

COUNCIL MINUTES

REGULAR MEETING

April 18, 2011

Mayor Don Gerend called the regular meeting of the Sammamish City Council to order at 5:00 pm.

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

Councilmember absent: Councilmember Michelle Petitti.

MOTION: Councilmember Cross moved to excuse Councilmember Petitti. Councilmember Curley seconded. Motion carried 5-0.

Staff present: City Manager Ben Yazici, Public Works Director Laura Philpot, Senior Stormwater Program Engineer Eric LaFrance, Assistant City Manager/Community Development Director Kamuron Gurol, Parks & Recreation Director Jessi Richardson, Assistant City Manager/Finance Director Lyman Howard, City Attorney Bruce Disend, and City Clerk Melonie Anderson.

Roll Call/Pledge of Allegiance

Roll was called. Councilmember Cross led the pledge.

Approval of Agenda

MOTION: Councilmember Whitten moved to approve the agenda. Councilmember Curley seconded.

AMENDMENT: Deputy Mayor Odell moved to amend the agenda by removing Item #3 Contract: Recreation Center Access Design/Otak and item #4 Contract: Sammamish Landing/Reid Middleton to follow Item #9 under new business. Agenda was approved as amended 6-0.

Executive Session – Property Acquisition pursuant to RCW 42.30.110(1)(c) and Potential Litigation pursuant to RWC 42.30.110(1)(i).

Council retired to Executive Session at 5:05 pm and returned at 6:30 pm. No action was taken.

Student Liaison Reports

Skyline High School: (Justin Hall) Boys Varsity Soccer team is undefeated. The Boys Baseball team defeated Eastlake. Emily and Haley Minson will represent Washington State in a National LaCrosse meet. He also reported that graduation will be on June 10th. Physics Club will be competing in a national physics tournament.

Public Comment

Amiee Martin, Community Relationship Manager for the American Cancer Society, She spoke about the upcoming fundraiser, Relay for Life, which will be held at Skyline High School on May 21 and 22. She said this was an excellent way for the community to get involved in raising funds for this very worthwhile cause (For more information see www.issaquahrelayforlife.org).

Steve Campbell, coordinated the Relay for Life Race in Issaquah. He explained that it is a great fundraiser and a great way to involve students and residents in raising funds for cancer. He is asking Sammamish to get involved as well. Relay for Life raises funds for research and to help cancer patients that need help now.

Harry Shedd, 2313 Sahalee Dr. E, He asked Council to remove Item #4, a contract for Sammamish Landing design with Reid Middleton from the Consent Agenda. He does not feel this park is a high priority item with the city.

Linda Eastlick, PO Box 2574, She spoke regarding the short plat approval ordinance on the agenda. She encouraged Council to make sure that the stormwater issues are thoroughly reviewed because the short plat is right next to Pine Lake.

Romero Valdarrama, He reminded Council that Citizens for Sammamish supported the Parks and Recreation Commission's recommendation that this park should not be highly developed. He said that Council also supported the less developed recommendation for the park. He feels that park improvements be prioritized in order of importance. He feels this park is not vital and Council should revisit this park in terms of priority.

Wally Pererya, 148 Eastlake Sammamish Parkway SE, He is in favor of accepting the 2009 Surface Water Design manual with no exception (bifurcation) for small lots to vest to the older manual. Adherence to the 2009 manual will better protect Sammamish's streams.

Erica Tiliacos, 1130 Lancaster Way SE, She feels the intersection of SE 4th Street and 228th Avenue SE is a dangerous intersection. She feels there is a sight problem due to the wood fence that has been installed.

Ilene Stahl, Mark McGil, 21553 SE 28th Lane, She spoke regarding agenda Item #9. The reissued short plat application impacts their property. They don't understand how the city can approved a short plat application that has twice been disapproved by the Hearing Examiner and courts.

Consent Calendar

Payroll for period ending March 31, 2011 for pay date April 5, 2011 in the amount of \$242,155.01

Approval: Claims for period ending April 18, 2011 in the amount of \$420,868.73 for Check No.28944 through No.29064

Resolution: Authorizing The Write-Off Of Bad Debts And Granting Limited Authority To The City Manager To Write Off Future Bad Debts (R2011-454)

Amendment: Washington Trails Association/Evans Creek Preserve

Approval: Minutes for the April 5, 2011 Regular Meeting

MOTION: Deputy Mayor Odell moved to approve consent calendar. Councilmember Curley seconded. Motion carried unanimously 6-0.

Public Hearing

Ordinance: First Reading Repealing Chapter 5 Of Title 15 Of The Sammamish Municipal Code And Adopting A New Title 13 Of The Sammamish Municipal Code Identified As Surface Water Management

Senior Stormwater Program Engineer Eric LaFrance gave the staff report and showed a PowerPoint presentation which explained why the city is updating the Stormwater Manual (*presentation available on the city's website at www.ci.sammamish.wa.us*). He explained that this ordinance will adopt three items: (1) the 2009 King County Surface Water Manual, (2) Amendments to the manual that are specific to Sammamish and (3) a new Title 13 which will be codified into the Sammamish Municipal Code.

The Planning Commission and city staff both support the bifurcation of the manual which is allowed under the current NPDES permit. Bifurcation will allow smaller lots to vest to the 1999 manual.

Public Hearing opened at 7:20 pm.

George Toskey, 2430 238th Avenue SE, He believes that the reason for the Kokanee salmon decline is caused by the introduction of small mouth bass into Lake Sammamish. He does not feel it is due to increased construction near the streams. He pointed out that Cut Throat Trout live fine in the streams and only move to the lakes when they are too large to serve as food for the small mouth bass.

