



City Council, Regular Meeting

AGENDA

July 5, 2011

6:30 pm – 9:30 pm
Council Chambers

Call to Order

Roll Call/Pledge of Allegiance

Approval of Agenda

Public Comment

Note: *This is an opportunity for the public to address the Council. Three-minutes limit per person or 5 minutes if representing the official position of a recognized community organization.*

Consent Agenda

1. Approval: Claims for period ending July 5, 2011 in the amount of \$1,975,944.68 for Check No. 29507 through No. 29631
2. Contract: Stormwater Management Inglewood & Tamarack Area Preliminary Design/Windward Environmental
3. Approval: Minutes for the June 7, 2011 Regular Meeting
4. Approval: Notes for the June 14 Joint Study Session with the Parks & Recreation Commission
5. Approval: Minutes for the June 20, 2011 Regular Meeting

Public Hearing

6. Ordinance: First Reading Adopting Amendments To The Town Center Development Regulations Codified Into Chapter 25 Of Title 21B And Adopting Amendments To The Transfer Of Development Rights Regulations Codified Into Chapter 80 Of Title 21A Of The Sammamish Municipal Code

Unfinished Business - None

New Business

7. Bid Award: SE 32nd Street Traffic Mitigation Project/Westwater Construction

Council Reports

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.

City Manager Report

Executive Session – Personnel Pursuant to RCW 42.30.110(1)(g)

Adjournment

AGENDA CALENDAR

Jul. 2011			
Mon. 7/4	Closed	Holiday	Independence Day – City Offices Closed
Tues. 7/5	6:30 pm	Regular	Public Hearing: First Reading Density Transfer Authorization Bid Award: SE 32 nd Street Mitigation Project Contract: Consultant/Stormwater Management Inglewood & Tamarack Area Preliminary Design (consent)
Tues. 7/12	6:30 pm	Special Joint Meeting/Parks Commission	Community Center Bid Award: Police Parking Lot Project Bid Award: Room 202 Tenant Improvements School Zone Cameras/Discovery Elementary
Mon. 7/18	6:30 pm	Regular Meeting	Ordinance Second Reading Reading Shoreline Master Plan Second Reading Transfer of Development Rights Bid Award: Electric Vehicle Charging Stations (consent) Bid Award: 2011 CitywWide Patching Contract (consent) Bid Award: 2011 Citywide Crack Seal Contract (cosent) Contract: 244 th Non-Motorized Project (consent)
August 2011			
NO MEETINGS			
Sept. 2011			
Mon. 9/5		Holiday	Labor Day– City Offices Closed
Tues. 9/6	6:30 pm	Regular	
Tues. 9/13	6:30 pm	Study Session	Department Reports:/Admin/Police/Fire Discussion: 228 th Avenue Operational Analysis
Mon. 9/19	6:30 pm	Regular Meeting	Proclamation: Mayors Month of Concern
Oct. 2011			
Tues. 10/4	6:30 pm	Regular	
Tues. 10/11	6:30 pm	Study Session	Discussion: Stormwater Manual Update 2012 Department Reports: Finance/Information Information Technology/Parks/Public Works Emergency Plan
Mon. 10/17	6:30 pm	Regular Meeting	
Nov. 2011			
Tues. 11/1	6:30 pm	Regular	
Tues. 11/08	6:30 pm	Study Session	Department of Community Development
Mon. 11/21	6:30 pm	Regular Meeting	
Dec. 2011			
Tues. 12/6	6:30 pm	Regular	Resolution: Final Acceptance/2011 Pavement Overlay
Tues. 12/13	6:30 pm	Study Session	
Mon. 12/19	6:30 pm	Regular Meeting	
Jan. 2012			
Tues. 1/3	6:30 pm	Regular	
Tues. 1/10	6:30 pm	Study Session	
Mon. 1/16	6:30 pm	Regular Meeting	
Feb. 2012			

Tues. 2/7	6:30 pm	Regular	
Tues. 2/14	6:30 pm	Study Session	
Mon. 2/20	6:30 pm	Regular Meeting	
Mar. 2012			
Tues. 3/6	6:30 pm	Regular	
Tues. 3/13	6:30 pm	Study Session	
Mon. 3/19	6:30 pm	Regular Meeting	
Apr. 2012			
Tues. 4/3	6:30 pm	Regular	
Tues. 4/10	6:30 pm	Study Session	
Mon. 4/16	6:30 pm	Regular Meeting	
May 2012			
Tues. 5/1	6:30 pm	Regular	
Tues. 5/8	6:30 pm	Study Session	
Mon. 5/14	6:30 pm	Regular Meeting	
June 2012			
Tues. 6/5	6:30 pm	Regular	
Tues. 6/12	6:30 pm	Study Session	
Mon. 6/18	6:30 pm	Regular Meeting	

To Be Scheduled	To Be Scheduled	Parked Items
Ordinance: Second Reading Puget Sound Energy Franchise Franchise: Cable TV Bid Award: SE 32 nd Non-Motorized Project	Final Acceptance: 244 th Avenue Improvement Project Final Acceptance: SE 20 th Street Non-motorized Improvement Project Level of Service/Concurrency	Joint Meeting/LWSD

<< June

July 2011

August >>

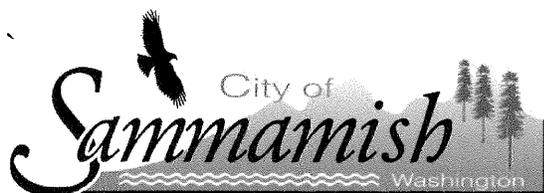
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1	2
3	4 6 p.m. Fourth on the Plateau Celebration City offices closed	5 6:30 p.m. City Council Meeting	6 4 p.m. Sammamish Farmers Market 6:30 p.m. Parks and Recreation Commission Meeting	7 6:30 p.m. Concert in the Park 6:30 p.m. Planning Commission Meeting Canceled	8	9
10	11 6:30 p.m. Community Center Feasibility Study Public Meeting	12 6:30 p.m. Joint Meeting with Parks & Recreation Commission	13 4 p.m. Sammamish Farmers Market	14 6:30 p.m. Concert in the Park	15	16 10 a.m. Sammamish Walks 7 p.m. Woodin O Shakespeare Play
17	18 5:30 p.m. Finance Committee Meeting 6:30 p.m. Arts Commission Meeting 6:30 p.m. City Council Meeting	19 12 p.m. Kids First Noontime Performance 5:30 p.m. City Council Council Office Hour	20 4 p.m. Sammamish Farmers Market	21 5:30 p.m. Concert in the Park 6:30 p.m. Community Garden Steering Committee Meeting 6:30 p.m. Planning Commission Meeting	22	23 7 p.m. Woodin O Shakespeare Play
24	25	26	27 4 p.m. Sammamish Farmers Market	28 6:30 p.m. Concert in the Park	29	30
31						

<< July

August 2011

September >>

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2 12 p.m. National Night Out & Kid's Performance 12 p.m. Sammamish Police NNO Kick-Off Event 7 p.m. 28th Annual National Night Out	3 4 p.m. Sammamish Farmers Market 6:30 p.m. Parks and Recreation Commission Meeting	4 6:30 p.m. Concert in the Park	5	6
7	8	9	10 4 p.m. Sammamish Farmers Market	11 6:30 p.m. Concert in the Park 6:30 p.m. Community Garden Steering Committee Meeting Canceled	12 6 p.m. Sammamish Nights	13 11 a.m. Sammamish Days
14	15 6:30 p.m. Arts Commission Meeting Canceled	16 12 p.m. Kids First Noontime Performance	17 4 p.m. Sammamish Farmers Market	18 6:30 p.m. Concert in the Park	19	20 10 a.m. Sammamish Walks
21	22	23	24 4 p.m. Sammamish Farmers Market	25 6:30 p.m. Concert in the Park	26	27
28	29 12 p.m. Kids First Noontime Performance	30	31 4 p.m. Sammamish Farmers Market			



MEMORANDUM

TO: Melonie Anderson/City Clerk
FROM: Marlene/Finance Department
DATE: June 30, 2011
RE: Claims for July 5, 2011

\$ 46,707.55
1,575.00
9,750.06
144,884.81
1,773,027.26

Top 5 Expense Items in Packet

King County Sheriff	\$1,660,968.75	Police Services Jan – May 2011
King County Finance	\$31,372.69	Road Maintenance Contract April/May 2011
WH Pacific	\$23,463.50	Development Review Engineering
City of Issaquah	\$22,005.00	Jail Services – May 2011
WH Pacific	\$16,943.26	Development Review Engineering

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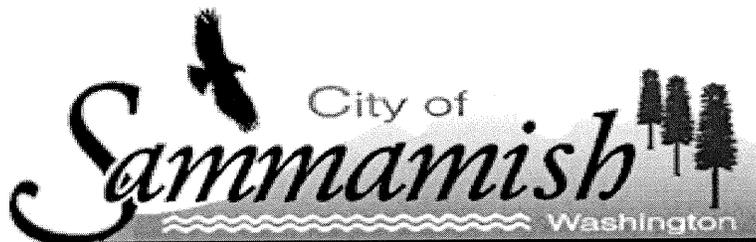
TOTAL: \$ 1,975,944.68
Check # 29507 through # 29631

46,707.55 +
 1,575.00 +
 9,750.06 +
 144,884.81 +
 1,773,027.26 +
 1,975,944.68 *

Accounts Payable

Check Register Totals Only

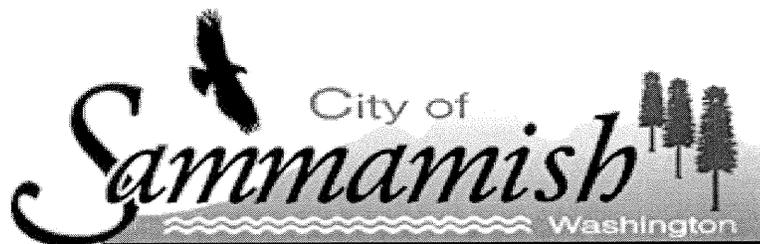
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Check	Date	Vendor No	Vendor Name	Amount	Voucher
29507	06/20/2011	ANI	ANI Administrators NW Inc	1,788.15	0
29508	06/20/2011	CHAP13	Chapter 13 Trustee	1,100.00	0
29509	06/20/2011	ICMA401	ICMA 401	35,087.71	0
29510	06/20/2011	ICMA457	ICMA457	8,731.69	0
				46,707.55	
Check Total:				46,707.55	

