

COUNCIL  *MINUTES*

Special Meeting
January 10, 2017

Mayor Don Gerend called the special meeting of the Sammamish City Council to order at 5:30 pm.

Roll Call – Roll was called

Executive Session: To Review the Performance of a Public Employee pursuant to RCW 42.30.110(1)(g) and Potential Property Acquisition pursuant to RCW 42.30.110(b)

Lyman Howard, City Manager announced that the Executive Session will be extended until 6:45 pm.

Council adjourned to Executive Session at 5:32 pm and returned at 6:43 pm with no action.

Return to Special Meeting 6:45 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
- Aaron Antin, Finance/IT Director
- Angie Feser, Parks & Recreation Director
- Kyle Endelman, Deputy Director
- Steve Leniszewski, Public Works Director
- Andrew Zagars, City Engineer
- Sam Park, Public Works Senior Project Engineer
- Tim Larson, Communications Manager

Mike Kenyon, City Attorney
Melonie Anderson, City Clerk
Lita Hachey, Deputy City Clerk

Roll Call – Roll was called

Pledge of Allegiance – Councilmember Valderrama led the pledge.

Approval of Agenda

Councilmember Hornish moved to change the agenda and have Public Comment moved to after the first Recognition in Presentations and Proclamations. Councilmember Valderrama seconded.

City Manager Howard suggested that we start with Public Comment and when King County Councilmember Lambert arrives, break for her recognition at that time.

MOTION: Councilmember Hornish moved to approve the agenda. Councilmember Valderrama seconded. Motion carried 6-1 with Councilmember Huckabay dissenting.

Public Comment

Gene Morel, 2933 E Lk Sammamish Pkwy SE, spoke regarding the East Lake Sammamish Trail (ELST) and the problems that homeowners are having with the permitting process. *(Handed out a comment sheet to City Council, available upon request to the City Clerk, manderson@sammamish.us)*

Arul Menzez, 3145 E Lk Sammamish Shore Lane SE, spoke regarding the ELS Trail *(Handed out a comment sheet to City Council and showed a PowerPoint presentation, available upon request to the City Clerk, manderson@sammamish.us)*

Annette McNabb, 3143 E Lk Sammamish Shore Lane SE, spoke regarding the ELS Trail and the issues they have with the permitting process. She would like the City to rescind the Shoreline Substantial Development Permit granted to King County.

Doug Schumacher, 3141 E Lk Sammamish Shore Lane SE, spoke regarding the ELS Trail and suggested pulling back the King County permit.

Councilmember Lambert arrived at meeting.

Presentations/Proclamations

Recognition: King County Councilmember Kathy Lambert
Ms. Lambert spoke about the Best Start for Kids program, Sports for Youth, Medication for Pets- Medical plan for pets, New program called “Aces” for children. Invitational Meeting on

January 18th about the Solid Waste program. Spoke regarding the Puget sound Regional Council. Presented Mayor Gerend with a check for 2 grants in the amount of \$85,000.00 for Parks and Recreation projects.

Mayor Don Gerend presented Councilmember Lambert with a proclamation and gifts. Read the following proclamation:

Whereas, King County Councilmember Kathy Lambert represents the residents of District 3, the largest of the nine Council districts; and
Whereas, more importantly, she also represents the very fine people of Sammamish; and
Whereas, she has always been willing to listen and share her thoughts with Sammamish city officials in a collaborative and helpful way; and
Whereas, she has recently helped the city obtain two grants (for our parks), one for \$35,000 and another for \$50,000; and
Whereas, King County Councilmember Kathy Lambert is on the board of directors for the Eastside Human Services Forum and Hopelink; and
Whereas, she uses her influence as the Chair of the Council's Committee of the Whole and as Vice Chair of the Budget Committee for the good of all communities; and
Whereas, she is our ally, our representative, and our friend in a distant courthouse;
Now therefore, I, Don Gerend, Mayor of the City of Sammamish, to hereby proclaim, on behalf of the entire Sammamish City Council, and our entire community, the deepest gratitude and affection for our champion, King County Councilmember Kathy Lambert.

Public Comment, continued

Councilmember Huckabay suggested if there might be a different forum that could be used for citizens to present their various property issues.

Mr. Howard suggested setting up a special meeting with the ELS Trail citizens to discuss the individual complaints and to meet with staff, either individually or in a group setting.

Ted Davis, 3139 E Lk Sammamish Shore Lane SE, spoke regarding the ELS Trail and the issues that citizens are having with the permitting process with King County.

Mike Kenyon, City Attorney, stated that the deadline on January 27th is just for public to provide comments on the pending applications for shoreline substantial development permits (SSDP). The County has applied for two permits, the SSDP and a clear and grade permit.

Mr. Morel, (spoke previously), spoke on behalf of Mr. Miller, Mr. Conger and Mr. Stewart explaining the issues they have with property taxes and the permitting process.

Chris Large, 2811 E Lk Sammamish Pkwy SE, spoke regarding the ELS Trail permitting issues and asked the Council to rescind the permit application for the Trail.

