



City Council, Regular Meeting

AGENDA

April 20, 2010

7:00 pm – 9:30 pm
Council Chambers

❖ **6:00 p.m. – 7:00 p.m. – Legislative Update Executive Briefing Room**

Call to Order

Roll Call/Pledge of Allegiance

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.

Approval of Agenda

Student Liaison Reports

- Eastlake High School
- Skyline High School

Presentations/Proclamations

- ✓ **Presentation: A Regional Coalition for Housing (ARCH)**
- ✓ **Proclamation: Native Plant Month**

Consent Agenda

1. Approval: Claims for period ending April 20, 2010 in the amount of \$1,088,548.64 for Check No.26213 through No.26347
2. Resolution: Declaring Five Vehicles as Surplus
3. Resolution: Amending Purchasing Policies That Conform To State Law Requirements For Monies Budgeted And Spent In All City Operation
4. Resolution: , Granting Final Plat Approval To The Plat Of Pine Meadows (FKA Segur)
5. Resolution: Granting Final Plat Approval To The Plat Of Chestnut Estates, (AKA Chestnut Lane).
6. Approval 2009 to 2010 Carry Forward Request
7. Approval: April 6, 2010 Regular Meeting Minutes

Public Comment

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.

Public Hearings

8. Ordinance: Public Hearing/Third Reading Relating To Siting Of Wireless Communication Facilities; Repealing And Re-Enacting Chapter 21A.55 SMC; Implementing Provisions Previously Enacted Pursuant To A Declaration Of Emergency; Amending And Adding New Definitions To Chapter 21A.15 SMC; Repealing Section 13.01.010 SMC Relating To Undergrounding Of Wireless Communication Facilities Equipment; Providing For Severability; And Establishing An Effective Date **(20 minutes)**

Unfinished Business

New Business

9. Resolution: Approving The 2010 Work Program And Budget For A Regional Coalition For Housing **(10 minutes)**
10. Interlocal: Amended and Restated Interlocal Agreement for ARCH A Regional Coalition for Housing **(10 minutes)**

Council Reports

- ✓ **Update: Animal Control**

City Manager Report

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

Adjournment

AGENDA CALENDAR

April 2010			
Mon 04/19	6:30 pm	Joint Meeting/Parks Commission/Youth Board	Parks, Recreation and Open Space Plan Discussion: Partnership with Boys & Girls Club Discussion: Skate Park Lighting Informational Discussion: Wireless Communication Facility (60 minutes)
Tues 04/20	6:30 pm	Regular Meeting	Update: 5 th /45 th Legislative Districts Proclamation: Native Plant Month Update: Animal Control Public Hearing/Third Reading WCF Amendment Resolution: A Regional Coalition for Housing Work Plan and Budget Interlocal: A Regional Coalition for Housing Agreement Resolution: Surplus Vehicles (consent) Resolution: Amending Purchasing Policies (consent) Resolution: Final Plat Approval/Pine Meadows (consent) Resolution: Final Plat Approval/Chestnut Lane (consent) Approval: 2009 to 2010 Carry Forward Request (consent)
May 2010			
Tues 05/04	6:30 pm	Regular Council Meeting	Ordinance: First Reading amending Neighborhood Traffic Management Program Phase II (NTMP) Ordinance: First Reading ROW Permitting
Tues 05/11	6:30 pm	Study Session	Sammamish Landing Revised Preferred Alternative Freed House Next Steps Connectivity 2011-2016 Six Year Transportation Improvement Plan (TIP) Council Meeting Rules of Conduct
Mon 05/17	6:30 pm	Study Session	Building Code Cycle amendments Amendments to Title 19 Sammamish Municipal Code (SMC) Planning Commission Recommendations for Public Communications Town Center Development Regulations 21B.35, 21B.45, 21B.75, 21B.95
Tues 05/18	6:30 pm	Regular Meeting	Public Hearing: First Reading Town Center Development Regulations Ordinance: Second Reading Modifying Neighborhood Traffic Management Program Phase II Ordinance: Second Reading ROW Permitting Interlocal: Animal Control/King County(consent)
June 2010			
Tues 06/01	6:30 pm	Regular Council Meeting	Public Hearing: Town Center Development Regulation Public Hearing: Resolution 2011-2016 Six Year Transportation Improvement Plan Public Hearing: Ordinance First Reading Amendments to SMC Title 19 Building Code Cycle amendments Contract: 2010 Pavement Overlay Contract: 2010 Chip Seal Program Contract: 2010 On-Call Pavement Patching Contract
Tues 06/08	6:30 pm	Joint Meeting	Joint Meeting with Redmond City Council
Mon 06/14	6:30 pm	Study Session	Update: NMTP Phase II Project Petition Approvals Stormwater Manual 101

Tues 06/15	6:30 pm	Regular Meeting	Public Hearing: Ordinance Second Reading Amendments to SMC Title 19 Second Reading: Town Center Development Regulations Building Code Cycle amendments Resolution: 6 Year Transportation Improvement Program (placeholder) Contract: Multi-Project Wetland Mitigation Monitoring and Inspection (244 th Avenue and ELSP) Contract: Wetland Mitigation Landscape Maintenance and Replanting Finance Update
July 2010			
Tues 07/06	6:30 pm	Regular Council Meeting	Final Acceptance: ELSP Phase 1A Contract: 2010 Sidewalk Repairs Contract: 2010 Neighborhood Traffic Management Program Phase II Projects
Tues 07/13	6:30 pm	Study Session	
Mon 07/19	6:30 pm	Study Session	Discussion: Draft Basin Plans for Inglewood and Thompson Basins
Tues 07/20	6:30 pm	Regular Meeting	Contract 228 th /SE 24 th and 228th/SE 8 th Southbound Left-turn Pocket extensions Contract: 236 th Avenue NE/NE 22 nd Street Intersection School Crossing Improvements
Sept. 2010			
Tues 09/07	6:30 pm	Regular Council Meeting	Approval: 244 th Non-Motorized Improvement Preliminary Design
Tues 09/14	6:30 pm	Study Session	Biennial Budget Next non-motorized project selection following 224 th Avenue NE
Mon 09/20	6:30 pm	Study Session	Biennial Budget Presentation: Stormwater Management Program
Tues 09/21	6:30 pm	Regular Meeting	
Oct. 2010			
Tues 10/5	6:30 pm	Regular Council Meeting	
Tues 10/12	6:30 pm	Joint Meeting/Planning Commission	
Mon 10/18	6:30 pm	Study Session	Biennial Budget (if necessary) East Lake Sammamish Parkway pedestrian crossing plan
Tues 10/19	6:30 pm	Regular Meeting	Public Hearing: First Reading Adopting 2011/2012 Budget Public Hearing: First Reading Setting the Tax Levy Rate for 2011 Final Acceptance: 244 th Avenue Improvement Project Final Acceptance: SE 20 th Street Non-motorized Improvement Project
Nov. 2010			
Tues 11/2	6:30 pm	Regular Council Meeting	Ordinance: Second Reading Adopting 2011/2012 Budget Ordinance: Second Reading Setting Tax Levy Rate 2011 Resolution: 2011 Salary Schedule Resolution: 2011 Fee Schedule (if necessary)
Tues 11/09	6:30 pm	Study Session	Parks Commission Applicant Interviews Update: Connectivity
Mon 11/15	6:30 pm	Study Session	Planning Commission Applicant Interviews Public Works Standards

Tues 11/16	6:30 pm	Regular Meeting	Final Acceptance: 2010 Neighborhood Traffic Management Program Project (NE 14 th and 19 th Streets) Final Acceptance: 228 th /SE 24 th & 228 th /SE 8 th Southbound Left-Turn Pocket Extension Project Final Acceptance: 236 th Avenue NE/NE 22 nd Street Intersection School Crossing Improvements
Dec. 2010			
Tues 12/07	6:30 pm	Regular Council Meeting	Parks/Planning Commission Appointments Award: 2011/2012 Humans Services Grants Contract: On-Call Development Review Services
Tues 12/14	6:30 pm	Study Session	Public Works Standards
Mon 12/20	6:30 pm	Study Session	
Tues 12/21	6:30 pm	Regular Meeting	
To Be Scheduled		To Be Scheduled	Parked Items
Code Enforcement Code Amendments Town Center Stormwater Master Plan Ordinance: Second Reading Puget Sound Energy Franchise Resolution: Adoption Thompson Basin Study Resolution: Adoption Inglewood Basin Study			BLA and non-conforming uses Underground of utility lines in existing developments Future use of existing M & O facility on 228 th Ave SE @ SE 20 th Street

<< March

April 2010

May >>

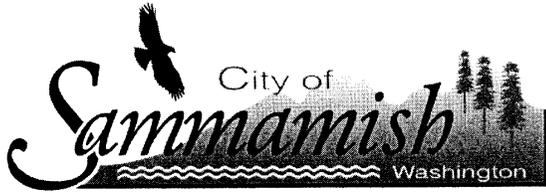
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
4	5 5:30 p.m. City Council Office Hour	6 5 p.m. Finance Committee Meeting 6:30 p.m. City Council Meeting	7 5:30 p.m. Parks and Recreation Commission Meeting 6 p.m. Art Exhibit Reception - CODEX SEVERIN	8 6:30 p.m. Planning Commission Meeting	9	10
11	12	13 6:30 p.m. City Council Study Session	14	15 4 p.m. Public Safety Committee Meeting 6:30 p.m. Planning Commission Meeting Canceled	16	17 10 a.m. Sammamish Walks
18	19 5:30 p.m. City Council Office Hour 6:30 p.m. Arts Commission Meeting 6:30 p.m. City Council Joint Meeting	20 7 p.m. City Council Meeting 7:30 p.m. Simple Measures Classical Music	21 6 p.m. Sammamish Youth Board Meeting	22	23	24 9 a.m. Spring Recycling Event 10 a.m. Arbor Day - Family Volunteer Event
25 10 a.m. Arbor Day - Family Volunteer Event	26 10 a.m. Arbor Day - Family Volunteer Event	27 10 a.m. Arbor Day - Family Volunteer Event	28	29	30	

<< April

May 2010

June >>

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3	4 5 p.m. Finance Committee Meeting 6:30 p.m. City Council Meeting	5	6 6:30 p.m. Planning Commission Meeting	7	8
9	10	11 6:30 p.m. City Council Study Session	12 6:30 p.m. Parks and Recreation Commission Meeting	13	14	15 9 a.m. Bikes for Africa 10 a.m. Sammamish Walks
16	17 6:30 p.m. Arts Commission Meeting 6:30 p.m. City Council Study Session	18 6:30 p.m. City Council Meeting	19 6 p.m. Sammamish Youth Board Meeting	20 6:30 p.m. Planning Commission Meeting	21	22
23	24	25	26	27	28	29
30	31					



MEMORANDUM

TO: Melonie Anderson/City Clerk
FROM: Marlene/Finance Department
DATE: April 15, 2010
RE: Claims for April 20, 2010

\$ 163,733.41
906,922.99
17,892.24

TOTAL \$ 1,088,548.64

0.00 *

163,733.41 +
906,922.99 +
17,892.24 +
1,088,548.64 *

Check # 26213 through #26347

Accounts Payable
Computer Check Register

User: mdunham
Printed: 04/05/2010 - 11:52AM
Bank Account: APPR
Batch: 003.04.2010



Check	Vendor No	Vendor Name	Date	Invoice No	Amount
26213	ANI	ANI Administrators NW Inc	4/5/2010		1,627.66
					170.00
		Check 26213 Total:			1,797.66
26214	AWCMED	AWC Employee BenefitsTrus	4/5/2010		1.46
					11,128.34
					94.16
					1,222.75
					20.44
					2,976.92
					1,326.52
					23.37
					402.92
					41,665.43
					25,548.70
					1,916.99
					815.57
					568.00
					45.21
					1,643.23
					33.96
					47.59
					662.39
					153.78
					1,443.42
		Check 26214 Total:			91,741.15
26215	ICMA401	ICMA 401	4/5/2010		15,368.71
					15,350.53
					521.15
		Check 26215 Total:			31,240.39
26216	ICMA401x	ICMA401	4/5/2010		4,951.75
		Check 26216 Total:			4,951.75
26217	ICMA457	ICMA457	4/5/2010		187.55
					187.55
					866.07
					6,592.10
					1,996.09

Check	Vendor No	Vendor Name	Date	Invoice No	Amount
					9,829.36
		Check 26217 Total:			
26218	ISD	Issaquah School District	4/5/2010		11,704.00
					11,704.00
		Check 26218 Total:			
26219	LWSD	Lake Washington School Dist	4/5/2010		12,232.00
					12,232.00
		Check 26219 Total:			
26220	PREPAIDL	Pre-Paid Legal Services, Inc	4/5/2010		237.10
					237.10
		Check 26220 Total:			
					163,733.41
		Report Total:			

Accounts Payable

Check Register Totals Only

User: mdunham
 Printed: 4/14/2010 - 4:58 PM



Check	Date	Vendor No	Vendor Name	Amount	Voucher
26221	04/20/2010	ACCURAT	Accurate Service LLC	160.97	0
26222	04/20/2010	ADOLFSON	ESA Adolfsen	35.71	0
26223	04/20/2010	ADVANTAG	Advantage Building Services	5,417.90	0
26224	04/20/2010	ATWORK	At Work!	577.50	0
26225	04/20/2010	BMC	BMC Select	308.42	0
26226	04/20/2010	BUCHAN	Wm. Buchan, Inc.	31,886.98	0
26227	04/20/2010	CADMAN	Cadman, Inc.	398.55	0
26228	04/20/2010	CENTRALW	Central Welding Supply	136.76	0
26229	04/20/2010	CHANEY	Rebecca Chaney	2,774.00	0
26230	04/20/2010	CIAW	Cities Insurance Assoc of Wa	1,000.00	0
26231	04/20/2010	COSTCO	Costco Wholesale	453.91	0
26232	04/20/2010	CURRY	Kathy Curry	19.50	0
26233	04/20/2010	DELL	Dell Marketing L.P.	74.45	0
26234	04/20/2010	EAENGINE	EA Engineering, Science & Technolog	5,878.28	0
26235	04/20/2010	EASTFIRE	Eastside Fire & Rescue	442,677.10	0
26236	04/20/2010	EMERALDC	c/o Emerald City Development Inc Jor	3,387.42	0
26237	04/20/2010	EMERALDM	Emerald Mound Construction	312.05	0
26238	04/20/2010	EVERGR	Evergreen Print Solutions	441.20	0
26239	04/20/2010	EWINGIRR	Ewing Irrigation	1,303.84	0
26240	04/20/2010	FERGUSON	Ferguson Enterprises, Inc	634.06	0
26241	04/20/2010	FIREHOUS	Christian Edum	164.25	0
26242	04/20/2010	FLORES	Dawn Flores	43.17	0
26243	04/20/2010	FRANCO2	U. S. Postal Service/ Francotyp-Postal	2,500.00	0
26244	04/20/2010	GRAINGER	Grainger	18.57	0
26245	04/20/2010	GUARDIAN	Guardian Security	96.00	0
26246	04/20/2010	HEROHOUS	NAMI Eastside Hero House	375.00	0
26247	04/20/2010	HONDAKU	Issaquah Honda Kubota	15.87	0
26248	04/20/2010	INFODISP	Information Display Co	5,822.50	0
26249	04/20/2010	IRONMT	Iron Mountain	323.42	0
26250	04/20/2010	ISSAQ1	Issaquah Press, Inc.	1,275.00	0
26251	04/20/2010	ISSCHURC	Issaquah Church & Community Sv	500.00	0
26252	04/20/2010	ISSTROPH	Issaquah Trophy & Awards	75.83	0
26253	04/20/2010	JACKS	Jack's Repair	2,807.95	0
26254	04/20/2010	jirsa	Barbara Jirsa	153.63	0
26255	04/20/2010	KCSOLIDW	King County Solid Waste	75.00	0
26256	04/20/2010	KEENEY	Keeney's Office Plus	10.98	0
26257	04/20/2010	KENYON2	Kenyon Disend PLLC	21,584.93	0
26258	04/20/2010	KINGFI	King County Finance A/R	13,177.40	0
26259	04/20/2010	KINGPET	King County Pet Licenses	240.00	0
26260	04/20/2010	KINGTREA	King County Treasury	16,519.78	0
26261	04/20/2010	KIRTLEY	Kirtley Cole	192,031.29	0
26262	04/20/2010	LAFRANCE	Eric LaFrance	337.00	0
26263	04/20/2010	LEYTON	Kimberly Leyton	510.00	0
26264	04/20/2010	LUNDE	Devany Lunde	49.98	0
26265	04/20/2010	MAILPO	Mail Post	575.67	0
26266	04/20/2010	MAKERS	Makers Architecture & Urban	1,820.00	0
26267	04/20/2010	MINUTE	Minuteman Press	43.29	0
26268	04/20/2010	MOBERLY	Lynn Moberly	7,250.00	0
26269	04/20/2010	NELSONCO	Walter E. Nelson Company	361.80	0
26270	04/20/2010	NESAM	NE Sammamish Sewer & Water	103.86	0

Check	Date	Vendor No	Vendor Name	Amount	Voucher
26271	04/20/2010	NEXTEL	Nextel Communications	2,179.19	0
26272	04/20/2010	NWCASC	Northwest Cascade, Inc.	371.42	0
26273	04/20/2010	NWLSVC	NW Landscape Service	4,855.23	0
26274	04/20/2010	OREGONCI	Oregon City/County Mgmt Assoc	285.00	0
26275	04/20/2010	PARAME	Parametrix, Inc.	7,155.86	0
26276	04/20/2010	PETITTI	Michele Petitti	26.67	0
26277	04/20/2010	PHILPOT	Laura Philpot	158.00	0
26278	04/20/2010	PIEDMONT	Piedmont Directional Signs	615.00	0
26279	04/20/2010	PLATEAU	Plateau Motors	525.44	0
26280	04/20/2010	POA	Pacific Office Automation	429.34	0
26281	04/20/2010	PSCLEAN	Puget Sound Clean Air Agency	350.00	0
26282	04/20/2010	PSE	Puget Sound Energy	21,069.15	0
26283	04/20/2010	PUGETSOU	Puget Sound Bank	9,188.10	0
26284	04/20/2010	QWEST	QWEST	213.84	0
26285	04/20/2010	QWEST!NT	Qwest Interprise	1,184.18	0
26286	04/20/2010	RAINIER	Rainier Wood Recyclers Inc	30.00	0
26287	04/20/2010	REIDMID	Reid Middleton, Inc	725.50	0
26288	04/20/2010	RICHARDS	Jessi Richardson	38.50	0
26289	04/20/2010	RODDA	Rodda Paint	119.66	0
26290	04/20/2010	SAM	Sammamish Plateau Water Sewer	571.55	0
26291	04/20/2010	SAUER	Mike Sauerwein	279.00	0
26292	04/20/2010	SB&MAC	Stewart Beall & MacNichols	4,480.00	0
26293	04/20/2010	SCI	SCI Infrastructures, LLC	52,472.83	0
26294	04/20/2010	SEAKING	Seattle King County Dept of Public H	100.00	0
26295	04/20/2010	SEATIM	Seattle Times	643.82	0
26296	04/20/2010	SEDGWICK	Sedwick Claims Mgmt Svcs, Inc	3,317.32	0
26297	04/20/2010	SERVICE	Service Paper Co	1,230.77	0
26298	04/20/2010	SONITROL	Sonitrol Pacific	759.30	0
26299	04/20/2010	SOUNDPUB	Sound Publishing, Inc	510.00	0
26318	04/20/2010	STAPLES	Staples Business Advantage	2,954.51	0
26319	04/20/2010	STOECKL	Jane C. Stoecklin	110.00	0
26320	04/20/2010	TCF	TCF Architecture	11,964.39	0
26321	04/20/2010	TRAFFICS	Traffic Safety Supply Co Inc	186.42	0
26322	04/20/2010	VERIZNW	Verizon Northwest	381.92	0
26323	04/20/2010	VERIZON	Verizon Wireless	80.13	0
26324	04/20/2010	WAALARM	Wa Alarm Inc	152.52	0
26325	04/20/2010	WAAUDIT	Wa State Auditor's Office	4,210.70	0
26326	04/20/2010	WADOT	Wa State Dept of Transp	75.00	0
26327	04/20/2010	WAECOL	Wa State Dept of Ecology	148.02	0
26328	04/20/2010	WALAB	Wa State Dept of Labor & Indus	160.00	0
26329	04/20/2010	WAPAT	Wa State Patrol	10.00	0
26330	04/20/2010	WAURISA	WAURISA	260.00	0
26331	04/20/2010	WAWORK	Washington Workwear Stores Inc	137.96	0
26332	04/20/2010	WERRE	Lisa Werre	25.90	0
26333	04/20/2010	WHITTEN	Nancy Whitten	39.50	0
26334	04/20/2010	WRPA	Wa Recreation & Parks Assoc	138.00	0
26335	04/20/2010	YAKIMA	Yakima County Department of Correc	5,262.58	0

Check Total:

906,922.99

26300 - 26317 - VOID DUE TO PRINTER ERROR

Accounts Payable

Check Register Totals Only

User: mdunham
Printed: 4/15/2010 - 10:02 AM



Check	Date	Vendor No	Vendor Name	Amount	Voucher
26336	04/20/2010	AADAMS	AAAdams Tree Service	2,080.50	0
26337	04/20/2010	ACE	Ace Hardware, LLC	833.31	0
26338	04/20/2010	ALLAROUN	All Around Fence Co	1,212.17	0
26339	04/20/2010	BRAVO	Bravo Environmental	516.02	0
26340	04/20/2010	EASTEQ	Eastside Equipment & Marine	1,098.61	0
26341	04/20/2010	EMSHOPE	Emergency Services Hopelink Redmo:	1,512.50	0
26342	04/20/2010	GALT	John E. Galt	3,245.00	0
26343	04/20/2010	HOPEFAM	Hopelink/Family Development	625.00	0
26344	04/20/2010	ISSAQ1	Issaquah Press, Inc.	1,074.00	0
26345	04/20/2010	NAPA	PHS, Inc	233.18	0
26346	04/20/2010	NWLSVC	NW Landscape Service	5,289.95	0
26347	04/20/2010	SEATIM	Seattle Times	172.00	0
				<hr/> <hr/>	
Check Total:				17,892.24	
				<hr/> <hr/>	



City Council Agenda Bill

Meeting Date: April 20, 2010

Date Submitted: April 13, 2010

Originating Department: Finance IT

Clearances:

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

Subject: Authorization to Surplus Five City Vehicles

Action Required: Passage of Resolution

Exhibits: 1. Resolution

Budget: Total Average Trade in of Vehicles: \$16,298

Summary Statement:

The City of Sammamish has acquired 5 replacement hybrid vehicles as previously authorized by City Council action. It is now necessary to authorize the surplus the vehicles replaced by the newer vehicles.

Background:

The City Council approved the replacement purchase of 5 Ford Escape Hybrids on October 6, 2009. Their purchase was supplemented by a \$60,000 Federal Grant that paid for the differential price between conventional and hybrid models. They were delivered, logoed, outfitted and are now in use. The older vehicles are to be declared surplus, sold through the State of Washington Public Surplus Auction Vendor, and the proceeds returned to the City's Equipment Rental Fund.

RCW 39.33.010 authorizes the City to transfer property, both real and personal, to political subdivisions of the State and WAC 236-48-190 requires that they be disposed of in a competitive process to the public. The City of Sammamish's surplus property disposition process authorizes the City Manager to declare and dispose of surplus property up to an aggregated amount of \$10,000. Since these vehicles surpass that value, we are required that we obtain specific Council authorization to proceed.

Financial Impact:

We anticipate receipt of the average trade in for each vehicle to be returned to the equipment rental fund. This is not guaranteed. The total average trade – in value is \$16,298.

Recommended Motion:

We recommend passage of the attached resolution, declaring the listed vehicles surplus and authorizing the City Manager to sell them through the State of Washington – General Administration Public Surplus Auction process and return of the sale proceeds to the City's Equipment Rental Fund.

**CITY OF SAMMAMISH
WASHINGTON
RESOLUTION NO: R2010-____**

A RESOLUTION OF THE CITY OF SAMMAMISH CITY COUNCIL DECLARING FIVE VEHICLES AS SURPLUS

WHEREAS, the City of Sammamish has established an Equipment Replacement Fund and Equipment Replacement Plan for its motor vehicles; and

WHEREAS, the Equipment Replacement Plan calls for the replacement of several vehicles owned by the City of Sammamish in 2010;

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

The following vehicles have been replaced and are declared surplus to the needs of the City and shall be disposed of in a manner prescribed in state law:

- 1. V014 1999 Ford Taurus VIN:1FAPP52U1XG300947
- 2. V015 2001 Chevy Blazer VIN:1GNNDT13W71K205374
- 3. V017 2002 Sonoma VIN:1GTCS19W628185082
- 4. V020 2001 Malibu VIN:1G1ND52J71M635748
- 5. V021 2001 Taurus VIN:1FAFP53U91G119455

ADOPTED BY THE CITY COUNCIL AT THEIR MEETING THEREOF ON THE ____ DAY OF _____, 2010.

CITY OF SAMMAMISH

Mayor Donald J. Gerend

ATTEST/AUTHENTICATED

Melonie Anderson, City Clerk

Approved as to form:

Bruce L. Disend, City Attorney

Filed with the City Clerk:

Passed by the Council:

Resolution No: R2010- _____5



City Council Agenda Bill

Meeting Date: April 20, 2010

Date Submitted: April 12, 2010

Originating Department: Admin Services

Clearances:

City Manager

Attorney

Admin Services

Community Development

Finance & IT

Fire

Parks & Recreation

Police

Public Works

Subject: Resolution amending purchasing policies

Action Required: Approve resolution

Exhibits: 1. Draft Resolution

Budget: N/A

Summary Statement: This resolution will update city policies to be compliant with the Small Works bidding limits recently adopted by the State. The resolution also makes some minor corrections to our current purchasing policy. This is a housekeeping update.

Background: It is the City's policy to use the ECityGov Shared Small Works Roster when soliciting bids for smaller public works projects. In July of 2009 Washington State raised the allowable bid limits to use the small works roster from a \$200,000 cap to a \$300,000 cap (Projects over this amount are required to go out for public bid). Anything under this amount can be solicited from the Small Works Roster. If the project is under \$150,000 the city need only solicit five bids. The requirements for using the Limited Small Works process were also raised in July. Those limits are now \$40,000 for single craft and \$65,000 for multiple crafts. To be in compliance with bid laws, it is necessary for the city to also adopt these limits. This resolution will accomplish that goal.

Financial Impact: N/A

Recommended Motion: Motion to approve the resolution.

**CITY OF SAMMAMISH
WASHINGTON
RESOLUTION NO. R2010-__**

**A RESOLUTION OF THE CITY OF SAMMAMISH, WASHINGTON
~~ESTABLISHING-AMENDING~~ CITY PURCHASING POLICIES TO
CONFORM TO STATE LAW REQUIREMENTS FOR MONIES
BUDGETED AND SPENT IN ALL CITY OPERATIONS.**

WHEREAS, the City Council desires to ensure that the City's purchasing policies and procedures remain consistent with State law requirements;

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

SECTION 1: INTRODUCTION/INTENT

The City Council desires to establish a uniform system of City purchasing and spending with all policies and procedures set forth in writing and available in one document. It is the intent to create a system that will assist all departments in obtaining the maximum use of money budgeted and spent for procurement of goods and services, to aid in implementing the budget and general financial controls of all City operations and to enforce all federal, state and local regulations. It is the further intent to replace and supercede all previously adopted purchasing policies and procedures.

SECTION 2: GENERAL

It is the general policy of the City that all expenditures shall be rationally related to some public purpose and reasonable in the amount and nature. All expenditures/expenses must be pre-audited and certified by the City's Finance Director or designee prior to submitting them to the City Council or its designated advisory group. The City Council or its designated advisory group may review and certify account payable claims twice monthly, and perform a limited audit of payroll to ensure that all issued payroll checks have been accounted for in the payroll of a given month.

Normally no claims/payroll checks may be issued prior to review and approval of City Council or its designated advisory group. However, the City Council has authorized the City Manager to issue certain checks prior to the review and approval by the City Council if they deemed that a delay in payment would not be in the best interest of the City. These may include, but are not limited to:

1. When delay in payment may result in late charges or penalties;
2. Registration fees, etc., that require payment by a certain deadline;
3. Payments that must be made in advance, (County permit fees, etc.)

At the next regular meeting, the City Council or its designated advisory group must review and approve those claims paid. If the City Council or its designated advisory group disapproves a claim that has already been paid, the City Manager or Finance Director must recognize the claim

as a receivable and pursue collection diligently until the amount is either collected or the City Council is satisfied and approves the claim.

SECTION 3: PURCHASING MANUAL

The attached purchasing manual is hereby adopted and by this reference and incorporated herein.

SECTION 4: PURCHASING AUTHORITY

A. Authorization/Forms:

- All purchases less than \$~~10,000~~ 15,000 -must be approved by a Department Director ~~or his/her designee and the City Manager.~~
- All purchases in excess of \$~~10,000.00~~ 15,000 -must be approved by the City ~~Manager~~Council, unless an emergency situation exists.

The above approvals must be made by signature on a purchase order, voucher, invoice or a personal expenses reimbursement form, as appropriate. (See Attached Forms).

B. Budget Appropriations: All departments are encouraged to stay within the line item appropriations, however, if it is necessary to exceed the appropriation in one line item, the Department Director must compensate by under-spending in another line item to ensure that the total fund expenditures do not exceed the total fund appropriation.

C. Non-Budgeted Expenditures: All non-budgeted capital outlay expenditures must be approved by the City Manager.

D. Budget Amendments: If an expenditure/expense shall cause a fund to exceed the total budgeted appropriation for the fund a budget amendment ordinance shall be prepared and submitted to the City Council for approval before expenditure is incurred. Council consensus to approve a future budget amendment that includes the cumulative affect of all of budget adjustment items for a specific period will also satisfy the authority to spend requirement. The City Council must approve the budget amendments prior to the end of the year.

E. Multiple Year Budgets: Multi-year and capital project budgets are defined as non-operating/special purpose budgets where appropriations do not lapse at year end and are approved for those funds authorized under State law. Such budgets will be authorized by the City Council and will not pass at calendar year end, but will continue until the purpose of the project or fund has been completed. Such budgets may be amended from time to time by the City Council, whether for an individual project, or for the total fund where projects do not exist within the account structure.

SECTION 5: PURCHASING PROCESS

A. General Procedures: An invoice must have the authorization signatures denoted in Section 3 of this resolution along with vendor name and address, description of goods or services being purchased, cost, account number to be charged, and balance of long-term

project payments, purchase amount and a dated and authorized department signature that will be forwarded to the Finance Department. The Finance Department will merge the receiving copy, and the original invoices (or authorized substitute, as may be required by the City Manager or Finance Director), ~~and purchase order on file~~, perform an accounts payable audit on the voucher package, and prepare checks following data entry into the City's accounting system.

