

COUNCIL MINUTES

Special Joint Meeting December 13, 2016

Call to Order

Open Joint Meeting with Planning Commission

Planning Commissioners present:

Eric Brooks	Position 1
Shanna Collins	Position 3
Larry Crandall	Position 4
Frank Blau	Position 6
Nancy Anderson	Position 7

Discussion: Sign Code Amendments

Charlotte Archer, Assistant Attorney with Kenyon Disend discussed the regulations of signs after Reed v. Town of Gilbert, Arizona and showed a powerpoint presentation (*Presentation available on the Sammamish website at www.sammamish.us*)

Discussion: Neighborhood Character

Jeff Thomas, Community Development Director introduced Frank Blau, Planning Commissioner, who lead a discussion on Neighborhood Character and showed a presentation. (*Presentation available on the Sammamish website at www.sammamish.us*)

Jeff Thomas stated that the Planning Commission will review the information, include public input and bring recommendations back to the City Council in the first quarter of 2017.

Mayor Don Gerend called the Special meeting of the Sammamish City Council to order at 7:00 pm.

Councilmembers present:

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

Staff present:

Lyman Howard, City Manager
Jessi Bon, Deputy City Manager
Beth Goldberg, Director of Administrative Services
Jeff Thomas, Community Development Director

Angie Feser, Parks & Recreation Director
Kyle Endelman, Parks & Recreation Deputy Director
Anjali Meyer, Parks & Recreation Project Manager
Kellye Hilde, Project Manager for Town Center
Steve Leniszewski, Public Works Director
Cheryl Paston, Public Works Deputy Director
Tawni Dalziel, Public Works Senior Stormwater Program Manager
Mike Sugg, Management Analyst
David Goodman, Management Analyst
Mike Kenyon, City Attorney
Charlotte Archer, Assistant City Attorney
Lita Hachey, Deputy City Clerk

Roll Call/Pledge of Allegiance

Roll was called. Councilmember Odell led the pledge.

Approval of Agenda

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

Deputy Mayor Ramiro Valderrama requested to remove Item # 2, contract: Prosecution Services/Moberly and Item # 5, Contract: Legal Services/Kenyon Disend from the Consent Agenda and placed under new business.

Student Liaison Report - None

Presentations/Proclamations

Proclamation: Reaffirming Principles and Values

Each Councilmember participated in reading the following proclamation:

In the wake of a contentious and discordant national election, we take this moment to pause and reaffirm our principles and values.

As your City government, our role is to bring people together and not divide them. Our job is to be welcoming of all people and all ideas in recognition that we truly are stronger and smarter together. We need to recognize certain essential principles and conduct our government and hopefully our lives consistent with those principles.

Consequently, as your City Council, we pledge:

To do all we can to foster civil discourse.

To ensure that City services are always provided in a manner that does not discriminate on the basis of race, sex, religion, national origin, disability, sexual orientation or gender identity.

To foster a community that always encourages people to achieve their potential and help others to do similarly.

To protect our air, water and other parts of our natural environment to protect the health and

*futures of our families and future generations.
To welcome, without reservation, new people from all parts of our world, with an
abiding faith in their potential to be part of and strengthen our community.
To never marginalize or demonize any person or group of people.
To respect and listen to people and their ideas.
To understand that we have a responsibility not just to ourselves but to others in our
region including many who are not as fortunate.
To do all we can to ensure that our children will inherit a world that includes all of the good that the
world our parents brought us into had.
To encourage that our national, state and regional leaders uphold these same values.
We commit to regularly remind ourselves of these principles and
to judge ourselves and our City by our adherence to them.
Proclaimed, this 13th day of December, 2016.*

City manager, Lyman Howard stated that this proclamation will be framed and on display in the main lobby at City Hall.

Presentation: YMCA Property

Angie Feser, Parks and Recreation Director and Anjali Meyer, Parks and Recreation Project Manager gave a staff update and presentation. Jessi Bon, Deputy City Manager gave a brief review of the lease agreement with the YMCA and some ideas for next steps for developing the property. (*Presentation available on the Sammamish website at www.sammamish.us*)

Consultants available for questions:

Nell Lund, The Watershed Company
Katie Hogan, Tree Solutions Inc.
Marcus Byers , Kleinfelder

YMCA staff in attendance:

Marcia Isenberger, Regional Executive

Don Crowe, CEO at Arena Sports, gave an overview of what is involved with running an indoor recreational soccer facility and answered Council's questions.

