

# COUNCIL MINUTES

## Regular Meeting October 17, 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  
Councilmember Tom Odell – arrived at 7:02pm  
Councilmember Ramiro Valderrama

### **Staff present:**

Lyman Howard, City Manager  
Jessi Bon, Deputy City Manager  
Jeff Thomas, Community Development Director  
Doug McIntyre, Senior Planner  
Mike Sugg, Management Analyst  
Glenn Akramoff, Director of Organizational Development  
Aaron Antin, Finance/IT Director  
Chris Gianni, Finance/IT Deputy Director  
Angie Feser, Parks & Recreation Director  
Steve Leniszewski, Public Works Director  
Andrew Zagars, City Engineer  
Michelle Bennett, Sammamish Police Department  
Mike Kenyon, City Attorney  
Lita Hachey, 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. Deputy Mayor Malchow seconded. Motion carried unanimously 6-0.**

## **Student Liaison Report - None**

### **Public Comment**

Joe Liu, SE 8<sup>th</sup> St SE, owns property to the north of City Hall, commented on the project he has been working on with the City to complement the Town Center.

Mark Flynn, 22254 NE 7<sup>th</sup> St, spoke regarding the Sammamish Commons project, just like the previous speaker, and retirement communities in Sammamish. He would like the City to be supportive of these developments.

John Galvin, 432 228<sup>th</sup> Ave SE, spoke regarding the traffic concurrency model. He feels that it is a good program that is working well.

George Toskey, 2727 East Lake Sammamish Parkway NE, represents Sammamish Homeowners Association, spoke regarding the East Lake Sammamish Trail issues and the King County's responses to questions and comments from the citizens. *(submitted written comments, available upon request to the City Clerk, [manderson@sammamish.us](mailto:manderson@sammamish.us))*

Sharon Steinbis, 24933 SE 14<sup>th</sup> St, thanked Council for supporting the Lancaster Ridge stormwater pond restoration project. The neighborhood of Lancaster Ridge now has a lovely new pocket park. She agrees with the pause in growth within the City. She would support a vote to establish a monetary reserve for surface and stormwater. Information on the Stormwater Stewardship Program can be viewed at this link <http://sammamishcommunitywildlifehabitat.org/stormwater/>.

Michael Dean, 4119 257<sup>th</sup> Ct SE, spoke regarding a tree removal permit request and the affect due to the emergency moratorium *(handed out a presentation, available upon request to the City Clerk, [manderson@sammamish.us](mailto:manderson@sammamish.us))* He would like to be notified when the amendments to the ordinance are approved.

Jan Bird, 3310 221st Ave SE, representing Friends of the East Lake Sammamish Trail, spoke regarding the East Lake Sammamish Trail (ELST) 2B section and she questioned the need to have the trail supporter's comments from Bicycle Club enthusiasts' grouped together and not as individuals. These supporters represented 55% of the submitted comments. She also spoke regarding the safety hazards of narrowing the trail.

Tom Corno, 23939 SE 8<sup>th</sup> Pl, owner of a local tree service in Sammamish, spoke about the new moratorium will affect his customers and the restrictions that limit the service and increase the costs.

Reid Brockway, 167 East Lake Sammamish Shore Ln NE, spoke regarding the Citizen comments and responses from King County about the ELST.

Chuck Meyer, 2121 E Lk Sammamish Pl NE, spoke regarding the inadequate response from King County on the comments from the trail homeowners. He plans to send Council and the City Manager a copy of a position paper that his community has prepared on their community beach and the history of the property.

Mary Wictor, 408 208<sup>th</sup> Ave NE, spoke about Tamarack and the fact the new moratorium does not apply to their community. She requested that Tamarack have its own moratorium as they need protection for the area where they live. Ms. Wictor would like to hear back from staff on this topic.

Council agrees to extend the Public Comment period at 7:11 pm as needed.

