



AGENDA

City Council Special Meeting

6:30 PM - Tuesday, April 14, 2020

City Hall Council Chambers, Sammamish, WA

Page

Estimated
Time

MEETING ACCESSIBILITY

Pursuant to the Governor's emergency Proclamation 20-25, the City is unable to provide an in-person location for the public to listen to the virtual City Council meeting this evening. Meetings are still accessible to the public and public comment is able to be submitted.

To View Live:

- **City Website:** www.sammamish.us/news-events/tv-21/
- **City Facebook:** www.facebook.com/CityofSammamishWA/
- **Comcast Channel 21** (within Sammamish only)

To View Later: Meeting videos are available the day after the meeting:

- **City Website:** www.sammamish.us/news-events/tv-21/
- **YouTube:**
www.youtube.com/channel/UCouPqQz1MSudhAdgiriLC8A
- **Comcast Channel 21** (within Sammamish only)

CALL TO ORDER

6:30 pm

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

PUBLIC COMMENT

Pursuant to the Governor’s emergency Proclamation 20-25, the City is unable to provide an in-person location for the public to listen to the virtual City Council meeting this evening. Meetings are still accessible to the public and public comment is able to be submitted.

Written Comment:

Written public comment will be accepted until 5:00 pm on the day of the meeting. Submit your written comments by email to the City Clerk at manderson@sammamish.us and citycouncil@sammamish.us.

Verbal Comment:

Up to 3 minutes of verbal public comment may be provided per person live during the meeting. Call the following number and input the access code when prompted by 6:30 pm the day of the meeting:

- Phone Number: **+1 (571) 317-3122**
- Access Code: **929-348-197**

Once you have joined, you will be placed on mute. The meeting operator will unmute you when it is your turn to comment.

NEW BUSINESS

3 - 5	1. Discussion: Event Cancellations Due to COVID-19 View Agenda Item	6:45 pm
6 - 7	2. Discussion: Legal Representation for the Gerend Case View Agenda Item	7:15 pm
8 - 24	3. Discussion: Tent City 4 Permit Extension due to COVID-19 View Agenda Item	7:45 pm
25 - 26	4. Discussion: Masks for Grocery Store Workers View Agenda Item	8:15 pm

COUNCIL REPORTS/ CITY MANAGER REPORT

EXECUTIVE SESSION – IF NECESSARY

ADJOURNMENT **10:00 pm**

City Council meetings are wheelchair accessible. American Sign Language (ASL) interpretation is available upon request. Please phone (425) 295-0500 at least 48 hours in advance. Assisted Listening Devices are also available upon request.

Agenda Bill
City Council Special Meeting
April 14, 2020



SUBJECT:	Event Cancellations Due to COVID-19	
DATE SUBMITTED:	April 09, 2020	
DEPARTMENT:	Parks, Recreation & Facilities	
NEEDED FROM COUNCIL:	<input type="checkbox"/> Action <input checked="" type="checkbox"/> Direction <input type="checkbox"/> Informational	
RECOMMENDATION:	Provide direction on whether to postpone or cancel some or all of the events described below.	
EXHIBITS:		
BUDGET:		
Total dollar amount		<input type="checkbox"/> Approved in budget
Fund(s)	Parks General Fund - Recreation Programs	<input type="checkbox"/> Budget reallocation required
		<input checked="" type="checkbox"/> No budgetary impact
WORK PLAN FOCUS AREAS:		
<input type="checkbox"/> Transportation	<input type="checkbox"/> Community Safety	
<input type="checkbox"/> Communication & Engagement	<input type="checkbox"/> Community Livability	
<input type="checkbox"/> High Performing Government	<input checked="" type="checkbox"/> Culture & Recreation	
<input type="checkbox"/> Environmental Health & Protection	<input type="checkbox"/> Financial Sustainability	

NEEDED FROM COUNCIL:

Shall the City Council consider cancellation of major events through July and/or August, including but not limited to the annual Fourth on the Plateau celebration, Sammamish P.O.P., and the Farmer’s Market, due to the impacts of COVID-19 and the related planning, staffing, and potential health impacts to City employees and the community at large?

KEY FACTS AND INFORMATION SUMMARY:

On March 23, 2020, Governor Inslee enacted a "Stay Home, Stay Healthy" order requiring all Washington residents to stay home unless pursuing an essential activity and banning all gatherings for social, spiritual and recreational purposes (among other measures). This order was originally set to expire on April 6, 2020, but was recently extended to May 4, 2020, because the measures are still needed to reduce the impact of the ongoing COVID-19 pandemic.

The Parks, Recreation & Facilities Department manages a full schedule of community events, which ramp up in the spring and are in full swing by summer. The Department must plan now to mitigate potential impacts to their events should the Governor extend the order further, possibly into summer or beyond.

Staff is requesting the Council's direction on whether to proceed with, postpone or cancel some or all of the following events:

1. Fourth on the Plateau (July 4, 2020)
2. Sammamish Farmer's Market (May 6, 2020 - September 16, 2020)
3. Sammamish Party on the Plateau (P.O.P.) (August 7-8, 2020)

Note: The Interim City Manager has preemptively cancelled all events and rentals through May 31, 2020.

