

# COUNCIL MINUTES

## Regular Meeting December 5, 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 6:50 pm)  
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  
Mike Kenyon, City Attorney  
Melonie Anderson, City Clerk

### **Roll Call/Pledge of Allegiance**

Roll was called. Councilmember Gerend led the pledge.

### **Approval of Agenda**

Councilmember Hornish requested the addition of Item 25A to discuss the moratorium.

**MOTION:** Councilmember Valderrama moved to approve the agenda as amended. Deputy Mayor Malchow seconded. Motion carried unanimously 6-0.

### **Public Comment**

Deb Sogge, Sammamish Chamber of Commerce, urged support of local businesses during the holiday shopping season.

Martha DeAmicis, 8305 213<sup>th</sup> Place NE, spoke about the Lake Washington School District (LWSD) bond measures.

John Galvin, 432 228<sup>th</sup> Avenue SE, spoke regarding the Town Center.

Molly Helpin, 21416 86<sup>th</sup> St, Redmond, spoke on behalf of the LWSD bond.

Natalie Price 14510 SE 60<sup>th</sup> Street, representing STCA, spoke regarding the moratorium.

Curtis Koger, Associated Earth Sciences, he spoke regarding the regional stormwater system being planned by STCA for the town center.

Wally Pereyra, 148 E. Lake Sammamish Parkway SE, spoke regarding the Comprehensive Plan Docket.

Sharon Steinbis, 24933 SE 14<sup>th</sup> Street/Jan Bird, 3310 221<sup>st</sup> Avenue SE, spoke regarding the stormwater regulations (showed a video which is available upon request of the City Clerk at manderson@sammamish.us).

Karen Lee, 582 240<sup>th</sup> Avenue SE, spoke regarding plans for Providence Heights campus.

Susan Hass, 19524 SE 24<sup>th</sup> Place, spoke regarding plans for Providence Heights campus.

Paula Christiansen, 23416 SE 17<sup>th</sup> Place, spoke regarding plans for Providence Heights campus.

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

Council recessed from 7:31 pm and returned at 8:31 pm.

### **Consent Agenda**

Payroll for period ending November 15, 2017 for pay date November 20, 2017 in the amount of \$394,515.41

**Approval:** Claims For Period Ending December 5, 2017 In The Amount Of \$2,864,165.87 For Check No. 49034 Through 49143

**Resolution:** Accepting The Skyline Community Field Synthetic Turf Replacement Project As Complete (R2017-758)

**Resolution:** Adopting And Supporting The City's Communications Strategy (R2017-759)

**Resolution:** Accepting The Prefabricated Restroom Building At Sammamish Landing Park As Complete (R2017-760)

**Interlocal Amendment:** Human Service Grant Portal/Wizehive

**Amendment:** SE 4<sup>th</sup> Street Construction Management/Perteet

**Interlocal:** eCityGov Alliance

**Contract:** Park Landscape Maintenance/Badgley's Landscape

**Contract:** ROW Landscape Maintenance/Badgley's Landscape

**Contract:** ROW Slope Mowing/Plantscapes

**Contract:** Street & Park Sweeping/Best Parking Lot

**Contract:** Tree Services/Monarch Landscaping

**Contract:** Fence Repair/Industrial Solutions

**Contract:** Land Acquisition Services/ Long Bay Enterprises

**Contract:** Geo-Tech Services/Kleinfelder (Parks)

**Contract:** Arborist Services/Tree Solutions

**Contract Amendment:** Custodial Services for City Parks & Facilities/Patriot

**Contract:** Park Planning Support Services/Hough Beck and Baird Inc.

**Contract:** Recycling Events/Olympic Environmental

**Contract:** Stormwater Cleaning/Pro Vac

**Agreement:** SE 4<sup>th</sup> Street/PSE Schedule 74 for Construction

**Supplemental Agreement:** Beaver Lake Management District Support Services/King County

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

### **Public Hearing**

**Ordinance:** Second Reading, Amending Chapters 13.10, 13.15, 13.20 And 13.30 Of Sammamish Municipal Code (SMC) Title 13, Related To Surface Water Management; Amending Sammamish Municipal Code 21a.15.255 Relating To Critical Drainage Areas; Amending The Sammamish Addendum To The 2016 King County Surface Water Design Manual; Providing For Severability; And Establishing An Effective Date

Cheryl Paston, Deputy Public Works Director and Tawni Dalziel, Senior Stormwater Program Manager, gave the staff report and handed out answers to questions that Council had regarding the codes.