Diana Merritt, 3450 E Lk Sammamish Pkwy NE, spoke regarding the moratorium and how it will affect her short plat.

### **Consent Agenda**

Payroll for period ending September 30, 2017 for pay date October 5, 2017 in the amount of \$ 419,527.77

**Approval:** Claims For Period Ending October 17, 2017 In The Amount Of \$2,736,374.99 For Check No. 48569 Through 48734

**Ordinance:** Second Reading; School Impact Fee Update

A. **Ordinance:** Second 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 (O2017-446)

B. **Ordinance:** Second 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 (O2017-447)

C. **Ordinance:** Second 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 (O2017-448)

**Ordinance:** Second 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. (O2017-449)

**Ordinance:** Second Reading, Amending The Environment And Conservation Element, The Utilities Element, And The Capital Facilities Element Of The Sammamish Comprehensive Plan (O2017-450)

**Resolution:** Adopting a Land Acquisition Strategy And Implementation Program (R2017-749)

**Resolution:** Authorizing the City Manager to Authorize The City's Participation In The Washington State Deferred Compensation Program (DCP) (R2017-750)

**Contract:** Building Inspections Consultant/SAFEbuilt

**Partnership Agreement:** Extension of Transit Now Agreement  
(Route 269)

**Approval:** September 5, 2017 Regular Meeting Minutes

**Approval:** September 12, 2017 Study Session Notes

**Approval:** September 19, 2017 Regular Meeting

**Approval:** October 2, 2017 Study Session

**Approval:** October 3, 2017 Regular Meeting

Councilmember Tom Hornish moved to approve the Consent Agenda. Councilmember Tom Odell seconded. Motion carried unanimously 7-0

### **Presentations/Proclamations**

Growth Management Act Overview & Transportation Planning

Michael Walter, with Keating, Bucklin & McCormack, gave a presentation on the Growth Management Act and Managing Growth: Risks and Liability. *(Presentation and a 14 page letter available upon request to the City Clerk, [manderson@sammamish.us](mailto:manderson@sammamish.us))*

Mr. Walter gave an overview of the Growth Management and how it interrelates with managing growth. He led a discussion and answered questions from the City Council.

Council recessed for 5 minutes at 8:43 pm.

### **Discussion: Communications Strategic Plan**

The consultants for the Communications Strategic plan were unavailable tonight and this item was pulled and will be scheduled for a future meeting, date to be determined.

### **Public Hearing**

**Ordinance:** Second Reading, Related To Surface Water Management; Amending Title 13 Of The Sammamish Municipal Code; Providing For Severability; And Establishing An Effective Date (O2017-451)

Steve Leniszewski, Director of Public Works and Tage Aaker, FCS Group gave a staff report and showed a PowerPoint presentation (available on the City's website at [www.sammamish.us](http://www.sammamish.us)). Tonight staff will be looking for Council to select between two alternative rates.

The Public Hearing was opened at 8:56 pm and closed at 9:05 pm with the following comments:

Tom Keogh, 321 211<sup>th</sup> PI NE, spoke regarding the Title 13 ordinance and how it impacts his home and property in Tamarack (presentation available upon request to the City Clerk [manderson@sammamish.us](mailto:manderson@sammamish.us) )

Mary Wictor, 408 208<sup>th</sup> Ave NE, spoke regarding the stormwater rate study and that there are more stormwater needs than are being listed (presentation available upon request to the City Clerk [manderson@sammamish.us](mailto:manderson@sammamish.us) )

Karen Moran, 20705 SE 3<sup>rd</sup> Way, stated that she is in support of Option B for the reserves of the Sammamish water system.

