great meeting and helpful to the Council.

Chair Capron said it was a good discussion about a number of issues, and he learned tips on how to be a better chair. He thanked Mr. Jean for his time.

City Councilmember Robertson said it was a good discussion. She suggested it would be useful to have further conversations and decisions regarding ground rules and potential changes to the EBCC meeting format.

Mr. Stannert thanked Mr. Jean for facilitating the retreat. Mr. Stannert concurred with suggestions to agree on ground rules and other practices that will produce better meetings.

Ms. Roberts said she was pleased with the Council's positive response to the retreat. She is glad that Councilmembers were able to air a number of issues openly and honestly. She thanked Mr. Jean for his presentation and feedback.

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 8:30 p.m.

Karin Roberts, CMC
Deputy City Clerk

/kaw