



SPECIAL MEETING OF THE “COMMITTEE OF THE WHOLE” Minutes

BELLEVUE CITY HALL – ROOM 1E-120
Thursday, November 3, 2011

The Committee of the Whole began at 1:00pm. Board Members or Alternate Board Members from the City of Bellevue, Covington Water District, the City of Kirkland, the City of Redmond, City of Issaquah, Sammamish Plateau Water and Sewer District, Skyway Water and Sewer District and the City of Tukwila were present.

INTRODUCTION

Currently, Cascade is using temporary licenses when homeowners want to do work on their property below the 545' line; as a result, a considerable number of issues have arisen. Chuck Clarke introduced the two big overriding policy issues facing Cascade as owner of Lake Tapps: (1) how Cascade deals with existing conditions prior to owning the lake and (2) how to deal with encroachments going forward.

Cascade will make recommendations to the Board regarding existing facilities and how to protect Cascade going forward. Cascade will come back with a resolution for the Board possibly at its January Board meeting.

CASCADE OWNERSHIP AND ENCROACHMENTS

Legal counsel talked about the history of the White River project. Cascade now has information taken from its two years of experience owning the lake and what has been learned from Pierce County (PC) and Puget Sound Energy (PSE). Cascade has learned what has and hasn't been done. Cascade has learned a lot from the community processes and the roles and responsibilities regarding the lake and they have learned a lot from Joe Mickelson and Jon Shimada being physically on the lake.

Because it has been hard to disentangle legal issues from policy issues, Cascade sought feedback from the Board on bigger policy issues.

Legal counsel showed slides of activities/construction that has happened below the 545' line over the past years. A PowerPoint presentation showed pictures and examples of encroachments around the lake.

CASCADE RISKS

It was discussed that one policy might be that unless the activities involve legal, financial, safety, or operational risk, activities that were done in the past should be ignored unless it impacts dikes, health or safety and liability.

Property assessment was discussed. The Board and Cascade would like to make sure the homeowners around the lake are paying taxes on all the improvements. Cascade is to meet with the Pierce County Assessor's Office, hopefully, soon.

INTERIM PROCEDURES

Until a resolution is adopted by the Board, Cascade will continue to issue temporary licenses provided that all insurance and permits from agencies have been obtained by the homeowner.

STAFF RECOMMENDATION FOR POLICY

Engage in an on-going effort to educate the homeowners and local jurisdictions regarding Cascade's Project property and its licensing program.

Enforce against unauthorized existing only when such encroachment may interfere with Cascade's operation of the project or creates a financial, health or safety risk. Make sure homeowners pay taxes to the appropriate agency for the improvements.

Enforce against all unauthorized future encroachments.

COMMUNICATIONS AND OUTREACH STRATEGY

A general approach to outreach was discussed citing its importance in the process. A plan will be drafted and presented at the November 8 Public Affairs Committee meeting. An outreach will begin immediately.

The meeting adjourned at 3:00pm.