Accounts Payable

Computer Check Register



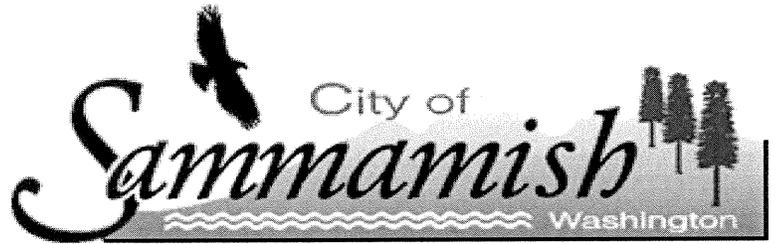
User: mdunham
 Printed: 06/20/2011 - 2:11PM
 Bank Account: APPR
 Batch: 007.06.2011

Check	Vendor No	Vendor Name	Date	Invoice No	Amount
29511	WAMS	Wa Arbitration & Mediation	6/21/2011	110616002	1,575.00
Check 29511 Total:					1,575.00
Report Total:					1,575.00

Accounts Payable

Check Register Totals Only

User: mdunham
Printed: 6/23/2011 - 3:30 PM



Check	Date	Vendor No	Vendor Name	Amount	Voucher
29512	06/23/2011	US BANK	U. S. Bank Corp Payment System	9,750.06	0
				<u>9,750.06</u>	
Check Total:				<u>9,750.06</u>	

Accounts Payable

Check Register Totals Only

User: mdunham
 Printed: 6/28/2011 - 4:07 PM



Check	Date	Vendor No	Vendor Name	Amount	Voucher
29513	07/05/2011	@Five	Tony Monte Calvo	700.00	0
29514	07/05/2011	ALLAROUN	All Around Fence Co	1,357.80	0
29515	07/05/2011	ANDERPAP	Anderson Paper & Pkg Company	159.25	0
29516	07/05/2011	AUDIOOAM	Eddie Bishop	876.00	0
29517	07/05/2011	BACKGROU	Background Source Intl	64.00	0
29518	07/05/2011	BAROVSKY	Leigh Barovsky	70.00	0
29519	07/05/2011	BCC	Bellevue College	10.00	0
29520	07/05/2011	BECK	R. W. Beck	350.06	0
29521	07/05/2011	BELLCITY	City Of Bellevue	11,547.00	0
29522	07/05/2011	BLAIRR	Richard Blair	175.07	0
29523	07/05/2011	CASTUS	CastUs Corp.	5,475.00	0
29524	07/05/2011	CHANEY	Rebecca Chaney	1,413.50	0
29525	07/05/2011	CNR	CNR Inc	459.90	0
29526	07/05/2011	CODEPUB	Code Publishing Inc	769.02	0
29527	07/05/2011	CREMETAN	Easy Tone LLC	1,000.00	0
29528	07/05/2011	DEGARABE	Mark DeGarabedian	110.00	0
29529	07/05/2011	EASTMOBI	Eastside Mobile Auto Glass Inc	43.80	0
29530	07/05/2011	EVANS	David Evans & Associates, Inc	2,272.67	0
29531	07/05/2011	GEREND	Donald Gerend	791.58	0
29532	07/05/2011	GLAZER	Wendy Glazer	70.00	0
29533	07/05/2011	IPS	Integrated Print Solutions, Inc	3,285.00	0
29534	07/05/2011	IRONMT	Iron Mountain	455.63	0
29535	07/05/2011	ISSAQI	Issaquah Press, Inc.	255.00	0
29536	07/05/2011	JAYAGARA	Glory Jayagaran	50.00	0
29537	07/05/2011	KINGFI	King County Finance A/R	31,372.69	0
29538	07/05/2011	KINGWAT	King County Finance Water & Land E	5,069.33	0
29539	07/05/2011	KNUDSON	Charlene Knudson	120.00	0
29540	07/05/2011	LIVESOUN	Live Sound & Recording Co, LLC	1,067.63	0
29541	07/05/2011	LIVESOUN	Live Sound & Recording Co, LLC	1,067.63	0
29542	07/05/2011	MARCHETT	Daniel Marchetti	250.00	0
29543	07/05/2011	MINUTE	Minuteman Press	658.75	0
29544	07/05/2011	MYSWEETL	Don Porterfield	320.00	0
29545	07/05/2011	PASCHAL	Paschal Carol	96.00	0
29546	07/05/2011	PSE	Puget Sound Energy	4,212.24	0
29547	07/05/2011	QBS	Quality Business Systems - Xerox	65.55	0
29548	07/05/2011	QWEST	QWEST	315.89	0
29549	07/05/2011	RACHELCA	Rachel Carson PTSA	500.00	0
29550	07/05/2011	REDMONDI	Redmond Inn	240.54	0
29551	07/05/2011	RH2	RH2 Engineering Inc	3,850.42	0
29552	07/05/2011	ROBINDAP	Daphne Robinson	51.21	0
29553	07/05/2011	SAM	Sammamish Plateau Water Sewer	206.70	0
29554	07/05/2011	SAMSYMPH	Sammamish Symphony Orchestra Ass	3,000.00	0
29555	07/05/2011	SEASHAKE	Seattle Shakespeare Company	1,700.00	0
29556	07/05/2011	SEATIM	Seattle Times	251.78	0
29557	07/05/2011	SKYLINE	Skyline High School	1,100.00	0
29558	07/05/2011	SKYLINEL	Skyline Lacrosse Club	1,140.00	0
29559	07/05/2011	SMS	SMS Cleaning, Inc	4,650.00	0
29560	07/05/2011	SNUG	Springbrook Natl User Group	175.00	0
29561	07/05/2011	SPRINT	Sprint	50.00	0
29562	07/05/2011	SUBURB	Suburban Cities Association	90.00	0

Check	Date	Vendor No	Vendor Name	Amount	Voucher
29563	07/05/2011	SWERVE	Swerve Fleet Training	500.00	0
29564	07/05/2011	TADPOLE	Shirley Doolittle-Egerdahl	215.17	0
29565	07/05/2011	TRAFFIC	Trafficount	10,990.00	0
29566	07/05/2011	WAAUDIT	Wa State Auditor's Office	15,688.50	0
29567	07/05/2011	WALLACEL	Lloyd Wallace	600.00	0
29568	07/05/2011	WERRE	Lisa Werre	46.00	0
29569	07/05/2011	WHPACIFI	WH Pacific, Inc.	23,463.50	0
				144,884.81	
Check Total:					

Accounts Payable

Check Register Totals Only

User: mdunham
 Printed: 6/29/2011 - 3:54 PM



Check	Date	Vendor No	Vendor Name	Amount	Voucher
29570	07/05/2011	ALLAROUN	All Around Fence Co	297.84	0
29571	07/05/2011	AT&TMOBI	AT&T Mobility	246.10	0
29572	07/05/2011	BELLCITY	City Of Bellevue	4,913.00	0
29573	07/05/2011	BRICKMAN	Brickman Group Ltd LLC	4,442.14	0
29574	07/05/2011	BUILDERS	Builders Exchange of WA	212.50	0
29575	07/05/2011	CADMAN	Cadman, Inc.	583.19	0
29576	07/05/2011	CALPORT	CalPortland Company	2,623.95	0
29577	07/05/2011	CERTLABS	Certified Laboratories	716.84	0
29578	07/05/2011	COMCAST2	COMCAST	99.95	0
29579	07/05/2011	DEERE	John Deere Landscapes	277.06	0
29580	07/05/2011	ECOTONE	Ecotone Commissioning Group LL	2,492.00	0
29581	07/05/2011	EWINGIRR	Ewing Irrigation	5,043.86	0
29582	07/05/2011	FERGUSON	Ferguson Enterprises, Inc	23.56	0
29583	07/05/2011	HAGEN	Jon-Eirik Hagen	228.40	0
29584	07/05/2011	HASTING	Don M. Hasting	190.36	0
29585	07/05/2011	HAWLEY	Catherine Hawley	87.50	0
29586	07/05/2011	HEBERT	Hebert Research, Inc.	2,126.00	0
29587	07/05/2011	HORIZON	Horizon	141.92	0
29588	07/05/2011	Husky	Husky International Trucks	52.32	0
29589	07/05/2011	INTHEZON	InThe Zone Promotions	383.25	0
29590	07/05/2011	ISSCITY	City Of Issaquah	22,005.00	0
29591	07/05/2011	ISSIGNS	Issaquah Signs	38.33	0
29592	07/05/2011	JACKS	Shull Gary	1,207.46	0
29593	07/05/2011	JOHNSONS	Steve Johnson	228.40	0
29594	07/05/2011	KCFLEET	King County Fleet Admin	93.59	0
29595	07/05/2011	KCRADIO	King Cty Radio Comm Svcs	377.97	0
29596	07/05/2011	KINGFI	King County Finance A/R	5,231.12	0
29597	07/05/2011	KINGSH	King County Sheriff's Office	1,660,968.75	0
29598	07/05/2011	KUKER	Kuker-Ranken, Inc	32.72	0
29599	07/05/2011	LAKESIDE	Lakeside Industries	225.57	0
29600	07/05/2011	MAILPO	Mail Post	1,707.68	0
29601	07/05/2011	MASTERCH	Master Chorus Eastside	500.00	0
29602	07/05/2011	MILLERPA	Pam Miller	500.00	0
29603	07/05/2011	MINER	Michael Miner	228.40	0
29604	07/05/2011	MINUTE	Minuteman Press	122.64	0
29605	07/05/2011	NEXTEL	Nextel Communications	2,254.13	0
29606	07/05/2011	NWCASC	Northwest Cascade, Inc.	1,739.35	0
29607	07/05/2011	ORENDORF	Mark William Orendorff	190.36	0
29608	07/05/2011	OSS	On Site Security Services LLC	744.60	0
29609	07/05/2011	PACPLANT	Pacific Plants	122.20	0
29610	07/05/2011	PARTWORK	The Part Works, Inc	82.13	0
29611	07/05/2011	PHOTOU	Photo U	500.00	0
29612	07/05/2011	QBS	Quality Business Systems - Xerox	5,252.31	0
29613	07/05/2011	RED-E	Red-E Topsoil	1,303.05	0
29614	07/05/2011	REIDMID	Reid Middleton, Inc	2,460.00	0
29615	07/05/2011	ROBINAND	Andrew Boyd Robinson	228.40	0
29616	07/05/2011	SAM	Sammamish Plateau Water Sewer	43.27	0
29617	07/05/2011	SAMSYMPH	Sammamish Symphony Orchestra Ass	3,000.00	0
29618	07/05/2011	SEATIM	Seattle Times	452.65	0
29619	07/05/2011	SEATIM	Seattle Times	63.05	0

