



City Council, Regular Meeting

AGENDA

6:30 pm – 10:00 pm

April 4, 2017

Call to Order

Roll Call

Pledge of Allegiance

Approval of Agenda

Presentations/Proclamations

Approximate time

6:35 pm

- Introduction: Executive Director of Friends of the Issaquah Salmon Hatchery (FISH)

Student Liaison Reports

6:40 pm

Public Comment

6:45 pm

Note: *This is an opportunity for the public to address the Council. Three-minutes limit per person or five-minutes if representing the official position of a recognized community organization. If you would like to show a video or PowerPoint, it must be submitted or emailed by 5 pm, the end of the business day, to the City Clerk, Melonie Anderson at manderson@sammamish.us. Please be aware that Council meetings are videotaped and available to the public.*

Consent Calendar

7:15 pm

- Payroll for period ending March 15, 2017 for pay date March 20, 2017 in the amount of \$ 339,788.67
- 1. **Approval:** Claims For Period Ending April 4, 2017 In The Amount Of \$521,961.35 For Check No. 46865 Through 46971
- 2. **Proclamation:** Sexual Assault Awareness Month
- 3a. **Ordinance:** Second Reading of An Ordinance Of The City Of Sammamish, Washington Relating To Notice Of Public Hearings Before The Hearing Examiner; Amending Sections 20.10.150 And 20.10.180 Of The Sammamish Municipal Code; Providing For Severability; And Establishing An Effective Date

City Council meetings are wheelchair accessible. American Sign Language (ASL) interpretation is available upon request. Please phone (425) 295-0500 at least 48 hours in advance. Assisted Listening Devices are also available upon request.

- 3b. **Resolution:** Approving The Hearing Examiner Rules Of Procedure, As Revised, In Accordance With Section 20.10.190 Of The Sammamish Municipal Code
4. **Resolution:** Of The City Of Sammamish, Washington, Revising The Rules Of Procedure For The City Council
5. **Contract Amendment:** Issaquah-Fall City Road Project Design/H.W. Lochner
6. **Approval:** Purchase two Ford F-250 pickups for Maintenance and Operations/Washington State Contract
7. **Approval:** March 7, 2017 Regular Meeting Minutes
8. **Approval:** March 20, 2017 Special Study Session Notes
9. **Approval:** March 21, 2017 Regular Meeting Minutes

Public Hearings - None

Unfinished Business - None

New Business

- | | |
|---|----------------|
| 10. Department Report: Fire Services | 7:20 pm |
| 11. Department Report: Administrative Services | 7:40 pm |
| 12. Discussion: City Council Salary Study | 8:00 pm |

Council Reports/ Council Committee Reports **8:30 pm**

City Manager Report **9:00 pm**

Executive Session – If necessary

Adjournment **9:10 pm**

AGENDA CALENDAR

Meeting Date	Packet Material Due	Time	Meeting Type	Topics
Apr 2017				
Tues 4/11	4/05	6:30 pm	Study Session	Department Report: Parks & Recreation Update: Sammamish Plateau Water Discussion: Issaquah Fall City Road Project Update
Tues 4/18	4/12	6:30 pm	Regular Meeting	Contract: Transportation Master Plan Consultant/TBD Resolution: ROW Vacation 215 th Court (PW) Resolution: ROW Vacation SE 28 th Street (PW) <u>Consent:</u> Bid Award: Skyline Community Sports Field Turf Replacement Bid Award: 2017 Sidewalk Repair & ADA Ramp Retrofit/TBD Bid Award: Guardrail Repair Projects/TBD Resolution: Final Plat Approval Cambridge Issaquah Falls (AKA Copper Ridge) 15 Lots Resolution: Final Plat Approval Gabrielle's Place
May 2017				
Mon 5/01	4/26	4:30 pm	Study Session	Department Report: Public Works Department Report: Police Discussion: Follow-up on Storm and Surface Water Comprehensive Planning Work (may be memo only) Discussion: Sign Code Update

<p>Tues 5/02</p>	<p>4/26</p>	<p>6:30 pm</p>	<p>Regular Meeting</p>	<p>Proclamation: Affordable Housing Week Department Report: Finance Ordinance: First Reading Amending the Biennial Budget (carryforward requests) Public Hearing/Ordinance: First Reading Sign Code Update Interlocal Agreement: Issaquah School District Joint-Use Agreement</p> <p><u>Consent:</u> Ordinance: First Reading Electrical Code Adoption Contract: Communications Strategic Plan Consultant/TBD Contract: Louis Thompson Hill Landslide Area Design Consultant/TBD Bid Award: 2017 Asphalt Patching/TBD Bid Award: Inglewood Hill Overlay Project/TBD Bid Award: 2017 Citywide Pavement Overlay Contract/TBD Bid Award: 212th Improvement Project (Snake Hill)/TBD Bid Award: Overlay Construction Support Contract</p>
<p>Tues 5/09</p>	<p>5/03</p>	<p>5:00 pm 6:30 pm</p>	<p>Joint Study Session with Parks Commission & Planning Commission Study Session</p>	<p>Discussion: Urban Forestry Management Plan Scope of Work Discussion: Land Acquisition Study Discussion: Parks, Recreation and Open Space (PRO) Plan Update</p> <p>Discussion: Sign Code Update Department Report: Community Development Discussion: Development Code Update</p>

Tues 5/16	5/10	6:30 pm	Regular Meeting	<p>Ordinance: Second Reading Sign Code Update Hand-Off/Discussion: 2018-2023 Capital Plans</p> <ul style="list-style-type: none"> • Parks Capital Improvement Plan • Stormwater Capital Improvement Plan • Transportation Improvement Plan • Information Technology Capital Improvement Plan • Facilities Capital Improvement Plan <p><u>Consent:</u> Ordinance: Second Reading Amending the Biennial Budget (carryforward requests) Contract: Fourth on the Plateau Fireworks Contract: Fourth on the Plateau Event Lighting Resolution: Youth Board Appointments Contract: City Hall Space Planning Consultant/TBD Bid Award: Sammamish Landing ADA Improvements/TBD Ordinance: Second Reading Electrical Code Adoption</p>
June 2017				
Mon 6/05	5/31	4:30 pm	Study Session	<p>Discussion: R-1 Land Use Density Analysis Discussion: Title 24 Comprehensive Planning Process & Procedures Update Discussion: Internet Usage & Social Media Policies</p>
Tues 6/06	5/31	6:30 pm	Regular Meeting	<p>Public Hearing/Ordinance: First Reading Title 24 Comprehensive Planning Process & Procedures Update Public Hearing: 2018-2023 Capital Plans</p> <ul style="list-style-type: none"> • Parks Capital Improvement Plan • Stormwater Capital Improvement Plan • Transportation Improvement Plan • Information Technology Capital Improvement Plan • Facilities Capital Improvement Plan <p>Resolution: Approving King County Animal Services Contract (Tentative)</p> <p><u>Consent:</u> Bid Award: Beaver Lake Way/Drive SE Neighborhood Traffic Improvement Project/TBD Bid Award: SE 4th Roadway Improvement Project/TBD Bid Award: Major Stormwater Drainage Facility Repairs & Solutions/TBD</p>

Tues 6/13	6/07	6:30 pm	Study Session	<p>Discussion: Land Acquisition Strategy & Policy</p> <p>Discussion: 2018-2023 Capital Plans (if needed)</p> <ul style="list-style-type: none"> • Parks Capital Improvement Plan • Stormwater Capital Improvement Plan • Transportation Improvement Plan • Information Technology Capital Improvement Plan • Facilities Capital Improvement Plan
Tues 6/20	6/14	6:30 pm	Regular Meeting	<p>Presentation: Economic Development Analysis Final Report</p> <p>Presentation: Emergency Management Update</p> <p>Resolution: Adopting 2018-2023 Capital Plans</p> <ul style="list-style-type: none"> • Parks Capital Improvement Plan • Stormwater Capital Improvement Plan • Transportation Improvement Plan • Information Technology Capital Improvement Plan • Facilities Capital Improvement Plan <p><u>Consent:</u></p> <p>Bid Award: SE 4th Street Improvement Project/TBD</p> <p>Bid Award: Louis Thompson Hill Landslide Area Project/TBD</p> <p>Ordinance: Second Reading Title 24 Comprehensive Planning Process & Procedure Update</p> <p>Resolution: Project Acceptance Intelligent Transportation System Phase I</p>
Thurs 6/29		2:00 pm	Finance Retreat	Council Chambers
July 2017				
Mon 7/03	6/28	4:30 pm	Study Session	Meeting Cancelled (Pending Council Approval)
Weds 7/05	6/28	6:30 pm	Regular Meeting	<p>Public Hearing/Ordinance: First Reading Comprehensive Plan Amendments Transportation Element</p> <p>Presentation & Discussion: Introduction to Land Acquisition Policy</p> <p>Executive Session: Potential Land Acquisition</p> <p>Ordinance: First Reading: Inglewood Historic Plat Drainage Requirements</p> <p>Ordinance: First Reading Stormwater Maintenance Code Updates</p> <p><u>Consent:</u></p> <p>Bid Award: Sahalee Way Stormwater Tightline Project (not related to Sahalee Way Project)/TBD</p>

Tues 7/11	7/05	6:30 pm	Study Session	Discussion: Transportation Master Plan Discussion: Parking Ordinance Discussion: Inattentive Driving Ordinance
Tues 7/18	7/12	6:30 pm	Regular Meeting	Ordinance: Second Reading Comprehensive Plan Amendments Transportation Element Resolution: Adopting a Land Acquisition Policy Ordinance: Second Reading: Inglewood Historic Plat Drainage Requirements Ordinance: Second Reading Stormwater Maintenance Code Updates <u>Consent:</u> Bid Award: 2017 Crack Seal/TBD Bid Award: 2017 Intersection Improvement Project/TBD Bid Award: 2017 Neighborhood Transportation Projects /TBD Bid Award: 2017 Sidewalk Project/TBD Contract: Urban Forestry Management Plan Consultant/TBD
Aug 2017			No meetings	
Sept 2017				
Mon 9/04	8/30	4:30 pm	Study Session	Discussion: Maintenance Facility Strategic Plan Discussion: Communications Strategic Plan Discussion: Stormwater Rate Study Update Discussion: Town Center Park Infrastructure Update
Tues 9/05	8/30	6:30 pm	Regular Meeting	Public Hearing/Ordinance: First Reading Stormwater Rate Update Public Hearing/Ordinance: First Reading Comprehensive Plan Amendments Capital Facilities Element Ordinance: First Reading: City Parking Ordinance Ordinance: First Reading: Inattentive Driving Ordinance <u>Consent:</u> Bid Award: Enhanced Crosswalk on ELSP near SE 33 rd Street/TBD Resolution: Inglewood Hill Stormwater Quality Retrofit Project Acceptance

Tues 9/12	9/06	6:30 pm	Study Session	Discussion: Parks, Recreation and Open Space (PRO) Plan Update Discussion: Human Services Needs Assessment Discussion: Zackuse Creek Culvert Replacement Project & Basin Plan Update
Tues 9/19	9/13	6:30 pm	Regular Meeting	Department Report: Public Works Department Report: Parks & Recreation Resolution: Adopting Internet Usage & Social Media Policies Ordinance: Second Reading Comprehensive Plan Amendments Capital Facilities Element <u>Consent:</u> Contract: Zackuse Creek Basin Plan Consultant/TBD Ordinance: Second Reading Stormwater Rate Update Ordinance: Second Reading City Parking Ordinance Ordinance: Second Reading: Inattentive Driving Ordinance
Oct 2017				
Mon 10/02	9/27	4:30 pm	Study Session	Department Report: Police Discussion: Police Services Analysis Discussion: Communications Strategic Plan
Tues 10/03	9/27	6:30 pm	Regular Meeting	Department Report: Fire Department Report: Administrative Services Resolution: Adopting Human Services Needs Assessment <u>Consent:</u> Bid Award: City Hall Space Planning Project/TBD
Tues 10/10	10/04	6:30 pm	Study Session	Discussion: Transportation Master Plan Discussion: Parks, Recreation and Open Space (PRO) Plan Update Discussion: Big Rock Park Site B Master Plan Update
Tues 10/17	10/11	6:30 pm	Regular Meeting	Department Report: Finance <u>Consent:</u> Contract: Intelligent Transportation System Phase II Design/TBD Resolution: Beaver Lake Preserve Project Acceptance Resolution: Skyline High School Turf Replacement Project Acceptance
Nov 2017				

Mon 11/06	11/07	4:30 pm	Study Session	Discussion: Emergency Management Update Discussion: Business Continuity Plan (Information Technology)
Tues 11/07	11/07	6:30 pm	Regular Meeting	Public Hearing/Ordinance: First Reading School Impact Fee Update Public Hearing/Ordinance: First Reading Mid-Biennial Budget Update Public Hearing/Ordinance: First Reading and Public Hearing: 2018 Property Tax Levy Resolution: Adopting the Communications Strategic Plan <u>Consent:</u>
Tues 11/14	11/14	6:30 pm	Study Session	Discussion: Parks, Recreation and Open Space (PRO) Plan Update Discussion: YMCA Property Discussion: Transportation Master Plan
Tues 11/21	11/21	6:30 pm	Regular Meeting	<u>Consent:</u> Ordinance: Third Reading Consolidated Annual Amendment of Comprehensive Plan Ordinance: Second Reading School Impact Fee Updates Ordinance: Second Reading Mid-Biennial Budget Ordinance: Second Reading Property Tax Levy Rate Resolution: Fee Schedule Resolution: Salary Schedule Resolution: Medical Premium Co-Pay
Dec 2017				
Mon 12/04	11/29	4:30 pm	Study Session	

Tues 12/05	11/29	5:00 pm	Joint Study Session with Planning Commission	Department Report: Community Development <u>Consent:</u> Contract: Electrical Inspections/TBD Contract: Electrical Inspections (2)/TBD Contract: ADA Transition Plan Consultant/TBD Contract: Water Quality Monitoring Strategic Plan/TBD Contract: Park Landscape Maintenance/TBD Contract: ROW Landscape Maintenance/TBD Contract: ROW Slope Mowing/TBD Contract: Street & Park Sweeping/TBD Contract: Custodial Services/TBD Contract: Vactoring Services/TBD Contract: Tree Services/TBD Contract: Fence Repair
		6:30 pm	Regular Meeting	
Mon 12/11		6:30 pm		Volunteer Recognition Banquet
Tues 12/12	12/06	6:30 pm	Study Session	Discussion: Parks, Recreation and Open Space (PRO) Plan Update
Tues 12/19	12/13	6:30 pm	Regular Meeting	<u>Consent:</u> Contract: Beaver Lake Park Phase I Improvement Project Design Consultant/TBD
To Be Scheduled		Parked Items		Parked Items

	<ul style="list-style-type: none"> • Traffic Impact Fee Update • Discussion: Concurrency Ordinance • Contract: SE 24th St Sidewalk Design/TBD • Lk. Sammamish Water Level • Growth Centers <p>Approval: 2017 Non-Motorized Transportation Project & Consultant Contract/TBD</p> <p>Approval: 2017 Intersection Improvement Project & Consultant Contract/TBD</p> <p>Approval: 2017 Neighborhood Transportation Projects & Consultant Contract/TBD</p> <p>Presentation & Discussion: Beaver Lake Way/Drive SE Neighborhood Traffic Improvement Project</p>	<ul style="list-style-type: none"> • Drones in Parks • Mountains to Sound Greenway • Sustainability/Climate Change • Review of regulations regarding the overlay areas, low impact development and special protection areas for lakes 	<ul style="list-style-type: none"> • Discussion: Inner City Bus Service • Good Samaritan Law • Recycled Bags
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April 2017

Sun	Mon	Tue	Wed	Thu	Fri	Sat
26	27 6:30 pm Arts Commission Regular Meeting	28	29 6:00 pm Open House Zackuse Creek Fish Passage Restoration Project	30	31	1 10:00 am Volunteer at Evans Creek Preserve
2	3 4:30 pm City Council Study Session	4 5:00 pm City Council Office Hour 6:30 pm City Council Regular Meeting	5 6:30 pm Parks and Recreation Commission Meeting - Canceled	6 9:30 am Finance Committee 5:00 pm Joint Meeting with Parks & Recreation Commission and Planning Commission 6:30 pm Parks and Recreation Commission Meeting 6:30 pm Planning Commission Meeting	7	8
9 9:00 am Sammamish Spring Recycling Collection Event & Bin Sale	10	11 6:30 pm City Council Study Session	12 1:30 pm Human Services Committee Meeting	13	14 8:30 am "Slash and Burn" Art Exhibit	15 10:00 am Eggstravagaza
16	17	18 6:30 pm City Council Regular Meeting	19 6:00 pm Sammamish Youth Board	20 6:30 pm Planning Commission Meeting	21	22 10:00 am Sammamish Walks 10:00 am Earth Day in Sammamish
23	24	25	26	27	28	29

May 2017

Sun	Mon	Tue	Wed	Thu	Fri	Sat
30	1 4:30 pm City Council Study Session	2 5:00 pm City Council Office Hour 6:30 pm City Council Regular Meeting	3 6:30 pm Parks and Recreation Commission Meeting	4 6:30 pm Planning Commission Meeting - Canceled	5	6 1:00 pm Au-Some Artists Movin' and Groovin'!
7	8	9 6:30 pm City Council Study Session	10 1:30 pm Human Services Task Force Meeting 4:00 pm Sammamish Farmers Market	11 6:30 pm Land Acquisition Strategy Public Meeting #2	12	13
14	15	16 6:30 pm City Council Regular Meeting	17 4:00 pm Sammamish Farmers Market 6:00 pm Sammamish Youth Board	18 6:30 pm Planning Commission Meeting	19	20 10:00 am Rig-A-Palooza
21	22 6:30 pm Arts Commission Regular Meeting	23 6:00 pm PRO Plan Public Meeting #1	24 4:00 pm Sammamish Farmers Market	25	26	27
28	29 12:00 am Memorial Day (Observed) - City offices closed	30	31 4:00 pm Sammamish Farmers Market	1 6:30 pm Planning Commission Meeting	2 5:00 pm Skate Competition	3
4	5 4:30 pm City Council Study Session	6 5:00 pm City Council Office Hour	7 4:00 pm Sammamish Farmers Market	8	9	10

Presentation:

FRIENDS ^{OF} THE
ISSAQUAH
SALMON
HATCHERY





MEMORANDUM

TO: Melonie Anderson/City Clerk
FROM: Marlene/Finance Department
DATE: March 30, 2017
RE: Claims for April 4, 2017

\$ 110,823.81
 15,933.39
 929.28
 5,220.00
 7,426.60
 281,108.62
 100,519.65

Top 10 Over \$10,000 Payments

Perteet	\$36,480.13	Inglewood Hill Stormwater Project
Lochner	\$34,041.05	Iss/Fall City Rd - February 2017
Otak	\$30,431.45	Zackuse Creek Project
Badgley Landscape	\$27,556.50	Landscape Maintenance - March 2017
Summit IV	\$21,487.50	Refund - Does not belong to COS
American Classic Homes	\$16,159.65	Refund Cash Bond
KBA	\$12,795.86	Pavement Overlay Program - 2016
Top to Bottom Janitorial	\$12,666.25	Janitorial Services - March 2017
LTI	\$10,843.85	Snow & Ice Supplies
Barker Rinker Seacat	\$10,129.81	SCAC Jan/Feb 2017

TOTAL \$ 521,961.35

Check #46865 - # 46971

110,823.81 +
 15,933.39 +
 929.28 +
 5,220.00 +
 7,426.60 +
 281,108.62 +
 100,519.65 +
 521,961.35G+

Accounts Payable
 Check Register Totals Only

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Check	Date	Vendor No	Vendor Name	Amount	Voucher
46865	03/20/2017	HOGAN	D. A. Hogan & Assoc., Inc	3,486.00	46,865
46866	03/20/2017	HDR	HDR Engineering, Inc	5,160.65	46,866
46867	03/20/2017	ICMA401	ICMA 401	47,985.62	46,867
46868	03/20/2017	ICMA457	ICMA457	15,854.39	46,868
46869	03/20/2017	IDHW	Idaho Child Support Receipting	200.00	46,869
46870	03/20/2017	NAVIA	Navia Benefits Solution	1,863.47	46,870
46871	03/20/2017	OTAK	Otak	12,182.06	46,871
46872	03/20/2017	PSE	Puget Sound Energy	21,262.84	46,872
46873	03/20/2017	SAM	Sammamish Plateau Water Sewer	1,998.21	46,873
46874	03/20/2017	WASUPPOR	Wa State Support Registry	830.57	46,874
				110,823.81	
Check Total:					

Accounts Payable

Check Register Totals Only

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Check	Date	Vendor No	Vendor Name	Amount	Voucher
46875	03/24/2017	US BANK	U. S. Bank Corp Payment System	15,933.39	46,875
				<u>15,933.39</u>	
Check Total:				<u>15,933.39</u>	

Accounts Payable

Check Register Totals Only

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Check	Date	Vendor No	Vendor Name	Amount	Voucher
46876	03/24/2017	PSE	Puget Sound Energy	929.28	46,876
				<u>929.28</u>	
Check Total:				<u>929.28</u>	

Accounts Payable

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Check	Date	Vendor No	Vendor Name	Amount	Voucher
46877	03/28/2017	SB&MAC	Stewart MacNichols & Harmell Inc	5,220.00	46,877
				<u>5,220.00</u>	
Check Total:				<u>5,220.00</u>	

Accounts Payable

Check Register Totals Only

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Check	Date	Vendor No	Vendor Name	Amount	Voucher
46878	03/29/2017	CTL	CTL Corp	7,426.60	46,878
				<u>7,426.60</u>	
Check Total:				<u>7,426.60</u>	

Accounts Payable

Check Register Totals Only

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Check	Date	Vendor No	Vendor Name	Amount	Voucher
46879	04/04/2017	ACH	American Classic Homes	16,159.65	46,879
46880	04/04/2017	ALDWORTH	Kurt Aldworth	100.00	46,880
46881	04/04/2017	AMERWEST	America West Environmental	7,752.36	46,881
46882	04/04/2017	APP	Associated Petroleum Products	48.76	46,882
46883	04/04/2017	BACKGROU	Background Source Intl	718.00	46,883
46884	04/04/2017	BADGLEY	Badgley Landscape LLC	27,556.50	46,884
46885	04/04/2017	BEST	Best Parking Lot Cleaning, Inc	8,824.28	46,885
46886	04/04/2017	BETTERBY	Better By Design Embroidery	40.46	46,886
46887	04/04/2017	BLUETARP	Blue Tarp Financial	96.95	46,887
46888	04/04/2017	BOHANAN	Martin Bohanan	37.75	46,888
46889	04/04/2017	CADMAN	Cadman, Inc.	116.63	46,889
46890	04/04/2017	CDW	CDW Govt Inc	2,683.43	46,890
46891	04/04/2017	CENTURY	Century Link	66.99	46,891
46892	04/04/2017	CITICARD	Citi Cards	192.04	46,892
46893	04/04/2017	CODEPUB	Code Publishing Inc	2,417.60	46,893
46894	04/04/2017	CONSERVA	Conservation Technix Inc	6,814.03	46,894
46895	04/04/2017	DRSI	DRSI	234.95	46,895
46896	04/04/2017	ELECTRIC	Electric Lightwave	1,871.84	46,896
46897	04/04/2017	ELTEC	Eltec Systems LLC	2,286.54	46,897
46898	04/04/2017	ENGBUS	Engineering Business Systems Inc	1,894.83	46,898
46899	04/04/2017	FASTENAL	Fastenal Industrial Supplies	269.78	46,899
46900	04/04/2017	FOLSPARK	Friends Of Lk Sammamish State Park	3,000.00	46,900
46901	04/04/2017	FUSINGIT	Jamie Frances Beck	781.82	46,901
46902	04/04/2017	GEREND	Donald Gerend	2,044.14	46,902
46903	04/04/2017	GRAINGER	Grainger	6,562.93	46,903
46904	04/04/2017	GUARDIAN	Guardian Security	78.00	46,904
46905	04/04/2017	HONEY	Honey Bucket	505.94	46,905
46906	04/04/2017	HOWARD	Lyman Howard	34.30	46,906
46907	04/04/2017	ISNW	Industrial Solutions NW LLC	1,281.15	46,907
46908	04/04/2017	KBA	KBA Inc	12,795.86	46,908
46909	04/04/2017	KCRADIO	King Cty Radio Comm Svcs	1,067.63	46,909
46910	04/04/2017	KINGFI	King County Finance A/R	5,289.56	46,910
46911	04/04/2017	KINGGIS	King County Finance	1,165.00	46,911
46912	04/04/2017	L&IELEVA	Dept of Labor & Industries	129.00	46,912
46913	04/04/2017	LOCHNER	Lochner, Inc.	34,041.05	46,913
46914	04/04/2017	LTI	LTI, Inc	10,843.85	46,914
46915	04/04/2017	MARSMISS	Missy Marshall May	108.25	46,915
46916	04/04/2017	MINUTE	Minuteman Press	27.38	46,916
46917	04/04/2017	MORUP	Morup Signs Inc	590.00	46,917
46918	04/04/2017	MRTRUCK	Mr. Truck Wash	355.88	46,918
46919	04/04/2017	NAVAL	NAVSURFWARCENDIV Crane	300.00	46,919
46920	04/04/2017	NEWPIG	New Pig Corp	2,616.94	46,920
46921	04/04/2017	NUVELOCI	Nuvelocity	2,032.59	46,921
46922	04/04/2017	NWENVTEC	NW Envirotech LLC	3,326.61	46,922
46923	04/04/2017	OSBORNJ	Jason Osborn	49.00	46,923
46924	04/04/2017	PACAIR	Pacific Air Control, Inc	5,795.38	46,924
46925	04/04/2017	PACSOIL	Pacific Topsoils, Inc	7,763.38	46,925
46926	04/04/2017	PAPE	Pape Machinery	4,241.83	46,926
46927	04/04/2017	PHILIPSP	Philips Publishing Group	3,365.30	46,927
46928	04/04/2017	PNWSTMA	PNWSports Turf Mgrs Assoc	335.00	46,928

