



AGENDA

City Council Special Meeting

Revised

6:30 PM - Tuesday, June 23, 2020

City Hall Council Chambers, Sammamish, WA

Page

Estimated
Time

CALL TO ORDER

6:30 pm

MEETING ACCESSABILITY

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/tv21
- **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/tv21
- **YouTube:**
www.youtube.com/channel/UCouPqQz1MSudhAdgiriLC8A
- **Comcast Channel 21** (within Sammamish only)

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

EXECUTIVE SESSION – IF NECESSARY

PUBLIC COMMENT

6:35 pm

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. You will hear an automated voice say “unmuted” when that occurs, and the operator will ask you to begin your comment.

If you would like to provide public comment on the Public Hearing, please say so when you are unmuted. You will be placed back on mute and will have an opportunity to speak under the Public Hearing.

PUBLIC HEARINGS

- | | | |
|--------|--|---------|
| 4 - 11 | 1. Public Hearing: 2021-2026 Transportation Improvement Plan Adoption
View Agenda Item | 7:00 pm |
|--------|--|---------|

UNFINISHED BUSINESS

- | | | |
|---------|--|---------|
| 12 - 28 | 2. Resolution: Rules of Procedure
View Agenda Item | 7:30 pm |
| 29 - 31 | 3. Discussion: 2020 Work Plan
View Agenda Item | 8:00 pm |
| 32 - 34 | 4. *Discussion: Business Recovery Committee
View Agenda Item | 8:30 pm |

NEW BUSINESS

- 35 - 38 5. **Motion** Approve Procedures Adopted by the Department of Community Development Allowing Its Director to Eliminate Administrative Appeal of A SEPA Determination of Significance Requiring Preparation of An Environmental Impact Statement When the DS Concerns A Non Project Proposal by the City Itself
[View Agenda Item](#) **9:00 pm**

COUNCIL REPORTS/ CITY MANAGER REPORT **9:30 pm**

- 39 - 40 6. **Report:** Deputy Mayor Christie Malchow
[View Report](#)

EXECUTIVE SESSION – IF NECESSARY

ADJOURNMENT **10:00 pm**

* Added to the Agenda June 22, 2020.

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 Regular Meeting
June 23, 2020



SUBJECT:	Draft 2021-2026 Transportation Improvement Plan Public Hearing and Adoption		
DATE SUBMITTED:	June 17, 2020		
DEPARTMENT:	Public Works		
NEEDED FROM COUNCIL:	<input checked="" type="checkbox"/> Action <input type="checkbox"/> Direction <input type="checkbox"/> Informational		
RECOMMENDATION:	Close Public Hearing and adopt the draft 2021-2026 Transportation Improvement Plan Resolution		
EXHIBITS:	1. Exhibit 1 - DRAFT 2021-2026 TIP 2. Exhibit 2 - Draft 2021-2026 TIP Resolution		
BUDGET:			
Total dollar amount	N/A	<input type="checkbox"/>	Approved in budget
Fund(s)	340 Transportation Capital Improvement Fund	<input type="checkbox"/>	Budget reallocation required
		<input checked="" type="checkbox"/>	No budgetary impact
WORK PLAN FOCUS AREAS:			
<input checked="" type="checkbox"/> Transportation	<input checked="" type="checkbox"/> Community Safety		
<input checked="" 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 checked="" type="checkbox"/> Financial Sustainability		

NEEDED FROM COUNCIL:

Shall the Council close the Public Hearing and adopt the draft 2021-2026 Transportation Improvement Plan Resolution?

KEY FACTS AND INFORMATION SUMMARY:

All cities are required by state law ([RCW 35.77.010](#)) to adopt a Transportation Improvement Plan (TIP) that covers the ensuing six years and to update it annually. These updates must be pursuant to one or more public hearings, be consistent with the City's Comprehensive Plan and be adopted by July 1st of each year. The annual TIP must be filed with the Secretary of Transportation no later than 30 days after adoption. Listing a project on the TIP makes it eligible to apply for State funding.

The TIP is a planning document that identifies transportation capital improvement programs and projects the City foresees undertaking over the next six years. The TIP by itself does not authorize projects to move forward, nor does it provide funding for any projects on the list; for that to occur individual projects and programs are approved and funded through the City's biennial budget process.

The draft 2021-2026 Transportation Improvement Plan was presented to the Council on May 19, 2020, and on June 2, 2020 at which time the Public Hearing was opened.

Background

State law requires an annual adoption of a six-year TIP. The attached draft 2021-2026 TIP (Exhibit 1) includes approximately \$71,040,000 from Fund 340 in transportation improvement projects and programs. This year's TIP updates project costs and includes projects that address intersections which fail the City's intersection concurrency level of service (LOS) standards.

As a result of the Growth Management Hearing Board's (GMHB) ruling on the *Gerend v. Sammamish* case, the City's road segment and corridor Volume/Capacity LOS standards were deemed to be invalid, making the current concurrency policies based solely on intersection LOS standards until the City satisfactorily meets the GMHB's orders. Staff will then seek direction and approval of an updated TIP as needed.

Staff presented the draft 2021-2026 TIP to Council on May 19, 2020. Staff did not hear any requests from the Council to make any changes as presented at that meeting. However, Council did pass a motion directing the Interim City Manager to begin the analysis and take steps to add East Lake Sammamish Parkway as concurrency segments and corridors in the upcoming months.

Council opened a Public Hearing on June 2, 2020 to receive public comment on the draft 2021-2026 TIP and draft Resolution (Exhibit 2). Council directed the Interim City Manager to add a Sahalee Way Corridor Nonmotorized Safety Improvement Project which would design and construct nonmotorized safety improvements where needed between NE 12 PI and the north City limits.

A summary of the major changes from the current TIP are as follows. Highlighted in red are the changes since the June 2nd meeting. We are leaving the previous Sahalee projects (TR-48, TR-05A, TR-05B) on the TIP but without cost estimates in case a grant funding opportunity arises.

- TR-48 Sahalee North City Limits to SR202 – estimated costs deleted.
- TR-05B Sahalee Way NE: NE 25th Way to North City Limits – estimated costs deleted
- TR-05A Sahalee Way NE: NE 12th PI to NE 25th Way – estimated costs deleted
- TR-61 Sahalee Way NE/NE 36th St – **Added as a safety improvement**
- TR-60 **Sahalee Way NE Corridor Nonmotorized Safety Improvements. Crosswalks included in TR-53 and TR-61.**
 - **NE 12th PI – NE 25th: Sidewalk and bike lanes on east side**
 - **NE 25th to NE 37th: Sidewalk and bike lanes on west side. Sidewalk from NE 36th to Evans Creek Preserve parking long on east side.**
- TR-07 Issaquah Fall City Rd Ph 1 – adjusted expends

- TR-20 SE 14th St Extension – removed and delayed to beyond 2026 since it’s not a priority. Will put back in future TIP if development occurs in area.
- TR-39 256th Ave SE/E Beaver Lake Dr Roundabout (RAB) – reduced cost estimate since most of the work was done as part of the temporary RAB to mitigate the closure of IFCR
- TR-56 Issaquah Pine Lake Rd/230th Ln SE/231st Ln SE – Deleted as it’s no longer a concurrency failure. Pine Lake Middle School reconstruction resolved the problem.
- TR-63 212th Ave SE/SE 16th St Replacement – New project added but with no costs. This will allow us to potentially apply for grants.
- **Removed the following as the projects are anticipated to be complete in 2020:**
 - TR-01: SE 4th St
 - TR-__: SR202/Sahalee Way NE Intersection Study
 - TR-51: SE Issaquah Fall City Rd/247th Pl SE Roundabout
 - TR-52: SE Issaquah Fall City Rd/Klahanie Dr S Roundabout

The preliminary revenue sources, cash flow and ending fund balances for the six-year period are also presented at the bottom of Exhibit 1. The estimated ending balance of \$264,000 in the 340 Fund is perilously low by the end of this year. If no changes are made to the proposed 2021-2026 TIP, and the estimated expenditures and financial assumptions are realized, there will be a deficit of approximately \$8.94M in the fund at the end of the next biennium.