Councilmember Hornish would like to know when staff needs some clear direction from the Council.

City Council directed staff to work with the YMCA to adjust the timeline stipulated in the lease agreement, to extend the deadline of June, 2018, for one additional year and to possibly report back to Council as early as January 3, 2017.

Public Comment

Stacy Bowman, 2667 320th Ave SE, member of Save Lake Sammamish: spoke regarding the proposed development of the YMCA property near Pine Lake Middle School. She would like to preserve the natural setting and not build on the site.

Diya and Maya Sahota, 3rd & 6th Graders, spoke about the Tamarack neighborhood and did a demonstration on how the property has incurred a problem with home building in their community over the years. The problems with soil saturation in front of their home. They requested a drainage trunkline in Tamarack.

Jeeta Sahota, 402 209th Ave NE, spoke regarding the Tamarack neighborhood and the problems with stormwater and drainage. Resolution of needs and issues. She would like to see something done sooner than later.

Paul Patterson, 22414 2 NE 28th St, spoke regarding the Hampton Woods HOA. They would like to see changes to the signage restrictions and would like to work with the City in the concept and design of these signs.

Lyman Howard stated that staff will implement a plan in the first quarter of next year. Staff will contact Mr. Patterson about this matter.

Denise Darnell, 2121 200th Ave SE, spoke regarding the proposed YMCA property and would like to see the area remain as is.

Layna Croft, 22912 SE 37th St, spoke regarding the proposed YMCA property and would like to see the area remain as is. She requests that the Council uphold the terms of the contract with the YMCA. She feels that the City should continue to lease the land and not build on this land.

Deb Sogge, Sammamish Chamber of Commerce, spoke about businesses in Sammamish. She likes that the City Manager really listens to the needs of the business community. She presented a plaque to the Mayor and City Manager for this devotion to the businesses in Sammamish.

Kathryn Wyatt, 22916 SE 37th St, spoke regarding the YMCA property. As a long term resident, she would like to see the land preserved as a beautiful piece of land for citizens to enjoy.

Jenny Bodell, 44702 38th PI SE, spoke in favor of preserving the YMCA property as it is today. She would like to save the habitat of the wildlife in the area.

Athena Burk Bravo, 6th Grade at Pine Lake Middle School, she spoke about preserving the YMCA property and leaving the animal habitats. She doesn't feel the land should be used for anything else but trails or bike trails.

Kelsey Bullock, 6th Grade at Pine Lake Middle School, spoke about the YMCA property.

Dan Young, 2558 Audubon Park Dr. SE, spoke about the YMCA property and the character of the community. He feels the Council needs to move forward and direct the developers to what our vision is.

Lisa Van Brevo, 14745 245th Ave SE, representing girls' youth lacrosse organizations. There are not a lot of fields available in Sammamish and these young girls need an indoor field. She would like to see a facility built in Sammamish.

Wesley Hertzog, 4115 205th Ave SE, spoke in favor of an indoor soccer field on the YMCA property.

Kathy Bravo, 22101 SE 32nd St, spoke about preserving the YMCA property.

Mary Wictor, 408 208th Ave NE, commented on neighborhood character and showed a presentation (available upon request to the City Clerk, manderson@sammamish.us)

Laura Grob, 118 211th Pl NE, Tamarack neighborhood, spoke regarding removing a tree on her property without having to pay a huge permitting fee.

Lyman Howard will follow-up with Ms. Grob on the tree issue.

Council recessed from 9:00 pm – 9:10 pm

Consent Agenda

Appointment/Contract: Hearing Examiner Services/Galt

~~**Contract:** Prosecution Services/Moberly~~

Amendment: Contested Case Services/Moberly

Contract: Public Defense Services/Stein, Lotzkar & Starr

~~**Contract:** Legal Services/Kenyon Disend~~

Contract: Recycling Events/Olympic Environmental

Grant: 2017/2018 Human Services Grant/YMCA Camp Terry

Contract: Land Use Bill Board Installation/Morup Signs, Inc.