- B. Petty Cash Funds:** The City shall have a working petty cash fund of \$300 and a change fund of \$200. The use of such funds shall conform to guidelines established under State Law as follows:
- a. The City Council must approve all new petty cash funds or changes in the level of existing funds.
 - b. The City Council shall appoint the Finance Director or his/her designee as the petty cash custodian.
 - c. Working fund type petty cash funds are to be used to facilitate small purchases, not to exceed \$50.00 unless specifically authorized by the City Manager or his/her designee.
 - d. Petty cash shall be replenished, at a minimum, once quarterly by check payable to the appropriate custodian and petty cash account.
 - e. Recording of petty cash accounts should be properly segregated from other cash accounts on the City's balance sheet statement.
 - f. The replenishing of petty cash should follow the same review and approval as processed invoices.
 - g. The petty cash fund may not be used for personal cash advances even if secured by check or other IOU's.

C. Competitive Bidding:

- a. Procedures for public works contracts or purchases shall be governed by RCW35A.40. Contracts that require competitive bidding under State law shall be awarded according to the procedures set forth in RCW 35.23.352. No contract for construction of public works less than the threshold amount required for competitive bidding shall be awarded without approval of the City Manager, except in the event of emergencies. The department head, in requesting approval, shall submit evidence that the recommended contract is the best possible price. Such evidence shall be retained in department files and copies submitted with the payment voucher. In accordance with the Revised Code of Washington such procedures may be waived in the event of an emergency.
- b. Although not required, it is encouraged that the City will bid for the purchasing of materials, supplies, or equipment unconnected with a public works project. The City must use the competitive bid process for purchasing public works projects and must comply with the applicable limits set for the Limited Small Works Process.
- c. Small Works Roster: In addition to the above procedures, the City may use a —Small Works Roster and award contracts ~~for \$200,000.00~~ within the limits set by RCW 39.04.155. The City recognizes the ECityGov Alliance Shared Procurement Portal as its small Works Roster.

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- d. **Intergovernmental Purchases and Bidding:** RCW 39.34.030, a section of the Interlocal Cooperation Act, authorizes cooperative action, including joint purchases by different governmental entities. Under this act, the City has entered into agreement with the State Department of General Administration that authorizes the City to purchase through the Department of General Administration without going out to bid. The City may also enter into other purchasing arrangements with other government entities.
- e. **Rejection of Bids:** After review, bids may be rejected by the City Manager for cause. "Cause" shall be defined as those found in Washington state law and/or any failure to meet the bid call. Any bidder may appeal the rejection of bids by the City Manager to the City Council by making a written request to the City Clerk not more than 5 business days after notification of the bid rejection. If an appeal is filed, the appeal before the City Council shall be heard as soon as practicable after the appeal notice is given to the City Clerk.

D. Fixed Assets and Depreciation: General fixed assets are to be defined and accounted for in compliance with generally acceptable accounting standards. Assets owned by proprietary funds are to be depreciated and accounted for in a like manner. The Finance Director will determine the minimum threshold cost of capital outlay expenditures that shall be recorded as fixed assets of the City. The currently recommended threshold shall be \$5,000 for both general fixed assets and proprietary assets. All fixed assets are valued at historical cost (or estimated cost, where historical cost is not known/or estimated market value for donated assets/or the lower of cost of fair market value when transferred between proprietary funds and the general fixed assets account group).

SECTION 6: EMPLOYEE EXPENSES

- A. **General:** It is the City's policy to encourage continued education and training for all employees and to endorse professional affiliations where the City may derive benefit by the increased or continued competence of its staff or from those professional relationships that carry a significant public relations advantage for the City. ~~(Please refer to the City's Travel Policy).~~
- B. **Credit Cards:** Refer to the City of Sammamish Credit Card Policy.
- C. **Authorized Expenses:** The City shall pay all reasonable costs that relate to employee travel. These include registration fees, room, board, tips (not to exceed 15% of meals) and mileage for the employee only. Non-allowable expenses include expenses of a spouse or other unauthorized person, personal entertainment, beauty/barber shop, personal postage/telephone, and other non-business related expenses unless specifically authorized by the City's travel and reimbursement policy. (Refer to the City of Sammamish Travel Policy).

D. **Mileage:** It is recommended that all City personnel use a City vehicle when traveling on official City business, unless a City vehicle is not available or it is determined by a Department Director that it is not in the best interest of the City due to the length of time such a vehicle shall be unavailable for other City use.

(Refer to the City of Sammamish Travel Policy, Section 3.1).

E. **Employee Reimbursement:** Reimbursement procedures for out-of-pocket expenses will be through the normal claims process. (Refer to Section 4). The employee shall prepare a “personnel expense reimbursement” form (see attached), as may be established by the City Manager and Finance Director, attach required receipts, obtain approval signatures, and submit for claims payment. Where administrative policy allows petty cash to be used for small -City business expense reimbursements (less than \$50.00), the applicable form -should be prepared in like manner and submitted to the petty cash custodian. —(See attached form).

SECTION 7: ADMINISTRATIVE PROCEDURES

The City Manager is authorized to establish additional policies and procedures, or modify existing policies and procedures, to facilitate administrative compliance with the City’s Purchasing polices and practices established herein, and/or comply with other state or federal mandated financial policies.

If any provisions of this Resolution are determined to be invalid or unenforceable for any reason, the remaining provisions shall remain in force and affect.

**PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE
— DAY OF _____ 2010**

~~Donald J. Gerend~~, Mayor Donald J. Gerend

Attest:

Melonie Anderson, City Clerk

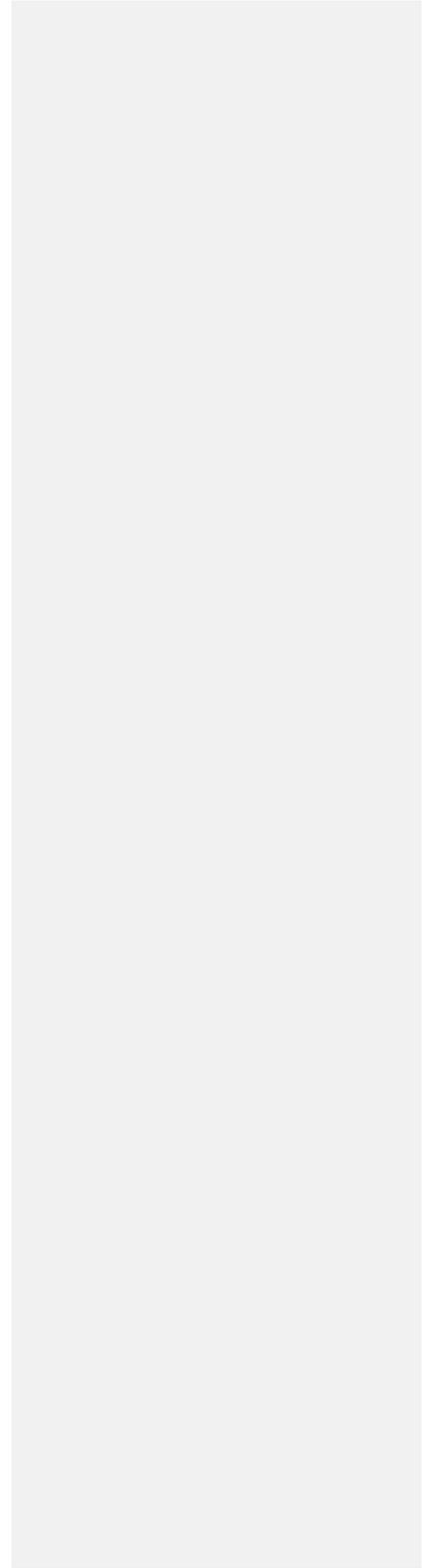
Approved as to form:

Bruce L. Disend, City Attorney

Filed with the City Clerk:

Passed by the City Council:
Resolution No.:

R2010-___





City Council Agenda Bill

Meeting Date: April 20, 2010

Date Submitted: April 14, 2010

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 checked="" type="checkbox"/> Public Works

Subject: Resolution: Final Plat of the Pine Meadows Subdivision to create 25 lots

Action Required: Motion to adopt resolution approving the subdivision

Exhibits:

1. Resolution
2. Matrix showing plat conditions and responses
3. Map of Final Plat

Budget: N/A – Legislative Approval

Summary Statement: The proposed Pine Meadows subdivision (a.k.a. Segur) to create 25 lots was reviewed and granted preliminary plat approval by the City of Sammamish Hearing Examiner on March 12, 2007. The subdivision application is vested to the City of Sammamish Municipal Code in effect on August 12, 2005 per a settlement agreement.

Background: The City of Sammamish Hearing Examiner approved the preliminary plat on May 12, 2007 subject to conditions of approval. The City of Sammamish has reviewed, and approved the installation of the required infrastructure (drainage facilities, streets, sidewalks, etc) improvements under plat construction and clear and grade permit BLD2007-000263. The improvements have been substantially completed and inspected. The final lift of asphalt, and street trees etc. have been bonded for (see below).

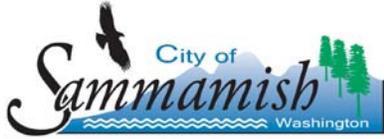
The site currently being subdivided is zoned Residential, 6 units per acre (R-6). The site is constrained by on-site wetland areas, which will be located in a separate critical areas tract; an open space and recreation tract of approximately 0.46 acres. Access to the development on the site is SE 4th Street.

Performance Bond:

The applicant has posted a bond for the installation of the remaining site improvements (including streets and other required drainage improvements) in the amount of \$ 361,372.70.

Landscaping Bond:

The applicant has posted a street landscaping performance bond in the amount of \$62,375.00 and an open space / recreational improvement performance bond in the amount of \$43,868.50.



City Council Agenda Bill

Critical Areas Bonding:

The applicant has posted a bond for the installation of the required critical area mitigation in the amount of \$169,125.50

Transportation Mitigation Fees:

The applicant has paid 30% percent of the traffic mitigation impact fee in the amount of \$93,750.00 per the addendum to the settlement agreement. The remaining fees will be collected at the time of building permit issuance or deferred to the point of sale if the applicant wishes on a per lot basis.

School Mitigation Fees paid to the City of Sammamish:

The applicant has paid fifty percent of the applicable Issaquah School District impact fees in the amount of \$88,000.00 in addition to the current administration fee. The balance of the school impact fees shall be paid at the time of building permit issuance on a per lot basis.

The applicant has demonstrated to the City of Sammamish that all of the preliminary plat approval conditions have either been met, or have been bonded and will be met in a timely manner.

Financial Impact: N/A – Legislative Approval

Recommended Motion:

Approve the 25-lot Pine Meadows subdivision, and authorize the mayor to sign the mylars for the final plat.

**CITY OF SAMMAMISH
WASHINGTON
Resolution No. R2010-___**

**A RESOLUTION OF THE CITY OF SAMMAMISH,
WASHINGTON, GRANTING FINAL PLAT APPROVAL TO
THE PLAT OF PINE MEADOWS FKA SEGUR**

WHEREAS, the City Council has received recommendation of approval for the final plat of the Pine Meadows Subdivision; and

WHEREAS, the City Council has reviewed said plat and finds that it conforms to all terms of the preliminary plat approval and applicable land use laws and regulations; and

WHEREAS, the City Council desires to grant final approval to the (25-lot) plat of the Pine Meadows subdivision;

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

Section 1. Adoption of Hearing Examiner's Findings and Conclusions.

The City Council hereby adopts the findings and conclusions included in the City of Sammamish Hearing Examiner's decision of May 12, 2007 for the preliminary plat of Pine Meadows.

Section 2. Grant of Approval. The City Council hereby grants final approval to the (25-lots) of the Pine Meadows plat.

**PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON
THE 20th DAY OF APRIL 2010.**

CITY OF SAMMAMISH

Mayor Donald Gerend

ATTEST/AUTHENTICATED:

Melonie Anderson, City Clerk

Approved as to form:

Bruce L. Disend, City Attorney

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

**FINAL PLAT RESPONSES
HEARING EXAMINER CONDITIONS OF APPROVAL
SEGUR PROPERTY PLAT
OUR JOB NO. 11916**

CONDITION	RESPONSE
General Conditions:	
1. Per RCW 58.17.170 the Applicant shall comply with all county, state, and federal rules and regulations in effect on August 12, 2005, the vesting date of the subject application. Future building permits will be subject to updated construction codes, including but not limited to the International Building Code and the International Fire Code, as amended;	Acknowledged.
2. Per SMC 19.40.040, preliminary plat approval shall be null and void if any condition is not satisfied and the final plat is not recorded within the approval period of sixty (60) months; provided Applicant may file for an extension as permitted by code;	Acknowledged. This final plat application is hereby submitted within 60 months of the approval, and we will record the final plat map prior to the expiration of the 60 months.
3. All construction and site development activities related to the plat are prohibited until the preliminary decision becomes effective, and all applicable permits are received;	Acknowledged. No construction commenced until the required permits were obtained.
4. Approval of a preliminary plat does not imply or guarantee approval of any building permit/s, engineering plans, and/or clearing and grading permits, but not limited thereto. All permit requests will be reviewed for compliance with applicable codes, ordinances, laws, rules, and regulations;	Acknowledged.
5. The land use development standards, as set forth in SMC Chapter 21A, Development Code, shall be included on building permit application site plans, as lot widths and setbacks are vested at the time of preliminary plat application;	Acknowledged. This condition will be satisfied with the review and approval of the individual home building permits for each lot once the final plat has been approved.
6. The plat configuration shall be developed in substantial conformance with the Site Plan by Barghausen Consulting Engineers, received 1/26/07, subject to applicable conditions of approval specified by the Hearings Examiner;	The site layout is nearly identical to the preliminary plat that was approved by the Hearing Examiner.
7. Street trees shall be provided per City of Sammamish PWS.15 requirements and landscaping shall be required consistent with SMC 21A.35.055 – Landscaping Drainage Facilities, and SMC 21A.35.040 – Landscaping Street Frontages;	This condition will be satisfied by approval of the engineering plans. The street trees are shown on Sheet L1. Please see the Final Plat Submittal binder for a reduced-size copy of Sheet L1.

CONDITION	RESPONSE
8. For the purpose of insuring compliance with all conditions of approval and the standard requirements of the SMC, the Applicant shall provide financial guarantees in conformance with SMC Chapter 27A, and PWS Chapter 10.050(K). All improvements required pursuant to the PW standards, SMC, or other applicable regulations, must be installed and approved, or bonded as specified for plats in SMC 19.60, Subdividing Procedure;	All improvements will either be fully constructed and inspected or guaranteed prior to final plat approval.
9. The applicant or subsequent owner(s) shall comply with City of Sammamish Ordinance No.02006-207, which authorizes the collection of Impact Fees for Park and Recreational Facilities;	Acknowledged. Plat Note 23 on Sheet 3 notes the requirement for payment of park impact fees.
10. The applicant or subsequent owner(s) shall comply with the payment of Traffic Impact Fees in accordance to City of Sammamish Ordinance No 2006-208, as modified by the Settlement Agreement and the Addendum to the Settlement Agreement executed on November 21, 2006 between the City of Sammamish and two groups of property owners and developers known as the Sammamish Development Coalition and the Sammamish Plat Applicants Group;	Acknowledged. Plat Note 22 on Sheet 3 notes the requirement for payment of traffic impact fees. This note was updated in accordance with Ordinance No. O2009-263.
Prior to Construction:	
11. All construction and upgrading of public and private roads shall be done in accordance with the City of Sammamish Interim Public Works Standards (PWS). Compliance may result in reducing the number and/or location of lots as shown on the preliminary approved plat The City Engineer shall approve any variations to the Public Works Standards consistent with PWS.10.170 during final engineering.;	This condition was satisfied by approval of the engineering plans.
12. Any Surface Water Management Facilities required for this subdivision shall be contained within a separate tract of land and shall be dedicated to the City of Sammamish for maintenance and operation. The size of the proposed drainage tracts may have to increase to accommodate the required detention storage volumes and water quality facilities;	This condition was satisfied by approval of the engineering plans. Tract B contains the drainage facilities. Plat Note 3on Sheet 3 of the final plat map dedicates the Tract to the City for ownership and maintenance.
13. City of Sammamish approval of required permits and/or the applicant's final engineering (issued in the form of a clearing and grading permit) is required prior to initiation of any onsite construction;	This condition was satisfied by approval of the engineering plans.

CONDITION	RESPONSE
14. All temporary erosion and sediment control (TESC) plans shall be in accordance to the King County Surface Water Design Manual (KCSWDM 1998) Appendix D for all erosion and sediment control standards. TESC plans should show, as a minimum, clearing limits, cover measures, perimeter protection (silt fence), traffic area stabilization, sediment retention, surface water control, and dust control;	This condition was satisfied by approval of the engineering plans.
15. Current City of Sammamish Standard Plan Notes and Erosion and Sediment Control (ESC) Notes shall be shown on the Engineering Plans submitted for approval;	This condition was satisfied by approval of the engineering plans.
16. Current City of Sammamish Standard Plan General Notes, Roadway Notes, Drainage Notes, and Erosion and Sediment Control (ESC) Notes shall be shown on the Engineering Plans submitted for approval;	This condition was satisfied by approval of the engineering plans.
17. Applicant shall include landscaping, recreational improvement, and tree retention, replacement, and protection plans with proposed construction drawings. Proposed landscaping plans and tree retention, replacement, and protection plans shall identify proposed utility locations, protection measures, and replacement tree / landscaping locations;	This condition was satisfied by approval of the engineering plans.
18. Preserving existing significant trees in the future ROW shall be reviewed during Final Engineering. Realignment of sidewalks and planter strips will be considered. The final engineering plans shall include identification of any coniferous trees over 8-inch DBH and any deciduous trees over 12-inch DBH located in or adjacent to the future ROW;	This condition was satisfied by approval of the engineering plans.
19. Road "A" culdesac shall be designed consistent with PWS.15.120 and PWS Figure 02-33. Fire Marshal shall review and approve culdesac design during final engineering;	This condition was satisfied by approval of the engineering plans. Please see the Final Plat Submittal binder for a copy of the Fire Marshal's approval dated March 27, 2007.
20. All new intersections shall be designed per PWS.15.160;	This condition was satisfied by approval of the engineering plans.
21. Applicant shall obtain all required state and federal permits;	All required permits were obtained.
22. Applicant shall retain trees consistent with sheet 5 of development plan set received January 26, 2007; trees identified for removal in the sensitive area buffer adjacent to Tract B (7715, 7716, etc.) are subject to final engineering review.	This condition was satisfied by approval of the engineering plans.
23. Tree protection shall be required per SMC 21A.35.230 – Tree Protection Standards. Tree protection shall be clearly identified on the plans submitted for the clearing and grading permit or building permit;	This condition was satisfied by approval of the engineering plans.

CONDITION	RESPONSE
24. The design of traffic signage and striping shall be approved prior to City of Sammamish approval of construction drawings;	This condition was satisfied by approval of the engineering plans.
25. During engineering review of the plat, staff may authorize Applicant to maintain existing overhead lines along frontages as overhead and relocate them as necessary;	Acknowledged.
26. Final wetland mitigation plans shall be provided consistent with SMC 21A.50, and, at a minimum, shall include plan implementation details/instructions, plant schedule, planting plan, planting details, soil amendment details, watering protocol, performance standards, monitoring protocol and schedule, maintenance protocol and schedule, signage, and fencing details;	This condition was satisfied by approval of the engineering plans.
27. Upon preliminary plat approval, a Street Impact Fee deposit shall be made such that the total deposit equals twenty percent (20%). Based on rates currently in effect, the 20% deposit amount equals \$62,500.00 . To date, deposits have been received totaling \$19,856.15 Therefore, a total of \$42,643.85 is due prior to plat construction plan submittal to attain the required 20% deposit amount;	This condition was satisfied by payment of the required deposit.
<i>Prior to recording:</i>	
28. If the plat is subject to a dedication, the certificate or instrument of dedication shall be signed and acknowledged before a notary public by all parties having any ownership interest in the lands subdivided and recorded as part of the final plat;	Sheet 2 of the final plat map contains the dedication certificate. All property owners will sign and have their signatures notarized prior to final plat recording.
29. All utilities within proposed rights of way must be included within a franchise agreement approved by the City Council prior to Final Plat recording;	All utility purveyors have franchise agreements with the City.
30. 25-ft intersection curb radius on SE 4 th St and 220 th Ave SE shall be dedicated to the City as public ROW;	The intersection is dedicated to the City as public right-of-way on the final plat map.
31. The applicant shall obtain the approval of the Fire Marshal certifying adequacy of the fire hydrant(s), water main(s), and fire flow to meet current codes prior to final plat approval;	Fire Marshal approval, including inspection and fire flow test, will be obtained prior to Sammamish Plateau Water and Sewer District issuing its final approval for the plat.

CONDITION	RESPONSE
32. Half street frontage improvements per PWS.15.110 and consistent with PWS Table 1 and Figure 01-05 for a local road are required along 218 th Ave SE. A minimum 20-ft of asphalt is required to allow for two way traffic on a local road. The planter strip may be eliminated in areas where required improvements directly impact delineated wetland. Road alignment may shift in areas where impact to existing wetlands may be reduced. These variations to the local road standard will be reviewed and approved during final engineering;	This condition was satisfied by approval of the engineering plans.
33. The Applicant shall dedicate sufficient right-of-way to establish 33.5-ft of right-of-way north of the existing right-of-way centerline of SE 4 th Street. The Applicant shall construct half street frontage improvements along SE 4 th Street per PWS.15.110 and consistent with PWS Table 1 and Figure 01-03 for a Collector. The planter strip may be eliminated in areas where required improvements directly impact delineated wetland. This will be reviewed and approved during final engineering;	This condition was satisfied by approval of the engineering plans.
34. Per the City of Sammamish Trails, Bikes, and Paths Plan, a Class 3 Bike Route and local sidewalk along SE 4 th Street, and a Shared-Use path along 218 th Avenue SE shall be constructed. This item will be reviewed and approved during final engineering;	This condition was satisfied by approval of the engineering plans.
35. Tracts D and E shall be improved to meet private road standards per PWS.15.090 when serving as access for 3 or 4 lots;	This condition was satisfied by approval of the engineering plans.
36. All internal roads of the plat shall be dedicated and improved to meet local road standards consistent with PWS Table 1 and PWS Figure 01-05;	This condition was satisfied by approval of the engineering plans.
37. Prior to final plat, temporary street name signs and no parking signs (if required on final engineering plans) shall be installed. Permanent street designation and traffic control signs, including poles and hardware, shall be installed following sidewalk installation. These items shall be paid for by the Applicant but shall be designed, furnished, and installed by the City to establish uniformity unless otherwise indicated by the City. Additional signage not shown on final engineering plans may be required based on site conditions as determined by Public Works. A written request must be submitted to the City PW Department when signing is needed and the Applicant will be billed upon completion. Street designation signs shall display street name or number;	This condition will be satisfied prior to final plat approval. The signs are shown on the signing and striping plans contained within the road and drainage plans.

CONDITION	RESPONSE
38. Suitable recreation space shall be provided consistent with the requirements of SMC 21A.30. An overall conceptual recreation space plan shall be submitted with the clearing and grading permit or building permit, for review and approval by the City of Sammamish Department of Community Development. The proposal shall include location, area, calculations, dimensions, and a description of general improvements;	This condition was satisfied by approval of the engineering plans.
39. Drainage plans, Technical Information Reports, and analysis shall comply with the 1998 King County Surface Water Design Manual and the City of Sammamish Stormwater Management Comprehensive Plan;	This condition was satisfied by approval of the engineering plans.
40. As specified in section 5.1 of the KCSWDM manual, stormwater from roof drains shall be infiltrated, dispersed, or connected to the storm system with a perforated stub-out connection. The feasibility of the selected option shall be evaluated during final engineering. The resulting requirement shall be included on the final plat map to ensure compliance. No reduction in flow control facility is given for perforated stub-outs;	This requirement has been included in Plat Note 15 on Sheet 3 of the final plat map.
41. Prior to final plat approval, all public and private stormwater facilities shall be constructed and in full operation. These facilities shall include the stormwater conveyance system, detention, water quality, and any required monitoring facilities. The conveyance system shall include all drainage structures, piping, ditching, curb, gutter, and road paving with the exception of the final lift of asphalt. Final lift of asphalt may be required on SE 4 th St prior to final plat in accordance to the approved ROW permit. Bonding of improvements shall be allowed where authorized by SMC 19.60.050, 19.60.060, and 19.60.070;	Acknowledged. All facilities will be operational prior to final plat approval.
42. Recreational improvements shall be installed or a performance bond for recreational space improvements shall be posted prior to recording of the final plat;	All recreational improvements will either be fully constructed and inspected or guaranteed prior to final plat approval.
43. Wetland mitigation shall be performed or a performance bond for wetland mitigation shall be posted prior to recording;	All wetland mitigation will either be fully constructed and inspected or guaranteed prior to final plat approval.
44. The subdivision shall be landscaped pursuant to SMC 21A.35, and PWS.15. Street trees shall be provided per City of Sammamish Interim PWS.15.520;	This condition was satisfied by approval of the engineering plans.
45. Landscaping improvements shall be installed or a performance bond for landscaping improvements shall be posted prior to recording of the final plat;	All landscaping improvements will either be fully constructed and inspected or guaranteed prior to final plat approval.

CONDITION	RESPONSE
46. Article VII requirements. Landscape plans shall be submitted prior to or concurrent with the submittal of construction plans; for review and approval prior to final plat approval;	This condition will be satisfied with the review and approval of the landscape plans, which were submitted during the clear and grade permit.
47. A homeowner's association or other workable organization shall be legally established to provide for the ownership and continued maintenance of sensitive area tracts, required recreational spaces, and open space tracts, etc. The covenants and restrictions of said homeowners association or other workable organization shall be filed for record at King County;	The Homeowners' Association will be incorporated with the Secretary of State prior to final plat approval. A copy of the draft CC&Rs has been included for review in the Final Plat Submittal binder. Once approved, the CC&Rs will be recorded with the final plat map.
48. All new street construction for the plat shall include illumination per Article 5 of the City of Sammamish Interim Public Works Standards. Illumination along SE 4 th St shall meet the current City decorative standard. Maintenance of illumination along all local and private roads shall be the responsibility of the Homeowners Association or jointly shared by the owners of the development.	This condition was satisfied by approval of the engineering plans. The CC&Rs will require the Homeowners' Association to pay for electricity and maintenance of the street lights on 218th Place S.E. The illumination on S.E. 4th Street will be owned and maintained by the City.
49. Trees retained per SMC 21A.35.210 shall be identified on the face of the final plat for retention. Trees shall be tagged in the field and referenced on the face of the final plat with the applicable tag number. Trees retained as part of the preliminary plat shall be subject to the replacement requirements of SMC 21A.35.240 in the event that a tree must be removed following construction or final plat approval;	This condition was satisfied by approval of the engineering plans.
50. Per SMC 21A.105, the applicant shall pay 50% of the current school impact fees, plus an administrative fee;	Acknowledged. 50% of the school impact fees will be paid prior to final plat approval.
51. Applicant shall install school related signage, as approved by the Lake Washington School District;	All requires signage will either be installed and inspected or guaranteed prior to final plat approval.
52. Prior to final plat approval, the applicant shall pay all other applicable fees;	Acknowledged.
<i>Conditions to appear on the face of the final plat:</i>	
53. The Applicant shall comply with RCW 58.17.280, providing the appropriate "addressing note" with address ranges being on the final plat;	Included as Plat Note 12 on Sheet 3 of the final plat map.
54. "No lot or portion of a lot shall be subdivided and sold, or resold, or its ownership changed or transferred in violation of applicable city, county, state, or federal standards, rules, regulations or laws";	Included as Plat Note 13 on Sheet 3 of the final plat map.
55. "Tract A is a Sensitive Area Tract (S.A.T.) containing wetlands and is hereby conveyed to the Homeowners' Association for ownership and maintenance purposes upon recording of this plat.";	Included as Plat Note 2 on Sheet 3 of the final plat map.
56. "Restrictions for Sensitive Area Tracts and Sensitive Areas and	Included as Restrictions for Sensitive Area Tracts and Sensitive Areas

CONDITION	RESPONSE
<p><i>Buffers: Dedication of a sensitive area tract/sensitive area and buffer conveys to the public a beneficial interest in the land within the tract/sensitive area and buffer. This interest includes the preservation of native vegetation for all purposes that benefit the public health, safety and welfare, including control of surface water and erosion, maintenance of slope stability, and protection of plant and animal habitat. The sensitive area tract/sensitive area and buffer imposes upon all present and future owners and occupiers of the land subject to the tract/sensitive area and buffer the obligation, enforceable on behalf of the public by the City of Sammamish to leave undisturbed all trees and other vegetation within the tract/sensitive area and buffer may not be cut, pruned, covered by fill, removed or damaged without approval in writing from the City, unless otherwise provided by law. The common boundary between the tract/sensitive are and buffer and the area of development activity must be marked or otherwise flagged to the satisfaction of the City prior to any clearing, grading, building construction or other development activity on a lot subject to the sensitive area tract/sensitive area and buffer. The required marking or flagging shall remain in place until all development proposal activities in the vicinity of the sensitive area are completed. No structures are allowed beyond the required 15-foot building setback line, unless otherwise approved by the City of Sammamish.”;</i></p>	<p>and Buffers Note on Sheet 3 of the final plat map.</p>
<p>57. <i>“Tract C is a recreation tract and is hereby conveyed to the homeowners’ association for ownership. Maintenance and upkeep of the recreation space contained within Tract C shall be the responsibility of the Home Owners Association”;</i></p>	<p>Included as Plat Note 4 on Sheet 3 of the final plat map.</p>
<p>58. <i>“The owners of lots 13, 14, 15, and 16 shall have an undivided interest in the ownership of Tract D (An access and utility tract) Said owners are hereby responsible for the maintenance of all access and private facilities within said tract”;</i></p>	<p>Included as Plat Note 5 on Sheet 3 of the final plat map.</p>
<p>59. <i>“The owners of lots 7, 8, 9 shall have an undivided interest in the ownership of Tract E (An access and utility tract) Said owners are hereby responsible for the maintenance of all access and private facilities within said tract”;</i></p>	<p>Included as Plat Note 6 on Sheet 3 of the final plat map.</p>

CONDITION	RESPONSE
60. <i>"Trees identified on the face of this plat have been retained pursuant to the provisions of SMC 21A.35.210 and are subject to tree protection standards set forth in SMC 21A.35.230. Removal of these trees is prohibited unless the tree is removed to prevent imminent danger or hazard to persons or property, subject to a clearing and grading permit approved by the City of Sammamish. Trees removed subject to this provision shall be replaced in compliance with SMC 21A.35.240."</i>	Included as Plat Note 14 on Sheet 3 of the final plat map.
61. <i>"All building downspouts, footing drains, and drains from all impervious surfaces such as patios and driveways shall be connected to the permanent storm drain outlet as shown on the approved Construction Drawing on file with the City of Sammamish."</i> This plan shall be submitted with the application for any building permit. All connections of the drains shall be constructed and approved prior to final building inspection approval. For those lots that are designated for individual lot infiltration systems, the systems shall be designed and constructed as part of the building permit process and shall comply with the approved Construction Drawings on file with the City of Sammamish;	Included as Plat Note 15 on Sheet 3 of the final plat map.
62. <i>"Metal products such as galvanized steel, copper, or zinc shall not be used in all building roofs, flashing, gutters, or downspouts unless they are treated to prevent metal leaching and sealed such that contact with storm water is prevented."</i>	Included as Plat Note 21 on Sheet 3 of the final plat map.
63. <i>"No direct access to any lots within the plat shall be allowed from SE 4th St or 218th Ave SE."</i>	Included as Plat Note 16 on Sheet 3 of the final plat map.
64. If final engineering plans include the design of any infiltration or dispersion trenches, the following note shall be shown on the face of the final recorded plat, <i>"For all lots containing or adjacent to infiltration or dispersion trenches, lots shall be graded such that top of trench is below bottom of foundation."</i>	The engineering plans do not include the design of infiltration or dispersion trenches. Therefore, this condition does not apply.
65. Street Impact Fees per the applicants request have been deferred to the alternative option beyond final plat in accordance with Ordinance No. 02006-208, as modified by the Settlement Agreement and the Addendum to the Settlement Agreement executed on November 21, 2006 between the City of Sammamish and two groups of property owners and developers known as the Sammamish Development Coalition and the Sammamish Plat Applicants Group. At time of final plat approval, a Street Impact	Fees totaling 30 percent of the total street impact fees will be paid prior to final plat approval. Plat Note 22 on Sheet 3 of the final plat map notes the requirement for payment of the remaining portion of the fee.