Next steps

RCW 35.77.010, the statute requiring the City to adopt a 6-year TIP, is distinguishable from the *concurrency* requirement in the Growth Management Act. WAC 365-196-840, “Concurrency,” requires that improvements or strategies are in place at the time of development, or that a *financial commitment* is in place to complete the improvements or strategies within six years. “Financial commitment is defined in GMA as “sources of public or private funds or combinations thereof have been identified which will be sufficient to finance public facilities necessary to support development and that there is reasonable assurance that such funds will be timely put to that end. WAC 365-196-210(15). Because the TIP must be consistent with the transportation element of the comprehensive plan (RCW 36.70A.070(6)(c), the City must resolve the issue of what to do with a project that is used to measure concurrency when that project is unlikely to be funded in the foreseeable future. Some jurisdictions, (Bellevue, for example), create two categories of projects within the TIP – those with “reasonable assurances” that the projects will be financed, and those without such assurances. Importantly, we recommend that projects without financial commitment, particularly in light of these uncertain times for municipal funding, not be used in V/C LOS modeling.

FINANCIAL IMPACT:

The 6-year TIP is a planning document and as such does not commit the City to any financial obligations. Council may address the financial impacts when future budgets are approved and funding is appropriated for each individual project listed in the 6-year TIP. The Comprehensive Plan Transportation Element provides the following guidance in the event of revenue shortfalls.

Contingency Plans in the Event of Revenue Shortfall

Some of the revenue forecasts are for revenues that are very secure, and highly reliable. However, other revenue forecasts are for sources that are volatile, and therefore difficult to predict with confidence, including grants, joint agency funding, the motor vehicle registration fee, general obligation bonds, and mitigation payments (which have not been enacted), and which fluctuate with the amount of new development.

In the event that revenues from one or more of these sources is not forthcoming, the City has several options: add new sources of revenue or increase the amount of revenue from existing sources; require developers to provide such facilities at their own expense; reduce the number of proposed projects; change the Land Use Element to reduce the travel demand generated by development; or change and/or lower the LOS standard.

In addition, the Comprehensive Plan Transportation Element Policy chapter provides nine financial policies that provide additional direction when prioritizing transportation investments. There are no financial impacts as a result of approving the 2021-2026 TIP since it is a plan.

OTHER ALTERNATIVES CONSIDERED:

There are no other alternatives. State law requires annual adoption of a six-year Transportation Improvement Plan that is consistent with the jurisdiction's Comprehensive Plan.

RELATED CITY GOALS, POLICIES, AND MASTER PLANS:

[Comprehensive Plan Transportation Policy Chapter](#)

2021-2026 SIX-YEAR TRANSPORTATION CAPITAL IMPROVEMENT PLAN (Fund 340) - DRAFT

Projects planned to be constructed within six year timeframe. TR-B through TR-G are placeholders to address needs as they arise.

Costs rounded to nearest \$10,000

										FUND 340 PROJECT COSTS						
Project No.	PROJECT	2021	2022	2023	2024	2025	2026	6-Year Total	Projected 2020 Expend	2015-2019 Expend	Future Years	Fund 340 Total Costs	Fund 438 Total Costs	Total Project Costs		
1	TR-02 Issaquah-Pine Lake Rd: Klahanie Blvd to SE 32nd, Ph 1 Widen to 3 lanes with bike lanes, curb, gutter, sidewalk, roundabout and ITS.	1,200,000	500,000	0	0	0	0	1,700,000	1,000,000	820,000	16,500,000	20,020,000	2,200,000	22,220,000		
2	TR-03 Issaquah-Pine Lake Rd: SE 48th St to Klahanie Blvd, Ph 2 Widen to 5 lanes with bike lanes, curb, gutter and sidewalk.	0	0	0	0	0	0	0	0	0	29,512,000	29,512,000	3,000,000	32,510,000		
3	TR-04 East Lake Sammamish Parkway SE / SE 24th Way Intersection Add turn pocket and acceleration lane on ELSP; separate turn lanes on SE 24th, mini roundabout.	0	800,000	3,920,000	0	0	0	4,720,000	0	0	0	4,720,000	60,000	4,780,000		
4	TR-48 Sahalee North City Limits to SR202	0	0	0	0	0	0	0	0	0	0	28,583,000	0	28,580,000		
5	TR-05B Sahalee Way NE: NE 25th Way to North City Limits Widen to 3 lanes with bike lanes, curb, gutter and sidewalk one side, widened shoulder.	0	0	0	0	0	0	0	250,000	450,000	92,143,000	92,843,000	1,100,000	93,940,000		
6	TR-05A Sahalee Way NE: NE 12th Pl to NE 25th Way Widen to 3 lanes with bike lanes, curb, gutter, turnlanes, sidewalk on one side. Signal Improvements at NE 14th and NE 19th Dr.	0	0	0	0	0	0	0	0	0	0	0	1,000,000	1,000,000		
7	TR-60 Sahalee Way Corridor Nonmotorized Safety Improvements Add sidewalks and bike lanes on at least one side from NE 12th Pl to the north City Limits	1,750,000	2,500,000	8,000,000	10,170,000	0	0	22,420,000	500,000	0	0	22,920,000	4,480,000	27,400,000		
8	TR-61 Sahalee Way NE/NE 36th St Construct signal and ITS	0	0	300,000	1,350,000	0	0	1,650,000	0	0	0	1,650,000	150,000	1,800,000		
9	TR-34 228th Avenue SE: SE 8th Street & SE 10th Street Intersections Study Analyze widening/adding lanes or installing a roundabout to improve operations.	0	0	0	0	0	0	0	0	0	4,700,000	4,700,000	0	4,700,000		
10	TR-07 Issaquah-Fall City Rd: 242nd Avenue SE to Klahanie Dr SE (Phase 1) Widen to 5 lanes with bike lanes, curb, gutter and sidewalk. Project will also construct TR-51, TR-52, and TR-39 (temp roundabout), whose costs are included here.	2,000,000	0	0	0	0	0	2,000,000	18,000,000	7,380,000	0	27,380,000	1,500,000	28,880,000		
11	TR-08 Issaquah-Fall City Rd: Klahanie Dr SE to Issaquah-Beaver Lk Rd, Ph 2 Widen to 3 lanes with bike lanes, curb, gutter and sidewalk	1,000,000	1,000,000	9,500,000	9,000,000	0	0	20,500,000	1,000,000	0	0	21,500,000	1,000,000	22,500,000		
12	TR-62 Intelligent Transportation System (ITS), Ph 3 - Variable Message Signs & CCTV Cameras Install permanent realtime traffic VMS' on 228th near Ingelwood and IPLR, and Closed Circuit TV cameras at -40 intersections.	100,000	1,000,000	400,000	0	0	0	1,500,000	0	0	0	1,500,000	0	1,500,000		
13	TR-18 SE 8th Street/218th Avenue SE: 212th Avenue SE to SE 4th Street Study Analyze capacity and safety improvements needed to accommodate increased traffic volumes and pedestrian use.	0	0	0	0	0	0	0	200,000	80,000	13,270,000	13,550,000	1,500,000	15,050,000		
14	TR-42 218th Avenue SE/216th Avenue SE: SE 4th Street to Ingelwood Hill Road NE Analysis Analyze capacity and safety improvements needed to accommodate increased traffic volumes and pedestrian use.	0	0	0	0	0	0	0	150,000	80,000	6,000,000	6,230,000	1,000,000	7,230,000		
15	TR-39 256th Ave SE/E Beaver Lake Dr SE/Issaquah Beaver Lake Rd Construct permanent roundabout.	0	0	0	0	200,000	550,000	750,000	0	0	0	750,000	0	750,000		
16	TR-45 SE 32nd St/244th Ave SE Intersection Improvement Install all-way stop control and pedestrian improvements.	150,000	0	0	0	0	0	150,000	0	0	0	150,000	0	150,000		
17	TR-53 Sahalee Way/NE 28th Pl/223rd Ave NE Install signal and ITS.	0	0	250,000	1,360,000	0	0	1,610,000	0	0	0	1,610,000	150,000	1,760,000		
18	TR-54 228th Ave/SE 40th Create center turn lane on 228th, modify median on SE 40th.	0	0	0	0	180,000	670,000	850,000	0	0	0	850,000	0	850,000		
19	TR-55 242nd Ave NE/NE 8th St Add westbound right turn pocket, widen NE 8th	0	0	0	250,000	750,000	1,000,000	2,000,000	0	0	0	2,000,000	100,000	2,100,000		
20	TR-63 212 Ave SE/SE 16th St Replacement Replace portion of SE 212m between SE 14th Pl and SE 18th St damaged by highwater and flooding. Construct bridge and new roadway with walls.	0	0	0	0	0	0	0	0	0	15,000,000	15,000,000	250,000	15,250,000		
21	TR-A Public Works Trust Fund Loan Repayment 228th Ave NE Improvements	540,000	0	0	0	0	0	540,000	0	550,000	0	1,090,000	0	1,090,000		
22	TR-B Non-motorized Transportation Projects Sidewalks, trails, bikeways and paths, etc.	750,000	750,000	750,000	750,000	750,000	750,000	4,500,000	0	0	Same annual funding	4,500,000	750,000	5,250,000		
23	TR-C Sidewalk Projects Various sidewalk projects, includes gap projects, extensions, safety improvements.	160,000	160,000	160,000	160,000	160,000	160,000	960,000	0	0	Same annual funding	960,000	150,000	1,110,000		
24	TR-D Intersection and Safety Improvements Intersection/other safety improvements, including channelization, signing, signalization, and/or other traffic control devices.	200,000	200,000	200,000	200,000	200,000	200,000	1,200,000	540,000	0	Same annual funding	1,200,000	150,000	1,350,000		
25	TR-E Neighborhood CIP Safety improvements including gap projects, bike routes, pedestrian safety and school zone safety.	100,000	100,000	100,000	100,000	100,000	100,000	600,000	0	0	Same annual funding	600,000	90,000	690,000		