Shawn Huarte, 3003 E Lk Sammamish Pkwy SE, spoke regarding the ELS Trail issues and having Mr. Morel's parking moved to his property.

Mary Wictor, 408 208th Ave NE, spoke about Public Input Challenges (*PowerPoint available upon request to the City Clerk, manderson@sammamish.us*)

Margaret Klomp, 149 E Lk Sammamish Shore Lane NE, spoke regarding a dispersion area near their home and she would prefer that the drainage go through the wetland area instead. (*Handed out a comment sheet to City Council, available upon request to the City Clerk, manderson@sammamish.us*)

Charles Meyer, 2121 E Lk Sammamish Place SE (representing the Sammamish Homeowners Board SHO) spoke regarding the East Lake Sammamish Trail.

Skip Buchanan, 813 E Lk Sammamish Pkwy NE, spoke about his request for flexibility regarding the vegetation on his property and trying to save 30 arborvitae bushes.

Reid Brockway, 167 E Lake Sammamish Shore Lane NE, spoke regarding the ELS Trail lawsuit.

Darren Pritt, 1433 E Lk Sammamish Shore Lane SE, spoke regarding the trail in the Mint Grove neighborhood. He is concerned about safety and emergency vehicle access.

Ray Spencer, 133 E Lake Sammamish Shore Lane SE, spoke about his issues with the Trail permitting and ownership of the properties.

Sharon Steinbis, 24933 SE 14th Street, thanked City Council for their support of the Washington Native Plant Stewardship program in Sammamish.

Councilmember Malchow acknowledged Ms. Steinbis for the recognition she received from the Native Plant Stewardship Committee from the Washington State level as Steward of the Year.

Jeff Gelfuso, 1423 E Lake Sammamish Shore Lane SE, Mint Grove neighborhood, expressed his frustration with the Trail process and would like to know what can be done to improve this.

John Landry, 1225 E Lk Sammamish Shore Land SE, Mint Grove, He asked Council about the driveway grades and emergency vehicles ability to access.

City Manager Howard reminded citizens that there is currently a representative from King County available for discussions and to review individual proposed plans at Sammamish City Hall. The clear & grade permit has not been issued and will not be until all the City's issues are dealt with. King County is currently suing the City over this permit. Councilmember Huckabay would like to see the Trail permit information on the City website so it would be clear what the status is on each permit.

Doug Borrell, Mint Grove, 1317 E Lk Sammamish Shore Lane SE, concerned about the safety and access by emergency vehicles. Spoke about a culvert situation near his home. He would like to have the 300 trees saved from being cut down at the entrance to their community.

Jeff Thomas, Director of Community Development, commented about the Trail permitting process and the amendments sent to the Shoreline Hearings Board and Department of Ecology. The process changed zoning type from R2 to R4 and is still pending final approval from the State Department of Ecology. The application for the South Segment 2B is being processed as a Type 2, as was Segment 2A. This might change depending on the timing of the approval. Councilmember Odell commented that he believes the wetland area by Mint Grove is actually a part of Pine Lake Creek. This area may be a part of the Kokanee Work Group's culvert replacement project. The Type 2 permit is issued administratively by the Director of Community Development and the appeal would be made directly to the Shoreline Hearings Board. With the Type 4 process, staff makes a recommendation to the Hearing Examiner, who makes the decision. This decision is then appealable to the Shoreline Hearings Board.

Vicki Beres, 2305 E Lk Sammamish Place SE, her home is one of the split properties and she is concerned about the area scheduled to be bulldozed to create a wetland buffer addition. Also, the removal of a pedestrian bridge and not providing them access to their dock. No replacement options are being provided by King County. She feels that all this is totally unnecessary.

Reid Brockway (spoke previously), asked about the sixty percent (60%) plan that are available from the applications and what is it that is subjected to the January 27, 2017 deadline.

Jeff Thomas, Director of Community Development, stated that the 60% plans are a part of the Shoreline Substantial Development permit application and the comments are relating to those plans. Comments should be submitted to the City by January 27th. Those comments will be sent to the County and responses are expected back.

John Titcoms, 629 E Lk Sammamish Shore Lane NE, commented about the trail and an opportunity in opening up George Davis Creek. He feels that the County does not own the right of way.

Eric Loper, 19314 SE 24th Way, he shares ownership with six others on some property on the lake. He would like Council to consider rescinding the permit.

Nick Silas, 429 E Lk Sammamish Shore Lane SE, Mint Grove neighborhood, spoke regarding the Trail issues and how can these issues happen in our City and Country. He is concerned about the safety issues and emergency vehicle access.

Quanna, 1601 E Lk Sammamish Pkwy SE, next to Mint Grove, is concerned about the King County (KC) process with the Trail and questioned why KC is fighting them with their own money.

George, would like to know the timing of the process and if this information can be found on the Sammamish website.

Lyman Howard stated that all this information will be made available on the City website. He also stated that the clear and grade permit has not yet been accepted as complete. The City Manager will have the City Attorney make a formal legal review of all the comments made here tonight.