Public Hearing Opened at 8:37 pm

### **Public Comment**

Tom Keogh, 231 211<sup>th</sup> Place NE, stated the code is too restrictive regarding discharge to streams as well as the size limit of the developable area.

Scott Sanford, 2112 227<sup>th</sup> Avenue NE, purchased property before he found out that his lot is subject to the 1,000 square foot limit for tight-lining.

Wally Pereyra, spoke previously, spoke against stormwater injection techniques for stormwater elimination. Injection also bypasses the normal drainage processes.

Frank Santoni, 22828 SE 6<sup>th</sup> Place, requested Council consider exceptions to these regulations.

Karen Herring, 23684 SE 32<sup>nd</sup> Place, stormwater should be carefully managed to protect environmentally sensitive areas.

Mary Wictor, 408 208<sup>th</sup> Avenue NE, offered many suggested edits to the stormwater code and gave a PowerPoint presentation (available upon request of the City Clerk at [www.sammamish.us](http://www.sammamish.us)).

Cliff Bechtel 3533 262<sup>nd</sup> Avenue SE, glad to see Sammamish change their regulations to be closer to what King County has in place. He is supportive of the regulations that are being proposed tonight.

Public Hearing was closed at 9:03 pm.

Ms. Dalziel answered specific questions on Section 13.30. Councilmember Hornish requested additional language that would allow for the water & sewer districts to weigh in on the use of injection and infiltration methods. Mr. Howard said that staff would look for a place to codify this practice. Councilmember Hornish requested a change that would eliminate the use of injection. Ms. Dalziel suggested that language be added that would include review of injection by both the water & sewer districts and Department of Ecology, as well as notification of downstream landowners. Council was happy with No. 3 of 13.30.

Deputy Director Paston explained that the changes to 13.15 were the results of moving the system development charge out of the municipal code and adding the fees to the City's fee schedule.

**MOTION:** Councilmember Odell moved to extend consideration of the other sections of the ordinance to December 12, 2017. Deputy Mayor Malchow seconded. Motion carried unanimously 7-0.

**Resolution:** Related To Setting The 2018 Comprehensive Plan Amendment Docket

Community Development Director Jeff Thomas introduced Doug McIntyre, Senior Planner and David Goodman, Management Analyst, gave the staff report and showed a PowerPoint presentation (presentation available on the City's website at [www.sammamish.us](http://www.sammamish.us)). Six of the proposals are City initiated and 5 are being requested by the public.

Public Hearing opened at 9:44 pm

#### Public Comment

Jim Bachesta, 1207 212<sup>th</sup> Avenue SE, spoke regarding the Bachesta/Romeo project (*showed a presentation available upon request of the City Clerk at [www.sammamish.us](http://www.sammamish.us)*).

Steve Eckert, Representing Broadmoor Estates HOA, feels clustering of homes in R-1 zoning does not serve the City's needs.

Ann Romero, 1111 212<sup>th</sup> Avenue SE, changing the zoning of their property will allow for the building of more affordable homes.

Steven Hoffman, 24022 NE 30<sup>th</sup> Place, spoke against any rezoning on 244<sup>th</sup> Avenue NE.

Stark Shelby, 2856 244<sup>th</sup> Avenue NE, spoke regarding development along 244<sup>th</sup> Avenue NE

**MOTION: Deputy Mayor Malchow moved to extend to 11:00 pm. Councilmember Huckabay seconded. Motion carried unanimously 7-0.**

Jolie Imperatori, PO Box 2604, Issaquah, explained that their rezone request was not in the steep slope areas. She suggested that the City and the County put in a roundabout at Sahalee Way and SR202.