6/18/2020

Pipeline Concurrency Failure								FUND 340 PROJECT COSTS						
Project No.	PROJECT	2021	2022	2023	2024	2025	2026	6-Year Total	Projected 2020 Expend	2015-2019 Expend	Future Years	Fund 340 Total Costs	Fund 438 Total Costs	Total Project Costs
26	TR-F Street Lighting Program Provide street lighting at high priority locations with significant safety issues that can be addressed through better street lighting.	15,000	15,000	15,000	15,000	15,000	15,000	90,000	15,000	0	Same annual funding	90,000	0	90,000
27	TR-G School Zone Safety Improvements In conjunction with Issaquah & Lake Washington School Districts, provide safety improvements in the City's various school zones.	50,000	50,000	50,000	50,000	50,000	50,000	300,000	50,000	40,000	Same annual funding	340,000	0	340,000
28	TR-H Capital Contingency Reserve Placeholder Reserve fund for capital projects and to address other unforeseen circumstances that may arise.	500,000	500,000	500,000	500,000	500,000	500,000	3,000,000	0	0	Same annual funding	3,000,000	0	3,000,000
TOTAL		8,520,000	7,580,000	24,150,000	23,910,000	2,910,000	4,000,000	71,040,000	30,420,000	20,390,000	177,480,000	327,310,000	19,090,000	346,390,000
TOTAL TIP EXPENDITURES		8,520,000	7,580,000	24,150,000	23,910,000	2,910,000	4,000,000	71,040,000	30,420,000	20,390,000	177,480,000	327,310,000	19,090,000	346,390,000

TIP Funding Source	6 Year Projection					
	2021	2022	2023	2024	2025	2026
Beginning Fund Balance*	\$ 6,200,000	\$ 1,230,000	\$ (2,300,000)	\$ (17,900,000)	\$ (37,760,000)	\$ (36,620,000)
Real Estate Excise Tax (REET)	3,000,000	3,000,000	3,000,000	3,000,000	3,000,000	3,000,000
Impact Fees	500,000	1,050,000	1,050,000	1,050,000	1,050,000	1,050,000
Interest	50,000					
Awarded Grants-ITS						
Awarded Grants-Iss-FC Road			1,500,000			
SE 4th TIB						
SE 4th Utility Reimbursement						
Anticipated Grants**			3,000,000			
Total	\$ 9,750,000	\$ 5,280,000	\$ 6,250,000	\$ (13,850,000)	\$ (33,710,000)	\$ (32,570,000)
Total Ending Fund Balance	\$ 1,230,000	\$ (2,300,000)	\$ (17,900,000)	\$ (37,760,000)	\$ (36,620,000)	\$ (36,570,000)
Restricted Ending Fund Balance	\$ (5,836,439)	\$ (6,636,439)	\$ (7,686,439)	\$ (8,736,439)	\$ (9,786,439)	\$ (10,836,439)
Unrestricted Ending Fund Balance	\$ (4,606,439)	\$ (8,936,439)	\$ (25,586,439)	\$ (46,496,439)	\$ (46,406,439)	\$ (47,406,439)

**Other funding sources that could reasonably be expected include Grants (TIB, PSRC, etc.), Loans, Bonded Debt, and available resources from the General Fund.
 Restricted EFB = Impact and mitigation fees restricted to specific projects. For the 2021 to 2026 projection assumed only IPLR was eligible for impact fee funding at 50% of project costs.

**CITY OF SAMMAMISH
WASHINGTON
RESOLUTION NO. R2020-___**

**A RESOLUTION OF THE CITY OF SAMMAMISH,
WASHINGTON, ADOPTING AN UPDATED SIX-YEAR
TRANSPORTATION IMPROVEMENT PLAN FOR 2021-2026**

WHEREAS, state law requires the legislative body of each city to prepare and adopt a comprehensive transportation improvement plan for the ensuing six years; and

WHEREAS, the purpose of such plan is to ensure that each city shall have plans looking to the future, for not less than six years, as a guide in carrying out a coordinated transportation program; and

WHEREAS, if a city has adopted a comprehensive plan, state law provides that the transportation improvement plan shall be consistent with the comprehensive plan; and

WHEREAS, the adoption of a transportation improvement plan will allow the City to coordinate planning efforts, mitigate certain transportation impacts, and pursue grant funding for transportation projects; and

WHEREAS, the updated plan is consistent with recent changes to RCW 35.77.010 and incorporates urban planning approaches that promote physical activity and non-motorized and transit-oriented projects; and

WHEREAS, the City Council has conducted a public hearing to receive comments on the proposed plan on June 2, 2020; and

WHEREAS, the City is undertaking development of a Transportation Master Plan that will derive projects and programs that will help prioritize the City's long-term investments in its transportation system;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAMMAMISH,
WASHINGTON, DOES RESOLVE AS FOLLOWS:**

Section 1. Adoption of Transportation Improvement Plan. The City hereby adopts the Six-Year Transportation Improvement Plan, 2021-2026, attached hereto as Attachment "A" and incorporated herein by reference.

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this Resolution or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Resolution be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Resolution or its application to other persons or circumstances.

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE ____ DAY OF JUNE 2020.

CITY OF SAMMAMISH

Karen Moran, Mayor

ATTEST/AUTHENTICATED:

Melonie Anderson, City Clerk

Approved as to form:

Michael R. Kenyon, City Attorney

Filed with the City Clerk:
Passed by the City Council:
Resolution No.: 2020-

Agenda Bill
 City Council Special Meeting
 June 23, 2020



SUBJECT:	Resolution: Rules of Procedure	
DATE SUBMITTED:	June 19, 2020	
DEPARTMENT:	City Manager's Office	
NEEDED FROM COUNCIL:	<input checked="" type="checkbox"/> Action <input type="checkbox"/> Direction <input type="checkbox"/> Informational	
RECOMMENDATION:	Approve the Resolution (Exhibit 1).	
EXHIBITS:	1. Exhibit 1- Resolution - Revised Rules of Procedure	
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	

KEY FACTS AND INFORMATION SUMMARY:

On June 16, 2020, the City Council discussed potential changes to their Rules of Procedure, which were proposed by Mayor Moran. The Council reviewed and voted on all changes except for the amendment to section 4.1.3. The approved changes are reflected in the updated Resolution included as Exhibit 1.

The following is a summary of actions taken on June 16:

- **Section 2.4:** approved as proposed.
- **Section 2.7.2:** approved as proposed by the City Attorney.
- **Section 3.4.4:** approved with significant changes (implemented separate question and debate rounds).
- **Section 3.4.5:** approved with minor changes.
- **Section 4.1.3:** not yet discussed.

On June 23, 2020, the City Council will discuss the final proposed change to Section 4.1.3 and consider approving the Resolution.

CITY OF SAMMAMISH
WASHINGTON
RESOLUTION NO. R2020-_____

**A RESOLUTION OF THE CITY OF SAMMAMISH,
WASHINGTON, REVISING THE RULES OF PROCEDURE
FOR THE CITY COUNCIL**

WHEREAS, Chapter 35A.11 RCW gives the City Council of each code city the power to organize and regulate its internal affairs within the provisions of Title 35A RCW; and

WHEREAS, the City Council has adopted rules and procedures to assist in the conduct of City business; and

WHEREAS, the City Council wishes to revise its current Council Rules;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAMMAMISH, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. Council Rules of Procedure are hereby amended to read as set forth in Attachment A.

