

COUNCIL MINUTES

Regular Meeting October 3, 2017

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

Councilmembers present:

Mayor Bob Keller
Deputy Mayor Christie Malchow
Councilmember Don Gerend
Councilmember Tom Hornish
Councilmember Kathy Huckabay – attended remotely by telephone (left at 8:45pm)
Councilmember Tom Odell
Councilmember Ramiro Valderrama

Staff present:

Lyman Howard, City Manager
Jessi Bon, Deputy City Manager
Jeff Thomas, Community Development Director
David Goodman, Management Analyst
Kellye Hilde, Planning Manager
Aaron Antin, Finance/IT Director
Chris Gianini, Finance Deputy Director
Angie Feser, Parks & Recreation Director
Steve Leniszewski, Public Works Director
Mike Kenyon, City Attorney
Lita Hachey, Deputy City Clerk

Roll Call/Pledge of Allegiance

Roll was called. Councilmember Gerend led the pledge.
Mayor Bob Keller requested a moment of silence for the victims in the tragedy in Las Vegas this week.

Approval of Agenda

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

Public Comment

George Schryver, 22916 NE 15 Pl, concerned about the danger in the City parks, created by unleashed dogs and the dangers it is causing. He would like to hear back from the City employee he called last week.

Mr. Howard will follow-up with Mr. Schryver about this situation.

Margaret Rosenow, 21801 NE 4 St, representing the Sammamish Arts Commission, gave an update on the Arts Commission activities and showed a PowerPoint presentation. (available upon request to the City Clerk manderson@sammamish.us) Council suggested that this request be scheduled for a study session.

Ramu Iyer, 1607 223rd PI NE, representing the Sammamish Arts Commission, spoke with Ms. Rosenow and address the last slides in the Arts Commission presentation.

Mark Smith, 22526 SE 47th Place SE, spoke about the East Lake Sammamish Trail and bicycle safety. He mentioned the car/bicycle fatality that occurred in Issaquah this past week. He submitted a public records request on the amount spent by the City's attorneys on the lawsuits against King County. He would also like a copy of the appeal document from Judge Coughenour and the reconsideration of the preliminary injunction relating to this. He would also like to know how to receive notification of the Trail hearings.

Reid Brockway, 167 East Lake Sammamish Shore Lane NE, boardmember of Sammamish Homeowners Assoc., spoke regarding the trail hearing and the lack of response from King County to the SSDP2016-00415 – Segment 2B comments by Citizens. He stated that the SSDP2016-00415 has a certain scope of issues, many of them environmental. Councilmember Odell would like Mr. Howard to contact Kathy Lambert's office to address this issue. Councilmember Hornish would like a briefing prior to the hearing to help understand what is happening to these concerns.

Mary Wictor, 408 208 Ave NE, commented on soils and subbasins and showed a PowerPoint presentation. (available upon request to the City Clerk manderson@sammamish.us)

Jan Bird, 3310 221 Ave SE, spoke about a positive experience she had with City staff concerning an illegal tree cutting in her neighborhood.

Student Liaison Report - None

Presentations/Proclamations - None

Consent Agenda

Payroll for period ending September 15, 2017 for pay date September 20, 2017 in the amount of \$ 410,697.46

Approval: Claims For Period Ending October 3 , 2017 In The Amount Of \$3,876,831.45 For Check No. 48445 Through 48568

Ordinance: Second Reading; Creating A Human Services Commission And Adding A New Chapter 2.75 To The Sammamish Municipal Code; Providing For Severability; And Establishing An Effective Date (O2017-443)

Ordinance: Second Reading; Amending Section 22.15.050 Of The Sammamish Municipal Code Relating To Redemption Of Impounded Vehicles; Providing For Severability; And Establishing An Effective Date(O2017-444)

Contract: Urban Forestry Management Plan/Davey

Contract Amendment: Sammamish Landing ADA Improvements

MOTION: Councilmember Gerend moved to approve the consent agenda. Deputy Mayor Malchow seconded. Motion carried unanimously 7-0.

Public Hearing

Public Hearing/Ordinance: Adopting Interim Development Regulations As Authorized By The Growth Management Act Relating To Title 19a And Prohibiting The Circumvention Of Zoning Density; Providing For Severability; And Declaring An Emergency (O2017-442)

Jeff Thomas, Director of Community Development gave a brief report about the approved emergency ordinance.

Public Hearing opened at 7:11pm and closed at 7:33pm with the following comments:

Stacy Gillett, 233 6 Ave N, Seattle, Executive Director of ARC of King County (KC), would like Council to repeal this emergency ordinance. She spoke about the Baker property and how this ordinance will affect this property. The property was gifted to the ARC of KC and she shared the history of the Baker family. This is a million-dollar item to the ARC of King County.

Bob Johns, 11201 SE 8 Street, Bellevue, Attorney for ARC of King County, spoke about the Baker property and the affect this ordinance will have on the future of the property.

Eric Farley, 468 243 Pl SE, board of trustee for ARC of KC, spoke regarding the need to sell the Baker property and the aid these funds will provide for services and advocacy to vulnerable families and those with disabilities. He asked Council to not let this chance to do so much good, just pass by.