Check	Date	Vendor No	Vendor Name	Amount	Voucher
46929	04/04/2017	POA	Pacific Office Automation	240.90	46,929
46930	04/04/2017	PROVAC	PRO-VAC	2,080.50	46,930
46931	04/04/2017	REPUBLIC	Republic Services #172	6,174.33	46,931
46932	04/04/2017	RICH	Rich Landscapiing, Inc.	5,246.87	46,932
46933	04/04/2017	SAM	Sammamish Plateau Water Sewer	246.39	46,933
46934	04/04/2017	SEATIM	Seattle Times	111.80	46,934
46935	04/04/2017	SEQUOYAH	Sequoyah Electric, LLC	4,684.69	46,935
46936	04/04/2017	SMITHFIR	Smith Fire Systems Inc	105.00	46,936
46937	04/04/2017	SNYDER	Snyder Roofing of WA LLC	1,793.63	46,937
46938	04/04/2017	SUMMITIV	Summit Ivy LLC	21,487.50	46,938
46939	04/04/2017	SUNBELT	Sunbelt Rentals	3,275.47	46,939
46940	04/04/2017	SWAY	Sway Band LLC	1,250.00	46,940
46941	04/04/2017	SWIFTTRE	Swift Tree Care	1,314.00	46,941
46942	04/04/2017	TOPTOBOT	Top To Bottom Janitorial, Inc	12,666.25	46,942
46943	04/04/2017	TRANSMAP	Transmap Corp	8,692.00	46,943
46944	04/04/2017	TRESOLU	Tree Solutions Inc	1,582.50	46,944
46945	04/04/2017	TRI-TEC	Tri-Tec Communications, Inc	6,396.44	46,945
46946	04/04/2017	ULINE	ULINE Shipping Supplies	2,474.83	46,946
46947	04/04/2017	VALDERRA	Ramiro Valderrama-Aramayo	2,173.79	46,947
46948	04/04/2017	WABO1	Wa Assoc of Bldg Officials	50.00	46,948
46949	04/04/2017	WAPOISON	Wa Poison Center	625.00	46,949
46950	04/04/2017	WATERSH	The Watershed Company	4,241.41	46,950
46951	04/04/2017	WINTER	Winter Equipment Co., Inc	2,394.10	46,951
46952	04/04/2017	YOGOMAN	YOGOMAN	500.00	46,952
46953	04/04/2017	ZEE	Zee Medical Service	466.28	46,953
46954	04/04/2017	ZUMAR	Zumar Industries, Inc.	123.80	46,954

Check Total:

281,108.62

Accounts Payable

Check Register Totals Only

User: mdunham
 Printed: 3/30/2017 - 9:38 AM



Check	Date	Vendor No	Vendor Name	Amount	Voucher
46955	04/04/2017	BRS	Barker Rinker Seacat Architecture	10,129.81	46,955
46956	04/04/2017	BUILDERS	Builders Exchange of WA	45.00	46,956
46957	04/04/2017	EVANS	David Evans & Associates, Inc	5,231.97	46,957
46958	04/04/2017	HANDLOS	Lynne Handlos	85.23	46,958
46959	04/04/2017	HDR	HDR Engineering, Inc	2,466.07	46,959
46960	04/04/2017	Intercom	Inter Com Language Services	260.00	46,960
46961	04/04/2017	KCBLANK	King County Finance	668.72	46,961
46962	04/04/2017	KINGFI	King County Finance A/R	1,860.00	46,962
46963	04/04/2017	KPG	KPG Interdisciplinary Design	2,052.32	46,963
46964	04/04/2017	LENISZEW	Steve Leniszewski	91.20	46,964
46965	04/04/2017	MINUTE	Minuteman Press	54.75	46,965
46966	04/04/2017	OTAK	Otak	30,431.45	46,966
46967	04/04/2017	PACE	Pace Engineers, Inc.	8,470.00	46,967
46968	04/04/2017	PERTEET	Perteet, Inc.	36,480.13	46,968
46969	04/04/2017	SHANNONW	Shannon & Wilson Inc	2,057.50	46,969
46970	04/04/2017	TAGS	Tags Awards & Specialties	41.06	46,970
46971	04/04/2017	WHITEHOR	White Horse Promotional Products	94.44	46,971

Check Total:

100,519.65



Sammamish, Washington
Proclamation
Sexual Assault Awareness Month
April 2017



- WHEREAS,** Sexual Assault Awareness Month calls attention to the fact that sexual violence is widespread and impacts every person in this community.
- WHEREAS,** Rape, sexual assault, and sexual harassment harm our community, and statistics show one in five women and one in 71 men will be raped at some point in their lives
- WHEREAS,** Child sexual abuse prevention must be a priority to confront the reality that one in six boys and one in four girls will experience a sexual assault before age 18
- WHEREAS,** Young people experience heightened rates of sexual violence, and youth ages 12-17 were 2.5 times as likely to be victims of rape or sexual assault
- WHEREAS,** On campus, one in five women and one in 16 men are sexually assaulted during their time in college
- WHEREAS,** We must work together to educate our community about sexual violence prevention, supporting survivors, and speaking out against harmful attitudes and actions.
- WHEREAS,** Prevention is possible when everyone gets involved. The first step is increasing education, awareness, and community involvement. It's time for all of us to take action to create a safer environment for all.
- WHEREAS,** Please join advocates and communities across the country in taking action to prevent sexual violence. April is Sexual Assault Awareness Month, and each day of the year is an opportunity to create change for the future.

NOW, THEREFORE BE IT RESOLVED that I, Mayor Donald Gerend and the Sammamish City Council, do hereby proclaim **April 2017** as **Sexual Assault Awareness Month** in the **City of Sammamish**.

Mayor, Donald J. Gerend

Date



Meeting Date: April 4, 2017

Date Submitted: 3/9/2017

Originating Department: Admin Services

Clearances:

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> Attorney | <input type="checkbox"/> Community Development | <input type="checkbox"/> Parks & Recreation |
| <input checked="" type="checkbox"/> Admin Services | <input type="checkbox"/> Eastside Fire and Rescue | <input type="checkbox"/> Police |
| <input type="checkbox"/> City Manager | <input type="checkbox"/> Finance & IT | <input type="checkbox"/> Public Works |

Subject: Hearing Examiner Rules of Procedure

- Action Required:**
- Second reading and adoption of an Ordinance making minor related amendments to SMC 20.10.150 and SMC 20.10.180 consistent with these Rules of Procedure
 - Resolution adopting the Hearing Examiner Rules of Procedure

- Exhibits:**
1. Draft Ordinance Amending SMC 20.10.150 and SMC 20.10.180
 2. Resolution approving the amended Rules of Procedure
 3. Attachment A - Clean version of amended Rules of Procedure

Budget: No budget impact.

Summary Statement:

The City's Hearing Examiner, John Galt, proposed changes to the rules of procedure that he uses for hearings and appeals. Under City Code, the City Council is required to review those changes.

Background:

Under SMC 20.10.190, "The examiner shall adopt rules for the conduct of hearings and for any mediation process consistent with this chapter. The rules shall be reviewed by the City Council, . . ." Examiner Galt proposed changes to the rules of procedure last year, applicable to all cities to which he provides service. In response, City staff proposed certain edits specific to Sammamish designed to make hearing and appeals more efficient and cost effective. Examiner Galt accepted those edits and the final version is before the Council for consideration.

A redlined version of the Examiner's rules of procedure is attached. Note that page 3 of the Table of Contents includes a summary page describing all of the new amendments.

If the Council wishes to further amend these rules of procedure, SMC 20.10.190 requires the Examiner to incorporate those changes and to make them effective 10 days after the Council's action. Staff is not proposing any further edits.

Financial Impact:

No direct financial impact associated with adoption of the amended rules of procedure.

Recommended Motion:

- Second reading and adoption of the ordinance incorporating related amendments to SMC 20.10.150 and SMC 20.10.180 as a first reading for consistency with Hearing Examiner Rules of Procedures.
- Adopt the resolution approving the Hearing Examiner's amended rules of procedure;

**CITY OF SAMMAMISH
WASHINGTON**

ORDINANCE NO. O2017-____

**AN ORDINANCE OF THE CITY OF SAMMAMISH,
WASHINGTON RELATING TO NOTICE OF PUBLIC
HEARINGS BEFORE THE HEARING EXAMINER;
AMENDING SECTIONS 20.10.150 AND 20.10.180 OF THE
SAMMAMISH MUNICIPAL CODE; PROVIDING FOR
SEVERABILITY; AND ESTABLISHING AN EFFECTIVE
DATE**

WHEREAS, Chapter 20.10 of the Sammamish Municipal Code (“SMC” or “City Code”) sets forth the procedures and requirements for appeals to the City Hearing Examiner of land use and permitting decisions and other administrative decisions made by City staff; and

WHEREAS, City staff have found that the requirements for noticing a public hearing before the Hearing Examiner pursuant to SMC 20.10.150 and SMC 20.10.180 are difficult for applicants to ascertain under the existing City Code without cross-referencing to other portions of the City Code; and

WHEREAS, the Hearing Examiner Rules of Procedure as approved by the City Council on March 7, 2017, include revisions regarding preparation for public hearings that necessitate earlier public notice for certain types of hearings before the City Hearing Examiner; and

WHEREAS, the City Council finds that certain amendments are necessary to update and clarify the notice requirements for public hearings held before the City Hearing Examiner pursuant to Chapter 20.10 SMC;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAMMAMISH,
WASHINGTON, DO ORDAIN AS FOLLOWS:**

Section 1. SMC 20.10.150, Public Hearing, Amended. Sammamish Municipal Code Section 20.10.150, *Public Hearing*, is hereby amended to read as set forth in **Attachment A**, which is incorporated herein by this reference.

Section 2. SMC 20.10.180, Notice, Amended. Sammamish Municipal Code Section 20.10.180, *Notice*, is hereby amended to read as set forth in **Attachment B**, which is incorporated herein by this reference.

Section 3. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state

or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 4. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE _____ DAY OF MARCH, 2017.

CITY OF SAMMAMISH

Mayor Donald J. Gerend

ATTEST/AUTHENTICATED:

Melonie Anderson, City Clerk

Approved as to form:

Michael R. Kenyon, City Attorney

Filed with the City Clerk:	February 24, 2017
First Reading:	March 21, 2017
Passed by the City Council:	
Date of Publication:	
Effective Date:	

20.10.150 Public hearing.

(1) When it is found that an application meets the filing requirements of the responsible City department, ~~or an appeal meets the filing rules of the examiner,~~ it shall be accepted and a date assigned for public hearing.

(2) When it is found that an appeal meets the filing requirements of the responsible City department, it shall be accepted and a date assigned for an appeal hearing.

~~If for any reason testimony on any matter set for public hearing, or being heard, cannot be completed on the date set for such hearing, the matter shall be continued to the soonest available date. A matter should be heard, to the extent practicable, on consecutive days until it is concluded.~~

20.10.180 Notice.

(1) Notice of the time and place of any hearing on an application before the hearing examiner set pursuant to this chapter shall be provided in the following manner:

(b) Published by the department in the official City newspaper no less than 30 calendar days prior to the scheduled hearing date; and

(c) Posted at the project site as provided in SMC 20.05.060(6) and 20.05.060(9) no less than 30 days prior to the scheduled hearing date.

(a) Mailed by first class mail, at least 14 calendar days prior to the scheduled hearing date, to all persons who would be entitled to receive notice under SMC 20.05.060(7) and to all persons who commented or requested notice of the hearing; and

The hearing notice required by this section may be combined with the notice of decision or recommendation required by this title SMC 20.05.090 may be combined with the notice of hearing required hereby, as applicable.

(2) Notice of the time and place of any appeal hearing before the hearing examiner pursuant to this chapter shall be mailed to all parties of record by first class mail at least 14-30 calendar days prior to the scheduled hearing date.

(3) If testimony cannot be completed prior to adjournment on the date set for a public hearing or appeal hearing, the examiner shall announce prior to adjournment the time and place said hearing will be continued. A matter should be heard, to the extent practicable, on consecutive days until it is concluded.

**CITY OF SAMMAMISH
WASHINGTON**

RESOLUTION NO. 02017-

**A RESOLUTION OF THE CITY OF SAMMAMISH,
WASHINGTON APPROVING THE HEARING EXAMINER
RULES OF PROCEDURE, AS REVISED, IN ACCORDANCE
WITH SECTION 20.10.190 OF THE SAMMAMISH
MUNICIPAL CODE**

WHEREAS, Chapter 20.10 of the Sammamish Municipal Code (“SMC” or “City Code”) sets forth the procedures and requirements for appeals to the City Hearing Examiner of land use and permitting decisions and other administrative decisions made by City staff; and

WHEREAS, the City Hearing Examiner and City staff have worked together on revisions to the 2011 Hearing Examiner Rules of Procedure in order to improve the clarity, conciseness, and efficiency of the rules and the hearing procedures governed thereby; and

WHEREAS, Sammamish Municipal Code Section 20.10.190 provides that the Hearing Examiner Rules of Procedure shall be reviewed by the Sammamish City Council; and

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAMMAMISH,
WASHINGTON, DO RESOLVE AS FOLLOWS:**

Section 1. Approval of 2017 Hearing Examiner Rules of Procedure. Having reviewed the Hearing Examiner Rules of Procedure dated March 1, 2017, promulgated in accordance with Sammamish Municipal Code Section 20.10.190 (the “2017 Hearing Examiner Rules of Procedure”), the City Council hereby approves the 2017 Hearing Examiner Rules of Procedure as set forth in the attached **Attachment A**.

**PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON
THE _____ DAY OF MARCH, 2017.**

CITY OF SAMMAMISH

Mayor Donald J. Gerend

ATTEST/AUTHENTICATED:

Exhibit 2

Melonie Anderson, City Clerk

Approved as to form:

Michael R. Kenyon, City Attorney

Filed with the City Clerk:	March 9, 2017
First Reading:	March 21, 2017
Passed by the City Council:	
Date of Publication:	
Effective Date:	

ATTACHMENT A

CITY of SAMMAMISH

HEARING EXAMINER

RULES OF PROCEDURE

Issued pursuant SMC 20.10.190
Revised March 1, 2017

Reviewed and approved by the City Council on

_____, 2017

John E. Galt, Hearing Examiner
Voice/FAX: (425) 259-3144
E-mail: jegalt755@gmail.com

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AMENDMENTS

Date	Rule	Nature of Amendment
March 1, 2017	Cover	Updates Examiner’s e-mail address and effective date
	108	Removes extraneous language from definition of “days” and “project permit applications”
	124(c)	Establishes cut-off for admission of e-mail evidence
	128	Clarifies appointment of Examiner <i>pro tem</i>
	140	Clarifies calculation of days and incorporates language stricken from 108(e)
	202	Added; transmittal of appeals to Examiner
	216	Minor revision to heading
	218	Minor revision to heading
	220	Minor revisions to language
	224	Changes exhibit numbering protocol and provides sequential exchange of exhibits with revised submittal deadlines
	226	Added; creates prehearing procedures for closed record appeal hearings
	228	Minor revisions to language; allows e-mail transmittal
	304	Minor revision to heading
	306	Added; creates hearing procedures for closed record appeal hearings
	312(b)	Grammatical revisions clarifying rules for cross-examination
	404	Allows for postponement due to staff unavailability
	408	Minor revisions to heading and language
	408(d)	Added; provides notice requirements for postponed project application hearings
	412	Minor revisions to heading and language
	412(f)	Added; provides notice requirements for postponed appeal hearings
	420	Minor language revisions; removes extraneous language covered in RoP 408(d), 412(f), and 420(c)
	420(c)	Added; provides notice requirements for extension or cancellation of postponed hearings
	504(c)	Allows for e-mail transmittal of reconsideration requests

**PART 100
GENERAL RULES**

104 Purpose

These rules supplement, not replace, the provisions of municipal code. In case of conflict between these rules and any provision of municipal code, the code provision prevails.

These rules address most normal circumstances which might arise when dealing with Examiner proceedings. The possibility exists that a situation may arise which has not been foreseen and which does not lend itself to full, literal compliance with these rules. Therefore, the Examiner reserves the right to exercise reasonable and necessary flexibility and discretion when applying these rules to extraordinary circumstances.

108 Definitions

The following definitions shall apply throughout these rules unless context or subject matter clearly indicates that another meaning is required:

- a) “Administrative appeal” means any appeal from a City Staff action for which jurisdiction is assigned to the Examiner under City code.
- b) “Appellant” means the person, organization, or authorized representative appealing an administrative decision to the Examiner pursuant to City code or appealing the Examiner's decision to a higher authority, depending upon the context.
- c) “Applicant” means the person, organization, or authorized representative seeking City approval of one or more permits over which the Examiner has jurisdiction.
- d) “Council” means the City Council of Sammamish.
- e) “Day(s)” means calendar days unless specifically stated otherwise herein or in City code.
- f) “Examiner” means the Hearing Examiner and any Examiners *Pro Tem* appointed by the Council.
- g) “*Ex parte*” means communication with the Examiner by one party outside the presence of other parties.
- h) “Principal parties” means and is limited to the applicant(s), the appellant(s), and the respondent(s) to any given application/appeal.
- i) “Project permit application” means an application for a City permit or approval requiring a pre-decision hearing by the Examiner.
- j) “Staff” means City of Sammamish employees and contract employees who work for the City department(s) having responsibility for processing project permit applications, code enforcement, and other matters which fall within the Examiner’s jurisdiction.

116 Expeditious Proceedings

Exhibit 3

It is the policy of the Examiner that, to the extent practicable and consistent with requirements of law, public hearings shall be conducted expeditiously. In the conduct of such proceedings the Examiner and all persons testifying shall make every effort at each stage of a proceeding to avoid delay.

120 Ex Parte Communication

- a) Proceedings before the Examiner are subject to requirements of due process which restrict *ex parte* communication. (See Rule 108(g) for the definition of *ex parte*.)
- b) The Examiner may communicate *ex parte* with city staff and others on procedural matters as required to perform their duties in accordance with these rules.
- c) If an *ex parte* communication other than allowed by subsection (b) is made to or by the Examiner, the Examiner shall publicly disclose such communication at the outset of the open record hearing. Where a hard copy of the communication is available, the Examiner shall enter it into the record of the proceeding.

124 Acceptability of Electronic Communications

- a) FAX and E-mail may be used in communicating with the Examiner. The sender of such a communication has the obligation to confirm receipt. All such communications are subject to the *ex parte* communication restrictions of Rule 120.
- b) E-mail filing of applications, requests for reconsideration, and appeals is NOT permitted unless expressly authorized by City code or rule.
- c) Correspondence related to Examiner cases may not be submitted to the City by E-mail unless expressly authorized by City code or rule. If so authorized, the sender shall be solely responsible to confirm that E-mail correspondence is actually received by the appropriate Staff person and entered into the appropriate application/appeal file. E-mail not physically entered into a hearing record before the Examiner closes that record shall not be considered part of the record and will not be considered by the Examiner.

128 Potential Conflict of Interest Cases.

If an application/appeal is received by the City that City Staff reasonably believes may present a conflict of interest or appearance of fairness issue to the Examiner, the Staff shall, prior to assigning a hearing date and time to the application/appeal, explain their concern to the Examiner. If the Examiner concurs, the Examiner shall recuse himself from hearing the case. (See Rule 616.) The City will appoint an Examiner *Pro Tem*.

132 Special Hearing Dates

If an application/appeal is received, which, in the Staff's opinion, is likely to be of significant interest to a large number of citizens, Staff may request a special hearing date and time from the Examiner. The Examiner shall have final authority to set the date, time and place for all such special hearings.

136 Fees for Staff Services.

Nothing in these Rules affects Staff's authority to charge and collect fees for services as otherwise authorized by law, code, or adopted City policy.

140 Time Periods

Unless otherwise regulated by law or municipal code: In counting days in a time period, the day a triggering action occurs is not counted; the time period ends at the municipality's regular close of business on the last day of the time period. Unless otherwise regulated by law or municipal code, if the last day of the period would fall on a Saturday, Sunday, legal municipal holiday, or other municipal non-business day, the time period ends at the close of business on the next municipal work day.

**PART 200
PREHEARING PROCEDURES**

202 Appeals – Transmittal to Examiner

When the City receives an administrative appeal that falls within the Examiner's jurisdiction, Staff shall transmit a copy of the appeal package as submitted by the appellant—together with a copy of the decision being appealed, if not included within the appeal package—to the Examiner by E-mail or FAX within two business days of its receipt by the City.

204 Motions/Requests

- a) Filing Any person wishing to file a prehearing motion/request (such as a request for a prehearing conference, for establishment of special hearing procedures, *etc.*) shall submit it in writing to the City and concurrently to all principal parties to the case. The City shall FAX or E-mail the motion to the Examiner. If a motion is filed less than 20 days before the scheduled open record hearing date, there may not be sufficient time to allow written responses and prepare written rulings. In such circumstances, the Examiner may elect to rule on the motion at the open record hearing; strict adherence to the procedures set forth in the following subsections may not occur.
- b) Response Any principal party and/or the Staff may file with the Examiner a written response to a filed motion not later than 10 days after the date that the motion was filed. Responses will be considered by the Examiner if and only if received prior to issuance of a dispositive order ruling on the motion.
- c) Ruling The Examiner will rule on each motion by issuance of a written order or orally at the open record hearing. Multiple motions may be consolidated for purposes of written order issuance where efficiency would be served and where the rights of the parties would not be prejudiced.
- d) Distribution Written orders issued prior to the scheduled open record hearing will be mailed or FAXed to each party of record where time allows, distributed at the open record hearing, or announced at the open record hearing. Oral rulings made during an open record hearing will be memorialized within the written decision on the application/appeal.

208 Prehearing Conferences

- a) General Prehearing conferences are regulated by SMC 20.10.170. The Examiner has sole discretion to convene prehearing conferences. Prehearing conferences may be convened to resolve procedural matters and/or to discuss settlement. A prehearing conference shall be scheduled at a time and place of

greatest convenience to its participants. Prehearing conferences will not be recorded, but the Examiner may issue a post-conference Order to memorialize agreements reached during the conference.

- b) Project Permit Applications Prehearing conferences will not normally be convened in project permit application cases. However, where a case is of major community interest, is expected to generate extraordinary amounts of participation, and scheduling issues may be paramount to an expeditious proceeding, the Examiner may elect to convene a prehearing conference.
- c) Administrative Appeals Any principal party may request that the Examiner convene a prehearing conference in an administrative appeal. The Examiner may also call a conference on his own initiative. Attendance at the conference by other than principal parties will be allowed; however, participation by others will not normally be permitted.

210 Subpoenas and Summonses

- a) Subsection 20.10.190(1) SMC gives the Examiner “the power to issue summons and subpoenas to compel the appearance of witnesses and production of documents and materials”. The Examiner encourages interested persons to use other means (simple requests, requests for production of public records, etc.) before resorting to summonses and/or subpoenas. Summonses and subpoenas should be requested only as a last resort.
- b) An interested person may request the Examiner to issue a summons or subpoena compelling the attendance of a witness and/or production by a specified person of specified documentary materials believed to be necessary for the presentation of the person’s case at hearing. The request shall: Clearly identify the case with which it is associated; and shall be supported by a statement as to why the witness and/or material is necessary and why the requestor believes such witness and/or material will not be available unless a summons or subpoena is issued.
- c) The Examiner in his/her sole discretion may issue a summons and/or subpoena. The Examiner will provide the summons and/or subpoena to the requestor for service according to law. The requestor is solely responsible to arrange for service of the summons and/or subpoena.
- d) The requestor shall pay all costs associated with the summons and/or subpoena including, but not limited to, costs of service, costs of producing records required by the summons and/or subpoena, and fees and allowances. Witnesses subpoenaed shall be entitled to the same fees and allowances, in the same manner and under the same conditions, as provided for witnesses in the Superior Court for King County by Chapter 2.40 RCW and by RCW 5.56.010.

212 View Trip

- a) The Examiner may inspect the site prior or subsequent to the hearing. Failure to inspect the site will not render the Examiner's decision void.
- b) When a view trip has been taken, the Examiner will so state at the hearing and/or in the written decision.
- c) The view trip will be taken out of the presence of any interested party wherever feasible. Where accompaniment by an interested party is necessary to fully view the property, no substantive discussion may occur during the view trip.

216 Project Permit Applications – Applicant Submittal Deadlines

- a) Applicant submittals made less than 15 days prior to a scheduled hearing shall not be considered at the hearing unless the Examiner finds that the due process rights of the parties and proper Staff review will not be adversely affected. Any such submittal(s) will otherwise be afforded hearing consideration only if the hearing is postponed at the discretion of the Examiner, to a date sufficiently far in the future to allow proper review of the submittal(s) by Staff and public. Any such postponement shall normally be for not less than three weeks. When a case is postponed or continued under this rule, the Examiner may establish a deadline prior to the continued hearing for further applicant submittals.
- b) “Submittals” as used herein includes without limitation original and revised applications, site development plans, preliminary plat maps, concomitant agreements, impact mitigation offers, preliminary drainage plans, environmental checklists, technical and/or scientific evidence, *etc.* The term “submittals” does not include written applicant argument or plan changes that respond to Staff positions and/or late-arriving agency review comments, nor written statements describing and arguing for the application/appeal as already submitted.

220 Project Permit Applications – Initial Exhibits and Exhibit List

- a) The Staff shall select from the documents within the application file all those which it believes in its professional judgment will have probative value in the open record hearing process and/or which will be necessary for preparation of a properly and fully considered decision. The original or a clear and complete copy of the application, documentation of application completeness, current site plan(s), documentation of compliance with the procedural requirements of the State Environmental Policy Act (SEPA), required public notices, any documents specifically requested by the Applicant to be included as an exhibit, and all substantive letters from citizens regarding the application shall be included.
- b) The Staff shall mark each document selected under Rule 220(a) with a consecutive exhibit number. These marked documents shall constitute pre-filed exhibits.
- c) The Staff shall prepare and issue notice of its final decision or recommendation in accordance with SMC 20.05.090(1) (“Staff Report”) not less than seven days prior to the scheduled hearing. The Staff Report shall be included as a pre-filed exhibit.
- d) The Staff shall prepare a listing of the pre-filed exhibits. The listing and the original (or if the original cannot be provided for exhibit purposes, one clear copy) of each of the pre-filed exhibits shall be available at City Hall, 801 228th Avenue SE, Sammamish, for public review at the same time that the Staff Report is made available.
- e) The Staff shall mail or deliver a copy of the listing and each pre-filed exhibit to the Examiner at the same time that the Staff Report is made available.

224 Open Record Appeal Hearings – Pre-filing of Evidence by Principal Parties

- a) The intent of the following rules is to insure that all documents and arguments to be relied upon by any of the principal parties in an open record appeal hearing before the Examiner are available for review by all other principal parties prior to the open record hearing, thus preventing "surprise" at the hearing and facilitating efficiency. These rules will be interpreted by the Examiner to facilitate that

Exhibit 3

purpose. Requirements of this Rule may be modified through the prehearing conference process. (See Rule 208.)

b) Pre-filed exhibits shall be delivered to the Community Development Department at City Hall, 801 228th Avenue SE, Sammamish.

1) Each principal party shall number its own pre-filed exhibits for identification purposes using the following number ranges:

<i>Principal Party</i>	<i>Exhibit Number Range</i>
Respondent	1 – 999
Appellant	1001 – 1999
Applicant (when other than the Appellant)	2001 – 2999

The Examiner will assign additional number ranges when an appeal involves additional principal parties. Numbering will begin with the lowest number in the assigned series and proceed in whole number increments.

An exhibit number shall be assigned to individual documents, not to each page in a document. If a document contains sub-parts or attachments which are not uniquely identified within the document, the party filing the document must identify each sub-part with a suffix composed of a decimal point followed by either an integer, an upper case letter, or a lower case letter. For example, subparts of Exhibit 1005 would be 1005.1, 1005.2, etc., 1005.A, 1005.B, etc., or 1005.a, 1005.b, etc.

Briefs and hearing memoranda are to be assigned exhibit numbers like any other pre-filed document. Enclosures or attachments to briefs/memoranda are permissible; enclosures or attachments shall be labeled as described above.