**PASSED BY THE CITY COUNCIL OF THE CITY OF SAMMAMISH,
WASHINGTON, AT A REGULAR MEETING THEREOF THIS ____ DAY OF
_____, 2020.**

CITY OF SAMMAMISH

Mayor Karen Moran

ATTEST/AUTHENTICATED:

Melonie Anderson, City Clerk
Approved as to form:

Michael R. Kenyon, City Attorney

Filed with the City Clerk:
Passed by the City Council:
Resolution No.: R2020-_____

RULES OF PROCEDURE

Resolution No. R 2020-

Attachment A

1. AUTHORITY.

The following rules shall constitute the official rules of procedure for the Sammamish City Council and all prior rules are hereby superseded.

1.1 Open Public Meetings Act

All Council Meetings shall comply with the requirements of the Open Meetings Act (RCW Chapter 42.30). All Regular Business Meetings, Special Meetings and Regular Study Sessions of the Council shall be open to the public; and

1.2 Robert's Rules of Order

In all decisions arising from points of order, the Council shall be governed by Robert's Rules of Order (most current edition), a copy of which is maintained in the office of the Sammamish City Clerk.

1.3 Effect/Waiver of Rules

These rules of procedure are adopted for the sole benefit of the members of the City Council to assist in the orderly conduct of Council business. These rules of procedure do not grant rights or privileges to members of the public or third parties. Failure of the City Council to adhere to these rules shall not result in any liability to the City, its officers, agents and employees, nor shall failure to adhere to these rules result in invalidation of any Council act. The City Council may, by a majority vote, determine to temporarily waive any of the provisions herein.

2. DUTIES AND RESPONSIBILITIES OF COUNCILMEMBERS.

2.1 Councilmember Job Description.

The principal job of a City Councilmember is to make policy. Policy making often takes the form of passing ordinances or resolutions. Councilmembers should base their policy making decisions on many factors after considering input from many sources, including the City staff, citizen's groups, advisory commissions and others. It is the Councilmember's responsibility to consider the merits of each idea and then approve, modify, or reject it. Councilmembers should also consider community needs and available resources when making their decisions. It is the job of the City Manager and staff to implement the policies set by the City Council.

2.2 Public Statements.

Any member of the Council has a right to express personal views and opinions. However, statements representing the views or decisions of the Council must be authorized by a majority or consensus of the Council. Minority views or positions may be conveyed as well.

2.3 Ethics Laws.

State law provides a specific code of ethics for city officials. [RCW 42.23.070](#) prohibits a municipal official from:

- 2.3.1** Using his position to secure special privileges or exemptions for himself or others.
- 2.3.2** Directly or indirectly, giving or receiving any compensation, gift, gratuity, or reward from any sources, except the employing city, for a matter related to the official's services.
- 2.3.3** Accepting employment or engaging in business that the officer might reasonably expect would require him to disclose confidential information acquired by reason of his position.
- 2.3.4** Disclosing confidential information gained by reason of the officer's position or use of such information for personal gain.

2.4 Information Sharing.

It is in the public interest that, to the greatest extent possible, all members of the City Council have an opportunity to be aware of and act upon the information that is available to other members.

The City Council places a high value on conducting the public's business in an open and transparent manner. While Councilmembers are not expected to place on the record all contacts with City residents and other stakeholders on every matter, Councilmembers should place on the record all contacts with City residents and other stakeholders on matters about which a Councilmember reasonably believes the other Councilmembers should be apprised. Examples of such matters would include but not be limited to contacts with opposing parties in litigation involving the City, [agenda items to be added at a meeting](#), vendors seeking contracts with the City, legislators, stakeholders with City business, and matters of similar sensitivity. The context of any such contact should be provided in writing, either in an email to the full Council or in a written Council report at the next available Council meeting following the contact."

2.5 Communicating with Staff

Councilmembers may directly contact department directors, provided the City Manager is copied on the email.

2.6 Confidentiality and Executive Sessions.

Councilmembers must keep confidential all written materials and verbal information provided to them during Executive Sessions to ensure that the City's position is not compromised. Confidentiality also includes information provided to Councilmembers outside of Executive Sessions when the information is exempt from disclosure under the Revised Code of Washington. Violations of this section may be addressed pursuant to RCW 42.23.050 ("Any officer violating the provisions of this chapter is liable to the municipality of which he or she is an officer for a penalty in the amount of five hundred dollars, in addition to such other civil or criminal liability or penalty as may otherwise be imposed upon the officer by law.")

2.7 Conduct Outside of Council Meetings

2.7.1 Personal Attacks and Negative Comments

While policy disagreements are acceptable, Councilmembers should refrain from personal attacks or other personal negative comments about fellow Councilmembers, City Staff members, or the City as a whole. Violation of this section may result in an admonishment or other sanction by majority vote of the other members of the City Council.

2.7.2 Use of Role or Title

Councilmembers shall not use their role or title as Councilmember to serve as a mediator between contracted or non-contracted staff and the Council without the Council having taken a formal position on the subject matter. For purposes herein, "serve as a mediator" means by way of illustration and not limitation, committing the contracted or non-contracted staff to meet with members of the public without the City Manager's knowledge and without Council having taken a position on the matter. Further, Councilmembers shall not sign petitions or the like using their title unless the Council has taken a formal position on the topic.

2.8 Antiharassment Policy

2.8.1 It is City policy to foster and maintain a work environment that is free from discrimination and intimidation. Toward this end, the City will not tolerate harassment of any kind that is made by elected officials toward fellow Councilmembers, City Staff or members of the public. Elected officials are expected to show respect for one another and the public at all times, despite individual differences.

2.8.2 Harassment is unwelcome conduct that can be based, but is not limited to, race, color, religion, national origin, age (40 or older), disability, genetic information, marital status, sexual orientation, honorably discharged veteran or military status or the presence of any sensory, mental or physical disability. In some circumstances, it can be deemed unlawful discrimination that violates federal laws and/or state laws. The making of demeaning comments, whether verbally or in writing, or use of unwelcome epithets, gestures or other physical conduct, based on the above-referenced protected classes, toward employees, Councilmembers or members of the public are prohibited. Councilmembers are strongly urged to report all incidents of harassment.

2.8.3 Sexual harassment is a form of unlawful discrimination.

2.9 Reporting Discrimination or Harassment

2.9.1 Any individual who believes they have been discriminated against or harassed in violation of Section 2.8 above shall report the incident to the City Manager, who shall evaluate whether an investigation should take place by a third party investigator; if the City Manager determines that an investigation should commence, the investigation will be

conducted; provided however, that if the allegation involves the City Manager, the report shall be made using the City's Whistleblower hotline at 1 (866) 921-6714 (toll free) or the City Attorney.

- 2.9.2 Should the official to whom the report is made pursuant to Section 2.9.1, above, determine that the incident does not merit an investigation, that official shall provide the person making the complaint a written explanation as to the reason the complaint does not merit an investigation. This written explanation shall be provided to the person making the complaint within 7 business days of the City's receipt of the same. If an investigation is commenced, the official to whom the report is made pursuant to Section 2.9.1, above shall initiate the investigation within 24 hours, or by the end of the next business day.

2.10 Swearing in of New Councilmembers.

New Councilmembers shall be sworn in by a member of the judiciary or by the City Clerk.

2.11 Election of Mayor/Deputy Mayor

2.11.1 Pursuant to RCW 35A.13.030, biennially, at the first meeting of the new council, the council shall choose a chair from among their number. The chair of the council shall have the title of mayor and shall preside at meetings of the council. In addition to the powers conferred upon him or her as mayor, he or she shall continue to have all the rights, privileges, and immunities of a member of the council. The mayor shall be recognized as the head of the city for ceremonial purposes. He or she shall have no regular administrative duties. Pursuant to Resolution 2010-398, the council shall select the deputy mayor on an annual basis, using the procedures of this section.

2.11.2 The motion to elect the Mayor will be placed on the agenda of the first regular meeting and the election will occur at said meeting.

2.11.3 No one Councilmember may nominate more than one person for a given office until every member wishing to nominate a candidate has an opportunity to do so. Nominations do not require a second vote. The Chair will repeat each nomination until all nominations have been made. When it appears that no one else wishes to make any further nominations, the Chair will ask again for further nominations and if there are none, the Chair will declare the nominations closed. A motion to close the nominations is not necessary. After nominations have been closed, voting for Mayor shall take place in the order nominations were made. Councilmembers will be asked for a voice vote and a raise of hands. As soon as one of the nominees receives a majority vote (four votes), then the Chair will declare him/her elected. No votes will be taken on the remaining nominees. If none of the nominees receives a majority vote, the Chair will call for nominations again and repeat the process until a single candidate receives a majority vote before the Office of Deputy Mayor is opened for nominations. A tie vote results in a failed nomination.