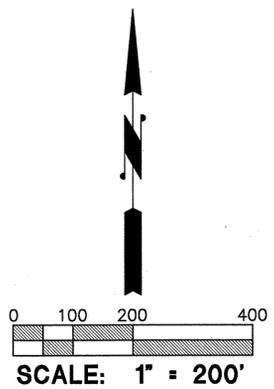
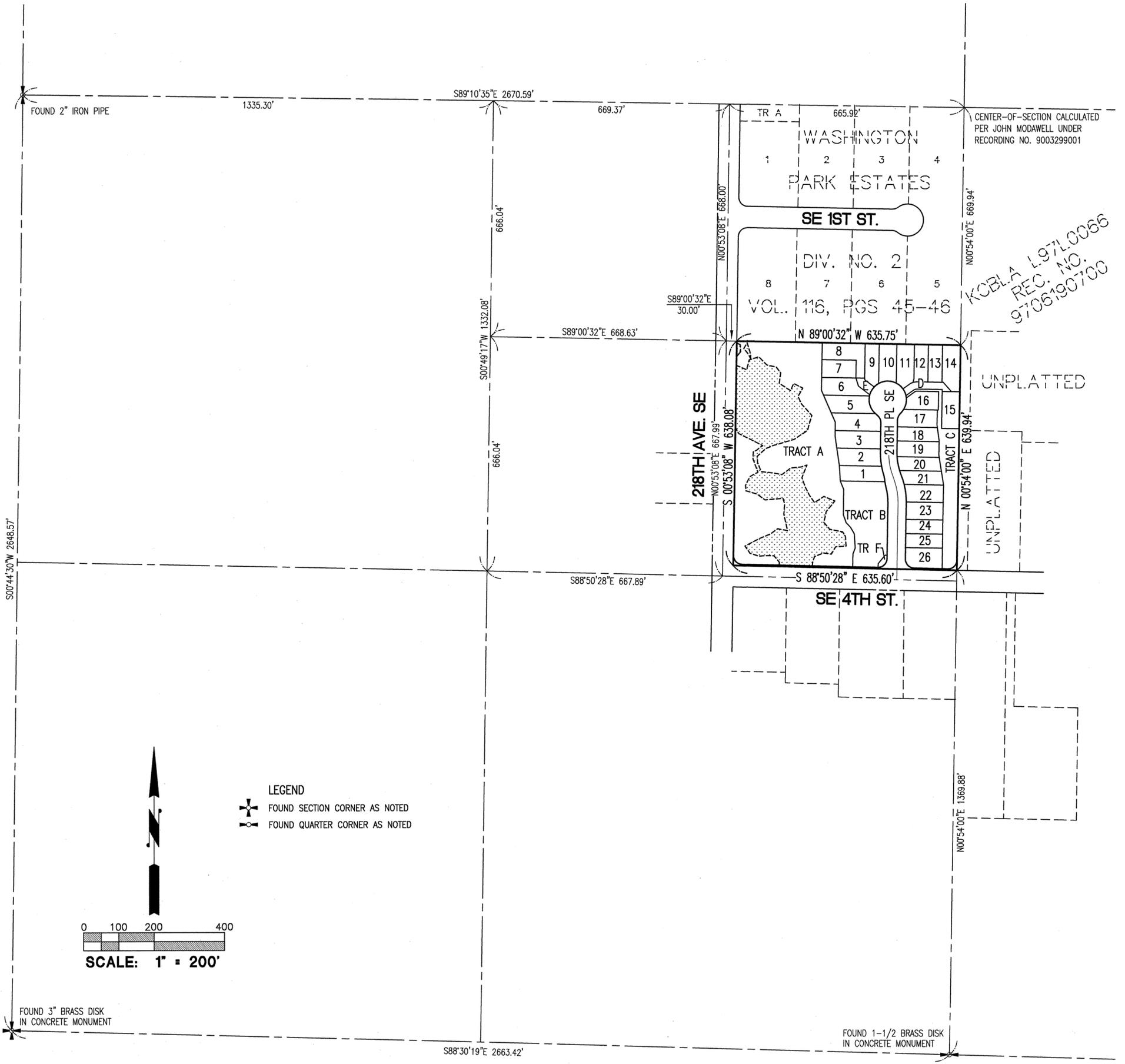
CONDITION	RESPONSE
<p>Fee payment shall be made such that the total deposit amount equals thirty percent (30%). Based on the rates currently in effect, the 30% deposit amount equals \$93,750.00 less a credit for any deposits already paid. At the time of building permit issuance (on a per lot basis) a Street Impact Fee payment shall be made such that the total deposit amount equals one hundred percent (100%). Based on the rates currently in effect, the 100% deposit amount equals \$312,500.00 less a credit for any deposits already paid, if paid during the two-year vesting period from the date of the final plat approval. If building permits are not issued within the two years of such approval then all remaining building permits shall be assessed Street Impact Fees based on the current rate in effect at the time of building permit issuance less a credit for any deposits already paid. If the existing residential structure is not replaced within twelve (12) months of the demolition or destruction, then an additional Street Impact Fee shall be assessed and paid in full at building permit issuance for that lot based on the current rate in effect at that time;</p>	
<p>66. <i>“Per SMC 21A.105, fifty percent of the school impact fees, plus an administrative fee shall be paid prior to building permit issuance.”;</i></p>	<p>Included as Plat Note 17 on Sheet 3 of the final plat map.</p>
<p>67. It shall be noted on the face of the final plat in accordance with Ordinance No. 02006-207 that impact fees for park and recreational facilities shall be paid (on a per lot basis) at the time the complete application for a building permit is submittal, or at the issuance of permit, using the Impact Fee rates in effect at that time;</p>	<p>Included as Plat Note 23 on Sheet 3 of the final plat map.</p>
<p>68. <i>“Per City of Sammamish Ordinance No. 02002-112, a surface water system development charge shall be paid at the time of building permit issuance, for each new residential dwelling unit”; and,</i></p>	<p>Included as Plat Note 24 on Sheet 3 of the final plat map.</p>
<p>69. “Maintenance of landscape strips separating the sidewalk from the roadway, planter islands, and/or planted medians shall be the responsibility of the Homeowners Association. If the maintenance responsibilities are not addressed in the Homeowners Association covenants and restrictions, then the abutting property owner shall be responsible for the maintenance. Under no circumstances shall the City bear any maintenance responsibilities for landscaping strips, planter islands, or planted medians.”</p>	<p>Included as Plat Note 18 on Sheet 3 of the final plat map. The CC&Rs will mandates the Homeowners' Association to be responsible for maintenance of the landscape improvements.</p>

**RESPONSE TO COMMENTS
MDNS CONDITIONS OF APPROVAL
SEGUR PROPERTY PLAT
OUR JOB NO. 11916**

<p>1. A wetland mitigation plan shall be submitted and approved prior to any construction permits being issued for the subdivision. The mitigation measures shall have a 5-year monitoring period with performance standards as described in the Sensitive Areas Report and Conceptual Mitigation Plan, prepared by Talasaea Consultants, Inc. dated 8/10/05, revised 11/7/06. Final mitigation plans shall also include, at a minimum, implementation details, plant schedule, planting plan details, soil and amendment details, a watering protocol, monitoring protocol and schedule, a maintenance protocol and schedule, signage, and fencing details.</p>	<p>This condition was satisfied by approval of the engineering plans.</p>
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PINE MEADOWS

A PORTION OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 33, TOWNSHIP 25 NORTH, RANGE 6 EAST, WILLAMETTE MERIDIAN CITY OF SAMMAMISH, KING COUNTY, WASHINGTON



LEGEND
 FOUND SECTION CORNER AS NOTED
 FOUND QUARTER CORNER AS NOTED

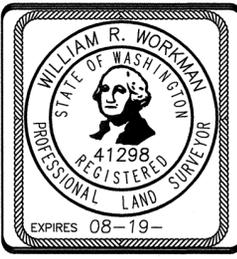
JOB NO. 11916

RECORDING CERTIFICATE:
 Recording No. _____
 Filed for record at the request of the City of Sammamish this _____ day of _____, 20____, at _____ minutes past _____ m. and recorded in Volume _____ of Plats at pages _____ through _____, records of King County, Washington.
 DIVISION OF RECORDS AND ELECTIONS

Manager _____ Superintendent of Records _____

LAND SURVEYOR'S CERTIFICATE:
 I hereby certify that this plat of PINE MEADOWS is based upon an actual survey and subdivision of Section 33, Township 25 North, Range 6 East, W.M., that the courses and distances are shown correctly thereon; that the monuments will be set and the lot and block corners will be staked correctly on the ground as construction is completed and that I have fully complied with the provisions of the platting regulations.

WILLIAM R. WORKMAN, PLS NO. 41298 _____ Date _____



Barghausen Consulting Engineers, Inc.
 Civil Engineering, Land Planning, Surveying, Environmental Services
 18215 72nd Avenue South Kent, WA. 98032
 Telephone: (425) 251-6222 Fax: (425) 251-8782

NE1/4 OF SW1/4, SECTION 33, T25N-R6E, W.M.
SHEET 1 OF 5

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PINE MEADOWS

A PORTION OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 33, TOWNSHIP 25 NORTH, RANGE 6 EAST, WILLAMETTE MERIDIAN CITY OF SAMMAMISH, KING COUNTY, WASHINGTON

LEGAL DESCRIPTION

THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 25 NORTH, RANGE 6 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON.

EXCEPT THE WEST 30 FEET THEREOF LYING WITHIN THE RIGHT OF WAY OF 218TH AVENUE SOUTHEAST, AS CONVEYED TO KING COUNTY FOR ROAD PURPOSES BY DEED RECORDED UNDER RECORDING NUMBER 1455415;

AND EXCEPT THE SOUTH 30 FEET THEREOF CONDEMNED BY KING COUNTY FOR E.A. PEARSON ROAD NO. 2, IN KING COUNTY SUPERIOR COURT CAUSE NUMBER 172093.

(ALSO KNOWN AS A PORTION OF LOT 19, BURKE & FARRAR'S KIRKLAND ADDITION TO THE CITY OF SEATTLE, DIVISION NO. 18, UNRECORDED).

DEDICATION

KNOW ALL PEOPLE BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS OF INTEREST IN THE LAND HEREBY SUBDIVIDED, HEREBY DECLARE THIS PLAT TO BE THE GRAPHIC REPRESENTATION OF THE SUBDIVISION MADE HEREBY, AND DO HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL STREETS AND AVENUES NOT SHOWN AS PRIVATE HEREON AND DEDICATE THE USE THEREOF FOR ALL PUBLIC PURPOSES NOT INCONSISTENT WITH THE USE THEREOF FOR PUBLIC HIGHWAY PURPOSES, AND ALSO THE RIGHT TO MAKE ALL NECESSARY SLOPES FOR CUTS AND FILLS UPON THE LOTS AND TRACTS SHOWN THEREON IN THE ORIGINAL REASONABLE GRADING OF SAID STREETS AND AVENUES, AND FURTHER DEDICATE TO THE USE OF THE PUBLIC ALL THE EASEMENTS AND TRACTS SHOWN ON THIS PLAT FOR ALL PUBLIC PURPOSES AS INDICATED THEREON, INCLUDING BUT NOT LIMITED TO PARKS, OPEN SPACE, UTILITIES AND DRAINAGE UNLESS SUCH EASEMENTS OR TRACTS ARE SPECIFICALLY IDENTIFIED ON THIS PLAT AS BEING DEDICATED OR CONVEYED TO A PERSON OR ENTITY OTHER THAN THE PUBLIC, IN WHICH CASE WE DO HEREBY DEDICATE AND CONVEY SUCH STREETS, EASEMENTS, OR TRACTS TO THE PERSON OR ENTITY IDENTIFIED AND FOR THE PURPOSE STATED.

FURTHER, THE UNDERSIGNED OWNERS OF THE LAND HEREBY SUBDIVIDED, WAIVE FOR THEMSELVES, THEIR HEIRS AND ASSIGNS AND ANY PERSON OR ENTITY DERIVING TITLE FROM THE UNDERSIGNED, ANY AND ALL CLAIMS FOR DAMAGES AGAINST CITY OF SAMMAMISH, ITS SUCCESSORS AND ASSIGNS WHICH MAY BE OCCASIONED BY THE ESTABLISHMENT, CONSTRUCTION, OR MAINTENANCE OF ROADS AND/OR DRAINAGE SYSTEMS WITHIN THIS SUBDIVISION OTHER THAN CLAIMS RESULTING FROM INADEQUATE MAINTENANCE BY CITY OF SAMMAMISH, ITS SUCCESSORS OR ASSIGNS.

FURTHER, THE UNDERSIGNED OWNERS OF THE LAND HEREBY SUBDIVIDED, AGREE FOR THEMSELVES, THEIR HEIRS AND ASSIGNS TO INDEMNIFY AND HOLD CITY OF SAMMAMISH, ITS SUCCESSORS AND ASSIGNS, HARMLESS FROM ANY DAMAGE, INCLUDING ANY COSTS OF DEFENSE, CLAIMED BY PERSONS WITHIN OR WITHOUT THIS SUBDIVISION TO HAVE BEEN CAUSED BY ALTERATIONS OF THE GROUND SURFACE, VEGETATION, DRAINAGE, OR SURFACE OR SUBSURFACE WATER FLOWS WITHIN THIS SUBDIVISION OR BY ESTABLISHMENT, CONSTRUCTION OR MAINTENANCE OF THE ROADS WITHIN THIS SUBDIVISION. PROVIDED, THIS WAIVER AND INDEMNIFICATION SHALL NOT BE CONSTRUED AS RELEASING CITY OF SAMMAMISH, ITS SUCCESSORS OR ASSIGNS, FROM LIABILITY FOR DAMAGES, INCLUDING THE COST OF DEFENSE, RESULTING IN WHOLE OR IN PART FROM THE NEGLIGENCE OF CITY OF SAMMAMISH, ITS SUCCESSORS, OR ASSIGNS.

THIS SUBDIVISION, DEDICATION, WAIVER OF CLAIMS, AND AGREEMENT TO HOLD HARMLESS IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF SAID OWNERS.

IN WITNESS WHEREOF WE SET OUR HANDS AND SEALS:

SAMMAMISH PARTNERS, LLC.
A WASHINGTON LIMITED LIABILITY COMPANY

U.S. BANK N.A.

BY: _____
ITS: _____

BY: _____
ITS: _____

ACKNOWLEDGMENTS

STATE OF WASHINGTON }
COUNTY OF KING } ss.

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT _____ IS THE PERSON WHO APPEARED BEFORE ME, AND THAT PERSON ACKNOWLEDGED SIGNING THIS INSTRUMENT, ON OATH STATED THEIR AUTHORITY TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS _____ OF SAMMAMISH PARTNERS, LLC. TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

DATED THIS _____ DAY OF _____, 2010.

NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON
RESIDING AT _____
PRINTED NAME _____
COMMISSION EXPIRES _____

STATE OF WASHINGTON }
COUNTY OF KING } ss.

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT _____ IS THE PERSON WHO APPEARED BEFORE ME, AND THAT PERSON ACKNOWLEDGED SIGNING THIS INSTRUMENT, ON OATH STATED THEIR AUTHORITY TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS _____ OF U.S. BANK N.A. TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

DATED THIS _____ DAY OF _____, 2010.

NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON
RESIDING AT _____
PRINTED NAME _____
COMMISSION EXPIRES _____

KING COUNTY DEPARTMENT OF ASSESSMENTS

EXAMINED AND APPROVED THIS _____ DAY OF _____, 2010.

KING COUNTY ASSESSOR DEPUTY KING COUNTY ASSESSOR

ACCOUNT NUMBER 124070-0100-02

KING COUNTY FINANCE DIVISION CERTIFICATE

I HEREBY CERTIFY THAT ALL PROPERTY TAXES ARE PAID, THAT THERE ARE NO DELINQUENT SPECIAL ASSESSMENTS CERTIFIED TO THIS OFFICE FOR COLLECTION AND THAT ALL SPECIAL ASSESSMENTS CERTIFIED TO THIS OFFICE FOR COLLECTION ON ANY OF THE PROPERTY HEREIN CONTAINED, DEDICATED AS STREETS, ALLEYS OR FOR ANY OTHER PUBLIC USE, ARE PAID IN FULL.

THIS _____ DAY OF _____, 2010.

FINANCE DIVISION

MANAGER, FINANCE DIVISION

DEPUTY

CITY OF SAMMAMISH APPROVALS

EXAMINED AND APPROVED PER SMC 19.60 THIS _____ DAY OF _____, 2010.

DIRECTOR, DEPARTMENT OF COMMUNITY DEVELOPMENT, CITY OF SAMMAMISH

EXAMINED AND APPROVED PER SMC 19.60 THIS _____ DAY OF _____, 2010.

CITY ENGINEER, CITY OF SAMMAMISH

APPROVED PER SMC 19.60 FOR RECORDING BY THE CITY COUNCIL THIS _____ DAY OF _____, 2010.

MAYOR, CITY OF SAMMAMISH

EASEMENTS AND RESERVATIONS

AN EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE CITY OF SAMMAMISH, PUGET SOUND ENERGY, ANY TELEPHONE COMPANY, ANY CABLE COMPANY, SAMMAMISH PLATEAU WATER AND SEWER DISTRICT AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, UNDER AND UPON THE EXTERIOR 10 FEET, PARALLEL WITH AND ADJOINING THE STREET FRONTAGE OF ALL LOTS AND TRACTS WHICH ABUT 218TH PLACE S.E.:

TOGETHER WITH:
THE SOUTH 10 FEET OF LOT 26 AND TRACT "C" ABUTTING S.E. 4TH STREET
THE SOUTH 20 FEET OF LOT 14
ALL OF TRACTS "D" AND "E"
EXCEPT:
THE SOUTH 10 FEET OF TRACT "C" ABUTTING S.E. 4TH STREET
THE EAST 10 FEET OF TRACT "B", ABUTTING 218TH PLACE S.E.
THE EAST AND SOUTH 10 FEET OF TRACT "F" ABUTTING 218TH PLACE S.E. AND S.E. 4TH STREET
THE SOUTH 10 FEET OF TRACTS "A" AND "B" ABUTTING S.E. 4TH STREET
THE WEST 10 FEET OF TRACT "A" ABUTTING 218TH AVENUE S.E.

IN WHICH TO INSTALL, LAY, CONSTRUCT, RENEW, OPERATE AND MAINTAIN WATER SYSTEM FACILITIES, SEWER SYSTEM FACILITIES, ROAD AND SIDEWALK IMPROVEMENTS, STORM SEWER FACILITIES, UNDERGROUND CONDUITS, MAINS, CABLES AND WIRES WITH NECESSARY FACILITIES AND OTHER EQUIPMENT FOR THE PURPOSE OF SERVING THIS SUBDIVISION AND OTHER PROPERTY WITH ELECTRIC, TELEPHONE, TV, WATER, SEWER, GAS, STORM SEWER AND OTHER UTILITY SERVICE TOGETHER WITH THE RIGHT TO ENTER UPON THE LOTS AT ALL TIMES FOR THE PURPOSE HEREIN STATED.

IN ADDITION TO THE BENEFICIARIES STATED ABOVE, THE UNDERLYING PROPERTY OWNERS ADJACENT TO SAID STRIPS SHALL HAVE THE RIGHT TO ENTER SAID STRIP TO PERFORM MAINTENANCE, REPAIR OR REPLACEMENT OF SANITARY SEWER SERVICE LINES AND WATER SERVICE LINES, FROM WHICH SAID PROPERTY OWNERS DIRECTLY BENEFIT, IN THE ORIGINAL "AS CONSTRUCTED" LOCATION.

THESE EASEMENTS ENTERED UPON FOR THESE PURPOSES SHALL BE RESTORED AS NEAR AS POSSIBLE TO THEIR ORIGINAL CONDITION BY THE UTILITY. NO LINES OR WIRES FOR THE TRANSMISSION OF ELECTRIC CURRENT, TELEPHONE OR CABLE TELEVISION SHALL BE PLACED OR BE PERMITTED TO BE PLACED UPON ANY LOT UNLESS THE SAME SHALL BE UNDERGROUND OR IN CONDUIT ATTACHED TO A BUILDING.

SURVEYOR'S NOTES:

1. A FIELD TRAVERSE USING A "LEICA TCR 703" ELECTRONIC TOTAL STATION WAS CONDUCTED, ESTABLISHING THE ANGULAR AND DISTANCE RELATIONSHIP BETWEEN THE MONUMENTS AND PROPERTY LINES AS SHOWN HEREON. THE RESULTING DATA MEETS OR EXCEEDS THE STANDARDS FOR LAND BOUNDARY SURVEYS AS SET FORTH IN WASHINGTON ADMINISTRATIVE CODE CHAPTER 332-130-090.
2. ALL BACK LOT AND TRACT CORNERS WILL BE STAKED WITH A 1/2-INCH BY 24-INCH REBAR WITH PLASTIC CAP MARKED "BCE 41298" AS PLAT CONSTRUCTION IS COMPLETED. LOT AND TRACT CORNERS ABUTTING STREETS WERE NOT SET. THE STREETWARD PROJECTION OF THE LOT AND/OR TRACT LINES WILL BE REFERENCED BY A "P-K" BRAND MASONRY NAIL SET AT THE BACK OF THE CURB AT NO SPECIFIC DISTANCE FROM THE TRUE CORNER.
3. BASIS OF BEARING - THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 25 NORTH, RANGE 6 EAST, W.M., BEING THE BEARING BETWEEN WCCS POINT 1091 AND 1090, TAKEN AS SOUTH 88°30'19" EAST, BASED UPON NORTH AMERICAN DATUM OF 1983 - NAD 83 (91) - WASHINGTON STATE PLANE COORDINATE SYSTEM, NORTH ZONE.



Barghausen Consulting Engineers, Inc.
Civil Engineering, Land Planning, Surveying, Environmental Services
18215 72nd Avenue South Kent, WA. 98032
Telephone: (425) 251-6222 Fax: (425) 251-8782

NE1/4 OF SW1/4, SECTION 33, T25N-R6E, W.M.
SHEET 2 OF 5

PINE MEADOWS

A PORTION OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 33, TOWNSHIP 25 NORTH, RANGE 6 EAST, WILLAMETTE MERIDIAN CITY OF SAMMAMISH, KING COUNTY, WASHINGTON

PLAT NOTES:

- THE ARTICLES OF INCORPORATION FOR THE PINE MEADOWS HOMEOWNERS' ASSOCIATION ARE ON FILE WITH THE STATE OF WASHINGTON IN OLYMPIA.
- TRACT "A" IS A SENSITIVE AREA TRACT (S.A.T.) CONTAINING WETLANDS AND IS HEREBY CONVEYED TO THE HOMEOWNERS' ASSOCIATION IN NOTE 1, ABOVE, FOR OWNERSHIP AND MAINTENANCE PURPOSES.
- TRACT "B" IS A STORM DRAINAGE FACILITIES TRACT AND IS HEREBY CONVEYED TO THE CITY OF SAMMAMISH FOR OWNERSHIP AND MAINTENANCE PURPOSES.
- TRACT "C" IS A TREE RETENTION/RECREATION TRACT AND IS HEREBY CONVEYED TO THE HOMEOWNERS' ASSOCIATION IDENTIFIED IN NOTE 1, ABOVE, FOR OWNERSHIP AND MAINTENANCE PURPOSES. MAINTENANCE AND UPKEEP OF THE RECREATION SPACE CONTAINED WITHIN TRACT "C" SHALL BE THE RESPONSIBILITY OF THE HOMEOWNERS' ASSOCIATION IDENTIFIED IN NOTE 1, ABOVE.
- TRACT "D" IS A PRIVATE ACCESS TRACT (P.A.T.) AND IS HEREBY CONVEYED UNDIVIDED TO THE OWNERS OF LOTS 12 THROUGH 15 UPON THE RECORDING OF THIS PLAT FOR OWNERSHIP AND MAINTENANCE PURPOSES. SAID OWNERS ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF ALL ACCESS AND PRIVATE FACILITIES WITHIN TRACT "D". AN OVERLYING EASEMENT IS HEREBY RESERVED FOR SAMMAMISH PLATEAU WATER AND SEWER DISTRICT FOR MAINTENANCE OF ANY WATER OR SEWER FACILITIES WITHIN TRACT "D". THE DISTRICT SHALL NOT BE RESPONSIBLE FOR ANY COSTS OF PAVEMENT REPLACEMENT OR REPAIR NECESSITATED BY DAMAGE INCURRED THROUGH THE NORMAL OPERATION OR MAINTENANCE OF THE WATER AND/OR SEWER FACILITIES, EXCEPT THAT IN THE EVENT THAT THE SURFACING IS REMOVED BY THE GRANTEE FOR ANY UNDERGROUND CONSTRUCTION, UNDERGROUND REPAIR OR REPLACEMENT OF THE WATER AND/OR SEWER LINES, THE SURFACING SHALL BE RESTORED AS NEARLY AS REASONABLY POSSIBLE TO ITS CONDITIONS PRIOR TO PLACEMENT OF THE WATER OR SEWER.
- TRACT "E" IS A PRIVATE ACCESS TRACT (P.A.T.) AND IS HEREBY CONVEYED TO THE OWNERS OF LOTS 6 THROUGH 9 UPON THE RECORDING OF THIS PLAT FOR OWNERSHIP AND MAINTENANCE PURPOSES. SAID OWNERS ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF ALL ACCESS AND PRIVATE FACILITIES WITHIN TRACT "E". AN OVERLYING EASEMENT IS HEREBY RESERVED FOR SAMMAMISH PLATEAU WATER AND SEWER DISTRICT FOR MAINTENANCE OF ANY WATER OR SEWER FACILITIES WITHIN TRACT "E". THE DISTRICT SHALL NOT BE RESPONSIBLE FOR ANY COSTS OF PAVEMENT REPLACEMENT OR REPAIR NECESSITATED BY DAMAGE INCURRED THROUGH THE NORMAL OPERATION OR MAINTENANCE OF THE WATER AND/OR SEWER FACILITIES, EXCEPT THAT IN THE EVENT THAT THE SURFACING IS REMOVED BY THE GRANTEE FOR ANY UNDERGROUND CONSTRUCTION, UNDERGROUND REPAIR OR REPLACEMENT OF THE WATER AND/OR SEWER LINES, THE SURFACING SHALL BE RESTORED AS NEARLY AS REASONABLY POSSIBLE TO ITS CONDITIONS PRIOR TO PLACEMENT OF THE WATER OR SEWER.
- TRACT "F" IS AN ENTRY MONUMENT TRACT AND IS HEREBY CONVEYED TO THE HOMEOWNERS' ASSOCIATION FOR OWNERSHIP AND MAINTENANCE PURPOSES.
- ALL WATERLINE EASEMENTS (WLE) ARE HEREBY CONVEYED TO SAMMAMISH PLATEAU WATER AND SEWER DISTRICT FOR THE PURPOSE OF SERVING THIS SUBDIVISION AND OTHER PROPERTY WITH WATER SERVICE. (SEE "WATER AND SEWER EASEMENT PROVISIONS", AT RIGHT)
- ALL SANITARY SEWER EASEMENTS (SSE) ARE HEREBY CONVEYED TO SAMMAMISH PLATEAU WATER AND SEWER DISTRICT FOR THE PURPOSE OF SERVING THIS SUBDIVISION AND OTHER PROPERTY WITH SANITARY SEWER SERVICE. (SEE "WATER AND SEWER EASEMENT PROVISIONS", AT RIGHT)
- ALL PRIVATE STORM DRAINAGE EASEMENTS (PSDE) SHOWN HEREON ARE HEREBY CONVEYED TO THE LOT OWNER WHO WOULD BENEFIT FROM THE EASEMENT. THE OWNERS OF SAID LOTS HAVING BENEFIT SHALL BE EQUALLY RESPONSIBLE FOR THE MAINTENANCE AND REPAIR OF THE DRAINAGE FACILITIES WITHIN THE EASEMENT.
- THE SIDEWALK EASEMENT (SWE) SHOWN HEREON IS HEREBY DEDICATED TO THE PUBLIC FOR SIDEWALK PURPOSES.
- HOUSE ADDRESSES WITHIN THIS PLAT SHALL BE ASSIGNED WITHIN THE RANGE OF _____ TO _____ AND WITHIN THE RANGE OF _____ TO _____. INDIVIDUAL ADDRESSES WILL BE ASSIGNED FOR EACH BUILDING AT THE TIME OF BUILDING PERMIT.
- NO LOT OR PORTION OF A LOT SHALL BE SUBDIVIDED AND SOLD, OR RESOLD, OR ITS OWNERSHIP CHANGED OR TRANSFERRED IN VIOLATION OF APPLICABLE CITY, COUNTY, STATE OR FEDERAL STANDARDS, RULES, REGULATIONS OR LAWS.
- TREES IDENTIFIED ON THE FACE OF THIS PLAT HAVE BEEN RETAINED PURSUANT TO THE PROVISION OF SMC 21A.35.210 AND ARE SUBJECT TO TREE PROTECTION STANDARDS SET FORTH IN SMC 21A.35.230. REMOVAL OF THESE TREES IS PROHIBITED UNLESS THE TREE IS REMOVED TO PREVENT IMMINENT DANGER OR HAZARD TO PERSONS OR PROPERTY, SUBJECT TO A CLEARING AND GRADING PERMIT APPROVED BY THE CITY OF SAMMAMISH. TREES REMOVED SUBJECT TO THIS PROVISION SHALL BE REPLACED IN COMPLIANCE WITH SMC 21A.35.240.
- ALL BUILDING DOWNSPOUTS, FOOTING DRAINS, AND DRAINS FROM ALL IMPERVIOUS SURFACES SUCH AS PATIOS AND DRIVEWAYS SHALL BE CONNECTED TO THE PERMANENT STORM DRAIN OUTLET AS SHOWN ON THE APPROVED CONSTRUCTION DRAWINGS ON FILE WITH THE CITY OF SAMMAMISH. THIS PLAN SHALL BE SUBMITTED WITH THE APPLICATION OF ANY BUILDING PERMIT. ALL CONNECTIONS OF THE DRAINS SHALL BE CONSTRUCTED AND APPROVED PRIOR TO FINAL BUILDING INSPECTION APPROVAL.
- NO DIRECT ACCESS TO ANY LOTS WITHIN THE PLAT SHALL BE ALLOWED FROM SE 4TH STREET OR 218TH AVENUE S.E.
- FIFTY PERCENT OF THE SCHOOL IMPACT FEE WAS PAID AT THE TIME OF FINAL PLAT. THE REMAINING 50% OF THE SCHOOL IMPACT FEE SHALL BE ASSESSED AND COLLECTED FOR EACH LOT, TOGETHER WITH AN ADMINISTRATIVE FEE, AT THE TIME OF BUILDING PERMIT ISSUANCE, PAID TO THE CITY OF SAMMAMISH.
- MAINTENANCE OF LANDSCAPE STRIPS SEPARATING THE SIDEWALK FROM THE ROADWAY ALONG THE EAST SIDE OF TRACTS "B" AND "F" ABUTTING 218TH PLACE S.E., AND THE SOUTH SIDE OF TRACTS "F", "B" AND "A" ABUTTING S.E. 4TH STREET, AND THE WEST SIDE OF TRACT "A" ABUTTING 218TH AVENUE S.E., SHALL BE THE RESPONSIBILITY OF THE HOMEOWNERS' ASSOCIATION, UNDER NO CIRCUMSTANCES SHALL THE CITY BEAR ANY MAINTENANCE RESPONSIBILITIES FOR LANDSCAPING STRIPS, PLANTER ISLANDS, OR PLANTED MEDIANS.
- THIS PLAT IS SUBJECT TO COVENANTS, CODES AND RESTRICTIONS (CC&R'S) AS RECORDED UNDER RECORDING NO. _____.
- THE ROAD AND STORM DRAINAGE SYSTEMS SHALL BE CONSTRUCTED ACCORDING TO THE APPROVED PLAN AND PROFILE, ON FILE WITH THE CITY OF SAMMAMISH. ANY DEVIATION FROM THE APPROVED PLANS WILL REQUIRE WRITTEN APPROVAL FROM THE CITY OF SAMMAMISH, OR ITS SUCCESSOR AGENCY.
- METAL PRODUCTS SUCH AS GALVANIZED STEEL, COPPER, OR ZINC SHALL NOT BE USED IN ALL BUILDING ROOFS, FLASHING, GUTTERS, OR DOWNSPOUTS UNLESS THEY ARE TREATED TO PREVENT METAL LEACHING AND SEALED SUCH THAT CONTACT WITH STORM WATER IS PREVENTED.
- FOR COMPLETE BUILDING PERMIT APPLICATIONS RECEIVED ON OR PRIOR TO DECEMBER 30, 2010, AT THE TIME OF ISSUANCE OF ANY SINGLE FAMILY RESIDENTIAL BUILDING PERMIT FOR A DWELLING UNIT THAT IS BEING CONSTRUCTED FOR RESALE, THE APPLICANT MAY ELECT TO RECORD A COVENANT AGAINST TITLE TO THE PROPERTY THAT REQUIRES PAYMENT OF THE IMPACT FEES DUE AND OWING IN ACCORDANCE WITH ORDINANCE NO. 02009-263, SECTION 6 (B)(II), LESS ANY CREDITS AWARDED, BY PROVIDING FOR AUTOMATIC PAYMENT THROUGH ESCROW OF THE IMPACT FEE DUE AND OWING TO BE PAID AT THE TIME OF CLOSING OF SALE OF THE LOT OR UNIT. THE AWARDED CREDITS SHALL NOT ALTER THE APPLICABILITY OF THIS SECTION.
- IN ACCORDANCE WITH ORDINANCE NO. 02006-207, IMPACT FEES FOR PARK AND RECREATIONAL FACILITIES SHALL BE PAID (ON A PER LOT BASIS) AT THE TIME THE COMPLETE APPLICATION FOR A BUILDING PERMIT IS SUBMITTED, OR AT THE ISSUANCE OF PERMIT, USING THE IMPACT FEE RATES IN EFFECT AT THAT TIME.
- PER CITY OF SAMMAMISH ORDINANCE NO. 02002-112, A SURFACE WATER SYSTEM DEVELOPMENT CHARGE SHALL BE PAID AT THE TIME OF BUILDING PERMIT ISSUANCE, FOR EACH NEW RESIDENTIAL DWELLING UNIT.
- ALL LOTS SHALL BE SUBJECT TO AN EASEMENT 2.5 FEET IN WIDTH, PARALLEL WITH AND ADJACENT TO ALL INTERIOR LOT LINES, FOR THE PURPOSE OF PRIVATE DRAINAGE. IN THE EVENT LOT LINES ARE ADJUSTED AFTER THE RECORDING OF THIS PLAT, THE EASEMENTS SHALL MOVE WITH THE ADJUSTED LOT LINES. MAINTENANCE OF ALL PRIVATE DRAINAGE EASEMENTS ON THIS PLAT SHALL BE THE RESPONSIBILITY OF ALL LOTS DERIVING BENEFIT FROM SAID EASEMENT. NO STRUCTURES OTHER THAN FENCES SHALL BE CONSTRUCTED WITHIN THESE EASEMENTS.
- A TITLE REPORT PREPARED BY CHICAGO TITLE INSURANCE COMPANY, THEIR ORDER NO. 1240999 AND DATED JULY 12, 2007, AND ALL SUPPLEMENTALS THEREOF, WERE RELIED UPON FOR RECORD ITEMS AFFECTING THIS SUBDIVISION. ACCORDING TO THESE DOCUMENTS, THE FOLLOWING ITEMS AFFECT THIS SITE:
 - RESERVATION OF ALL COAL, OIL, GAS AND MINERAL RIGHTS, RECORDING NO. 382528, AND MODIFIED BY RECORDING NO. 6054700.
 - A REIMBURSEMENT AGREEMENT AND THE TERMS AND CONDITIONS THEREOF, RECORDING NO. 20070320001265.
 - TERMS AND CONDITIONS OF NOTICE OF CHARGES BY SAMMAMISH PLATEAU WATER & SEWER DISTRICT, RECORDING NOS. 20040414002865 AND 20041201000040.

CITY OF SAMMAMISH DRAINAGE EASEMENT AND COVENANT

ALL DRAINAGE EASEMENTS WITHIN THIS PLAT, NOT SHOWN AS "PRIVATE", ARE HEREBY GRANTED AND CONVEYED TO THE CITY OF SAMMAMISH, ITS SUCCESSORS OR ASSIGNS, FOR THE PURPOSE OF CONVEYING, STORING, MANAGING AND FACILITATING STORM AND SURFACE WATER PER THE ENGINEERING PLANS APPROVED FOR THIS PLAT BY CITY OF SAMMAMISH, TOGETHER WITH THE RIGHT OF REASONABLE ACCESS (INGRESS AND EGRESS), TO ENTER SAID DRAINAGE EASEMENT FOR THE PURPOSE OF INSPECTING, OPERATING, MAINTAINING, REPAIRING AND IMPROVING THE DRAINAGE FACILITIES CONTAINED THEREIN. NOTE THAT EXCEPT FOR THE FACILITIES WHICH HAVE BEEN FORMALLY ACCEPTED FOR MAINTENANCE BY THE CITY OF SAMMAMISH, MAINTENANCE OF DRAINAGE FACILITIES ON PRIVATE PROPERTY IS THE RESPONSIBILITY OF THE PROPERTY OWNER.

THE OWNERS OF SAID PRIVATE PROPERTY ARE REQUIRED TO OBTAIN PRIOR WRITTEN APPROVAL FROM THE CITY OF SAMMAMISH, ITS SUCCESSORS OR ASSIGNS, AND ANY REQUIRED PERMITS FROM THE CITY OF SAMMAMISH, TOGETHER WITH THE RIGHT OF REASONABLE ACCESS (INGRESS AND EGRESS), TO ENTER SAID DRAINAGE EASEMENT FOR THE PURPOSE OF INSPECTING, OPERATING, MAINTAINING, REPAIRING AND IMPROVING THE DRAINAGE FACILITIES CONTAINED THEREIN. NOTE THAT EXCEPT FOR THE FACILITIES WHICH HAVE BEEN FORMALLY ACCEPTED FOR MAINTENANCE BY THE CITY OF SAMMAMISH, MAINTENANCE OF DRAINAGE FACILITIES ON PRIVATE PROPERTY IS THE RESPONSIBILITY OF THE PROPERTY OWNER.

THIS EASEMENT IS INTENDED TO FACILITATE REASONABLE ACCESS TO THE DRAINAGE FACILITIES. THIS EASEMENT AND COVENANT SHALL RUN WITH THE LAND AND IS BINDING UPON THE OWNERS OF SAID PRIVATE PROPERTY, THEIR HEIRS, SUCCESSORS AND ASSIGNS.

CITY OF SAMMAMISH PRIVATE DRAINAGE EASEMENT AND COVENANT

THE OWNERS OF PRIVATE PROPERTY WITHIN THIS PLAT ENCUMBERED WITH DRAINAGE EASEMENTS SHOWN AS "PRIVATE", HEREBY GRANT AND CONVEY TO THE CITY OF SAMMAMISH, ITS SUCCESSORS OR ASSIGNS, THE RIGHT, BUT NOT THE OBLIGATION TO CONVEY OR STORE STORM AND SURFACE WATER PER THE ENGINEERING PLANS APPROVED FOR THIS PLAT BY THE CITY OF SAMMAMISH, TOGETHER WITH THE RIGHT OF REASONABLE ACCESS (INGRESS AND EGRESS), TO ENTER SAID DRAINAGE EASEMENT FOR THE PURPOSE OF OBSERVING THAT THE OWNERS ARE PROPERLY OPERATING AND MAINTAINING THE DRAINAGE FACILITIES CONTAINED THEREIN.

THE OWNERS OF SAID PRIVATE PROPERTY ARE RESPONSIBLE FOR OPERATING, MAINTAINING AND REPAIRING THE DRAINAGE FACILITIES CONTAINED WITHIN SAID DRAINAGE EASEMENT, AND ARE HEREBY REQUIRED TO OBTAIN ANY REQUIRED PERMITS, FROM THE CITY OF SAMMAMISH, ITS SUCCESSORS OR ASSIGNS, PRIOR TO FILLING, PIPING, CUTTING OR REMOVING VEGETATION (EXCEPT FOR ROUTINE LANDSCAPE MAINTENANCE SUCH AS LAWN MOWING) IN OPEN VEGETATED DRAINAGE FACILITIES (SUCH AS SWALES, CHANNELS, DITCHES, PONDS, ETC.), OR PERFORMING ANY ALTERATIONS OR MODIFICATIONS TO THE DRAINAGE FACILITIES, CONTAINED WITHIN SAID DRAINAGE EASEMENT.

THIS COVENANT SHALL RUN WITH THE LAND AND IS BINDING UPON THE OWNERS OF SAID PRIVATE PROPERTY, THEIR HEIRS, SUCCESSORS AND ASSIGNS.

WATER AND SEWER EASEMENT PROVISIONS

AN EASEMENT IS HEREBY DEDICATED AND CONVEYED UPON THE RECORDING OF THIS PLAT TO THE SAMMAMISH PLATEAU WATER AND SEWER DISTRICT, OR ITS SUCCESSOR AGENCY, OVER, UNDER, THROUGH AND UPON THE EASEMENTS SHOWN ON THIS PLAT DESCRIBED AS "SANITARY SEWER EASEMENT" OR "WATER LINE EASEMENT" FOR ACCESS, INGRESS, EGRESS AND TO INSTALL, LAY, CONSTRUCT, MAINTAIN, INSPECT, REPAIR, REMOVE, REPLACE, RENEW, USE AND OPERATE SANITARY SEWER MAINS AND WATER MAINS AND APPURTENANCES FOR THIS SUBDIVISION AND OTHER PROPERTY.

EASEMENT FOR WATER LINES ON THE EXTERIOR 10-FOOT OF LOTS AND TRACTS, PARALLEL WITH AND ADJOINING THE PROPOSED STREET FRONTAGE, EXCEPT THE EASTERLY 10 FEET OF TRACTS "B" AND "F" ABUTTING 218TH PLACE S.E., AND EXCEPT THE SOUTHERLY 10 FEET OF TRACTS "F" AND "B" ABUTTING S.E. 4TH STREET, AND INCLUDING THE SOUTH 10 FEET OF LOT 26 AND TRACT "C" ABUTTING S.E. 4TH STREET.

EASEMENT FOR WATER LINES WITHIN ENTIRE TRACTS "D" AND "E", AND THE NORTH 10 FEET OF THE SOUTH 29.50 FEET OF LOT 14.

EASEMENT FOR WATER LINES OVER THE SOUTHERLY 3 FEET OF LOTS 12 AND 13.

EASEMENT FOR WATER LINES OVER THE 50.00 FEET X 25.00 FEET SOUTHEASTERLY PORTION OF LOT 8 ABUTTING TRACT E.

EASEMENT FOR WATER LINES OVER A SOUTHERLY PORTION OF LOT 9.

EASEMENT FOR WATER LINES OVER A SOUTHERLY PORTION OF LOT 11.

EASEMENT FOR SEWER LINES ON THE EXTERIOR 10-FOOT OF LOTS AND TRACTS, PARALLEL WITH AND ADJOINING THE PROPOSED STREET FRONTAGE, EXCEPT THE EASTERLY 10 FEET OF TRACTS "B" AND "F" ABUTTING 218TH PLACE S.E., AND EXCEPT THE SOUTHERLY 10 FEET OF TRACTS "F" AND "B" ABUTTING S.E. 4TH STREET, AND INCLUDING THE SOUTH 10 FEET OF LOT 26 AND TRACT "C" ABUTTING S.E. 4TH STREET.

EASEMENT FOR SEWER LINES WITHIN ENTIRE TRACT "D", TOGETHER WITH A SOUTHERLY PORTION OF LOT 14, AND A NORTHERLY PORTION OF LOTS 15, 16 AND TRACT "C".

EASEMENT FOR SEWER LINES WITHIN ENTIRE TRACT "E".

EASEMENT FOR SEWER LINES OVER THE 50.00 FEET X 25.00 FEET SOUTHEASTERLY PORTION OF LOT 8 ABUTTING TRACT E.

TOGETHER WITH THE RIGHT TO ENTER SAID EASEMENTS AT ALL TIMES WITH ALL NECESSARY MAINTENANCE AND CONSTRUCTION EQUIPMENT, FOR THE PURPOSES STATED. STRUCTURES SHALL NOT BE CONSTRUCTED ON ANY AREA RESERVED FOR THESE EASEMENTS. THE GRANTEE COVENANTS THAT NO STRUCTURE SHALL BE ERRECTED OVER, UPON, OR WITHIN, AND NO TREES SHALL BE PLANTED IN THE AREA OF GROUND FOR WHICH THE EASEMENT IN FAVOR OF SAMMAMISH PLATEAU WATER AND SEWER DISTRICT HAS BEEN PROVIDED HEREIN. SAID EASEMENT SHALL BE RESTORED BY THE UTILITY, AS NEARLY AS REASONABLY POSSIBLE, TO ITS CONDITION PRIOR TO ANY MATERIAL DISTURBANCE FROM CONSTRUCTION, OPERATION, MAINTENANCE, REPAIR, OR REPLACEMENT OF WATER AND SEWER FACILITIES.

PUBLIC DRAINAGE EASEMENT RESTRICTIONS

STRUCTURES, FILL, OR OBSTRUCTIONS (INCLUDING BUT NOT LIMITED TO DECKS, PATIOS, OUTBUILDINGS, OR OVERHANGS) SHALL NOT BE PERMITTED BEYOND THE BUILDING SETBACK LINE OF THE PUBLIC DRAINAGE EASEMENTS. ADDITIONALLY, GRADING AND CONSTRUCTION OF FENCING SHALL NOT BE ALLOWED WITHIN THE PUBLIC DRAINAGE EASEMENTS SHOWN ON THIS PLAT MAP UNLESS OTHERWISE APPROVED BY THE CITY OF SAMMAMISH OR ITS SUCCESSOR AGENCY.

RESTRICTIONS FOR SENSITIVE AREA TRACTS AND SENSITIVE AREAS AND BUFFERS

DEDICATION OF A SENSITIVE AREA TRACT/SENSITIVE AREA AND BUFFER CONVEYS TO THE PUBLIC A BENEFICIAL INTEREST IN THE LAND WITHIN THE TRACT/SENSITIVE AREA AND BUFFER. THIS INTEREST INCLUDES THE PRESERVATION OF NATIVE VEGETATION FOR ALL PURPOSES THAT BENEFIT THE PUBLIC HEALTH, SAFETY AND WELFARE, INCLUDING CONTROL OF SURFACE WATER AND EROSION, MAINTENANCE OF SLOPE STABILITY AND PROTECTION OF PLANT AND ANIMAL HABITAT. THE SENSITIVE AREA TRACT/SENSITIVE AREA AND BUFFER IMPOSES UPON ALL PRESENT AND FUTURE OWNERS AND OCCUPIERS OF THE LAND SUBJECT TO THE TRACT/SENSITIVE AREA AND BUFFER THE OBLIGATION, ENFORCEABLE ON BEHALF OF THE PUBLIC BY THE CITY OF SAMMAMISH, OR ITS SUCCESSOR AGENCY, TO LEAVE UNDISTURBED ALL TREES AND OTHER VEGETATION WITHIN THE TRACT/SENSITIVE AREA AND BUFFER. THE VEGETATION WITHIN THE TRACT/SENSITIVE AREA AND BUFFER MAY NOT BE CUT, PRUNED, COVERED BY FILL, REMOVED OR DAMAGED WITHOUT APPROVAL IN WRITING FROM THE CITY OF SAMMAMISH, OR ITS SUCCESSOR AGENCY, UNLESS OTHERWISE PROVIDED BY LAW.

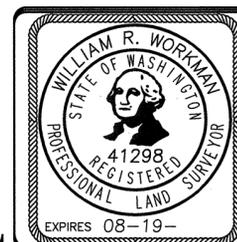
THE COMMON BOUNDARY BETWEEN THE TRACT/SENSITIVE AREA AND BUFFER AND THE AREA OF DEVELOPMENT ACTIVITY MUST BE MARKED OR OTHERWISE FLAGGED TO THE SATISFACTION OF THE CITY OF SAMMAMISH PRIOR TO ANY CLEARING, GRADING, BUILDING CONSTRUCTION OR OTHER DEVELOPMENT ACTIVITY ON A LOT SUBJECT TO THE SENSITIVE AREA TRACT/SENSITIVE AREA AND BUFFER. THE REQUIRED MARKING OR FLAGGING SHALL REMAIN IN PLACE UNTIL ALL DEVELOPMENT PROPOSAL ACTIVITIES IN THE VICINITY OF THE SENSITIVE AREA ARE COMPLETED.

NO STRUCTURES ARE ALLOWED BEYOND THE REQUIRED 15-FOOT BUILDING SETBACK LINE, UNLESS OTHERWISE APPROVED BY THE CITY OF SAMMAMISH.

SETBACKS - PROJECTIONS AND STRUCTURES ALLOWED (PER SMC 21A.25.190)

PROVIDED THAT THE REQUIRED SETBACKS FROM REGIONAL UTILITY CORRIDORS OF SMC 21A.25.180, AS ALLOWED IN THE ENVIRONMENTALLY CRITICAL AREAS OF SMC 21A.50.210, THE ADJOINING HALF-STREET OR DESIGNATED ARTERIAL SETBACKS OF SMC 21A.25.180 AND THE SIGHT DISTANCE REQUIREMENTS OF SMC 21A.25.220 ARE MAINTAINED, STRUCTURES MAY EXTEND INTO OR BE LOCATED IN REQUIRED SETBACKS, AS FOLLOWS:

- FIREPLACE STRUCTURES, BAY OR GARDEN WINDOWS, ENCLOSED STAIR LANDINGS, CLOSETS, OR SIMILAR STRUCTURES MAY PROJECT 30 INCHES INTO AN INTERIOR SETBACK, PROVIDED SUCH PROJECTIONS ARE:
 - LIMITED TO TWO PER FACADE; AND
 - NOT WIDER THAN 10 FEET;
- UNCOVERED PORCHES AND DECKS THAT EXCEED 18 INCHES ABOVE THE FINISHED GRADE MAY PROJECT FIVE FEET INTO STREET SETBACK;
- UNCOVERED PORCHES AND DECKS NOT EXCEEDING 18 INCHES ABOVE THE FINISHED GRADE MAY PROJECT TO THE STREET PROPERTY LINE;
- EAVES MAY NOT PROJECT MORE THAN:
 - TWENTY-FOUR INCHES INTO A SETBACK; OR
 - EIGHTEEN INCHES ACROSS A LOT LINE IN A ZERO LOT LINE DEVELOPMENT, PROVIDED THERE ARE APPROPRIATE EASEMENTS AND THAT ANY NEIGHBORING BUILDING AND ITS ASSOCIATED EAVES ARE 10 FEET FROM THE LOT LINE, OR;
 - EIGHTEEN INCHES INTO AN INTERIOR SETBACK



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NE1/4 OF SW1/4, SECTION 33, T25N-R6E, W.M.

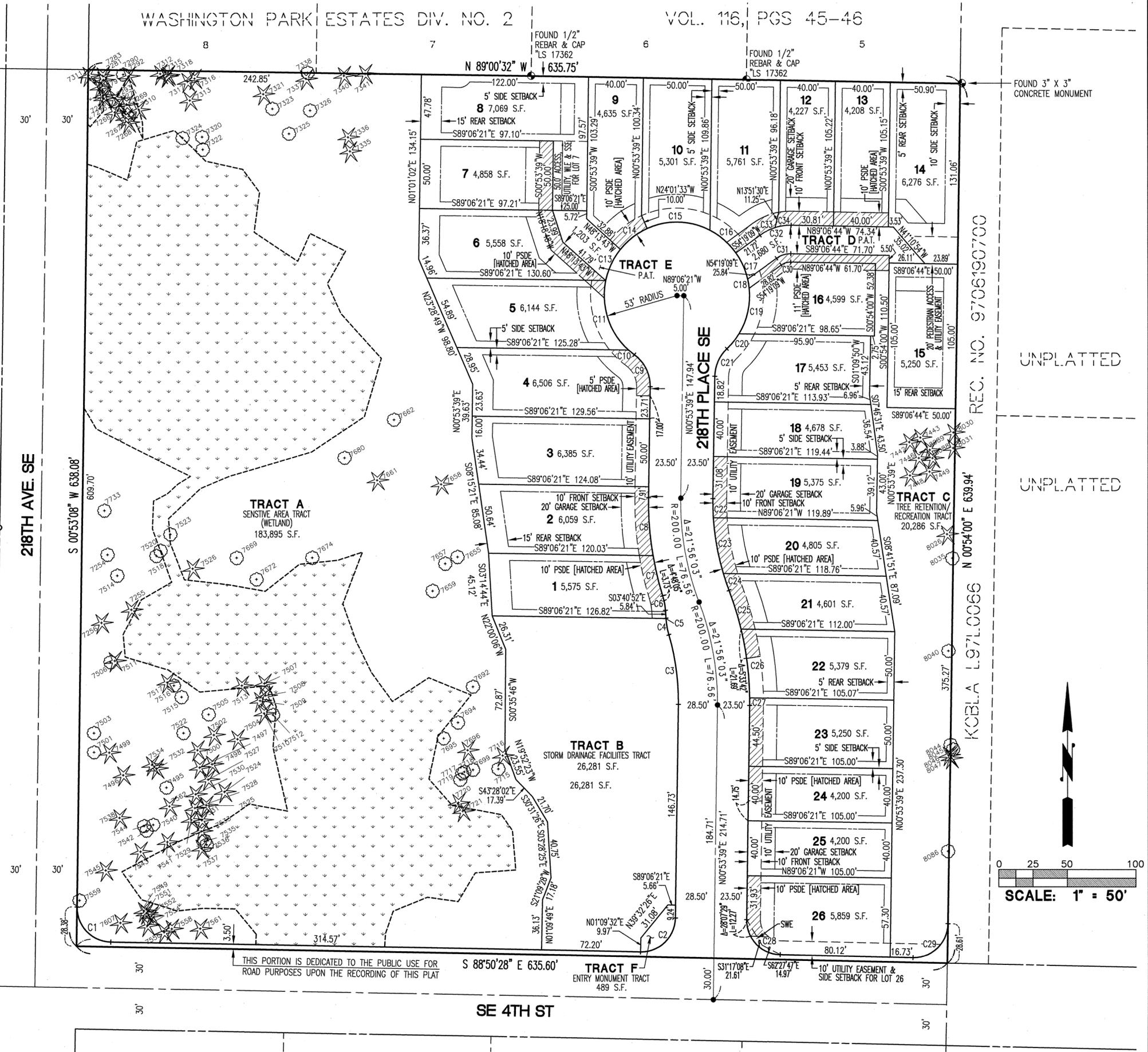
SHEET 3 OF 5

PINE MEADOWS

A PORTION OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 33, TOWNSHIP 25 NORTH, RANGE 6 EAST, WILLAMETTE MERIDIAN
CITY OF SAMMAMISH, KING COUNTY, WASHINGTON

WASHINGTON PARK ESTATES DIV. NO. 2

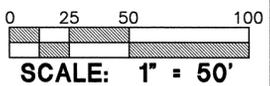
VOL. 116, PGS 45-46



UNPLATTED

UNPLATTED

REC. NO. 9706190700
KOBLA L97L0066 N 00°54'00" E 639.94'



CURVE TABLE							
CURVE NO.	DELTA	RADIUS	LENGTH	CURVE NO.	DELTA	RADIUS	LENGTH
C1	89°43'36"	25.00'	39.15'	C18	7°14'42"	53.00'	6.70'
C2	90°15'53"	25.00'	39.39'	C19	37°01'51"	53.00'	34.25'
C3	17°09'24"	171.50'	51.35'	C20	15°18'54"	53.00'	14.17'
C4	12°21'46"	55.50'	11.98'	C21	45°46'15"	28.00'	22.37'
C5	0°13'07"	55.50'	0.21'	C22	4°31'24"	176.50'	13.93'
C6	13°49'41"	44.50'	10.74'	C23	13°15'53"	176.50'	40.86'
C7	7°32'52"	223.50'	29.44'	C24	4°08'46"	176.50'	12.77'
C8	10°51'20"	223.50'	42.35'	C25	7°33'25"	223.50'	29.48'
C9	54°57'54"	28.00'	26.86'	C26	12°58'05"	223.50'	50.59'
C10	5°54'13"	53.00'	5.46'	C27	1°24'33"	223.50'	5.50'
C11	59°53'47"	53.00'	55.41'	C28	89°44'07"	25.00'	39.15'
C12	N O T U S E D			C29	90°15'34"	25.00'	39.38'
C13	27°18'08"	53.00'	25.26'	C30	36°34'07"	11.50'	7.34'
C14	26°56'34"	53.00'	24.92'	C31	36°34'07"	17.50'	11.17'
C15	51°11'10"	53.00'	47.35'	C32	36°34'07"	38.00'	24.25'
C16	27°09'32"	53.00'	25.12'	C33	18°36'57"	38.00'	12.35'
C17	22°45'18"	53.00'	21.05'	C34	17°57'10"	38.00'	11.91'

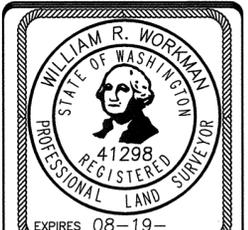
SEE SPECIAL NOTE: "SETBACKS - PROJECTIONS AND STRUCTURES ALLOWED" ON SHEET 3 FOR ADDITIONAL INFORMATION REGARDING STRUCTURES WHICH MAY EXTEND INTO OR BE LOCATED IN REQUIRED SETBACKS.

- LEGEND**
- FOUND MONUMENT AS NOTED
 - CITY OF SAMMAMISH STANDARD ROAD MONUMENT TO BE SET UPON COMPLETION OF CONSTRUCTION
 - PSDE PRIVATE STORM DRAINAGE EASEMENT [HATCHED AREA] (SEE NOTE 10, SHEET 3)
 - SWE SIDEWALK EASEMENT (SEE NOTE 11, SHEET 3)
 - P.A.T. PRIVATE ACCESS TRACT
 - CONIFEROUS TREE TO BE RETAINED PER CITY OF SAMMAMISH ORDINANCE NO. 02005-175
 - DECIDUOUS TREE TO BE RETAINED PER CITY OF SAMMAMISH ORDINANCE NO. 02005-175

SEE SHEET 5 FOR WATERLINE & SANITARY SEWER EASEMENT LOCATIONS AND DIMENSIONS

ALL BACK LOT AND TRACT CORNERS WILL BE STAKED WITH A 1/2-INCH BY 24-INCH REBAR WITH PLASTIC CAP MARKED "BCE 41298" AS PLAT CONSTRUCTION IS COMPLETED. LOT AND TRACT CORNERS ABUTTING STREETS WERE NOT SET. THE STREETWARD PROJECTION OF THE LOT AND/OR TRACT LINES WILL BE REFERENCED BY A "P-K" BRAND MASONRY NAIL SET AT THE BACK OF THE CURB AT NO SPECIFIC DISTANCE FROM THE TRUE CORNER.