Pages in documents should be numbered. If the original document does not have page numbers, parties should use a “Bates” number stamp or something similar to number each page.

The purpose of this Rule is simply to facilitate easy reference to each document, and to each page within a document, by all hearing participants. Parties should keep that purpose in mind when preparing documents for pre-filing.

2) Each principal party shall include a list of its exhibits with its submittal. The list shall not be assigned a pre-filed exhibit number as exhibit lists are normally not entered into the record as exhibits.

3) Each principal party, including the City, shall cross-copy its pre-filed exhibits to the other principal parties.

4) Each principal party, including the City, shall send or cause to be delivered a copy of its exhibit list and pre-filed exhibits to the Examiner at the same time those documents are filed with the City. The Examiner’s business mailing address is 927 Grand Avenue, Everett, WA 98201-1305.

Exhibit 3

- c) The Examiner will assign pre-filed exhibit numbers within the range 9001 – 9999 to administrative documents which will be entered into the hearing record. Those documents will be made available at City Hall.
- d) Within 10 days of issuing a notice of hearing pursuant to SMC 20.10.180(2), the respondent department shall assemble and file the original or a clear and complete copy of all items within the application/appeal file which it believes in its professional judgment will have probative value in the open record hearing process and/or which will be necessary for preparation of a properly and fully considered decision (“Initial Record”). The Initial Record shall include, but not be limited to, the original application and/or appeal, documentation of application completeness, current site plan(s), documentation of compliance with the procedural requirements of the State Environmental Policy Act (SEPA), the department’s notice of final decision or recommendation issued pursuant to SMC 20.05.090(1) and all other required public notices, any documents specifically requested by the Applicant to be included as an exhibit, and all substantive letters from citizens regarding the application/appeal. (Duplication of items filed under Rule 224(c) is strongly discouraged.)
- e) Not less than 14 days prior to the scheduled hearing, each appellant shall assemble and file:
 - 1) One copy of all documents or exhibits, including any pre-hearing brief and/or memorandum, which that party intends to submit (duplication of items filed under Rule 224(c)–(d) is strongly discouraged); and
 - 2) A list of persons the party expects to call as witnesses, and the following information for each person (excluding City staff) the party expects to call as an expert witness: name, resume, the subject matter on which the expert is expected to testify, the substance of the facts and opinions to which the expert is expected to testify, and a summary of the grounds for each opinion.
- f) Not less than seven days prior to the scheduled hearing, the applicant (when not the appellant) and respondent department (together, “Respondent(s)”) shall each assemble and file:
 - 1) One copy of all rebuttal documents or exhibits, including any pre-hearing brief and/or memorandum, which the Respondent(s) intend to submit (duplication of items filed under Rule 224(c)–(e) is strongly discouraged); and
 - 2) A list of persons the Respondent(s) expect to call as witnesses, and the following information for each person (excluding City staff) the Respondent(s) expect to call as an expert witness: name, resume, the subject matter on which the expert is expected to testify, the substance of the facts and opinions to which the expert is expected to testify, and a summary of the grounds for each opinion.
- g) Witness information filed pursuant to subsections (e)–(f) shall not be assigned a pre-filed exhibit number, as the Examiner does not anticipate that witness lists need to be entered into the record as exhibits.
- h) Principal Parties have a duty to supplement, at the earliest possible opportunity, their submittals made under subsections (d)–(f) whenever:

Exhibit 3

- 1) A party obtains information upon the basis of which (A) the party knows that the material submitted was incorrect when submitted, or (B) the party knows that the material submitted, though believed correct when submitted, is no longer correct and the circumstances are such that failure to amend the submittal would constitute knowing concealment of information central to the issues in the appeal; or
- 2) An additional expert witness is identified whose participation in the proceedings could not reasonably have been foreseen before the close of the exhibit pre-filing period, in which case, the witness information required by Rule 224(e) or (f) shall be provided as a supplemental exhibit.

Supplemental exhibits required by this subsection (h) shall be marked, filed, cross-copied to the parties, and provided to the Examiner as required by Rule 224(b).

- i) Documents, materials, studies, analyses, *etc.* not disclosed through the exhibit pre-filing process, other than those offered in response/rebuttal, will not be considered in adjudicating the appeal except by agreement of the other principal parties or at the Examiner's discretion in extraordinary circumstances.

226 Closed Record Appeal Hearings – Pre-filing of Evidence by Principal Parties

- a) Evidence in a closed record appeal is limited to that which was before the administrative decision-maker before the administrative decision was rendered; submission of new evidence by an appellant is not allowed.
- b) All the requirements of Rule 224 shall apply in a closed record appeal case, except that:
 - 1) Rule 224(d) shall be limited in scope to the record that was before the administrative decision maker before the administrative decision was rendered (for the purposes of this Rule 226, the “Administrative Record”).
 - 2) Rule 224(e) shall be limited in scope to briefs/memoranda of the parties, which shall not include any exhibits or attachments outside of the Administrative Record.
 - 3) The Examiner will assign administrative exhibit numbers to all prehearing briefs/memoranda.

228 Administrative Appeals – Summary Dismissal

- a) The Examiner may summarily dismiss an appeal in whole or in part on the motion of a principal party or on the Examiner's own motion if the Examiner concludes that (1) the appeal was untimely filed; or (2) the appeal fails to state a claim for which the Examiner has jurisdiction to grant relief. (See SMC 20.10.090.)
- b) Summary dismissal may be requested by a principal party by filing a Motion pursuant to Rule 204 or may be initiated by the Examiner.
- c) The Examiner will allow the principal parties a reasonable time in which to submit written responses to a Motion for or Proposed Order of Summary Dismissal.
- d) An Order summarily dismissing the entirety of an appeal (or all appeals where more than one has been

filed and consolidated for processing) constitutes the Examiner’s final decision on the appeal/appeals and is subject to reconsideration/appeal in accordance with City code and these Rules. In all other situations, the Order is interlocutory and not subject to reconsideration or appeal until the Examiner issues the final decision on the remaining appeal/appeals.

- e) When the Respondent Department withdraws or vacates the decision or action being appealed, the appeal becomes moot and shall automatically be dismissed. (Withdrawal of an appeal by the appellant is addressed in Rule 620.)
- f) The Examiner shall E-mail, FAX, or mail summary dismissal orders to the principal parties.

**PART 300
CONDUCT OF HEARINGS**

304 Format – Open Record Hearings

- a) The format for an open record hearing will be of an informal nature yet designed in such a way that the evidence and facts relevant to a particular proceeding will be readily and efficiently available to the Examiner. An open record hearing will normally include, but need not be limited to, the following elements: a brief prefatory statement of procedures and introduction of pre-filed exhibits by the Examiner; a presentation by the applicant/appellant which shall include an explanation of the request, explanation of relevant visual aids (maps or plans), and a discussion of the reasons why the application/appeal should be approved/granted; testimony of any public agencies, including the Staff; testimony by the public; and opportunity for rebuttal.
- b) All testimony will be taken under oath or affirmation administered by the Examiner. Any potential witness who declines to be sworn in shall be barred from testifying, except that attorneys who will not be offering testimony will not be required to be sworn in.
- c) The Examiner may ask questions of any witness, including agency and Staff, at any time during their testimony to seek clarification or elaboration of testimony being given. Further, the Examiner may request submittal of additional information to better make a complete and accurate evaluation of the issues.
- d) The Examiner may indicate, at the outset of the hearing, that she/he has studied the materials relating to the case and has preliminarily determined that there seem to be certain central issues which need to be addressed. The Examiner may request that these issues be addressed in testimony to be offered.
- e) The normal sequence of hearing proceedings shall be as follows:

Project Permit Hearings	Combined Project Permit and Appeal Hearings	Enforcement Appeal Hearings	All Other Appeal Hearings
Introduction by Examiner	Introduction by Examiner	Introduction by Examiner	Introduction by Examiner
Direct Testimony & Evidence Applicant City Staff General Public	Direct Testimony & Evidence Applicant – on the merits Appellant – on the appeal & merits Respondent (Agency) – on the appeal & merits General Public	Direct Testimony & Evidence Respondent (Agency) Appellant General Public	Direct Testimony & Evidence Respondent (Agency) Appellant General Public

Exhibit 3

Rebuttal Testimony & Evidence Applicant City Staff General Public	Rebuttal Testimony & Evidence Applicant Appellant Respondent (Agency) General Public	Rebuttal Testimony & Evidence Respondent (Agency) Appellant General Public	Rebuttal Testimony & Evidence Respondent (Agency) Appellant General Public
Closing Statements (Optional) City Staff Applicant	Closing Statements (Optional) Applicant Respondent (Agency) Appellant	Closing Statements (Optional) Appellant Respondent (Agency)	Closing Statements (Optional) Appellant Respondent (Agency)

- f) The Examiner reserves the right to abbreviate the normal sequence of events at a hearing when it appears that no one’s rights would be infringed upon by such abbreviation and that detailed exposition of the facts is not necessary to the Examiner’s understanding of the case. The Examiner also reserves the right to vary from the normal sequence of events in order to ensure due process and/or for convenience or efficiency.
- g) Each public hearing will be recorded in analog or digital format or taken by a certified court reporter to preserve a verbatim record of the proceedings. Where necessary to acquire a good-quality recording, all parties wishing to offer verbal testimony may be required to speak into a microphone provided for that purpose. All hearing participants shall preface their remarks with their full name and the spelling of their last name. Hearing recordings will be retained by the City as required by state law/rule. Hearing recordings may be destroyed, erased, deleted, or otherwise disposed of at the City's convenience after the end of the retention period.

306 Format – Closed Record Hearings

The format for closed record appeal hearings is similar to that for open record hearings, with one major exception: Parties are allowed to present only argument, not new evidence or testimony. Unless otherwise specified by the Examiner, presentation of argument in closed record appeal hearings shall follow the sequence for “All Other Appeal Hearings” under Rule 304(e) except that there can be no testimony or evidence submitted. Argument will not be taken under oath or affirmation. In all other respects, the provisions of Rule 304 will apply.

308 Clerk

The City shall provide a clerk during hearings. It shall be the responsibility of the clerk to maintain the register of parties of record, to mark exhibits, to keep a list of exhibits and witnesses, and to perform such other ministerial duties as may be assigned by the Examiner.

312 Rights of Parties

- a) General. Every hearing participant shall have all rights essential to a fair hearing. The Examiner may impose reasonable limitations on the number of witnesses heard and on the nature and length of their testimony. Where time limits are imposed, time is not cumulative and may not be given or traded to any other party. Testimony shall be concise and non-repetitious.
- b) Cross-Examination
 - 1) Cross-examination generally is not necessary to the Examiner’s fact-finding process. However, the Examiner may allow cross-examination when (A) the hearing involves

distinctly adversarial characteristics; (B) expert witnesses are called; and/or (C) complex, technical and disputed factors are involved. Cross-examination of non-expert witnesses expressing a personal opinion or concern will not be allowed except in extraordinary circumstances.

- 2) When allowed, cross-examination by principal parties of expert witnesses (which term includes public agency staff) and of principal party witnesses will be in accordance with these guidelines. Only one person representing each principal party may cross examine any given witness. (This Rule does not prevent different persons representing one party from cross examining different witnesses. It only prohibits more than one person representing a given party from cross examining a single witness.) Cross-examination after any re-direct testimony shall be limited strictly to the subject(s) of the re-direct testimony.
- 3) Subject to the above guidelines, the allowance and scope of cross-examination is within the discretion of the Examiner.

316 Evidence

- a) Burden of Proof The applicant/appellant shall have the burden of proof as to material factual issues except: in code enforcement proceedings where the City has the burden of proving the violation; and except where applicable City code provisions or state law provide otherwise.
- b) Admissibility The hearing generally will not be conducted according to technical rules relating to evidence and procedure. Any relevant evidence shall be admitted if it is the type that possesses probative value commonly accepted by reasonably prudent people in the conduct of their affairs. Irrelevant, immaterial, unreliable, or unduly repetitious evidence may be excluded. The rules of privilege shall be effective to the extent recognized by law.
- c) Pre-filed Exhibits The Examiner shall enter Exhibits pre-filed in accordance with Rules 220 and 224 into the record at the outset of the open record hearing.
- d) Formal Submittal of Evidence Hearing participants may submit documentary evidence to the record during their direct and rebuttal portions of the open record hearing (subject to the restrictions of Rules 216 and 224). A copy of each item offered for submission by a principal party shall be provided by the offering party to all other principal parties (unless previously disclosed through the pre-filing process under Rule 224 in appeal cases). Such evidence will be marked as exhibits when accepted for entry by the Examiner.
- e) Handling of E-mail, Facsimile Transmittals, and Hand Deliveries to the City Neither the City nor the Examiner shall be responsible for ensuring that E-mail, facsimile transmittals, and post- and hand-delivered documents received after 8:00 a.m. on the day of hearing are entered into the hearing record. Persons submitting such documents are responsible for ensuring such entry. The originator of an E-mail or facsimile transmittal is solely responsible for insuring that the transmittal was successfully and timely received by the City/Examiner.
- f) Receipt and Retention All documentary or other physical evidence submitted shall be sequentially numbered as exhibits and retained by the City as a part of the official case record, except City codes, laws, comprehensive plans or other readily available public documents. Materials which the offering

party is not willing to have become City property will not be accepted as evidence except, at the discretion of the Examiner, in unusual circumstances.

- g) Oversize, Mounted, and Three Dimensional Models Reduced scale/size copies and/or copies which can easily be folded for storage in a legal sized file folder are preferred whenever oversized and mounted documents are used for display purposes at hearing. Three dimensional models may not be used in presentations unless the offering party has color photographs of the model to offer as evidence.
- h) Copies Documentary evidence may be received in the form of copies or excerpts. Upon request, parties shall be given an opportunity to compare the copy with the original.
- i) Official Notice The Examiner may take official notice of judicially cognizable facts and in addition may take notice of general, technical, or scientific facts within her/his specialized knowledge. When any decision of the Examiner rests in whole or in part upon the taking of official notice of a material fact not appearing in evidence of record, the Examiner shall so state in her/his decision. Appellate court decisions and adopted state and local laws, ordinances, motions, policies, plans, and other similar documents in the public domain may be referenced, cited, quoted, and relied upon.
- j) Evidence received subsequent to the hearing No documentary material submitted after the close of the open record hearing will be considered by the Examiner unless, at such hearing, the Examiner granted additional time to submit such material and stated on the record that the hearing record was left open for such receipt.
- k) Updating of Exhibit List The City shall be responsible for updating the initial exhibit list to include all additional materials admitted during the hearing process.

320 Optional Written Closing Statement Process

- a) A written closing statement process may be established by the Examiner upon the request of one or more of the principal parties. Establishment of such a process may be dependent upon execution by the applicant (or appellant where there is no underlying applicant) of a waiver of decision time line to provide for the time required for the submittal of written closing statements.
- b) Any principal party may request establishment of a written closing statement process. Any such request must be made prior to the close of the open record hearing. The written closing statement submittal schedule shall be established either at a prehearing conference or before the close of the open record hearing.
- c) When employed, the written closing statement process shall take the place of the oral closing statement portion of the open record hearing. (See Rule 304(e).)
- d) Written closing statements shall be submitted in the same order as oral closing statements would have been offered. (See Rule 304(e).) The first written closing statement will be due one week after the close of the hearing; the remaining statements will be due at one week intervals thereafter. All written closing statements will be entered as exhibits in the hearing record. No new evidence may be presented in a closing statement. The hearing record shall close upon receipt of the last closing statement or upon expiration of the period for submittal of closing statements, whichever occurs first.

Exhibit 3

- e) No principal party shall be compelled to produce a written closing statement. Non-submittal of a written closing statement before the established deadline shall not be held against the party which did not submit the statement. The running of a time period without submittal of the expected closing statement(s) shall constitute a waiver of the right to submit a statement by the principal party who fails to submit the statement.
- f) Special procedures and timing may be established where to do so would serve the interests and preserve the due process rights of the parties.

324 Examiner's Power to Maintain Order During Hearing

- a) The Examiner shall have the power to maintain order and decorum during the conduct of all hearings before her/him. The Examiner may remove or have removed from the hearing room any person whose conduct is interrupting the hearing.
- b) In the event that any person or persons interrupt any hearing before the Examiner such that it becomes impossible to conduct an orderly hearing and order cannot be restored by removal of the individuals interrupting the hearing, the following steps may be taken:
 - 1) The Examiner may order the hearing room cleared and continue in session; or,
 - 2) The Examiner may adjourn the hearing and reconvene the hearing at another location.
- c) Whenever the Examiner deems it necessary to reconvene a hearing in a new location because of interruptions preventing an orderly hearing at the regular hearing room location:
 - 1) Final disposition may only be taken on matters appearing on the agenda at the time the disturbance arose leading to an adjournment.
 - 2) The Examiner may establish a procedure for re-admitting any persons not responsible for the disturbing of the orderly conduct of the hearing.
- d) If necessary, law enforcement officers may be summoned by the Examiner to carry out any of the provisions of this Rule and to maintain law and order.

PART 400 POSTPONEMENT OF HEARINGS

404 Postponement Due to Examiner or City Staff Unavailability

If the Examiner or City Staff cannot be present for a previously scheduled hearing due to illness or other unforeseen event, the Staff may reschedule such hearing for another date. Where the Examiner's or Staff's absence can be foreseen some days in advance, the Staff shall make a reasonable attempt to notify applicants/appellants and all others who received notice of the hearing of the new date, time, and place of the hearing. The Staff shall post a cancellation notice on the day of the scheduled hearing on the hearing room door. Where the absence becomes known only at the last minute, such posting alone will suffice for notice of the schedule change.

408 Postponement –of Project Permit Application Hearings

Exhibit 3

- a) Requests for postponement may be made by the City for good cause or by the applicant. Postponement requests made before the scheduled hearing has been convened must be filed in writing with the City. The City shall promptly FAX or E-mail the request to the Examiner.
- b) Once a project permit application hearing has been scheduled and public notice has been given, the Examiner will grant a postponement request only if the Staff has adequate time and resources (and is willing) to send timely cancellation notices to all persons who were sent the initial hearing notice. A cancellation notice is “timely” only if mailed three or more days prior to the date of the scheduled hearing. If timely cancellation notices are not sent, the Examiner will convene the scheduled hearing.
- c) Postponement will not be granted where to do so would violate any state or City procedural time lines, such as deadlines for bringing a matter to hearing or issuing a decision, unless the applicant agrees in writing to waive such time lines.
- d) A postponement granted under this Rule 408 shall be noticed in accordance with SMC 20.10.180(1).

412 Postponement of Administrative Appeal Hearings

- a) Only the appellant and/or respondent may request postponement. Postponement requests made before the scheduled hearing has been convened must be filed in writing with the City. The City shall promptly FAX or E-mail the request to the Examiner.
- b) The Examiner will grant a postponement request in combined project permit application and appellate proceedings filed jointly by the principal parties only if the Staff has adequate time and resources (and is willing) to send timely cancellation notices to all persons who were sent the initial hearing notice. A cancellation notice is “timely” only if mailed three or more days prior to the date of the scheduled open record hearing. A new hearing date and time will be set in consultation with the parties. If timely cancellation notices are not sent, the Examiner will convene the scheduled hearing.
- c) The Examiner will grant postponement requests filed jointly by the principal parties in all other appellate proceedings.
- d) The Examiner will not grant *ex parte* postponement requests except in extraordinary circumstances.
- e) Postponement will not be granted where to do so would violate any state or City procedural time lines, such as deadlines for bringing a matter to hearing or issuing a decision, unless the applicant (or appellant where there is no underlying applicant) agrees in writing to waive such time lines.
- f) A postponement granted under this Rule 412 shall be noticed in accordance with SMC 20.10.180(2).

416 Continuation or Postponement at Hearing

- a) The Examiner may continue or postpone proceedings for any good cause she/he deems reasonable and appropriate within the time limits imposed by relevant ordinances. If the Examiner determines at a hearing that there is good cause to continue or postpone such proceeding and specifies the date, time, and place on the record, no further notice is required.
- b) Continuation/postponement will not be granted where to do so would violate any state or City procedural time lines, such as deadlines for bringing a matter to hearing or issuing a decision, unless

the applicant (or appellant where there is no underlying applicant) agrees in writing or orally on the record to waive such time lines. In all cases subject to a 90-day or 120-day decision time limit, continuances/postponements shall be made to the soonest available date and time of hearing room and Examiner availability and shall in no case extend beyond Day 75 of the 90-day time limit or Day 105 of the 120-day time limit, whichever applies, unless such waiver is granted.

420 Extension of Continuation/Postponement Dates

- a) When a hearing has been continued or postponed to a date and time certain, the Examiner may administratively cancel the established hearing date and further continue or postpone the hearing as follows:
 - 1) The request must be made in writing by the applicant/appellant, must be received by the City not less than 30 days prior to the established hearing date, and must state why a further delay is desired.
 - 2) The Staff must assure the Examiner that the City has adequate time and resources (and is willing) to send timely cancellation notices to all persons who were sent the initial hearing notice and to all parties of record. A cancellation notice is “timely” only if mailed three or more days prior to the date of the scheduled open record hearing.
 - 3) The Examiner will grant or deny the request in writing based upon consideration of the public interest impacts of the request. A copy of the Examiner’s action will be sent to the applicant/appellant and to the Staff.
- b) When a hearing has been continued or postponed indefinitely subject to a “Not Later Than” (NLT) date, the Examiner may administratively grant extensions of the NLT date as follows:
 - 1) The request must be made in writing by the applicant/appellant and must state why a further delay is desired.
 - 2) The request must be received by the Examiner: not less than 30 days prior to the NLT date; and prior to the distribution of notice of the date, time and place for the continued/postponed hearing.
 - 3) The Examiner will grant or deny the request in writing based upon consideration of the public interest impacts of the request. A copy of the Examiner’s action will be sent to the applicant/appellant and to the Staff.
- c) A cancellation, continuance or postponement of a project permit application hearing made under this Rule 420 shall be noticed in accordance with SMC 20.10.180(1). A cancellation, continuance or postponement of an administrative appeal hearing made under this Rule 420 shall be noticed in accordance with SMC 20.10.180(2).

PART 500
RECONSIDERATION AND CLERICAL CORRECTIONS

504 Reconsideration

Exhibit 3

- a) Reconsideration requests shall conform to the requirements of SMC 2.10.260. Reconsideration requests must be filed in writing with the City Clerk's Office within ten (10) days of the date of the Examiner's Decision. Untimely filed requests will not be considered. A request for reconsideration filed by the applicant/appellant shall be considered an extension of time mutually agreed for the purposes of timely permit processing.
- b) Requests for reconsideration must: include the name, mailing address, and daytime telephone number of the petitioner; identify the specific findings, conclusions, actions, and/or conditions for which reconsideration is requested; specify upon which of the grounds listed in SMC 20.10.260(1) the requestor relies; and describe the specific relief requested.
- c) The City shall E-mail or FAX requests for reconsideration to the Examiner within one business day of filing. The Examiner may consolidate for action, in whole or in part, multiple requests for reconsideration of the same decision where to do so would facilitate procedural efficiency.
- d) The Examiner shall dispose of reconsideration requests in writing. The Examiner may, at his/her discretion:
 - 1) Deny the request.
 - 2) Issue an amended decision after reconsideration.
 - 3) Issue an order giving all parties of record an opportunity to submit written comments responding to the reconsideration request(s). No written comments will be accepted until requested by the Examiner. Where comments are desired, the Examiner shall issue an order allowing parties of record 10 working days after mailing of the order to submit written comments. City staff shall mail a copy of the order and the reconsideration request(s) to all parties of record. Within 14 days after close of the comment period, the Examiner shall act in accordance with (1), (2), or (4) herein.
 - 4) Issue an order to reopen the open record hearing to consider new evidence, proposed changes in the application, and/or the arguments of the parties. Except in extraordinary circumstances, a reopened hearing shall be convened within 30 days of the issuance of the order. Notice of the reopened hearing date (which may, at the Staff's option, be the order itself) shall be mailed by the City to all parties of record not less than 10 days prior to the date of the hearing. The reopened hearing shall be limited to the matters contained within the reconsideration request(s). Within 14 days after close of the reopened hearing, the Examiner shall act in accordance with (1) or (2) herein.
- e) A reconsideration request for which one of the actions specified in Rule 504(d) has not been taken within 10 days of close of the reconsideration period shall be deemed to have been denied.
- f) The Examiner's action following reconsideration is not subject to further requests for reconsideration.

508 Clerical Corrections

The Examiner may correct obvious clerical errors in decisions on his/her own initiative or in response to a request from a party of record. Clerical corrections are limited to those clearly identifiable from the public

record. Issuance of a clerical correction has no effect upon any time limit provided under code or these Rules.

PART 600
MISCELLANEOUS PROVISIONS

604 Summary Orders on Remand

- a) When an Examiner decision has been remanded in whole or in part by an appellate body, and when the remand order either does not require or bars the taking of additional testimony or evidence, and when the Examiner believes that the record provides an adequate basis to rule on the remanded issue(s), then the Examiner shall issue a written summary order without further hearing.
- b) Summary orders shall be sent to all persons who received the original decision.
- c) Summary orders shall have the same legal effect as did the original decision except as to any code-established limits on appeal.

608 Case Record - Content

The official case record of a hearing conducted by the Examiner shall consist of:

- a) A written case record including all documentary written materials and other exhibits submitted for consideration by the Examiner and the Examiner's decision(s), together with the register of parties of record and the list of exhibits and witnesses maintained by the clerk.
- b) An analog or digital recording of the open record hearing. Where a qualified court reporter retained by the City reports the hearing, the reporter's transcript of proceedings shall constitute the official transcript of the oral proceedings.

612 Case Record - Disposition

The integrity of all materials which have become a part of the case record shall be maintained. The City is responsible for retention of the official case record as required by law.

616 Recusal of Examiner

- a) When the Examiner deems her/himself disqualified to preside in a particular proceeding, she/he shall withdraw by notice on the record as soon as the need for recusal becomes known/apparent to the Examiner.
- b) Any person may request recusal of the Examiner in a particular case. Such a request shall be raised as soon as the basis for disqualification is known to the person and shall state the grounds for the request with as much specificity as possible.
- c) The Examiner's decision on a recusal request shall be documented in writing and placed in the relevant case file (preferably as a marked exhibit whenever possible) or delivered orally during the open record hearing.

Exhibit 3

- d) If, after considering the merits of a recusal request, the Examiner determines not to recuse her/himself, the raising of such request shall in no way be considered by the Examiner in rendering a decision on the substantive case at hand.