2.11.4 In the temporary absence of the mayor, the deputy mayor shall perform the duties and responsibilities of the mayor with regard to the conduct of meetings and emergency business. In the event that the mayor is unable to serve the remainder of their term, a new mayor shall be elected at the first regular meeting following the conclusion of the mayor's term. In the event the deputy mayor is unable to serve the remainder of their term, a new deputy mayor shall be elected at the first regular meeting following the conclusion of the deputy mayor's term.

2.11.5 A super majority vote (5 councilmembers) shall be required to approve a motion to remove the Mayor or Deputy Mayor from office for serious cause.

2.12 Duties of Mayor and Deputy Mayor.

Presiding Officers. The Mayor, or in their absence, the Deputy Mayor, shall be the Presiding Officer of the Council. In the absence of both the Mayor and the Deputy Mayor, the Council shall appoint one of the members of the Council to act as a temporary Presiding Officer.

2.12.1 Presiding Officer's Duties.

It shall be the duty of the Presiding Officer to:

- a. Call the meeting to order;
- b. Keep the meeting to its order of business;
- c. Control discussion in an orderly manner;
- d. Give every Councilmember who wishes an opportunity to speak when recognized by the chair;
- e. Permit audience participation at the appropriate times;
- f. Require all speakers to speak to the question and to observe the rules of order;
- g. State each motion before it is discussed and before it is voted upon; and
- h. Put motions to a vote and announce the outcome.
- i. Presiding Officer, Questions of Order. The Presiding Officer shall decide all questions of order, subject to the right of appeal to the Council by any member.
- j. Presiding Officer, Participation. The Presiding Officer may at their discretion call the Deputy Mayor or any member to take the chair.
- k. Request for Written Motions. Motions shall be reduced to writing when requested by the Presiding Officer of the Council or any member of the Council. All resolutions and ordinances shall be in writing.

3. MEETINGS.

3.1 Regular Business Meetings Dates, Times.

All regular meetings of the City Council shall be held at the times and locations specified by applicable ordinances and resolutions of the Council.

3.2 Meetings.

3.2.1 Regular Business Meetings.

All regular meetings of the City Council shall be held on the First Tuesday and Third Tuesday of each month beginning at 6:30 pm.

3.2.2 Regular Study Sessions.

Regular study sessions of the City Council shall be held on the second Tuesday of each month beginning at 6:30 p.m. and ending no later than 10:00 p.m.

Regular Study Sessions will normally be informal meetings for the purpose of reviewing: the upcoming Regular Business Meeting preliminary agenda; forthcoming programs and future Council agenda items; progress on current programs or projects; or other information the City Manager feels is appropriate. Under special circumstances, final action may be taken at a Regular Study Session.

3.2.3 Special Meetings.

Special Meetings may be held by the Council subject to the requirements by State law (RCW 42.30.080). Every effort will be made to contact all Councilmembers before scheduling a special meeting.

3.2.4 Meetings Scheduled on Legal Holidays.

Should any meeting date occur on a legal holiday, the meeting shall be held on a day, time and place established by a majority vote of the Council.

3.2.5 Executive Sessions.

The Council may hold Executive Sessions from which the public may be excluded, for those purposes set forth in RCW 42.30.110. Before convening an Executive Session, the Presiding Officer shall announce the purpose of the Session and the anticipated time when the Session will be concluded. Should the Session require more time, a public announcement shall be made that the Session is being extended.

3.2.6 Meeting Place.

Council Meetings will be held at Sammamish City Hall, located at 801 228th Avenue SE, Sammamish, Washington, 98075, or as otherwise directed by the Council and properly noticed.

3.2.7 Public Notice.

The City shall comply with the provisions of RCW 35A.12.160.

3.2.8 Adjournment.

Council Meetings shall adjourn no later than 10:00 pm. The adjournment time established thereunder may be extended to a later time certain upon approval of a motion by a majority of the Council. Any Councilmember may make a motion at or about 9:30 p.m. to review agenda priorities or to extend the meeting.

3.3 Attendance, Excused Absences.

Members of the Council may be excused from attending a City Council meeting by contacting the Mayor prior to the meeting and stating the reason for their inability to attend. If the member is unable to contact the Mayor, the member shall contact the City Manager or City Clerk, who shall convey the message to the Mayor.

Following roll call, the Presiding Officer shall inform the Council of the member's absence, state the reason for such absence, and inquire if there is a motion to excuse the member. This motion shall be non-debatable. Upon passage of such motion by a majority of members present, the absent member shall be considered excused and the City Clerk will make an appropriate notation in the minutes.

Councilmembers who do not follow the above process will be considered unexcused and it shall be so noted in the minutes. As set forth in RCW 35A.13.020 and RCW 35A.12.060, a council position shall become vacant if a Councilmember fails to attend three consecutive regular meetings of the City Council without being excused by the City Council.

3.4 General Decorum.**3.4.1 Preserve Order and Decorum**

While the Council is in session, the members must preserve order and decorum, and a member shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Council or anyone addressing members of the Council during the course of business, nor disrupt any member while speaking, nor refuse to obey the orders of the Council or the Mayor, except as otherwise provided in these Rules.

3.4.2 Disruptive Behavior

Any person engaging in the following actions may be asked to leave by the Presiding Officer and barred from further audience participation for that meeting:

- a. disruptive, impertinent, or slanderous remarks; or
- b. disruptive or intimidating behavior, such as clapping during public comment.

3.4.3 Addressing Remarks to Presiding Officer

Per Robert's Rules of Order, all remarks shall be addressed to the Presiding Officer, unless asking a question, answering a question or clarifying a point of anyone addressing the Council during the course of Council business.

3.4.4 Motion Process

When a motion is moved and seconded, the following steps will be followed:

- a. Question rounds:** Councilmembers will only ask questions during these rounds. There will be no limitation on the amount of time each Councilmember may speak or on the number of rounds. These rounds will end when there are no further questions.
- b. Debate rounds:** Following questions, there will be up to two rounds of debate. Councilmembers will have no more than five minutes per round to speak. If a Councilmember goes past the speaking limit, the Mayor will stop them, or a Councilmember may raise a Point of Order.
- c. Vote:** Following debate, the Council will vote on the motion.

3.4.4.3.4.5 Electronic Devices ~~at the Dais~~ During Meetings

No cell phones or other electronic devices, other than ~~the City-provided iPad~~ issued devices, shall be placed on or used at the dais or during a meeting. Such devices may be kept nearby, and the member shall excuse themselves if they must use the device. Members may be admonished or otherwise sanctioned for a violation of this section by majority vote of the other Councilmembers.

If an electronic device must be used at the dais, the Councilmember shall explain the need for its use to the Council and public.

3.4.5-3.4.6 Quorum.

At all Council Meetings, a majority of the Council (four members) shall constitute a quorum for the transaction of business, but a lesser number may adjourn from time to time and may compel the attendance of absent members in such manner and under such penalties as may be prescribed by ordinance.

4. ORDER OF BUSINESS.**4.1 Agenda and Council Packet Preparation.****4.1.1 Preliminary Agenda.**

The City Clerk, under direction of the City Manager, will prepare a preliminary agenda for each Council Meeting specifying the time and place of the meeting and setting forth a brief general description of each item to be considered by the Council. The preliminary agenda is subject to review by the Presiding Officer.

4.1.2 Placing Items on the Agenda.

An item for a Regular Business Council Meeting may be placed on the preliminary agenda by a majority vote or consensus of the Council, by the Mayor, by the Deputy Mayor in

the absence of the Mayor, by the City Manager, or by any three Councilmembers who so advise the Mayor and City Manager.

4.1.3 Adding Items to a Finalized Agenda.

An emergency item may be placed on the agenda at a ~~Regular Business~~ Council Meeting prior to approval of the agenda only if ~~a~~ the requesting Councilmember provides written notice to the City Manager, appropriate department Director, and City Council at least three hours in advance of the meeting. ~~or the City Manager.~~ Such notice must briefly describe the item and ~~explains~~ the necessity for placing ~~the item~~ on the agenda. The proposed item shall be considered under "approval of the agenda" during the meeting and ~~must~~ receives a majority vote of the Council ~~to do so to be added to the agenda.~~ The three-hour notice requirement shall not apply to the City Manager. Items may not be added to the agenda after the agenda has been approved at the meeting.

For the purposes of this section, "emergency" shall mean "an unforeseen combination of circumstances that that calls for immediate action."

4.1.4 Public Hearings.

Legally required advertised public hearings will have a higher priority over other agenda items scheduled for convenience rather than for statutory or other reasons.

4.1.5 Continued Items

Agenda items that are continued from one meeting to another will have preference on the agenda to the extent possible.