Fourth on the Plateau

Fourth on the Plateau is the largest City event put on each year, drawing tens of thousands of attendees, dozens of vendors, and countless volunteers, staff and others. With less than three months until the event, staff is well underway in the planning of this event. One of the first big decision points that must be made this week is regarding fireworks; the fireworks vendor requires 50% payment up front (~\$14,000) and 50% upon completion. While the vendor has offered to apply a credit toward a future event should Fourth on the Plateau be canceled, there is a risk that they will not be in business next year. The credit for fireworks can be used for 2020 Sammamish P.O.P., 2021 Fourth on the Plateau or 2021 Sammamish P.O.P. [Click here](#) for more information about the event.

Sammamish Farmer's Market

The Sammamish Farmer's Market is an annual program consisting of Market events each Wednesday during the spring and summer. It is operated by the Sammamish Chamber of Commerce through a memorandum of understanding with the City. [Click here](#) for more information about the event.

Sammamish Party on the Plateau (P.O.P.)

Sammamish P.O.P. (previously "Sammamish Days" and "Sammamish Nights") is a 2-day event with activities, performances and other items for the weekend. It attracts roughly 2,000-3,000 people over the 2-days. This event could be postponed and held in September, if need be. [Click here](#) for more information about the event.

Other smaller events (including Concerts in the Park, Outdoor Movies, KidsFirst, Shakespeare in the Park and other partnered events)

All of these events take place in July and August. Of these, the smallest event, KidsFirst, attracts 75-125 people per performance, and the largest event, Concerts in the Park, attracts 500-800 people per concert. Sponsorships for these events are not due until June 1, 2020. Staff's preference is to wait on a decision for these events until late May, to see what the Governor's Office and King County Public Health will recommend for the summer.

FINANCIAL IMPACT:

All events are already budgeted for this year. The Fourth on the Plateau expenditures are roughly \$80,000, with \$30,000 of that amount covered by sponsorships, resulting in a net cost to the City of about \$50,000. The Sammamish P.O.P. expenditures are estimated at \$32,000, with \$14,000 of that amount covered by sponsorships, costing the City a net amount of about \$18,000. The City's contribution to the Farmers Market is \$10,000 every year. To date, no funds have been used or distributed for these events.

OTHER ALTERNATIVES CONSIDERED:

N/A

RELATED CITY GOALS, POLICIES, AND MASTER PLANS:

[Parks, Recreation & Open Space \(PRO\) Plan](#), Adopted by City Council in February 2018

Agenda Bill
 City Council Special Meeting
 April 14, 2020



SUBJECT:	Discussion: Legal Representation for the Gerend Case		
DATE SUBMITTED:	April 09, 2020		
DEPARTMENT:	City Manager's Office		
NEEDED FROM COUNCIL:	<input checked="" type="checkbox"/> Action <input type="checkbox"/> Direction <input type="checkbox"/> Informational		
RECOMMENDATION:	Move to direct the Interim City Manager to negotiate and execute a contract for legal services with Eglick & Whited not to exceed \$100,000 and bring it back to the Council for ratification on April 21, 2020.		
EXHIBITS:			
BUDGET:			
Total dollar amount	Not to exceed \$100,000	<input type="checkbox"/>	Approved in budget
Fund(s)	001-015-515-41-41-90	<input checked="" type="checkbox"/>	Budget reallocation required
		<input type="checkbox"/>	No budgetary impact
WORK PLAN FOCUS AREAS:			
<input type="checkbox"/> Transportation	<input type="checkbox"/> Community Safety		
<input type="checkbox"/> Communication & Engagement	<input type="checkbox"/> Community Livability		
<input checked="" type="checkbox"/> High Performing Government	<input type="checkbox"/> Culture & Recreation		
<input type="checkbox"/> Environmental Health & Protection	<input type="checkbox"/> Financial Sustainability		

NEEDED FROM COUNCIL:
 Should the Council consider changing attorneys from the Madrona Law Group to Eglick & Whited for the Gerend v. City of Sammamish case?

KEY FACTS AND INFORMATION SUMMARY:
 The City Council contracted with the Madrona Law Group to represent the City in the *Gerend v. City of Sammamish* Growth Management Hearings Board case after the lead attorneys in the case separated from Kenyon Disend to join Madrona Law Group. The Madrona Law Group represented the City through the initial phase of the case, and now they and the City are awaiting the Board's decision, which is anticipated on April 20, 2020.

Councilmembers have voiced a desire to discuss and evaluate where the City is in the process of further developing City regulations that are the basis for managing growth, traffic, and the future livability of the City. They also wish to discuss whether a change in legal representation is needed to guide them through any requirements that may result from the Board's decision, as well as be a guiding consultant as the City moves forward in dealing with land use, traffic, concurrency, and balancing livability and growth.

On April 2, 2020, the Interim City Manager executed a contract with Eglick & Whited to serve as outside counsel to advise staff on GMA, land use and comprehensive planning matters. He recommends executing a separate contract with Eglick & Whited to serve as the City's representation on matters relating to the Gerend case.

FINANCIAL IMPACT:

The financial impact is estimated to be less than \$100,000 for the additional contract with Eglick & Whited.