Greg Christianson, 2429 Sahalee Drive W, spoke regarding ARC of KC and the aid that they have provide his family. He would like the Council to let ARC sell this property to assist disabled children.

Stacy Gillett, spoke earlier, continued her message about what ARC does for the community. She would like the Council to reconsider this proposal.

Renee Harris, 21830 NE 17 Court, spoke about what ARC of KC has done for her family and daughter.

Kadamb Goswami, 481 243 Pl SE, spoke about the ARC of KC and what it has done to support his family. He urged Council to amend their decision.

Mac Archibald, 21846 NE 30 Pl, spoke regarding the ARC of KC and the decision to prevent the Baker property from being developed.

Brian McCray, 21533 SE 37 St, provided some statistics about the proposed property and comparable homes in the area.

Councilmember Hornish would like verification of the comment sheet submitted by Mr. Johns.

Jeff Thomas will provide Council a copy of the phase 3 plat map.

Deputy Mayor Malchow would like a timeline on the zoning for this plat.

Mr. Thomas is not aware of any other permit for this development other than for the existing home on the property. Mr. Johns confirmed that there is currently a road stub on site.

Public Hearing/Ordinance: First Reading; School Impact Fee Update

Ordinance: First Reading Relating To School Impact Fees; Amending The City's Comprehensive Plan To Adopt The Snoqualmie Valley School District No. 410 Capital Facilities Plan; Adopting The Associated School Impact Fee Schedule; And, Establishing An Effective Date

David Goodman, Management Analyst gave a staff update on School Capital Facilities Plans and Impact Fee Updates and showed a Powerpoint presentation. (available on the City website at www.sammamish.us)

Also in attendance was Steve Crawford, Director of Capital Projects – Issaquah School District (ISD) representative and Forest Miller, Director of Support Services – Lake Washington School District (LWSD) representative to answer any questions from Council.

Councilmember Odell questioned the LWSD charges for the proposed 2018 fees. Why is the LWSD fees down 23% from last year when schools are lacking in funds?

Public Hearing opened at 8:00pm and closed at 8:00pm with no public comments.

Ordinance: First Reading Relating To School Impact Fees; Amending The City’s Comprehensive Plan To Adopt The Lake Washington School District No. 414 Capital Facilities Plan; Adopting The Associated School Impact Fee Schedule; And, Establishing An Effective Date

Public Hearing opened at 8:00pm and closed at 8:02pm with the following comments

Paul Stickney, 228th Ave SE, spoke regarding why he feels fees are lower in the LWSD as a result of the style of construction and unit size of the multifamily units in the different school districts.

Ordinance: First Reading Relating To School Impact Fees; Amending The City’s Comprehensive Plan To Adopt The Issaquah School District No. 411 Capital Facilities Plan; Adopting The Associated School Impact Fee Schedule; And, Establishing An Effective Date

Public Hearing opened at 8:02pm and closed at 8:02pm with no comments.

Council recessed at 8:05pm for 5 minutes.

~~**Public Hearing/Ordinance:** Second Reading; Amending The Transportation Element Of The Sammamish Comprehensive Plan~~

Item # 8 has been removed and will be moved for consideration to the docket in 2018.

An Ordinance Of The City Of Sammamish, Washington, Adopting A Six-Month Moratorium On The Acceptance Of Certain Applications For Land Use, Development, And Building Permits Or Approvals Within The City Of Sammamish; Providing For Severability; Declaring An Emergency; And Establishing An Immediate Effective Date

Deputy Mayor Malchow stated that Council has decided to make traffic the number one priority and it is a slow moving process. Council needs time to make the correct changes.

MOTION: Deputy Mayor Malchow moved to direct the City Manager to adopt an ordinance for a six month moratorium on the acceptance of certain applications for Land Use, development, and building permits or approvals with the City of Sammamish, providing for severability; declaring an emergency; and establishing an immediate effective date as amended. Councilmember Odell seconded. Motion carried 6-0.

Deputy Mayor Malchow stated that there will be several exceptions to this proposed ordinance and there will be a public hearing within sixty days. The Council will have the ability to make some adjustments to the ordinance as needed.

Councilmember Huckabay was no long at the meeting.

Councilmember Valderrama is in favor of this ordinance but concerned about some of the language in it.

AMENDMENT: Councilmember Valderrama would like to add these exemptions to the ordinance, properties covered by approved development agreements, transit oriented development properties, publicly funded school developments, affordable housing projects, emergency repairs or construction caused by natural disasters and city-owned projects for capital projects. Seconded by Councilmember Gerend.

All of these exemptions, except the 100% affordable housing projects, are already included in the ordinance.

AMENDMENT TO AMENDMENT: Councilmember Hornish would like to exclude the properties covered by approved development agreements, emergency repairs or construction caused by natural disasters, city-owned projects for capital projects, transit oriented development properties and add this exemption to the ordinance, 100% affordable housing projects. Seconded by Councilmember Gerend. Motion carried by a vote of 6-1 with Councilmember Odell dissenting.

Councilmember Odell did not want to exclude the transit oriented development properties unless it was transit facilities oriented development.