4.1.6 Procedure Review.

It is the intent of the City Council that council procedures be periodically reviewed as needed.

4.2 Consent Calendar.

4.2.1 Criteria for Consent Calendar

The City Manager, in consultation with the Presiding Officer, shall place matters on the Consent Calendar which (a) have been previously discussed by the Council, or (b) based on the information delivered to members of the Council, by the administration, can be reviewed by a Councilmember without further explanation, or (c) are so routine or technical in nature that passage is likely.

4.2.2 Adopting Consent Calendar.

The motion to adopt the Consent Calendar shall be non-debatable and have the effect of moving to adopt all items on the Consent Calendar. Since adoption of any item on the Consent Calendar implies unanimous consent, any member of the Council shall have the right to remove any item from the Consent Calendar. If any matter is withdrawn, the

Presiding Officer shall place the item at an appropriate place on the agenda for deliberation at the current or future Council Meeting.

4.3 Public Comment and Testimony.

4.3.1 Regular Meeting Public Comment

Public comment for a period of 30 minutes will be included near the beginning of the agenda for all Regular Meetings.

4.3.2 Study Session Public Comment

Public comment for a period of 30 minutes will be included near the end of the Study Session. Public comment at the Study Session shall be limited to items included on the Study Session agenda.

4.3.3 Extending the Public Comment Period

The presiding officer may choose to extend the public comment period for up to 30 additional minutes. If public comment remains after this one-hour period, the presiding officer will include time for such public comment as the final agenda item which may continue as necessary until 10:00 PM.

4.3.4 Public Comment Time Limit

Public comment is permitted for up to 3 minutes per person.

4.3.5 Grouping Topics by Category

The presiding officer will encourage collaboration and will attempt to group the topics by category so that there is continuity of subject matter during the public comment period.

4.3.6 Multiple Subjects

If a person appearing before the Council has more than one matter to bring up before the Council, that person, after speaking on one matter, will be given an opportunity to bring up other matters after other speakers have been given the opportunity to address the City Council.

4.3.7 Responding to Public Comment

The Presiding Officer may ask the rest of the Councilmembers if they have any questions before being excused. After a citizen (or group of citizens) has made public comment, the Presiding Officer will respond to the citizen or group with one of the following actions:

- a. The commentator will be thanked for their input if it is a comment only;
- b. Staff will be directed to follow up if an administrative answer or problem resolution is required;
- c. The commentator will be requested to provide more information in writing to the City Clerk if further information is needed to clarify or formalize a request.

This information will be distributed to the Council before the next Regular Business Meeting or Regular Study Session;

- d. The item will be referred by the Presiding Officer to the City Manager for scheduling on a future Regular Study Session Agenda or a Regular Business Meeting Agenda; or
- e. The item will be placed on that night's agenda if it is an emergency or is driven by an imminent due date.

4.3.8 Selection of Response

The decision as to which alternative to use will be at the discretion of the Presiding Officer. The Presiding Officer will verbalize a reason for their choice. After the Presiding Officer's decision, any Councilmember may make a motion to select one of the other alternatives. If the motion is seconded, it will be discussed and voted upon. Should the motion fail, the Presiding Officer may use the previously chosen alternative or may select a different one, again providing a verbal reason.

4.3.9 Identification of Speakers.

Persons testifying shall identify themselves for the record as to name, city or county, and organization if representing one.

4.3.10 Instructions for Speakers.

An instruction notice for speakers will be available at the meeting. Speakers will be advised by the Presiding Officer that their testimony is being recorded.

4.4 Rules for Public Testimony during Public Hearings.

The following rules shall be observed during any Public Hearing:

4.4.1 Public Hearing Testimony

Individuals will be allowed three minutes to speak

4.4.2 Timekeeper

The City Clerk shall be the timekeeper.

5. VOTING

5.1 Procedure

The votes during all Council Meetings shall be conducted as follows: Unless otherwise provided for by statute, ordinance, or resolution, all votes shall be taken by voice, except that at the request of any Councilmember, a random roll call vote shall be taken by the City Clerk or the Presiding Officer may call for a show of hands. In order to maintain an accurate record of all votes of the City Council, the City Clerk shall record by name in the meeting minutes any Councilmember who casts a vote against a motion or other matter.

5.2 Majority Vote Requirement

The passage of any ordinance, grant or revocation of franchise or license, and any resolution for the payment of money shall require the affirmative vote of at least a majority of the whole membership of the Council.

5.3 Reading of Ordinance

Unless otherwise provided for by statute or ordinance, the passage of any ordinance shall require only one reading. Additional readings may be held by a majority vote or consensus of the Council.

5.4 Tie Vote

In case of a tie vote on any motion, the motion shall be considered lost.

5.5 Abstentions

Each Councilmember shall vote on all questions put to the Council, unless a conflict of interest or other disqualifying matter under State law is present. Unless a member of the Council states that they are abstaining for the above reasons, their silence shall be recorded as an affirmative vote.

6. BOARDS AND COMMISSIONS.**6.1 Appointment to Advisory Bodies.****6.1.1 Recruitment**

Vacancies may be advertised so that any interested citizen may submit an application. Applicants are urged to be citizens of the City of Sammamish, but applications from residents living outside of the corporate boundaries may be considered if authorized by the resolution or ordinance establishing the advisory body.

6.1.2 Appointments

Appointments to advisory bodies will be made by the City Council during a regularly scheduled meeting.

6.1.3 Briefing on Duties

Newly appointed advisory body members will receive a briefing by the commission, committee, or task force chairperson and/or City staff regarding duties and responsibilities of members of the advisory body.

6.1.4 Removal

Appointees to advisory bodies may be removed prior to the expiration of their term of office by a majority vote of the City Council.

6.2 Key Staff Duties.

Any City employee shall attend a City Council meeting when requested by the City Manager for clarification or explanation of agenda items.

7. COUNCIL COMMITTEES

7.1 Purpose

Council committees are policy review and discussion arms of the City Council. Committees may study issues and develop recommendations for consideration by the City Council. Committees may not take binding action on behalf of the City.

7.2 Structure

Council committee structure shall be as determined by the city council and may include:

7.2.1 Council Committees

Standing Committees established for special purposes, tasks or time frames (three or fewer Councilmembers);

7.2.2 Subcommittees of the City Council

Ad hoc and informal working or study group (three or fewer Councilmembers);

7.2.3 Councilmember Appointments

To task teams or City Advisory Boards, commissions and committees (three or fewer Councilmembers).

7.3 External Boards or Commissions

The Chair of any Council Committee or Subcommittee, and the City's representative to any external Board or Commission (e.g., Eastside Transportation Partnership), shall provide a written report to the City Council within a reasonable time after each meeting of a Committee, Subcommittee, or other External Body.

7.3.1 Voting

Any voting action to be taken on behalf of the City at an external board, commission or committee meeting shall be discussed by the Council so that the City representative may cast votes that represent the majority of the Council.

Members may not vote on such action items without first receiving direction from a majority of the Council at an open meeting, unless receiving such direction is not feasible due to timing or urgency.

Packet materials for an external board, commission or committee where action will be taken on behalf of the City shall be furnished to the full Council so that Council may prepare to give the City representative guidance on voting.

This section only applies to significant action items, which does not include actions such as approval of meeting minutes.

This section does not apply to external committees where the Councilmember is representing the committee and not the City (e.g., Sound Cities Association committees).

Agenda Bill
 City Council Special Meeting
 June 23, 2020



SUBJECT:	Discussion: 2020 Work Plan		
DATE SUBMITTED:	June 09, 2020		
DEPARTMENT:	City Manager's Office		
NEEDED FROM COUNCIL:	<input type="checkbox"/> Action	<input checked="" type="checkbox"/> Direction	<input type="checkbox"/> Informational
RECOMMENDATION:	Review and discuss the work plan (Exhibit 1).		
EXHIBITS:	1. Exhibit 1 - Draft Work Plan		
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 checked="" type="checkbox"/> Transportation	<input checked="" type="checkbox"/> Community Safety		
<input checked="" type="checkbox"/> Communication & Engagement	<input checked="" type="checkbox"/> Community Livability		
<input checked="" type="checkbox"/> High Performing Government	<input checked="" type="checkbox"/> Culture & Recreation		
<input checked="" type="checkbox"/> Environmental Health & Protection	<input checked="" type="checkbox"/> Financial Sustainability		

KEY FACTS AND INFORMATION SUMMARY:

During the City Council's Retreat on January 24, 2020, the Council reviewed a list of potential work plan items for the year. That list was Council-focused, meaning it only included items that would come in front of Council in 2020.