Contract: Electrical Inspection Services/West Coast Code Consultants

Contract: Electrical Inspection Services/BHC Consultants

Contract: Arboricultural Services/American Forest Management

Contract: Arboricultural Services/Herrera Environmental Consultants

Contract: Building Inspection Services/BHC Consultants

Contract: Building Plan Review Services/Clarity Consultants

Contract: Environmental Services/The Watershed Company

Contract: Environmental Services/ESA

Contract: Development Review Services/Otak

Contract: Town Center Design & Engineering Support/KPG

Contract: Custodial Services/Top to Bottom Janitorial

Contract: Electrical Maintenance/Sequoyah

Contract: Pressure Washing/Mr. PressureWash

Contract: Building Commissioning/ECOTONE

Contract: HVAC Repair & Maintenance/Pacific Air Control

Contract: Keycard Access Maintenance/Western Hardware

Contract: Plumbing Repair & Maintenance/Hermanson

Contract: Parks Landscaping/Badgley's

Contract: Sports Turf Maintenance/Rich Landscaping, Inc.

Contract: Residential Pond Mowing/AtWork!

Contract: ROW Slope Mowing/Plantscapes

Contract: ROW Landscaping/Badgley's

Contract: Street & Parks Sweeping/Best Parking Lot

Contract: Vactoring Services/Everson's Econo Vac

Contract: Fence Repair/Industrial Solutions NW

Contract: Tree Services/Swift Tree Care, Inc.

Contract: 2017 Ebright Creek Water Quality/48 North

Agreement: SE 4th Street Utility Undergrounding/PSE

Amendment: SE 4th Street Design/Perteet

Contract: Economic Development/CIA

Contract: Social Media/Kimsey

Contract: Animal Care and Control Service/Regional Animal Services of King County

Resolution: Final Acceptance Eastlake High School Turf Replacement Project (R2016-710)

Ordinance: Authorizing The City Manager To Accept Certain Routine Real Property Conveyances On Behalf Of The City; Providing For Severability; And Establishing An Effective Date (O2016-427)

Approval: Minutes for the November 15, 2016 Regular Meeting

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

Public Hearing

Ordinance: Second Reading, Related To Surface Water Management; Amending Title 13 Of The Sammamish Municipal Code; Adopting The 2016 King County Surface Water Design Manual And Sammamish Addendum Thereto; Providing For Severability; And Establishing An Effective Date

Steve Leniszewski, Public Works Director introduced Tawni Dalziel, Public Works Senior Stormwater Program Manager and Wayne Carlson with AHBL Consultants, who gave a staff update on the Surface Water Design Manual (*showed a presentation available on the Sammamish website at www.sammamish.us*)

Councilmember Huckabay requested a follow-up on the till level and cover of fill. Ms. Dalziel will check the Stormwater Design manual and make any needed changes before the effective date.

Public Hearing opened at 9:33 pm and closed at 9:40 pm with the following comments.

Public Comment

Mary Wictor, 408 208th Ave NE, commented on her essential edits and would like to have them included in the manual (handed out an comment sheet to Council, available upon request to the City Clerk, manderson@sammamish.us)

Councilmember Keller requested adding photographic records of changes to the manual for historical purposes. Steve Leniszewski commented that this would be very difficult to maintain due to the constant changes and the various records retention requirements depending on the project.

Councilmember Odell directed the City Manager to have the staff come back with the updates once completed no later than the end of April 2017.

MOTION: Councilmember Hornish moved to approve the Ordinance (O2016-428), Related To Surface Water Management; Amending Title 13 Of The Sammamish Municipal Code; Adopting The 2016 King County Surface Water Design Manual And Sammamish Addendum Thereto; Providing For Severability;

And Establishing An Effective Date as was discussed and amended tonight. Councilmember Huckabay seconded. Motion carried unanimously 7-0.

Ordinance: Second Reading, Relating To Low Impact Development In The City; Amending Chapter 21a.85 And Sections 16.15.020, 21a.15.112, 21a.15.625, 21a.15.731, 21a.25.030, 21a.15.190, 21a.30.030 21a.30.140; 21a.35.055, 21a.35.060, 21a.35.070; 21a.40.120, 21b.15.080, 21b.15.230, 21b.15.310, 21b.25.040; 21b.30.040, 21b.30.050, 21b.30.070, 21b.30.160, 21b.30.170, 21b.35.220, 21b.85.030 And 21b.85.040 Of The Sammamish Municipal Code; Providing For Severability; And Establishing An Effective Date

Tawni Dalziel, Public Works Senior Stormwater Program Manager and Wayne Carlson with AHBL Consultants, gave a staff update on the Low Impact Development code update. (*showed a presentation available on the Sammamish website at www.sammamish.us*)

Public Hearing opened at 9:52 pm and closed at 9:59 pm with the following comments.