Ginette Toskey, 2430 238 Avenue SE, She supports the bifurcation of the Stormwater manual. She suggested that it will be important for consulting engineers and city staff to become proficient in administering the manual.

Linda Eastlick, PO Box 2574, She supported the last speaker regarding the bifurcation issue. She encouraged Council to balance environmental impacts with the financial impacts.

Wally Pererya, He is currently going through a major remodel of his home along Eastlake Sammamish Parkway. He would gladly adhere to the new manual's requirements to protect the environment.

Erica Tiliacos,(Spoke on behalf of Friends of Pine Lake), She recommended additions and deletions to the proposed stormwater addendum. (Written comments were submitted and are available upon request of the City Clerk).

Public Hearing was continued to May 3, 2011 at 7:36 pm. Councilmember Whitten requested that additional time be given to the consultants hired by Friends of Pine Lake at the next public hearing. City Manager Ben Yazici stated that he will work to schedule some time for this.

Unfinished Business

Ordinance Second Reading: Declaring Public Use And Necessity For Land And Property To Be Acquired By Eminent Domain For The Recreation Center Project; Authorizing Payment From The City's Parks Capital Improvement Fund; Providing For Severability; And Establishing An Effective Date

City Attorney Bruce Disend explained the purpose of this ordinance. It is hoped that the city will be able to acquire this property without going to court. Councilmember Whitten asked if the city has attempted to solve this issue in some other way. Mr. Disend said this condemnation will only take place as a last resort effort.

MOTION: Councilmember Whitten moved to approve the ordinance. Councilmember James seconded. Motion carried unanimously 6-0 (O2011-301)

New Business

Ordinance: First Reading Authorizing Approval Of Short Plat

Executive Session – Potential Litigation pursuant to RCW 42.30.110(1)(i)

Council retired to Executive Session at 7:50 pm and returned at 8:26 pm.

Mr. Disend gave the staff report. He explained that this ordinance will approve a short plat for the Olshausens. This plat has a long history of appeals and court actions. The case is currently in Federal Court alleging due process violations. This ordinance is being proposed to solve the issues between the Olshausens and the City. He also explained that the project is substantially the same as the original short plat application with the exception that the sidewalks and road improvements will not be required, thus reducing the impacts on adjoining lots. This is the first reading of the ordinance. No action is recommended.

Public Comment

Ilene Stahl, 21553 SE 28th Lane, She does not understand how the City Council can approve a short plat that has previously been denied. This plat has been altered considerably since it was first submitted without the landowner filing a new application. She feels this process has been very unethical.

Mike Tierney, Representing the City in Federal Court, He explained that this short plat will be approved with all the previous conditions with the exception of the sidewalk. So, the old application is complete.

Mr. Yazici said he would be happy to meet with Ms. Stahl and go over the file.

Contract: Recreation Center Design/Otak

Parks & Recreation Director Jessi Richardson gave the staff report. Deputy Mayor Odell feels the costs for the driveway design is too high. He also wants to know exactly how the traffic flow will be designed for 228th Avenue SE. Ms. Richardson said this contract is reasonably priced. The drainage design will be approximately 1/3 the cost of the contract. She will provide Deputy Mayor Odell the breakdown of the contract costs. Ms. Richardson explained that the Public Works Department is doing an operational

analysis of 228th Avenue at the intersection with Inglewood Hill Road. This new access route will be taken into account in the analysis. This contract does not address the 228th Avenue access. The new access will be right in, right out and left in.

MOTION: Councilmember Whitten moved to authorize the City Manager to enter in to an agreement with Otak to design the access route for the Recreation Center in an amount not to exceed \$27,900. Deputy Mayor Odell seconded. Motion carried unanimously 6-0.

Contract: Sammamish Landing/Reid Middleton

Ms. Richardson gave the staff report and gave a PowerPoint presentation (presentation available on the city's website at www.ci.sammamish.wa). She clarified that the Parks and Recreation Commission is supportive of these modest improvements to the park. Because of the importance and complexity of building two new docks, staff needs expertise from a consultant. She explained that if the costs are more than the budget, staff will come back to City Council to discuss options. She also explained that there is no close parking, but it is a very desirable beach and she feels people will make the effort to get to the park. Councilmember Curley expressed concerns over spending this much money for a park that might get very little use. Councilmember Whitten thinks this park will serve the purpose of opening up the property for public use.

MOTION: Councilmember James moved to authorize the City Manager to sign the contract with Reid Middleton for dock design and engineering support services for the Sammamish Landing Phase 1 Project in an amount not to exceed \$45,000. Deputy Mayor Odell seconded. Motion carried 4-2 with Deputy Mayor Odell and Councilmember Curley dissenting.

Megan Ghee, 22201 NE 21st Place, She does not feel the majority of the residents are supportive of this park. This park is supported by tax dollars. She is not convinced the park will be used. She doesn't feel we should be spending money on this park right now.

Ed Halburg, 19192 NE 43rd Court, He thinks this park will be used and he feels that this is a good use of funds.

Romero Valdarrama, (Spoke previously). He agreed with the comments of Ms. Ghee. He feels the majority of users will be from Redmond.

Council Reports

Councilmember James asked for Council opinion on whether HOT Lane tolls should be applied to two or three passenger cars. He asked Council to respond before the next Eastside Transportation Partnership meeting.

Mayor Gerend reported that cities can now use 35% of Real Estate Excise Taxes (REET) for operating expenses for the next five years.

City Manager Report No Report

Meeting adjourned at 9:50 pm.

Melonie Anderson, City Clerk

Donald J. Gerend, Mayor