620 Withdrawal of Applications/Appeals

- a) Withdrawal of an application/appeal shall be made by the applicant/appellant in writing, except as provided herein, and shall be accepted in the following manner:
 - 1) Withdrawal Prior to Publication of Public Hearing Notice The applicant/appellant shall notify the Staff, which shall place the withdrawal in the official case file. No further action by the City is necessary.
 - 2) Withdrawal after Issuance of Public Hearing Notice but prior to Open Record Hearing The applicant/appellant shall notify the City which shall place the withdrawal in the official case file. The City shall forthwith notify the Examiner of the withdrawal. Where sufficient time and resources are available, a copy of the withdrawal may be mailed by the City to all persons to whom the notice of hearing was mailed. The scheduled hearing shall be automatically canceled.
 - 3) Withdrawal at the Open Record Hearing The Examiner shall orally accept withdrawals made during the open record hearing. Withdrawal shall be documented by issuance of a written order which shall be placed in the official case file.
 - 4) Withdrawal after the Open Record Hearing but Prior to Decision Issuance The applicant/appellant shall notify the City which shall place the withdrawal in the case file. The City shall forthwith notify the Examiner of the withdrawal. The City shall mail a copy of the withdrawal to all parties of record.
- b) No appeal from a withdrawal is authorized. Withdrawal terminates City consideration of the application/appeal.

624 Mediation

Subsection 20.10.250(2) SMC incorporates into the SMC the Chapter 35.63 RCW requirement for mediation before filing judicial appeals in certain types of land use cases. The Examiner cannot ethically provide mediation in cases which he/she has heard and decided. Therefore, parties desiring mediation shall make their own arrangements with any qualified mediator of their choice.



Meeting Date: March 28, 2017

Date Submitted: 4/4/2017

Originating Department: Admin Services

Clearances:

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> Attorney | <input type="checkbox"/> Community Development | <input type="checkbox"/> Public Safety |
| <input checked="" type="checkbox"/> Admin Services | <input type="checkbox"/> Finance & IT | <input type="checkbox"/> Public Works |
| <input checked="" type="checkbox"/> City Manager | <input type="checkbox"/> Parks & Recreation | |

Subject: Resolution: Amending Council Rules of Procedures regarding Public Comment

Action Required: Adopt resolution

- Exhibits:**
1. Draft Ordinance
 2. Public Comment Ad Hoc Task Force Recommendation

Budget: Not Applicable

Summary Statement:

Adoption of the attached resolution will modify the procedures for public comment at City Council meetings.

Background:

In recent years, the duration of public comment during City Council meetings has increased dramatically. The amount of time required for public comment, along with other factors, has contributed to a fairly consistent pattern of Council meetings running late into the evening. More importantly, it has meant that Council must wait until much later in the evening to take up substantive and complex policy discussions and decisions, which appear later on the Council agenda. The City Council values public comment. In proposing changes to the public comment process, the City Council is looking to balance the time allocated for public comment with the time required for Council to appropriately engage in policy discussions to help shape the direction of the City.

This issue was discussed at the January Council Retreat and an Ad Hoc Task Force was appointed to study the situation and develop alternative processes. The Task Force presented three options at the February 13, 2017, Study Session as outlined in Exhibit 2. The three options were considered again at the March 7, 2017, Regular Meeting where Council directed staff to make the following changes to their Rules of Procedures:

1. 30 minutes will be allowed for public comment and will be posted on the agenda at the beginning of both Regular Meetings. The presiding officer has the ability to extend public comment by an additional 30 minutes, if needed. If there is additional comment after the hour, it will be heard at the end of the meeting up to 10:00 PM.

2. 30 minutes will be allowed for public comment and will be posted on the agenda at the beginning of the second Study Session of the month. Comment is limited to topics on the agenda.
3. No public comment will be allowed at the first study session of the month.
4. 3 minutes per person or 5 minutes for a recognized community group will be allowed.
5. The presiding will encourage collaboration among speakers addressing a similar subject matter and will group the topics by category so that there is continuity of subject matter.

If the new process does not result in the desired outcomes, the City Council is free to make any additional changes as they see necessary.

Financial Impact: N/A

Recommended Motion: Motion to approve the resolution modifying the process for public comment.

**CITY OF SAMMAMISH
WASHINGTON
RESOLUTION NO. R2017-**

**A RESOLUTION OF THE CITY OF SAMMAMISH,
WASHINGTON, REVISING THE RULES OF PROCEDURE
FOR THE CITY COUNCIL**

WHEREAS, Chapter 35A.11 RCW gives the City Council of each code city the power to organize and regulate its internal affairs within the provisions of Title 35A RCW; and

WHEREAS, the City Council has adopted rules and procedures to assist in the conduct of City business; and

WHEREAS, the City Council wishes to revise its current Council Rules;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAMMAMISH, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. Framework. The following rules shall constitute the official rules of procedure for the Sammamish City Council and all prior rules are hereby superseded:

- A. All Council Meetings shall comply with the requirements of the Open Meetings Act (RCW Chapter 42.30). All Regular Business Meetings, Special Meetings and Regular Study Sessions of the Council shall be open to the public; and
- B. In all decisions arising from points of order, the Council shall be governed by Robert's Rules of Order (most current edition), a copy of which is maintained in the office of the Sammamish City Clerk.

Section 2. Meetings.

- A. Regular Business Meetings Dates, Times. All regular meetings of the City Council shall be held at the times and locations specified by applicable ordinances and resolutions of the Council.
- B. Meetings.
 - 1. *Regular Business Meetings.* All regular meetings of the City Council shall be held on the First Tuesday and Third Tuesday of each month beginning at 6:30 pm.
 - 2. *Regular Study Sessions.* Regular study sessions of the City Council shall be held on the First Monday of each month beginning at 4:30 p.m. and ending at 6:30 p.m., and also on the Second Tuesday of each month

beginning at 6:30 pm. Departmental work program updates should be included on a Study Session agenda on a quarterly basis.

3. Should any meeting date occur on a legal holiday, the meeting shall be held on a day, time and place established by a majority vote of the Council. Regular Study Sessions will normally be informal meetings for the purpose of reviewing: the upcoming Regular Business Meeting preliminary agenda; forthcoming programs and future Council agenda items; progress on current programs or projects; or other information the City Manager feels is appropriate. Under special circumstances, final action may be taken at a Regular Study Session.
 4. *Special Meetings.* Special Meetings may be held by the Council subject to notice requirements prescribed by State law. Special Meetings may be called by the Mayor, Deputy Mayor, or any four members of the City Council by written notice delivered to each member of the Council at least twenty-four hours before the time specified for the proposed meeting. The notice of such Special Meetings shall state the subjects to be considered, and no subject other than those specified in the notice shall be considered.
 5. *Executive Sessions.* The Council may hold Executive Sessions from which the public may be excluded, for those purposes set forth in RCW 42.30.110. Before convening an Executive Session, the Presiding Officer shall announce the purpose of the Session and the anticipated time when the Session will be concluded. Should the Session require more time, a public announcement shall be made that the Session is being extended.
 6. *Meeting Place.* Council Meetings will be held at Sammamish City Hall, located at 801 228th Avenue SE, Sammamish, Washington, 98075, or as otherwise directed by the Council and properly noticed.
 7. *Public Notice.* The City shall comply with the provisions of RCW 35A.12.160.
 8. *Adjournment.* Council Meetings shall adjourn no later than 10:00 pm. The adjournment time established thereunder may be extended to a later time certain upon approval of a motion by a majority of the Council. Any Councilmember may call for a "Point of Order" at 9:30 p.m. to review agenda priorities.
- C. Attendance, Excused Absences. Members of the Council may be excused from attending a City Council meeting by contacting the Mayor prior to the meeting and stating the reason for his or her inability to attend. If the member is unable to contact the Mayor, the member shall contact the City Manager or City Clerk, who

shall convey the message to the Mayor. Following roll call, the Presiding Officer shall inform the Council of the member's absence, state the reason for such absence, and inquire if there is a motion to excuse the member. This motion shall be non-debatable. Upon passage of such motion by a majority of members present, the absent member shall be considered excused and the City Clerk will make an appropriate notation in the minutes. Councilmembers who do not follow the above process will be considered unexcused and it shall be so noted in the minutes. As set forth in RCW 35A.13.020 and RCW 35A.12.060, a council position shall become vacant if a Councilmember fails to attend three consecutive regular meetings of the City Council without being excused by the City Council.

D. General Decorum.

1. While the Council is in session, the members must preserve order and decorum, and a member shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Council, nor disrupt any member while speaking, nor refuse to obey the orders of the Council or the Mayor, except as otherwise provided in these Rules.
2. Any person making disruptive, impertinent, or slanderous remarks or who becomes boisterous while addressing the Council shall be asked to leave by the Presiding Officer and barred from further audience participation before the Council for that meeting.

E. Quorum. At all Council Meetings, a majority of the Council (four members) shall constitute a quorum for the transaction of business, but a lesser number may adjourn from time to time and may compel the attendance of absent members in such manner and under such penalties as may be prescribed by ordinance.

F. Voting. The votes during all Council Meetings shall be conducted as follows:

1. Unless otherwise provided for by statute, ordinance, or resolution, all votes shall be taken by voice, except that at the request of any Councilmember, a random roll call vote shall be taken by the City Clerk or the Presiding Officer may call for a show of hands. In order to maintain an accurate record of all votes of the City Council, the City Clerk shall record by name in the meeting minutes any Councilmember who casts a vote against a motion or other matter.
2. The passage of any ordinance, grant or revocation of franchise or license, and any resolution for the payment of money shall require the affirmative vote of at least a majority of the whole membership of the council.
3. In case of a tie vote on any motion, the motion shall be considered lost.
4. Each Councilmember shall vote on all questions put to the Council, unless a conflict of interest or other disqualifying matter under State law is present.

Unless a member of the Council states that he or she is abstaining for the above reasons, his or her silence shall be recorded as an affirmative vote.

Section 3. Order of Business.

A. Agenda and Council Packet Preparation.

1. The City Clerk, under direction of the City Manager, will prepare a preliminary agenda for each Council Meeting specifying the time and place of the meeting and setting forth a brief general description of each item to be considered by the Council. The preliminary agenda is subject to review by the Presiding Officer.
2. An item for a Regular Business Council Meeting may be placed on the preliminary agenda by a majority vote or consensus of the Council, by the Mayor or Deputy Mayor in the absence of the Mayor, by the City Manager, or by any three Councilmembers who so advise the Mayor and City Manager no later than close of business on the Wednesday preceding such Regular Business Council Meeting.
3. An item may be placed on the preliminary agenda for a Regular Business Council Meeting after the preliminary agenda is finalized only if a Councilmember or the City Manager explains the necessity for placing the item on the agenda and receives a majority vote of the Council to do so.
4. Legally required advertised public hearings will have a higher priority over other agenda items scheduled for convenience rather than for statutory or other reasons.
5. Agenda items that are continued from one meeting to another will have preference on the agenda to the extent possible.
6. It is the intent of the City Council that council procedures be periodically reviewed as needed.

B. Consent Calendar.

1. The City Manager, in consultation with the Presiding Officer, shall place matters on the Consent Calendar which (a) have been previously discussed by the Council, or (b) based on the information delivered to members of the Council, by the administration, can be reviewed by a Councilmember without further explanation, or (c) are so routine or technical in nature that passage is likely.
2. The motion to adopt the Consent Calendar shall be non-debatable and have the effect of moving to adopt all items on the Consent Calendar. Since adoption of any item on the Consent Calendar implies unanimous consent, any member of

the Council shall have the right to remove any item from the Consent Calendar. If any matter is withdrawn, the Presiding Officer shall place the item at an appropriate place on the agenda for deliberation at the current or future Council Meeting.

C. Public Comment and Testimony.

The Council will take public comment or testimony as follows:

1. 30 minutes will be allowed for public comment and will be posted on the agenda at the beginning of both Regular Meetings. The presiding officer has the ability to extend public comment by an additional 30 minutes, if needed. If there is additional comment after the hour, it will be heard at the end of the meeting up to 10:00 PM.
2. 30 minutes will be allowed for public comment and will be posted on the agenda at the beginning of the second Study Session of the month. Comment is limited to topics on the agenda.
3. No public comment will be allowed at the first study session of the month.
4. 3 minutes per person or 5 minutes for a recognized community group will be allowed.
5. The presiding will encourage collaboration and will group the topics by category so that there is continuity of subject matter.

~~at the Regular Business Meeting during a Public Hearing or during the Public Comment period for no more than three minutes, or no more than five minutes when presenting the official position of a recognized organization. The Presiding Officer shall retain the discretion to implement measures designed to accommodate all who wish to address the City Council, while also ensuring that sufficient meeting time remains for the City Council to complete all of the public's other business included on the meeting agenda. Depending on the circumstances, such measures may include but are not necessarily limited to amending the amount of time available to speakers (e.g., not more than two minutes), recessing a Public Hearing or Public Comment period to later on that meeting's agenda, and similar measures designed to ensure an appropriate balance between the public's right to be heard on a particular matter and the Council's obligation to complete all of the public's other business included on a meeting agenda.~~

~~If a person appearing before the Council has more than one matter to bring up before the Council, that person, after speaking on one matter, will be given an opportunity to bring up other matters after other speakers have been given the opportunity to address the City Council.~~

6. The Presiding Officer may ask the rest of the Councilmembers if they have any questions before being excused. After a citizen (or group of citizens) has made public comment, the Presiding Officer will respond to the citizen or group with one of the following actions:

~~1.a.~~ The commentator will be thanked for his/her input if it is a comment only;

~~2.b.~~ Staff will be directed to follow up if an administrative answer or problem resolution is required;

~~3.c.~~ The commentator will be requested to provide more information in writing to the City Clerk if further information is needed to clarify or formalize a request. This information will be distributed to the Council before the next Regular Business Meeting or Regular Study Session;

~~4.d.~~ The item will be referred by the Presiding Officer to the City Manager for scheduling on a future Regular Study Session Agenda or a Regular Business Meeting Agenda; or

~~5.e.~~ The item will be placed on that night's agenda if it is an emergency or is driven by an imminent due date.

The decision as to which alternative to use will be at the discretion of the Presiding Officer. The Presiding Officer will verbalize a reason for his/her choice. After the Presiding Officer's decision, any Councilmember may make a motion to select one of the other alternatives. If the motion is seconded, it will be discussed and voted upon. Should the motion fail, the Presiding Officer may use the previously chosen alternative or may select a different one, again providing a verbal reason.

~~7. 6.~~ Identification of Speakers. Persons testifying shall identify themselves for the record as to name, address and organization.

~~6.8.~~ Instructions for Speakers. An instruction notice for speakers will be available at the meeting. Speakers will be advised by the Presiding Officer that their testimony is being recorded.

D. Rules for Public Testimony during Public Hearings.

The following rules shall be observed during any Public Hearing:

1. Individuals will be allowed three minutes to speak, or five minutes when presenting the official position of a recognized organization, and each organization shall have only one five-minute presentation. If a speaker purports to speak for an organization, club or other so as to lead the Council to believe that a number of persons support a position, then such person shall state how that position was developed by the group.

2. The City Clerk shall be the timekeeper.

Section 4. Duties and Responsibilities for Councilmembers.

A. Councilmember Job Description.

The principal job of a City Councilmember is to make policy. Policy making often takes the form of passing ordinances or resolutions. Councilmembers should base their policy making decisions on many factors after considering input from many sources, including the city staff, citizen's groups, advisory commissions and others. It is the councilmember's responsibility to consider the merits of each idea and then approve, modify, or reject it. Councilmembers should also consider community needs and available resources when making their decisions. It is the job of the City Manager and staff to implement the policies set by the City Council.

B. Public Statements.

Any member of the Council has a right to express personal views and opinions. However, statements representing the views or decisions of the Council must be authorized by a majority or consensus of the Council. Minority views or positions may be conveyed as well.

C. Ethics Laws.

State law provides a specific code of ethics for city officials. RCW 42.23.070 prohibits a municipal official from:

1. Using his position to secure special privileges or exemptions for himself or others.
2. Directly or indirectly, giving or receiving any compensation, gift, gratuity, or reward from any sources, except the employing city, for a matter related to the official's services.
3. Accepting employment or engaging in business that the officer might reasonably expect would require him to disclose confidential information acquired by reason of his position.
4. Disclosing confidential information gained by reason of the officer's position, or use of such information for personal gain.

D. Information Sharing.

It is in the public interest that, to the greatest extent possible, all members of the City Council have an opportunity to be aware of and act upon the information that is available to other members.

The City Council places a high value on conducting the public's business in an open and transparent manner. While Councilmembers are not expected to place on the record all contacts with City residents and other stakeholders on every matter, Councilmembers should place on the record all contacts with City residents and other stakeholders on matters about which a Councilmember reasonably believes the other Councilmembers should be apprised. Examples of such matters would include but not be limited to contacts with opposing parties in litigation involving the City, vendors seeking contracts with the City, and matters of similar sensitivity.

E. Confidentiality and Executive Sessions.

Councilmembers must keep confidential all written materials and verbal information provided to them during Executive Sessions to ensure that the City's position is not compromised. Confidentiality also includes information provided to Councilmembers outside of Executive Sessions when the information is considered to be exempt from disclosure under the Revised Code of Washington.

F. Election of Mayor/Mayor Pro Tem.

1. Swearing in of New Councilmembers. New Councilmembers shall be sworn in by a member of the judiciary or by the City Clerk.
2. Pursuant to RCW 35A.13.030, biennially, at the first meeting of the new council, the council shall choose a chair from among their number. The chair of the council shall have the title of mayor and shall preside at meetings of the council. In addition to the powers conferred upon him or her as mayor, he or she shall continue to have all the rights, privileges, and immunities of a member of the council. The mayor shall be recognized as the head of the city for ceremonial purposes. He or she shall have no regular administrative duties. Pursuant to Resolution 2010-398, the council shall select the deputy mayor on an annual basis, using the procedures of this section.
3. The motion to elect the Mayor will be placed on the agenda of the first regular meeting and the election will occur at said meeting.
4. No one Councilmember may nominate more than one person for a given office until every member wishing to nominate a candidate has an opportunity to do so. Nominations do not require a second vote. The Chair will repeat each nomination until all nominations have been made. When it appears that no one else wishes to make any further nominations, the

Chair will ask again for further nominations and if there are none, the Chair will declare the nominations closed. A motion to close the nominations is not necessary. After nominations have been closed, voting for Mayor shall take place in the order nominations were made. Councilmembers will be asked for a voice vote and a raise of hands. As soon as one of the nominees receives a majority vote (four votes), then the Chair will declare him/her elected. No votes will be taken on the remaining nominees. If none of the nominees receives a majority vote, the Chair will call for nominations again and repeat the process until a single candidate receives a majority vote before the Office of Deputy Mayor is opened for nominations. A tie vote results in a failed nomination.

5. In the temporary absence of the mayor, the deputy mayor shall perform the duties and responsibilities of the mayor with regard to the conduct of meetings and emergency business. In the event that the mayor is unable to serve the remainder of his or her term, a new mayor shall be elected at the first regular meeting following the conclusion of the mayor's term. In the event the deputy mayor is unable to serve the remainder of his or her term, a new deputy mayor shall be elected at the first regular meeting following the conclusion of the deputy mayor's term.
6. A super majority vote (5 councilmembers) shall be required to approve a motion to remove the Mayor or Deputy Mayor from office for serious cause.

G. Duties of Mayor and Deputy Mayor.

1. Presiding Officers. The Mayor, or in his or her absence, the Deputy Mayor, shall be the Presiding Officer of the Council. In the absence of both the Mayor and the Deputy Mayor, the Council shall appoint one of the members of the Council to act as a temporary Presiding Officer.
2. Presiding Officer's Duties. It shall be the duty of the Presiding Officer to:
 - A. Call the meeting to order;
 - B. Keep the meeting to its order of business;
 - C. Control discussion in an orderly manner;
 - D. Give every Councilmember who wishes an opportunity to speak when recognized by the chair;
 - E. Permit audience participation at the appropriate times;
 - F. Require all speakers to speak to the question and to observe the rules of order;

G. State each motion before it is discussed and before it is voted upon; and

H. Put motions to a vote and announce the outcome.

3. Presiding Officer, Questions of Order. The Presiding Officer shall decide all questions of order, subject to the right of appeal to the Council by any member.
4. Presiding Officer, Participation. The Presiding Officer may at his or her discretion call the Deputy Mayor or any member to take the chair.
5. Request for Written Motions. Motions shall be reduced to writing when requested by the Presiding Officer of the Council or any member of the Council. All resolutions and ordinances shall be in writing.

Section 5. Advisory Committees and Staff.

A. Appointment to Advisory Bodies.

1. Vacancies may be advertised so that any interested citizen may submit an application. Applicants are urged to be citizens of the City of Sammamish, but applications from residents living outside of the corporate boundaries may be considered if authorized by the resolution or ordinance establishing the advisory body.
2. Appointments to advisory bodies will be made by the City Council during a regularly scheduled meeting.
3. Newly appointed advisory body members will receive a briefing by the commission, committee, or task force chairperson and/or City staff regarding duties and responsibilities of members of the advisory body.
4. Appointees to advisory bodies may be removed prior to the expiration of their term of office by a majority vote of the City Council.

B. Key Staff Duties.

Any City employee shall attend a City Council meeting when requested by the City Manager for clarification or explanation of agenda items.

Section 6. Council Committees/Appointments.

- A. Council committees are policy review and discussion arms of the City Council. Committees may study issues and develop recommendations for consideration by the City Council. Committees may not take binding action on behalf of the City.
- B. Council committee structure shall be as determined by the city council and may

include:

1. Council Committees – Standing Committees established for special purposes, tasks or time frames (three or fewer Councilmembers);
 2. Subcommittees of the City Council – Ad hoc and informal working or study group (three or fewer Councilmembers); and
 3. Councilmember Appointments – To task teams or City Advisory Boards, commissions and committees (three or fewer Councilmembers).
- D. The Chair of any Council Committee or Subcommittee, and the City’s representative to any external Board or Commission (e.g., Eastside Transportation Partnership), shall provide a written report to the City Council within a reasonable time after each meeting of a Committee, Subcommittee, or other External Body.

Section 7. Effect/Waiver of Rules. These rules of procedure are adopted for the sole benefit of the members of the City Council to assist in the orderly conduct of Council business. These rules of procedure do not grant rights or privileges to members of the public or third parties. Failure of the City Council to adhere to these rules shall not result in any liability to the City, its officers, agents, and employees, nor shall failure to adhere to these rules result in invalidation of any Council act. The City Council may, by a majority vote, determine to temporarily waive any of the provisions herein.

PASSED BY THE CITY COUNCIL OF THE CITY OF SAMMAMISH, WASHINGTON, AT A REGULAR MEETING THEREOF THIS 7th DAY OF FEBRUARY, 2017.

CITY OF SAMMAMISH

Mayor Donald J. Gerend

ATTEST/AUTHENTICATED:

Melonie Anderson, City Clerk

Approved as to form:

Exhibit 1

Michael R. Kenyon, City Attorney

Filed with the City Clerk: January 30, 2017

Passed by the City Council:

Resolution No.: R2017-



Memorandum

Date: February 8, 2017

To: City Council

From: Lyman Howard, City Manager

Re: Report from the Ad Hoc Public Comment Task Force

The ad hoc council/staff task force of Tom Hornish, Kathy Huckabay and Lyman Howard met on Feb 1st to review and discuss public comment policies and procedures recommendations/options for our Council to Consider.

We reviewed the practices of our peer cities including Issaquah, Kirkland, Mercer Island, Bothell, Redmond and Bellevue and discussed options and best practices.

Our Calendar will normally consist of the following:

1st Monday of the Month – Shorter Study Session from 4:30 PM to 6:30 PM

1st Tuesday of the Month – Regular meeting from 6:30 PM to 10:00 PM

2nd Tuesday of the Month – Study Session from 6:30 PM to 10:00 PM

3rd Tuesday of the Month - Regular meeting from 6:30 PM to 10:00 PM

4th Week of the Month – Travel and Prep week for Council and Staff

We looked at both Public Comment at Study Sessions, Regular and Special Meetings.

Study Sessions:

We discovered that Sammamish is the only city offering public comment at Study Sessions. We are recommending that Public Comment not be included on the agenda for study sessions.

Citizens are able to contact the City Council and Staff directly if there is an urgent matter that needs to come to Council or the City Manager's attention.

There is minimal delay from the Monday's (Study Session) to Tuesday's (Regular) meetings.

There is the same delay from the 1st regular meeting of the month to the 2nd regular meeting of the month as there is from the 2nd regular meeting of the month to the 1st regular meeting of the next month.

We will continue to have monthly, council office hours.

We will have a city booth, manned by Councilmembers and Staff at the Farmer's Market

Exhibit 2

We have a number of special projects meeting for public interaction and topical comment

Councilmembers have expressed their willingness to meet with our citizens over coffee or here at city hall via appointments.

Regular and Special Meetings

We are presenting three options for further council consideration:

Option 1 - Recommended

List an estimated time of 30 minutes for public comment on the agenda. Allow the presiding officer the ability to extend it by another 30 minutes if needed. If there is additional comment after the hour, it will be heard at the end of the meeting up to 10:00 PM.

Allow 3 minutes per person or 5 minutes for a recognized community group.

Allow 3 speakers per topic or per side of a topic – encourage collaboration and well-presented ideas

Group the topics by category so that there is continuity of subject matter

Remove the council rule allowing a second opportunity to speak on another topic – the speaker should include that second topic in their initial presentation. This does not apply to or limit the ability to comment at public hearings.

Option 2

Continue to allow public comment until done.

Encourage collaboration by speakers

Encourage the presiding officer to proactively manage the comments

Remove the council rule allowing a second opportunity to speak on another topic – the speaker should include that second topic in their initial presentation. This does not apply to or limit the ability to comment at public hearings.

Option 3

Start Public comment at 8:00 PM or as soon thereafter as practical.

List an estimated time of 30 minutes for public comment on the agenda. Allow the presiding officer the ability to extend it by another 30 minutes if needed. If there is additional comment after the hour, it will be heard at the end of the meeting up to 10:00 PM.

Allow 3 minutes per person or 5 minutes for a recognized community group.

Allow 3 speakers per topic or per side of a topic – encourage collaboration and well-presented ideas

Group the topics by category so that there is continuity of subject matter

Remove the council rule allowing a second opportunity to speak on another topic – the speaker should include that second topic in their initial presentation. This does not apply to or limit the ability to comment at public hearings.



Meeting Date: April 4, 2017

Date Submitted: March 29, 2017

Originating Department: Public Works

Clearances:

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Attorney | <input type="checkbox"/> Community Development | <input type="checkbox"/> Parks & Recreation |
| <input type="checkbox"/> Admin Services | <input type="checkbox"/> Eastside Fire and Rescue | <input type="checkbox"/> Police |
| <input checked="" type="checkbox"/> City Manager | <input type="checkbox"/> Finance & IT | <input checked="" type="checkbox"/> Public Works |

Subject: Issaquah-Fall City Rd – 242nd Ave SE to Klahanie Drive SE

Action Required: Amend the consulting contract with H.W. Lochner Inc. for additional design tasks, detour planning and outreach.

- Exhibits:**
1. Contract Amendment
 2. Scope of Services
 3. Exhibit B Fee Estimate
 4. Memo for Revised Design
 5. Summary Table of Changes

Budget: The total project cost estimate is \$20,800,000. A total of \$17,292,000 is currently authorized in 2017-18 for this project, with \$4,400,000 in 2017 and \$12,892,000 in 2018.