City Manager Howard noted that the public will not see a change immediately, overnight. There will likely be a two-year lag of currently vested projects already in the pipeline.

Deputy Mayor Malchow requested that Council receive an update at a future meeting on how many projects are currently in the pipeline and where they are in the process.

MOTION: Councilmember Gerend moved to extend the hearing for the Transportation Element of the Sammamish Comprehensive Plan to a future date to be determined. Deputy Mayor Malchow seconded. Motion carried unanimously 6-0.

Public Hearing/Ordinance: First Reading; Amending The Transportation Element, The Environment And Conservation Element, The Utilities Element, And The Capital Facilities Element Of The Sammamish Comprehensive Plan

Cheryl Paston, Deputy Director of Public Works gave an update and showed a presentation. (available on the city website at www.sammamish.us) This item will return on October 17th for a second reading and the Transportation Element will be removed from the ordinance. The final reading and adoption is scheduled for November 21st.

Open hearing at 8:56pm and closed at 9:01pm with the following comment.

Mary Victor, 408 208th Ave NE, commented that she had a docket request to change the maps in the Comprehensive plan. She would like to see an errata sheet for errors or omissions, to mark changes with the comprehensive plan updates.

Councilmember Odell asked Mr. Howard to follow-up on this errata sheet process to add technical questions during the life of the document. Mr. Howard will follow-up with staff and

the City Attorney.

Unfinished Business - None

New Business

Ordinance: First Reading; Repealing Ordinance No. 2001-89; Amending The Salaries Payable To All City Councilmembers; Establishing A Formula To Annually Adjust Councilmember Salaries; Providing For Severability; And Establishing An Effective Date.

Aaron Anton, Director of IT/Finance gave a staff update and addressed questions from the Council. There are two options available to Council, Option A and Option B, to increase Council's salaries.

Councilmember Valderrama would like health benefits to be included, as opposed to a stipend for medical benefits. Deputy Mayor Malchow stated that the Finance Committee was leaning towards Option A. After discussion the Council is leaning towards Option A. This item will return for a second reading at the October 17th regular meeting. An analysis of the health care portion will be discussed at the next Finance Committee meeting.

Council Reports/Committee Reports

Councilmember Gerend attended the Eastside Transportation Partnership (ETP) meeting a week ago. He also went to the Water Resource Inventory Area 8 (WRIA8) meeting as substitute for Councilmember Odell. The plan update is up for approval by partner cities by resolution next year. He suggested adding the resolution for approval to the Council agenda this year as several current councilmembers have been involved in this process for many years. He also attended a Puget Sound Regional Council executive meeting.

Deputy Mayor Malchow will attend a Communications meeting and a Finance committee meeting on Thursday, October 5th. She would like an update on the buffers and set-back issues that were sent back to the Planning Commission and tethered to the neighborhood character. Staff will look into this and get back to Council.

Councilmember Odell supported Deputy Mayor Malchow on resurrecting the buffer and set-back issues. He also thanked Councilmember Hornish and Deputy Mayor Malchow for their dedication to the traffic and concurrency issues.

Councilmember Valderrama attended a Citizens for Sammamish meeting last night. He attended the Regional Public Safety Meeting and an East Lake Sammamish Trail meeting last week.

Mayor Keller attended the funeral service for Honorable Deputy Mayor Ron Haworth in Yakima. He mentioned that there is daily bus service now in Sammamish. Bus #269 runs every 30 minutes.

City Manager Report

City Manager Lyman Howard spoke regarding the Emergency Fair held in Sammamish last weekend and hosted by our Emergency Manager, Andrew Stevens. There were more than 700 people in attendance.

The Tuesday, November 14th Study session is tentatively cancelled, as four Councilmembers will be going to the National League of Cities Conference. Mr. Howard proposes to cancel that meeting.

Councilmember Hornish suggested rescheduling this meeting on the November 13th. Councilmember Odell suggested Monday, November 20th. Council will look at options and will discuss at the meeting on October 17th. The meeting on the 14th will be cancelled.

City Manager Howard is looking for direction from Council about the first Monday of the month Study session. At the retreat this meeting was added on a trial basis. He recommends continuing this meeting through the end of the year and discuss at the retreat again in January, 2018. Council approved this continuation.

Executive Session - Potential Property Acquisition pursuant to RCW.42.30.110 (1)(b); Potential Litigation pursuant to RCW.42.30.110(1)(i)

Council retired to an executive session at 9:33 pm. At 10:00 pm the session was extended for an additional five minutes. The executive session was extended at 10:05pm until 10:15pm and concluded with the following action:

MOTION: Deputy Mayor Malchow moved to authorize the City Manager to purchase a portion of real property on parcel number 3325069104 in the amount of \$94,691 plus associated closing costs and a portion of real property on parcel number 3325069109 in the amount of \$71,516 plus associated closing costs for the purpose of the SE 4th Street Project road right-of-way. Councilmember Hornish seconded. Motion carried unanimously 6-0.

Meeting adjourned at 10:17pm

Lita Hachey, Deputy City Clerk

Bob Keller, Mayor