Agenda Bill
 City Council Special Meeting
 April 14, 2020



SUBJECT:	Discussion: Tent City 4 Permit Extension due to COVID-19	
DATE SUBMITTED:	April 14, 2020	
DEPARTMENT:	City Manager's Office	
NEEDED FROM COUNCIL:	<input type="checkbox"/> Action <input checked="" type="checkbox"/> Direction <input type="checkbox"/> Informational	
RECOMMENDATION:	Direct staff to return at an upcoming Council meeting with an emergency ordinance to extend the duration of Tent City 4's permit.	
EXHIBITS:	1. Exhibit 1 - Tent City 4 Permit	
BUDGET:		
Total dollar amount	<input type="checkbox"/>	Approved in budget
Fund(s)	<input type="checkbox"/>	Budget reallocation required
	<input checked="" type="checkbox"/>	No budgetary impact
WORK PLAN FOCUS AREAS:		
<input type="checkbox"/> Transportation	<input type="checkbox"/> Community Safety	
<input type="checkbox"/> Communication & Engagement	<input type="checkbox"/> Community Livability	
<input type="checkbox"/> High Performing Government	<input type="checkbox"/> Culture & Recreation	
<input type="checkbox"/> Environmental Health & Protection	<input type="checkbox"/> Financial Sustainability	

NEEDED FROM COUNCIL:

Would the City Council like to consider an extension of Tent City 4's permit due to COVID-19?

KEY FACTS AND INFORMATION SUMMARY:

Tent City 4 is a permitted temporary homeless encampment that has been located in the parking lot of Mary Queen of Peace since late January 2020. They were scheduled to move by the end of the month to their next location, which was to be either a church in Bellevue or Department of Natural Resources land; however, both locations are now unavailable due to COVID-19. Their 19 current residents are now facing the prospect of having nowhere to move when their permit expires on May 23, 2020.

The City's municipal code contains provisions regulating temporary homeless encampments ([SMC 21A.70.195](#)). The code allows homeless encampments to operate within Sammamish for up to four months. Tent City 4's four-month permit (Exhibit 1) is effective from January 24 - May 23, 2020. The

Governor's Stay Home, Stay Healthy order is in effect until May 5, 2020, so the timing may not be an issue unless the Governor extends the order again.

For their planning purposes, Tent City 4 needs to determine whether they will need to find an alternative location and move by May 23, or whether the City can provide an extension, should the Governor's order be extended. Mary Queen of Peace has met internally, and with Tent City 4 representatives, to discuss this matter and has decided to reach out the City for an extension of one month.

The municipal code is very specific that homeless encampments are a "temporary" use, and there are no options for staff to administratively increase the duration of such a permit. Therefore, if the City Council would like to grant an extension, they would need to direct staff to return at a future Council meeting with an emergency ordinance to do so.

Staff are seeking the Council's direction on whether they would like to consider an extension of Tent City 4's permit due to the COVID-19 emergency.



Department of Community Development

801 - 228TH AVENUE SE - SAMMAMISH, WASHINGTON 98075 - TEL 425-295-0500 - FAX 425-295-0600 - WEB WWW.SAMMAMISH.US

STAFF REPORT & PERMIT DECISION

**TENT CITY IV TEMPORARY HOMELESS ENCAMPMENT PERMIT (THEU2019-00620)
MARY QUEEN OF PEACE CATHOLIC CHURCH**

APPLICANT(S): Mary Queen of Peace Catholic Church
Rich Shively
1121 228TH Ave SE
Sammamish, WA 98075

SHARE/WHEEL
Sam Roberson
P.O. Box 2548
Seattle, WA 98111

PARCEL NUMBER: 042406-9092

FILE NUMBER: Temporary Homeless Encampment (THEU2019-00620)

DECISION: Approved with Conditions and Subject to Inspection

DATE OF DECISION: January 24, 2020

PROJECT PLANNER: Jasvir Singh, Land Use Planner

I. INTRODUCTION

A. APPLICATION

1. Applicant(s): Mary Queen of Peace, camp sponsor. SHARE/WHEEL of Seattle.
2. Site Location: 1121 228TH Avenue SE (the "Church Property").
3. Request: Temporary Homeless Encampment Use Permit (THEU2019-00620) to locate a homeless encampment (Tent City 4) within a portion of the parking lot of the existing church property for a period of 120 days, from approximately **January 24, 2020 until May 23, 2020** (four consecutive calendar months). The maximum capacity of a homeless encampment allowed in accordance with the Sammamish Municipal Code ("SMC") is 100 persons. SMC 21A.70.195(6). The applicant has designed

the camp to accommodate up to a maximum of 40 persons. Mary Queen of Peace Catholic Church and SHARE/ WHEEL are co-applicants for this temporary use permit and have signed an Agreement (received by the City 12/10/2019) related to other operational aspects of Tent City 4. See **Exhibit 1** for the applicants' description of the camp which includes an operational overview, site plan, utilities, security, homeless encampment Code of Conduct, and transportation.

4. **Neighborhood Meeting:** In accordance with SMC 21A.70.195(4)(a), the applicant for a Temporary Homeless Encampment Use (THEU) permit, is required to conduct a neighborhood meeting to inform nearby residents and the public about the proposed encampment prior to submittal of an application. On November 25, 2019, Mary Queen of Peace Catholic Church hosted a neighborhood meeting to provide information regarding the application fulfilling this requirement.

