

# COUNCIL MINUTES

## Special Meeting November 7, 2017

Mayor Bob Keller called the regular meeting of the Sammamish City Council to order at 5:30 pm.

### **Councilmembers present:**

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

### **Staff present:**

Lyman Howard, City Manager  
Jessi Bon, Deputy City Manager  
Jeff Thomas, Community Development Director  
David Pyle, Deputy Director Community Development  
Mike Sugg, Management Analyst  
Aaron Antin, Finance/IT Director  
Chris Gianini, Deputy Finance 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. City Attorney Mike Kenyon led the pledge.

### **Approval of Agenda**

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

**Executive Session** – Potential Litigation Pursuant to RCW 42.30.110(1)(i)

Council retired to Executive Session at 5:35 pm and returned at 6:15 pm. No action was taken.

## **Public Comment**

Arne Thoreen, 24617 NE 8<sup>th</sup> Street, lives on Allen Lake and believes it has been highly impacted by development runoff.

Kim Allen, Wireless Policy, representing Verizon Wireless, would like wireless facilities to be exempt from the moratorium.

Steve Dougan, 5135 240<sup>th</sup> Avenue SE, he asked for the Town Center to be exempt from the building moratorium, especially proposed senior housing.

Deb Sogge, 704 228<sup>th</sup> Avenue NE, urged Council to exempt the Town Center from the moratorium. There are needs for hotels, senior housing and retirement homes.

Mark West, 25026 NE 18<sup>th</sup> Street, is supportive of the moratorium. He also wants Sammamish to hold King County accountable for all the development they are allowing in the surrounding unincorporated areas.

Jennifer Kim, 4001 239 PI SE, does not want to see the moratorium lifted before the concurrency and transportation problems have been address. She does not feel that segment averaging is a good way to determine level of service. She would like to see design standards in place for new development.

Stacy Peterson, 4040 240<sup>th</sup> Place SE, spoke in favor of retaining the building moratorium.

Karen Hoiem, 1011 240<sup>th</sup> Avenue NE and Kyle Miller, 909 228<sup>th</sup> Avenue NE, spoke in favor of lifting the moratorium. She has joined with her neighbors to sell their properties for development but the moratorium is preventing the project.

Lelah Vega, representing Verizon, spoke in favor of changes to the moratorium that will exempt wireless facilities.

Clare Maybee, 6717 40<sup>th</sup> Avenue SW, Seattle, has been working with the City for a year, to get a permit to construct one house. Under the new moratorium, they may not be able to get that permit.

James Eastman, 196<sup>th</sup> Avenue NE, spoke regarding stormwater problems that are being created by new development and showed a PowerPoint presentation (available upon request of the City Clerk at [manderson@sammamish.us](mailto:manderson@sammamish.us)).

Ted Melancon, 24604 SE 14<sup>th</sup> Street, feels short plats should be exempt from the moratorium.

Bonnie Gears, 15900 Eastgate Way, representing Quadrant Homes, requested Council exempt a new project that they are developing by Inglewood Middle School from the moratorium. The project will promote traffic improvements and increase connectivity.

Gina Esteppe 14410 Bel Red Road, representing Murray Franklyn homes, feels that option B version of the moratorium being presented tonight is the best option and she also recommended some additional exemptions.

Susan Thiel, 22306 NE 11<sup>th</sup> Place, spoke in support of the moratorium. She encouraged Council not to make additional exemptions.

Meg Sloan, 2121 228<sup>th</sup> Avenue SE, is disturbed by the growth and development. She is supportive of the moratorium.

Mary Victor, 408 208<sup>th</sup> Avenue NE, is supportive of the moratorium and she is also supportive of option B. She would also like to see new maps identifying hazard areas.

Richard Johnson, 20035 SE 27<sup>th</sup> Place, requested the City provide, on a yearly basis, how many additional units are going to be required to meet our growth target and how many units are in the pipeline.