Jan Bird, submitted written comments. (available upon request to the City Clerk, [manderson@sammamish.us](mailto:manderson@sammamish.us) )

**Scenario A:**

- \$350k in 2018 for TC Implementation Plan
  - \$25k in 2019 to update rate study
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- 15% increase in 2018, 2019, & 2020; 2% in following years

**Scenario B:**

- \$350k in 2018 for TC Implementation Plan
  - \$25k in 2019 to update rate study
  - Increase capital fund balance by \$1 million by 2020
  - 2018: \$0
  - 2019: \$450,000
  - 2020: \$625,000
- 
- 19% increase in 2018, 2019, & 2020, 2 % in following years

Mr. Leniszewski asked Council to indicate their preference for either Scenario A or Scenario B.

**MOTION:** Councilmember Valderrama moved that the Council adopt Scenario B; with the proviso that the reserve funds would be used in support of the sub basin plans and priorities and the \$1 Million reserve funds be used to fund the implementation of the Town Center regional stormwater plan, that was not included in the determination of the original stormwater rate increase, to begin in 2018 or to correct in the lower reaches, meaning the lake level water quality. Councilmember Hornish seconded. Motion carried 6-1 with Councilmember Odell dissenting.

Councilmember Valderrama stated that this will ensure that the funds will be used for something related to storm water, that is needed, but not already included to be paid for in the proposed rate increase and is located at the top or at the lake level.

Councilmember Huckabay stated this issue was discussed in the Finance committee but she would not like to have a reserve that is undesignated.

Deputy Mayor Malchow is concerned with the detailed labelling in the motion and it does not

include emergency situations that may appear but do not fall into these categories.

Councilmember Odell feels the Town Center should be dealt with separately and the amendment should be focused on the entire city. He proposed the following amendment to the motion.

**AMENDMENT:** Councilmember Odell moved to revert back to scenario B as written. Councilmember Huckabay seconded. Motion failed with 3-4 with Deputy Mayor Malchow, Councilmembers Valderrama, Hornish and Gerend dissenting.

Councilmember Gerend stated that all the small issues are already covered in the original motion.

Deputy Mayor Malchow feels that the Town Center should be included.

Councilmember Valderrama feels that the Town Center should not be left undesignated.

**Unfinished Business** - None

### **New Business**

**Ordinance:** First Reading, Amending Chapter 46.30 Of The Sammamish Municipal Code Relating To Stopping, Standing And Parking; Providing For Severability; And Establishing An Effective Date.

Jessi Bon, Deputy City Manager introduced Mike Sugg, Management Analyst and Chief Michelle Bennett, Sammamish Police Department gave a staff report on the proposed changes relating to the regulations for stopping, standing and parking in Sammamish. They showed a PowerPoint presentation (*available on the City's website at [www.sammamish.us](http://www.sammamish.us)*).

Deputy Mayor Malchow would like to send it back to the Public Safety committee to address permitting. Her concerns are with the public safety element and line of sight issues.

Only the City has the right to impound from the right-of-way and the homeowner association can impose private fines within their boundaries.

Councilmember Huckabay feels it is the line of sight issue that is a violation.

Councilmember Gerend feels it is too extreme to limit recreational vehicles (RV) to just over-night parking. He does agree with issuing permits to regulate the length of time vehicles are parked. Permits can be issued using an on-line system.

Councilmember Odell questioned how the \$71 fine was established. Chief Bennett indicated that the State regulates the general traffic fine. This is the lowest cost given for violations. The Sammamish police response would be complaint driven.

Councilmember Valderrama agrees that it is a public safety issue and believes it should be brought back for a second reading and adoption in November.

Mayor Keller would like to send it to the Public Safety Committee to investigate the permitting option. Councilmember Huckabay agreed with Mayor Keller.

Council agreed to send the RV parking issue to the Public Safety Committee to address permitting and to bring back the other two items at the next regular meeting. Mayor Keller requested to the City Manager to switch the City Manager Report with the Council Reports/Committee Reports.

### **City Manager Report**

Mr. Howard stated that the November 6, Study Session will be delayed one hour due to the Trail Hearing and will begin at 5:30 pm until 8:30 pm. Council requested dinner for the meetings that start early.