Check	Date	Vendor No	Vendor Name	Amount	Voucher
29620	07/05/2011	SEQUOYAH	Sequoyah Electric, LLC	203.81	0
29621	07/05/2011	SERVICE	Service Paper Co	294.87	0
29622	07/05/2011	SMITHSUZ	Suzanne Smith	675.00	0
29623	07/05/2011	SMS	SMS Cleaning, Inc	3,978.75	0
29624	07/05/2011	STEELE	Abigal Steele	228.40	0
29625	07/05/2011	TDS	Tire Distribution Systems, Inc.	244.19	0
29626	07/05/2011	TLC	Total Landscape Corp	10,225.58	0
29627	07/05/2011	UNITRENT	United Rentals NW, Inc	2,279.14	0
29628	07/05/2011	WATERSH	The Watershed Company	251.52	0
29629	07/05/2011	WATSONSE	Watson Security	187.77	0
29630	07/05/2011	WED	Western Equipment Distributors	430.66	0
29631	07/05/2011	WHPACIFI	WH Pacific, Inc.	16,943.26	0

Check Total: 1,773,027.82



City Council Agenda Bill

Meeting Date: July 5, 2011

Date Submitted: June 29, 2011

Originating Department: Public Works

Clearances:

<input checked="" type="checkbox"/> City Manager	<input type="checkbox"/> Community Development	<input type="checkbox"/> Parks & Recreation
<input checked="" type="checkbox"/> Attorney	<input type="checkbox"/> Finance & IT	<input type="checkbox"/> Police
<input type="checkbox"/> Admin Services	<input type="checkbox"/> Fire	<input checked="" type="checkbox"/> Public Works

Subject: Tamarack and Inglewood Neighborhood Drainage Pre-Design

Action Required: Authorize the City Manager to execute a contract with Windward Environmental LLC to provide professional engineering services in an amount not to exceed \$89,855.

Exhibits: 1. Agreement for Services

Budget: \$ 95,000 in the adopted 2011 Stormwater Capital Improvement Fund.

Summary Statement:

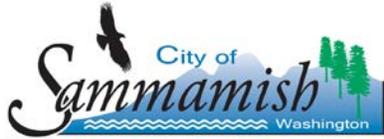
The Public Works Department is using the professional stormwater engineering services of Windward Environmental to prepare the preliminary stormwater design for the Inglewood and Tamarack neighborhoods. Windward staff will analyze existing problem areas and future stormwater demands for both neighborhoods and develop design alternatives. The results of this study will be used to assist in programming future stormwater capital improvements.

Background:

The Tamarack and Inglewood neighborhoods are two of the oldest plats within the City of Sammamish. The platting process occurred before a lot of thought was given to stormwater runoff and its effects. The small and affordable lots within the Inglewood plat are experiencing a lot of development pressure, and without a central drainage system the area is prone to erosion. The Tamarack neighborhood is a private development that has seen minor flooding and erosion associated with its drainage system, or lack thereof.

Large portions of both neighborhoods are affected by current regulations that don't allow for projects over 2,000 square feet to discharge stormwater in anything but a tightline pipe system. The regulations make some lots affectively undevelopable, due to the absence of a tightline, and another result is the high number of projects that are coming in under 2,000 sq. ft. While the smaller footprints have less of a stormwater impact, there is concern about the cumulative effects of the high number of these projects that are being proposed.

The Council has heard a lot from the citizens on the problems in both of these neighborhoods. As a result, the Council allocated funding in the 2011 budget to look at the stormwater challenges in more detail.



City Council Agenda Bill

Windward Environmental will perform hydrologic and hydraulic analyses and develop alternatives for both neighborhoods. Staff and the consultant will work together to develop a preferred alternative and cost estimate for each neighborhood. The goal is to use the alternative analysis and estimate to inform future stormwater capital expenditures for these areas.

Financial Impact:

The cost to perform this stormwater analysis work is included in the 2011 adopted budget and is a planned expense.

Recommended Motion:

Authorize the City Manager to execute a contract with Windward Environmental LLC for an amount not to exceed \$89,855 for professional stormwater engineering services.

**CITY OF SAMMAMISH
AGREEMENT FOR SERVICES**

Consultant: Windward Environmental LLC

This Agreement is entered into by and between the City of Sammamish, Washington, a municipal corporation, hereinafter referred to as the "City," and Windward Environmental, herein after referred to as the "Consultant."

WHEREAS, the City desires to have certain services performed for its citizens; and

WHEREAS, the City has selected the Consultant to perform such services pursuant to certain terms and conditions;

NOW, THEREFORE, in consideration of the mutual benefits and conditions set forth below, the parties hereto agree as follows:

1. **Scope of Services to be Performed by Consultant.** The Consultant shall perform those services described in Exhibit "A" of this agreement. In performing such services, the Consultant shall comply with all federal, state, and local laws and regulations applicable to the performance of such services. The Consultant shall perform services diligently and completely and in accordance with professional standards of conduct and performance.

2. **Compensation and Method of Payment.** The Consultant shall submit invoices for work performed using the form set forth in Exhibit "B".

The City shall pay Consultant:

[Check applicable method of payment]

According to the rates set forth in Exhibit "D"

A sum not to exceed \$89,855

Other (describe): _____

The Consultant shall complete and return to the City Exhibit "C," Taxpayer Identification Number, prior to or along with the first invoice submittal. The City shall pay the Consultant for services rendered within ten days after City Council approval.

3. **Duration of Agreement.** This Agreement shall be in full force and effect for a period commencing upon execution and ending December 31, 2011, unless sooner terminated under the provisions of the Agreement. Time is of the essence of this Agreement in each and all of its provisions in which performance is required.

4. **Ownership and Use of Documents.** Any records, files, documents, drawings, specifications, data or information, regardless of form or format, and all other materials produced by the Consultant in connection with the services provided to the City, shall be the property of the City whether the project for which they were created is executed or not.

5. **Independent Contractor.** The Consultant and the City agree that the Consultant is an independent contractor with respect to the services provided pursuant to this Agreement. The Consultant will solely be responsible for its acts and for the acts of its agents, employees, subconsultants, or representatives during the performance of this Agreement. Nothing in this Agreement shall be considered to create the relationship of employer and employee between the parties hereto.

6. **Indemnification.** The Consultant and the City mutually agree, to the fullest extent permitted by law, to indemnify and hold each other harmless from any and all damage, liability or cost, including reasonable attorneys' fees and costs of defense, arising from their own negligent acts, errors or omissions in the performance of their services under this Agreement, to the extent that each party is responsible for such damages, liabilities and costs on a comparative basis of fault.

Exhibit 1

7. Insurance.

A. The Consultant shall procure and maintain for the duration of the Agreement, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work hereunder by the Consultant, its agents, representatives, or employees.

Minimum Scope of Insurance

Consultant shall obtain insurance of the types described below:

1. Automobile Liability insurance covering all owned, non-owned, hired and leased vehicles. Coverage shall be written on Insurance Services Office (ISO) form CA 00 01 or a substitute form providing equivalent liability coverage. If necessary, the policy shall be endorsed to provide contractual liability coverage.
2. Commercial General Liability insurance shall be written on ISO occurrence form CG 00 01 and shall cover liability arising from premises, operations, independent contractors and personal injury and advertising injury. The City shall be named as an additional insured under the Contractor's Commercial General Liability insurance policy with respect to the work performed for the City.
3. Workers' Compensation coverage as required by the Industrial Insurance laws of the State of Washington.
4. Professional Liability insurance appropriate to the Consultant's profession.

Minimum Amounts of Insurance

Consultant shall maintain the following insurance limits:

1. Automobile Liability insurance with a minimum combined single limit for bodily injury and property damage of \$1,000,000 per accident.
2. Commercial General Liability insurance shall be written with limits no less than \$1,000,000 each occurrence, \$2,000,000 general aggregate.
3. Professional Liability insurance shall be written with limits no less than \$1,000,000 per claim and \$1,000,000 policy aggregate limit.

Other Insurance Provisions

The insurance policies are to contain, or be endorsed to contain, the following provisions for Automobile Liability, Professional Liability and Commercial General Liability insurance:

1. The Consultant's insurance shall not be cancelled by either party except after thirty (30) days prior written notice has been given to the City.

Verification of Coverage

Consultant shall furnish the City with original certificates and a copy of the amendatory endorsements, including but not necessarily limited to the additional insured endorsement, evidencing the insurance requirements of the Consultant before commencement of the work.

8. Record Keeping and Reporting.

A. The Consultant shall maintain accounts and records, including personnel, property, financial, and programmatic records, which sufficiently and properly reflect all direct and indirect costs of any nature expended

Exhibit 1

and services performed pursuant to this Agreement. The Consultant shall also maintain such other records as may be deemed necessary by the City to ensure proper accounting of all funds contributed by the City to the performance of this Agreement.

B. The foregoing records shall be maintained for a period of seven years after termination of this Agreement unless permission to destroy them is granted by the Office of the Archivist in accordance with RCW Chapter 40.14 and by the City.

9. **Audits and Inspections.** The records and documents with respect to all matters covered by this Agreement shall be subject at all times to inspection, review, or audit by the City during the performance of this Agreement.

10. **Termination.**

A. This City reserves the right to terminate or suspend this Agreement at any time, with or without cause, upon seven days prior written notice. In the event of termination or suspension, all finished or unfinished documents, data, studies, worksheets, models, reports or other materials prepared by the Consultant pursuant to this Agreement shall promptly be submitted to the City

B. In the event this Agreement is terminated or suspended, the Consultant shall be entitled to payment for all services performed and reimbursable expenses incurred to the date of termination.

C. This Agreement may be cancelled immediately if the Consultant's insurance coverage is canceled for any reason, or if the Consultant is unable to perform the services called for by this Agreement.

D. The Consultant reserves the right to terminate this Agreement with not less than fourteen days written notice, or in the event that outstanding invoices are not paid within sixty days.