Following the Retreat, staff developed a more detailed work plan incorporating the Council's feedback. That was presented for Council discussion on February 18, 2020, and was scheduled to return on April 7, 2020, for approval. However, by that date, Covid-19 restrictions were in place, limiting the topics that could be discussed during public meetings. Those restrictions significantly impacted the work plan and resulted in uncertainty over what could be accomplished this year.

Now that the Governor has eased restrictions on public meetings, staff have reviewed the work plan for the remainder of the year. Included as **Exhibit 1** is an update to the detailed spreadsheet presented on February 18. This spreadsheet shows each work plan item scheduled across the remaining Council

meetings in 2020. It required some assumptions for each work plan item, in terms of the number of Council meetings and the amount of time needed at each meeting. The goal was to have no more than 2.5 hours of agenda items per meeting; however, this was not always possible due to the volume of work.

Staff has not scheduled the four items shown near the bottom of the Exhibit (see light purple shading), as their timelines are uncertain at this point.

The second table at the bottom includes a list of items that were on the work plan earlier this year, but are now proposed to move to 2021 due to workload challenges at both the staff and Council level.

This work plan will change throughout the year, but it represents staff's best estimate at this time.

2020 Council Work Plan

1=30min 2=1hr 3=1.5hrs 4=2hrs | Goal: Max 5/meeting

Updated: 06/18/20

Total 4 4 6 6 5 7 5 6 8 7 5 3 7 6 7 6 5

ID	Item	Critical	Lead	Jun		Jul			Aug		Sep			Oct			Nov			Dec		
				23	7	14	21	4	18	1	8	15	6	13	20	3	10	17	1	8	15	
1	2020 Work Plan	x	CMO	2																		
2	ADA Transition Plan	x	CMO			2					2											
3	Business Recovery Task Force	x	CMO		1		1				1				1							
4	Continuity of Operation Planning (COOP)		CMO																		1	
5	Human Services Grant Program (2021-2022)	x	CMO							2												
6	Traffic Model Audit	x	CMO			4																
7	Comp. Plan and Development Reg. 2021 Docket	M	DCD										2						2			
8	Flood Ordinance Review	M	DCD																			
9	Phase II - Development Regulations Update	x	DCD					1					2				2				1	
10	Urban Growth Capacity Study	x	DCD																			
11	Title 16 - Building Code Update	M	DCD									2										
12	Wireless Communication Facilities Code Update	x	DCD											2				2				
13	SEPA Procedure Update SMC 20.15.130(4)	x	DCD	1																		
14	2021-2022 Biennial Budget	M	FIN					4	7			6				4		2		2		
15	Property Tax Levy	M	FIN												1	1	1					
16	Website Refresh		IT								1											
17	Arts Commission - Grant Program	x	P&R								1											
18	Big Rock Park Site B - Treehouse programming	x	P&R								2											
19	Inglewood MS - Athletic Field Improvements	x	P&R				2							2							2	
20	Security Camera Policy	x	P&R											1								
21	2021-2026 Transportation Improvement Plan	M	PW	1																		
22	Laughing Jacobs Creek Basin Plan		PW															1				
23	Sahalee Way NE Corridor Project Update	x	PW															2				
24	Traffic Impact Fee Update	x	PW							2				1								
25	Update Public Works Standards	x	PW											1							1	
26	GMHB Concurrency Comprehensive Plan Update	M	PW		3		3										2					4
27	Building Moratorium	M	CMO										3									
28	Union Contract	x	CMO	To be determined (Fall 2020)																		
29	Site Specific Land-Use Map Amendment – CWU	x	DCD	To be determined - waiting on more information from Sound Transit Board																		
30	Sound Transit North Sammamish Park and Ride	x	PW	To be determined - waiting on more information from Sound Transit Board																		
31	Transportation Master Plan	x	PW	To be determined																		

Moved to 2021		
1	UFMP Implementation Strategies	DCD
2	Town Center Projects (TBD - Placeholder)	DCD
3	Town Center Public ROW Design Standards.	DCD
4	Town Center Regional Stormwater	DCD
5	Lower Commons - Master Plan Update & Plaza (TC)	P&R
6	Community Visioning	DCD
7	Transfer of Development Right Analysis	x DCD
8	City Code Revisions (Chapter 7.12 - Parks)	P&R
9	Klahanie Park - Master Plan	P&R

Agenda Bill

City Council Regular Meeting
June 23, 2020



SUBJECT:	Discussion: Business Recovery Committee		
DATE SUBMITTED:	June 22, 2020		
DEPARTMENT:	City Manager's Office		
NEEDED FROM COUNCIL:	<input checked="" type="checkbox"/> Action <input type="checkbox"/> Direction <input type="checkbox"/> Informational		
RECOMMENDATION:	Provide feedback on the proposed Business Recovery Task Force.		
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 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:

With funding imminent, should the City Council either formalize a Business Recovery Task Force for the purpose of distributing any County, State or Federal funds earmarked for businesses affected by Covid-19 or create an alternate process for distributing initial funds?

KEY FACTS AND INFORMATION SUMMARY:

Summary

On June 2, 2020, Mayor Moran and Councilmember Ross presented a recommendation that the City form a short-term Business Recovery Task Force. The general purpose of the Task Force would be to identify opportunities for the City to assist businesses impacted by Covid-19 as they begin to re-open and expand operations under the phased approach outlined by Governor Inslee. The Council offered broad support for the idea and requested further details be brought back for consideration on June 16, 2020.

On June 16, 2020, the Council reviewed proposed details on the Task Force's duties, application process, and membership. Further discussion was needed, so the Council continued the discussion until June 23, 2020.

On June 19, 2020, the City was notified that Sammamish is eligible to receive \$98,370 in funding from King County for Covid-19 economic relief and recovery activities. This funding is being distributed from the County's CARES Act allocation and is intended to achieve the following outcomes:

1. Small businesses receive the support they need to overcome disruptions caused by COVID-19
2. Small businesses receive the support they need to safely re-opening while adhering to local public health guidance and operating guidelines designed to protect employees and customers
3. Support underserved and other priority small businesses that have not been able to access other resources
4. Help small businesses restart quickly, recover from the impacts of the pandemic, and contribute to the overall economic stability of the community (i.e., revenues and jobs)

Staff is working to complete the required paperwork to accept the grant. The City expects to receive the funds in approximately two weeks.

Needed from Council

The Council needs to approve the framework for the Business Recovery Task Force. Below is a proposed framework from Mayor Moran and Councilmember Ross that was presented on June 16.

Alternatively, the City Council may choose to form a special committee or define a process for the purpose of distributing the CARES Act funding only and continue to form a Business Recovery Task Force for the broader purpose of improving the business environment.

Proposed Framework

The following information was presented on June 16 for Council's consideration.

Duties & Responsibilities

The following outlines some potential duties and responsibilities of the Task Force:

1. Define the current needs of the Sammamish business community and the anticipated needs as businesses move through reopening phases.
2. Review existing resources for businesses at the local, County, State and Federal levels.
3. Identify gaps between needs and existing resources, and develop strategies for how the City can assist in filling the gaps.
4. Recommend criteria for a grant funding process. If the grant process is established, review applications and make a funding recommendation to the City Council.

Application Process

The City will set up an online application form to which Sammamish business owners can apply to be a member of the Task Force. Applications would be reviewed and selected by the full Council. The selection process would be similar to how members are appointed to City commissions.

The following outlines a list of potential questions for the application:

1. How long have you been in business?
2. Where is your business located? (home-based, storefront, mobile)
3. Briefly describe your business.
4. How many FTEs does your business currently employ?
5. How many jobs have been lost due to Covid-19?
6. Describe how Covid-19 has impacted your business.
7. What is the current status of your business? (Closed, partially open, fully open)
 - a. If closed or partially open, when do you expect to fully reopen?
8. What is your business structure? (LLC, Sole Proprietorship, etc.)
9. What is the likelihood of your business permanently closing due to Covid-19?
10. Are you a member of any organizations or groups that promote businesses?

Membership

Membership on the Task Force is proposed to consist of 7 members as follows:

- 1 Home-based business
- 1 Business from each major shopping center:
 - Klahanie
 - Pine Lake Village
 - Sammamish Highlands (including surrounding retail spaces, such as Saffron and Inglewood Plaza)
- 1 Other business to be determined based on application
- 2 Councilmembers

This criteria ensures geographic distribution within Sammamish. The types of businesses selected will depend on applications received, but in general, they will represent a variety of sectors and sizes.