Summary Statement:

This is a contract amendment with H.W. Lochner, Inc. for the design of the Issaquah-Fall City Road Improvement Project. The contract amendment provides for additional design and consulting services including bridge design, additional geotechnical analysis, expanded detour planning and additional public outreach.

Background:

The Issaquah-Fall City Road Improvement Project will widen the corridor between 242nd Ave SE to Klahanie Dr. SE, including two travel lanes in each direction with curb, gutter, sidewalk, landscape/amenity strips and bike lanes. Project construction is anticipated to begin in June 2018 and conclude in 2020.

The City Council approved a contract with H.W. Lochner on March 22, 2016, to design the Issaquah-Fall City Road Project. The original contract included design costs for a culvert for the section of roadway that crosses the North Fork of Issaquah Creek. On Feb 7, 2017, the Sammamish City Council selected the bridge alternative (instead of the culvert) as the preferred design option for the creek crossing. The selection of the bridge option requires additional design work to be performed by the consultant. A

number of other items have also been added to the scope of work including expanded detour planning, additional public outreach and community meetings as further described below.

Additional Design Elements:

- Bridge crossing over the North Fork of Issaquah Creek and urban design details for the bridge
- High-Intensity Activated Crosswalk (HAWK) Beacon and pedestrian ramp to Pacific Cascade Middle School
- Geotechnical analysis for bridge footings, HAWK pole foundations and retaining walls
- Irrigation plans for landscaped roundabout medians
- 30% design review on the 242nd Roundabout with Eastridge Church and their traffic engineer
- Traffic analysis for detour routing including detour traffic impacts
- Public Meeting #4 - Additional meeting on the overall project
- Virtual Town Hall - focused on detour planning
- Public Workshop – to review/discuss detour planning

Project Timeline:

Public Meeting #3	June 8, 2017
30% Design Completion	June 2017
Virtual Town Hall - Detour Planning	September 2017 (date is estimated)
Public Workshop - Detour Planning	September 2017 (date is estimated)
60% Design Completion	September 2017
90% Design Completion	November 2017
Public Meeting #4	January 2018
Project Bid	Feb/March 2018
Begin Construction	June 2018

Financial Impact:

This is a multi-year project, that started in 2016 and anticipated to conclude in 2020. The total project cost estimate is \$20,800,000. The 2017-18 budget is \$17,292,000.

The Council approved a contract with H.W. Lochner on March 22, 2016, in the amount of \$1,650,000. The total contract amendment is \$847,410, bringing the total authorized contract with H.W. Lochner to \$2,497,410. This amended amount is within the budgeted amount of the project.

Recommended Motion:

Motion to authorize the City Manager to execute a contract amendment with H.W. Lochner in the amount of \$847,410, bringing the total contract amount to \$2,497,410.



SUPPLEMENTAL AGREEMENT

Amendment Number: 1	Date: March 29, 2017
Project: Issaquah Fall City Rd – 242 nd Ave SE to Klahanie Drive SE	City Project number: N/A
Consultant: H.W. Lochner, Inc.	Contract Number: C2016-143

The City of Sammamish desires to amend the agreement with H.W. Lochner, Inc. for the Issaquah Fall City Rd – 242nd Ave SE to Klahanie Drive SE project. All provisions in the basic agreement remain in effect except as modified in Exhibit A – Scope of Services.

Additional elements added to the project include:

- 3-span bridge crossing the North Fork of Issaquah Creek
- HAWK Beacon and pedestrian ramp to Pacific Cascade Middle School
- Geotechnical analysis for bridge footings, HAWK pole foundations, and retaining walls
- Irrigation plans for landscaped roundabout medians
- Urban design details for the bridge
- Traffic analysis for detour routing including detour traffic impacts
- Fourth Public Meeting
- Detour Public Workshop
- Detour Online Open House
- 30% design review on the 242nd Roundabout by Eastridge church and their engineer

Original Contract Amount:	Current Contract Amount	Net Change This Amendment	Estimated Contract Total After Change
<u>\$1,650,000</u>	<u>\$1,650,000</u>	<u>\$847,410</u>	<u>\$2,497,410</u>
H.W. Lochner, Inc.		Approved:	
<u>03.29.2017</u> Date		_____ City of Sammamish	_____ Date

Addendum No. 1

Exhibit A Scope of Services

City of Sammamish

Issaquah-Fall City Road Improvements

Prepared for:

City of Sammamish, Washington



Prepared by:

LOCHNER

915 118th Avenue SE, Suite 130
Bellevue, WA 98005

592
08.29.12



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562
05.29.12



EXHIBIT A – SCOPE OF SERVICES

City of Sammamish

Issaquah-Fall City Road Improvements

Lochner Project Number: 000010916

PROJECT DESCRIPTION

This project amendment modifies the scope of work for improving SE Issaquah-Fall City Road to an urban arterial with curb, gutter, sidewalk, bike lanes, landscape strips and a center left turn lane. Additional elements of the project include roundabouts, roadway profile revisions, and spanning the North Fork of Issaquah Creek with a 3-span bridge. The work to be performed by the CONSULTANT will consist of preliminary planning and engineering design for improvements to SE Issaquah-Fall City Road from approximately 240th Place SE to just beyond the intersection with Klahanie Drive SE.

GENERAL ASSUMPTIONS

H.W. Lochner, Inc. (CONSULTANT) will provide professional services to the City of Sammamish (CITY) as outlined in the tasks descriptions below. Supplementing the general assumptions in the original contract scope, the following general provisions/assumptions have been revised and added:

- 2 *The expected additional duration for this scope of services is ten (10) months, for a total duration of twenty-four (24) months and is based on the notice-to-proceed date of March 25, 2016.*
- 5 *Engineering drawings will be prepared using AutoCAD Civil 3d and Microstation. Files will be converted to the format requested by the CITY at project close-out.*
- 6 *The CONSULTANT will provide the CITY with draft plans for review at approximately the 10% [complete], 30%, 60%, and 90% design and a final bid-ready plan set.*
- 9 *The CONSULTANT will be responsible for layout, external stability, moment slabs and barriers for the retaining walls. The internal stability and details of the wall will be the responsibility of the wall manufacturer and the contractor.*

DESIGN STANDARDS

Additional design standards and guideline to be used include:

- 7 Washington State Bridge Design Manual (LRFD) February 2014



- 8 AASHTO LRFD Bridge Design Specification 7th Edition 2014 with 2015 and 2016 interim revisions
- 9 AASHTO Guide Specifications for LRFD Seismic Bridge Design, 2nd Edition with 2012, 2014, and 2015 interim revision

SCOPE OVERVIEW

The goal of this scope of work is to design the corridor improvements, prepare contract plans, specification and an engineer's estimate and advertise and award these construction documents. The scope is divided into steps which correspond to the major milestones:

1. Alternatives Analysis, 10% Design (Step 1) <= Complete
2. Preliminary Design, 30% PS&E (Step 2)
3. Interim Design, 60% PS&E (Step 3)
4. Final Design, 90% PS&E (Step 4)
5. Bid-Ready and Advertisement (Step 5)

TASK 1: PROJECT MANAGEMENT

1.1 Team Management

For the purposes of budgeting, the anticipated duration of project administration will be extended ten (10) months, for a total of twenty-four (24) months ending March 31, 2018. The bid-ready documents and project advertisement is tentatively scheduled for February, 2018.

Assumptions:

- The Project Schedule will be prepared using Microsoft Project Schedule and will be updated monthly.

Deliverables:

- Project Schedule (1 electronic copy per month)

1.2 Coordination with the City

Assumptions:

- Project meetings with the City Project Manager are anticipated to occur bi-weekly for the twenty-four (24) month duration of the project. These meetings will be attended by up to two (2) CONSULTANT staff. Other CONSULTANT staff will attend if necessary to provide technical expertise. Other CONSULTANT staff may also attend via conference call if appropriate.



1.3 Agency Coordination

The Issaquah-Fall City Road Improvements project involves coordination with several agencies, including, at a minimum, King County, City of Issaquah, Washington State Department of Transportation (WSDOT) Local Programs, Puget Sound Regional Council (PSRC) and affected Northwest Indian Tribes. The CONSULTANT will work with the CITY to facilitate Stakeholder meetings to keep the parties informed about project progress, resolve project issues and obtain approvals.

The CONSULTANT will attend and be prepared to brief the CITY council as the project progresses. The CONSULTANT will additionally be prepared to provide a project update to the Transportation Committee of the City Council.

Assumptions:

- Three (3) additional CITY council meetings/presentations after March 1, 2017 are assumed and will be attended by up to two (2) CONSULTANT staff.

TASK 2: PUBLIC INVOLVMENT

2.1 Communications Plan

- 2.1.1** The CONSULTANT will update the communications plan once the preferred design is selected. The update will include planning for potential construction impacts and detour routes.
- 2.1.2** The CONSULTANT will create a stand-alone communications plan that describes the outreach strategy for the construction phase of the project. The construction phase communications plan will focus on key messages, and tools and techniques that will be used to solicit input and share information on construction detours and impacts. The communications plan will include a pre-construction public outreach schedule and will outline communications tasks, roles and responsibilities, external and internal stakeholders, target audiences, limited-English speaking populations, strategies for ensuring inclusive outreach, local avenues for communication and notification, and a media and/or social media strategy.

2.2 Key Stakeholder Interviews and Briefings

Additional scope includes support for up to three (3) rounds of stakeholder follow-up outreach including draft emails, key messages, and scheduling assistance. Stakeholder outreach efforts are planned to align with public meeting 3 and 4 and the workshop.



2.3 Event Outreach and Tabling for Construction Detour Impacts

Event outreach and tabling provide the community a way to interact with the team and CITY staff where they already are in their community, receive project information, and ask questions or engage in conversations in an informal setting outside of a public meeting or briefing. The CONSULTANT will schedule, coordinate and provide project materials for up to two (2) informal informational booths at local events (i.e. Sammamish Farmer's Market) and gathering places (i.e. Eastridge Church, Pacific Cascade Middle School and/or QFC shopping center). When possible, project information will also be included at City-wide event outreach and/or tabling efforts in addition to project-area specific outreach and/or tabling.

The CONSULTANT will also schedule, coordinate and provide project materials for up to two (2) community drop-in sessions to be held at gathering places (i.e. Eastridge Church, Pacific Cascade Middle School and/or QFC shopping center) around the time of the detour workshop.

2.4 Public Meetings and Workshops

One (1) additional public meeting will be held to present the preferred alternative, updates of the project schedule, and to gather input on potential detour routes during construction.

- 2.4.1** One (1) public workshop will be held with a specific focus on project construction impacts, including detours and truck traffic routing. This meeting will be a hands-on workshop to focus on identifying key community issues or concerns and possible mitigations to traffic impacts related to project construction.

2.5 Online Open House

To compliment the workshops, the CONSULTANT will work with the CITY IT team to support one (1) online open house utilizing the Virtual Town Hall section of the City of Sammamish website. This Virtual Town Hall site will be used to share the same content presented at the workshop and gather additional feedback from the community. Content developed for the public meetings will be used to populate the Virtual Town Hall.

2.6 Additional City Council Support

The CONSULTANT will provide continued support for up to three (3) additional City Council meetings.

2.7 Outreach Materials and Notifications

The CONSULTANT will develop content and graphic design support for project materials and content for notifications aligned with the public meetings and workshops. Materials will include updates to the existing project fact sheet, frequently asked questions (FAQ) document, display boards for public meetings and a tabletop display for local outreach events. Notifications will include project poster, project postcard, and display ad, and provide email text for CITY to send to local organizations, homeowner associations, and key stakeholders. Upon completion of the design phase of the project, the CONSULTANT will develop a newsletter to be mailed to the community.



2.8 Outreach Summary

The CONSULTANT will prepare an additional outreach summary at the end of the public outreach process for Phase I. The summary will include an overview of the outreach approach, how input was solicited and used to inform the final design, what was heard from the MAISA Team, key stakeholders, local organizations and the public during the outreach process, and an evaluation of the outreach process. This information can be used to inform the outreach process for future project phases, grant applications, and/or for future award applications for the project.

Assumptions:

- Event outreach and/or tabling may occur at project initiation or to solicit input on a preferred roadway design. Previously developed project materials will be used at tabling and drop-in events. CITY will staff tabling and drop-in events as well as provide summaries. CONSULTANT will include event attendance and summaries in overall outreach summary.
- The CITY will provide the technology and technological support for the Virtual Town Hall. CONSULTANT will coordinate with CITY team to ensure a virtual experience that mirrors the in-person meeting. The CONSULTANT will provide meeting materials and survey questions.

Deliverables:

- One (1) update to the Communications Plan
- One (1) Construction Communications Plan
- Support for up to three (3) additional rounds of stakeholder follow-up outreach (draft emails, key messages, and scheduling assistance)
- Scheduling and coordination for up to two (2) tabling opportunities.
- Scheduling and coordination for up to two (2) community drop-in sessions.
- Coordination for and staff support and/or facilitation one (1) additional public meeting.
 - One (1) additional public meeting plans
 - One (1) additional public meeting agendas
 - One (1) public meeting presentation
 - One (1) additional comment form
 - One (1) additional public meeting summary
- Coordination for and staff support and/or facilitation at one (1) community workshop
 - One (1) workshop plan
 - One (1) workshop agenda
 - One (1) workshop presentation



- One (1) comment form
- One (1) summary
- Support and coordination with CITY staff for one (1) online open house utilizing the City of Sammamish Virtual Town Hall
- Three (3) additional interim outreach process and key takeaway reports to City Council
- Materials and notifications (1 draft and 1 final of each):
 - Fact sheet (2 updates)
 - FAQ (2 updates)
 - Additional display boards (assume 16 per public meeting/workshop)
 - One (1) tabletop display
 - Additional poster (assume 1 per public meeting and workshop)
 - Additional postcard (assume 1 per public meeting and workshop)
 - Final project newsletter
- One additional (1) draft and one additional (1) final community outreach summary

TASK 3: SITE ASSESSMENT

3.1 Survey and Base mapping

Additional survey services will be necessary in the following areas:

- between 242nd Avenue SE and 247th Place SE (cut retaining wall tie-ins),
- between 247th Place SE and Klahanie Drive SE for fill retaining wall tie-ins due to bridge abutments and reconfiguring access to parcel 142406-9077,
- vicinity of 242nd Avenue SE for roundabout tie-ins, and
- parcel 142406-9068 - expected to be purchased for the use of Stormwater detention.

Assumptions:

- Title reports will be obtained by the CONSULTANT.



3.2 Geotechnical Evaluation

The City has selected the bridge alternative to replace the existing culvert and raise the roadway grade at the North Fork Issaquah Creek Crossing. Preliminary design is for a three-span bridge approximately 443 feet in length and 69 feet wide. Fill will be placed at the bridge approaches and is anticipated to be less than 20 feet in height. A cut wall will be required to expand the roadway into the existing hillside at Pacific Cascade Middle School. The cut wall is anticipated to be less than 10 feet tall. A high-intensity activated crosswalk will be installed near the school. Subsurface explorations will be performed to meet current WSDOT and AASHTO LRFD guidelines. These explorations will characterize the subgrade soil for bridge foundations, fill and cut walls, luminaires, signs, pavement design, and stormwater facilities, and identify the presence of contaminants at each location. For planning purposes, the CONSULTANT is assuming 7 additional borings, 4 hand augers, and 1 test pit and pilot infiltration test (PIT).

THE CONSULTANT will develop geotechnical design recommendations for the design and construction of the preferred roadway and structure alternatives. Anticipated geotechnical evaluation will include:

- Determination of recommended driven pile type and size,
- Deep foundation axial capacity for the recommended driven pile type or sizes for the bridge structure;
- Deep foundation lateral resistance parameters for use in the development of p-y curves for the bridge structure;
- Shallow foundation alternative bearing resistance for the bridge structure;
- Temporary shoring lateral earth pressures and tieback pullout capacity for constructing the bridge pile foundation caps;
- Temporary shoring lateral earth pressures for utility line replacements excavation;
- Permanent cut wall lateral earth pressures for a cantilever wall adjacent to the school;
- Deep foundation investigation and recommendations;
- Axial and Lateral Geotechnical Pile Capacities for Service, Strength, and Extreme limit states;
- Geotechnical Seismic Investigation & Design Parameter, Site Specific ARS Curve. Liquefaction and lateral spreading recommendation;
- Structural Earth Wall (SEW) design guidelines for the bridge approach fills;
- Resilient moduli and frost susceptibility considerations for pavement design,
- Earthwork for cut and fill embankment slopes,
- Reuse of on-site materials for backfill and SEW walls,
- Embankment fill placement and compaction,



- Settlement estimates for the bridge approach SEWs, the roadway alignment fill embankments, and the bridge structure,
- Short- and long-term infiltration rates at the Stormwater facility, and;
- Pole foundations for new luminaries, signs and HAWK beacons.

Assumptions:

- A minimum of one boring will be done at each planned location of a bridge abutment or pier. The boring shall be extended below the anticipated pile elevation to a depth that can establish end bearing capacity.
- A minimum of one boring every 100ft along the structural walls over five feet tall to be constructed. The boring are to be placed behind the wall Layout Line at a distance of approximately equal to the proposed height of the wall and extend down to a depth approximately equal to 2 times the proposed height of the wall.
- Borings and the hand augers will be performed within the City Right of Way. THE CONSULTANT will prepare the traffic control plans. The City will produce and provide Right of Way and Street Use Permits, as required.
- Right of entry and access to perform the test pit, PIT, and hand augers on the property southeast of the roadway intersection with 247th Place SE will be provided by the CITY.
- Clearing may be required to access the exploration locations on the property southeast of the roadway intersection with 247th Place SE. The CONSULTANT will be responsible for clearing the vegetation to access and perform the subsurface explorations and PIT. Clearing does not include the removal or trimming of trees, or the demolition of existing in-place structures. Vegetation debris will be left on site.
- The exploration locations will be cleaned and restored to the extent practical, but will not be restored to pre-exploration conditions.
- THE CONSULTANT will call the Underground Utilities Location Center (UULC) to locate underground utilities prior to the drilling. The CONSULTANT will subcontract with a private utility locator to locate underground utilities on the property southeast of the roadway intersection with 247th Place SE prior to the explorations. The City is responsible for locating utilities not marked by the UULC.
- The borings will be located by surveying under Task 3.1.

Deliverables:

- Intermediate Bridge (60%) Geotechnical Engineering Report (2 paper copies and PDF)
- Final Bridge (100%) Geotechnical Engineering Report (2 paper copies and PDF)



TASK 4: ENVIRONMENTAL PERMITTING

No change to this task item

TASK 5: TRAFFIC ANALYSIS

5.2 Traffic Report Addendum

The CONSULTANT will prepare a supplement to the traffic report. The following topics will be included:

- A traffic analysis evaluating the operations of a roundabout at 242nd Place SE (the entrance to Eastlake Church).
- An analysis of the potential impacts due to traffic detouring around the project during construction.

Assumptions:

- The City will provide a copy of the most current version of the Sammamish transportation model in VISSIM format, updated with 2016 data.
- VISSIM software will be used for determining probable traffic volumes.
- Up to 20 model runs will be analyzed

Deliverables:

- Draft Traffic Report Addendum (2 hard copies and 1 electronic copy)
- Final Traffic Report Addendum (2 hard copies and 1 electronic copy)

TASK 6: ALTERNATIVES ANALYSIS, 10% DESIGN

No change to this task item

TASK 7: RIGHT OF WAY ACQUISITION

7.1 Survey Support

Items to be furnished by the CONSULTANT to UFS:

- Preliminary Commitments (Title Reports) for all parcels impacted will be provided by the CONSULTANT.



TASK 8: PRELIMINARY DESIGN, 30% PS&E

8.2 Structural Design

The CONSULTANT will work with the CITY to develop Structures Alternatives Evaluation report addendum for the project for evaluation of the following:

- A three-span Bridge structure concept for the stream crossing structure.
- The preferred bridge girder and foundation types
- **Conceptual Plans & Sketches for the Report:**

The CONSULTANT will prepare conceptual General Layout and Typical Section as an appendix to the Report based on preliminary evaluations and modeling associated with each recommended structural component.

Deliverables:

- Addendum to the Structures Alternatives Evaluation report in electronic PDF format.
- Conceptual Plans & Sketches for the Report

8.6 Landscape Architecture

8.6.1 Landscape Architecture:

HBB will coordinate with Lochner to identify areas for proposed landscape improvements and general types of planting. Work will be limited to coordination and design only as needed to support cost estimate.

Detailed tree location, plant selection or quantities will not be provided at the Preliminary (30%) design stage. Planting, irrigation and urban design plans will not be provided at 30%.

8.6.2 Landscape Architecture Cost Estimate:

HBB will provide a cost estimate for planting, irrigation system, and urban design features based on square foot area only.

Assumptions:

- Task 8 - Preliminary Design (30%) is limited to cost estimate only, no planting, irrigation or urban design plans will be provided.
- Arborist services are not included. This includes tree protection plan, costs and associated specifications.
- Back of sidewalk landscape treatment will “meet and match” existing landscape conditions.
- Landscape improvements will be provided between approximately 240th Place SE to just beyond the intersection with Klahanie Drive SE. This includes three (3) planted roundabouts, planted median, planted splitter islands, and planting strips between curb and sidewalks.
- CITY to provide irrigation specifications and standards for use on this project.



8.8 Preliminary Cost Estimate

The CONSULTANT will calculate quantities and prepare an estimate of probable construction costs using bid items including estimates for roadway, drainage, illumination, structures and landscape plantings.

Assumptions:

- The Preliminary Cost estimate will utilize WSDOT Standard Item table.
- Unit Prices for standard items will be determined using WSDOT Unit Bid Analysis.
- The cost estimates for planting, irrigation system, and urban design features based on square foot area only

TASK 9: INTERMEDIATE DESIGN, 60% PS&E

9.6 Landscape Architecture

9.6.1 Landscape Architecture

The CONSULTANT will prepare conceptual graphics to support landscape and urban design development. This includes one (1) round of revisions following a City and design team coordination meeting.

The CONSULTANT will provide detailed irrigation design and prepare Irrigation Plans (7 sheets), Irrigation Schedule and Details (3 sheets estimate).

The CONSULTANT will provide detailed urban design and prepare Urban Design Plans and Enlargements (4 sheets estimate) and Details (2 sheets estimated) for the bridge.

The CONSULTANT will provide draft WSDOT format technical specifications for planting, irrigation and urban design features.

Assumptions:

- HBB will attend meetings with the design team (4 meetings) regarding irrigation and urban design. These meetings may be held by conference call or in person throughout the duration of the project.
- HBB will attend one (1) meeting with the design team and the City at City Hall regarding irrigation and/or urban design throughout the duration of the project.
- HBB will attend and participate in three (3) meetings with stakeholders.

Deliverables:

- One (1) Colored Plan Exhibit of the entire corridor
- Three (3) colored plan exhibits, one for each of the roundabouts
- Three (3) Colored Cross Sections (roundabout, bridge, and median)
- One (1) Photo Example Board of plant materials and urban design features



- 60% Irrigation Plans
- 60% Urban Design Plans
- 60% Planting Plans
- WSDOT format technical specifications for planting, irrigation and urban design features.

9.6.2 Cost Estimate

- HBB will provide a cost estimate for planting based on per unit costs for bid items.
- HBB will provide a cost estimate for irrigation system, and urban design features based on per unit costs for bid items

TASK 10: FINAL DESIGN, 90% PS&E

10.6 Landscape Architecture

10.6.1 Landscape Architecture

- HBB will revise Planting Plans (7 sheets), Planting Schedule and Details (3 sheets) based on design coordination and CITY or other agency comments.
- HBB will revise Irrigation Plans (7 sheets estimate), Irrigation Schedule and Details (3 sheets estimated) based on design coordination and CITY or other agency comments.
- HBB will revise Urban Design Plans and Enlargements (4 sheets estimated) and Details (2 sheets estimated) for the bridge based on design coordination and CITY or other agency comments.
- HBB will revise WSDOT format technical specifications for planting, irrigation and urban design features.
- HBB will revise conceptual graphics identified under Task 9.2 based upon feedback received for planting and urban design features.

10.6.2 Cost Estimate

- HBB will provide a cost estimate for planting based on per unit costs for bid items.
- HBB will provide a cost estimate for irrigation system, and urban design features based on per unit costs for bid items.

Assumptions:

- Interpretative or wayfinding signage are not included, and if needed will be an additional service.
- Design of art work and supporting infrastructure (e.g. concrete footings) is not included. General coordination of planting, irrigation and urban design features to include art work (by others) is included.
- Back of sidewalk landscape treatment will “meet and match” existing landscape conditions.



- Urban Design services include:
 - i. Recommendations and concept design for wall finishes
 - ii. Recommendations and concept design for paving patterns for the vehicular rated roundabout apron and splitter island pavement
 - iii. Pedestrian and wall railing design
 - iv. Lighting fixture type and style selection
 - v. Recommendations and concept design for barriers
- All urban design features will be off-the-shelf products. Custom urban design features are excluded.
- All structural components and details for the bridge and walls will be provided by Lochner. Lochner structural engineer will review the urban design features provided by HBB.
- Lighting design will be provided by Lochner. HBB will recommend fixture types and styles.
- Irrigation design is limited to planting strip between the curb and sidewalk, planted medians, splitter islands and planted roundabout interiors.

Task 11: BID READY AND ADVERTISEMENT SUPPORT

The CONSULTANT shall incorporate comments from the CITY and stakeholders on the 90% PS&E package and prepare the Bid Ready PS&E package.

The CONSULTANT shall provide assistance during the Ad and Award process for the project. This work will include supporting the CITY with Advertisement and preparation of responses to bidder's questions and preparing addenda as required.

Assumptions:

- For budgeting purposes, up to two (2) addenda will be assumed.
- The CITY shall prepare a summary of the bids (bid tabulation).
- The CONSULTANT shall not be required to attend bid opening

Deliverables:

- Bid Ready PS&E Package
- Written responses to bidder's questions.
- Up to two (2) addenda packages.