E. This provision shall not prevent the City from seeking any legal remedies it may otherwise have for the violation or nonperformance of any provisions of this Agreement.

11. **Discrimination Prohibited.** The Consultant shall not discriminate against any employee, applicant for employment, or any person seeking the services of the Consultant under this Agreement, on the basis of race, color, religion, creed, sex, age, national origin, marital status, or presence of any sensory, mental, or physical handicap.

12. **Assignment and Subcontract.** The Consultant shall not assign or subcontract any portion of the services contemplated by this Agreement without the prior written consent of the City.

13. **Conflict of Interest.** The City insists on the highest level of professional ethics from its consultants. Consultant warrants that it has performed a due diligence conflicts check, and that there are no professional conflicts with the City. Consultant warrants that none of its officers, agents or employees is now working on a project for any entity engaged in litigation with the City. Consultant will not disclose any information obtained through the course of their work for the City to any third party, without written consent of the "City". It is the Consultant's duty and obligation to constantly update its due diligence with respect to conflicts, and not the City's obligation to inquire as to potential conflicts. This provision shall survive termination of this Agreement.

14. **Confidentiality.** All information regarding the City obtained by the Consultant in performance of this Agreement shall be considered confidential. Breach of confidentiality by the Consultant shall be grounds for immediate termination.

15. **Non-appropriation of funds.** If sufficient funds are not appropriated or allocated for payment under this Agreement for any future fiscal period, the City will so notify the Consultant and shall not be obligated to make payments for services or amounts incurred after the end of the current fiscal period. This Agreement will terminate upon the completion of all remaining services for which funds are allocated. No penalty or expense shall accrue to the City in the event that the terms of the provision are effectuated.

16. **Entire Agreement.** This Agreement contains the entire agreement between the parties, and no other agreements, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or bind either

Exhibit 1

of the parties. Either party may request changes to the Agreement. Changes which are mutually agreed upon shall be incorporated by written amendments to this Agreement.

17. **Notices.** Notices to the City of Sammamish shall be sent to the following address:

City of Sammamish
801 228th Avenue SE
Sammamish, WA 98075
Phone number: (425) 295-0500

Notices to the Consultant shall be sent to the following address:

Company Name Windward Environmental LLC
Contact Name John Toll, Partner
Street Address 200 West Mercer Street, Suite 401
City, State Zip Seattle, WA 98119
Phone Number 206-378-1364
Email john.t@windwardenv.com

18. **Applicable Law; Venue; Attorneys' Fees.** This Agreement shall be governed by and construed in accordance with the laws of the State of Washington. In the event any suit, arbitration, or other proceeding is instituted to enforce any term of this Agreement, the parties specifically understand and agree that venue shall be exclusively in King County, Washington. The prevailing party in any such action shall be entitled to its attorneys' fees and costs of suit, which shall be fixed by the judge hearing the case and such fee, shall be included in the judgment.

19. **Severability.** Any provision or part of this Agreement held to be void or unenforceable under any law or regulation shall be deemed stricken and all remaining provisions shall continue to be valid and binding upon the City and the Consultant, who agree that the Agreement shall be reformed to replace such stricken provision or part with a valid and enforceable provision that comes as close as reasonably possible to expressing the intent of the stricken provision.

CITY OF SAMMAMISH, WASHINGTON

CONSULTANT

By: _____

By:  _____

Title: City Manager

Title: Partner

Date: _____

Date: June 29, 2011

Attest/Authenticated:

Approved As To Form:

City Clerk

City Attorney

EXHIBIT A- SCOPE OF SERVICES

To: Eric LaFrance, PE, City of Sammamish
From: Erin Nelson, PE, Windward Environmental
Subject: Scope of Work- Neighborhood Stormwater Improvement Projects
Date: June 26, 2011

Project Understanding

The Inglewood and Tamarack neighborhood drainage projects are high priority for the City of Sammamish because of the number of complaints received in these two neighborhoods for on-going erosion and local flooding issues (Tamarack) and the inability of current stormwater infrastructure to support new development in currently undeveloped parcels (Inglewood). Several preliminary alternatives have been developed for these two projects, based on qualitative field assessment, hydrologic modeling, and general permitting criteria. This scope of work is to develop preliminary design plans, and cost estimates that could be used for permit applications, and funding analysis and alternatives, building on information from the initial assessment. The tasks, and associated assumptions, deliverables, budget and schedule are described below.

Task 1- Project Management

Project management will include communications with the City of Sammamish project manager and the Windward team; scheduling and oversight of the various project activities; and budget tracking and oversight, including preparation of monthly invoices and progress reports.

Assumptions:

The following assumptions are associated with this task.

- The project will be 5 months in duration, from July 2011 through November 2011.
- A project kick-off meeting will be held with up to 4 key team members and City staff. The meeting will last no more than 2 hours.

Deliverables:

- Five monthly progress reports and project invoices

Task 2- Finalize Design Concepts and Features

This task involves finalizing design assumptions and choosing a preferred alternative for each neighborhood drainage project.

Assumptions:

The following assumptions are associated with this task.

Exhibit 1

- A design review meeting will be held with key team members and City staff to discuss existing project alternatives and criteria for selecting a preferred alternative. The meeting will last no more than 2 hours, and will be conducted concurrent with the kick-off meeting.
- Alternatives Analysis will be performed to determine the preferred alternative at each site. Up to six total alternatives will be analyzed (two assumed for the Inglewood project, and four for the Tamarack project). Results will be summarized in a matrix and included in the technical memorandum.
- A brief technical memorandum (up to 6 pages in length) outlining design assumptions for each neighborhood stormwater improvement project will be prepared. The memorandum will include conceptual level figures of the preferred drainage alternatives and routing.

Deliverable:

- Draft and final technical memorandum describing design assumptions, alternatives analysis, and preferred alternative for each neighborhood drainage project. The memorandum will not exceed 6 pages and will be submitted in electronic format.

Task 3- Preliminary Design Package Inglewood Neighborhood

This task involves preparation of preliminary design plans and preliminary cost estimate for the Inglewood neighborhood stormwater improvement project. Existing drainage infrastructure consists of ditches, partial pipe conveyance along Inglewood Hill Road, and discharge into a small stream south of Inglewood Hill Road. The existing infrastructure is not adequate to manage stormwater flows from new development in this area. The initial assessment of alternatives to address this issue determined that a piped conveyance system from the neighborhood to Inglewood Hill Road would be a probable solution, however, modifications to the Inglewood Hill Road infrastructure would be necessary to manage additional flows and prevent downstream erosion or flooding issues.

Assumptions:

The following assumptions are included in this task.

- Existing hydrologic and hydraulic analysis will be updated to include design assumptions for the preferred alternative.
- A Rational Method and Backwater Analysis will be used to size conveyance pipe for the 25-year event.
- A draft hydraulic report will be prepared as part of the preliminary design submittal.
- The Preliminary Design Plans will be in AutoCAD format and include eight half size (11" x 17") sheets as follows:
 - Cover Sheet
 - Project Title
 - Vicinity Map
 - Sheet List
 1. Datum
 2. Plan and Profile
 3. Plan and Profile
 4. Plan and Profile
 5. Plan and Profile

Exhibit 1

6. Plan and Profile
7. Plan and Profile
8. Details

- Plan and Profile sheets will include type, size and location of all proposed pipes and structures.
- Details will include nonstandard storm features such as outfall, anchors, and flowsplitters.
- Preliminary design will include an estimate of water quality facility sizing and cost.
- Up to \$5,000 for topographic and boundary survey is included in this task to augment existing survey and pick up additional elevations, right-of-way, utilities, pavement, structures, and parcels at key locations along the stormwater pipe route.
- The Preliminary Design Cost Estimate will include unit prices for key design elements such as pipe and drainage structures and lump sum estimates for contingency, permitting and final design.

Deliverables:

- Draft Hydraulic Report including a table identifying required permits
- Preliminary Design Plan Set (11"x17")
- Preliminary Cost Estimate

Task 4- Preliminary Design Package Tamarack Neighborhood

Individual homeowners in the Tamarack neighborhood have been experiencing localized flooding due to overtopping ditches and erosion on their properties resulting from surface water flows through their private neighborhood drainage system that consists mostly of open, rock-lined ditches. Several alternatives were developed to improve drainage in this neighborhood including:

Option A- Install piped conveyance system that conveys drainage away from problem areas to George Davis Creek (out of the basin, but located adjacent to problem area)

Option B- Install piped conveyance system through problem area to existing City system north of the neighborhood

Option C- Install piped conveyance system through problem area and natural drainage location

Assumptions:

The following assumptions are included in this task.

- Existing hydrologic and hydraulic analysis will be updated to include design assumptions for the preferred alternative.
- A Rational Method and Backwater Analysis will be used to size conveyance pipe for the 25-year event. A draft hydraulic report will be prepared as part of the preliminary design submittal.
- The Preliminary Design Plans will be in AutoCAD format and include six half size (11 x 17) sheets as follows:
 - Cover Sheet
 - Project Title
 - Vicinity Map
 - Sheet List
 1. Datum

Exhibit 1

2. Plan and Profile
3. Plan and Profile
4. Plan and Profile
5. Plan and Profile
6. Details

- Plan and Profile sheets will include type, size and location of all proposed pipes and structures
- Details will include nonstandard storm features such as outfall, anchors, and flowsplitters
- Up to \$5,000 for topographic and boundary survey is included in this task to augment existing survey and pick up additional elevations, right-of-way, utilities, pavement, structures, and parcels at key locations along the stormwater pipe route.
- Preliminary design will include an estimate of water quality facility sizing and cost.
- The Preliminary Design Cost Estimate will include unit prices for key design elements such as pipe and drainage structures and lump sum estimates for contingency, permitting and final design.

Deliverables:

- Draft Hydraulic Report including a table identifying required permits
- Preliminary Design Plan Set (11"x17")
- Cost Estimate

Task 5- Management Reserve

This task is a contingency for additional funds (up to \$5,000) if needed. This task will only be used upon written authorization by the City's project manager.

Schedule and Budget

The diagram below outlines the proposed project schedule and budget.