At the neighborhood meeting, representatives from Mary Queen of Peace, Sammamish Police Department and Tent City 4, presented and discussed the proposed homeless encampment location, timing, site plan, code of conduct, encampment concerns, and the security management plan. At the meeting, the public in attendance were allowed to speak and provide any written comments/concerns regarding the proposed application. Copies of the agenda and the other specified comments and materials were provided by the applicant at the meeting. A summary of the neighborhood meeting is attached to this decision as **Exhibit 2**.

Permit Review Process: THEU permits are Type I permits governed under SMC 21A.70.195. A Type I decision is made by the Director of Community Development with no administrative appeal. Type 1 decisions require compliance with the review process described in Chapter 20.05 SMC. The THEU permit review process generally includes a notice of application, a 21-day public comment period, and project review timelines for City review of application materials.

The application for THEU2019-00620 was submitted on December 10, 2019, in accordance with the requirements specified in SMC 21A.70.195. The application was deemed complete on December 17, 2019 and a Notice of Completeness was sent to the applicant.

A Notice of Application was issued and mailed on December 24, 2019, to all persons owning property within 1,000 feet of the Mary Queen of Peace property and the agencies listed in Section 5 per Chapter 20.05 SMC (**Exhibit 3**). The public comment period for the proposal ran for 21-days from December 24, 2019 through January 14, 2020 as required.

Sixty-four public comment emails were received during the public comment period. Majority of the public comments were in opposition to the homeless encampment and its perceived negative impacts such as drug use, crime and effects on surrounding area property values. Copies of all comments submitted are attached in **Exhibit 4**. The comments and appropriate staff responses are summarized later in the Findings of Fact and Conclusions section later in this report. Many of the comments are also addressed generally in other sections of this Report and Decision.

5. Consulted Departments/Agencies: The following departments and agencies were advised of this application:

Public Works Department	Eastside Fire & Rescue
Parks Department	Sammamish Plateau Water & Sewer District
Community Development	Sammamish Police Department
Skyline High School	

II. FINDINGS OF FACT AND CONCLUSIONS

A. SITE DESCRIPTION

1. Site Development and Zoning

a. Facts:

- i. Size: The size of the area proposed to be occupied by Tent City 4 on the Church Property is approximately 13,000 square feet. The Church Property is 8.65 acres or 376,794 square feet.
- ii. Land Use: Church
- iii. Zoning: R-8 Single Family Residential
- iv. Terrain and Vegetation: The area in which Tent City 4 is being located contains a surface parking lot. The majority of the Church Property's trees are located around the perimeter of the site.

- b. Conclusions: The area of the encampment comprises a small portion of the total site area of the Church Property. There will be minimal site disturbance because the tents and other Tent City 4 structures and uses will be placed in an existing parking lot.

2. Neighboring Zoning & Land Uses

a. Facts:

North – TC D, YMCA Community & Aquatic Center
East – TC A5, Arbor Preschool
South – R 8 Single Family Residential, Meadows at Redford Ranch
West – R 1 Single Family Residential, Lancaster Ridge

- b. Conclusion: The Church Property is bordered on the south side by medium density residential uses, and on the west side by large lot low density residential uses. To the north is the Sammamish YMCA Community & Aquatic Center. Tent City 4 shall be subject to the requirements for temporary uses found in SMC 21A.70.195. An analysis of the City's requirements and the proposed encampment is provided in this Report and Decision.

B. PUBLIC COMMENT

1. As required by Chapter 20.05 SMC a Notice of Application was issued on December 24, 2019 and included notification of the availability of Project documents and the 21-day comment period. See **Exhibit 3**. Multiple public comments were received regarding this proposal and are generally summarized as follows:

- Overall, City staff has addressed the public comments that are pertinent to the review of this Temporary Use Permit (THEU2019-00620), either directly or indirectly, within this Staff Report and Decision. A THEU permit is processed in accordance with SMC 21A.05.090, and the Community Development Department is legally bound to follow the specific procedures adopted in the code. The City adopted an ordinance in 2014 (Ordinance #02014-372) that established specific procedures and regulations that must be met for approval of a temporary homeless encampment. It is important to note that there was also a neighborhood meeting hosted by Mary Queen of Peace Church to receive comments from the community regarding the proposed homeless camp. See **Exhibit 4**.

Public Comments Data	
Support Temporary Homeless Encampment	12 comments
Neutral	2 comments
Oppose Temporary Homeless Encampment	50 comments

Public Comments Common Areas Public Concern		
Crime	Drugs	Safety
Impacts to schools	Public health impacts	Privacy

C. STATE ENVIRONMENTAL POLICY ACT (SEPA)

1. **The State Environmental Policy Act (SEPA)** process identifies and analyzes environmental impacts from governmental decisions. These decisions may be related to issuing permits for private projects, constructing public facilities, or adopting regulations, policies, or plans. SEPA review helps agency decision-makers, applicants, and the public understand how a proposal will affect the environment.

- a. Fact: This application is exempt from SEPA per WAC 197-11 800(1).
- b. Conclusion: The applicant and City have met the requirements of SEPA.