JOB NO. 11916



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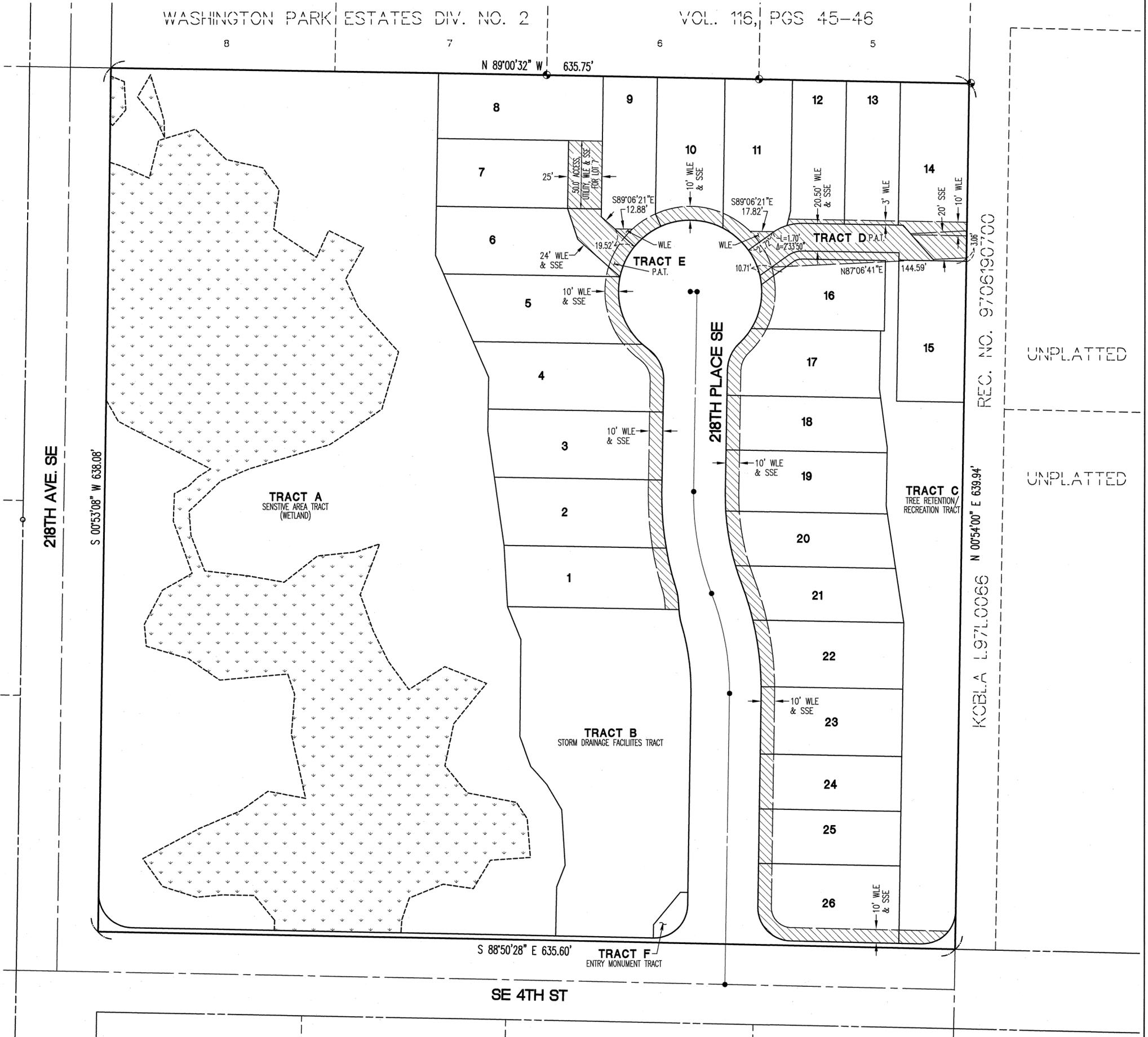
NE1/4 OF SW1/4, SECTION 33, T25N-R6E, W.M.
SHEET 4 OF 5

PINE MEADOWS

A PORTION OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 33, TOWNSHIP 25 NORTH, RANGE 6 EAST, WILLAMETTE MERIDIAN CITY OF SAMMAMISH, KING COUNTY, WASHINGTON

WASHINGTON PARK ESTATES DIV. NO. 2

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REC. NO. 9706190700
N 00°54'00" E 639.94'
KCBLA L97L0066

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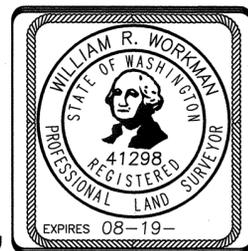
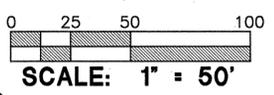
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LEGEND

- FOUND MONUMENT AS NOTED
- CITY OF SAMMAMISH STANDARD ROAD MONUMENT TO BE SET UPON COMPLETION OF CONSTRUCTION
- SSE SANITARY SEWER EASEMENT (SEE NOTE 9, SHEET 3)
- WLE WATERLINE EASEMENT (SEE NOTE 8, SHEET 3)
- P.A.T. PRIVATE ACCESS TRACT

ALL BACK LOT AND TRACT CORNERS WILL BE STAKED WITH A 1/2-INCH BY 24-INCH REBAR WITH PLASTIC CAP MARKED "BCE 41298" AS PLAT CONSTRUCTION IS COMPLETED. LOT AND TRACT CORNERS ABUTTING STREETS WERE NOT SET. THE STREETWARD PROJECTION OF THE LOT AND/OR TRACT LINES WILL BE REFERENCED BY A "P-K" BRAND MASONRY NAIL SET AT THE BACK OF THE CURB AT NO SPECIFIC DISTANCE FROM THE TRUE CORNER.

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NE1/4 OF SW1/4, SECTION 33, T25N-R6E, W.M.
SHEET 5 OF 5



City Council Agenda Bill

Meeting Date: April 20, 2010

Date Submitted: April 14, 2010

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 checked="" type="checkbox"/> Finance & IT	<input type="checkbox"/> Police
<input type="checkbox"/> Admin Services	<input type="checkbox"/> Fire	<input checked="" type="checkbox"/> Public Works

Subject: Final Plat (PLN2009-00042) Chestnut Estates, formerly known as Chestnut Lane

Action Required: Motion to adopt resolution approving the subdivision

Exhibits:

1. Resolution
2. Matrix showing plat conditions and responses
3. Map of Final Plat

Budget: N/A – Legislative Approval

Summary Statement: William Buchan Homes and Holli Beeler applicants seek to subdivide 35.42 acres into 35 lots for the development of detached single-family residences in the proposed Chestnut Estates subdivision (aka; Chestnut Lane). The City of Sammamish has reviewed, and approved the installation of the required infrastructure (drainage facilities, streets, sidewalks, etc.) improvements under plat construction and clear and grade permit BLD2005-00666.

Background: The subdivision application DDES file number L96P0022 is vested to the King County Code in effect on May 22, 1997. The City of Sammamish Hearing Examiner reviewed and granted preliminary plat approval to the applicant on March 18, 2001. The property is located on the Sammamish Plateau with the City bordering 212th Avenue SE and its east boundary and lying just south of the intersection of SE 8th Street and 212th Avenue SE. The City of Sammamish Hearing Examiner approved the preliminary plat on May 12, 2007 subject to conditions of approval.

The site currently being subdivided is zoned R-1, 1 unit per acre. The site is constrained by on-site wetland areas.

The improvements have been substantially completed and inspected. The final lift of asphalt, and street trees etc. have been bonded and other fees have been paid as follows:

Performance Bond: \$237,959.00 for the installation of the remaining site improvements (including streets and other required drainage improvements).

Landscaping Bond: \$147,623.12 for landscaping and recreation

Transportation Mitigation Fees: Traffic impact fee totaling \$54,366.00



City Council Agenda Bill

School Mitigation Fees paid to the City of Sammamish: \$56,848.00 plus the administrative fee

Financial Impact: N/A – Legislative Approval

Recommended Motion: Approve the 35-lot subdivision, and authorize the mayor to sign the mylars for the final plat.

**CITY OF SAMMAMISH
WASHINGTON
Resolution No. R2010-____**

**A RESOLUTION OF THE CITY OF SAMMAMISH,
WASHINGTON, GRANTING FINAL PLAT APPROVAL TO
THE PLAT OF CHESTNUT ESTATES, (AKA CHESTNUT
LANE).**

WHEREAS, the City Council has received recommendation of approval for the final plat of the Chestnut Estates Subdivision; and

WHEREAS, the City Council has reviewed said plat and finds that it conforms to all terms of the preliminary plat approval and applicable land use laws and regulations; and

WHEREAS, the City Council desires to grant final approval to the (35-lot) plat of the Chestnut Estates subdivision;

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

Section 1. Adoption of Hearing Examiner's Findings and Conclusions.

The City Council hereby adopts the findings and conclusions included in the City of Sammamish Hearing Examiner's decision of May 18, 2001 for the preliminary plat of Chestnut Estates.

Section 2. Grant of Approval. The City Council hereby grants final approval to the (35-lots) of the Chestnut Estates plat.

**PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON
THE 20th DAY OF APRIL 2010.**

CITY OF SAMMAMISH

Mayor Donald J. Gerend

ATTEST/AUTHENTICATED:

Melonie Anderson, City Clerk

Approved as to form:

Bruce L. Disend, City Attorney

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

Exhibit 2

	Comment	Response	Staff
81(1)	The development shall comply with all plating provisions of Title 19 of the King County Code.	<i>The plat has and will comply with KCC19A</i>	Plat complies
81(2)	All persons having an ownership interest in the subject property shall sign on the face of the final plat a dedication that includes the language set forth in King county Council Motion No. 5952	<i>Ownership signature space on the dedication page is correct</i>	Final plat mylars shall be signed by owners.
81(3)	The plat shall comply with the base density and minimum density requirements of the R-1 zone classification and shall be generally as shown on the face of the approved preliminary plat, except that minor revisions to the plat that do not result in substantial changes may be approved at the discretion of the City of Sammamish	<i>The plat complies with the minimum and base density required of KCC.</i>	Plat complies
81(4)	The applicants must obtain final approval from the King County Health Department	<i>This plat has received service from Sammamish Plateau Water and Sewer district. Letter for recording is provided</i>	An approval letter was received from the Sammamish Plateau Water and Sewer stating compliance on October 14, 2009
81(5)	All construction and upgrading of required improvements to off-site adjacent roads and on-site streets for public and private roads shall be done in accordance with the King County Road standards, established and adopted by Ordinance No. 11187, except as those standards may be modified by the plan approved pursuant to Condition 80(G).	<i>Yes, as shown on the approved construction plans no changes for runoff reduction was made to these standards.</i>	Condition 80(G) requires the plat to analyze runoff reduction methods such as a planting plan, bio-retention facilities, and use of porous materials. The developer provided the City with information that due to the impervious glacial till soils on the site, infiltration using porous pavement and bio-retention facilities was not feasible. The developer proposed to provide 18-inches or more of top soil on the finished lots on the site to promote infiltration. All roads constructed as part of the plat were designed and constructed in accordance to King County Road standards.

Exhibit 2

81(6)	The applicant must obtain the approval of the King County Fire Protection Engineer to demonstrate compliance with the fire hydrant, water main, and fire flow standards of Chapter 17.08 of the King County Code	<i>The Sammamish Plateau Water and Sewer District uses these Standards in the design of their systems.</i>	Design and construction approved by Sammamish Plateau Water and Sewer District.
81(7)	Final plat approval shall require full compliance with the drainage provisions set forth in King County Code 9.04. Compliance may result in reducing the number and/or location of lots as shown on the preliminary approved plat. Preliminary review has identified the following conditions of approval, which represent portions of the drainage requirements. All other applicable requirements in KCC 9.04 and the Surface Water Design Manual (SWDM) must also be satisfied during engineering and final review	<i>Plat design and construction complies with KCC 9.04 and the 98 KCSWDM</i>	Drainage for the plat was designed and constructed in accordance to the 1998 King County Surface Water Design Manual.
81(7)a	Drainage plans and analysis shall comply with the 1998 King County Surface Water Design Manual. City of Sammamish approval of the drainage and roadway plans is required prior to any construction	<i>See construction plans approved 8-17-07</i>	Drainage for the plat was designed and constructed in accordance to the 1998 King County Surface Water Design Manual.
81(7)b	Current standard plan notes and ESC notes, as established by City of Sammamish review shall be shown on the engineering plans	<i>See construction plans approved 8-17-07</i>	See approved construction plans for Building Permit No 2005-00666, Sheet C14A and C29.

81(7)c

The following note shall be shown on the final recorded plat “All building downspouts, footing drains, and drains from all impervious surfaces such as patios and driveways shall be connected to the permanent storm drain outlet as shown on the approved construction drawings #BLD 2005 00666 on file with the City of Sammamish. This plan shall be submitted with the application of any building permit. All connections of the drains must be constructed and approved prior to the final building inspection approval. For those lots that are designated for individual lot infiltration systems, or for other runoff reduction measures under the plan approved pursuant to Condition 80(G), the systems or measures shall be constructed at the time of the building permit and shall comply with the plans on file

BLD 2005-00666 will be added to the blank space on note 6, sheet 2/9 of the final plat.

Language is shown on Final plat, Sheet 2, Conditions, Covenants, and Restrictions. Stub-out connections have been provided for each lot to connect to the stormwater pond. Some lots have stub-outs that connect to dispersion trenches designed to maintain the hydrology of the onsite wetland. All downspouts will connect to the stub outs with perforated pipe except for the lots used to recharge the onsite wetland.

81(7)d

To prevent impacts to downstream flooding, storm water facilities shall be designed using the KCRTS Level 2 flow control standard. Water quality facilities shall also be provided using the sensitive lake protection menu. The size of the proposed drainage tracts may have to be increased to accommodate the required detention storage volumes and water quality facilities. All runoff control facilities shall be located in a separate tract and dedicated to the City of Sammamish unless portions of the drainage tract are used for recreation space in accordance with KCC 21A.24.180

Tract G on the final plat is to be dedicated to the city. It is not planed for use as recreation space.

The plat was designed with a stormwater facility that meets Level 2 flow control and sensitive lake water quality treatment. The stormwater facility is located in Tract G and is dedicated to the City with the recording of the plat.

81(7)e	<p>The Applicant submitted a variance application (File No. L99V0061) regarding the requirements in the Drainage Manual for modification of three of the four basins natural location. The variance proposed a plat design that would divert surface water flows among the affected basins to a centralized facility in Tract G. The variance was approved, and therefore, the final drainage plans for the plat shall comply with the variance decision</p>	<p><i>All drainage from roads and lots in the area of the variance goes to Tract G, see plans approved 8-17-07</i></p>	<p>The plans comply with the approved variance.</p>
81(7)f	<p>The final drainage analysis shall evaluate the requirements for off-site bypass as outlined in the Drainage Manual on page 1-36. Drainage easements may be required to convey existing or potential off-site surface water flows through the project.</p>	<p><i>See TIR</i></p>	<p>There is a wetland to the south that connects to the on-site wetland in Tract H. The on-site wetland is designed to overflow to the tightline pipe down the steep slope and into Ebright Creek, see TIR for more information.</p>
81(7)g	<p>During preliminary review, an alternative drainage control concept was discussed which would allow the use of the wetland within Tract H and/or G as a regional storm water control facility. Regional storm water facilities within the drainage tract or existing wetland are not proposed by the applicant for Chestnut Lane; however, preliminary plat approval does not preclude this design option if proposed by the City or others in the future. Under existing code, such a proposal would require the approval of a separate permit, a public agency utility exception, and would be reviewed under applicable regulations. The applicant is not subject to this condition after all of the subdivision improvements have been completed and accepted by the City of Sammamish or within five (5) years of Preliminary Plat approval date, whichever is earlier.</p>	<p><i>This alternative was not proposed.</i></p>	<p>The stormwater tract G is not a regional stormwater facility</p>

81(7)h	<p>As specified in Chapter 5 of the Drainage Manual, roof drain storm water shall be infiltrated or dispersed within the lot area if the soil conditions are favorable. As needed, a portion of this runoff will be directed to Tract H for dispersion so as to maintain wetland hydrology. Infiltration of storm water for both lot areas and roadway improvements is recommended if determined to be feasible. An additional geotechnical report shall be provided with the engineering plans to evaluate soil conditions, seasonal depth to groundwater, and other design requirements as outlined in the Drainage Manual</p>	<p><i>This was done as part of the construction drawing approval, additional soils reporting was done and included with that review.</i></p>	<p>See Final Plat Sheet 2, Conditions, Covenants, and Restrictions for notes for roof downspouts using perforated stub out connection. Lots 4-6, Lot 12, Lot 13-15 and Tract I, Lots 16 and 17, Lots 18 and 20, and Lots 21-24 have been designed to discharge to dispersion trenches to recharge the onsite wetlands.</p>
81(7)i	<p>The final 100-year floodplain for the on-site wetlands A and B within Tract G and H shall be determined and shown on the final engineering plans and recorded plat. The required wetland buffer should be shown. As required by KCC 21A.24.240, development shall not reduce the effective base flood storage volume of the floodplain. The final drainage and grading plans shall demonstrate that adequate compensatory storage is provided for all areas of proposed floodplain filling. Flood protection facilities such as graded berms or revetments shall be included in the plans to assure that all lots and roadways are not affected by floodwater. The drainage facilities within Tract G must also be designed to function adequately without effects from wetland fluctuations</p>	<p><i>A berm and over flow system was designed and installed to address this - see construction plans</i></p>	<p>A 2-ft berm has been designed and constructed adjacent to the onsite wetland in Tract H where it runs adjacent to SE 8th Place, see approved construction plans. The Construction Plans, Sheet C5-7 show the 100 year flood plan and wetland/wetland buffers as well as other critical areas on the development.</p>
81(7)j	<p>Off-site surface water may enter the subject property along the property lines. The applicant shall prepare a drainage analysis and field survey to determine the location of any floodplain corridor associated with the off-site flows and shall provide a drainage easement to assure any natural flow path is not obstructed.</p>	<p><i>This was reviewed, and potential flow path will be through Tract H.</i></p>	<p>Flow path is through the wetland in Tract H.</p>

Exhibit 2

81(7)k	<p>During preliminary review, King County approved a drainage variance application (File No. L99V0061) regarding drainage standards for the proposed subdivision. Except as otherwise allowed by the approved drainage variance, the site shall be modified and improved for the existing basins on-site only to the extent shown in the conditions in the variance</p>	<p><i>See the TIR with the approved plans dated 8-17-07</i></p>	<p>Drainage for the plat was designed per the approved variance and the 1998 King County Surface Water Design Manual.</p>
81(8)	<p>The requirements for roads are as follows:</p>		
81(8)a	<p>The proposed subdivision shall comply with the 1993 King County Road Standards (KCRS) and the following requirements:</p>	<p><i>The Plat was designed and built to 1993 KCRS</i></p>	<p>Plat complies</p>
81(8)b	<p>Plat access to 212th Ave SE shall be relocated to the north property line to align with SE 8th Street if sufficient Right-of-Way is provided by Short Plat L99RE314/L98S0025 to construct an access road that aligns with SE 8th Street</p>	<p><i>This was done.</i></p>	<p>Plat constructed as conditioned.</p>
81(8)c	<p>Tract B, F and J shall be improved as a private joint use driveways per KCRS 3.01.C.3.a serving the Cantor site, lots 12, 13, 24 and 25 respectively, represented on Attachment A. In the event that access to 212th Ave SE via SE 8th Street is not available, the Attachment H, Tract B, F and J shall be improved as private joint use driveways per KCRS 3.01.C.3.a serving the Cantor site, lots 20, 21, 33 and 34 respectively. These lots shall have undivided ownership of the Tracts serving the lots and be responsible for their maintenance. As specified in KCRS 3.01.C, improvements shall include an 18-foot paved surface and a minimum tract width of 20 feet. Drainage control shall include a curb or thickened edge on one side</p>	<p><i>These tracts are now shown as B, F and P on the final plat. Maintenance and control will be with the HOA with easement access ownership as shown on the Final Plat.</i></p>	<p>Tract B and F have been designated as private access tracts. Tract J is improved as a public road and is dedicated as a public road.</p>

Exhibit 2

81(8)d	Twelve feet of public road right-of-way shall be dedicated along the frontage of 212 th Ave SE. Frontage improvements shall be made in accordance with the collector arterial standards adopted by KCRS 1993	<i>See approved plans for frontage improvements and the submitted plat for the 12 foot dedication.</i>	12-ft of ROW has been dedicated along the plat frontage with 212th Ave SE as shown on final plat map.
81(8)e	Prior to approval of the final engineering plans, the applicants shall submit documentation from the gas line purveyor to demonstrate approval for construction of natural gas distribution within the right-of-way	<i>An easement for gas as well as other utilities has been provided along all lots frontage, see the submitted easement language and locations indicated on the final plat.</i>	An easement has been provided along the street frontage of all lots, see final plat, Sheet 3.
81(8)f	As required by KCC 21A.16.050, street trees shall be planted at the rate of one tree for every 40 feet of frontage along 212 th Ave SE. In addition, applicant agrees to provide street trees for internal streets consistent with KCRS 5.03	<i>See sheet L1 and L2 of approved landscape plans approved 4-24-07</i>	Trees have been designed at 40-ft spacing. All landscaping will be bonded for prior to final plat.
81(8)g	If the existing residence is retained at the time of the recording of the subject plat, the driveway serving this residence shall be reconstructed and/or relocated to meet the applicable standards in KCRS, and the residence shall be located within a single proposed lot to meet all applicable setbacks and imper5vious coverage requirements in the King County Code	<i>All existing buildings have been removed.</i>	All existing buildings have been demolished with the clearing for the site.
81(8)h	Modifications to the above road conditions may be considered by the City of Sammamish, pursuant to the variance procedures in KCRS 1.08	<i>No road variances are currently submitted.</i>	No road variaces were approved.
81(8)i	Tract O is a tract for utility and access purposes. No work within Tract O is authorized by this plat under applicable Code. Such work if and when proposed requires a separate permit.	<i>Tract O has now been combined with Tract N. No work is proposed in this Tract as part of this Plat</i>	No work is proposed in Tract O.
81(8)j	<i>The foregoing road requirements may be modified by the plan approved pursuant to Condition 80(G).</i>		

9	The final engineering plans shall identify the location of any wells on the site and provide notes that address the requirements for the contractor to abandon any existing wells pursuant to requirements outlined in the Washington Administrative Code (WAC 173-160).	<i>One well exist on site and will be abandoned with the plat construction. See notes on plat construction plans.</i>	In a memo dated 12/11/09 the District stated that it not been notified of well abandonment. The District will require the developer abandon the existing well on site in accordance with DOE.
10	The preliminary plat shows no existing easement for utilities along the west property line. Prior to final plat approval, the applicant shall dedicate easements, if needed by water/sewer district	<i>Granted and showing on sheet 8/9 of plat.</i>	Easements discussed on Final Plat Sheet 3 and shown on Sheets 7, 8, and 9.
11	All utilities within proposed rights-of-way must be included within a franchise approved by the City of Sammamish prior to final plat recording.	<i>Utilities belonging to PSE, Qwest and Comcast are with in the R/W.</i>	Utilities in City right-of-way have a franchise agreement with the City.
12	The applicant or subsequent owner shall comply with KCC 14.75, Mitigation Payment System (MPS), by paying the required MPS fee and administration fee as determined by the applicable fee ordinance. The applicant has the option to either: (1) pay the MPS fee at final plat recording, or (2) pay the MPS fee at the time of building permit issuance. If the first option is chosen, the fee paid shall be the fee in effect at the time of plat application and a note shall be placed on the face of the plat that reads, "all fees required by KCC 14.75, Mitigation Payment System (MPS) have been paid." If the second option is chosen, the fee paid shall be the amount in effect as of the date of building permit application and the following note shall appear on the final plat. "Pursuant to KCC 14.75, MPS fees must be paid prior to the issuance of a building permit for the construction of a residence on each lot in this plat	<i>The applicant chooses option 1 and will submit payment at final plat recoding. See CCR note 1, sheet 2/9 of proposed final plat.</i>	If they are playing at final plat, their road impact fees are vested to the King County MPS fee in effect at the time of their application. Based on their application date (5/22/07) the MPS fee per new single family lot is \$1,599.00 (zone 412). For 34 new lots the total MPS fee is \$54,366.00

13	<p>Lots within this subdivision are subject to KCC 21A.43 and Ordinance 13338 which imposed impact fees to fund school system improvements needed to serve new development. As a condition of final approval, 50% of the impact fees due for the plat shall be assessed and collected immediately prior to recording, using the fee schedules in effect when the plat receives final approval. The balance of the assessed fee shall be allocated evenly to the dwelling units in the plat and shall be collected prior to building permit issuance. A note indicating the balance of the fee is owing prior to building permit issuance shall appear on the final plat.</p>	<p><i>See CCR note 2 sheet 2/9 of proposed final plat.</i></p>	<p>Payment was made for Issaquah School District fee of \$3344.00 per single family residence. Fee is effective 1/1/2010.</p>
14	<p>The planter islands (if any) within the cul-de-sacs shall be maintained by the abutting lot owners or the homeowner's association. This shall be stated on the face of the final plat and engineering plans</p>	<p><i>No planter island are used in the cul-de-sacs.</i></p>	<p>No planter islands are designed. A note, however, was placed on the Final Plat map Sheet 2</p>
15	<p>The following note shall be shown on the final engineering plan and recorded plat</p> <p style="text-align: center;">RESTRICTIONS FOR SENSITIVE AREA TRACTS</p>		

See note 8 sheet 2/9 of proposed final plat.

Shown on final plat map sheet 2

Dedication of a sensitive area tract/sensitive area and buffer conveys to the public a beneficial interest in the land within the tract/sensitive area and buffer. This interest includes the preservation of native vegetation for all purposes that benefit the public health, safety and welfare, including control of surface water and erosion, maintenance of slope stability, and protection of plant and animal habitat. The sensitive area tract/sensitive area and buffer imposes upon all present and future owners and occupiers of the land subject to the tract/sensitive area and buffer, the obligation, enforceable on behalf of the public by the City of Sammamish, to leave undisturbed all trees and other vegetation within the tract/sensitive area and buffer. The vegetation within the tract/sensitive area and buffer may not be cut, pruned, covered by fill, removed or damaged without approval in writing from the City, unless otherwise provided by law.

The common boundary between the tract/sensitive area and buffer and the area of development activity must be marked or otherwise flagged to the satisfaction of the City prior to any clearing, grading, building construction or other development activity on a lot subject to the sensitive area tract/sensitive area and buffer. The required marking or flagging shall remain in place until all development proposal activities in the vicinity of the sensitive area are completed

The clearing limits were surveyed and ribbon was placed to identify the clearing limits, before any clearing took place. The contractor also marked the sensitive area boundaries. When the clearing and grading got to a certain point, silt fence was placed around the sensitive areas and additional silt fence was placed where the clearing limits were marked. The sensitive areas received a double row of silt fences to protect it.

	No building foundations are allowed beyond the required 15 –foot building setback line, unless otherwise provided by law	<i>See note 8 sheet 2/9 of proposed final plat.</i>	Shown on final plat map sheet 2
16	The proposed subdivision shall comply with the sensitive areas requirements as outlined in KCC 21A.24. Permanent survey marking, and signs as specified in KCC 21A.24.160 shall be addressed prior to final plat approval. Temporary marking of sensitive areas and their buffers (e.g., with bright orange construction fencing) shall be placed on the site and shall remain in place until all construction activities are completed	<i>Sensitive areas and buffers have been fenced at locations shown on the approved plans.</i>	The sensitive areas have been flagged.
a	For the steep slopes present in Tract C, determine the top of 40% or greater slopes on the existing field survey. Provide a 50-foot average width buffer from these slopes. Pace such slopes and the buffer in a sensitive area tract on the final plat, except at Lot #18 where a 10-foot buffer is allowed	<i>See sheet C6 / 30 of the approved construction drawing and sheet 7/9 of the proposed final plat.</i>	See Sheet C6 on the construction plan set. A BSBL is shown for Lot 9 on the final plat map on Sheet 7.
b	The applicants shall delineate all erosion hazard areas on the site on the final engineering plans. (Erosion hazard areas are defined in KCC 21A.06.415.) The delineation of such areas shall be approved by City of Sammamish. The requirements found in KCC 21A.24.220 concerning erosion hazard areas shall be met, including seasonal restrictions on clearing and grading activities. The seasonal restrictions shall be clearly shown on the final engineering plans	<i>This is shown on C5 / 30 of the construction plans. The only construction was the outfall which is completed.</i>	Erosion hazard areas is shown on Sheet C5 on the construction plan set. TESC notes can be found on Sheet C14A.
c	The wetlands A and B in Tract H are Class 2 wetlands. A 50-foot average buffer shall be provided around the perimeter of these wetlands, to the extent the buffer falls within the subject property. The wetlands and their buffer shall be placed in a sensitive areas tract on the final plat	<i>Sheet 9 shows this and is consistent with sheet C6 and C7 of 30 of the approved construction plans.</i>	Plat complies

Exhibit 2

d	A 15-foot building setback line (BSBL) shall be provided on the subject plat from the edge of the above-noted wetland and steep slope buffers	<i>This shows on sheet 7 and 9 of the proposed final plats</i>	See Sheets 7 and 9 of the final plat plans.
e	The applicant shall submit for review and approval an enhancement plan for the wetland buffer averaging. The enhancement plan shall be submitted with the subdivision engineering plans. The approved enhancements shall be installed or bonded prior to final approval of the plat. The applicant shall post a financial guarantee, and perform three years of monitoring to ensure success of the plan	<i>See sheet 5, 6 and 7 of 8 of the approved landscape plans.</i>	Performance bond for \$39,309.08 was posted. Installation has not been completed. The applicant has until one year from recording to complete the work.
f	<i>The applicants shall delineate the no-disturbance area on the site on the final engineering plans. (No disturbance areas are defined by KCC 21A.38.200) The delineation of the area shall be approved by the City of Sammamish. The requirements found in KCC 21A.38.200 (B)(1) restricting clearing activities in such areas shall be met.</i>	<i>This has been done on sheet C5/30 of the approved engineering plans. No clearing has been done in this area.</i>	No Disturbance Area is shown on Sheet C5 of the construction plan set.
g	<i>All runoff from newly constructed impervious surfaces shall be retained on site to the maximum extent feasible consistent with the underlying zoning. If on site runoff retention precludes the ability to meet the base density of the R-1 zone, runoff shall be retained on-site as required by KCC 21A.38.200(B)(3) (a)-(d).</i>	<i>Per the soils report KCC 214.38.200 B(3)d (perforated pipe lot drains) will be used for each lot</i>	A soils report indicated that the site in underlain by glacial till soils. The plat has used amended soils on the finished lots, will be provided 300 additional trees per their planting plan, and will have perforated downspout connection to the tightlined storm system. This will allow as much runoff reduction as is feasible for the site.
17	All existing buildings shall be removed from the subject property prior to final plat recording, with the exception of buildings the applicant wishes to retain. It must be demonstrated by a licensed land surveyor that any buildings retained meet required zoning setbacks	<i>All existing buildings have been removed from the project site.</i>	All existing buildings have been demolished.