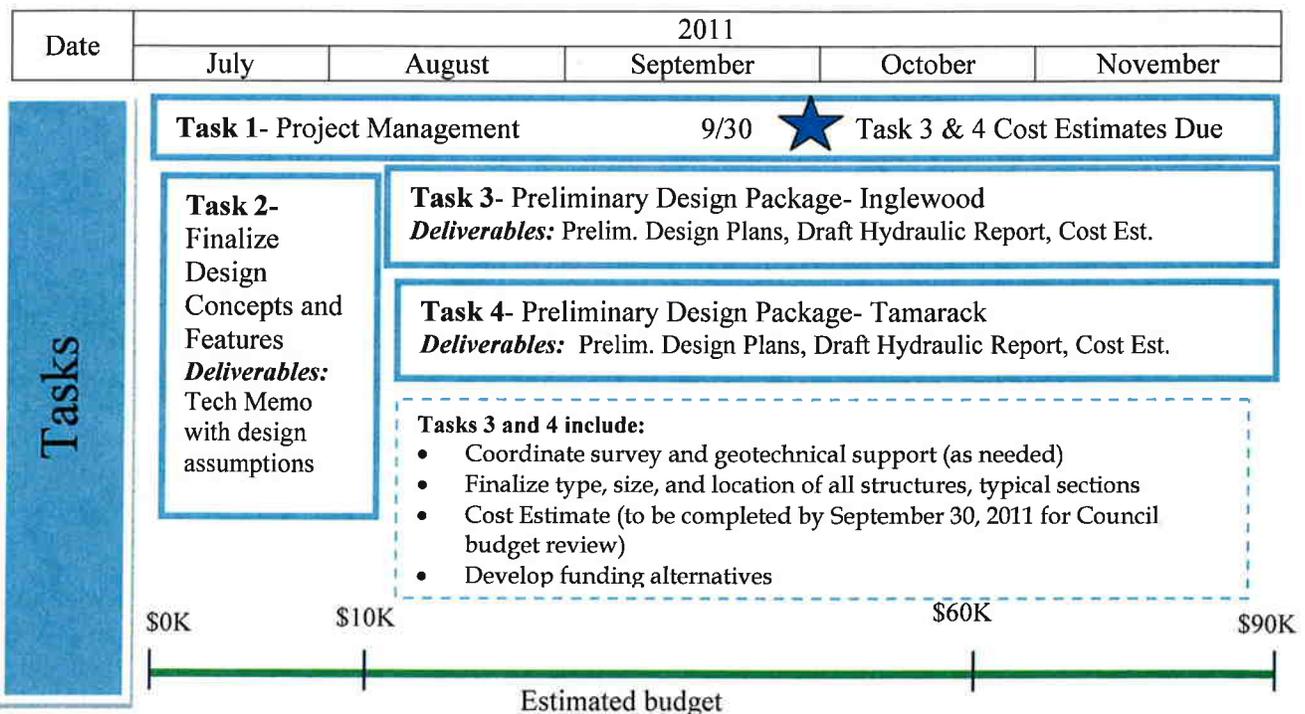


EXHIBIT B



REQUEST FOR CONSULTANT PAYMENT

To: City of Sammamish
 801 228th Avenue SE
 Sammamish, WA 98075
 Phone: (425) 295-0500
 FAX: (425) 295-0600

Invoice Number: _____ Date of Invoice: _____

Consultant: _____

Mailing Address: _____

Telephone: _____

Email Address: _____

Contract Period: _____ Reporting Period: _____

Amount requested this invoice: \$ _____

Specific Program: _____

 Authorized signature

ATTACH ITEMIZED DESCRIPTION OF SERVICES PROVIDED

For Department Use Only

Total contract amount	
Previous payments	
Current request	
Balance remaining	

Authorization to Consultant: \$
Account Number:
Date:

Approved for Payment by: _____ Date: _____

Finance Dept.

Check # _____ Check Date: _____

EXHIBIT C



TAX IDENTIFICATION NUMBER

In order for you to receive payment from the City of Sammamish, the must have either a Tax Identification Number or a Social Security Number. The Internal Revenue Service Code requires a Form 1099 for payments to every person or organization other than a corporation for services performed in the course of trade or business. Further, the law requires the City to withhold 20% on reportable amounts paid to unincorporated persons who have not supplied us with their correct Tax Identification Number or Social Security Number.

Please complete the following information request form and return it to the City of Sammamish prior to or along with the submittal of the first billing invoice.

Please check the appropriate category:

Corporation Partnership Government Consultant
 Individual/Proprietor Other (explain)

TIN No.: 91-2006378

Social Security No.: _____

Print Name: John Toll

Title: Partner

Business Name: Windward Environmental LLC

Business Address: 200 West Mercer Street, Suite 401, Seattle, WA 98119

Business Phone: 206-378-1364

June 28, 2011
Date



Authorized Signature (Required)

City of Sammamish
EXHIBIT D

Neighborhood Stormwater Improvement Projects

Staff	Rate	Task 1 Project Management		Task 2 Finalize Design Concepts and Features		Task 3 Preliminary Design Package Inglewood		Task 4 Preliminary Design Package Tamarrack		Task 5 Contingency		Total	
		Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost
Cognato, Linda	\$ 110.00		\$ -	4	\$ 440		\$ -		\$ -		\$ -	4	\$ 440
Hanson, Craig	\$ 105.00		\$ -	14	\$ 1,470	8	\$ 840	8	\$ 840		\$ -	30	\$ 3,150
Nelson, Erin	\$ 152.00	34	\$ 5,168	20	\$ 3,040	15	\$ 2,280	10	\$ 1,520		\$ -	79	\$ 12,008
Wiggins, Chad	\$ 95.00	4	\$ 380	84	\$ 7,980	90	\$ 8,550	92	\$ 8,740		\$ -	270	\$ 25,650
Total Labor			\$ 5,548		\$ 12,930		\$ 11,670		\$ 11,100		\$ 5,000	0	\$ 46,248
Subconsultants			\$ -		\$ -		\$ -		\$ -		\$ -	0	\$ -
Osborn Consulting Inc.			\$ 2,873	0	\$ 8,071		\$ 12,220		\$ 9,654		\$ -	0	\$ 32,818
Laura Ruppert	\$ 136.80	8	\$ 1,094	49	\$ 6,703	52	\$ 7,114	42	\$ 5,746		\$ -	99	\$ 20,657
Tarelle Osborn	\$ 136.80	13	\$ 1,778	10	\$ 1,368	6	\$ 821	5	\$ 684		\$ -	28	\$ 4,651
Project Engineer	\$ 106.56	0	\$ -	0	\$ -	0	\$ -	0	\$ -		\$ -	0	\$ -
CAD/GIS Tech	\$ 89.28	0	\$ -	0	\$ -	48	\$ 4,285	36	\$ 3,214		\$ -	36	\$ 7,500
Maps (per page)			\$ -		\$ -		\$ -		\$ -		\$ -	0	\$ -
Field gear			\$ -		\$ -		\$ -		\$ -		\$ -	0	\$ -
Mileage (per mile)	\$ 0.50	30	\$ 15	60	\$ 30	20	\$ 10	20	\$ 10		\$ -	110	\$ 65
Surveying (sub to be determined)			\$ -		\$ -		\$ 5,000		\$ 5,000		\$ -	0	\$ 43,532
Total Subs (with markup)	0%		\$ 2,877		\$ 8,083		\$ 17,478		\$ 15,093		\$ -	0	\$ 43,532
Other Direct Costs- Windward			\$ -		\$ -		\$ -		\$ -		\$ -	0	\$ -
Maps (per page)	\$ 0.50		\$ -		\$ -		\$ -		\$ -		\$ -	0	\$ -
Photocopies (per page)	\$ 0.15		\$ -		\$ -		\$ -		\$ -		\$ -	0	\$ -
Mileage	\$ 0.50	30	\$ 15	60	\$ 30	30	\$ 15	30	\$ 15		\$ -	150	\$ 75
Total ODCs (with markup)	0%		\$ 15		\$ 30		\$ 15		\$ 15		\$ -	0	\$ 75
Total Costs			\$ 8,440		\$ 21,043		\$ 29,163		\$ 26,208		\$ 5,000	0	\$ 89,855



COUNCIL *Sammamish* **MINUTES**
City of Sammamish Washington

Regular Meeting

June 7, 2011

Mayor Don Gerend called the regular meeting of the Sammamish City Council to order at 5:30 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, Public Works Director Laura Philpot, City Engineer Jeff Brauns, Assistant City Manager/Community Development Director Kamuron Gurol, Senior Planner Evan Maxim, Senior Planner Emily Arteché, Parks & Recreation Director Jessi Richardson, City Attorney Bruce Disend, and City Clerk Melonie Anderson.

Roll Call/Pledge of Allegiance

Roll was called. Councilmember James led the pledge.

Approval of Agenda

MOTION: Councilmember James moved to amend the agenda by removing Item #4 – Bid Award 2011 Pavement Program – Overlay/Lakeside Industries and Item #7 Purchase of Economic Development Self-Assessment Tool Software. These two items will be discussed after the consent agenda. Councilmember Petitti seconded. Motion carried unanimously 4-0.

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

Council retired to Executive Session at 5:45 pm and returned at 6:35 pm. Action will be taken later in the meeting, based on the Executive Session.

Presentations/Proclamations

- Presentation: Special Recognition for Stan and Ellie Bump
- Presentation: SAGE (*Special Approach to Gifted Education*) Polyhedraville Project
- Update: Shoreline Master Plan

Council recessed for 10 minutes

Public Comment

George Shriver, 22916 NE 15th, He is unhappy about unleashed dogs in the city parks. He has had several accidents on his bike due to unleashed dogs. He sees many unleashed dogs both in the parks and around the city. He asked that leash laws should be enforced.

George Toskey 2430 238th Place, He feels it is necessary to have a meeting between the Department of Ecology and the members of the Sammamish Homeowners Group to explain how the city's Shoreline Master Plan meets the needs of the residents.

Laurie McIntosh, 20921 SE 14th Place, She said that they recently went through the short plat process and were held to strict requirements. She feels Council approval of the Olshausen Short Plat will constitute favoritism.