Council recessed from 7:10 pm to 7:15 pm

### **Consent Calendar**

Payroll for period ending October 15, 2017 for pay date October 20, 2017 in the amount of \$394,140.70

Payroll for period ending October 31, 2017 for pay date November 3, 2017 in the amount of \$393,693.51

**Approval:** Claims For Period Ending November 7, 2017 In The Amount Of \$3,431,397.13 For Check No. 48735 Through 48917

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

**Ordinance:** Related To Surface Water Management; Amending Title 13 Of The Sammamish Municipal Code; Providing For Severability; And Establishing An Effective Date

**Resolution:** Repealing Resolution No. R2009-374 And Establishing Capital Asset And Small And Attractive Asset Policies

**Resolution:** Granting Correction for the Symphony Ridge II Subdivision

**Interlocal:** Eastside Transportation Partnership

**Interlocal Agreement:** Emergency Management Performance Grant/Washington State

**Interlocal Agreement:** Emergency Management Assistance Compact (EMAC) and Pacific Northwest Emergency Management Arrangement (PNEMA) Assistance/State of Washington

**Contract:** Zackuse Creek Basin Plan/Alta Terra Consulting

**Amendment:** Transportation Master Plan/Fehr & Peers

**MOTION:** Councilmember Hornish moved to approve the Consent Calendar. Councilmember Valderrama seconded. Motion carried unanimously 7-0.

### **Public Hearing**

**Ordinance:** First Reading Erosion Hazard Near Sensitive Water Bodies Pilot Program Permanent Regulations

Jeff Thomas, Community Development Director gave the staff report and showed PowerPoint presentation (available on the City's website at [www.sammamish.us](http://www.sammamish.us)). This ordinance will permanently remove the Pilot program from the Sammamish Municipal Code. After staff research, the pilot program would not promote the type of growth desired for erosion hazard new sensitive water bodies. The Planning Commission concurred with this as well.

Public Hearing opened at 7:29 pm

Debbie Treen, 1825 Eastlake Sammamish Parkway SE, stormwater run-off from the plateau travels downhill to their home. She was in favor of repealing the pilot program.

James Eastman, spoke previously, spoke in support of repealing the pilot program and showed a PowerPoint (presentation available upon request of the City Clerk at manderson@sammamish.us).

KC Thompson, 19818 SE 19<sup>th</sup> Street, spoke in support of repealing the pilot program.

Shannon Hunnex, 19703 SE 19<sup>th</sup> Street, spoke in support of repealing the pilot program.

Mary Wictor, spoke previously, she is supportive of repealing the pilot program.

Public Hearing closed at 7:46 pm.

Councilmember Malchow supports repealing the pilot program. Councilmember Gerend feels that allowing these pilot programs will actually improve the drainage by tight lining the drainage down to the lake, although he doesn't think the Low Impact Development option should be allowed. He is supportive of the Pilot Program. Councilmember Odell is supportive of eliminating the pilot program. Councilmember Hornish supports repealing the pilot program. Councilmembers Huckabay, Malchow and Hornish feel the issue of flow down the plateau needs to be addressed soon. Councilmember Valderrama directed staff to look at repealing the exiting pilot project. Staff should look at delineating the non-disturbance area. That research and previous testimony should be brought back to a future Council to make a decision on new processes for dealing with the erosion. Councilmember Huckabay disagrees and feels they should just decide whether or not to repeal the program. Mayor Keller is not supportive of the pilot program.

Councilmember Malchow pointed out that there are ways to develop in erosion hazard area by use of Transfer of Development rights or variances.

This ordinance will be brought to the November 21, 2017 on the Consent Agenda.

**Ordinance:** First Reading Mid-Biennial Budget Update

Aaron Anton, Finance Director and Chris Gianini, Deputy Finance Director gave the staff report and showed a PowerPoint presentation (available on the City's website at [www.sammamish.us](http://www.sammamish.us)).

Public Hearing opened at 8:33 pm.

Mary Wictor, spoke previously, she urged Council to put resources in the budget to deal with drainage issues. She does not feel there is enough money in the budget to maintain and upgrade their current stormwater facilities.