TABLE C: - ANTICIPATED PLAN SHEET LIST				
Type	Preliminary	Intermediate	Final	Bid Package
Index		1	1	1
Vicinity Map		1	1	1
Roadway Section	2	3	3	3
Alignment & R/W Plan	7	7	9	9
Site Preparation & Existing Utilities		7	9	9
Roadway Profiles	4	5	6	6
Drainage Plans	7	8	9	9
Stream Crossing Structural Plans	10	40	55	55
Stream Crossing Urban Design		6	6	6
Stream Crossing Plans	3	3	3	3
Retaining Walls	8	12	20	20
Irrigation Plans		10	10	10
Planting Plans		10	10	10
Paving Plans		7	9	9
Pavement Marking Plans	7	7	9	9
Illumination Plan	7	7	9	9
Signing Plans	7	7	9	9
Traffic Control Plans		5	9	9
Total	62	145	187	187

Task 12: OPTIONAL TASKS

- Construction Administration and Observation, (Lochner CEI)

592
 08.29.12

Exhibit 1

Exhibit B - Addendum No. 1 Fee Estimate City of Sammamish Issaquah-Fall City Road Improvements H. W. Lochner, Inc.				
Design Phase				
Classification	Hourly Rate	Total Hours	Labor Salary	Total Costs
Project Principal/Principal Engineer	\$ 85.00	78	\$6,630.00	
Project Manager/Project Engineer	\$ 68.39	0	\$0.00	
Project Manager/Project Engineer	\$ 63.51	0	\$0.00	
Sr. Transportation Engineer/Planner	\$ 59.17	0	\$0.00	
Sr. Transportation Engineer/Planner	\$ 59.95	229	\$13,728.55	
Sr. Transportation Engineer/Planner	\$ 56.56	40	\$2,262.40	
Jr. Transportation Engineer/Planner	\$ 36.05	0	\$0.00	
Project Manager/Project Engineer	\$ 70.05	0	\$0.00	
Civil Engineer/Designer	\$ 51.15	0	\$0.00	
Civil Engineer/Designer	\$ 36.93	337	\$12,445.41	
Civil Engineer/Designer	\$ 41.55	81	\$3,365.55	
Sr. Structural Engineer	\$ 69.51	335	\$23,285.85	
Sr. Structural Engineer	\$ 48.08	827	\$39,762.16	
Jr. Structural Engineer/Designer	\$ 36.00	1229	\$44,244.00	
Jr. Structural Engineer/Designer	\$ 35.79	1134	\$40,585.86	
Sr. Administration/ Project Control	\$ 35.46	14	\$496.44	
Administration/ Project Control	\$ 21.73	63	\$1,368.99	
		4367		
Subtotal Direct Salary Cost			\$188,175.21	
Salary Escalation	2017	70.00%	3%	\$3,951.68
Total Lochner Direct Salary Cost				\$192,126.89
Overhead at 179.48% of DSC		179.48%		\$344,829.34
Profit at 30% of DSC		30.00%		\$57,638.07
Total HWL Labor Including Overhead and Profit:				\$594,590
Direct Expenses:				
Travel	\$	240		
Reproduction	\$	1,060		
Graphics/Miscellaneous	\$	680		
Title Reports	\$	8,280		
Direct Reimbursable Subtotal:				\$10,260
Firm Total: H.W. Lochner, Inc.				\$604,850
Design Subconsultants:				
Pace			\$ 33,645	
Shannon & Wilson (Geotechnical)			\$ 80,131	
HBB (Landscape Architecture)			\$ 47,211	
Subconsultants Subtotal:				\$160,990
Total Project - H. W. Lochner, Inc.				\$765,840
Other Tasks:				
Public Outreach (Envirolssues)			\$ 81,572	
Other Subtotal:				\$81,570
Total Project Amendment				\$847,410

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03.29.17

Addendum No. 1

Exhibit A Scope of Services

City of Sammamish

Issaquah-Fall City Road Improvements

Prepared for:

City of Sammamish, Washington



Prepared by:

LOCHNER

915 118th Avenue SE, Suite 130
Bellevue, WA 98005



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DESIGN STANDARDS

Additional design standards and guideline to be used include:

- 7 Washington State Bridge Design Manual (LRFD) February 2014

- 8 AASHTO LRFD Bridge Design Specification 7th Edition 2014 with 2015 and 2016 interim revisions
- 9 AASHTO Guide Specifications for LRFD Seismic Bridge Design, 2nd Edition with 2012, 2014, and 2015 interim revision

SCOPE OVERVIEW

The goal of this scope of work is to design the corridor improvements, prepare contract plans, specification and an engineer's estimate and advertise and award these construction documents. The scope is divided into steps which correspond to the major milestones:

1. Alternatives Analysis, 10% Design (Step 1) <= Complete
2. Preliminary Design, 30% PS&E (Step 2)
3. Interim Design, 60% PS&E (Step 3)
4. Final Design, 90% PS&E (Step 4)
5. Bid-Ready and Advertisement (Step 5)

TASK 1: PROJECT MANAGEMENT

1.1 Team Management

For the purposes of budgeting, the anticipated duration of project administration will be extended ten (10) months, for a total of twenty-four (24) months ending March 31, 2018. The bid-ready documents and project advertisement is tentatively scheduled for February, 2018.

Assumptions:

- The Project Schedule will be prepared using Microsoft Project Schedule and will be updated monthly.

Deliverables:

- Project Schedule (1 electronic copy per month)

1.2 Coordination with the City

Assumptions:

- Project meetings with the City Project Manager are anticipated to occur bi-weekly for the twenty-four (24) month duration of the project. These meetings will be attended by up to two (2) CONSULTANT staff. Other CONSULTANT staff will attend if necessary to provide technical expertise. Other CONSULTANT staff may also attend via conference call if appropriate.



1.3 Agency Coordination

The Issaquah-Fall City Road Improvements project involves coordination with several agencies, including, at a minimum, King County, City of Issaquah, Washington State Department of Transportation (WSDOT) Local Programs, Puget Sound Regional Council (PSRC) and affected Northwest Indian Tribes. The CONSULTANT will work with the CITY to facilitate Stakeholder meetings to keep the parties informed about project progress, resolve project issues and obtain approvals.

The CONSULTANT will attend and be prepared to brief the CITY council as the project progresses. The CONSULTANT will additionally be prepared to provide a project update to the Transportation Committee of the City Council.

Assumptions:

- Three (3) additional CITY council meetings/presentations after March 1, 2017 are assumed and will be attended by up to two (2) CONSULTANT staff.

TASK 2: PUBLIC INVOLVMENT

2.1 Communications Plan

- 2.1.1** The CONSULTANT will update the communications plan once the preferred design is selected. The update will include planning for potential construction impacts and detour routes.
- 2.1.2** The CONSULTANT will create a stand-alone communications plan that describes the outreach strategy for the construction phase of the project. The construction phase communications plan will focus on key messages, and tools and techniques that will be used to solicit input and share information on construction detours and impacts. The communications plan will include a pre-construction public outreach schedule and will outline communications tasks, roles and responsibilities, external and internal stakeholders, target audiences, limited-English speaking populations, strategies for ensuring inclusive outreach, local avenues for communication and notification, and a media and/or social media strategy.

2.2 Key Stakeholder Interviews and Briefings

Additional scope includes support for up to three (3) rounds of stakeholder follow-up outreach including draft emails, key messages, and scheduling assistance. Stakeholder outreach efforts are planned to align with public meeting 3 and 4 and the workshop.



2.3 Event Outreach and Tabling for Construction Detour Impacts

Event outreach and tabling provide the community a way to interact with the team and CITY staff where they already are in their community, receive project information, and ask questions or engage in conversations in an informal setting outside of a public meeting or briefing. The CONSULTANT will schedule, coordinate and provide project materials for up to two (2) informal informational booths at local events (i.e. Sammamish Farmer’s Market) and gathering places (i.e. Eastridge Church, Pacific Cascade Middle School and/or QFC shopping center). When possible, project information will also be included at City-wide event outreach and/or tabling efforts in addition to project-area specific outreach and/or tabling.

The CONSULTANT will also schedule, coordinate and provide project materials for up to two (2) community drop-in sessions to be held at gathering places (i.e. Eastridge Church, Pacific Cascade Middle School and/or QFC shopping center) around the time of the detour workshop.

2.4 Public Meetings and Workshops

One (1) additional public meeting will be held to present the preferred alternative, updates of the project schedule, and to gather input on potential detour routes during construction.

- 2.4.1** One (1) public workshop will be held with a specific focus on project construction impacts, including detours and truck traffic routing. This meeting will be a hands-on workshop to focus on identifying key community issues or concerns and possible mitigations to traffic impacts related to project construction.

2.5 Online Open House

To compliment the workshops, the CONSULTANT will work with the CITY IT team to support one (1) online open house utilizing the Virtual Town Hall section of the City of Sammamish website. This Virtual Town Hall site will be used to share the same content presented at the workshop and gather additional feedback from the community. Content developed for the public meetings will be used to populate the Virtual Town Hall.

2.6 Additional City Council Support

The CONSULTANT will provide continued support for up to three (3) additional City Council meetings.

2.7 Outreach Materials and Notifications

The CONSULTANT will develop content and graphic design support for project materials and content for notifications aligned with the public meetings and workshops. Materials will include updates to the existing project fact sheet, frequently asked questions (FAQ) document, display boards for public meetings and a tabletop display for local outreach events. Notifications will include project poster, project postcard, and display ad, and provide email text for CITY to send to local organizations, homeowner associations, and key stakeholders. Upon completion of the design phase of the project, the CONSULTANT will develop a newsletter to be mailed to the community.

2.8 Outreach Summary

The CONSULTANT will prepare an additional outreach summary at the end of the public outreach process for Phase I. The summary will include an overview of the outreach approach, how input was solicited and used to inform the final design, what was heard from the MAISA Team, key stakeholders, local organizations and the public during the outreach process, and an evaluation of the outreach process. This information can be used to inform the outreach process for future project phases, grant applications, and/or for future award applications for the project.

Assumptions:

- Event outreach and/or tabling may occur at project initiation or to solicit input on a preferred roadway design. Previously developed project materials will be used at tabling and drop-in events. CITY will staff tabling and drop-in events as well as provide summaries. CONSULTANT will include event attendance and summaries in overall outreach summary.
- The CITY will provide the technology and technological support for the Virtual Town Hall. CONSULTANT will coordinate with CITY team to ensure a virtual experience that mirrors the in-person meeting. The CONSULTANT will provide meeting materials and survey questions.

Deliverables:

- One (1) update to the Communications Plan
- One (1) Construction Communications Plan
- Support for up to three (3) additional rounds of stakeholder follow-up outreach (draft emails, key messages, and scheduling assistance)
- Scheduling and coordination for up to two (2) tabling opportunities.
- Scheduling and coordination for up to two (2) community drop-in sessions.
- Coordination for and staff support and/or facilitation one (1) additional public meeting.
 - One (1) additional public meeting plans
 - One (1) additional public meeting agendas
 - One (1) public meeting presentation
 - One (1) additional comment form
 - One (1) additional public meeting summary
- Coordination for and staff support and/or facilitation at one (1) community workshop
 - One (1) workshop plan
 - One (1) workshop agenda
 - One (1) workshop presentation



- One (1) comment form
- One (1) summary
- Support and coordination with CITY staff for one (1) online open house utilizing the City of Sammamish Virtual Town Hall
- Three (3) additional interim outreach process and key takeaway reports to City Council
- Materials and notifications (1 draft and 1 final of each):
 - Fact sheet (2 updates)
 - FAQ (2 updates)
 - Additional display boards (assume 16 per public meeting/workshop)
 - One (1) tabletop display
 - Additional poster (assume 1 per public meeting and workshop)
 - Additional postcard (assume 1 per public meeting and workshop)
 - Final project newsletter
- One additional (1) draft and one additional (1) final community outreach summary

TASK 3: SITE ASSESSMENT

3.1 Survey and Base mapping

Additional survey services will be necessary in the following areas:

- between 242nd Avenue SE and 247th Place SE (cut retaining wall tie-ins),
- between 247th Place SE and Klahanie Drive SE for fill retaining wall tie-ins due to bridge abutments and reconfiguring access to parcel 142406-9077,
- vicinity of 242nd Avenue SE for roundabout tie-ins, and
- parcel 142406-9068 - expected to be purchased for the use of Stormwater detention.

Assumptions:

- Title reports will be obtained by the CONSULTANT.

3.2 Geotechnical Evaluation

The City has selected the bridge alternative to replace the existing culvert and raise the roadway grade at the North Fork Issaquah Creek Crossing. Preliminary design is for a three-span bridge approximately 443 feet in length and 69 feet wide. Fill will be placed at the bridge approaches and is anticipated to be less than 20 feet in height. A cut wall will be required to expand the roadway into the existing hillside at Pacific Cascade Middle School. The cut wall is anticipated to be less than 10 feet tall. A high-intensity activated crosswalk will be installed near the school. Subsurface explorations will be performed to meet current WSDOT and AASHTO LRFD guidelines. These explorations will characterize the subgrade soil for bridge foundations, fill and cut walls, luminaires, signs, pavement design, and stormwater facilities, and identify the presence of contaminants at each location. For planning purposes, the CONSULTANT is assuming 7 additional borings, 4 hand augers, and 1 test pit and pilot infiltration test (PIT).

THE CONSULTANT will develop geotechnical design recommendations for the design and construction of the preferred roadway and structure alternatives. Anticipated geotechnical evaluation will include:

- Determination of recommended driven pile type and size,
- Deep foundation axial capacity for the recommended driven pile type or sizes for the bridge structure;
- Deep foundation lateral resistance parameters for use in the development of p-y curves for the bridge structure;
- Shallow foundation alternative bearing resistance for the bridge structure;
- Temporary shoring lateral earth pressures and tieback pullout capacity for constructing the bridge pile foundation caps;
- Temporary shoring lateral earth pressures for utility line replacements excavation;
- Permanent cut wall lateral earth pressures for a cantilever wall adjacent to the school;
- Deep foundation investigation and recommendations;
- Axial and Lateral Geotechnical Pile Capacities for Service, Strength, and Extreme limit states;
- Geotechnical Seismic Investigation & Design Parameter, Site Specific ARS Curve. Liquefaction and lateral spreading recommendation;
- Structural Earth Wall (SEW) design guidelines for the bridge approach fills;
- Resilient moduli and frost susceptibility considerations for pavement design,
- Earthwork for cut and fill embankment slopes,
- Reuse of on-site materials for backfill and SEW walls,
- Embankment fill placement and compaction,

- Settlement estimates for the bridge approach SEWs, the roadway alignment fill embankments, and the bridge structure,
- Short- and long-term infiltration rates at the Stormwater facility, and;
- Pole foundations for new luminaries, signs and HAWK beacons.

Assumptions:

- A minimum of one boring will be done at each planned location of a bridge abutment or pier. The boring shall be extended below the anticipated pile elevation to a depth that can establish end bearing capacity.
- A minimum of one boring every 100ft along the structural walls over five feet tall to be constructed. The boring are to be placed behind the wall Layout Line at a distance of approximately equal to the proposed height of the wall and extend down to a depth approximately equal to 2 times the proposed height of the wall.
- Borings and the hand augers will be performed within the City Right of Way. THE CONSULTANT will prepare the traffic control plans. The City will produce and provide Right of Way and Street Use Permits, as required.
- Right of entry and access to perform the test pit, PIT, and hand augers on the property southeast of the roadway intersection with 247th Place SE will be provided by the CITY.
- Clearing may be required to access the exploration locations on the property southeast of the roadway intersection with 247th Place SE. The CONSULTANT will be responsible for clearing the vegetation to access and perform the subsurface explorations and PIT. Clearing does not include the removal or trimming of trees, or the demolition of existing in-place structures. Vegetation debris will be left on site.
- The exploration locations will be cleaned and restored to the extent practical, but will not be restored to pre-exploration conditions.
- THE CONSULTANT will call the Underground Utilities Location Center (UULC) to locate underground utilities prior to the drilling. The CONSULTANT will subcontract with a private utility locator to locate underground utilities on the property southeast of the roadway intersection with 247th Place SE prior to the explorations. The City is responsible for locating utilities not marked by the UULC.
- The borings will be located by surveying under Task 3.1.

Deliverables:

- Intermediate Bridge (60%) Geotechnical Engineering Report (2 paper copies and PDF)
- Final Bridge (100%) Geotechnical Engineering Report (2 paper copies and PDF)



TASK 4: ENVIRONMENTAL PERMITTING

No change to this task item

TASK 5: TRAFFIC ANALYSIS

5.2 Traffic Report Addendum

The CONSULTANT will prepare a supplement to the traffic report. The following topics will be included:

- A traffic analysis evaluating the operations of a roundabout at 242nd Place SE (the entrance to Eastlake Church).
- An analysis of the potential impacts due to traffic detouring around the project during construction.

Assumptions:

- The City will provide a copy of the most current version of the Sammamish transportation model in VISSIM format, updated with 2016 data.
- VISSIM software will be used for determining probable traffic volumes.
- Up to 20 model runs will be analyzed

Deliverables:

- Draft Traffic Report Addendum (2 hard copies and 1 electronic copy)
- Final Traffic Report Addendum (2 hard copies and 1 electronic copy)

TASK 6: ALTERNATIVES ANALYSIS, 10% DESIGN

No change to this task item

TASK 7: RIGHT OF WAY ACQUISITION

7.1 Survey Support

Items to be furnished by the CONSULTANT to UFS:

- Preliminary Commitments (Title Reports) for all parcels impacted will be provided by the CONSULTANT.

TASK 8: PRELIMINARY DESIGN, 30% PS&E

8.2 Structural Design

The CONSULTANT will work with the CITY to develop Structures Alternatives Evaluation report addendum for the project for evaluation of the following:

- A three-span Bridge structure concept for the stream crossing structure.
- The preferred bridge girder and foundation types
- **Conceptual Plans & Sketches for the Report:**

The CONSULTANT will prepare conceptual General Layout and Typical Section as an appendix to the Report based on preliminary evaluations and modeling associated with each recommended structural component.

Deliverables:

- Addendum to the Structures Alternatives Evaluation report in electronic PDF format.
- Conceptual Plans & Sketches for the Report

8.6 Landscape Architecture

8.6.1 Landscape Architecture:

HBB will coordinate with Lochner to identify areas for proposed landscape improvements and general types of planting. Work will be limited to coordination and design only as needed to support cost estimate.

Detailed tree location, plant selection or quantities will not be provided at the Preliminary (30%) design stage. Planting, irrigation and urban design plans will not be provided at 30%.

8.6.2 Landscape Architecture Cost Estimate:

HBB will provide a cost estimate for planting, irrigation system, and urban design features based on square foot area only.

Assumptions:

- Task 8 - Preliminary Design (30%) is limited to cost estimate only, no planting, irrigation or urban design plans will be provided.
- Arborist services are not included. This includes tree protection plan, costs and associated specifications.
- Back of sidewalk landscape treatment will “meet and match” existing landscape conditions.
- Landscape improvements will be provided between approximately 240th Place SE to just beyond the intersection with Klahanie Drive SE. This includes three (3) planted roundabouts, planted median, planted splitter islands, and planting strips between curb and sidewalks.
- CITY to provide irrigation specifications and standards for use on this project.

8.8 Preliminary Cost Estimate

The CONSULTANT will calculate quantities and prepare an estimate of probable construction costs using bid items including estimates for roadway, drainage, illumination, structures and landscape plantings.

Assumptions:

- The Preliminary Cost estimate will utilize WSDOT Standard Item table.
- Unit Prices for standard items will be determined using WSDOT Unit Bid Analysis.
- The cost estimates for planting, irrigation system, and urban design features based on square foot area only

TASK 9: INTERMEDIATE DESIGN, 60% PS&E

9.6 Landscape Architecture

9.6.1 Landscape Architecture

The CONSULTANT will prepare conceptual graphics to support landscape and urban design development. This includes one (1) round of revisions following a City and design team coordination meeting.

The CONSULTANT will provide detailed irrigation design and prepare Irrigation Plans (7 sheets), Irrigation Schedule and Details (3 sheets estimate).

The CONSULTANT will provide detailed urban design and prepare Urban Design Plans and Enlargements (4 sheets estimate) and Details (2 sheets estimated) for the bridge.

The CONSULTANT will provide draft WSDOT format technical specifications for planting, irrigation and urban design features.

Assumptions:

- HBB will attend meetings with the design team (4 meetings) regarding irrigation and urban design. These meetings may be held by conference call or in person throughout the duration of the project.
- HBB will attend one (1) meeting with the design team and the City at City Hall regarding irrigation and/or urban design throughout the duration of the project.
- HBB will attend and participate in three (3) meetings with stakeholders.

Deliverables:

- One (1) Colored Plan Exhibit of the entire corridor
- Three (3) colored plan exhibits, one for each of the roundabouts
- Three (3) Colored Cross Sections (roundabout, bridge, and median)
- One (1) Photo Example Board of plant materials and urban design features

- 60% Irrigation Plans
- 60% Urban Design Plans
- 60% Planting Plans
- WSDOT format technical specifications for planting, irrigation and urban design features.

9.6.2 *Cost Estimate*

- HBB will provide a cost estimate for planting based on per unit costs for bid items.
- HBB will provide a cost estimate for irrigation system, and urban design features based on per unit costs for bid items

TASK 10: FINAL DESIGN, 90% PS&E

10.6 *Landscape Architecture*

10.6.1 *Landscape Architecture*

- HBB will revise Planting Plans (7 sheets), Planting Schedule and Details (3 sheets) based on design coordination and CITY or other agency comments.
- HBB will revise Irrigation Plans (7 sheets estimate), Irrigation Schedule and Details (3 sheets estimated) based on design coordination and CITY or other agency comments.
- HBB will revise Urban Design Plans and Enlargements (4 sheets estimated) and Details (2 sheets estimated) for the bridge based on design coordination and CITY or other agency comments.
- HBB will revise WSDOT format technical specifications for planting, irrigation and urban design features.
- HBB will revise conceptual graphics identified under Task 9.2 based upon feedback received for planting and urban design features.

10.6.2 *Cost Estimate*

- HBB will provide a cost estimate for planting based on per unit costs for bid items.
- HBB will provide a cost estimate for irrigation system, and urban design features based on per unit costs for bid items.

Assumptions:

- Interpretative or wayfinding signage are not included, and if needed will be an additional service.
- Design of art work and supporting infrastructure (e.g. concrete footings) is not included. General coordination of planting, irrigation and urban design features to include art work (by others) is included.
- Back of sidewalk landscape treatment will “meet and match” existing landscape conditions.



- Urban Design services include:
 - i. Recommendations and concept design for wall finishes
 - ii. Recommendations and concept design for paving patterns for the vehicular rated roundabout apron and splitter island pavement
 - iii. Pedestrian and wall railing design
 - iv. Lighting fixture type and style selection
 - v. Recommendations and concept design for barriers
- All urban design features will be off-the-shelf products. Custom urban design features are excluded.
- All structural components and details for the bridge and walls will be provided by Lochner. Lochner structural engineer will review the urban design features provided by HBB.
- Lighting design will be provided by Lochner. HBB will recommend fixture types and styles.
- Irrigation design is limited to planting strip between the curb and sidewalk, planted medians, splitter islands and planted roundabout interiors.

Task 11: BID READY AND ADVERTISEMENT SUPPORT

The CONSULTANT shall incorporate comments from the CITY and stakeholders on the 90% PS&E package and prepare the Bid Ready PS&E package.

The CONSULTANT shall provide assistance during the Ad and Award process for the project. This work will include supporting the CITY with Advertisement and preparation of responses to bidder's questions and preparing addenda as required.

Assumptions:

- For budgeting purposes, up to two (2) addenda will be assumed.
- The CITY shall prepare a summary of the bids (bid tabulation).
- The CONSULTANT shall not be required to attend bid opening

Deliverables:

- Bid Ready PS&E Package
- Written responses to bidder's questions.
- Up to two (2) addenda packages.



TABLE C: - ANTICIPATED PLAN SHEET LIST

Type	Preliminary	Intermediate	Final	Bid Package
Index		1	1	1
Vicinity Map		1	1	1
Roadway Section	2	3	3	3
Alignment & R/W Plan	7	7	9	9
Site Preparation & Existing Utilities		7	9	9
Roadway Profiles	4	5	6	6
Drainage Plans	7	8	9	9
Stream Crossing Structural Plans	10	40	55	55
Stream Crossing Urban Design		6	6	6
Stream Crossing Plans	3	3	3	3
Retaining Walls	8	12	20	20
Irrigation Plans		10	10	10
Planting Plans		10	10	10
Paving Plans		7	9	9
Pavement Marking Plans	7	7	9	9
Illumination Plan	7	7	9	9
Signing Plans	7	7	9	9
Traffic Control Plans		5	9	9
Total	62	145	187	187

Task 12: OPTIONAL TASKS

- Construction Administration and Observation, (Lochner CEI)

Exhibit B - Addendum No. 1 Fee Estimate City of Sammamish Issaquah-Fall City Road Improvements H. W. Lochner, Inc.				
Design Phase				
Classification	Hourly Rate	Total Hours	Labor Salary	Total Costs
Project Principal/Principal Engineer	\$ 85.00	78	\$6,630.00	
Project Manager/Project Engineer	\$ 68.39	0	\$0.00	
Project Manager/Project Engineer	\$ 63.51	0	\$0.00	
Sr. Transportation Engineer/Planner	\$ 59.17	0	\$0.00	
Sr. Transportation Engineer/Planner	\$ 59.95	229	\$13,728.55	
Sr. Transportation Engineer/Planner	\$ 56.56	40	\$2,262.40	
Jr. Transportation Engineer/Planner	\$ 36.05	0	\$0.00	
Project Manager/Project Engineer	\$ 70.05	0	\$0.00	
Civil Engineer/Designer	\$ 51.15	0	\$0.00	
Civil Engineer/Designer	\$ 36.93	337	\$12,445.41	
Civil Engineer/Designer	\$ 41.55	81	\$3,365.55	
Sr. Structural Engineer	\$ 69.51	335	\$23,285.85	
Sr. Structural Engineer	\$ 48.08	827	\$39,762.16	
Jr. Structural Engineer/Designer	\$ 36.00	1229	\$44,244.00	
Jr. Structural Engineer/Designer	\$ 35.79	1134	\$40,585.86	
Sr. Administration/ Project Control	\$ 35.46	14	\$496.44	
Administration/ Project Control	\$ 21.73	63	\$1,368.99	
		4367		
Subtotal Direct Salary Cost			\$188,175.21	
Salary Escalation	2017	70.00%	3%	\$3,951.68
Total Lochner Direct Salary Cost			\$192,126.89	
Overhead at 179.48% of DSC		179.48%		\$344,829.34
Profit at 30% of DSC		30.00%		\$57,638.07
Total HWL Labor Including Overhead and Profit:				\$594,590
Direct Expenses:				
Travel	\$ 240			
Reproduction	\$ 1,060			
Communications	\$ -			
Graphics/Miscellaneous	\$ 680			
Title Reports	\$ 8,280			
Direct Reimbursable Subtotal:				\$10,260
Firm Total: H.W. Lochner, Inc.				\$604,850
Design Subconsultants:				
Pace			\$ 33,645	
Shannon & Wilson (Geotechnical)			\$ 80,131	
Shannon & Wilson (Environmental)			\$ -	
Shannon & Wilson (Stream)			\$ -	
HBB (Landscape Architecture)			\$ 47,211	
AquaTerra			\$ -	
Subconsultants Subtotal:				\$160,990
Total Project - H. W. Lochner, Inc.				\$765,840
Other Tasks:				
Public Outreach (EnvirolIssues)			\$ 81,572	
Right-of-Way Acquisition Services (UFS)			\$ -	
Grant Writing Services (Lochner)			\$ -	
Other Subtotal:				\$81,570
Total Project Amendment				\$847,410

Memorandum

TO: Andrew Zagars, City Engineer; Sam Park, Project Manager; Steve Leniszewski, Public Works Director.

FROM: Rich Meredith, Lochner Project Manager; Steve Lewis, Principal; Molly Toy, Project Engineer.