Consent Calendar

- Payroll for period ending May 15, 2011 for pay date May 20, 2011 in the amount of \$257,764.80
- Payroll for period ending May 31, 2011 for pay date June 3, 2011 in the amount of \$242,358.07

Approval: Claims for period ending June 7, 2011 in the amount of \$625,173.70 for Check No. 29281 through No. 29379

Resolution: Appointing Members To The Sammamish Youth Board (R2011-456)

Resolution: Accepting the NE 14th Drive Project as Complete (R2011-457)

Contract: On-Call Geotechnical Services/HWA

Contract: 228th Avenue Operational Analysis/David Evans and Associates

Approval: Temporary Park Planning Technician Position

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

Bid Award: 2011 Pavement Program – Overlays/Lakeside Industries

Public Works Director Laura Philpot gave the staff report and PowerPoint *Presentation (presentation is available on the city's website at www.ci.sammamish.wa.us)*. She explained that, due to the low bid, the city will be able to overlay more streets than originally thought. She asked for direction from Council on which streets they would like to include in the overlay project list.

MOTION: Councilmember Cross Move to authorize the City Manager to award and execute a contract for the 2011 Pavement Program – Overlays with the lowest responsible bidder for the amount of the contractor's bid price, to administer a 10% contingency, and to authorize an allowance of up to 15% for additional streets as allowed for in the contract bid documents Councilmember Whitten seconded. Motion carried unanimously 7-0.

Council reached consensus that the remaining \$400,000 in the Pavement Program will be added to next year's budget.

Purchase: Economic Development Self-Assessment Tool Software (EDSAT)

Deputy City Manager Lyman Howard gave the staff report. He explained that this software will be useful in developing an economic plan for the Town Center. In addition to the software purchase, there will be a consultation with the developer.

Deputy Mayor Odell and Councilmembers Curley and James will comprise the Economic Development Committee with Mayor Gerend and Councilmember Witten as alternates.

Councilmember James would like the purchase of this software be the first order of business for the Economic Development Committee before the decision is made to purchase this software.

MOTION: Councilmember Petitti moved to authorize the City Manager to sign a purchase agreement for EDSAT software. Councilmember Cross seconded. Motion carried unanimously 7-0

Public Hearings

Ordinance: First Reading Granting Discretionary Authority To The City's Director Of Community Development To Extend Reasonable Use Exceptions (RUE) And Commercial Site Development Permits (CSDP) That Expired Due To The Recent Economic Recession

Mr. Gurol gave the staff report and showed a PowerPoint presentation (*presentation available on the City's website at www.ci.sammamish.wa.us*). This is the Public Hearing and first reading of the ordinance. Staff is asking Council to take public comment. He said this ordinance is being put into place in recognition of the depressed economic times. In response to Councilmember Whitten's question about whether this ordinance is too subjective, he explained that he will still have criteria to consider before extending these types of permits. Mr. Gurol said there is only 1 CSDP which would be applicable to this extension. Senior Planner Evan Maxim said there were less than 30 applicable RUE's.

Public Hearing opened at 8:30 pm and was continued to June 20, 2011 at 8:31 pm with no public comment.

Council recessed for 5 minutes.

Ordinance: Second Reading Adopting Provisions To Authorize Fundraising Signs And Establishing Development Standards Codified Into Chapter 45 Of Title 21A Of The Sammamish Municipal Code (O2011-305)

Mr. Gurol gave the staff report and a PowerPoint presentation (*presentation available on the City's website at www.ci.sammamish.wa.us*). Council will need to open the public hearing, take any additional testimony and then take action on the ordinance. He explained that most of the surrounding cities do not regulate or allow these types of signs. City Attorney Bruce Disend explained the difference between a non-profit and a not-for-profit organization. Mr. Maxim explained that a permit will be required for these signs; they will be valid for six months and can be renewed for additional six-month period.

Public Hearing opened at 8:52 pm and closed at 8:53 pm with no public comment.

MOTION: Councilmember Whitten moved to amend the ordinance, by deleting the references to Not-For-Profit organizations. Councilmember Curley seconded. Motion passed 4-3 with Deputy Mayor Odell and Councilmembers James and Whitten dissenting.

AMENDMENT: Councilmember Whitten moved to amend the ordinance by adding a two year sunset clause. Deputy Mayor Odell seconded. Motion failed 3-4 with Mayor Gerend, and Councilmember Petitti, Curley and Cross dissenting.

Unfinished Business

Ordinance: Second Reading Authorizing Approval Of Short Plat (O2011-306)

Councilmember Whitten recused herself from discussion and voting on this issue. CIAW Attorney Mike Tierney gave the staff report. Staff is recommending that Council approve the settlement agreement and approve the ordinance authorizing the short plat, thereby avoiding further litigation on the part of the applicant. He also explained that Council is not being asked to make any changes to the short plat itself.

Public Comment

Ilene Stahl 21553 SE 28th Lane, She lives on property adjoining the short plat in question. She feels that the short plat does not comply with city regulations. She feels Council is obligated to ensure that short plats comply with safety standards. They have submitted written comment.

Mike McGill, 21553 SE 28th Lane, He asked Council to review the information that he and his wife submitted to Council regarding this issue.

MOTION: Councilmember Curley moved to approve the settlement agreement and adopt the ordinance approving the short plat. Councilmember Cross seconded. Motion carried 5-1 with Deputy Mayor Odell dissenting.

New Business - None

Council Reports

Deputy Mayor Odell attended an Eastside Fire & Rescue Board meeting that was considering the extension of their employees' contract for three more years.

Councilmember Whitten requested the Council revisit some of the parks master plans in September.

Councilmember Cross said that he and Councilmembers Curley and James met last week to begin the evaluation process of the City Manager.

Councilmember Cross asked for and received Council approval for him to advocate to the Suburban City's PIC committee for schools outside the urban growth to retain the ability to extend sewers to their properties as they develop.

He also requested that any further meetings with government entities be properly noticed in the future.

The Mayor attended the National League of Cities committee meetings.

City Manager Report

MOTION: Councilmember Whitten moved to elect Mayor Gerend and Deputy Mayor Odell and Mr. Yazici to be the voting delegates for the Association of Washington Cities. Councilmember Curley seconded. Motion carried unanimously 7-0.

Meeting adjourned at 9:47 pm.

Melonie Anderson, City Clerk

Donald J. Gerend, Mayor



STUDY SESSION NOTES

Study Session

June 14, 2011

Mayor Donald J. Gerend opened the study session of the Sammamish City Council at 6:30 p.m.

Open Study Session

6:30 pm

Public Comment

This is an opportunity for the public to address the Council. Three-minutes limit per person or 5 minutes if representing the official position of a recognized community organization.

John Galvin, 432 228th Avenue SE, He feels that a new aquatic center will require a change in the perspective of the Council. He recommended establishing citizen committees to help facilitate this project to conclusion.

Topics

➤ Community Center Feasibility Study

Parks and Recreation Director Jessi Richardson, in conjunction with BRS, the consultants conducting the feasibility study, gave a PowerPoint presentation regarding the study (presentation is available on the city's website at www.ci.sammamish.wa.us).

Council retired to Executive Session at 7:15 pm to discuss Property Acquisition Pursuant to RCW 42.30.110(1)(b) and returned at approximately 7:45 pm. No action was taken.

Adjournment

9:15 pm

COUNCIL  **MINUTES**

Regular Meeting
June 20, 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, Public Works Director Laura Philpot, Assistant City Manager/Community Development Director Kamuron Gurol, Senior Planner Rob Garwood, City Engineer Jeff Brauns, Administrative Services Director Mike Sauerwein, City Attorney Bruce Disend, and City Clerk Melonie Anderson.

Roll Call/Pledge of Allegiance

Roll was called. Councilmember Petitti led the pledge.

Approval of Agenda

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

Amendment: Councilmember James moved to remove Item #3 Interlocal for Jail Service to immediately follow the consent agenda.

Presentations/Proclamations

- *Presentation: Eastlake High School State Soccer Champions* – Mayor Gerend introduced the Eastlake Soccer Coach Adam Gervis. He recapped the season and then the Mayor presented the team with a special achievement award.

Presentation: Skyline High School Track State Champion – Mayor Gerend introduced Kasen Williams and recounted his achievements. He then presented him with a special achievement award.

Presentation: Deputy Amy Jarboe 10 Year Recognition – City Manager Ben Yazici recognized Deputy Jarboe for the 10 plus years she has served the city. He presented her with a 10-Year Clock, which is given to all employees after a decade of service.

Public Comment

Peter Scrontino, 21832 SE 28th SHO Representative, He asked members of the audience to raise their hands to indicate support for the SHO recommendations to the Department of Ecology (DOE) and to encourage the Council to continue to work toward amendments to the Shoreline Master Plan (SMP).

Luanne Noon, 218 and SE 1st, She came to express concern about a new road about to open in her neighborhood. She said she never received any notification that this was going to happen. They are not happy with this.

Public Works Director Laura Philpot explained that the approval for opening this road was given during the preliminary plat process by the Hearing Examiner. Staff is looking into the history of this development.

Consent Calendar

Payroll for period ending June 15, 2011 for pay date June 20, 2011 in the amount of \$271,736.07

Approval: Claims for period ending June 20, 2011 in the amount of \$1,606,605.02 for Check No. 29380 through No.29506

Interlocal Agreement: School Resource Officer (SRO) - Lake Washington School District/Issaquah School District/

Minor Code Amendment to Title 13 Surface Water Management

Bid Award: Evans Creek Preserve Phase 1b/Tiger Construction

Amendment: Municipal Code Updates-Web Hosting/Code Publishing

Approval: Notes for the May 10, 2011 Joint Study Session with Parks & Recreation Commission

Approval: Minutes for May 16, 2011 Regular Meeting

Resolution: Identifying A Preferred Site For The Community Center And Requesting Further Site Analysis As Part Of The Feasibility Study. (R2011-458)

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

Interlocal: Jail Services/Snohomish County

Administrative Services Director Mike Sauerwein gave the staff report. He explained that the interlocal with Snohomish County will provide a low-cost back-up option for long term housing of inmates. Councilmember James questioned if staff had considered any other options beside Snohomish County. Mr. Sauerwein explained that staff is always looking to find low cost alternatives for providing service to the city.

MOTION: Councilmember James moved to approve the interlocal agreement with Snohomish County for Jail Services. Councilmember Cross seconded. Motion carried unanimously 7-0.

Public Hearings

Ordinance: Second Reading Granting Discretionary Authority To The City's Director Of Community Development To Extend Reasonable Use Exceptions And Commercial Site Development Permits That Expired Due To The Recent Economic Recession

Assistant City Manager/Director of Community Development Kamuron Gurol introduced the ordinance

Public Hearing opened at 7:10 pm and closed with no comment.