Exhibit 2

18	Suitable on-site recreation space shall be provided consistent with the requirements of KCC 21A.14.180, KCC 21A.14.190 (e.g., a sport court, children’s play equipment, picnic tables, benches, etc.) and the following	<i>Tract I is the recreation space.</i>	Plat complies
a	Tract I can be counted towards required recreation space if the finished grades in the Tract are 5% or less in the active use portion of the tract	<i>Grades in the active areas of Tract I are less than 5%</i>	Grades in Tract I are less than 5%.
b	An overall conceptual recreation space plan shall be submitted for review and approval by the City of Sammamish, with the submittal of the engineering plans. The conceptual recreation plan shall include location, area calculations, dimensions and general improvements. The approved engineering plans shall be consistent with the conceptual plan	<i>See sheet L4 of approved plans for details</i>	Plat complies
c	A detailed recreation space plan (i.e., landscape specifications, equipment specifications, etc.) consistent with the overall conceptual plan noted above, shall be submitted for review and approval by the City of Sammamish, prior to or concurrently with the submittal of the final plat documents. (Note that a detailed recreation plan may be submitted with the engineering plans, in lieu of the conceptual plan, at the applicant’s discretion)	<i>Landscaping & Structure plans are part of the approved Engineering plans.</i>	Plat complies
d	A performance bond for recreation space improvements to assure their installation, and the survival of required plantings for a three-year period, shall be posted prior to recording of the plat	<i>Tract I (14,687 Sq.ft.) provides the needed 14,010 Sq.ft. of required space. See L4 of 8 for approved plans of recreation space. The shelter will require a building permit.</i>	A performance bond has been submitted.

Exhibit 2

19	A homeowner's association shall be established to the satisfaction of the City of Sammamish that provides for the ownership and continued maintenance of the recreation areas, open space areas and sensitive area tract(s) or applicant may dedicate recreation tract to City of Sammamish.	<i>See CCR's.</i>	An HOA has been established and Ccand R for the subdivision dated 4/5/08 were included with the final plat submittal.
20	Street trees shall be provided per KCC 21A.16.050.E as follows		Plat complies
a	As required by KCC 21A.16.050, street trees shall be planted at the rate of one tree for every 40 feet of frontage along 212th Ave SE. In addition, applicant agrees to voluntarily provide street trees for internal streets consistent with KCRS 5.03	<i>L-1 and L-2 of the approved plans has the street plan and locations.</i>	Plat complies and trees are bonded for.
b	Trees shall be located within the street right-of-way and planted in accordance with Drawing No. 5-009 of the 1993 King County Road Standards, unless the City of Sammamish determines that trees should not be located in the street right-of-way	<i>Due to location of improvements with in the right-of-way trees will be located on lots.</i>	Trees are approved to be located in the ROW on 212th Ave and on private property in the internal streets. A landscaping bond has been provided for the street trees.
c	If the City determines that the required street trees should not be located within the right-of-way, the street trees may be located no more than 20 feet from the street right-of-way line	<i>See answer to (a) above.</i>	Street trees are within the city ROW or within 3 feet of the ROW line.
d	The trees shall be owned and maintained by the abutting lot owners or the homeowners' association or other workable organization, unless the City has adopted a maintenance program. This shall be noted on the face of the final recorded plat	<i>See Note 9, sheet 2/9 Final Plat.</i>	Plat complies

e	<p>The species of trees shall be approved by the City (if located within the right-of-way) based on currently adopted Public Works Standards. The acceptable tree species shall not include poplar, cottonwood, soft maples, gum, any fruit-bearing trees, or any other tree or shrub whose roots are likely to obstruct sanitary or storm sewers, or that is not compatible with overhead utility lines</p>	<p><i>See sheet L-1 and L-2 of the approved plans</i></p>	<p>Plat complies</p>
f	<p>The applicant shall submit a street tree plan and bond quantity sheet for review and approval by the City of Sammamish prior to engineering plan approval</p>	<p><i>Approved on 4-24-07</i></p>	<p>Street trees are shown on the applicant's landscaping plan. A bond quantity worksheet has been approved.</p>
g	<p>The street trees must be installed and inspected, or a performance bond posted prior to recording of the plat. If a performance bond is posted, the street trees must be installed and inspected within one year of recording of the plat. At the time of inspection, if the trees are installed per the approved plan, a maintenance bond must be submitted or the performance bond replaced with a maintenance bond, and held for one year. After one year, the maintenance bond may be released after the City has completed a second inspection and determined that the trees have been kept healthy and thriving. An inspection fee shall be submitted prior to plat recording, unless waived by the City of Sammamish</p>	<p><i>A bond will be posted.</i></p>	<p>Applicant has submitted a bond.</p>
21	<p>Tract N is reserved for future use if and when proposed and as permitted by applicable law. No work or use in Tract N is authorized by this plat. Such work/development/use could be authorized if and only if a separate permit or governmental authorization is permitted under then applicable law</p>	<p><i>See Note 12 sheet 3/9 of the proposed final plat.</i></p>	<p>Plat complies</p>

22	<p>WSDOT -- WSDOT may indicate that this project will pose a probable significant adverse traffic impact to the SR202 corridor. WSDOT has requested that the applicant enter into a legal agreement with WSDOT that requires a mitigation payment in the amount identified. This payment constitutes this project's contribution to future SR202 improvements and shall be paid in full prior to final plat recording. The limitation on the time for determination of any WSDOT impact fee amounts is ninety (90) days from date of Preliminary Plat approval</p>	<p><i>No WSDOT impact fees were identified or determined with in 90 days of preliminary plat approval.</i></p>	<p>No WSDOT fees were identified.</p>
23	<p><i>During any excavation activity attention will be paid to uncovering any Native American artifacts. Should such artifacts be uncovered, construction activity in that immediate area will cease and the Snoqualmie Tribe and the State Department of Archaeology shall be notified of such discovery. Construction activity will resume upon the Department and Tribe surveying the artifact site and authorizing resumption of construction</i></p>	<p><i>No Native American artifacts were uncovered during the clearing and grading of the site.</i></p>	<p>To the City's knowledge, no Native American artifacts were uncovered during excavation activity for the site.</p>
24	<p>Applicants shall utilize shallow soils with high organic material and porous capability by stockpiling on-site, removing deleterious materials where encountered and placing stockpiled soils where permitted in developed portions of residential lots, rights-of-way, detention ponds, recreation tracts or buffers, and over structural fills and cuts</p>	<p><i>Topsoil was removed from all graded lots, stockpiled and re-spread over finish graded lots, and, an additional 5,000 yards of topsoil was also imported and put on lots to meet the goals of the runoff reductions plans.</i></p>	<p>Plat complies</p>
82	<p>The following additional conditions are imposed to insure that appropriate provisions are made for the public health, safety, and general welfare, pursuant to RCW 58.27.110"</p>		<p>See responses below</p>

1	As soon as the location of the access route is known, the applicants shall submit a revised preliminary plat map showing this access and clearly delineating all sensitive areas and other tracts. This map shall be reviewed and approved by the City and shall thereafter serve as the approved preliminary plat map for the development	<i>See sheet C5 of approved drawings.</i>	Plat complies
2	The applicants shall make such measurements as possible prior to plat development to determine the baseline water levels for the wetlands. Calculations shall be provided to demonstrate that the wetlands will receive sufficient base flow from roof and yards drains. If these sources do not provide sufficient flow, other sources shall be used and any necessary pre-treatment facilities shall be provided. Final plans of the drainage system shall reflect the outcome of this analysis and include all necessary facilities. Every effort will be made in project design and operation to insure that pre-project water level fluctuations in the wetlands are maintained	<i>See TIR approved with the construction plans.</i>	Plat complies
3	At the final engineering stage, the applicants shall submit a management plan for the wildlife corridor consistent with KCC 21A.14.270. The plan shall address measures for achieving as much connectivity as possible between the wildlife corridor and the on-site wetlands	<i>This has been done.</i>	Applicant submitted plan
4	The applicants shall evaluate whether a barrier is needed between Wetland A and the detention pond. If a barrier is required, plans for it shall be included in the designs and drawings submitted for final engineering	<i>A small barrier was needed for part of the pond and the west end of the wetland. This is shown on C8-30 of the approved construction plans.</i>	A barrier was designed and constructed.

5	The applicants shall conduct further geotechnical evaluation of the conditions between the detention pond and the slope of the ravine. If dictated by such evaluation, the final plans shall provide for lining the pond or otherwise providing assurance of impermeability	<i>See Terra report included in the TIR.</i>	Applicant has provided the geotech testing that supports the pond's impermeability
6	The applicants shall conduct the closed depression analysis required by the SWDM. Final detention pond sizing shall take into account flow attenuation provided by the on-site wetlands	<i>See TIR (Peterson)</i>	The analysis is contained within the approved TIR.
7	The applicants shall clearly identify the volumetric safety factor used in the final sizing of the detention pond and shall demonstrate that this factor is provided for in the final design. The safety factor selected shall be consistent with the drainage variance received (File No. L99V0061	<i>The engineer shall submit an AS-Built Letter upon completion to verify pond volume.</i>	Engineer is developing volume certification letter.
8	The applicants shall dedicate the streets within the subdivision to the City of Sammamish	<i>See sheet 1 of 9 proposed final plat.</i>	Internal streets dedicated with recording of final plat.
9	The applicants shall dedicate all facilities and property associated with the drainage control system to the City of Sammamish	<i>Tract G and public drainage easement is given to the city. See tract note 7 page 3/9 and easement page 7/9 of final plat.</i>	Tract G will be dedicated with recording of the final plat.
10	The facilities for discharge of storm water from the development shall provide for aeration of the discharge. The water monitoring program shall include periodic tests to insure that standards for phosphorus removal and for other pollutants are being met.	<i>Aeration is provided with the dissipater SDMH 4. Water quality (turbidity) is measured and reported per NPDES requirements.</i>	The energy dissipator at the bottom of the slope down to Ebright Creek will provide aeration of the stormwater before discharging to Ebright Creek.
11	Education materials relating to practices homeowners can adopt to help protect water quality shall be distributed to all purchasers of lots by either the applicants or the homeowners association.	<i>Yes information is provided to new home buyers.</i>	The developer is responsible for information distribution to help protect water quality. Sensitive area signage is posted on all sensitive area tracts.

12	<p>School impact fees shall be paid as required. Payment of 50% of the school impact fees in effect when this plat is ready to receive final approval will shall be required as a condition of recording of the plat, pursuant to the provisions of KCC 21A.43.050.</p>	<p><i>This will be done at final plat.</i></p>	<p>Applicant paid Issaquah School District fees \$3344.00 per single family residence.</p>
83	<p>Any finding herein which may be deemed a conclusions hereby adopted as such.</p>		

MDNS SEPA CONDITIONS

B	<p><u>Frontage Improvements</u>: The frontage of the plat abutting the west side of 212 Ave SE will be improved to City standards with curbs, gutters, sidewalks, including that portion of the frontage excepted by the single lot that is not part of this plat. The improvement in front of the excepted lot will be at the sole cost of the City and will be reimbursed to the applicant, based on the applicant's actual cost, in accordance with a written agreement to be executed between the City and the Applicant.</p>	<p><i>This needs to be done. Still waiting on City to provide agreement.</i></p>	<p>The developer will provide an invoice of the cost of the frontage improvements. The City shall pay a percentage based on a linear proportion.</p>
C	<p><u>Water quality and Fish Habitat</u>: To avoid erosion at the outfall, the existing wetland overflow down the east side of the Ebright Creek ravine will be diverted to a joint tight-lined discharge from the wet pond, and be conveyed down the ravine slop to an energy dissipater at the bank of Ebright Creek.</p>	<p><i>The pond and wetland now discharge Via a tightline to an energy dissipater below the slope.</i></p>	<p>The existing wetland has an overflow to the storm pipe discharge from the pond. This pipe is tightlined down to the bottom of the steep sloped down to Ebright Creek.</p>
D	<p><u>Wildlife</u>: Prior to any clearing of the site, a pre-construction survey will be conducted and submitted to the City to verify the existence and determine the status of the red-tailed hawk nest. If the nest is determined to be present and active, than the following mitigation shall apply:</p>	<p><i>This was done and submitted to the City. The nest had been abandoned.</i></p>	<p>Applicant submitted a pre-construction survey during final engineering.</p>

<p>1</p>	<p>A temporary construction restriction shall be required around the nest tree, measured with a radius of 300 feet. No clearing grading or construction shall occur within this restricted circle from February 1st through July 31st each year.</p>		<p>N/A</p>
<p>2</p>	<p>A permanent buffer shall be protected around the nest tree, measured with a radius of 250 feet from the nest tree location. This buffer will be part of the sensitive area tract and subject to the protective area restriction for such tracts in the KCC 21A.24.</p>		<p>N/A</p>
<p>3</p>	<p>Prior to any clearing of the site, temporary fencing will be placed at the edge of the temporary construction restriction area, and permanent fencing at the edge of the permanent buffer.</p>		<p>N/A</p>
<p>E</p>	<p><u>Erosion Control and Monitoring for Water Quality During Construction:</u> A construction monitoring plan will be prepared and approved by the City before any clearing or grading on the site. The plan will be consistent with the requirements of the National Pollutant Discharge Elimination System (NPDES) permit for construction runoff discharge as issued by the State Department of Ecology (DOE). The monitoring plan will be one element of the Storm water Pollution Prevention (SWPPP) required for the NPDES permit issued by DOE for this project. The purpose of the plan will be to provide early detection and immediate corrective action to maintain compliance with State standards. The erosion control and monitoring plan will be in accordance with the 1998 King County Surface Water Manual and the Construction Monitoring Plan for Water Quality dated January 26, 2000 prepared by Associated Earth Sciences, Inc.</p>	<p><i>An NPDES permit has been filed and obtained from the DOE for this project. Monitoring of the storm water has been ongoing and reports have been filed with the DOE.</i></p>	<p>Plat complies</p>

<p>F <u>Drainage:</u> The drainage facilities shall be maintained in good condition with all of their operational features fully functional at all times. After the drainage facilities are installed and a Homeowner's Association is established, the drainage facilities shall be dedicated to and operated and maintained by the City of Sammamish.</p>	<p><i>This condition was established before the City had a Stormwater Management Program. Currently and until the City accepts the facilities for maintenance and operation the developer will maintain them. At that time most of these obligations should be addressed by the Current O&M Program the City has established. Those that are not addressed will have to be addressed between the City and the Homeowners Association.</i></p>	<p>The City intends to take over the operation and maintenance of all stormwater facilities at the end of a 2-year maintenance and defect period. Until that time, the developer is responsible for operation, maintenance, and monitoring of the site. The City is currently working to develop a monitoring plan which will include estimated fees for long term monitoring and will be paid for by the Chestnut Lane HOA. Operation and maintenance of the stormwater facilities will be paid for by the Surface Water System Development fee required of each tax lot owner.</p>
<p>1 the City shall create an O & M fund for the Chestnut Lane drainage facilities which shall be used on an ongoing basis for operation and maintenance expenses, including the cost of monitoring.</p>		<p>The City's Surface Water System Development fee will cover the cost of normal operation and maintenance of the stormwater system. A separate account will be set up for the monitoring requirements specific to this plat. This will be completed prior to the end of the plat's two year M&D period.</p>
<p>2 The Chestnut Lane Homeowner's Association shall make contributions to the fund on an annual basis, sufficient to defray the operation, maintenance and monitoring expense of the City.</p>		<p>The City will provide the HOA with estimated fees for the monitoring and will collect fees annually following the end of the M&D period. Operation and maintenance of the stormwater facilities will be paid for by the Surface Water System Development fee required of each tax lot owner.</p>

Exhibit 2

- 3 The City may hire a person or persons to carry out some or all of the operation, maintenance and monitoring tasks required to keep the system in efficient operation.
- 4 As part of the maintenance and operation task, the City shall insure that all monitoring, measuring or flow regulation equipment is in good condition and operating as intended.
- 5 Limits shall be set for temperature and turbidity water exiting the site, and the City shall ensure that discharges do not exceed those limits.
- 6 The City shall monitor the volume of releases from the site so as to ensure that the Level 2 flow control is in fact functioning according to design.
- 7 The City shall periodically inspect stream conditions in the ravine below the project's discharge to Ebright Creek to determine if erosion is increasing.
- 8 The City shall conduct monitoring downstream in Ebright Creek in order to evaluate whether the fish habitat of the stream is being degraded by increased erosion and sedimentation. This off-site monitoring shall be conducted at least annually, and may be conducted as part of monitoring efforts required for other developments.
- 9 An annual report shall be prepared which summarizes the operation of the system and the results of the monitoring efforts. The report shall contain recommendations for adjustments or revisions to the system drainage system in order to correct adverse effects observed.

City acknowledges and will likely hire an outside firm for monitoring. The City will likely continue our contract with King County for operations and maintenance of stormwater facilities.

City acknowledges and will make this a part of our contract for monitoring of the site.

City acknowledges.

City acknowledges and will make this a part of our contract for monitoring of the site.

City acknowledges and will make this a part of our contract for monitoring of the site.

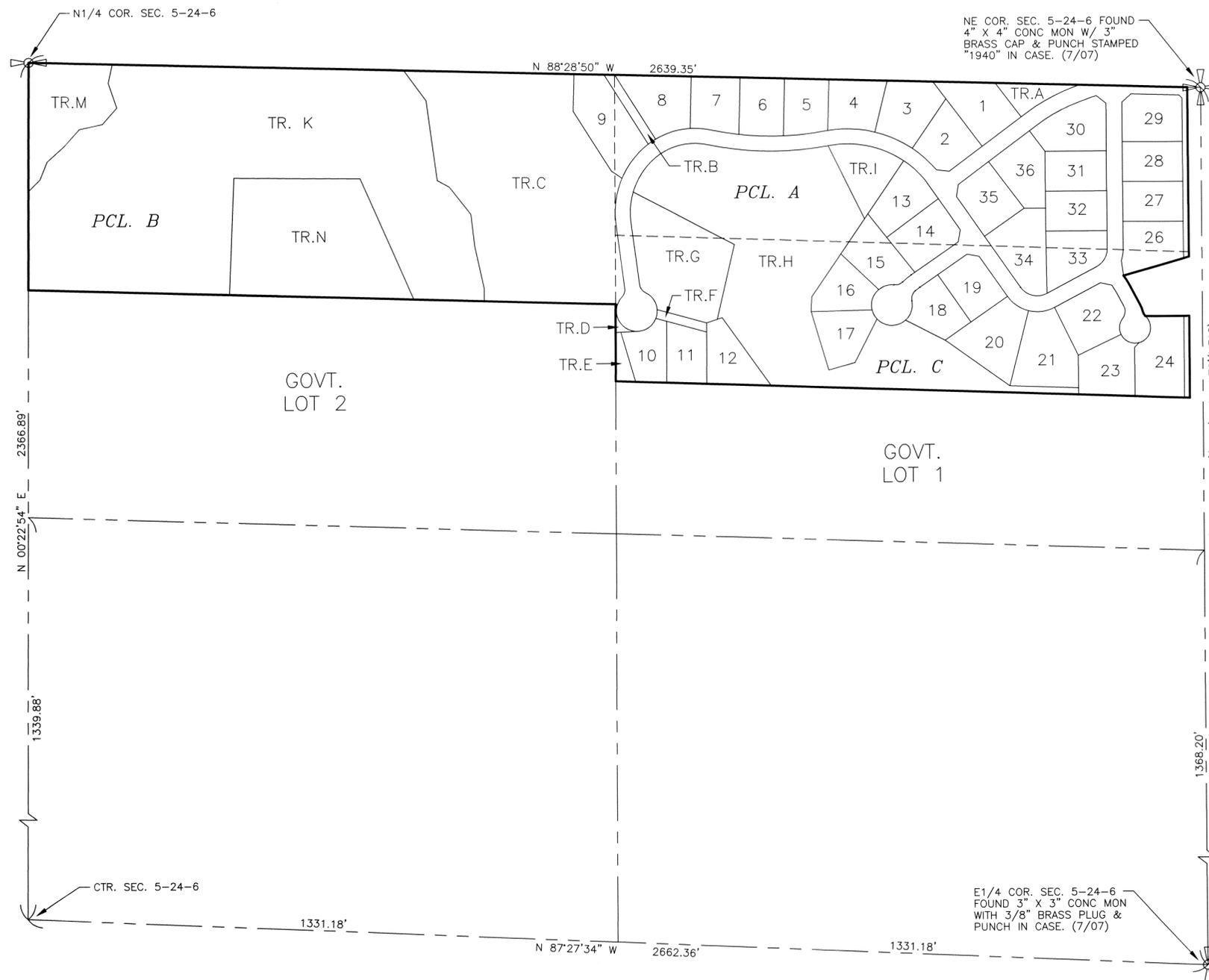
City acknowledges and will make this a part of our contract for monitoring of the site.

City acknowledges and will make this a part of our contract for monitoring of the site.

<p>10</p>	<p>Prior to the assumption of operation and maintenance responsibilities by the City, the drainage facilities shall be operated and maintained by the applicants.</p>		<p>The developer is currently operating and maintaining the stormwater system on the site and will continue to do until the end of the M&D period.</p>
<p>G</p>	<p>Runoff Reduction – The Applicants shall use best efforts to further reduce runoff. To demonstrate compliance they shall submit a runoff reduction program for review and approval by the City. The program shall consider methods such as the following techniques and others which the Applicant proposes and the City determines will reduce runoff.</p> <p>(1) A planting plan which shall provide for increasing the number of conifers on the site. The program shall evaluate opportunities for additional plantings around the margins of the detention pond, in the cleared meadow areas of the site, and on the various tracts.</p> <p>(2) An evaluation of the use of bio-retention facilities using imported compost amended soils for individual lots or groups of lots.</p> <p>(3) An evaluation of the use of porous materials on roads, driveways, sidewalks and other otherwise impervious surfaces.</p> <p>+A1</p>	<p><i>The Runoff Reduction Program was reviewed by the City in Nov-Dec 2004 and incorporated into the construction plans. It consists of replanting up to 300 evergreen trees which is indicated on L1 & L2 of 8 of the Approved construction plans. Downspout dispersion trenches and perforated stub-out connections for individual lot drains are also used along with the retention of all topsoil on site (an additional 5000 yds of topsoil was also brought in to increase the depth of soil on those lots that were short of the goal in the Program). Some road width reduction was also used on SE9th which resulted in reducing the roads impervious surface by about 2400 sq-ft.</i></p>	<p>Plat complies</p>

CHESTNUT ESTATES

POR. OF THE NW1/4, NE1/4 & NE1/4, NE1/4
SECTION 5, TWP. 24 N., RNG. 6 E., W.M.
CITY OF SAMMAMISH, KING COUNTY, WASHINGTON



Scale 1" = 200'

MERIDIAN

PER PLAT OF SAMMAMISH WOODS, VOL. 99/4-5, RECORDS OF KING COUNTY, WASHINGTON.

EQUIPMENT & PROCEDURES

A TOPCON 5" ELECTRONIC TOTAL STATION WAS USED FOR THIS FIELD TRAVERSE SURVEY. ACCURACY MEETS OR EXCEEDS W.A.C. 332-130-090.



NE1/4 SEC. 5, T. 24 N., R.6 E., W.M.
SECTION SUBDIVISION PER SAMMAMISH WOODS, VOL. 99, PGS. 4 & 5.



Mead Gilman & Assoc.
Professional Land Surveyors

P.O. BOX 289, WOODINVILLE, WA 98072
PHONE: (425) 486-1252 FAX: (425) 486-6108



City Council Agenda Bill

Meeting Date: April 20, 2010

Date Submitted: April 14, 2010

Originating Department: Finance IT

Clearances:

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

Subject: 2009 to 2010 Budget Carry forward Administrative Budget Adjustment

Action Required: Motion to approve re-designation of current budget appropriation

Exhibits: 1. Summary of 2009 to 2010 budget carry forward amounts

Budget: This request is to administratively re-designate \$7,336,050 of unexpended budget previously shown in calendar year 2009 to the 2010 calendar year of the adopted 2009-2010 Biennial Budget.

Summary Statement:

All amounts included in this request have already been approved by City Council as part of the 2009-2010 Biennial Budget. This motion provides an administrative tool to designate, for management reference, the annual portions of the two year budget for purposes of assisting with increased monitoring and reporting efforts. Of the \$7.336 Million requested, \$6.861 Million is related to capital improvement project fund commitments. The recommended motion approves the re-designation of these current appropriated funds to correspond with the timing of when the respective expenses are anticipated to occur in 2010 for projects that are already underway and for which commitments have already been made.

Background:

The re-designation of budget line amounts within the Council approved 2009-2010 Biennial Budget outlined here will allow the 2010 portion of the 2009-2010 Budget to reflect updated information for project managers and budget and financial management reporting during 2010.

Financial Impact: \$0, no new budget appropriation is being requested in this motion.

Recommended Motion:

Motion to authorize the City Manager to make this administrative adjustment, resulting in carrying forward certain portions of unexpended 2009 budgets in the amounts provided in the attached summary.

2009 TO 2010 BUDGET CARRYFORWARD SUMMARY

Operating Expense Commitments

\$8,000 Lighting assessment contract moved from 2009 to 2010

\$48,000 Parking Lot 30% design moving from 2009 to 2010, contract for sustainability initiative & solar assessment

\$85,000 Primarily Sales Tax Study (\$60K) and increased audit charges for Federal Grants

\$6,100 Installation of Police Services equipment moving from 2009 to 2010

\$135,000 ARRA Stimulus Fund Expenses moving from 2009 to 2010 (Grant Award = \$135k)

\$2,900 Art Commission: event planning started in 2009 for 2010 event

\$285,000 **Subtotal General Fund Commitments**

\$116,350 King County contracted uncompleted street repair work, moving to 2010

\$116,350 **Subtotal Street Operating Expense Commitment**

\$73,700 Rate Study and Stormwater Manual update moved into 2010 work plan

\$73,700 **Subtotal Surface Water Management Operating Commitment**

Capital Expense Commitments

\$977,000 Maintenance & Operations Facility continues into 2010

\$480,000 Energy/Sound facility improvements & Initial completion estimate of Room 202

\$190,500 Parks Capital Projects in planning/design phase continuing into 2010

\$4,569,900 Transportation Capital Projects continuing into 2010

\$195,000 Vehicle and Equipment replacements delayed from 2009 to 2010 to achieve partial grant funding

\$121,500 Information Technology software upgrades & electrician services moving from 2009 to 2010

\$327,100 SWM Capital projects continuing into 2010

\$6,861,000 **Subtotal Capital Expense Commitments**

\$7,336,050 Grand Total

COUNCIL MINUTES

Regular Meeting/Study Session April 6, 2010

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 Nancy Whitten, Councilmembers Mark Cross, John Curley, John James (arrived at 6:50 pm), Tom Odell, and Michele Petitti (arrived 6:50 pm).

Staff present: City Manager Ben Yazici, Deputy City Manager Pete Butkus, Public Works Director John Cunningham, Community Development Director Kamuron Gurol, Parks & Recreation Director Jessi Richardson, Administrative Services Director Mike Sauerwein, City Attorney Bruce Disend, and City Clerk Melonie Anderson.

Roll Call/Pledge of Allegiance

Roll was called. City Manager Ben Yazici led the pledge.

Public Comment - None

Approval of Agenda

MOTION: Deputy Mayor Whitten moved to amend the agenda by moving the executive session to follow Approval of Agenda. Councilmember Cross seconded. Motion carried unanimously 5-0.

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

Council retired to Executive Session at 6:36 pm and returned at 7:08 pm. They took the following action regarding property acquisition:

City Manager Ben Yazici gave the staff report. Long-time Sammamish resident, Mary Pigott has offered to donate 51 acres of her property to the City for open space uses. The donation will take place in three stages.

MOTION: Councilmember Petitti moved to accept the donation from Mary Pigott and authorized the City Manager to execute the contract. Councilmember Odell seconded. Motion carried unanimously 7-0.

No action was taken on the potential litigation.

Proclamations/Presentations

➤ Proclamation: Child Abuse Prevention Month

WHEREAS, every child deserves to be cared for in a safe and nurturing environment; and

WHEREAS, safe and healthy childhoods help produce confident and successful adults; and

WHEREAS, child abuse and neglect can be reduced by making sure every family has the support they need and deserve to raise their children in a healthy environment; and

WHEREAS, no one person can do everything, but everyone can do something, and together we can create change for the better; and

WHEREAS, Children's Response Center serves the community providing support to children and families who have been impacted by abuse, and promotes awareness on issues concerning child abuse; and

WHEREAS, dialing the DSHS toll free number 1-866-END HARM to report suspected child abuse or neglect helps protect the vulnerable; and

WHEREAS, displaying a pinwheel or blue ribbon in April will serve as a positive reminder that together we can prevent child abuse and keep children safe;

NOW, THEREFORE, I Mayor Don Gerend, on behalf of the Sammamish City Council do hereby proclaim April 2010 as

Child Abuse Prevention Month

In the city of Sammamish, and I urge all citizens to join me in this special observance.

Consent Calendar

- Payroll for pay period ending March 31, 2010 for pay date April 5, 2010 in the amount of \$256,113.05
- 1. Approval: Claims for period ending April 6, 2010 in the amount of \$1,170,121.47 for Check No.26076 through No.26212
- 2. Approval: Notes for March 15, 2010 Study Session Meeting
- 3. Approval: Minutes for March 16, 2010 Regular Meeting
- 4. Contract: Pine Lake Park Roof Replacement/Carson Construction
- 5. Contract: Special Event Sound Production/Live Sound
- 6. Contract: Maintenance & Operations Center Special Inspections/Kleinfelder

MOTION: To approve consent calendar. Motion carried unanimously 7-0.

Council Reports

Councilmember James met with the Citizens for Sammamish group.

Deputy Mayor Whitten suggested that Council Office Hours be changed to Wednesdays to take advantage of the Farmers Market. Council agreed to move the Council Office Hours to the first and third Wednesdays.

Councilmember Odell reported on the Finance Committee meeting.

Councilmember Cross reported that he and Councilmember Curley toured the City with Director of Community Development Kamuron Gurol to view cell towers around the city.

Mayor Gerend attended the Kokanee Salmon Work Group and the WRIA 8 meeting.

City Manager Report

- **Human Service Grants**

City Clerk Melonie Anderson gave the staff report and showed a PowerPoint presentation (available on the city's website at www.ci.sammamish.wa.us).

- **Klahanie Park – Memorandum of Understanding (MOU)**

Councilmembers Curley and Cross feel the Klahanie Home Owners Association should be contributing to the expense of park maintenance. Deputy Mayor Whitten thinks we should honor Klahanie's wishes that the City not take over the park. Councilmembers James and Odell feel that the city should not assume maintenance the park unless it would ultimately belong to Sammamish. Mayor Gerend was supportive of the MOU.

MOTION: Deputy Mayor Whitten moved to reject the MOU and continue discussions with King County and Issaquah to maintain the park jointly. Councilmember Petitti seconded. Motion carried unanimously 7-0.