D. APPROVAL CRITERIA

1. **Section 21A.70.100 SMC Temporary use permits – Uses requiring permits.**

- a. Facts: A temporary use permit shall be required for:

- i. Uses not otherwise permitted in the zone that can be made compatible for periods of limited duration and/or frequency; or
 - ii. Limited expansion of any use that is otherwise allowed in the zone but that exceeds the intended scope of the original land use approval.
- b. Conclusions: Temporary homeless camps are not listed as allowed uses within any zone in Sammamish. Temporary homeless camps providing temporary occupancy, such as tents or recreational vehicles can only be approved as a Temporary Homeless Encampment Use permit pursuant to Section 21A.70.195 SMC.
2. **Section 21A.70.195 SMC Temporary Homeless Encampment Use Permit**
- a. Facts: Chapter 21A.70.195 SMC establishes conditions for granting a THEU permit including dimensional requirements, and performance standards for homeless encampments. These requirements are summarized as follows:
- i. An application for a homeless encampment must include a local church or other community-based organization as a sponsor or managing agency.
 - ii. The encampment shall be located a minimum of 20-feet from the property line of abutting properties containing residential uses.
 - iii. Sight-obscuring fencing is required around the perimeter of the homeless encampment unless the Community Development Director determines that there is sufficient vegetation, topographic variation, or other site conditions such that fencing would not be needed.
 - iv. Exterior lighting must be directed downward and contained within the homeless encampment.
 - v. A homeless encampment shall be limited to a maximum occupancy not to exceed 100 persons, depending on the conditions of the proposed site (e.g., physical size, topography, site constraints, etc.). A homeless encampment use permit may be conditioned to establish occupancy of less than 100 persons, depending on the conditions of the proposed site.
 - vi. Each lot occupied by a homeless encampment must provide or have available a parking and vehicular maneuvering area.
 - vii. A transportation plan is required which shall include provision of transit services.
 - viii. A security management plan is required which shall ensure the safety of the residents of the temporary encampment and the public.

- ix. No children under 18 are allowed in the homeless encampment. If a child under the age of 18 attempts to stay at the homeless encampment, the managing agency shall immediately contact Child Protective Services.
- x. A code of conduct is required, and shall be enforced by the managing agency. The code shall contain the following as a minimum:
 - No drugs or alcohol.
 - No weapons.
 - No violence.
 - No open flames.
 - No trespassing or loitering in the surrounding neighborhood.
 - No convicted sex offender is permitted to reside in the encampment.
- xi. Smoking Area. A designated smoking area shall be provided on site in the location which would result in the least impact on neighboring properties based on distance.
- xii. Debris. Each site occupied by a homeless encampment shall be left free of debris, litter, or other evidence of the homeless encampment upon the homeless encampment moving from the site.
- xiii. Health Department Compliance. Homeless encampments shall comply with all applicable standards of the Seattle-King County health department.
- xiv. Code Compliance and Hours of Service. Homeless encampments shall comply with all codes and regulations of the state of Washington, City, and other agencies with jurisdiction concerning, but not limited to, drinking water connections, human waste, solid waste disposal, electrical systems, cooking, food handling, and fire-resistant materials. Servicing of portable toilets and trash dumpsters is prohibited between the hours of 10:00 p.m. and 7:00 a.m. on Mondays through Fridays, and between the hours of 10:00 p.m. and 9:00 a.m. on Saturdays, Sundays, and legal holidays, except in the case of bona fide emergency or under the terms of a permit condition approved by the director in the case of demonstrated necessity.
- xv. Inspections. Homeless encampments shall permit regular inspections by regulatory personnel, including but not limited to, city staff, police department, fire department, King County Health Department, and any other regulatory agencies with jurisdiction to check for permit and other code compliance by the homeless encampment.
- xvi. Required Services. Homeless encampments shall have services such as food, water, and waste disposal supervised by the sponsor or managing agency.
- xvii. Resident Log. The managing agency shall maintain a resident log of all people residing at the homeless encampment. Such log shall be kept on site at the homeless encampment. When signing the log, prospective encampment residents shall provide a state of Washington driver's license, state of Washington identification card, a driver's license or identification card issued by another state, or other similar document that confirms a

person's identity. The sponsor shall be responsible for verifying that the log is being properly kept and that the required identification is being provided.

- b. **Conclusions:** Based on a review of the applicant's proposal, Staff has determined that it is consistent with the required development and performance standards found in Section 21A.70.195 SMC and should be approved subject to conditions.

3. **Section 21A.70.195(2)(a) Duration and Frequency of a Temporary Homeless Encampment**

- a. **Facts:** SMC Section 21A.70.195(2) states that the City may not grant a temporary use permit at the same site for a temporary homeless encampment more frequently than once in every 18-month period. Additionally, the City may only grant a permit for a temporary homeless encampment for a limited period of time, not to exceed 120 days, and no more than one encampment can be located in the City at any one time.

The applicant is proposing to host Tent City 4 for a period of 120 days from approximately **January 24, 2020 to May 23, 2020** and this is the only homeless encampment proposed in the City during this time. The Tent City 4 camp was last hosted by MQP from December 22, 2017 until April 22, 2017 which was over 18 months prior. For the purposes of this subsection, the 18 months shall be calculated from the last day of the prior homeless encampment's occupancy.

- b. **Conclusions:** The City may approve a Temporary Homeless Encampment for Tent City 4 at the Mary Queen of Peace Church for up to 120 days. The applicants proposed dates for Tent City 4 are consistent with this requirement and the other limitations for duration and frequency stated above.