MOTION: Councilmember Petitti moved to adopt the ordinance. Councilmember James seconded. Motion carried unanimously 7-0 (O2011-307).

Resolution: Adopting An Updated Six-Year Transportation Improvement Plan (TIP) For 2012-2017

City Engineer Jeff Brauns gave the staff report and a PowerPoint presentation (*presentation available on the city's website at www.ci.sammamish.wa.us*). Deputy Mayor Odell and Councilmember Whitten expressed the desire to start the process of analyzing the current level of service and project prioritization to see if the any future projects on Eastlake Sammamish could be deleted.

Public Hearing opened at 7:28 pm

Linda Eastlick, PO Box 2574, Issaquah, She suggested adding 212th Way SE to the list of projects on the proposed Six Year TIP.

Mr. Brauns explained that there is money reserved in the budget for any emergency repairs that may need to be made on 212th Way SE. City Manager Ben Yazici will update the Council on plans for this road.

Public Hearing closed at 7:32 pm

MOTION: Deputy Mayor Odell moved to adopt the resolution updating the Six Year Transportation Improvement Plan for 2012-2017. Councilmember Whitten seconded. Motion carried unanimously 7-0 (R2011-459).

Ordinance: First Reading Adopting Revisions To The Sammamish Shoreline Master Program Adopted By Ordinance 2009-265 And Replacing The King County Shoreline Master Program Adopted By King County Ordinance 3688; Amending The City Of Sammamish Comprehensive Plan; Adopting Shoreline Maps; And Codifying The Shoreline Master Program Into Title 25 Of The Sammamish Municipal Code

Mr. Gurol gave the staff report outlining the next steps in the Shoreline Master Plan (PowerPoint presentation available on the city's website at www.ci.sammamish.wa.us). He explained the various documents in the Council packet. The most important document is the table of changes. He explained that these are staff recommendations based on Department of Ecology's (DOE) comments and best available science. Council is free to make any changes tonight; staff will try to get an informal approval from DOE before the next meeting.

Setback Reductions on Lake Sammamish

DOE has concerns about insufficient mitigation for the setback reductions as proposed by the City. Staff is recommending prioritizing reductions with the Vegetative Enhancement Area (VEA) as No.1 in importance followed by bulkhead removal at No.2. A variety of menu options will be retained to allow for choice and flexibility. The maximum reduction would remain at 20 feet. They also recommend restoring the setback reductions in the UC for public projects.

Mitigation Sequencing

DOE is concerned that some shoreline permits (like Single Family Residences) might be improperly restricted by the current language in the City's code. Staff is recommending adding language from the Washington Administrative Code to ensure consistency.

Vegetation Enhancement Area (VEA)

DOE would like to see vegetated near-shore areas on all lakes, essentially requiring the same VEA for Pine Lake, Beaver Lake and Lake Sammamish. Staff has added supplementary rationale and is proposing an approach for Pine and Beaver Lake that would require VEA in proportion to the impact.

Dock Standards

DOE is concerned about the impacts of the larger docks being allowed for in the City's code. They would prefer using the Army Core of Engineers (ACOE) standards on all lakes, not just Lake Sammamish. Staff is proposing to use the ACOE area standards, but retain flexibility for design and configuration.

Non-Conforming, Exemptions, etc.

DOE is concerned about some of the terminology in the city's code. Staff is recommending changing the term "non-conforming" to "Existing Development" and creating a new section to regulate existing development.

Second Tier issues

- Use Table (boating facilities agriculture restored)
- Corrected references, typographical errors
- Reference to No Net Loss phrase from the WAC
- Fences
- Fish and Wildlife Habitat Conservations Areas regulated by SMP
- Corrected map notations

These items will not be addressed tonight.

Accessory Dwelling Units (ADU)

DOE had eliminated allowance for ADU's as there were no standards in the SMP for regulation of the code. ADU standards are now under review by the Planning Commission. These standards will be presented to Council at the July 18 meeting. It may be a better approach to require that ADU's comply with SMP Standards.

Councilmember Cross inquired why the definition of No Net Loss had been changed. Mr. Gurol explained that DOE was proposing a definition not used in any other city's SMP. Staff researched the WAC's and developed language that closely matches what is in the WAC (specifically WAC173-26-201(c))

Public Hearing opened at 8:13pm

Public Comment

Jack Rodgers, 22708 SE 22nd Place, He recommended support by the Council for the recommendations that the SHO group will propose tonight. He spoke specifically about the VEA requirements. He is unhappy with the DOE changes. He feels the tree retention offsets the lower VEA that the city is proposing. He is also unhappy with the number of changes DOE is suggesting (submitted Exhibit #1).

Mary Jo Kahler, 21911 SE 20th Street, She has been involved for many years working on shoreline regulations. She feels the purpose of these regulations is to ensure that development of the shoreline and waters will result in no net loss in ecological function (submitted Exhibit #2). She does not feel that Pine and Beaver Lake should be held to the same standards as Lake Sammamish.

George Toskey, He spoke regarding setback reductions (submitted Exhibit #3). He feels the city's setback requirements actually provide more total setback footage than Redmond's SMP requires.

Samuel Rodebar, Legal Counsel for SHO group, He offered additional amendments in the area of docks, VEA's and setbacks. He addressed his comments to docks. They object to the RGP-3 standards for all lakes. Pine and Beaver Lake do not contain salmon so they should not be held to the same standards as Lake Sammamish. In kind repair of existing docks should be allowed. (Submitted Exhibits #5 and #6) The group has not had the time to develop language to address their issues.

Dwight Martin, 5101 E. Lake Sammamish Parkway NE, He likes the change in the SMP from "non-conforming" to "existing structure". He feels that bass is the biggest threat to salmon in our local lakes and Fish and Game should encourage the fishing of them. This will help the salmon more than restricting docks size (Submitted Exhibit #4).

Rory Crispin, PO Box 40443, He spoke regarding docks. He feels it is nearly impossible to satisfy the RGP-3 requirements that the DOE is mistakenly requiring for expedited dock permitting.

Reid Brockway, 167 ELSP Shore Lane NE, Spoke regarding lake shore buffers and rainwater from roofs and other impervious surfaces. He does not believe that these sources of run-off are dangerous to lakes nor do the buffers help to filter out the runoff.

Jim Creavy 1103 Eastlake Sammamish Parkway SE, He expressed frustration with DOE. He feels small docks are dangerous and unreasonable. He is supportive of the SHO amendments.

Jim Wasnick, 22613 SE 32nd Street, He spoke in support of the SHO group.

Public Hearing was continued to July 18, 2011 at 9:07 pm.

Councilmember Whitten and Petitti are supportive of the SHO amendments regarding docks. Deputy Mayor Odell would like to see some alternatives developed to help allow for wider docks. There was general support among the Council for different regulations on Pine and Beaver Lakes than those required for Lake Sammamish. The docks should be allowed to be larger and existing docks should not be required to meet the new standards.

Councilmember Cross spoke in support of the VEA requirements asked for by DOE as they provide support beyond just helping to filter rainwater. Natural vegetation provides shade and shelter for fish, birds, insects and other creatures. He also feels that allowing larger docks will result in net loss functioning of the lakes.

Councilmember James asked if staff has another alternative to the recommendations they are setting forth tonight. Mr. Gurol explained that the process with DOE is going to involve negotiation and compromise with what DOE is requiring and what the City can live with. Mayor Gerend urged the Councilmembers to email Mr. Gurol with additional comments or questions they may have on issues not addressed tonight.

Unfinished Business - None

New Business - None

Council Reports

Councilmember Petitti reported the Finance Committee met today. The committee has not started to consider the funding source for the Community Center.

City Manager Report

Executive Session – If Necessary

Meeting adjourned at 9:53 pm

Melonie Anderson, City Clerk

Donald J. Gerend, Mayor



City Council Agenda Bill

Meeting Date: July 5, 2011

Date Submitted: June 30, 2011

Originating Department: Community Development

Clearances:

<input checked="" type="checkbox"/> City Manager	<input checked="" type="checkbox"/> Community Development	<input type="checkbox"/> Parks & Recreation
<input type="checkbox"/> Attorney	<input type="checkbox"/> Finance & IT	<input type="checkbox"/> Police
<input type="checkbox"/> Admin Services	<input type="checkbox"/> Fire	<input type="checkbox"/> Public Works

Subject: Ordinance to incorporate supplemental amendments into the Town Center Regulations

Action Required: First Reading, Public Hearing – No Action Required

Exhibits: 1. Proposed Ordinance with Attachment A

Budget: N/A

Background:

The City Council adopted development regulations for Town Center on December 7, 2010, and a Transfer of Development Rights (TDR) code on February 8, 2011. During the discussion the City Council determined that the dwelling units within the Town Center D zone (TC-D) should be available for conveyance to other Town Center properties; however this policy discussion was deferred until a later date.

Earlier this year, staff reviewed the adopted code and discussed policy options with Councilmember James. Subsequently, staff identified an amendment to the Town Center regulations that would allow the City to accomplish the City Council's policy goals, without causing some of the policy challenges posed in modifying the TDR program.

Staff is continuing to work with the City Attorney to review the legal ramifications of this proposed amendment. An amendment to the interlocal agreement with King County may also be required following adoption of this amendment.

Financial Impact: N/A

Recommended Motions: Open public hearing and take testimony. Continue public hearing to July 18, 2011.

**DRAFT
CITY OF SAMMAMISH
WASHINGTON
ORDINANCE NO. O2011 -**

AN ORDINANCE OF THE CITY OF SAMMAMISH, WASHINGTON, ADOPTING AMENDMENTS TO THE TOWN CENTER DEVELOPMENT REGULATIONS CODIFIED INTO CHAPTER 25 OF TITLE 21B AND ADOPTING AMENDMENTS TO THE TRANSFER OF DEVELOPMENT RIGHTS REGULATIONS CODIFIED INTO CHAPTER 80 OF TITLE 21A OF THE SAMMAMISH MUNICIPAL CODE

WHEREAS, the City Council adopted the Town Center Plan on June 9, 2008, which established the policy basis for the development of the Transfer of Development Rights regulations and program; and

WHEREAS, the City Council adopted the Town Center Development Regulations on December 7, 2010 to authorize development within the Town Center consistent with the adopted Town Center Plan; and

WHEREAS, the City Council adopted the Transfer of Development Rights regulations and program on February 8, 2011 to authorize development consistent with the policy direction of the adopted Town Center Plan, subject to specific regulatory provisions; and

WHEREAS, the City Council determined that the dwelling units within the Town Center D zone (TC-D) should be available for conveyance to other Town Center properties, and deferred action to a later date; and

WHEREAS, an Addendum to the State Environmental Policy Act (SEPA) Determination of Non Significance for the proposed amendments was issued on July 1, 2011; and

WHEREAS, in accordance with RCW 36.70A, a request for expedited review was received by the State of Washington Department of Commerce on June 28, 2011 and was granted expedited review on July 12, 2011; and

WHEREAS, the public process for the proposed amendments has provided for public participation opportunities at a public hearings before the City Council in July of 2011; and

WHEREAS, the City Council considered the proposed amendments to the Town Center Development regulations at a City Council public hearing on July 5, 2011, which was continued on July 18, 2011.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAMMAMISH, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Adoption of an amendment to the Town Center development and Transfer of Development Rights regulations. The code amendment Sammamish Municipal Code regulations as set forth in Attachment “A” to this ordinance is hereby adopted.

