

COUNCIL MINUTES

Regular Meeting January 18, 2011

Mayor Don Gerend called the regular meeting of the Sammamish City Council to order at 6:30 pm.

Councilmembers present: Mayor Don Gerend, Deputy Mayor Tom Odell, Councilmembers Mark Cross, John Curley, John James, Michele Petitti and Nancy Whitten.

Staff present: City Manager Ben Yazici, Deputy City Manager Pete Butkus, Public Works Director Laura Philpot, Assistant City Manager/Community Development Director Kamuron Gurol, Parks & Recreation Director Jessi Richardson, Administrative Services Director Mike Sauerwein, City Attorney Bruce Disend, and Deputy City Clerk Stacy Herman.

Roll Call/Pledge of Allegiance

Roll was called. Councilmember Curley led the pledge.

Approval of Agenda

MOTION: Councilmember Petitti moved to approve the agenda. Councilmember Cross seconded. Motion carried unanimously 7-0.

Student Liaison Reports

Proclamations/Presentations

- Waste Management Presentation: Susan Robinson with Waste Management presented information on their recycling program and the outreach and education efforts being conducted by the company. A PowerPoint presentation is available on the city's website at www.ci.sammamsih.wa.us

Public Comment

- **Donna Davis:** She expressed her concerns with money that could potentially be spent on the Freed House restoration, new fees for Senior Citizens Pet Licenses, and the socks on trees by Starbucks.
- **Shelly Kind:** She represented Muscular Dystrophy Association and thanked the City for their participation and the generosity of the city/citizens during the "fill the boot". She presented Mayor Gerend with a plaque.

Consent Calendar

- **Payroll for period ending December 31, 2010 for pay date January 5, 2011 in the amount of \$251,646.25**
- **Approval: Claims for period ending January 18, 2011 in the amount of \$2,186,108.60 for Check No.28289 through No.28424**
- **Interlocal: Surplus Property Services/State of Washington**
- **Contract: Domestic Violence Advocate/Leyton**

MOTION: Deputy Mayor Odell moved to approve consent agenda. Councilmember Petitti seconded. Motion carried unanimously 7-0.

Public Hearing

Ordinance: First Reading Repealing The Transfer Of Development Density Credits Regulations And Adopting Transfer Of Development Rights Regulations Codified Into Chapter 80 Of Title 21A Of The Sammamish Municipal Code

Community Development Director Kamuron Gurol gave the staff report. The Transfer Development Rights regulations and Interlocal Agreement were discussed together. Geographic areas for sending and receiving sites were presented visually (map) and a market analysis was included in the packet materials. A copy of the PowerPoint presentation is available on the city's website at www.ci.sammamish.wa.us. Development Regulations would be codified in the Sammamish Municipal Code as chapter 21A.80, and authorize sending sites within the City or unincorporated King County to transfer density into the Town Center. There was an additional sending site area to the south that was discussed and up for consideration. There is currently one receiving site (Town Center). Concurrency failure and Levels of Service were also discussed. Public outreach will be available to those who are interested, and King County has a large amount of information on their website as well. Mayor Gerend was impressed with the creative option in that if a sensitive area that was purchased for development rights shifts course, and the property owner would like to buy replacement development rights back, then they can purchase them from a different landowner who has an equivalent constraint/public benefit e.g. (stream) sensitive area on the adjacent property.

Darren Greevy with King County answered questions regarding running the TDR program and County properties (Dept. of Natural Resources) property that would be considered for sending sites.

Public Hearing comments/letters are available upon request by contacting Deputy City Clerk Stacy Herman directly at 425-295-0512 or Sherman@ci.sammamish.wa.us.

Public Hearing opened at 7:20 p.m. and was continued to the February 8, 2011 Special Meeting. There was no public comment.

Deputy Mayor Tom Odell requested to modify the language in 21A.80.090 (C)(1) “The Director is authorized to recommend to the Council a revised incentive table for addressing changing economic conditions or to further to refine the receiving site incentives”. There was consensus among the councilmembers, but there was no formal action, as the public hearing was continued to February 8, 2011.

Councilmember James offered an amendment to delete Zone D from the table in 21A.80.090 (B)(1i) Table A – Receiving site incentive table. He would like it to remain a sending site. There was consensus among the councilmembers, but there was no formal action, as the public hearing was continued to February 8, 2011.

Councilmember James agrees with Zone D for sending site, just not a receiving site. Councilmember Whitten expressed that we may want to keep that option open for the “D” zone to be included in the receiving site e.g. “Kellman” property.

Councilmember Cross discussed multipliers and what will work. Councilmember Whitten would like to see a cap on total number of units that could be built into the Town Center. Community Development Director Kamuron Gurol explained the cap that is currently built into the TDR plan. Councilmember Whitten has concerns with build out and road capacity.

Community Development Director Kamuron Gurol re-capped the following amendments the council had recommended.

- Some form of a cap
- 21A.80.090 (C) (1) – Amending the language from an administrative authorization to legislative authorization for revising the table
- Take Zone D out of the receiving zone table (21A.80.090 (B)(1i) Table A) – Receiving site incentive table
- Add Zone D as a sending site
- Remove Zone A out of the receiving zone table (21A.80.090 (B)(1i) Table A) – Receiving site incentive table

Councilmember Cross requested a copy of the conservation easement language included in the TDR regulations, which was provided to him by Senior Planner Evan Maxim.

New Business

- **Interlocal: Transfer of Development Rights with King County**

Community Development Director Kamuron Gurol provided information on this item during the Transfer of Development Rights presentation, which is also included in the PowerPoint on the city’s website at www.ci.sammamish.wa.us. The city council discussed the light green and dark

green properties included in the PowerPoint presentation and decided to delete the property to the south referred to as “additional area” (exhibit 1) in the Powerpoint.

Deputy Mayor Odell would like to discuss the area located (light green area to the south) at the next joint meeting with the Issaquah City Council.

MOTION: Councilmember James moved to remove the additional proposed land area (light green cross-hatched area) that is located to the south depicted in the colored map, exhibit #1 (PowerPoint presentation) and removing B (2) verbiage from the Interlocal agreement except for the section that refers to Sammamish farm land and agriculture products for the Farmer’s Market and that could be added to paragraph #1 and allow for staff to create language to be included. Councilmember Curley seconded. Motion carried unanimously 7-0.

MOTION: Councilmember Whitten requested to postpone adoption of the Interlocal until the second reading of the TDR Ordinance. Deputy Mayor Odell seconded. Motion failed 2-5 with Deputy Mayor Odell and Councilmember Whitten dissenting.

MOTION: Authorize the City Manager to sign the Transfer of Development Rights Interlocal Agreement with King County (as amended), and make any minor edits that may be required by King County or the City pending final legal review, to allow for successful implementation. Motion carried 6-1 with Councilmember Whitten dissenting.

Council Reports

Mayor Gerend reported that Councilmembers Curley, Petitti and Cross will be attending the Finance Committee meetings.

Meeting adjourned at 9:30 p.m.

Stacy Herman, Deputy City Clerk

Donald J. Gerend, Mayor