III. DECISION & CONDITIONS OF APPROVAL

1. **Decision**

Based on the Statements of Fact and Conclusions, review of the application materials submitted by Mary Queen of Peace Catholic Church and SHARE/WHEEL, and public comments, this request for a Temporary Homeless Encampment Use Permit (THEU2019-00620) known as Tent City 4, is hereby **APPROVED**, subject to the following conditions.

A. **General Conditions of Approval**

1. TENT CITY 4 shall be limited to the maximum duration allowed by Section 21A.70.195 SMC, which is 120 days. Based on the issuance date of this permit, the camp will be valid from **January 24, 2020**, until **May 23, 2020** (four consecutive calendar months). Pursuant to SMC 21A.70.195(a), the Director of Community Development may allow up to five additional days to accommodate moving onto or off the site. Any adjustments to the schedule based on actual move in dates after this permit is issued shall be coordinated with the Director of Community Development.
2. Within 7-days of setting up the encampment Tent City 4 and/or Mary Queen of Peace are required to schedule a site inspection with the City of Sammamish, and other agencies with

jurisdiction. This inspection shall be to ensure the relevant conditions of this permit are met, and that the encampment is safe for continued occupancy of the tenants. **See Exhibit 8.**

3. The following performance and development standards pursuant to Section 21A.70.195 SMC are required to be met by the applicant:

a. **Health and Safety**

- i. TC4 and MQPCC shall permit necessary inspections by all relevant inspectors including the King County Health Department to verify compliance with the standards for homeless encampments and shall implement all directives from the inspectors within a specified time period.
- ii. TC4 and MQPCC shall comply with Washington State and City Codes including those concerning, but not limited to, potable water connections, human waste, solid waste disposal, electrical systems, and fire-resistant materials.
- iii. TC4 and MQPCC shall prohibit littering at the encampment and shall regularly conduct litter clean-up patrols in the immediate vicinity of the encampment.
- iv. Open Flames are not permitted.

b. **Conduct and Security**

- i. The TC4 residents shall adhere to the “Code of Conduct” submitted as part of the application to this permit **(Exhibit 1)**.
- ii. No animals shall be permitted in TC4 except for service animals.
- iii. TC4 in conjunction with the Managing Agency is responsible for enforcing the Code of Conduct.
- iv. Quiet hours at the homeless encampment shall be between 9:00 PM and 8:00 AM. During this time, activities in the homeless encampment shall be limited to prevent disturbance to surrounding residential properties.
- v. TC4 and MQPCC are required to take all reasonable and legal steps to obtain verifiable identification from camp residents and conduct a warrant and sex offender check or have on record all previous warrant/sex offender checks per SMC 21A.70.195(4)(d). All requirements of the King County Sheriff/Sammamish Police Department related to identified sex offenders, or prospective residents with warrants shall be met.
- vi. TC4 and/or MQPCC shall immediately contact the City of Sammamish Police Department/King County Sheriff if the reason for rejection or ejection of an individual

from the encampment is for an active warrant or a match on the sex offender check, or if in the opinion of the encampment, the rejected/ejected person is a potential threat to the community.

- vii. Any occupant who is expelled from the homeless encampment, or other individuals whom are turned away shall be managed as follows:
 - TC4 security workers shall walk the individual to the bus stop and wait with them until the bus arrives; or
 - If bus service is not available, or if this activity occurs after-hours, a camp vehicle shall be used and/or provided to drive the individual to the closest available bus service and TC4 security worker shall wait with the individual until the bus arrives; or
 - A taxi or volunteer driver shall be called and A TC4 security worker shall be wait with the person until the taxi arrives. Taxi vouchers shall be available from TC4 when buses are not operating.
- viii. TC4 shall not register children under 18 to stay overnight at the homeless encampment. If a child under the age of 18, either alone or accompanied by a parent or guardian, attempts to stay at the homeless encampment, TC4 and/or MQPCC shall immediately contact King County Child Protective Services, and attempt to find alternative shelter for the child and any accompanying parent(s) or guardian(s).
- ix. MQPCC can be contacted at (425) 391-1178 and TC4 at (206) 448-7889 and MQPCC via email at paa@mqp.org.

c. **Erosion Hazard Area Requirements**

- i. The use of hazardous substances, pesticides, and fertilizers in erosion hazard areas may be prohibited by the City. If any vegetation on the lot is damaged or removed during placement of temporary housing encampment the applicant shall be required to submit a restoration plan to the department for review and approval. Following approval, the applicant shall be required to implement the plan;

d. **Permit Violation Process**

- ii. Pursuant to Section 21A.70.195(17) SMC, upon a determination that there has been a violation of any condition of permit approval, the director may give written notice to the sponsor describing the alleged violation pursuant to Title 23 SMC and other applicable code authority, and may immediately pursue revocation of the THEU permit and vacation of the site by the homeless encampment.

- 4. The following are conditions of approval from Public Works Department. Please contact Haim Strasbourger at (425) 295-0562 or hstrasbourger@sammamish.us for questions or more information.

- a. The applicant shall follow erosion control requirements for the duration of the encampment and keep all products (such as garbage, cigarette butts, and cooking oils) out of the Ebright Creek headwaters to the west of the proposed encampment.