Agenda Bill
 City Council Special Meeting
 June 23, 2020



SUBJECT:	Motion to Approve Procedures Adopted by the Department of Community Development Allowing Its Director to Eliminate Administrative Appeal of A SEPA Determination of Significance Requiring Preparation of An Environmental Impact Statement When the DS Concerns A Non Project Proposal by the City Itself	
DATE SUBMITTED:	June 18, 2020	
DEPARTMENT:	City Manager's Office	
NEEDED FROM COUNCIL:	<input checked="" type="checkbox"/> Action <input type="checkbox"/> Direction <input type="checkbox"/> Informational	
RECOMMENDATION:	Approve Department Procedures By Motion To Take Effect Immediately	
EXHIBITS:	1. Exhibit 1 - Transmittal for Filing - Procedures Adopted Pursuant to SMC 20.15.130(4)	
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	

KEY FACTS AND INFORMATION SUMMARY:

The motion to be approved by Council would correct an anomaly that has come to light in charting out the critical path of steps to achieve compliance with the Growth Management Hearings Board Findings, Decision, and Order (FDO) in *Gerend v. Sammamish*. Gerend raised and the GMHB FDO particularly identified the City's failure to perform necessary State Environmental Policy Act (SEPA) and coordinate GMA environmental review as a threshold basis for overturning the City's adoption of V/C LOS standards for segments and corridors. City staff, in planning for achieving compliance with the FDO have therefore included issuance of a SEPA Determination of Significance (DS). A DS is the

determination under SEPA that, before adoption, a proposal must be studied in an Environmental Impact Statement.

In examining the Code concerning issuance of a DS, the Department of Community Development noted the theoretical possibility created that the DS process could be delayed by someone filing an appeal of the DS to the City's Hearing Examiner, arguing for less environmental review.

Allowing DS appeals is not required by the SEPA statute itself, nor is it required by the Department of Ecology SEPA regulations. However, some jurisdictions, including Sammamish, include in their codes the possibility of an appeal of a DS, typically to ensure that applicants can appeal a determination that their development must go through the time and expense of EIS review. This rationale for allowing such an "internal" (within a city) administrative appeal, is not compelling in the context of non-project proposals by the city itself such as the proposal here for adoption of the V/C LOS standards. The City, the proponent of the proposal, prompted by the GMHB FDO, wants to be able to decide to review its proposal through an EIS without superfluous detour or delay.

The Sammamish Code explicitly addresses this situation in SMC 20.15.130. This Code section addresses SEPA appeals and, in its first three subsections, describes what SEPA appeals are allowed. One type of appeal allowed is an appeal to the hearing examiner of a departmental determination, DS, that an EIS must be prepared. However, the fourth subsection of SMC 20.15.130 provides a clear statement of authority for the Department to establish "procedures" for finding that in certain circumstances an administrative appeal of a DS to the City's hearing examiner is contraindicated and should not be allowed:

SMC 20.15.130

(4) Notwithstanding the provisions of subsections (1) through (3) of this section, **the department may adopt procedures under which an administrative appeal shall not be provided if the director finds that consideration of an appeal would be likely to cause the department to violate a compliance, enforcement, or other specific mandatory order or specific legal obligation.** The director's determination shall be included in the notice of the SEPA determination, and the director shall provide a written summary upon which the determination is based within five days of receiving a written request. Because there would be no administrative appeal in such situations, review may be sought before a court of competent jurisdiction under RCW [43.21C.075](#) and applicable regulations, in connection with an appeal of the underlying governmental action. (Ord. O2009-251 § 1; Ord. O2003-132 § 9) [Emphasis added].

To avoid delay in the City's progress toward preparation of an EIS, the Department has in fact just adopted such procedures. They are narrowly focused to obviate an administrative appeal of a DS in the narrow context when, in response to a decision/compliance order from a quasi-judicial board (such as the GMHB) or court, the City decides to prepare an EIS for its own non project proposal.

SMC 2.55.070 and 2.55.080 provide authority to approve the Department procedures and place them into immediate effect. The procedures adopted by the Department include the rationale for doing so. Therefore, a recommended Council motion would be:

"I move to approve the procedures adopted by the Department of Community Development pursuant to SMC 20.15.130(4) allowing its Director to eliminate administrative appeal of a SEPA Determination of Significance requiring preparation of an Environmental Impact Statement when the Determination concerns a non project proposal by the City itself, and to approve Department adoption of such procedures to take effect immediately pursuant to SMC 2.55.070 and 2.55.080."



Memorandum

801 228th Avenue SE ■ Sammamish, WA 98075 ■ phone: 425-295-0500 ■ fax: 295-295-0600 ■ web: www.sammamish.us

Date: June 19, 2020
To: City Clerk
From: David Pyle, Director, Department of Community Development
Re: Procedures Adopted Pursuant to SMC 20.15.130(4) To Not Provide An Administrative Appeal Of A SEPA Determination of Significance Requiring Preparation of An Environmental Impact Statement Concerning Non Project Actions Proposed by the City

This transmittal for filing pursuant to, inter alia, SMC 20.15.140, SMC 2.55.070, and SMC 2.55.080, memorializes Department of Community Development procedures adopted today under SMC 20.15.130(4).

The purpose of these procedures is to provide a means for the Department Director to decide in certain circumstances that an administrative appeal of a Department State Environmental Policy Act (SEPA) Determination of Significance (DS) will not be provided if, per SMC 20.15.130(4), consideration of an appeal would be likely to cause the Department to violate a compliance, enforcement, or other specific mandatory order or specific legal obligation. To make this determination, the Department will identify and consider, among other factors, the nature of the proposal on which the DS has been issued, the substance of the proposal, whether it is a non project action initiated by the City itself and whether the allowance of an administrative appeal of the DS would frustrate timely fulfillment by the City of legal, SEPA, Growth Management Act (GMA) goals or requirements. The Department's findings in this regard will be presented in conjunction with issuance of its DS, in accordance with SMC 20.15.030(4).

Per SMC 2.55.070 and 2.55.080 the Department of Community Development finds that immediate adoption of these procedures is necessary for the public's general welfare and that delay in adoption through observance of otherwise applicable requirements for notice and opportunity to comment would be contrary to the overriding public interest in environmental review of public proposals. For example, adoption of these procedures with immediate effect is necessary to avoid delay or detour in environmental review of City proposed action in furtherance of compliance with the Growth Management Hearings Board's Finding, Decision, and Order in *Gerend v. Sammamish*.

Therefore, in sum, in accordance with SMC 20.15.130(4) appeal of a DS for a City non-project GMA integrated action will follow the judicial review process for SEPA determinations in accordance with RCW 43.21C.075 and WAC 197-11-680(4) and (5).

6/17/20 SCA BOD Meeting

CHRISTIE
MALCHOW

Deputy Mayor



COUNCIL
REPORT 6/23/20

EMAIL:
cmalchow@sammamish.us

- Minutes will be posted on the [SCA website](#) once compiled by SCA staff if you are interested.
- Formally adopted language relative to rate increases as follows:
“The Sound Cities Association (SCA) urges King County and other entities to forego any increases in rates and fees until and unless all other options are explored and exhausted, in light of the COVID-19 public health emergency and the resulting economic impacts.
- Formally adopted language relative to the AWC and PIC recommended COVID-19 legislative priorities:
As the Legislature considers necessary actions to address the impacts of COVID-19 on our state, SCA asks that priority be given to support for cities and towns in the following areas:
 - Financial support**
 - o Maintain critical state shared revenues that provide funding for essential public services.*
 - o Provide fiscal relief to cities hard hit with costs for emergency response and loss of tax revenue.*
 - Fiscal flexibility**
 - o Provide flexibility within existing restricted revenues to allow cities to use funds where they are most needed right now.*
 - Regulatory relief**
 - o Continue the emergency action taken by the Governor to provide flexibility on deadlines for permitting and land use timelines. Cities hard hit by this emergency may still be experiencing staffing shortages and back-logs that will impact their ability to comply with typical statutory deadlines.*
 - City-owned utility support**
 - o Allow city-owned utilities that have waived late fees and shut-offs and extension of their ability to collect outstanding debt so that they can work with rate payers to extend payment plans without impacting the financial viability of the utility or raising rates on other customers.*
 - o Provide funding to help offset losses related to forgiving late fees and delinquent*

accounts for those customers hard-hit by the emergency.

Economic stimulus

o Investing in public infrastructure projects is one of the best ways to support economic stimulus as infrastructure investments have a positive economic multiplier with the creation of family-wage jobs and support increased economic activity. Cities also support efforts to help the most vulnerable residents and our small businesses

o Cities support programs to provide emergency rental assistance and emergency housing.

o Cities support programs to provide emergency assistance to small businesses.