DATE: March 29, 2017

SUBJECT: Contract Amendment 1 – Revised Design

Introduction

As we reviewed the changes in design for Issaquah-Fall City Road, we thought it might be easiest to understand if we reviewed where we started, added in the refinements resulting from the public process, and concluded with the amendments defined by the City Council. As with most major capital projects, Issaquah-Fall City Road has evolved as community aspirations have become clear and as the Council has reviewed construction impacts and redirected project delivery.

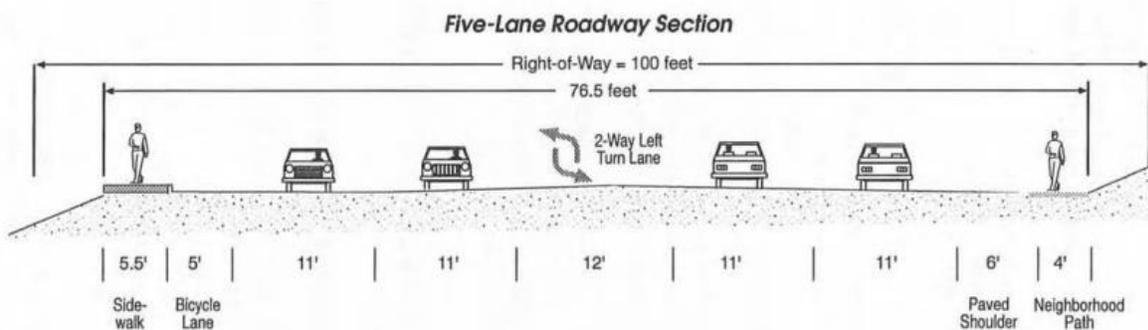
Where We Started

The basic design for which the original fee estimate was derived was a variation from the design prepared in the King County FEIS, dated March of 1996.

That design included four 11’ driving lanes, a 12’ center turn lane, a 5’ bicycle lane on one side and 6’ paved shoulder on the other, a 5.5’ sidewalk on one side and 4’ “neighborhood path” on the other. Both 247th place SE and Klahanie Drive SE were to be signalized intersections.

For the RFP, the City modified that design somewhat to meet City of Sammamish primary arterial standards, adding landscape strips. Limited landscaping was included, no irrigation and no urban design features. The estimated cost at the time of the Request for Proposals was \$17.3 million; with an estimated design fee, including public involvement of \$1.65 Million.

Figure 1: Cross Section from King County FEIS



Design Evolution

During the alternatives analysis phase of design, including the public process, design further evolved, as follows:

- The signalized intersections at Klahanie Drive SE and 247th Place SE were replaced with roundabouts;
- The design area was extended to 240th Place SE and a roundabout was added at 242nd Avenue SE to improve circulation;
- A benefit of adding a roundabout at 242nd Place SE is a reduction in pavement width, substantially reducing the need for a center turn-lane, utilizing the roundabouts for U-turns and reducing the amount of impervious pavement;
- To remain within right-of-way as much as possible and avoid a Section 4(f) permit related to taking school or park property, walls in place of the side slopes envisioned in the original design were added;
- A culvert remained the preferred option for crossing the North Fork Issaquah Creek; and
- Buffers were added between the driving lanes and the bicycle lanes.

The planning level construction cost for the preferred alternative was \$15 million.

Additional out of scope services tracked and to be added in a single contract addendum, in the amount of \$64,613, in addition to the amended scope, bring the new design budget to \$1,714,613.

City Council Preferred Option

After discussion and review by the Transportation Committee of the City Council, and further deliberation by the full Council, several refinements were added to the preferred alternative, as follows:

- A three-span bridge was added in place of the culvert and sag curve fill in order to both ease the permitting process and reduce the high volume of truck traffic needed to bring in suitable fill material;
- A HAWK Beacon was added to improve pedestrian safety, including a ramp up the slope to the Pacific Cascade Middle School;
- Geotechnical analysis was added to address bridge footings, HAWK beacon pole foundations, and retaining walls;
- An irrigated landscape median was added, including urban design details for the bridge;
- Even though it is the intent to keep the road open during construction, additional traffic analysis was added for detour routing, including an assessment of impacts to those city streets;
- Project communications elements were added, including:
 - An updated communications plan
 - A Construction/Detour Communications Plan
 - Four additional City Council meetings
 - One additional public meeting and one additional workshop

Issaquah-Fall City Road Improvements

242nd Avenue SE to Klahanie Drive SE

- Three additional mailings
- Additional Stakeholder meetings
- A “Virtual Town Hall”
- A project “storefront
- Peer review by Eastridge Church and their engineer

The total planning level construction cost estimate has increased to provide this substantially enhanced design to \$20.8 million and the design fee, including outreach efforts, has increased to \$2,496,250.

Design fee changes are summarized in the table below. A detailed scope and budget are attached to this memorandum.

Task Name	Total Budget	Out of Scope Work	Design Credit	Additional Services	Total Supplement	Revised Contract Budget
Project Management	\$225,810	\$8,813		\$75,800	\$84,613	\$310,423
Public Involvement	\$57,579	\$2,250		\$7,600	\$9,850	\$67,429
Site Assessment	\$7,465			\$4,330	\$4,330	\$11,795
Environmental Permitting	\$8,822					\$8,822
Traffic Analysis	\$51,982	\$6,750		\$20,468	\$27,218	\$79,200
Alternatives Analysis	\$131,309	\$33,300			\$33,300	\$164,609
Right of Way Acquisition	\$15,623					\$15,623
Preliminary Design (30%)	\$201,177		\$(24,392)	\$100,584	\$76,192	\$277,369
Intermediate Design (60%)	\$170,365		\$(13,921)	\$217,879	\$203,958	\$374,323
Final Design (100%)	\$136,328		\$(10,395)	\$158,836	\$148,441	\$284,769
Bid Assistance	\$55,388		\$(2,405)	\$9,094	\$6,689	\$62,077
TOTAL LOCHNER	\$1,061,848	\$51,113	\$(51,113)	\$594,591	\$594,591	\$1,656,439
Subconsultant Fee						
Shannon & Wilson	\$215,210			\$78,971	\$78,971	\$294,181
PACE Engineers	\$74,169			\$33,645	\$33,645	\$107,814
Aqua Terra	\$7,456					\$7,456
Enviroissues	\$94,711	\$13,500		\$68,072	\$81,572	\$176,283
HBB	\$39,407			\$47,211	\$47,211	\$86,618
UFS	\$146,949					\$146,949
Expenses	\$10,250			\$10,260	\$10,260	\$20,510
TOTAL SUBCONSULT	\$588,152	\$13,500		\$238,159	\$251,659	\$839,811
Total Earned Value (EV)	\$1,650,000	\$64,613	\$(51,113)	\$832,750	\$846,250	\$2,496,250

Exhibit 5

EXISTING TASKS	TASKS COMPLETED	OUT OF SCOPE SERVICES PROVIDED	SERVICES DELETED	SCOPE ADDED
Project Management		<ul style="list-style-type: none"> 12 additional staff meetings 2 additional City Council meetings 4 additional Transportation Committee meetings 	<ul style="list-style-type: none"> None 	<ul style="list-style-type: none"> Extend contract administration 14 month 28 staff coordination meetings 5 additional City Council meetings
Public Involvement		<ul style="list-style-type: none"> Updated communications plan Prepared additional graphics & boards for open house meetings Additional stakeholder interviews Staffing for stakeholder outreach meeting at YWCA Copper Ridge development review 	<ul style="list-style-type: none"> None 	<ul style="list-style-type: none"> Prepare stand-alone communications plan for construction phase Peer review for roundabout design with Eastridge church Additional round of stakeholder interviews Additional public open house meeting Public workshop meeting with a focus on construction related issues Online open house (virtual town hall) Outreach for construction detour impacts Outreach & tabling for two local events Prepare outreach materials for CITY staffed outreach events
Site Assessment		<ul style="list-style-type: none"> None 	<ul style="list-style-type: none"> None 	<ul style="list-style-type: none"> Additional soil borings & testing for bridge piers, abutments, & retaining walls. Supplemental geotech report - bridge design Additional surveying and base mapping: <ul style="list-style-type: none"> between 242nd Avenue SE & 247th Place SE (cut retaining wall tie-ins), between 247th Place SE & Klahanie Drive SE for fill retaining wall tie-ins due to bridge abutments and reconfiguring access to parcel 142406-9077, vicinity of 242nd Avenue SE for roundabout tie-ins parcel 142406-9068 - expected to be purchased for the use as storm water detention
Environmental Permitting			<ul style="list-style-type: none"> None 	<ul style="list-style-type: none"> None
Traffic Analysis		<ul style="list-style-type: none"> Roundabout analysis at 242nd Ave SE Traffic simulations for open house displays 	<ul style="list-style-type: none"> None 	<ul style="list-style-type: none"> Traffic report addendum for 242nd Ave SE Analysis for construction traffic impacts and detour routing
Alternatives Analysis	<ul style="list-style-type: none"> Task Complete 	<ul style="list-style-type: none"> Two additional bridge concepts Two additional bridge concept cost estimate 	<ul style="list-style-type: none"> None 	
Right of Way Acquisition		<ul style="list-style-type: none"> None 	<ul style="list-style-type: none"> None 	<ul style="list-style-type: none"> Title reports to be provided by CONSULTANT
Preliminary Design		<ul style="list-style-type: none"> Roundabout design at 242nd Ave SE 	<ul style="list-style-type: none"> Design for culvert at stream crossing 	<ul style="list-style-type: none"> Three-span bridge design Retaining wall design
Intermediate Design		<ul style="list-style-type: none"> None 	<ul style="list-style-type: none"> Design for culvert at stream crossing 	<ul style="list-style-type: none"> Three-span bridge design Retaining wall design Irrigation plans and details Urban Design plans and details
Final Design		<ul style="list-style-type: none"> None 	<ul style="list-style-type: none"> Design for culvert at stream crossing 	<ul style="list-style-type: none"> Three-span bridge design Retaining wall design Irrigation plans and details Urban Design plans and details
Bid Assistance		<ul style="list-style-type: none"> None 	<ul style="list-style-type: none"> Bid assistance for culvert design at stream crossing 	<ul style="list-style-type: none"> Bid assistance for three-span bridge design Bid assistance for retaining wall design Bid assistance for irrigation plans and details Bid assistance for Urban Design plans and details



Meeting Date: April 4, 2017

Date Submitted: 3/20/2017

Originating Department: Public Works

Clearances:

- | | | |
|--|--|--|
| <input type="checkbox"/> Attorney | <input type="checkbox"/> Community Development | <input type="checkbox"/> Public Safety |
| <input type="checkbox"/> Admin Services | <input checked="" type="checkbox"/> Finance & IT | <input checked="" type="checkbox"/> Public Works |
| <input checked="" type="checkbox"/> City Manager | <input checked="" type="checkbox"/> Parks & Recreation | |

Subject: Purchase two Ford F-250 pickups for Maintenance and Operations using the Washington State Contract.

Action Required: Authorize the City Manager to purchase two 2017 Ford F-250 4WD pickups.

Exhibits: N/A

Budget: Funds for the vehicle replacement are allocated in the Equipment Rental and Replacement Fund.

Summary Statement: The two 2017 Ford F-250 4WD pickups will replace trucks V-028 & V-029, both Dodge Ram 2500 4WD Club Cab pickups.

Background: The Parks truck V-028 and Streets truck V-029, both Dodge Ram 2500 4WD pickups, were purchased in May of 2009. The trucks have an extensive repair history. As of January 2017, we have spent a total of \$63,063 on repairs for both trucks, \$33,702 on V-028 and \$29,511 on V-029. Truck V-029 has another repair pending that has been quoted for over \$3,500. The total replacement cost estimate for both vehicles is \$116,000. The trucks are scheduled to be replaced in 2019. Due to the extensive repair history and considerable expense, the decision was made to replace both trucks 18 months earlier than planned, rather than continue spending money on repairs.

Both trucks V-028 & V-029 are used for snow & ice removal. Production of the 2017 Ford F-250 is going to be discontinued and the last day to place an order is May 3rd. It is important to get these trucks ordered before the cutoff date, the next production of the F-250 doesn't start until October 1, 2017, and delivery time is 90-120 days. We want to make sure that the trucks are available for the 2017-2018 snow & ice season.

Financial Impact:

The funds for the vehicle replacements are allocated in the Equipment Rental and Replacement Fund (501-000-594-48-64-00) as listed below.

Vehicle	Est. Cost
2017 Ford F-250 4WD Extended Cab	\$57,000
2017 Ford F-250 4WD Crew Cab	\$59,000
Total	\$116,000

Recommended Motion:

Authorize the City Manager to purchase one 2017 Ford F-250 4WD Extended Cab pickup and one 2017 Ford F-250 4WD Crew Cab pickup through the Washington State Contract for a total cost not to exceed \$116,000.

COUNCIL  **MINUTES**

Regular Meeting
March 7, 2017

Mayor Don Gerend called the regular meeting of the Sammamish City Council to order at 6:30 pm.

Councilmembers present:

Mayor Don Gerend
Deputy Mayor Bob Keller
Councilmember Tom Hornish
Councilmember Kathy Huckabay
Councilmember Christie Malchow
Councilmember Tom Odell
Councilmember Ramiro Valderrama

Staff present:

Lyman Howard, City Manager
Jessi Bon, Deputy City Manager
Angie Feser, Parks & Recreation Director
Kyle Endelman, Parks & Recreation Deputy Director
Tim Larson, Communication Manager
Mike Kenyon, City Attorney
Lita Hachey, Deputy City Clerk

Roll Call/Pledge of Allegiance

Roll was called. Councilmember Valderrama led the pledge.

Approval of Agenda

MOTION: Councilmember Huckabay moved to approve the agenda as amended. Councilmember Malchow seconded. Motion carried unanimously 7-0.

City Manager Lyman Howard proposed to move the Executive Session to before the City Manager's Report.

Presentations/Proclamations

Community Center Operations

David Mayer, Executive Director, YMCA of Greater Seattle, gave a Community Center update and showed a PowerPoint presentation (*available upon request to the City Clerk, manderson@sammamish.us*)

Student Liaison Report

Tyler Zangaglia gave an update of events for Eastlake High School. The tolo dance is coming up on March 18th. The girls' basketball team had a very successful season, moving on to the state championships. Spring sports will be starting soon, which include, girls' tennis, baseball, boys' soccer and track & field. The DECA program did well in business and marketing, placing high at the state competition.

Public Comment

Rituja Indapure, 25822 SE 41st Place, spoke regarding the anti-immigration ban and the rising number of hate-crimes that are happening all around the country. She feels that we need to take action now as these crimes already are happening in Sammamish. Education and awareness of our rights need to be brought forward.

City Manager Lyman Howard read the following to the Citizens of Sammamish:

In recent months we've seen disturbing reports from around the country of attacks directed at religious minorities, ethnic groups and other vulnerable populations.

And unfortunately, we've also seen incidents closer to home. Just recently, a bomb threat was received by the Jewish Community Center on Mercer Island. And the Muslim Association of Puget Sound mosque in Redmond was vandalized twice late last year.

Choosing not to remain silent, the Sammamish City Council issued a proclamation in December affirming this community's inclusive values, stating that no discrimination would be tolerated on the basis of race, sex, religion, national origin, disability, sexual orientation or gender identity.

Tonight, as the City Manager of Sammamish, I would like to add that everybody here at City Hall understands and embraces the inclusive policies outlined by our City Council in that proclamation.

From our police officers, to our parks and maintenance personnel, to our planners and engineers, we all understand what our City Council is insisting on – the fair and dignified treatment of all people.

We know these stories from around the country can be frightening to both children and adults.

And we don't want these menacing symptoms of hate to become more frightening due to any silence on our part.

So that's why, as your City Manager, I want every one of you – the good residents of Sammamish – to know that I will administer and deploy the resources of this City on behalf of each and every one of you.

Your City Council and your City Manager will defend and protect the dignity and wellbeing of all people.

We hope you never have occasion to do so, but if you ever feel under immediate threat, please call 9-1-1.

And if you'd like to speak to me, please call.

To those of you listening tonight who've been made uncomfortable by recent events, I hope you know that we mean what we say.

You are welcome here. We are enriched by your presence. And we intend to earn your trust by practicing what is best in the American tradition, and rejecting the hateful actions of a perverse few.

Mayor Gerend suggested publishing the following proclamation again, from the December, 13, 2016 Regular Meeting.

Sammamish City Council Proclamation: Reaffirming Our Values –

In the wake of a contentious and discordant national election, we take this moment to pause and reaffirm our principles and values.

As your City government, our role is to bring people together and not divide them. Our job is to be welcoming of all people and all ideas in recognition that we truly are stronger and

smarter together. We need to recognize certain essential principles and conduct our government and hopefully our lives consistent with those principles.

Consequently, as your City Council, we pledge:

To do all we can to foster civil discourse.

To ensure that City services are always provided in a manner that does not discriminate on the basis of race, sex, religion, national origin, disability, sexual orientation or gender identity.

To foster a community that always encourages people to achieve their potential and help others to do similarly.

To protect our air, water and other parts of our natural environment to protect the health and futures of our families and future generations.

To welcome, without reservation, new people from all parts of our world, with an abiding faith in their potential to be part of and strengthen our community.

To never marginalize or demonize any person or group of people.

To respect and listen to people and their ideas.

To understand that we have a responsibility not just to ourselves but to others in our region including many who are not as fortunate.

To do all we can to ensure that our children will inherit a world that includes all of the good that the world our parents brought us into had.

To encourage that our national, state and regional leaders uphold these same values.

We commit to regularly remind ourselves of these principles and to judge ourselves and our City by our adherence to them.

Proclaimed, this 13th day of December, 2016.

Minal Kode, resident of Sammamish, she is an immigration attorney and on the board of an organization called API Chaya. This is a non-profit organization that provides support to people who have experienced domestic abuse, sexual assault, forced marriage, human trafficking, and exploitation. She spoke regarding the hate crimes around the country and in our own city and state. She feels we are being naïve if we believe that this will not happen in Sammamish. She would like for us all to work together to create programs and help clinics to safe-guard our community

Todd Myers, 27585 SE 31 Pl, with the Washington Policy Center, he feels there is a lot of false information out there concerning plastic bags. He is encouraging Council not to support the ban. He feels the plastic bag ban has been over-rated.

Hank Klein, 21800 SE 28-St, with Sustainable Sammamish, spoke in support of a ban of the use of plastic bags in Sammamish and showed a Powerpoint presentation. (presentation available upon request to the City Clerk, manderson@sammamish.us)

Ken Gamblin, 1830 216-Pl, spoke in favor of a plastic bag ban in Sammamish. (presentation available upon request to the City Clerk, manderson@sammamish.us)

Sean Smith, 1605 2885 216-Ct SE, he feels that there are two sides to every issue and feels that common sense analysis would be to just ban them.

Deb Sogge, Sammamish Chamber of Commerce, supports the plastic bag ban but does not support the five cent charge for the use of a bag because it poor customer service.

Mayor Gerend directed the City Manager to schedule this item for discussion at a future study session or regular business meeting. He encourages both the pro and con groups of the plastic bag issue to provide the City with scientific references.

Councilmember Odell commented that he would like staff to contact the technical experts like NOAA, Washington Fish and Wildlife, WRIA8 for their options on the topic.

Councilmember Hornish is not sure that this is the time to commit to studying this topic. This is a very large issue. Councilmember Valderrama would also like to wait and do a deeper dive into the subject at a later date. Deputy Mayor Keller supports a look at the issues when there is time.

Reid Brockway, 167 E Lk Sammamish Shore Lane NE, spoke with an appeal for better communication from Sammamish. This issue concerns the East Lake Sammamish Trail. The Trail homeowners feel disconnected from what is happening. He feels we need to open up the channels of communication with the City and King County.

Mary Victor, 408 208-Ave NE, spoke about the stormwater flows and silt. *Powerpoints on George Davis Creek and Zackuse Creek (available upon request to the City Clerk, manderson@sammamish.us)*

Jan Bird, 3310 221 Ave NE, spoke regarding the public comment process. She feels that grouping by category would be difficult to organize. For Study Sessions, limit comments to the topics on the agenda. Limit public comment to thirty minutes, period, with three minutes for individuals and five minutes for members of an organization.

Sean Smith, spoke previously, commented on immigrants coming to our country and feels everyone needs to be welcoming to all people, from every nation. Directed people to a website called www.welcomingamerica.org

Consent Agenda

Payroll for period ending February 28, 2017 for pay date March 3, 2017 in the amount of \$ 347,461.30

Approval: Claims For Period Ending March 7, 2017 In The Amount Of \$1,792,004.81 For Check No. 46677 Through 46766

Approval: Minutes for February 21, 2017 Regular Meeting

MOTION: Councilmember Huckabay moved to approve the Consent agenda. Councilmember Hornish seconded. Motion carried unanimously 7-0.

Public Hearing - None

Unfinished Business - None

New Business

Scoping Discussion: Communications Strategic Plan

Tim Larson, Communications Manager, presented on the communications strategic plan to evaluate the City's current approach and identify an improved Citywide communications strategy going forward. The 2017-2018 City Council Department budget includes \$25,000 for the development of a communications strategy and showed a Powerpoint. (*presentation available on the City website at www.sammamish.us*)

MOTION: Councilmember Hornish moved to approve the proposed scope of work and authorize the City Manager to proceed with consultant selection and procurement. Councilmember Malchow seconded. Motion carried unanimously 7 – 0.

Process: Public Comment at Council Meetings

City Manager Lyman Howard gave an update from the Ad Hoc Public Comment Task Force.

CURRENT CALENDAR:

- 1st Monday of the Month – Shorter Study Session from 4:30 PM to 6:30 PM
- 1st Tuesday of the Month – Regular meeting from 6:30 PM to 10:00 PM
- 2nd Tuesday of the Month – Study Session from 6:30 PM to 10:00 PM
- 3rd Tuesday of the Month - Regular meeting from 6:30 PM to 10:00 PM
- 4th Week of the Month – Travel and Prep week for Council and Staff

Study Sessions:

- Committee discovered that Sammamish is the only city offering public comment at Study Sessions. We are recommending that Public Comment not be included on the agenda for study sessions.
- Citizens are able to contact the City Council and Staff directly if there is an urgent matter that needs to come to Council or the City Manager's attention.
- There is minimal delay from the Monday's (Study Session) to Tuesday's (Regular) meetings.
- There is the same delay from the 1st regular meeting of the month to the 2nd regular meeting of the month as there is from the 2nd regular meeting of the month to the 1st regular meeting of the next month.
- We will continue to have monthly, Council Office Hours.
- We will have a City booth, manned by Councilmembers and Staff, at the Farmer's Market.
- We have a number of special projects meeting for public interaction and topical comment.
- Councilmembers have expressed their willingness to meet with our citizens over coffee or here at City Hall via appointments.

Regular and Special Meetings

Three options for council consideration:

Option 1 - Recommended

- List an estimated time of 30 minutes for public comment on the agenda. Allow the presiding officer the ability to extend it by another 30 minutes if needed. If there is additional comment after the hour, it will be heard at the end of the meeting up to 10:00 PM.
- Allow 3 minutes per person or 5 minutes for a recognized community group.
- Allow 3 speakers per topic or per side of a topic – encourage collaboration and well-presented ideas.
- The presider uses tries to encourage elaboration and to group the topics by category so that there is continuity of subject matter.
- Remove the council rule allowing a second opportunity to speak on another topic – the speaker should include that second topic in their initial presentation. This does not apply to or limit the ability to comment at public hearings. Strike this bullet.

Option 2

- Continue to allow public comment until done.
- Encourage collaboration by speakers
- Encourage the presiding officer to proactively manage the comments
- Remove the council rule allowing a second opportunity to speak on another topic – the speaker should include that second topic in their initial presentation. This does not apply to or limit the ability to comment at public hearings.

Option 3

- Start public comment at 8:00 PM or as soon thereafter as practical.
- List an estimated time of 30 minutes for public comment on the agenda. Allow the presiding officer the ability to extend it by another 30 minutes if needed. If there is additional comment after the hour, it will be heard at the end of the meeting up to 10:00 PM.
- Allow 3 minutes per person or 5 minutes for a recognized community group.
- Allow 3 speakers per topic or per side of a topic – encourage collaboration and well-presented ideas
- Group the topics by category so that there is continuity of subject matter
- Remove the council rule allowing a second opportunity to speak on another topic – the speaker should include that second topic in their initial presentation. This does not apply to or limit the ability to comment at public hearings.

MOTION: Councilmember Odell moved to remove bullet #5 from Option # 1. Councilmember Malchow seconded. Motion carried 6-1 Councilmember Odell dissented.

MOTION: Councilmember Valderrama moved to approve Option # 1 as amended. Councilmember Odell seconded. Motion carried unanimously 7 – 0.

MOTION: Councilmember Hornish moved to remove public comment at the first Study Session of the month and place public comments at the beginning of the meeting at the second study session of the month at 6:30 pm limited to 30-minutess and on topics to be discussed. Councilmember Malchow seconded. Motion carried 4-3 with Councilmembers Keller, Huckabay and Valderrama dissenting.

Councilmember Malchow feels that all public comment should be at 6:30 pm.

Councilmember Odell would like public comment at the end on Tuesday.

Councilmember Valderrama would like at both sessions and at the same time, with a 30-minute limit on both. Deputy Mayor Keller agrees with Councilmember Valderrama to have both at 6:30 pm with at 30-minute limit.

Council Reports/Committee Reports

Mayor Gerend submitted report on North-End Mayor’s meeting earlier today.

Councilmember Valderrama reported that yesterday he, Mayor Gerend and Councilmember Hornish attended a presentation at Citizen’s for Sammamish on the financial situation of Sammamish. He suggested that they might be allowed to show this presentation at the upcoming Finance retreat. Eastside Fire and Rescue will be discussing the interlocal agreement extension, this coming Thursday.

Councilmember Malchow will be attending the Public Involvement Committee Meeting tomorrow night. There is potential action relating to appointments to Suburban Cities Association board of directors. She submitted a written report available in the Council packet.

Executive Session – Potential Property Acquisition pursuant to RWC 42.30.110(1)(b), Personnel pursuant to RCW42.30.110(g), and Potential Litigation pursuant to RCW42.30.110 (1)(i)

Council retired to executive session at 8:42 PM and returned at 9:50 pm and took the following action:

MOTION: Councilmember Malchow moved to approve the City Manager’s contract for 2017 in the form provided to the City Clerk, which reflects a 1.7% cost of living increase to the City Manager’s 2016 base salary, a one-time merit bonus of \$3,693 reflecting 2% of the City Manager’s 2016 base salary, and a maximum annual carry-over of accrued vacation leave of 380 hours. Councilmember Odell seconded. Motion carried unanimously 7 – 0.

City Manager Report

East Lake Sammamish Trail - King County (KC) and staff held a cordial meeting on February 28th, drafting county-wide standards for the entire system. The City still has concerns about those standards. The shoreline substantial development permit (SSDP) was shifted to a Type 4 from a Type 2 Permit Process which is appealable to the Hearing Examiner. The City is intending to hire a trail expert to assist us in the reviews. The surface water review will be double-checked through a peer review process. The City will send questions and comments to KC on the 60% submittal in late March. KC will provide a 90% and a 100% plan set. There is a willingness to hold public meetings and post individuals at City Hall. King County stated they will be working with trailside residents to look at what was promised and discussed previously.