Public Hearing closed at 8:39 pm.

Councilmember Gerend suggesting adding money to the budget to do a housing needs assessment.

City Manager Lyman Howard explained that the City was going to start that process through a collaboration with A Regional Coalition for Housing (ARCH). The City doesn't have the staff to take on this additional work.

Councilmember Gerend suggested the Council should consider the possibility of adding additional revenue sources, such as utility tax or the additional 1% property tax.

Councilmember Odell suggested that each Councilmember come with a list of adds or reductions for the budget for the second reading of the ordinance.

Councilmember Valderrama requested a budget with a 1% decrease across the board.

Council recessed from 9:03 to 9:09

**Ordinance:** First Reading 2018 Property Tax Levy

Aaron Anton, Finance Director and Chris Gianini, Deputy Finance Director gave the staff report and showed a PowerPoint presentation (available on the City's website at [www.sammamish.us](http://www.sammamish.us)).

Public Hearing opened and closed at 9:15 am with no public comment.

**Unfinished Business**

**Discussion:** Building Moratorium

Mr. Thomas gave the staff report and showed a PowerPoint (available on the City's website at [www.sammamish.us](http://www.sammamish.us)). Staff is offering two options:

Option A - This option would refine Section 3 to clarify the scope of exceptions in this Ordinance. Specific actions to include in the scope of exceptions.

*Option A – Refine “Section 3. Categorical Exemptions”*

This option would refine Section 3 to clarify the scope of exceptions in this Ordinance. Specific actions to include in the scope of exceptions may include the following:

- Permits and approvals for additions or alterations to existing single-family residences including, but not limited to, carports / garages, decks, docks, electrical / mechanical / plumbing, interior building permits, exterior building permits, rockeries / retaining walls, spas / pools, sports courts;
- Permits and approvals for removal and replacement of significant trees;
- Permit and approvals for a Boundary Line Adjustment (BLA);
- Permits and approvals for new single-family residences on a legal lot of record;

- Permits and approvals for Reasonable Use Exception (RUE) for a legal lot of record resulting in a new single-family residence; and
- Permits and approvals for Wireless Communication Facilities (WCF).

#### Option B

This option would reframe Section 2 to specifically state what “permit applications” or actions are subject to moratorium and eliminate Section 3. Specific actions subject to moratorium may include the following, provided such applications or uses do not qualify under the vesting provision in Section 4 of the Ordinance such as:

- New single family building permit applications
- Preliminary Short Plat Applications
- Preliminary Subdivision Applications
- Town Center UZDP Applications
- New Commercial Use

Councilmember Huckabay would like to see the Town Center exempt from the moratorium or have it only apply to new commercial. Councilmember Gerend does not like any of the actions in Option B. He would like new commercial and town center added to Option A. Councilmember Hornish supports Option A. and would consider adding exemptions for projects that have completed a pre-application meeting. He also requested information on how many units might result by allowing that exemption.

**MOTION: Councilmember Odell moved to extend the meeting to 10:15 pm. Councilmember Hornish seconded. Motion carried unanimously 7-0.**

Staff will update the existing ordinance with all the exemptions suggested here tonight and bring the ordinance back for the November 21, 2017.

**New Business** - None

#### **Council Reports/Committee Reports**

Councilmember Gerend will be attending the Road Usage Charge Steering Committee meeting next Thursday.

Councilmember Huckabay attended the Regional Transit Committee meeting.

Councilmember Valderrama will meet with AWC to develop 2018 legislative priorities. He met with the Arts Commission.

Councilmember Hornish met with Finance and Administrative Committee meeting for Eastside Fire & Rescue.

Mayor Keller attended the North End Mayors meeting.

Councilmember Odell will be attending the National League of Cities conference.

**City Manager Report**

Lyman Howard reported that there might be a joint meeting with Lake Washington School District on January 8, 2018;

Meeting adjourned at 10:00 pm

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Melonie Anderson, City Clerk

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Bob Keller, Mayor