Section 2. Codification of the regulations. The City Council authorizes the Community Development Director and City Clerk to codify the regulatory provisions of the amendment to into Titles 21A and 21B of the Sammamish Municipal Code for ease of use and reference.

Section 3. Interpretation. The City Council authorizes the Community Development Director to administratively interpret these provisions as necessary to implement the intent of the Council.

Section 4. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance 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 Ordinance or its application to other persons or circumstances.

Section 5. Effective Date. This ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 18TH DAY OF JULY 2011.

CITY OF SAMMAMISH

Mayor

ATTEST/AUTHENTICATED:

Melonie Anderson, City Clerk

Exhibit 1

Approved as to form:

Bruce L. Disend, City Attorney

Filed with the City Clerk:
Public Hearing:
First Reading:
Public Hearing:
Second Reading:
Passed by the City Council:
Date of Publication:
Effective Date:

Exhibit 2

SMC 21A.80.090 Receiving Site Incentives (*Modify TDR Incentive Table*)

SMC 21B.25.040 Provisions to Obtain Additional (Bonus) Residential Density or Commercial Development Capacity (*Modify subsection b*)

“Plain Text” is existing code language

“~~Strikethrough Text~~” is existing language that will be deleted

“Underline Text” is code language that will be added

Exhibit 2

21A.80.090 Receiving Site Incentives

...

(2) Receiving Site Incentives.

- (a) Town Center. The following table outlines TDR-based incentives for eligible receiving sites with the purchase of a development right. (For example, a sending site in the R-1 zone that generates one TDR will allow for the creation of four dwelling units at a receiving in the TC-C zone of the Town Center. Alternatively, the same site in the R-1 zone that generates one TDR will allow 7,716 square feet of additional commercial development in the Town Center):

Table 21A.80.090

Receiving Site Incentive Table

		Sending Zoning				
		R-1	R-4	R-6	KC Lands	TC-D
Receiving Zoning	Commercial	7716 sqft	3560 sqft	2600 sqft	3560 sqft	TBD
	Zone C	4 du	2 du	1 du	2 du	TBD
	Zone B	7 du	3 du	2 du	3 du	TBD
	Zone A	10 du	5 du	4 du	5 du	TBD

Note: Dwelling Units may be transferred from the TC-D zone into the TC-A zones, subject to the provisions of SMC 21B.25.040(2)(d).

- (b) [Placeholder for future receiving sites].

...

21B.25.040

Provisions to Obtain Additional (Bonus) Residential Density or Commercial Development Capacity

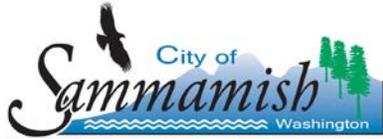
- (1) Bonus Residential Dwelling Units. SMC 21B.25.030 identifies the “Maximum Density” and “Allocated Density” for each Town Center zone. Projects may obtain additional density by complying with the affordable housing provisions set forth in SMC Chapter 21B.75, by the incorporation of site amenities subject to TC-D zone residential dwelling unit transfers, and/or through the City’s Transfer of Development Rights (TDR) program. Bonus provisions vary by zone. Specifically:
- (a) TC-A zones: Applicants may select from the following options for obtaining additional dwelling units, subject to the provisions below:
 - (i) Additional dwelling units are awarded from the Town Center’s available affordable housing bonus pool subject to compliance with affordable housing provisions set forth in SMC Chapter 21B.75. Within each quadrant, the bonus pool units shall be distributed on a first come, first serve basis, up to the maximum number of bonus pool units, provided the development does not exceed the density limit for the zone.
 - (ii) Additional dwelling units may also be awarded by the City from its TC-D residential density allocation pursuant to design criteria of 21B.25.040(2)(b).
 - (iii) Once the affordable housing bonus pool is exhausted, developments may obtain additional units through the City’s TDR program or through the provisions of 21B.25.040(2)(d).

...

- (2) Bonus Commercial and Residential Development Capacity. SMC 21B.25.030 and Figure 21B.25.040c below specify commercial floor area allocations by zones and sub-zones with an additional 120,000 square feet of commercial floor area available through bonus incentives. Subsections (a) and (b) below provide the distribution and criteria for allocating bonus commercial floor area, respectively. Subsection (b) also includes provisions for allocating bonus residential dwelling units. Subsection (c) below provides for the opportunity for additional commercial or residential development capacity through the City’s TDR program. Subsection (d) below provides an option for the City to sell units from its TC-D residential density allocation to other properties within the Town Center.

...

- (d) The City is authorized to sell dwelling units from its TC-D residential density allocation to other properties zoned TC-A within the Town Center. The price of such units shall be based upon a market analysis and the proceeds shall be used for public benefits within the Town Center. Each unit transferred from the TC-D zone into the TC-A zone shall be worth two dwelling units for development in the TC-A zone. For example, if 10 dwelling units are purchased from the TC-D zone, they may be used to develop 20 dwelling units in the TC-A zone.



City Council Agenda Bill

Meeting Date: July 5, 2011

Date Submitted: June 29, 2011

Originating Department: Public Works

Clearances:

<input checked="" type="checkbox"/> City Manager	<input type="checkbox"/> Community Development	<input type="checkbox"/> Parks & Rec
<input type="checkbox"/> Attorney	<input type="checkbox"/> Finance & IT	<input type="checkbox"/> Police
<input type="checkbox"/> Admin Services	<input type="checkbox"/> Fire	<input checked="" type="checkbox"/> Public Works

Subject: Authorization to award a contract for construction of the SE 32nd Street Traffic Mitigation Project.

Action Required: Authorize the City Manager to award and execute a Small Works Construction Contract with Westwater Construction Company for construction of the SE 32nd Street Traffic Mitigation Project.

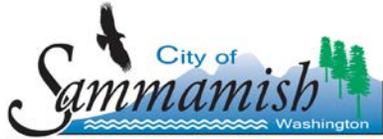
Exhibits: None

Budget: This project is funded through the adopted 2011 Neighborhood Capital Improvements, Intersection Improvements Program, and Sidewalk Program budgets in the Transportation Capital Improvement Fund (Fund 340). A detailed breakdown of the budgets is described in the Financial Impact section of this agenda bill.

Summary Statement:

The Public Works Department recommends that the City Council authorize the City Manager to award and execute a contract with the lowest responsible bidder, Westwater Construction Company, for construction of the SE 32nd Street Traffic Mitigation Project. The work consists primarily of installation of traffic improvement measures such as pedestrian sidewalks, rain garden curb extensions, traffic circles, roadway shoulder widening, traffic control signage and pavement marking. The project limits are from 220th Ave SE to 228th Ave SE on SE 32nd St, SE 32nd St to SE 33rd Pl on 220th Ave SE, and 216th Ave SE to 220th Ave SE on SE 33rd Pl.

Utilizing the Small Works Roster on the e-gov Shared Procurement Portal, staff advertised for bids from a selected group of contractors on the roster list. Bids for this work were initially scheduled to open on May 27, 2011. Unfortunately, the City received zero bids. Staff re-advertised for bids utilizing the small works roster on the e-gov Shared Procurement Portal expanding the invitation to all contracts on the roster list. Bids were opened on June 23, 2011. Westwater Construction Company submitted the lowest responsible bid in the amount of \$298,000. Prior to recommending award of this contract, staff conducted due diligence review for the lowest responsible bidder, and received very good references from other public agencies to determine that Westwater Construction Company is both responsive and responsible.



City Council Agenda Bill

Background:

At the March 1, 2011 meeting, City Council adopted Resolution R2011-450 authorizing removal of the barricade on SE 32nd Street. The removal was based on the condition of installing traffic mitigation measures in the vicinity. The recommendations of such traffic mitigation measures such as sidewalks, new pavements, traffic calming devices, traffic control signage, and pavement markings were also approved by City Council at the March 1, 2011 meeting.

The construction cost of this project is being funded from the combined 2011 adopted budgets for Neighborhood CIP, Intersection Improvement Programs, and Sidewalk Program in the City's Transportation Capital Improvement Fund budget. Staff recommends that the City Manager be authorized to administer an additional \$45,000 construction contingency for this project to address any unexpected items that may be identified during project construction. Construction management for this project will be provided in-house by existing city staff.

Financial Impact:

The bid for this work is higher than the engineer's estimate and the funding breakdown presented to Council at the March 1, 2011 meeting by approximately \$50,000, which fits within the transportation program budget line items. Additionally, given the consistent high praise we heard from the contractor's reference checks, staff anticipate a positive experience completing this project on schedule and within the authorized amount.

Remaining unallocated 2011 CIP Budget:

Intersection Improvement (340-115-595-30-63-00):	\$ 256,000
Neighborhood CIP (340-117-595-30-63-00):	\$ 100,000
Sidewalk Program (340-118-595-61-63-00):	\$ 214,000
TOTAL REMAINING BUDGET:	\$ 570,000

Construction Contract:	\$ 298,000
Construction Contingency:	\$ 45,000
TOTAL PROJECT BUDGET ALLOCATION:	\$ 343,000

TOTAL REMAINING UNALLOCATED 2011 PROGRAM BUDGETS: \$227,000

Recommended Motion:

Move to authorize the City Manager to award and execute a Small Works Construction Contract with Westwater Construction Company for construction of SE 32nd Street Traffic Mitigation Project in the amount of \$298,000 and to administer a project construction contingency in the amount of \$45,000.