The Central Washington University (CWU) lease agreement is moving forward with terms consistent with the earlier MOU. The lease agreement is scheduled for Council review at the March 21, 2017 regular meeting, per the terms. CWU officials have been on site drawing up plans for tenant improvements.

Meeting adjourned at 9:58 pm

Lita Hachey, Deputy City Clerk

Donald J. Gerend, Mayor



SPECIAL STUDY SESSION NOTES

Study Session

March 20, 2017

Mayor opened the study session of the Sammamish City Council at 6:30 p.m.

Executive Session: Property Acquisition pursuant to RCW 42.30.110(1)(b) and Potential Litigation pursuant to RCW42.30.110(1)(i)

Council retired to Executive Session at 6:35 pm and returned at 7:30 pm. No action was taken.

Public Comment

This is an opportunity for the public to address the Council. Three-minutes limit per person or 5 minutes if representing the official position of a recognized community organization.

No public comment.

Topics

Discussion: Annexation Update – Jeff Thomas, Community Development Director and David Goodman, Management Analyst gave the staff report and a PowerPoint presentation (*presentation available on the City's website at www.sammamish.us.*)

Discussion: Eastside Fire & Rescue Interlocal Agreement – Jeff Clark, Eastside Fire & Rescue Chief, gave an update on the extension of the interlocal agreement with Sammamish for fire services.

Adjournment

8:35 pm

COUNCIL  *MINUTES*

Regular Meeting
March 21, 2017

Mayor Don Gerend called the regular meeting of the Sammamish City Council to order at 6:30 pm.

Councilmembers present:

Mayor Don Gerend
Deputy Mayor Bob Keller
Councilmember Tom Hornish
Councilmember Kathy Huckabay
Councilmember Christie Malchow
Councilmember Tom Odell
Councilmember Ramiro Valderrama

Staff present:

Lyman Howard, City Manager
Jessi Bon, Deputy City Manager
Jeff Thomas, Community Development Director
Mike Sugg, Management Analyst
Aaron Antin, Finance/IT Director
Angie Feser, Parks & Recreation Director
Steve Leniszewski, Public Works Director
Tim Larson, Communications Manager
Kim Adams Pratt, City Attorney
Melonie Anderson, City Clerk

Roll Call/Pledge of Allegiance

Roll was called. Councilmember Hornish led the pledge.

Approval of Agenda

MOTION: Councilmember Valderrama moved to approve the agenda. Councilmember Malchow seconded. Motion carried unanimously 7-0.

Student Liaison Report

Presentations/Proclamations

- Proclamation: World Autism Day – Roisin O’Farrell, representing World Autism Day, spoke to the importance of continued research and support for people with autism. The Mayor read the following proclamation:

WHEREAS, autism is a pervasive developmental disorder affecting the social, communication and behavioral skills of those affected by it, and,

WHEREAS, as more health professionals become proficient in diagnosing autism, more children are being diagnosed on the autism spectrum, resulting in rates as high as 1 in 68 children nationally and,

WHEREAS, while there is no cure for autism, it is well-documented that if individuals with autism receive early and intensive treatment throughout their lives, they lead significantly improved lives, and,

WHEREAS, individuals with autism often require a lifetime of specialized and community support services to ensure their health and safety and to support families’ resilience as they manage the psychological and financial burdens autism can present,

WHEREAS, Autism Speaks.org is spearheading an awareness effort in order to educate parents, professionals and the general public about autism and its effects,

NOW, THEREFORE BE IT RESOLVED that I, Mayor Donald Gerend, do hereby proclaim April 2, 2017 as WORLD AUTISM AWARENESS DAY in the City of Sammamish, and urge all employees and residents to participate in our municipality’s National Autism Awareness Month activities, in order to become better educated about autism and create a better community for individuals with autism.

- Update on the Economic Development Analysis – Mike Sugg, Management Analyst and Mark Goodman from Community Attributes gave the staff report and showed a PowerPoint presentation (*presentation available on the City’s website at www.sammamish.us*). The Council will get another update on this analysis in June, 2017.
- Presentation: Lease Agreement with Central Washington University

MOTION: Councilmember Keller moved to authorize the City Manager to execute the lease agreement with Central Washington University (CWU) for the purpose of operating a higher education facility in Sammamish that will provide programming and coursework leading to a certificate, baccalaureate or masters degrees. The initial term of this lease is three years, with options to extend for an additional 15 years. The lease includes an option for CWU to buy the property it will be operating out of and, if CWU ever decides to sell the property, the City will have a first refusal to buy it back. Councilmember Odell seconded. Motion carried 6-1 with Councilmembers Hornish and Valderrama dissenting.

Councilmember Hornish feels that the City is subsidizing the school too much and that this agreement is not fiscally responsible. Councilmember Valderrama has concerns with the traffic the school will generate and agreed with Councilmember Hornish regarding the subsidy issue but was supportive of the agreement.

- Community Survey Results – Tim Larson, Communications Manager gave the staff report and showed a PowerPoint presentation (*presentation available on the City's website at www.sammamish.us*)

Public Comment

Michele Drov Dahl/Renee Wickstrom, Representing the Sammamish Library, spoke about a survey they did recently, asking residents what services they would like to see. They would also like the Councilmembers to take their survey. The survey is available at this website: www.surveymonkey.com/r/draftscenarios

Ella Moore, 290 N Alder, Issaquah, Representing the Heritage Society, requested an increase in their annual funding for an additional \$5,000.

Dee Carrel, 20814 NE 26th Place, concurred with the first speaker regarding the increase in funding for the Heritage Society.

CJ Kahler, 21911 SE 20th Street, requested that Council expand the Human Services Committee by adding three additional members from the public. He also encouraged Council to authorize the contract for Human Service needs assessment with Berk Consulting.

Pat Castillo, 2950 259th Place SE, also spoke in support of the contract for Human Services Needs Assessment. The Human Service Task Force is very supportive of the needs assessment.

Rita Badh, 2919 216th Avenue NE, Representing IAWW, spoke regarding the services provided by this organization. They will be presenting a workshop on dealing with Hate Crimes in Sammamish.

Consent Agenda

Approval: Claims For Period Ending March 31, 2017 In The Amount Of \$833,696.01 For Check No. 46767 Through 46864

Resolution: Authorizing And Supporting An Interagency Agreement With The Washington State Department Of Natural Resources, Urban And Community Forestry Program

Resolution: Authorizing And Supporting An Interagency Agreement With King County For Award Of Flood Reduction Grants

Resolution: Establishing Council Committee Charters And Setting Forth The Purpose, Authority And Responsibilities Of Each City Council Committee

Contract: Human Services Needs Assessment Consultant/Berk

Contract: Reard-Freed House Lease

Contract Amendment: 2016 Pavement Overlay/KBA

Approval: March 6, 2017 Study Session Notes

MOTION: Councilmember Valderrama moved to approve the Consent Agenda. Councilmember Odell seconded. Motion carried unanimously 7-0.

Public Hearing - none

Unfinished Business - none

New Business

a. Ordinance: First Reading: Relating To Notice Of Public Hearings Before The Hearing Examiner; Amending Sections 20.10.150 And 20.10.180 Of The Sammamish Municipal Code; Providing For Severability; And Establishing An Effective Date

b. Resolution: Approving The Hearing Examiner Rules Of Procedure, As Revised In Accordance With Section 20.10.190 Of The Sammamish Municipal Code

City Attorney Kim Pratt gave the staff report. One of the changes to the Hearing Examiner Rules of Procedures was to lengthen the noticing time for hearings so participants have more time to prepare. This is the first reading of the ordinance. It will be brought back for a second reading on April 4, 2017.

Council Reports/Committee Reports

Councilmembers Odell, Valderrama and Mayor Gerend attended the National League of Cities conference.

Councilmember Valderrama and several other Councilmembers attending the soft opening of the Metropolitan Market. He noted that there have been requests from the public for releasing information on procedures for variances and waivers and he wondered when that information would be available. He reported that the Council will support the 5-year extension of the Eastside Fire & Rescue contract. Council was supportive of the EF & R representatives work with the EF & R Board regarding funding options.

Deputy Mayor Keller attended the Sound Cities Association Public Involvement Committee meeting. He suggesting discussing the implications of regional centers on Sammamish.

Councilmember Huckabay attended the Go Green Conference.

City Manager Report

Mr. Howard reported on a hate crime incident that occurred in Issaquah and was reported to Sammamish Police. After talking with the victim, they determined that this was not a hate crime. In an effort to address this problem, the city will be holding a meeting regarding these types of issues.

He requested Council authorize the Mayor to sign a letter regarding Metro Route 269 changes.

Mr. Howard reported that there is vacancy on the Planning Commission. He asked Council how they would like to appoint a replacement. They would like staff to contact one of the previous candidates to see if he is still interested in serving on the Committee.

Executive Session – If Necessary

Meeting adjourned at 9:42 pm

Melonie Anderson, City Clerk

Donald J. Gerend, Mayor

Department Report

Fire Services



Discussion

Administrative Services



Discussion

City Council Salary Study





Puget Sound Regional Council

To participate remotely using BlueJeans

Via computer: <https://bluejeans.com/750891366/>

Call in:

- 1) Call either of the following numbers:
888-240-2560 (Toll Free)
408-740-7256
- 2) Enter Meeting ID: 750 891 366
- 3) Press #

Transportation 2040 Finance Working Group

March 9, 2017 • 11:30 a.m. – 1:30 p.m.

PSRC Conference Room • 1011 Western Avenue, Suite 500 • Seattle, WA 98104

Meeting Objective:

- Continued discussion of New Revenues

- 11:30 1. **Welcome and Introductions** – *Mayor Becky Erickson, Chair*
2. **Public Comment**
- 11:40 3. **Discussion:**
February 9th Meeting Summary and Follow-up – *Pavithra Parthasarathi, PSRC*
- 11:50 4. **Discussion:**
Washington Road Usage Charge Pilot Program – *Reema Griffith, Washington State Transportation Commission*
- 12:30 5. **Discussion:**
New Revenues: Overview & Menu of Transportation Funding Options* – *Benjamin Brackett and Ben Bakkenta, PSRC*
- 1:25 6. **Next Steps**
7. **Next Meeting:**
April 13, 2017, 12:00-2:00 p.m., PSRC Conference Room
- 1:30 8. **Adjourn**

Staff Contacts:

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Benjamin Brackett, bbrackett@psrc.org, 206-971-3280
Ben Bakkenta, bbakkenta@psrc.org, 206-971-3286

Website: <http://www.psrc.org/about/advisory/t2040finance/>

* Supporting material attached



Puget Sound Regional Council

Transportation 2040 Finance Working Group

Meeting Summary

February 9, 2017

Members Present: Mayor Becky Erickson, City of Poulsbo, Chair; Deputy Mayor Jay Arnold, City of Kirkland; Councilmember Bek Ashby, City of Port Orchard; Kim Becklund, King County Metro/Transportation Operators Committee; Rob Fellows, WSDOT Toll Division; Commissioner Rob Gelder, Kitsap County; Mayor Don Gerend, City of Sammamish/Executive Board; Jesse Hamashima, Pierce County/Regional Staff Committee; Peter Heffernan, King County DOT; Councilmember Kathy Lambert, King County; Mayor Pro Tem Debora Nelson, City of Arlington; Charles Prestrud, WSDOT Northwest Region; Commissioner Hester Serebrin, Washington State Transportation Commission; Jude Willcher, Seattle DOT; Councilmember Derek Young, Pierce County (via phone)

Guests and PSRC Staff: Kate March, City of Bellevue; Brian Parry, Sound Cities Association; Charlie Howard, Robin Mayhew, Ben Bakkenta, Benjamin Brackett, Craig Helmann, Pavithra Parthasarathi, PSRC

1. Welcome and Introductions

Mayor Becky Erickson, Chair, provided the welcome statement and group members introduced themselves.

2. Public Comment

There were no public comments.

3. Discussion: Current Law Revenue – Recap of Policy Decisions

Pavithra Parthasarathi provided a recap of the policy decisions related to Current Law Revenue, finalized by the Finance Working Group (FWG) during the January 2017 meeting. The discussion mainly focused on the assumption related to the historic rate of return to the region for the State Highways program area and what it means for the region. It is important to note that the rate of return assumption (60%) decided by the FWG is an interim rate subject to change, based on additional/new information from WSDOT.

Overall, the FWG members were in agreement with the policy decisions presented for the various Current Law Revenue program areas.

4. Discussion: New Revenue Assumptions in the Current T2040 Financial Strategy

Benjamin Brackett reviewed the new revenue assumptions included in the adopted T2040 Financial Strategy. New revenues refer to sources that are not active currently but are reasonably expected to be available over the duration of the plan. Benjamin's review highlighted the differences between dedicated and undedicated new revenue sources and the types of new revenues assumed for the different program areas (State Highways, Cities, Counties, and Local Transit).

The discussion focused on the merits of the new revenue assumptions in the current T2040 Plan, implementation of new revenues since 2014, their feasibility/relevance and impacts on system performance and users when evaluating new revenues for the T2040 Plan update.

5. Discussion: New Revenues: Futures Task Force Recommendations

Ben Bakkenta provided an overview of the Transportation Futures Task Force Recommendations. As background, a detailed review of the Futures Task Force's comprehensive process to develop recommendations was provided at the November 10, 2016 meeting of the Transportation Policy Board. Ben's overview focused on the revenue scenarios analyzed by the Futures Task Force, namely, the Transportation 2040 Plan, flat-rate pay per mile charge, peak/off-peak pay per mile charge, major emissions fee, and mixed sources.

Craig Helmann then reviewed the performance metrics used to analyze system performance and impacts on users for each of the five scenarios. The metrics analyzed include miles driven per person per day, hours of congestion per person per year, tons of emissions per person per year, peak period travel time along select corridors, and cost to drive to work for different household types and geographies.

Discussion focused on understanding the performance metrics and how they can be used/modified to analyze new revenue sources for the T2040 update.

6. Discussion: New Revenues – Principles & Evaluation Criteria

Ben Bakkenta reviewed the principles for evaluating different revenue options, originally developed by the Transportation Futures Task Force. The principles and evaluation criteria were briefly reviewed at the January 2017 FWG meeting. Ben's review highlighted the minor edits to the principles based on the feedback received from FWG members at the January meeting. A copy of this document with these changes was provided along with the meeting packet.

7. Discussion: FWG Roundtable

The discussion focused on the issue of system tolling, developments in technology, differences in public perceptions regarding tolling, the issue of geographical equity in distribution of toll revenues, and factors to consider in developing a balanced mix of revenue sources as part of the current T2040 Plan update. FWG members were in agreement that the group is on the right track to develop policy recommendations on the financial strategy to the Transportation Policy Board.

8. Next Steps

Ben Bakkenta quickly summarized the timeline for the financial strategy update and next steps, and pointed to the FWG website where meeting agendas and supporting materials will be posted.

9. Next Meeting: March 9, 2017, 12:00-2:00 p.m., PSRC Conference Room

The meeting adjourned at 1:20 p.m.

Transportation Funding Glossary

Revenue Source	Variants or Innovations	Potential Revenue	Brief Overview
Currently Used Puget Sound Region			
Excise Fuel Tax	<ul style="list-style-type: none"> • Tax Rate Per Gallon • Could be Indexed to: <ul style="list-style-type: none"> ○ Cost of Inflation ○ Fleet Fuel Efficiency 	\$0.01 state fuel tax generates \$17 million per year in Puget Sound region. (1)	The state fuel tax is set at a fixed rate per gallon of fuel (gasoline and diesel) and collected at the wholesale level (termed the “rack”). Consumers pay as part of the price shown at the pump. The current state fuel tax is 49.4 cents per gallon and generates about \$1.6 billion a year (about \$32 million per penny) with funds limited to use on highways by Washington State Constitution. Part of the state fuel tax is allocated to cities and counties (about 11 cents of the state fuel tax) and is limited to use on highways. The Federal fuel tax is 18.4 cents for gasoline and 24.4 cents for diesel and helps support Federal funding allocations to WSDOT (about \$1 billion per year) and public transit entities in the Puget Sound region (about \$264 million in 2013).
Motor Vehicle Title and Registration Fees	<ul style="list-style-type: none"> • License/title fees • Weight and commercial fees • Rental Car Fees 	\$1 increase in vehicle license fee generates \$2.5 million per year statewide. (1)	The state motor vehicle fees primarily include title fees paid when a vehicle is transferred from one owner to another, vehicle registration fees paid annually and fees paid at the time of vehicle rental. The fees vary by vehicle type such as autos or large trucks. These state fees generate about \$622 million per year.
Motor Vehicle Excise Tax	<ul style="list-style-type: none"> • Tax on depreciated value of the vehicle 	0.1% generates \$25 million per year in Sound Transit region. (2)	Motor Vehicle Excise Taxes (MVET) are a percentage applied to the depreciated value of the vehicle. This same concept could be applied to a select part of the vehicle such as the engine type or size to foster key goals such as the use of more fuel efficient vehicles.
Sales Tax	<ul style="list-style-type: none"> • Tax on sales of retail goods • Primarily local sales tax for transportation 	1% generates about \$760 million in Puget Sound region. (3)	There is a state sales tax and local/regional sales tax on retail goods and services as defined in state law with only a very small portion of the statewide sales tax (0.3% on the sale of motor vehicles or about \$42 million per year) dedicated to transportation. Various Local and regional sales tax have been dedicated primarily for public transit projects such as Metro and Sound Transit that collectively generated about \$1.3 billion in the Puget Sound region in 2013.
Tolled Express Lanes	<ul style="list-style-type: none"> • Single corridors • Convert HOV system • System-wide approach? 	New revenue would be project specific.	Tolled express lanes are special use lanes on expressways that allow free use for buses, vanpools, and high occupancy vehicles and all others pay a toll based on the level of congestion in the corridor. The tolled express lanes operate adjacent to non-tolled “general lanes”. Those in operation on SR-167 are estimated to generate about \$7 million per year in toll revenues. Express lanes are primarily designed to “provide choices and support a

Transportation Funding Glossary

Revenue Source	Variants or Innovations	Potential Revenue	Brief Overview
			<p>minimum level/ vehicle speed for the toll rate paid” as an alternative to congested corridors and not necessarily to generate excess revenues above the cost of the express lanes.</p>
<p style="text-align: center;">Tolled New Capacity/Bridges</p>	<ul style="list-style-type: none"> • Pre-construction tolls • Congestion-based pricing • Tolling for rehabilitation and replacement 	<p>Assumed to fully or partially fund project being tolled.</p>	<p>The State of Washington has used tolls to help finance the Tacoma Narrows Bridge and SR-520 Bridge System. Tolls on these bridges generate about \$125 million a year. Other growth states have created toll systems such as Florida and Texas where tolls form a major source of transportation revenue. Tolls may be charged at fixed rates such as per mile or per bridge crossing or these can vary during the day based on the peak periods. Currently toll facilities must be authorized by the General Assembly, toll rates set by the Washington State Transportation Commission, and the facility implemented and operated by WSDOT.</p>
<p style="text-align: center;">General Property Taxes</p>	<ul style="list-style-type: none"> • Rates set by local governments • Must choose to use part on transportation among many program choices 	<p>TBD</p>	<p>Property taxes are a tax on real property owned as homes and businesses. The tax is set as a percentage (or “millage”) of the property value to be paid annually to the collecting agency. The millage is set by local governments such as counties, cities, schools and other groups authorized to assess property tax. The collecting agency distributes the tax collections to the assessing local government for uses authorized in law for that local government. Any uses for transportation generally occur through the annual budget process for the respective local government, normally being the county or city.</p>
<p style="text-align: center;">Project Specific Property Fees</p>	<ul style="list-style-type: none"> • Limited use in region • With law changes could expand use • Not a major funding source • Can be effective on urban projects 	<p>New revenue would be project specific.</p>	<p>While not widely used for transportation projects in the Puget Sound region, local governments in the U.S. enact a number of different fees on property that benefits from a key infrastructure project, which may include roads, public transit, water/sewer systems, schools, and related items. These fees may include a special assessments against the property, impact fees when permits are authorized for development, and/or the dedicated of future tax increments generated by the project and associated development. In large urban areas these tools may be enacted and implemented by a community redevelopment authority created by the local government through state authorization to focus on key areas of the city for development or redevelopment. These tools can be effective for specific projects such as adding a new transit station, extension or redevelopment of roads, new or improved interchanges or intersections, “livability” improvements such as sidewalks, bike lanes, trails, landscaping, traffic calming, signal system improvements and related items. These fees are not useful for major transportation program funding needs.</p>

Transportation Funding Glossary

Revenue Source	Variants or Innovations	Potential Revenue	Brief Overview
Used in Other States/Local Areas			
Street Maintenance Utility/Transportation Utility Fee	<ul style="list-style-type: none"> Calculated utility fee based on road network usage. 	TBD	Street Maintenance Utility (SMU) legislation is based upon the legal theory that users of the street system should pay according to the burden they place on the street system. Agencies forming SMU's would be required to set utility rates equitably based on the number and impacts of trips generated by various land use types. It is in the interest of all cities that choose to establish a SMU that rates be based upon the actual financial needs to achieve a community's desired level of service for the street system.
Sales Tax on Motor Fuels	<ul style="list-style-type: none"> A percentage rate applied to price of motor fuels 	At \$3.00 per gallon a 1% sales tax generates about \$102 million statewide. (3)	In recent years as the price of motor fuels have increased, a small group of states have implemented a sales tax on motor fuels that operates in the same manner as a general sales tax where the tax rate is a percentage of the price of motor fuels charged at the pump (retail level). In most cases the sales tax on motor fuels replaced an existing state excise tax on motor fuels.
Expressway Congestion Tolls	<ul style="list-style-type: none"> Flat toll for peak trip Variable price per segment and time of day 	\$.01 per mile generates an estimated \$140-\$160 million per year in Puget Sound region. (4)	In recent years there has been discussion of tolling the "Interstate" or "Expressway" system as an alternative to traditional funding sources such as the fuel tax. Studies have been or are being conducted in states such as Connecticut, North Carolina, and Virginia to consider tolling part or all of the Interstate or Expressway system in those states. To date no state has instituted a major system of tolling the existing Interstate or Expressway system. Tolls could be set as fixed rates or could vary based on the level of congestion.
Road Usage Charges	<ul style="list-style-type: none"> Pre-pay or post-pay Options range from: <ul style="list-style-type: none"> Based on odometer Based on GPS, on public roads only 	\$.01 per mile generates an estimated \$275-\$350 million per year in Puget Sound region. (4)	Due to concerns the fuel tax is not sustainable a number of studies have been conducted on a new concept termed "Pricing or Road Usage Charges" for use of the transportation system. Concepts include a "per mile charge" that could be assessed and collected using a range of methods from very low-tech methods such as periodic reading of motor vehicle odometers to high tech GPS-based systems with pricing set to exact roadway and time of use. The discussion for this source normally includes a roll-back of the fuel tax and possibly other revenue sources so there is not the concern of "double taxation" for user fees. Oregon has the most developed research on Road Usage Charges including multiple pilot programs. The Washington State Transportation Commission has been studying Road Use Charges since 2012, at the direction of the state legislature. At this time the policy and approach to Road Usage Charges in Washington is in the study and pilot project development stage.

Transportation Funding Glossary

Revenue Source	Variants or Innovations	Potential Revenue	Brief Overview
General Carbon Tax	<ul style="list-style-type: none"> • Applies to many carbon emitters and industries • Use on transportation competes for available funds among many policy and program choices 	TBD	<p>Many other countries have implemented carbon “cap and trade systems” where major carbon emitters such as utilities, major industrial plants, and motor fuel wholesalers must meet the caps or purchase carbon credits from those that have credits available, many of which are owned by the government. The government credits being sold might be termed a “carbon tax”. The government that collects the carbon tax for carbon credits must decide how to use the collected funds. As an example, the State of California has implemented a carbon cap and trade system in phases over several years. State elected leaders (Governor and legislative members) have established policies for fund uses which support carbon reduction goals. These include like high speed rail and local carbon reduction initiatives with limited funds for transportation. California added motor fuels in 2015 to the phase-in plan so it is unknown how much carbon tax revenue might be generated from the sale of state carbon credits related to motor fuels. Prior to the implementation of motor fuels in the carbon cap and trade system, California state carbon credits purchased totaled about \$970 million between November 2012 and November 2014.</p>
Carbon Tax on Motor Fuels	<ul style="list-style-type: none"> • Applies to carbon emission from motor fuels 	<p>Similar rate to state fuel tax of \$0.01 generates about \$17 million per year in Puget Sound region. (1)</p>	<p>The Province of British Columbia has implemented a “carbon tax” on motor fuels province-wide that is assessed as cents per liter and collected very similar to the fuel tax in the State of Washington. The amounts enacted are higher in urban areas such as Vancouver and Victoria. Funds are primarily allocated to highways and transit uses. The carbon tax rate on motor fuels in British Columbia is equivalent to a tax rate in excess of 50 cents per gallon.</p>
Employee Tax	<ul style="list-style-type: none"> • Flat rate per employee per month or year • Rates based on hours of employee work 	<p>A region-wide tax rate of \$1.00 (2021-2030) and 2.00 (2031-2040) per employee per month would generate about \$460 million between 2010-2040. (1)</p>	<p>Employee taxes can be applied in a variety of ways, such as charging businesses defined amounts per employee per year, or by setting rates based on hours of employee work. Typical tax rates range from \$15-\$25 per employee per year. Employers often are taxed at reduced rates for part-time workers</p>

Transportation Funding Glossary

Revenue Source	Variants or Innovations	Potential Revenue	Brief Overview
Parking Charges/Taxes	<ul style="list-style-type: none"> • Metered curbside parking charges • Flat or percentage taxes on commercial parking providers 	<p>A region-wide parking surcharge of between 2.5% (2021-2030) and 5.0% (2031-2040) on commercial parking spaces in regional centers would generate about \$1.45 billion between 2010-2040. (1)</p>	<p>Parking charges, taxes, and fees can take a variety of forms, and are used both to raise revenue and to achieve policy objectives, such as managing parking supply and reducing congestion in specific areas. Commercial parking taxes are a special tax on parking rental transactions. Per-space parking levies are a special property tax applied to parking facilities. Pricing of public-owned parking can be used as a way to manage parking demand, manage vehicle traffic, and generate revenue.</p> <p>Revenue potential can vary widely based on the types of parking charges or taxes used.</p>

Notes for Revenue Estimates

- (1) Developed from the revenue estimates supporting the Puget Sound Regional Council 2040 Transportation Plan.
- (2) Developed from actual revenues reported on the Sound Transit internet portal.
- (3) Estimates developed by Clary Consulting in 2015 from available data sources including State of Washington Department of Transportation, Puget Sound Regional Council, King County, Sound Transit, State of Washington Department of Revenue and other relevant sources.
- (4) Estimates developed by CDM Smith in 2015 from data sources including State of Washington Department of Transportation, Puget Sound Regional Council, and other relevant sources.