Public Comment

Mary Victor, 408 208th Ave NE: commented on the Low Impact Development. She feels that there should be a one-year warranty bond to ensure that the project is completed. She listed changes that she has prepared to the wording of the document. (Comments available upon request to the City Clerk, manderson@sammamish.us)

MOTION: Deputy Mayor Valderrama moved to extend the meeting until 11:30 pm. Councilmember Malchow seconded. Motion carried unanimously 7-0.

MOTION: Councilmember Malchow moved to strike the option to go from 35 feet to 50 feet with building height incentive, in Attachment G, page 34 of 67 (Items 3-4) SMC21A.85(4). Councilmember Hornish seconded. Motion carried 6-1 with Councilmember Huckabay dissenting.

Councilmember Huckabay does not feel that it is necessary to remove this option as it has never been used in the past.

Ms. Dalziel would like to ensure that the amendments to be passed, include the discussion in her presentation further defining critical areas that is in the exhibit attached to the ordinance.

MOTION: Councilmember Malchow moved to adopt the Ordinance (O2016-429) Relating To Low Impact Development In The City; Amending Chapter 21a.85 And Sections 16.15.020, 21a.15.112, 21a.15.625, 21a.15.731, 21a.25.030, 21a.15.190, 21a.30.030 21a.30.140; 21a.35.055, 21a.35.060, 21a.35.070; 21a.40.120, 21b.15.080, 21b.15.230, 21b.15.310, 21b.25.040; 21b.30.040, 21b.30.050, 21b.30.070, 21b.30.160, 21b.30.170, 21b.35.220, 21b.85.030 And 21b.85.040 Of The Sammamish Municipal Code; Providing For Severability; And Establishing An Effective Date as amended. Deputy Mayor Valderrama seconded. Motion carried unanimously 7-0.

Ordinance: O2016-417 Of The City Of Sammamish, Washington, Amending The Surface Water Design Manual And Section 13.20.020 Of The Sammamish Municipal Code Relating To Surface Water Management; Providing For Severability; And Declaring An Emergency

City Manager Howard stated that we are holding a public hearing with regards to an emergency ordinance amending the stormwater requirements for Tamarack neighborhood. This agenda item becomes moot with the passage of the previous ordinance (O2016-429) but there is a requirement to hold a public hearing within 60 days of an emergency ordinance.

Public Hearing opened at 10:18 pm and closed at 10:26 pm with the following comments.

Public Comment

Mary Victor, 408 208th Ave NE, suggested several changes and had questions to be addressed. *(comments available upon request to the City Clerk, manderson@sammamish.us)*

Jeffrey Weems, 941 206th Ave NE, his group has concerns about the emergency ordinance passed two years ago on Inglewood Hill Road plat. He stated that he appreciates the work being done on Inglewood Hill Road with the trunkline improvements.

Unfinished Business – None

New Business

Contract: Prosecution Services/Moberly

Director of Administrative Services, Beth Goldberg gave an overview of the contract for Prosecution services. This is the first increase in the four years of service for Ms. Moberly and the staff of her law firm.

Deputy Mayor Valderrama questioned why this contract did not go out to bid. He would like to see this come back in two years as a Request For Proposal (RFP).

Ms. Goldberg stated that there were no structural changes that were needed in this contract as was the case with the Public Defense Services.

MOTION: Deputy Mayor Valderrama moved to approve the Contract with Prosecution Services/Moberly to direct the City Manager to go out to bid in the next budget cycle. Councilmember Keller seconded.

AMENDMENT: Councilmember Hornish moved to not require an RFP but approve this bill as proposed. Councilmember Huckabay seconded. Amendment carried by a vote of 6-1 with Deputy Mayor Valderrama dissenting.

MAIN MOTION: Deputy Mayor Valderrama moved to approve the Contract with Prosecution Services/Moberly as amended. Councilmember Keller seconded. Motion carried 6-1 with Deputy Mayor Valderrama dissenting.

Contract: Legal Services/Kenyon Disend

City Manager Lyman Howard gave a statement of support for our current legal counsel. Beth Goldberg gave a staff update on the services provided by Kenyon Disend. They have institutional knowledge from working with the City over many years.

MOTION: Councilmember Keller moved to approve the 2017-2018 Contract for Legal Services/Kenyon Disend. Councilmember Malchow seconded. Motion carried 6-1 with Deputy Mayor Valderrama dissenting.