Paul Stickney, 504 228<sup>th</sup> Avenue SE, spoke regarding internal and long-range affordable housing.

Maureen Santoni, 22828 SE 6<sup>th</sup> Place, spoke in favor of their docket request.

Frank Santoni, 22828 SE 6<sup>th</sup> Place, spoke in favor of their docket request.

Mary Wictor, spoke previously, advocated the use of an errata sheet to make corrections to land use regulations.

Mike Patterson, 23018 SE 8<sup>th</sup> Street, spoke against up-zoning of their property. If and when they want to sell their home, they can come back to the City Council and ask for an up-zone.

Ray Mason, 24034 NE 29<sup>th</sup> Street, urged the City to work with County to improve the streets in Sammamish and the County

Delia Santos, 23810 SE 33<sup>rd</sup> Street, encouraged Council to improve the infrastructure in the City as well as coordinating development.

Muthabatulla Kiran, 24035 NE 30<sup>th</sup> Place, development infrastructure is not in place to facilitate the traffic needs in the city.

Public Hearing closed at 10:30 pm.

Council recessed from 10:30 pm to 10:40 pm

Mr. Goodman explained that no decisions will be made on these docket requests. Approval of any item will only mean that they will be studied next year.

**Docket Request #1** Change future land use designation of Recreation Center property from R-12/18 to CB

**MOTION:** Councilmember Odell moved to approve the docket request. Councilmember Huckabay seconded. Motion carried 5-2 with Councilmember Valderrama and Deputy Mayor Malchow dissenting.

Councilmember Hornish is concerned about the amount of time that staff has to work on this, plus the lease on the buildings does not run out for two years. Councilmember Valderrama is concerned with the up-zone of this property as it would result in the expansion of the Town Center. Deputy Mayor Malchow doesn't feel it is necessary this year.

**Docket Request #2** Update to the Parks, Recreation and Open Space (PRO) Plan

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

**Docket Request#3** Fix for School Impact Fees and Capital Facilities Plans

**MOTION:** Councilmember Huckabay moved to approve the docket request. Councilmember Valderrama seconded. Motion carried unanimously 7-0

**Docket Request #4** Update to Housing Strategy Plan

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

**Docket Request #5** Update to Traffic Impact Fee, Update 20-year CIP

**MOTION:** Councilmember Huckabay moved to approve the docket request. Deputy Mayor Malchow seconded. Motion carried unanimously 7-0.

**Docket Request #6** Placeholder for potential changes in concurrency metrics and LOS standards

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

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

**Docket Request #7** Eliminate story limits in TC-A Zone

**MOTION:** Councilmember Gerend moved to approve the docket request. Councilmember Huckabay seconded. Motion failed 2-5 with Councilmembers Hornish, Odell, Valderrama, Deputy Mayor Malchow and Mayor Keller dissenting.

Mayor Keller said the City should stay true to the original vision for the Town Center. Councilmember Odell does not think this is what people in Sammamish are asking for. Councilmember Valderrama is concerned with changing the plan without public input.

**Docket Request #8** Change future land use designation of parcels 0524069071, 0524069096, 0524069047 from R-1 to R-4

**MOTION:** Councilmember Huckabay moved to approve the docket request. Councilmember Gerend seconded. Motion failed 1-6 with Councilmembers Hornish, Valderrama, Odell, Huckabay, Deputy Mayor Malchow and Mayor Keller dissenting.

Deputy Mayor Malchow feels that this up-zone would impact Ebright Creek. She is concerned staff does not have the time for this work.

**Docket Request #9** Change future land use designation of parcel 0224069017 from R-4 to NB

**MOTION:** Councilmember Gerend moved to deny the docket request. Deputy Mayor Malchow seconded. Motion carried unanimously 7-0.