- **Beaver Lake Park – Sanitary Sewer System**

Mr. Yazici explained that Sammamish Plateau Water and Sewer District is requiring the city to install a sewer line as part of the improvements at Beaver Lake Park. Mr. Yazici explained that the improvements would be the equivalent of one single family home. The cost of the sewer installation is estimated at \$1.6 million. The lodge is currently operating on a functioning septic system and his recommendation is the city not hook up to the sewer system. Staff will send a letter to the District outlining the city's position. Mayor Gerend recommended establishing regular meetings between the city and the sewer district.

Deputy City Manager Pete Butkus gave an update on the U.S. Senior Open golf tournament that will be taking place at Sahalee Country Club this summer (PowerPoint presentation available on the city's website at www.ci.sammamish.wa.us).

Meeting adjourned at 8:00 pm

Study Session opened at 8:10 pm

- Town Center Development Regulations

Study session closed at 10:30 pm

Melonie Anderson, City Clerk

Donald J. Gerend, Mayor



City Council Agenda Bill

Meeting Date: April 20, 2010

Date Submitted: March 11, 2010

Originating Department: Community Development

Clearances:

<input checked="" type="checkbox"/> City Manager	<input checked="" type="checkbox"/> Community Development	<input type="checkbox"/> Parks & Rec
<input checked="" 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: Amendments to Wireless Communication Facilities (WCF) SMC 21A.55

Action Required: Open and continue the public hearing

Exhibits:

1. Draft WCF Ordinance
2. Planning Commission Memo
3. Memorandum to Kamuron Gurol from Senior Planner Emily Arteché dated February 24, 2010.

Budget: n/a

Summary Statement:

In coordination with the city attorney's office, staff has been working to revise the Wireless Communication Facilities ordinance to codify existing emergency ordinances and to address housekeeping issues, grammatical errors, and changes in technology. During their review process, the Planning Commission also asked staff to address growing concerns over visual impacts. The Commission expressed specific concern about the possibility of another WCF constructed on a light standard, similar to that of the one recently built in the Trossachs subdivision. Thus, the proposed WCF ordinance prohibits new WCF's within the city right-of-way (ROW) from utilizing light standards as defined. Since the planning commission review, this version of the amended draft WCF ordinance was also edited by staff to improve clarity and organization.

At the City Council meeting of March 2nd, 2010, the Council requested that staff research potential height limitations. So that this research can occur, the hearing is proposed to be further continued. Because the last hearing session on March 2nd was continued to a date certain (March 16th) the council should open the public hearing, allow testimony if any, and further continue the hearing to April 20, 2010. On April 19, 2010 staff held a presentation on Wireless regulations.

Financial Impact:

n/a



City Council Agenda Bill

Recommended Motion:

Open Public Hearing and receive any additional testimony. Close Public Hearing and move to adopt ordinance as presented.

**CITY OF SAMMAMISH
WASHINGTON**

ORDINANCE NO. O2010-___

AN ORDINANCE OF THE CITY OF SAMMAMISH, WASHINGTON, RELATING TO SITING OF WIRELESS COMMUNICATION FACILITIES; REPEALING AND RE-ENACTING CHAPTER 21A.55 SMC; IMPLEMENTING PROVISIONS PREVIOUSLY ENACTED PURSUANT TO A DECLARATION OF EMERGENCY; AMENDING AND ADDING NEW DEFINITIONS TO CHAPTER 21A.15 SMC; REPEALING SECTION 13.01.010 SMC RELATING TO UNDERGROUNDING OF WIRELESS COMMUNICATION FACILITIES EQUIPMENT; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City has previously adopted Chapter 21A.55 of the Sammamish Municipal Code (“SMC”), entitled Wireless Communication Facilities (“WCF”), the purpose of which is to provide general requirements, siting hierarchy, design standards, and evaluations in exchange for public benefits to help achieve reasonable location of wireless communication facilities; and

WHEREAS, the City has previously adopted emergency Ordinance Number 2009-268 for the purpose of establishing interim regulations amending the siting hierarchy standards to give equal priority to collocation on existing poles or structures; and

WHEREAS, the City has previously adopted emergency Ordinance No. 2008-239 (amended pursuant to 2009-254) for the purpose establishing interim regulations to allow an exemption for installation of emergency communications and warning systems in the event of state, local, or national emergencies or disasters; and

WHEREAS, the foregoing interim regulations were put in place to allow for more permanent revisions to SMC Chapter 21A.55 and Chapter 21A.15 to be prepared for public review and consideration by the Planning Commission and City Council; and

WHEREAS, the Planning Commission has reviewed and recommended amendments to the WCF to implement the interim regulations as provided herein, and further, to amend the existing siting hierarchy standards to give higher priority to location on high voltage electrical transmission towers; to allow attachment of concealed base station equipment to antenna support structures in the public rights of way; to allow and provide for installation and erection of temporary wireless communications facilities necessary in the event of an emergency or for

repairs; and, to prohibit use of light poles and light standards in the public right of way as antenna support structures; and

WHEREAS, the City Council of the City of Sammamish finds that there is a need for revised regulations related to wireless communication facilities to assure adequate wireless services within the City, to minimize the number of new support structures and associated aesthetic impacts, and to guide the location and appearance of necessary infrastructure; and

WHEREAS, the proposed amendments are consistent with, and serve to implement, the City's adopted Comprehensive Plan; and

WHEREAS, the prohibition upon use of light poles within the public right of way as antenna support structures is intended to create uniformity in appearance and function of light poles, especially with regard to ornamental light poles to which such facilities cannot be easily attached in a manner that maintains the appearance of the light pole; to minimize interference with maintenance of and access to light poles and light fixtures; and to protect the public health, safety and welfare; and

WHEREAS, SMC 13.01.010 (Wireless Communication Facility, Vaults), which requires all equipment associated with a wireless communication facility in the public right of way to be located underground, is inconsistent with the preferred design requirements of SMC Sections 21A.55.070 and 21A.55.090, which allow such equipment to be located above ground if shielded from public view or concealed; and

WHEREAS, the proposed amendments are consistent with the recommendations of the wireless facilities master plan; and

WHEREAS, an Environmental Checklist for a non-project action has been prepared under the State Environmental Policy Act (RCW Chapter 43.21.C), pursuant to Washington Administrative Code Chapter 197-11, and a Determination of Non-Significance ("DNS") was issued; and

WHEREAS, the Planning Commission held public meetings related to the amendments on September 3, 2009, November 3, 2009, December 3, 2009 and December 17, 2009; and

WHEREAS, the City Council held a first reading of the ordinance proposing adoption of the amendments and a public hearing on the proposed amendments on February 16 2010 and March 2, 2010; and

WHEREAS, the City Council finds that the amendments will allow for the appropriate development of wireless facilities within the City and are in the public interest;

NOW, THEREFORE, the City Council of the City of Sammamish, Washington, do ordain as follows:

Section 1. Section 21A.15.227 (Concealed WCF) Amended. Section 21A.15.227 of the Sammamish Municipal Code is hereby amended (amendments shown in legislative revision marks) to read as follows:

21A.15.227 Concealed WCF.

“Concealed WCF,” sometimes referred to as a stealth or camouflaged facility, means the antenna or antenna array, antenna support structure, base station, and feed lines are not readily identifiable as such, and ~~is~~are designed to be aesthetically compatible with existing and proposed building(s) and uses on a site. Examples of concealed attached facilities~~y~~ies include, but are not limited to, the following: painted antenna and feed lines to match the color of a building or structure, faux windows, dormers or other architectural features that blend with an existing or proposed building or structure. Examples of concealed antenna support structures that can have a secondary, obvious function ~~which may be include~~, but are not limited to, the following: church steeples, windmills, bell towers, clock towers, cupolas, light standards, utility poles, flagpoles with or without ~~a~~ flags or trees.

Section 2. New Section Added to Chapter 21A.15 SMC. A new section is added to Chapter 21A.55 of the Sammamish Municipal Code to be known and referred to as Section 21A.15.596 (High Voltage Electrical Transmission Tower), to read as follows:

21A.15.596 High Voltage Electrical Transmission Tower.

“High Voltage Electrical Transmission Tower” means a structure that is designed and constructed primarily for the purpose of overhead support of high voltage transmission lines. For purposes of this term, high voltage transmission lines shall generally mean and refer to a 68 kV or greater electric transmission line.

Section 3. New Section Added to Chapter 21A.15 SMC. A new section is added to Chapter 21A.15 of the Sammamish Municipal Code to be known and referred to as Section 21A.15.1276 (Temporary WCF), to read as follows:

21A.15.1276 Temporary WCF.

“Temporary WCF” shall mean a WCF that is designed for temporary use and is installed or erected, (a) in the event of a public emergency to provide emergency communications by public officials, or (b) at the site of an existing permanent WCF for only so long as is necessary, but in no event longer than 90 days, to provide signal coverage during repair, maintenance, or re-construction of such permanent WCF, or during a power outage.

Section 4. Repeal and Reenactment of Chapter 21A.55 SMC. Chapter 21A.55 of the Sammamish Municipal Code is hereby repealed in its entirety and re-enacted to read as follows:

21A.55.010 Purpose.

The purpose of this chapter is to:

- (1) Establish clear regulations for the siting and design of wireless communication facilities consistent with federal regulations;
- (2) Promote the health, safety, and general welfare of the public by regulating the siting of WCFs;
- (3) Minimize impacts of WCFs on surrounding areas by establishing standards for location, structural integrity, and compatibility;
- (4) Encourage the location and collocation of wireless communication equipment on existing structures;
- (5) Minimize visual, aesthetic, public safety, and environmental and wildlife effects;
- (6) Accommodate the growing need and demand for wireless communication services;
- (7) Respond to the policies embodied in the Telecommunications Act of 1996 in such a manner as not to unreasonably discriminate between providers of functionally equivalent personal wireless services or to prohibit or have the effect of prohibiting personal wireless services;
- (8) Encourage orderly development in a preferred hierarchy using concealed technologies; and
- (9) Assure WCF development is consistent with the City's wireless master plan.

21A.55.020 Applicability.

- (1) If a conflict arises between this chapter and the provisions of another chapter regarding wireless communication facilities, this chapter shall govern.
- (2) Facilities regulated by this chapter include the construction, modification, and placement of all WCFs, FCC-regulated amateur radio antennas, dish antennas, and any antennas used for multichannel multipoint distribution service (MMDS) or wireless cable, and wireless service facilities (i.e., cellular phone service, PCS – personal communication services, wireless paging services, wireless Internet services, etc.). Wireless services shall be subject to the following regulations to the extent that such requirements (a) do not unreasonably discriminate among providers of functionally equivalent services; and (b) do not

have the effect of prohibiting personal wireless services within the City of Sammamish.

21A.55.030 Exemptions.

The following are exempt from the provisions of this chapter:

(1) Amateur radio antenna operated by a federally licensed amateur radio operator as part of the amateur or business radio service;

(2) Citizen band or two-way radio antenna including any mast;

(3) Satellite earth stations (satellite dish) that are one meter (39.37 inches) or less in diameter in all residential districts and two meters or less in all other zoning districts and which are not greater than 20 feet above grade in residential districts and 35 feet above grade in all other zoning districts;

(4) Public agency communications systems of the City of Sammamish, without limitation, when the facility or facilities are on lands owned by the City and all other building and land development regulations are complied with. Any such facility constructed and operated under this section shall comply with all federal regulations including, but not limited to site location, aircraft warning, station power level, and frequency allocation;

(5) A temporary commercial wireless communications facility, for the purposes of providing coverage of a special event such as news coverage or sporting event, subject to approval by the City, except that such facility must comply with all federal and state requirements. Said wireless communications facility may be exempt from the provisions of this chapter up to one week after the duration of the special event;

(6) In the event a building permit is required for any emergency repair, notification in writing to the director of community development shall occur within 24 hours of identification of the needed repair; filing of the building permit application shall be done in compliance with the City's adopted building code. (In the event a building permit is required for nonemergency maintenance, reconstruction, repair or replacement, filing of the building permit application shall be required prior to the commencement of such nonemergency activities.);

(7) Antenna modifications, provided:

(a) There is no increase in the number of antennas; and

(b) There is no increase in the height of the antenna support structure;

and

(8) Temporary WCF.

21A.55.040 Permit required.

The following table summarizes the type of proposal and required land use approvals. All proposals are subject to the siting hierarchy requirements of this chapter.

Concealed Attached WCF	Consolidation of WCFs	Concealed Collocation	Flush- or Nonflush-Mounted Antenna on Existing Antenna Support Structure	Concealed Antenna Support Structure	Combined on Existing WCF
P1 C	C	P1 C	P1 C	C	P1 C

P – Permitted Use: The use is allowed subject to the requirements of the code.

C – Conditional Use Permit: The use is allowed subject to the conditional use review procedures and requirements of the code.

Notes:

1. If the proposal does not extend the height by more than 40 feet and it is demonstrated the proposal is consistent with any previous relevant approval conditions.

21A.55.050 Application requirements.

In addition to any information required for CUP and/or building permit review, an application for new WCFs or modifications to WCFs that require City approval shall provide the following information:

(1) A site plan showing existing and proposed WCFs, access, base station, ancillary structures, warning signs, fencing, landscaping and any other items necessary to illustrate compliance with the development standards of this chapter;

(2) Except as provided below, a~~A~~ stamped statement by a state of Washington registered professional engineer that the support structure shall comply with EIA/TIA-222-~~F~~Revision G, published by the American National Standards Institute (as amended), allowable wind speed for the applicable zone in which the facility is located, and describing the general structural capacity of any proposed WCF(s), including;

- (a) The number and type of antennas that can be accommodated;
- (b) The basis for the calculation of capacity; and

- (c) A written statement that the proposal complies with all federal guidelines regarding interference and ANSI standards as adopted by the FCC, including but not limited to nonionizing electromagnetic radiation (NIER) standards.

The foregoing requirements are not applicable when the support structure is a utility pole or high voltage electrical transmission tower;

(3) A report by the applicant that includes a description of the proposed WCF, including height above grade, materials, color, lighting, and information demonstrating compliance with SMC 21A.55.060, Siting hierarchy;

(4) Where a permit for an attachment or collocation is required, the application shall also include the following information:

- (a) The name and address of the operator(s) of proposed and existing antennas on the site;
- (b) The height of any proposed antennas;
- (c) Manufacture, type, and model of such antennas;
- (d) Frequency, modulation, and class of service; and
- (e) A description of the wireless communication service that the applicant intends to offer to provide, or is currently offering or providing within the City.

(5) A detailed visual simulation of the wireless communication facility shall be provided along with a written report from the applicant, including a map showing all locations where an unimpaired signal can be received for that facility;

(6) Approved WROWA= (Wireless Right of Way Use Agreement);

(7) Other information as the director of community development may reasonably require, including additional information specific to the City's wireless communication facilities master plan; and

(8) Fees for review as established by the City's most current fee resolution.

The director of community development may release an applicant from having to provide one or more of the pieces of information on this list upon a finding that in the specific case involved said information is not necessary to process or make a decision on the application being submitted.

21A.55.060 Siting Hierarchy.

Siting of antennas or support structures shall adhere to the siting hierarchy of this section. The order of ranking for antenna or antenna support structures, from highest to lowest, shall be ~~1a, 1b,~~ 2a, 2b, 2c, 2d, 2e, 3a, 3b, 3c, 3d, ~~3e,~~ and 4a, 4b, 4c, 4d, 4e and 5. Where a lower ranking alternative is proposed, the applicant must file relevant information including but not limited to an affidavit by a licensed radio frequency engineer demonstrating that despite diligent efforts to adhere to the established hierarchy within the geographic search area, higher ranking options are not technically feasible or justified given the location of the proposed wireless communications facility and network need.

Example:

A new WCF is proposed; the applicant demonstrates that the new facility cannot be sited under hierarchy ~~1a through 1b~~. The applicant then demonstrates the new facility cannot be sited under hierarchy 2a through ~~2d~~2e. The applicant then moves to hierarchy 3 and is able to propose a site.

Hierarchy:

(1) Concealed WCF that is an attached WCF; provided that it is attached to an existing antenna support structure within City-classified arterial rights-of-way or attached to a high voltage electrical transmission tower, or collocation, ~~of WCF with existing WCF provided that the collocation either:~~

- ~~— (a) requires no increase in pole or structure height; or~~
- ~~— (b) requires an increase in pole or structure height which increase complies with Section 21.55.080, SMC~~

(2) New Concealed WCF:

- (a) Within City-classified arterial rights-of-way.
- (b) Within public parks, public open spaces, and on other publicly owned land.
- (c) Within other City street rights-of-way.
- (d) In any nonresidential zoning district.
- (e) In residential zoning districts on lots not used for single-family residential purposes.

(3) Concealed consolidation that is a consolidation of antenna support structures:

- (a) Within City-classified arterial rights-of-way.
- (b) Within public parks, public open spaces, and on other publicly owned land.
- (c) Within other City street rights-of-way.
- (d) In any nonresidential zoning district.
- (~~e~~) In residential zoning districts on lots not used for single-family residential purposes.

- (4) New concealed antenna support structure:
 - (a) Within City-classified arterial rights-of-way.
 - (b) Within public parks, public open spaces, and on other publicly owned land.
 - (c) Within other City street rights-of-way.
 - (d) In any nonresidential zoning district.
 - (e) In residential zoning districts on lots not used for single-family residential purposes.
- (5) Any other permitted or allowed location not falling within categories 1 through 4 when no reasonable alternative exists.

21A.55.070 Base station hierarchy.

Siting of base stations shall adhere to the siting hierarchy of this section. The order of ranking, from highest to lowest, shall be 1, 2, 3, and 4. Where a lower ranking alternative is proposed, the applicant must demonstrate that a higher ranking option is not technically feasible, or justified given the location or size of the proposed base station.

Hierarchy:

- (1) Underground or attached to the antenna support structure and concealed or shielded from public, if located within city rights-of-way.
- (2) Within an existing building, provided the use of the building is not single-family residential.
- (3) On the roof of an existing building, provided the use of the building is not single-family residential.
- (4) Fenced and landscaped or inside a building constructed for housing the base station from a consolidated WCF.

21A.55.080 General requirements.

(1) Within public parks and public open spaces, the placement of antennas on existing structures, such as power poles, ~~light poles for streets and parking lots,~~ light standards for recreational fields and antenna support structures, is the preferred option subject to the approval of the property owner. If an existing structure cannot accommodate an antenna due to structural deficiency, or does not have the height required to provide adequate signal coverage, the structure may be replaced with a new structure, provided the new structure:

- (a) ~~The new structure will~~ Will serve the original purpose.

- (b) Does not exceed the original height by 40 feet or the maximum height allowed by this chapter. Any height increase in excess of 40 feet will require a conditional use permit; and
- (c) Meets all the requirements of this chapter.

(2) Concealed attached antennas shall comply with the following requirements:

- (a) Concealed antennas shall reflect the visual characteristics of the structure to which they are attached and shall be designed to architecturally match the facade, roof, wall, or structure on which they are affixed so that they blend with the existing structural design, color, and texture. This shall include the use of colors and materials, as appropriate. When located on structures such as buildings or water towers, the placement of the antennas on the structure shall reflect the following order of priority in order to minimize visual impact:
 - (i) A location as close as possible to the center of the structure; and
 - (ii) Along the outer edges or side-mounted; provided, that in this instance, additional means such as screens should be considered and may be required by the department on a case-by-case basis; and
 - (iii) When located on the outer edge or side-mounted, be placed on the portion of the structure less likely to be seen from adjacent lands containing, in descending order of priority: existing residences, public parks and open spaces, and public roadways; and
- (b) Notwithstanding the height limit of the underlying zone, the top of the concealed attached WCF shall not be more than 20 feet above an existing or proposed nonresidential building or structure, or more than 15 feet above a residential building or structure; and
- (c) Feed lines shall be contained within a principal building or encased and the encasement painted to blend and match the design, color, and texture of the facade, roof, wall, or structure to which they are affixed.

(3) Concealed antenna support structures shall comply with the following requirements:

- (a) Upon application for a conditional use permit or a building permit for a new concealed antenna support structure, whichever is required first, the applicant shall provide a map showing all existing antenna support structures or other suitable nonresidential structures located within one-quarter mile of the proposed structure with consideration given to engineering and structural requirements.
- (b) No new antenna support structure shall be permitted if an existing structure suitable for attachment of an antenna or collocation is located within one-quarter mile, unless the applicant demonstrates that the existing structure is physically or technologically unfeasible, or is not made available for sale or lease by the owner, or is not made available at a market rate cost, or would result in greater visual impact. The burden of proof shall be on the applicant to show that a suitable structure for mounting of antenna or collocation cannot be reasonably or economically used in accordance with these criteria.
- (c) In residential districts, new concealed antenna support structures shall only be permitted on lots whose principal use is not single-family residential including, but not limited to: schools, churches, synagogues, fire stations, parks, and other public property.
- (d) To the extent that there is no conflict with the color and lighting requirements of the Federal Communications Commission and the Federal Aviation Administration for aircraft safety purposes, new antenna support structures shall be concealed as defined by this chapter and shall be configured and located in a manner to have the least visually obtrusive profile on the landscape and adjacent properties. New concealed antenna support structures shall be designed to complement or match adjacent structures and landscapes with specific design considerations such as architectural designs, height, scale, color, and texture and designed to blend with existing surroundings to the extent feasible. This shall be achieved through the use of compatible colors and materials, and alternative site placement to allow the use of topography, existing vegetation or other structures to screen the proposed concealed antenna support structure from adjacent lands containing, in descending order of priority: existing residences, public parks and open spaces, and public roadways.
- (e) At time of application the applicant shall file a letter with the department, agreeing to allow collocation on the tower. The agreement shall commit the applicant to provide, either at a market rate cost or at another cost basis agreeable to the affected parties,

the opportunity to collocate the antenna of other service providers on the applicant's proposed tower to the extent that such collocation is technically and structurally feasible for the affected parties.

- (f) All new concealed antenna support structures up to 60 feet in height shall be engineered and constructed to accommodate no less than two antenna arrays. All concealed antenna support structures between 61 feet and 100 feet shall be engineered and constructed to accommodate no less than three antenna arrays. All concealed antenna support structures between 101 and 140 feet shall be engineered and constructed to accommodate no less than four antenna arrays.
- (g) Grading shall be minimized and limited only to the area necessary for the new WCF.

(4) Consolidation of WCFs shall comply with the following requirements: Consolidation of two or more existing WCFs may be permitted pursuant to the provisions of this chapter including a CUP and consideration of the following:

- (a) WCF consolidation shall reduce the number of WCFs;
- (b) If a consolidation involves the removal of WCFs from two or more different sites and if a consolidated WCF is to be erected on one of those sites, it shall be erected on the site that provides for the greatest compliance with the standards of this chapter;
- (c) Consolidated WCFs shall be concealed;
- (d) All existing base station and ancillary equipment shall be brought into compliance with this chapter;
- (e) ~~A~~ New WCFs approved for consolidation ~~of~~ with an existing WCF shall not be required to meet new setback standards so long as the new WCF and its base station and ancillary structures are no closer to any property lines or dwelling units ~~as~~ than the WCF and its base station and ancillary structures being consolidated. For example, if a new WCF is replacing an old one, the new one is allowed to have the same setbacks as the WCF being removed, even if the old one had nonconforming setbacks;
- (f) If the consolidated WCF cannot meet the setback requirements, it shall be located on the portion of the parcel on which it is situated which, ~~giving consideration to the following~~ provides the optimum

practical setback from adjacent properties, giving consideration to the following:

- (i) Topography and dimensions of the site; and
- (ii) Location of any existing structures to be retained.

(5) Collocated or combined facilities shall comply with the following requirements:

- (a) Collocation of antennas onto existing antenna support structures meeting the dimensional standards of this chapter are permitted outright. Antenna mounts shall be flush-mounted onto existing antenna support structures, unless it is demonstrated through RF propagation analysis that flush-mounted antennas will not meet the network objectives of the desired coverage area. Furthermore, an antenna shall not extend vertically above the uppermost portion of the structure to which it is mounted or attached, as follows:
 - (i) Not more than 20 feet on a nonresidential structure; and
 - (ii) Not more than 15 feet on a residential structure~~;~~
- (b) Collocation of antennas onto a new antenna support structure constructed after the effective date of the ordinance codified in this chapter shall be concealed~~;~~
- (c) At the time of installation, the WCF base station and ancillary structures shall be brought into compliance with any applicable landscaping requirements~~;~~
- (d) A collocated or combined WCF, its new base station, and any new ancillary structures shall be subject to the setbacks of the underlying zoning district~~;~~ and
- (e) When a collocated or combined WCF is to be located on a nonconforming building or structure, then it will be subject to Chapter 21A.70 SMC.

21A.55.090 Design standards.

- (1) All WCFs shall:
 - (a) Be designed and constructed to present the least visually obtrusive profile~~;~~

- (b) Use colors such as grey, blue, or green that reduce visual impacts unless otherwise required by the City of Sammamish, the FAA, or the FCC; and
- (c) Flush-mount antennas when feasible. Four non-flush-mounted antennas are allowed only upon written demonstration by the applicant that flush-mounting is not feasible.

(2) Base Stations.

- (a) Base stations and ancillary structures shall be subject to the setbacks of the underlying zoning district.
- (b) Base stations that are not located underground shall not be visible from public views. Base stations attached to the antenna support structure shall be concealed or shielded from public view. New base stations and ancillary structures shall be designed to complement or match adjacent structures and landscapes, and; the antenna support structure, with Specific design considerations such as architectural designs, height, scale, color, and texture should be and designed to blend with existing surroundings to the extent feasible. This shall be achieved through the use of compatible colors and building materials of existing buildings or structures on the property, and when the base stations are attached, the antenna support structure, and or alternative site placement to ~~allow the use utilize~~ of topography, existing vegetation or other structures to screen the base station and ancillary structures from pedestrian views. Where feasible, one building with multiple compartments shall be constructed to serve the total number of anticipated collocation tenants. If the applicant can demonstrate that one building is not feasible or practical due to site design or other constraints, then a master site plan shall be provided to demonstrate how all potential base stations and ancillary structures will be accommodated within the vicinity of the WCF.

(3) Height Standards. The height of the antenna support structure shall be measured from the natural undisturbed ground surface below the center of the base of the tower to the top of the tower or, if higher, to the top of the highest antenna or piece of equipment attached thereto. The height of any WCF shall not exceed the height provided in the table below.

Zone District(s)	Maximum Height of New Antenna Support Structures	Maximum Height of Consolidated Antenna Support Structures
------------------	--	---

CB, O	120'	140'
NB, R-1 – R-18	60'	80'

Note: Height limits in rights-of-way not zoned shall be 40 feet above existing utility ~~or light~~ poles.

(a) Increases to the height of an existing antenna support structure are permitted, provided:

- (i) ~~The increase~~ is consistent with all conditions of the CUP authorizing the use and subsequent approvals thereafter;
- (ii) The existing conditions and the proposed changes are not in violation of the SMC;
- (iii) ~~The increase~~ is necessary to accommodate an actual collocation of the antenna for additional service providers or to accommodate the current provider’s antenna required to utilize new technology, provide a new service, or increase capacity;
- (iv) Height increases are limited to no more than 40 feet above the height of the existing antenna support structure unless explicitly allowed in the CUP; and
- (v) A nonconformance shall not be created or increased, except as otherwise provided by this chapter.
- ~~(vi) A detailed certification of compliance with the provisions of this section, prepared by a licensed professional engineer, is submitted and approved.~~

(4) Setback Requirements.

- (a) Antenna support structures outside of the right-of-way shall have a setback from property lines of 10 feet from any property line and 50 feet or one foot setback for every one foot in height from any residentially zoned property, whichever provides the greatest setback.
- (b) Base stations shall be subject to the setback requirements of the zone in which they are located.
- (c) The department shall consider the following criteria and give substantial consideration to on-site location and setback flexibility. ~~is~~ These are authorized when reviewing applications for new

antenna support structures and consolidations. The following shall be considered:

- (i) Whether existing trees and vegetation can be preserved in such a manner that would most effectively screen the proposed tower from residences on adjacent properties;
- (ii) Whether there are any natural landforms, such as hills or other topographic breaks, that can be utilized to screen the tower from adjacent residences; and
- (iii) Whether the applicant has utilized a tower design that reduces the silhouette of the portion of the tower extending above the height of surrounding trees.

(5) Landscaping and Fencing Requirements.

- (a) All ground-mounted base stations and ancillary structures shall be enclosed with an opaque fence. In all residential zones, or a facility abutting a residential zone, or in any zone when the base station and ancillary structures adjoin a public right-of-way, the fence shall be opaque and made of wood, brick, or masonry. In the NB, CB, or O zone, if a chain link fence is installed, slats shall be woven into the security fence. All fencing shall be subject to SMC 21A.30.190.
- (b) WCFs shall have perimeter landscaping as follows:
 - (i) In the NB, CB, or O zone, the base stations and ancillary structures shall be landscaped with eight feet of Type II landscaping pursuant to Chapter 21A.35 SMC along any lot line abutting a residential zone; and
 - (ii) In residential zones or abutting rights-of-way, the base station and ancillary structures shall be landscaped with 10 feet of Type I landscaping pursuant to Chapter 21A.35 SMC; and
 - (iii) When a fence is used to prevent access to a WCF or base station, any landscaping required shall be placed outside of the fence; and
 - (iv) Landscaping provisions may be modified in accordance with Chapter 21A.35 SMC.

(6) Lighting Standards. Except as specifically required by the FCC or FAA, WCFs shall not be illuminated, except lighting for security purposes that is compatible with the surrounding neighborhood.

Any lighting required by the FAA or FCC must be the minimum intensity and number of flashes per minute (i.e., the longest duration between flashes) allowable to minimize the potential attraction to migratory birds. Dual lighting standards (white blinking light in daylight and red blinking light at dusk and nighttime) are required and strobe light standards are prohibited unless required. The lights shall be oriented so as not to project directly onto surrounding residential property, and be consistent with FAA and FCC requirements.

(7) Signage. Commercial messages shall not be displayed on any WCF. The only signage that is permitted upon an antenna support structure, base station, or fence shall be informational—and for the purpose of identifying the antenna support structure (such as ASR registration number), as well as the party responsible for the operation and maintenance of the facility, its current address and telephone number, security or safety signs, and property manager signs (if applicable).

If more than 220 voltage is necessary for the operation of the facility and is present in a ground grid or in the antenna support structure, signs located every 20 feet and attached to the fence or wall shall display in large, bold, high-contrast letters (minimum letter height of four inches) the following: HIGH VOLTAGE – DANGER.

(8) Sounds. Maximum permissible sound levels to intrude into the real property of another person from a ~~wireless communication facility~~ WCF shall not exceed 45 dB(A). In the case of maintenance, construction, and emergencies, these sound levels may be exceeded for short durations as required by the specific circumstance.

21A.55.100 Technical evaluation.