Deputy Mayor Valderrama questioned the wording of the contract and feels the previous increases have been switching from Cost of Living Adjustment (COLA) to percentage increases. He feels that there has been an inconsistency over the years relating to how the increases have been given.

Council Reports/Committee Reports

Councilmember Tom Odell has resigned from the YMCA (Y) board as the City's representative, to avoid any potential conflict of interest in decisions that involve the Y and the Y property. The Transportation Committee meets at 9:30 am tomorrow. He attended the Transportation Technology Conference a couple weeks ago. He attended the Growth Management Planning Council meeting today and will be joining the flood control group which has implications for Lake Sammamish.

Councilmember Christie Malchow spoke regarding the YMCA property and she would like to defer the decisions on the property until the PRO plan update and the land acquisition strategies are complete.

MOTION: Councilmember Malchow moved to defer decisions on the YMCA owned property and the planning process until the PRO plan update and land acquisition strategies are complete. To authorize the City Manager to meet with the YMCA or staff to renegotiate the contract to extend the deadline for one additional year until June of 2019 as well as engage the Parks Commission in the process. Councilmember Hornish seconded. Motion carried unanimously 7-0.

AMENDMENT: Valderrama moved to continue with a feasibility study, non-site specific and to look at an advisory vote. No second.

Councilmember Bob Keller spoke regarding an open motion from the November 15, 2016 Council Meeting that needs to be voted on as it was left on the table.

MOTION: Councilmember Keller directed the City Manager to initiate a formal policy discussion and review on R1 zoning, on a City-wide basis, related to any up zoning. The process should include review of the historical establishment of all R1 zoning and any related overlays, environmental and wild life impacts, any current comprehensive plan direction, potential traffic, infrastructure, parks (Emerald Necklace) and school related impacts. The process should follow our legislative review on land use including prior evaluation by the planning commission. Councilmember Malchow seconded. Motion carried unanimously 7-0.

He suggested that Council also vote on the Transfer of Development Rights (TDR) programs for Sammamish. The primary use of this program would be to focus on the density and protect neighborhood character. City Manager Howard stated that this is on our work plan.

MOTION: Councilmember Keller moved to direct the City Manager to put it on the agenda to look at the TDR program in Sammamish as amended. Councilmember Hornish seconded. Motion carried unanimously 7-0.

AMENDMENT: Councilmember Odell would also direct the City Manager to simultaneously look at making Sammamish a sending site for locations outside the City, in addition to intra City. Councilmember Malchow seconded. Motion carried unanimously 7-0.

Councilmember Kathy Huckabay attended the Eastside Fire and Rescue (EF&R) meeting. She stated that the Deputy Chief's salary needs to be addressed. She also attended the Regional Transit committee meeting and has worked with staff to complete an ordinance that provided the RTC opportunity to review, comment on and make recommendations on transit and how transit will be provided in the future. She attended the conference on Advanced Technology and commented on flying cars.

MOTION: Deputy Mayor Valderrama moved to extend the meeting until 11:45 pm. Councilmember Malchow seconded. Motion carried unanimously 7-0.

Deputy Mayor Ramiro Valderrama attended the Advanced Transportation conference with his fellow councilmembers. He also attended the EF&R meeting.

Mayor Don Gerend stated that an AD-Hoc committee needs to be appointed for the City Manager Lyman Howard's performance review.

MOTION: Councilmember Huckabay moved to appoint Councilmember Keller, Councilmember Odell and Councilmember Malchow to an ad-hoc committee for the City Manager's performance review. Deputy Mayor Valderrama seconded. Motion carried unanimously 7-0.

City Manager Report

Mr. Howard reminded Council that, through our changeover of solid waste providers, the City is encouraging composting of food scraps etc. More information has been sent out to all households and is on the city website.

He received today from Public Works, a traffic analysis for the Mars Hill Church and the Central Washington University. Council will receive a copy by email tomorrow. The conclusion from the analysis is that it would have little or no impact on vehicular operations and intersections in the short and long term.

The GIS system updates are behind schedule and the Beta site is not up yet and more implementation is needed. A GIS assessment will be conducted in January of 2017.

Mr. Howard thanked Council for a great year and all the accomplishments achieved during 2016.

Mayor Don Gerend reflected on the passage of a long time Sammamish citizen and close friend, Jim Kahn. He showed a slide show of photos with some of Mr. Kahn's life achievements.

Executive Session – None

Meeting adjourned at 11:50 pm

Lita Hachey, Deputy City Clerk

Donald J. Gerend, Mayor