5. **The following are conditions of approval from Eastside Fire & Rescue. Please contact Jeff Werre at (425) 313-3323 or jwerre@ESF-R.ORG for questions or more information.**

- a. Placement of any tent is subject to relocation pending any emergency action required;
- b. Emergency ingress and egress and exits from the Mary Queen of Peace buildings shall be kept clear of any obstructions in the event of an emergency.
- c. Existing fire hydrants shall not be covered, blocked, or in any way made inaccessible to the Fire Department. A minimum of three feet clearance is required all around hydrant;
- d. Tents over 400 square feet shall be flame treated. A flame treatment certificate is required. Exception: Per the 2009 International Fire Code (IFC): Tents used exclusively for recreational camping purposes are exempt. No open flame, cooking or electricity shall be allowed in a recreational tent.
- e. Any size tent and/or canopy shall be flame treated if used for cooking food. Note: Use of a microwave oven is not regarded as "cooking" when used to heat food;
- f. Two 2:A 10:BC (5 lb.) fire extinguishers are required. One shall be located at the main gate/security area and one at the food tent. Installation shall be in accordance with Fire Marshal instructions. Please contact the Fire Marshal's office at 425-313-3323 or 425-313-3324 for direction;
- g. Open flames are strictly prohibited at all times;
- h. "No Smoking" signs shall be posted throughout TC4;
- i. An established area for smoking shall conform to the following stipulations:
 - Non-combustible, approved ashtrays shall be provided;
 - A "Designated Smoking Area" sign shall be posted;
 - The area shall be located as far from the tent area as possible, the location of which will be subject to field inspection by the Fire Marshal's office;
 - The smoking area shall be covered by an open sided canopy.
- j. The church address shall be posted in an approved manner at the main gate;
- k. At all times, security personal shall have access to a church phone or a cellular phone for calling 911;
- l. Garbage/recyclables shall be stored a minimum of 30 feet from any tent or canopy;

- m. If use of a generator is desired, prior approval from the Fire Marshal's office is required;
 - n. Temporary power must be installed in accordance with the National Electrical Code and must be inspected by the Washington State Department of Labor and Industries. Any electrical connections shall comply with fire and/or electrical codes;
 - o. All conditions established separately between Permittee and the Eastside Fire and Rescue Fire Marshal shall be in effect and are part of the conditions of this permit.
5. **The following conditions of approval are required from the City of Sammamish Police Department. Please contact Chief Dan Pingrey at Daniel.Pingrey@kingcounty.gov for questions or more information.**
- a. TC4 shall assist in the keeping of a daily log of visits by police officers.
 - b. No weapons are allowed within TC4.
 - c. The security tent shall be clearly marked as such and shall be visible from the parking area.
 - d. 24-hour emergency contact information shall be provided to the Sammamish Police Department, to include names and phone numbers for both on-site TC4 security and MQPCC representatives.
6. **The following are Conditions of Approval are required from the City of Sammamish Parks Department. Please contact Angie Feser at (425) 295-0580 or afeser@sammamish.us for questions or additional information.**
- a. Access is not permitted to the landscaped areas on adjacent City property. The MQPCC shall maintain continuous fencing as determined appropriate around the temporary homeless encampment and any other measures appropriate to keep occupants out of these areas.
 - b. A minimum setback of 20-feet shall be maintained from the YMCA Community and Aquatic Center property line located at 831 228TH Avenue SE, for all tents and associated common areas of the encampment.
 - c. The property directly north of Mary Queen of Peace is city-owned park property. When persons are on city property, they must adhere to City Park rules as per SMC Chapter 7.12 pertaining to park hours, drug and alcohol use and general use of the park.
7. **The following are conditions of approval are required by the City of Sammamish Building Division. Please contact Dan Berlin, Building Official at (425) 295-0544 or DBerlin@sammamish.us for questions or more information.**
- a. Temporary power must be installed in accordance with the National Electrical Code and must be inspected by the City of Sammamish Building Department.

- b. Separate permits will be required for any type of electrical, mechanical and plumbing work being done. Permit can be submitted online through www.mybuildingpermit.com.
 - c. Emergency ingress and egress and exits from the MQPCC building shall be kept clear.
 - d. Egress exit must open in direction of travel with single action hardware.
 - e. Tents shall be located no closer than 10 feet to the building for MQPCC.
 - f. A fence will be erected pursuant to 21A.75.195(8), and two exits shall be provided in the fence from the tent city camp no further than 100 feet apart for exiting. Fence exits are subject to a field inspection by the Building Official or designee.
 - g. As a temporary facility, the homeless encampment is encouraged to provide accessibility for disabled individuals and where feasible and to provide alternate accommodations based upon need.
 - h. Existing accessible routes of travel to building entrances and connecting buildings to the public way must remain unobstructed per the Washington State Accessibility Code.
 - i. All exits and exit passageways shall not be less than 44 inches in width.
 - j. A six-foot-high sight-obscuring fence, vegetative screen or other visual buffering shall be provided between a homeless encampment and any abutting residential property.
 - k. Homeless encampment structures and facilities shall be located a minimum of 20 feet away from any property line,
 - l. For additional conditions of approval, please see **Exhibit 5**.
- 8. The following are conditions of approval required by the Sammamish Plateau Water District (the "District"). Please contact Kyle A Wong at (425) 392-3203 or kyle.wong@spwater.org for questions or additional information. See Exhibit 6.**
- a. **Water**
 - i. Connection can be made to an exterior hose bib on the MQPCC building (not a yard hydrant).
 - ii. Backflow prevention at the connection point is required, and would be a Double Check Valve Assembly that is tested and approved by a Certified State Tester. Test results should be provided to the District.
 - iii. Hose connection to the area of use:

1. If the water is for non-potable use only (e.g. showers) a non-potable hose may be used to connect to the area of use.
 2. If the water is to be used for drinking water, the hose must be a potable use hose.
 3. The applicant is advised to protect the hose connection from freezing.
- iv. All hydrants must have a 5-foot clear area around the hydrant.

b. **Sewer**

- i. Water from the water use area (e.g. showers) is to be through a temporary, above ground pipe.
- ii. Connection of the pipe is anticipated to an existing sewer cleanout. There is an available sewer cleanout located in the traveled land adjacent to the curb across the vehicle drive from the proposed dumpster.
- iii. Please provide a copy of the proposed connection scheme for review.
- iv. The connection point needs to be protected from vehicular traffic and disruption.
- v. The applicant is advised to protect the sewer connection from freezing.
- vi. The District is requesting site visits prior to the encampment arrival, during initial set-up, and connection, and periodically during the 4-month permit period. The intent of the site visits is to clarify where connections are proposed, and to ensure that the connections are made in a safe manner that protects both the District's water and sewer systems and the health and safety of those using the systems.

The primary contacts at the District for this encampment would be Chic Nessly for water and Dalton Langlois for sewer. Their contact information is provided in the following. For emergency situations call the District's main number 425-392-6256 for on-call personnel response.

Chic Nessly
Field Services Supervisor
425-295-3213
Chic.nessly@spwater.org

Dalton Langlois
Sewer Superintendent
425-295-3209
Dalton.langlois@spwater.org

III. APPEALS

There is no administrative appeal of the Community Development Director's decision for a temporary use permit. The action of the City in granting or denying an application under this chapter may be reviewed pursuant to the standards set forth in RCW 35.70C.130 in King County Superior Court. The land use petition must be filed within 21 calendar days of the issuance of the final land use decision of the City. For more information on the judicial process for land use decision, see Chapter 36.70C RCW.

IV. SIGNATURE

David Pyle, Director of Community Development, City of Sammamish

Date

EXHIBITS

Exhibit 1	Temporary Use Permit Application and associated materials from Mary Queen of Peace Catholic Church and SHARE/WHEEL (THEU2019-00620).
Exhibit 2	Summary of Neighborhood Meeting held by Mary Queen of Peace Catholic Church on 11.25.2019.
Exhibit 3	Notice of Application, dated 12.24.2019.
Exhibit 4	Public Comments
Exhibit 5	Building Markup Conditions of Approval
Exhibit 6	Sammamish Plateau Water District Letter
Exhibit 7	Erosion Hazard Area Overlay Map
Exhibit 8	Inspection Card

Agenda Bill
 City Council Special Meeting
 April 14, 2020



SUBJECT:	Discussion: Masks for Grocery Store Workers		
DATE SUBMITTED:	April 14, 2020		
DEPARTMENT:	City Manager's Office		
NEEDED FROM COUNCIL:	<input type="checkbox"/> Action	<input type="checkbox"/> Direction	<input checked="" type="checkbox"/> Informational
RECOMMENDATION:	Discuss the issue.		
EXHIBITS:			
BUDGET:			
Total dollar amount	<input type="checkbox"/>	Approved in budget	
Fund(s)	<input type="checkbox"/>	Budget reallocation required	
	<input checked="" type="checkbox"/>	No budgetary impact	
WORK PLAN FOCUS AREAS:			
<input type="checkbox"/> Transportation	<input checked="" type="checkbox"/>	Community Safety	
<input type="checkbox"/> Communication & Engagement	<input type="checkbox"/>	Community Livability	
<input type="checkbox"/> High Performing Government	<input type="checkbox"/>	Culture & Recreation	
<input type="checkbox"/> Environmental Health & Protection	<input type="checkbox"/>	Financial Sustainability	

KEY FACTS AND INFORMATION SUMMARY:

Councilmembers have been receiving inquiries from residents wondering why grocery store workers are not wearing masks to help slow the spread of COVID-19. To allow the full Council to discuss this matter, including potential options for addressing it, the Interim City Manager has included this topic on the agenda as a discussion item.

The Centers for Disease Control (CDC) has provided the following guidance on cloth face coverings:

"... [The] CDC recommends wearing cloth face coverings in public settings where other social distancing measures are difficult to maintain (e.g., grocery stores and pharmacies) especially in areas of significant community-based transmission.

It is critical to emphasize that maintaining 6-foot social distancing remains important to slowing the spread of the virus. CDC is additionally advising the use of simple cloth face coverings to slow

the spread of the virus and help people who may have the virus and do not know it from transmitting it to others. Cloth face coverings fashioned from household items or made at home from common materials at low cost can be used as an additional, voluntary public health measure.

The cloth face coverings recommended are not surgical masks or N-95 respirators. Those are critical supplies that must continue to be reserved for healthcare workers and other medical first responders, as recommended by current CDC guidance."

For more information: <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/cloth-face-cover.html>