Mr. Howard gave a moratorium update and a copy of a slide he showed was given to Council for input and questions (available upon request to the City Clerk, [manderson@sammamish.us](mailto:manderson@sammamish.us)). This will be brought back to Council for further direction and discussion at the November 7th Regular Meeting. Council recommended looking at these five (5) items that Mr. Thomas presented tonight. A hearing on the Moratorium is scheduled for November 21, 2017.

**MOTION: Councilmember Hornish moved to extend the meeting until 10:45pm. Councilmember Odell seconded. Motion carried unanimously 7-0.**

Councilmember Odell requested that a copy of the list of items to reconsider for the moratorium be provided to Council. A handout was given to Council. He also requested that accessory dwelling units (ADU) issue be added to the list.

City Manager Howard reviewed the history of the Baker House which is a part of the Laurels Subdivision. There were two options identified for consideration. One was to document the house for historical preservation reasons and then let the developer destroy the house. The second item was to retain and remove the house as it was and relocate it where a road was proposed and preserve it as a future gathering place. The developer chose option two and this was immortalized the Hearing Examiners decision upon approval of the subdivision. The house was moved and placed on a foundation but not maintained or restored. The current conditions of the house are very poor and it is owned by the HOA. Through the Historical society and 2017-2018 budget, the City has agreed to support three landmark designations. Staff submitted the \$1500 nomination fee to King County and are working with SHS to identify other sites in the City that are eligible for landmark nomination. On October 11<sup>th</sup> the King County Landmark Commission voted to approve the Baker house for landmark designation. The City staff will meet with Laurels HOA on October 19<sup>th</sup> to continue discussions.

City Manager Howard presented a piece of art work that was donated to the City by a local artist, Harshwinder Singh, called "Celebrations". It is a photograph of the 4<sup>th</sup> of July celebration at the Sammamish Commons.

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

## **Update: 212<sup>th</sup> Way SE Improvements**

Steve Leniszewski and Andrew Zagars, City Engineer, gave a staff update and showed a presentation. (available on the City website at [www.sammamish.us](http://www.sammamish.us) )

Mr. Zagars presented a recommendation to Council to increase the construction contingency to manage difficult site conditions and keep the project moving and complete the project.

**MOTION:** Councilmember Gerend moved to authorize an increase to the 212<sup>th</sup> Way SE Improvements project construction contingency amount administered by the City Manager of an additional 10 percent (\$695,000) of the original construction contract with JR Hayes Inc. (C2017-189) and authorize the use of ending fund balance from the 340 (streets capital) and 438 (Storm drain Capital) funds. Deputy Mayor Malchow seconded. Motion carried 7-0.

Mr. Zagars will send the addition information on the costs and timing to the Council as requested. Deputy Mayor Malchow would like to know the average number of trips per day on 212<sup>th</sup> Ave SE before being closed and how much traffic is being diverted to SE 24<sup>th</sup>. Councilmember Hornish would like the next estimate of costs from the contractor from staff.

## **Council Reports/Committee Reports**

Councilmember Ramiro Valderrama commented on the Eastside Fire and Rescue (EF&R) meeting. Next week, Fall City, Station #27 will begin discussions on annexation with District #10. Maple Valley Fire would like to contract with the EF&R. He requested that Council review the Arts Commission letter and set up a meeting time to address those issues.

Deputy Mayor Christie Malchow submitted a written report. (available on the City website at [www.sammamish.us](http://www.sammamish.us) )

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

**Executive Session** – Potential Land Acquisition pursuant to RCW 42.30.110(1)(b) and Litigation pursuant to RCW 42.30.11(1)(i)

Council retired to an executive session at 11:13 pm and returned at 11:59 pm with no action.

Meeting adjourned at 11:59 pm

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Lita Hachey, Deputy City Clerk

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Bob Keller, Mayor