Councilmember Valderrama spoke about the processes that should be in place during this permit. He would like those displayed on the Sammamish website. He feels that King County needs to come and explain themselves. A special meeting needs to be held to address all these issues and comments made here tonight.

Councilmember Huckabay would also like to set up a Special meeting in the immediate future to address all these issues.

Kathy Lambert recommended that a group of citizens, from this meeting, attend the King County Council meeting and express these frustrations to the entire KC Council at their public comment session. (the last Monday of every month is a time for Open Public Testimony at 1:30 pm at the Committee of the Whole (COW) meeting)

Council recessed for five minutes at 8:55 pm.

Presentation: Overview of Central Washington University Memorandum of Understanding

Lyman Howard introduced Aaron Antin, Director of Finance, who gave a staff update and presentation (*available on the City of Sammamish website at www.sammamish.us*)

MOTION: Councilmember Valderrama moved to authorize the City Manager to execute a signed Memorandum Of Understanding(MOU) with direction to move forward on the operating lease agreement. Councilmember Huckabay seconded. Motion carried by a vote of 6-1 with Councilmember Hornish dissenting.

Councilmember Hornish does not like the use of tax-payer's dollars on this investment, with such a low rate of return. He feels that this MOU is not binding enough and it is not what the Council agreed upon.

Councilmember Valderrama asked if we could get a firmer binding agreement by next week. Mr. Howard does not believe that would be possible.

Presentation: Eastside Fire & Rescue Strategic Plan

Fire Chief Jeff Clark updated Council on the Eastside Fire & Rescue Strategic Plan. Council received a hand-out detailing the plan.

Consent Agenda

- Payroll for period ending December 31, 2016 for pay date January 5, 2017 in the amount of \$ 333,192.05
- 1. **Resolution:** 2017 Legislative Priorities
- 2. **Resolution:** Appointing One Regular Member To The Sammamish Arts Commission
- 3. **Resolution:** Appointing Three Regular Members To The Sammamish Parks And Recreation Commission
- 4. **Resolution:** Appointing Five Regular Member To The Beaver Lake Management District Commission
- 5. **Contract:** Surveying Services/PACE
- 6. **Contract:** Engineering Services/PACE

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

Public Hearing - None

Unfinished Business

Commission Interviews - Planning Commission Applicants

Council interviewed the following applicants for the Planning Commission.

- Jane Garrison
- Roisin O'Farrell
- Matthew Petrich
- Dan Young
- Eric Peterson

MOTION: Councilmember Odell moved to extend the meeting until 11:30 pm. Councilmember Malchow seconded. Motion carried unanimously 7-0.

Executive Session: Evaluating Qualifications of an Applicant pursuant to RCW 42.30.110(h) and Potential Property Acquisition pursuant to RCW 42.30.110(b)

Council adjourned to Executive Session at 10:42 pm and returned at 11:22 pm.

MOTION: Councilmember Odell moved to extend the meeting until 12:00 am. Councilmember Malchow seconded. Motion carried unanimously 7-0.

Resolution: Appointing Two Members To The Sammamish Planning Commission

The City Council voted on the applicants and the following individuals were appointed to the Sammamish Planning Commission:

Roisin O'Farrell - Position #2 (3 year term)
Jane Garrison - Position #5 (4 year term)

Term Expires January 31, 2020
Term Expires January 31, 2021

MOTION: Councilmember Odell moved to approve the resolution appointing Roisin O'Farrell to Position # 2 and Jane Garrison to Position # 5 of the Sammamish Planning Commission. Councilmember Huckabay seconded. Motion carried unanimously 7-0.

New Business

Discussion: Issaquah Fall City Road Project Update

Steve Leniszewski, Public Works Director and Andrew Zagars, City Engineer gave a staff update and Steve Lewis, HW Lochner consultants showed a presentation. *(Presentation available on the City website at www.sammamish.us)*

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. The project team has reached a critical design milestone and a decision needs to be made regarding the type of roadway crossing where Issaquah Fall City Road crosses the North Fork of Issaquah Creek. The options include a bridge or a culvert, both of which have pros and cons.

MOTION: Deputy Mayor Keller moved to extend the meeting until 12:15 am. Councilmember Huckabay seconded. Motion carried unanimously 7-0.

Council will submit their questions to Staff in the next week to be answered by Public Works Staff.

Council Reports/Committee Reports

City Manager Report

Mayor Gerend asked for Council's approval to support a request by Senator Mark Mullet. He will be sending a letter to the State Legislature asking them to move forward with the I-90/SR-18 interchange project. The Mayor could sign a letter of support tomorrow if approved by Council tonight. Council gave conditional approval once it is clearly determined what is included in this proposal.

Councilmember Malchow would like to have a webcast/LiveStream of the Council retreat next week for those Citizens that unable to be there. Council asked the City Manager to look into a webcast recording of the meeting to see if it is technically feasible.

Executive Session – None

Meeting adjourned at 12:23 am

Lita Hachey, Deputy City Clerk

Donald J. Gerend, Mayor