**Docket Request #10** Change future land use designation of parcel 1241100042 from TC-E to TC-A

**MOTION:** Councilmember Gerend moved to approve the docket request as written. Deputy Mayor Malchow seconded. Motion carried unanimously 7-0

**MOTION:** Councilmember Hornish moved to add the other five parcels in the TC-E zone be studied with the docket request. Councilmember Odell seconded. Motion failed 2-5 with Councilmembers Valderrama, Gerend, Huckabay, Deputy Mayor Malchow and Mayor Keller dissenting.

**Docket Request #11** Change future land use designation of parcels 2325069039, 2325069083, 2325069024, 2325062024, 2325069040 from R-1 to R-4

**MOTION:** Councilmember Huckabay moved to deny the docket request. Deputy Mayor Malchow seconded. Motion carried 6-1 with Councilmember Gerend dissenting.

Councilmember Gerend feels the City should do a comprehensive zoning study.

**MOTION:** Deputy Mayor Malchow moved to approve the resolution as amended, setting the 2018 Comprehensive Plan Amendment Docket. Councilmember Hornish seconded. Motion carried unanimously 7-0 (R2017-761)

### **Unfinished Business**

**Resolution:** Amending Resolution R2017-753 The City's Master Fee Schedule  
(This resolution was moved to December 12, 2017)

Council recessed from 11:50 pm to 11:56 pm

**Councilmember Odell moved to extend the meeting to 1:00 am. Deputy Mayor Malchow seconded. Motion carried 6-1 with Councilmember Valderrama dissenting.**

Discussion and Possible Action Regarding Exemptions in the Moratorium Ordinance O2017-445A

**MOTION:** Councilmember Valderrama moved to reconsider amendments to Ordinance O2017-445-A. Councilmember Malchow seconded. Motion carried 4-3 with Keller, Huckabay and Gerend dissenting.

**MOTION:** Councilmember Hornish moved to amend the ordinance to eliminate Section I – Permits and approvals for development in any Town Center zoning District. Councilmember Odell seconded. Motion carried 4-3 with Councilmembers Keller, Gerend and Huckabay dissenting.

Councilmember Gerend opposed the motion as he feels it is just delaying the development of the town center.

**MOTION:** Deputy Mayor Malchow moved to remove Section K - Permits and approvals of any type submitted on or before the date of adoption of this Ordinance, including those for which a pre-application meeting was completed with the City to the satisfaction of the Community Development Director and/or designee; from the exemptions. Councilmember Odell seconded.

**AMENDMENT:** Councilmember Hornish moved to amend Section K to limit it to any properties outside Town center zones and pre apps outside the town center zone that happened on or before October 3, 2017 will remain an exemption. Councilmember Valderrama seconded. Motion carried 4-3 with Keller, Huckabay and Gerend dissenting.

**MAIN MOTION:** Councilmember Hornish moved to approve the ordinance as amended. Deputy Mayor Malchow seconded. Motion carried 4-3 with Keller, Huckabay and Gerend dissenting (O2017-445B).

Councilmember Gerend feels that we should allow the town center to move forward. Mayor Keller agreed with Councilmember Gerend.

**Resolution:** Support for the Town Center.

**MOTION:** Councilmember Odell moved to extend the meeting to 1:30 pm. Deputy Mayor Malchow seconded. Motion carried 6-1 with Councilmember Valderrama dissenting.

**MOTION:** Councilmember Hornish moved to adopt the resolution. Deputy Mayor Malchow seconded. Motion 4-3 with Keller, Huckabay and Gerend dissenting (R2017-762).

### **New Business**

**Contract Amendment:** 212<sup>th</sup> Way SE Project/JR Hayes

Public Works Director Steve L. gave the staff report.

**MOTION:** Councilmember Odell 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 \$1,700,000 and authorize the use of funds from the 001 (General), 101 (Street Operations) and 340 (Streets Capital) funds as presented. Councilmember Gerend seconded. Motion carried unanimously 7-0

**Council Reports/Committee Reports**

Emergency Medical Services Task Force representative will be Councilmember Hornish.

**City Manager Report**

Reminder that next week's meeting starts at 5:30 pm.

Meeting adjourned at 1:15 pm

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Melonie Anderson, City Clerk

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Bob Keller, Mayor