The City may retain the services of an independent technical expert such as a registered professional electrical engineer accredited by the state of Washington who holds a federal communications general radio telephone operator's license. The engineer will provide technical evaluation of permit applications for WCFs. The applicant shall pay all the costs of said review.

21A.55.110 Interference.

Whenever the City has encountered radio frequency interference with its public safety communications equipment, and it believes that such interference has been or is being caused by one or more WCFs, the following steps shall be taken:

(1) Upon notification by the City to WCF service providers potentially interfering with public safety communications equipment, the providers shall cooperate and coordinate with the City and among themselves to investigate and mitigate the interference, if any, utilizing the procedures set forth in the joint wireless industry – public safety “Best Practices Guide,” released by the FCC in February 2001, including the “Good Engineering Practices,” as may be amended or revised by the FCC from time to time.

(2) If any WCF owner fails to cooperate with the City in complying with the owner’s obligations under this section, or if the FCC makes a determination of radio frequency interference with the City public safety communications equipment, the owner who fails to cooperate and/or the owner of the WCF which caused the interference shall be responsible, upon FCC determination of radio frequency interference, for reimbursing the City for all costs associated with ascertaining and resolving the interference, including but not limited to any engineering studies obtained by the jurisdiction to determine the source of the interference. For the purposes of this subsection, failure to cooperate shall include failure to initiate any response or action as described in the “Best Practices Guide” within 24 hours of the City’s notification.

21A.55.120 Cessation of use.

(1) Antennas shall be removed, at the owner’s expense, from WCFs ~~within~~ no more than 180 days after the antenna is no longer operational, unless the abandonment is associated with a consolidation, in which case the removal shall occur within 90 days of cessation of use.

(2) The whole WCF shall be removed, at the owner’s expense, within 180 days of the date the last antenna is removed.

(3) An owner wishing to extend the time for removal or reactivation shall submit a written request along with the appropriate documentation demonstrating the reason for such extension request. The City may extend the time for removal up to 90 additional days upon a showing of good cause with one additional 90-day extension. If the antenna support structure or antenna is not removed in a timely fashion, the City may give notice that it will contract for removal within 30 days following written notice to the owner. Thereafter, the City may cause removal of the antenna support structure with costs being borne by the current WCF owner or landowner.

(4) Upon removal of the WCF, base station, and ancillary structures, said area shall be returned to its natural state and topography, and vegetated consistent with the natural surroundings or consistent with the current use of the land at the time of removal. The cost of rehabilitation shall be borne by the current WCF owner or landowner.

Section 5. SMC 21A.55.130 (Light Poles) Adopted. Sammamish Municipal Code Section 21A.55.130 (Light Poles) is hereby adopted to read as follows:

21A.55.130 Light Poles.

Light poles and light standards located within the public rights of way are prohibited from use as an antenna support structure or for the attachment of an antenna or antenna array. For purposes of this prohibition, “light pole” shall mean and refer to a structure affixed to the ground, such as a pole, that has as its primary purpose the support of an overhead light fixture; and, “public rights of way” shall mean the surface of, and the space above and below, any public street, highway, freeway, bridge, land path, alley, court, boulevard, sidewalk, way, lane, public way, drive, circle or other public right-of-way, including, any easement now or hereafter held by the City within the corporate boundaries of the City as now or hereafter constituted for the purpose of public travel, excluding railroad rights-of-way.

Section 6. Repealer. Sammamish Municipal Code Section 13.01.010 (Wireless Communication Facility, Vaults) is hereby repealed in its entirety.

Section 7. 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 8. 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 ____ DAY OF _____, 2010.**

CITY OF SAMMAMISH

Donald J. Gerend, Mayor

ATTEST/AUTHENTICATED:

Melonie Anderson, City Clerk

Exhibit 1

Approved as to form:

Bruce L. Disend, City Attorney

Filed with the City Clerk:	February 10, 2010
Public Hearing:	February 16, 2010
First Reading:	February 16, 2010
Public Hearing:	March 2, 2010
Public Hearing:	March 16, 2010
Public Hearing:	April 20, 2010
Passed by the City Council:	
Date of Publication:	
Effective Date:	



Planning Commission

801 228th Avenue SE • Sammamish, WA 98075 • Phone: 425.295.0500 • Fax: 425.295.0600 • web: www.ci.sammamish.wa.us

MEMO

Date: February 10, 2010
To: The City Council
From: Tom Vance, Planning Commission Chair
RE: Proposed Wireless Communications Facilities, WCF Municipal Code (SMC) amendments

On behalf of the Planning Commission I'm pleased to forward our recommendations for proposed WCF code amendments to the City's Municipal Code. I am happy to attend the upcoming City Council session to discuss these recommendations further.

During our review process we completed four public meetings; September 3, 2009, November 3, 2009, December 3, 2009 and December 17, 2009. Our review involved feedback from the members of the Northwest Wireless Association, wireless communication facility applicants/industry representatives and one written public comment which was received during the planning commission hearing.

At our December 3, 2009 deliberation session on the proposed ordinance we recommended minor revisions based on our deliberations. The Commission recommends for adoption the proposed code changes which include the following:

- Adding Bonneville Power Administration, (BPA) tower to the top of the siting hierarchy;
- Clarifying the exemption for temporary/emergency facilities;
- Removing the engineering stamped statement for WCF facilities located on Puget Sound Energy poles or BPA towers;
- Citing the appropriate regulations for utility poles;
- Removing the requirement for detailed certification of compliance;
- Allowing the base station hierarchy to be attached equipment;
- Prohibiting WCF's on light pole/light standard within the ROW.

Again I am happy to provide more information or answer questions.



Memorandum

Date: February 24, 2010
To: Kamuron Gurol, Director of Community Development
From: Emily Arteche, Senior Planner
Re: Questions on Proposed Wireless Communications Facilities, WCF Municipal Code (SMC)

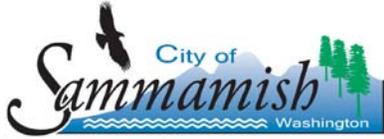
Background:

At the City Council February 16, 2010 meeting two questions about the existing WCF ordinance arose, 1. Antenna design type and 2. Faux trees and Church Steeples.

Staff Responses:

1. Under 21A.55.090, Design Standards all WCF's shall be flush-mount antennas when feasible. (4) non-flush mounded antennas are allowed only upon written demonstration by the applicant that flush mounting is not feasible.
2. Under 21A.55.040 Permit Required the code does require concealed (aka stealth or camouflaged) WCF's. "Concealed WCF," means the antenna or antenna array, antenna support structure, base station, and feed lines are not readily identifiable as a WCF. The facilities are designed to be aesthetically compatible with existing and proposed building(s) and uses on a site. Examples include: painted antenna and feed lines to match the color of a building or structure, faux windows, dormers or other architectural features that blend with an existing or proposed building or structure. In addition the facility may be hidden in primary uses such as: church steeples, windmills, bell towers, clock towers, cupolas, flagpoles or designed as a faux trees.

In accordance with the City siting hierarchy the SMC requires all newly constructed antenna support structures to be concealed.



City Council Agenda Bill

Meeting Date: April 20, 2010

Date Submitted: February 24, 2010

Originating Department: City Manager

Clearances:

City Manager

Attorney

Admin Services

Community Development

Finance & IT

Fire

Parks & Rec

Police

Public Works

Subject: Resolution to approve A Coalition for Affordable Housing (ARCH) 2010 Budget & Work Plan

Action Required: Motion to approve Resolution (with attachments)

Exhibits:

1. Resolution
2. ARCH 2010 Work Plan (A)
3. ARCH 2010 Budget (B)

Budget: \$45,000 allocated in Account # 01-090-519-10-41-00 of Sammamish's 2010 Budget

Summary Statement:

Sammamish, as a member of ARCH, participates in budget and work program development. This proposed Resolution provides the Sammamish approval for the work program and budget as drafted.

Background:

This Resolution follows the presentation to the City Council on 06 APR by Arthur Sullivan, ARCH Program Manager.

Financial Impact:

\$45,000 as budgeted for 2010.

Recommended Motion:

Approve the Resolution that gives approval to the 2010 proposed work plan and proposed 2010 budget.

**CITY OF SAMMAMISH
WASHINGTON
RESOLUTION NO. R2010 - ____**

**A RESOLUTION OF THE CITY OF SAMMAMISH CITY
COUNCIL APPROVING THE 2010 WORK PROGRAM AND
BUDGET FOR A REGIONAL COALITION FOR HOUSING**

WHEREAS, the City of Sammamish has adopted a comprehensive plan containing a housing element which meets the requirements of the State Growth Management Act (GMA); and

WHEREAS, A Regional Coalition for Housing (ARCH) has assisted the City in meeting its GMA objectives in the development and implementation of the housing element of the comprehensive plan; and

WHEREAS, the City of Sammamish, has entered into an Interlocal Agreement with ARCH to be a member of the coalition and receive the benefits of membership; and

WHEREAS, ARCH has submitted to the City Council a work-program and budget for 2010 which requires the City's concurrence; and

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

The City of Sammamish City Council hereby:

Approves the ARCH 2010 work program and budget as set forth in Attachment A and Attachment B.

**ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON
THE ____ DAY OF _____, 2010.**

CITY OF SAMMAMISH

Mayor Donald J. Gerend

ATTEST/AUTHENTICATED:

Melonie Anderson, City Clerk

Approved as to form:

Bruce L. Disend, City Attorney

Filed with the City Clerk:

Passed by the City Council:

Resolution No. R2010- _____

12/1/09

DRAFT ARCH WORK PROGRAM: 2010**I. PROJECT ASSISTANCE****A. Oversight of Local Monetary Assistance**

ARCH Trust Fund. Review applications and make recommendations for requests of local monetary funds through the ARCH Housing Trust Fund process. Includes helping to coordinate the application process and use of funds for various programs. Also assist with preparing contracts for awarded projects and do quarterly progress reports on funded projects.

Objective: Allocation of \$1,000,000 or more through the ARCH Housing Trust Fund Process.

Funding commitments to create or preserve a minimum of 75 units.

For the 'Parity Program', provide updated annual information to members, and achieve the base line goal for levels of direct assistance.

Provide a variety of types of affordable housing as specified in the ARCH Trust Fund Criteria.

Evaluation of ARCH Trust Fund: Dedicated Funding Source. As follow up to the ARCH Workshops in 2007, explore and evaluate the feasibility of a dedicated funding source.

Objective: Develop a sustainable strategy for the HTF to meet increasing project costs and the reduction of federal housing funds.

Centralized Trust Fund Account. See Section IV Administration.

Funded Projects Follow-up. Monitor progress of funded projects and assist local staff with contracting and distributing funds, and ongoing monitoring of loans.

King County / State Funding Programs. Review and provide input to other funders for Eastside projects that apply for County (HOF, RAHP, HOME, etc) and State (Tax Credit, DOC) funds. Includes providing input to the King County Home Consortium on behalf of participating Eastside jurisdictions. Assist N/E consortium members with evaluating and making a recommendation to the County regarding the CDBG formula for allocations to affordable housing.

Objective: In consultation with County, local staff and housing providers, seek to have funds allocated on a countywide basis by the County and State allocated proportionately throughout the County including the ARCH Sphere of Influence.

B. Special Projects This includes a range of activities where ARCH staff assist local staff with specific projects. Activities can range from feasibility analysis, assisting with requests for

proposals, to preparation of legal documents (e.g. contracts, covenants). Following is a list of several specific projects that are already underway. One of ARCH's priorities is to be available to assist cities as they assess other potential special projects that arise.

Surplus Property/Underdeveloped Property. Assist as needed member cities' evaluation of potentially surplus public property or underutilized private property for suitability of affordable housing. One potential use of surplus property is for the HomeChoice Way ownership initiative. This task is consistent with one of the priority strategies identified at the ARCH Workshops in 2007. In 2010 this effort would be expanded to also seek opportunities that may become available due to the unique market conditions resulting from the economic downturn.

Objective: Identify one or more specific sites on the eastside to be made available for housing.

HUD Initiatives. ARCH will continue to monitor and actively pursue efforts to directly assist developments in order to preserve existing HUD assisted affordable housing as well as new HUD initiatives such as the Sustainable Communities Initiative.

Objective: Preserve existing federally assisted affordable housing in East King County and prevent from converting to market rate housing.

Work with members of ARCH to seek opportunities to participate in new HUD programs such as the Sustainable Communities Initiative.

Issaquah Master Planned Development Sites. The Issaquah Highlands master planned developments (MPD) includes 'land set-aside' parcels that are reserved for the development of affordable housing for a specified period of time. ARCH will work with City staff to assist as needed with specific aspects of these parcels, including negotiate and track covenants and resale restrictions to guarantee long term affordability.

Objective: Assist City with work related to development of the 'TOD site in Issaquah Highlands by the YWCA, and Parcel 95 by Habitat for Humanity. Work in 2010 will focus around issues that come up during construction and initial lease-up / sales of units on both these sites.

Eastside Homebuyer Assistance Program. In late 2005 the House Key Plus ARCH down payment assistance program was launched with funding from many East King County cities, King County and the Washington Housing Commission and in 2006 a second round of funding was received from the same initial funders. In 2009/2010, the goal is to seek a third round of funding for the program and to implement updates to the program suggested by the review completed in 2008.

Objective: Receive sufficient additional funding to extend the program another 2 years.

Implement updates to the program based on the conclusions of the program evaluation completed in 2008.

Reserve Fund Innovative Program. In the past, ARCH has used its reserve funds to provide unsecured predevelopment loans for innovative projects being sponsored by communities (e.g.

Greenbrier (Woodinville), Coast Guard Site (Redmond). ARCH will work with local staff and the broader community to identify other potential new innovative projects.

Objective: On an as needed basis, assist members with doing feasibility, community outreach and other predevelopment activity on specific sites or programs to assess their potential to provide affordable housing.

II. HOUSING POLICY PLANNING

Work in this section falls into several basic areas of activity:

- Work with individual members on local planning efforts.
- Efforts coordinated through ARCH that benefit multiple members of ARCH.
- Track legislation that increases tools available to cities to create affordable housing.
- Participation in regional workgroups that impact local housing efforts.

A. Local Planning Activities

ARCH Housing Strategy Program. ARCH members have identified a number of Priority Housing Strategies as well as an ongoing education program for members. There are a number of work items in both of these areas including:

Objective: Continue Housing 101 Workshops for staffs and new local officials. Includes updating information in the Housing 101 Workbook as needed and annual study sessions with member councils to review current issues and activities. This includes preparing annual fliers profiling current programs and housing trends.

Objective: Assist cities that incorporate any of the priority strategies into their local work program. (Note: See Local Housing Efforts below for specific activities by members.)

Objective: Several of the Priority Strategies have been identified as being more appropriate to approach in a more collective manner by members. In 2010, initial analysis on one or two of these priority strategies- a dedicated funding source for the Trust Fund, and potentially employer assisted housing program. Includes preparing a work program for review by the Executive Board and work on the initial steps identified for each.

Legislative Items. ARCH staff will track state and federal legislative items that relate to affordable housing and could impact members' ability to address affordable housing. As needed staff will report back to the Executive Board and members, and when directed coordinate with other organizations (e.g. AWC, Prosperity Partnership, WLIHA) to contact legislators regarding proposed legislation. Potential pending legislation consistent with the Housing Priorities Strategies include:

- State Housing Trust Fund. This fund source has been a primary funding source for almost all affordable housing created in the last 15 years in east King County.
- Waiver of Impact Fees. Potential legislation would give discretion to cities to waive impact fees without replacing with other public funds. This is an area where ARCH may take a more proactive role in the legislative process.

- The federal government authorizing funds for a new National Housing Trust Fund.

Housing Background Information/ Housing Needs Assessment. Historically, ARCH has provided a range of housing and demographic information for its members. On an annual basis, ARCH will continue to provide updated housing data information as available. This updated housing information will be incorporated into the education fliers developed as part of the ongoing Housing Education Program developed as a result of the ARCH Workshops. In 2010 this effort will be expanded. Members will need to do updates to their Comprehensive Plans by 2011, which includes updating the Housing Needs Assessment part of the Housing Element. Based on input from members, ARCH will develop a needs assessments in behalf of all members of ARCH that will be completed toward the beginning of the updates to local Comprehensive Plans.

Objective: Assist with preparation of Housing Needs Assessment for all members, and to do so through a coordinated effort in behalf of all members.

Continue to keep member jurisdictions and the broader community aware of local housing conditions to assist in their efforts to evaluate current and future efforts to meet local housing objectives.

Include research on recent housing trends, and responses to these trends, in order to inform members of potential issues and local responses (e.g. , foreclosure activity).

Accessory Dwelling Units (ADU). Continue to provide information to the broader community on ADUs through fliers and the ARCH website. As needed, ARCH staff will assist local staff with assessing and modifying existing local ADU regulations

Objective: Increase general community awareness and utilization of ADU's .

Local Housing Efforts: ARCH jurisdictions are updating land use, zoning and other codes in order to implement policies identified in their Comprehensive Plans. ARCH staff will continue to assist local staffs in these efforts. Following are specifically identified areas that ARCH will assist local staff with accomplishing. For the coming year, ARCH staff expects to spend considerable time assisting all members with updating their Housing Elements, with initial efforts focused on developing needs assessments for members.

Objective: Assist local staff with completion of the following updates of local codes and specific plans:

Bellevue

Assist City staff as needed with Bellevue's planning initiatives included in Bellevue's Housing Element update and in the Two-Phase Housing Work Program identified by the Council. (e.g. updates to ADU regulations, update city-wide housing incentives, more innovative forms of housing, MF tax exemption.)

Assist City staff with developing and implementing incentives to encourage affordable housing, work force housing, and housing choice citywide (Phase II).

Assist with Council evaluation of a MF Tax exemption program in Bel-Red and potentially other areas of the City. In the event Council provides direction to develop a program, assist City Staff to develop code language for a program.

Assist in land use planning in identified ST2 corridors where transit oriented housing and mixed income housing development is an important component of the initial planning work.

Assist City staff to evaluate long term options for the Landmark property (purchased in 2002 by the King County Housing Authority) or other properties identified by the City.

Bothell

Assist City staff with implementing elements of the downtown plan to encourage affordable housing.

Assist City staff with implementation of any housing strategies identified by City Council as part of the 2010 Docket process.

Clyde Hill

Assist City staff with a general review of housing regulations.

Assist City with rental of City's affordable rental unit.

Issaquah

Assistance is anticipated for the following projects:

Central Issaquah Plan: Continue work with City staff to refine housing parts of the Central Issaquah Plan as well as the related development standards and incentives. Participate in related presentations to the Task Force, Planning Policy Commission and/or City Council at key milestones for assistance on affordable housing.

Issaquah Highlands: Monitor the implementation of the Issaquah Highlands affordable housing development agreement. This includes monitoring individual projects by private developers, and assisting City staff with the implementation of the Block 9, YWCA affordable housing project.

Kenmore

Downtown Plan: Assist, as needed, City staff to implement the requirement to provide affordable units in the downtown area.

TOD Regulations: Assist City staff and Downtown Taskforce with reviewing policies and regulations as they relate to housing and housing affordability.

Tax Exemption Program: Develop reporting forms, procedures and other necessary actions as requested by the City related to the property tax exemption program.

Kirkland

Assist City staff with an examination of existing non-conforming multifamily densities and how that might relate to the preservation of existing affordable housing.

Continue to assist staff with exploring the feasibility of mixed-use transit oriented development on a portion of the South Kirkland Park & Ride property, including coordination with Metro and for profit or non-profit housing developers, and development of regulations for project development and affordability requirements.

Assist City staff with the Housing portion of the Lakeview and Houghton Neighborhood Plan updates.

Mercer Island.

Assist City staff and council with evaluating and, if appropriate, implementing a tax incentive program for affordable housing in the Mercer Island Town Center, as allowed under RCW 84.14.

Assist City staff and City Council with a community evaluation of the potential for considering innovative housing within the community.

Assist City Staff and Planning Commission with updating the Housing Strategy Plan, and with initial implementation of high priority strategies.

Newcastle

Assist City staff in reviewing and adding clarifying language to the affordable housing requirements for the downtown, Community Business Center. Also assist with agreements for any project that would include an affordable housing requirement, including those related to the Community Business Center.

Redmond

Assist with update of housing regulations related to the update of the City's overall development regulations.

Continue to assist with negotiating and administering the provision of affordable housing in developments required to provide affordable housing units pursuant to city regulations.

Assist City staff and council with evaluating and, if appropriate, implementing a tax incentive program for affordable housing, as allowed under RCW 84.14.

Provide assistance as needed in updating neighborhood plans (e.g. Bear Creek Neighborhood) with respect to housing, including periodic attendance at CAC meetings to help identify housing issues within the neighborhood and develop policy responses.

Assist with the refinement of existing incentive programs to create affordable housing, especially related to methods for alternative compliance and bonus area in downtown projects.

Assist in implementing and preliminary analysis of the City's innovative housing ordinance and pilot program.

Sammamish

Assist City staff with Council review of Town Center regulations related to diverse housing opportunities and innovative design techniques.

Assist with evaluating and potentially implementing a demonstration program for cottage housing and/or other innovative housing projects that meet changing population needs and preferences.

Assist with initial implementation of high priority strategies identified in the Housing Strategy Plan, including efforts to encourage Accessory Dwelling Units (ADUs), and processes and standards for homeless encampments.

Evaluate Strategy Plan to assess if work should commence on any median priority strategies (e.g. Senior Housing opportunities).

Woodinville

Review and strengthening of affordable housing and accessory dwelling unit programs and regulations.

Continue work to assist City staff and Planning Commission with ways to encourage housing in the Downtown/Little Bear Creek Master Plan area.

King County See Regional/Planning Activities below.

Complete standard covenants, and monitor the implementation of the Northridge/Blakely Ridge and Redmond Ridge Phase II affordable housing development agreements. This includes monitoring annual progress toward achieving affordability goals; and providing information to developers on details about how the program is implemented.

General Assistance. In the past, there have been numerous situations where member staffs have had requests for support on issues not explicitly listed in the Work Program. Requests range from technical clarifications, to assisting with negotiating agreements for specific development proposals, to more substantial assistance on unforeseen work. ARCH sees this as a valuable service to its members and will continue to accommodate such requests to the extent they do not jeopardize active work program items.

B. Regional/Countywide Planning Activities

Affordable Housing Tracking System. The Growth Management Act/Countywide Affordable Housing Policies call for jurisdictions to track the development/preservation of housing

affordable to low and moderate income families. This work is being coordinated through the Benchmarks Task Force. ARCH staff will continue to assist cities and the County with collecting data needed for Benchmarks.

Objective: Collection and analysis of data as specified in Benchmark Task Force report.

Maintain an eastside housing database for storing benchmark and related housing data. The database should allow the creation of standardized reports, yet be flexible enough to also meet the individual reporting needs of members.

Information collected for this will be incorporated into the annual updates prepared as part of the ongoing ARCH Housing Education program.

County-Wide Housing Committees. Support local staff by providing staff support as needed to 'regional'/statewide working groups/committees, and disseminating key information back to local staffs. Groups include the Growth Management Planning Council (GMPC), the McKinney review team, and DOC Housing Trust Fund Policy Advisory Team.

Committee to End Homelessness (CEH)/ Eastside Homeless Advisory Committee (EHAC). Anticipated work of the CEH in the coming year include: more coordinated allocation of resources; and initiating several specific proposals (e.g. Landlord Liaison program). Role for ARCH staff is expected to include participating in the CEH Funders group and its efforts to coordinate funding, and develop strategies for delivering and funding services on an ongoing basis to homeless housing. Also continue to participate in efforts to implement homeless efforts within East King County through EHAC.

Objective: Keep member jurisdictions informed of significant regional issues and pending legislation that could affect providing housing in East King County.

Ensure that perspectives of communities in East King County are addressed in regional housing activities, including the Committee to End Homelessness.

Have one or more specific local programs initiated as part of the 10 Year Plan to End Homelessness.

III. HOUSING PROGRAM IMPLEMENTATION

Monitoring Affordable Rental Housing. Administer ongoing compliance of affordability requirements. This includes affordable rental housing created through direct assistance (e.g. Trust Fund allocation, land donations) from member jurisdictions, and through land use incentives. Some Trust Fund projects also require monitoring of project cash flow related to loans made by jurisdictions to projects.

Objective: Ensure projects are in compliance with affordability requirements which involves collecting annual reports from projects, screening information for compliance, and preparing summary reports for local staffs. To the extent possible this work shall:

- Minimize efforts by both owners and public jurisdictions.
- Coordinate ARCH's monitoring efforts with efforts by other funding

- sources such as using shared monitoring reports.
- Utilize similar documents and methods for monitoring developments throughout East King County.
 - Ensure accurate records for affordable ownership units, including audit units for owner occupancy and proper recording of necessary documentation.
 - Establish working relationship with other public organizations that can help assess how well properties are maintained and operated (e.g. code compliance, police, and schools).

Monitoring Affordable Ownership Housing. As more price restricted homes are created, monitoring of affordable ownership housing created through local land use regulations is becoming of increased importance. In addition, will continue to monitor general trends with ownership units, enforcement of covenant provisions (e.g. leasing homes, foreclosure), and as necessary evaluate and if warranted, complete revisions to the ownership covenants in order to better insure long term affordability of ownership units.

Objective: Oversee resale of affordable ownership homes. Address issues related to ongoing compliance with program requirements (e.g. leasing homes, foreclosures).

Complete revisions to the affordability covenant and administrative procedures to better protect against potential loss of long term affordability.

Mailing List of Low/Moderate Income Households. Maintain a list of families potentially interested in affordable housing (both rental and ownership) created through the efforts of the participating jurisdictions.

Objective: Maintain lists of affordable housing in East King County, and making that available as needed to people looking for affordable housing.

Maximize use of the ARCH web site to assist persons looking for affordable housing.

Relocation Plans. Assist as necessary with preparing relocation plans and coordinate monitoring procedures for developments required to prepare relocation plans pursuant to local or state funding requirements.

Objective: Maximize efforts to ensure that existing households are not unreasonably displaced as a result of the financing or development of new or existing housing.

IV. SUPPORT/EDUCATION/ADMINISTRATIVE ACTIVITIES

Education/Outreach. Education efforts should tie into efforts related to public outreach/input on regional housing issues. However, much of ARCH's outreach/education work will occur through work with individual members on local housing efforts. Potential outreach tools include the Housing 101 workbook and related brochures, housing tours, a portfolio of successful projects, and ARCH brochure.

Objective: **Consistent with the Education program discussed at the ARCH Workshops**, using input from the broader community, develop education tools to inform councils, staffs and the broader community of current housing conditions, and of successful efforts achieved in recent years.

Objective: **Consistent with the Education program discussed at the ARCH Workshops**, on a regular basis, conduct education sessions for new local officials and staffs on local housing conditions and programs (Housing 101 East King County, East King County Plan to End Homelessness), and hold annual discussion with member councils on recent housing trends and efforts.

Objective: Be a resource for members to assist with outreach and education activities on affordable housing associated with local planning efforts.

Objective: Create outreach tools/efforts that inform the broader community of affordable housing resources available to residents.

ARCH Web site. Currently this site is primarily geared to those utilizing programs administered through ARCH (e.g. listing of available rental and ownership affordable units, application for Trust Fund, consumer information on Accessory Dwelling Units, linkages to other housing related services in the community). In addition, information will be added to the website regarding general needs for affordable housing. In the last year this has primarily involved adding material from the Housing 101 Workbook. In the coming year, opportunities will be looked at to add information to this part of the website.

Objective: Maintain the ARCH web site and update the community outreach portion by incorporating information from Housing 101 East King County, as well as updated annual information, and links to other sites with relevant housing information (e.g. CEH, HDC).

Make presentations, including housing tours, to at least 10 community organizations.

Media coverage on at least six topics related to affordable housing in East King County related to work done by Cities/ARCH and articles in local city newsletters.

Advice to Interested Groups. Provide short-term technical assistance to community groups, faith communities and developers interested in community housing efforts. Meet with groups and provide suggestions on ways they could become more involved.

Objective: Increase awareness of existing funding programs by potential users.

Increase opportunities of private developers and Realtors working in partnership with local communities on innovative/affordable housing.

Assist community based groups who want to provide housing information to the broader community by assisting with preparing background information.

Administrative Procedures. Maintain administrative procedures that efficiently provide services to both members of ARCH and community organizations utilizing programs administered through ARCH. Prepare quarterly budget performance and work program progress reports. Prepare the Annual Budget and Work Program. Staff the Executive and Citizen Advisory Boards.

Objective: Maintain a cost effective administrative budget for ARCH, and keep expenses within budget. Administrative costs should be equitably allocated among ARCH's members.

Maintain membership on the ARCH Citizen Advisory Board that includes broad geographic representation and wide range of housing and community perspectives.

Update the ARCH Interlocal Agreement to incorporate updates to ARCH's administrative structure related to administering the Housing Trust Fund and ARCH Sphere of Influence, and if adopted, implement provisions approved in the Interlocal Agreement

2010 ARCH Administrative Budget

Dec-09

I. ANNUAL OPERATING EXPENSES

Item	2009 Budget	2010 Budget	Change Budget	Percent Change
Staff Sub-total	\$ 453,190	\$ 451,931	\$ (1,259)	0%
Rent	\$ 12,052	\$ 12,750	\$ 698	6%
Utilities	Incl^	Incl^	Incl^	Incl^
Telephone	\$ 2,575	\$ 2,704	\$ 129	5%
Operating				
Travel/Training	\$ 2,000	\$ 2,000	\$ -	0%
Auto Mileage	\$ 3,650	\$ 3,650	\$ -	0%
Copier Costs	\$ 2,750	\$ 2,750	\$ -	0%
Office Supplies	\$ 2,068	\$ 2,068	\$ -	0%
Office Equipment Service	\$ 4,000	\$ 3,750	\$ (250)	-6%
Fax/Postage	\$ 2,060	\$ 2,060	\$ -	0%
Periodical/Membership	\$ 3,588	\$ 3,588	\$ -	0%
Misc. (e.g. events,etc.)	\$ 1,840	\$ 1,680	\$ (160)	-9%
Insurance	\$ 8,420	\$ 8,650	\$ 230	3%
Reorganization Admin	\$ -	\$ 650	\$ 650	
Sub-total	\$ 30,376	\$ 30,846	\$ 470	2%
TOTAL	\$ 498,193	\$ 498,231	\$ 38	0.01%

* Actual salary increases based on Bellevue's approved Cost of Living Adjustment

III. ARCH ADMINISTRATIVE BUDGET: RESOURCE DISTRIBUTION

A. Cash Contributions		2009		2010 Change		Percent Change	
	Bellevue	\$	-	\$	-	\$	-
	Bothell	\$	39,191	\$	39,191	\$	0.00%
	Issaquah	\$	14,698	\$	14,698	\$	0.00%
	King County	\$	43,466	\$	43,466	\$	0.00%
	Kirkland	\$	59,768	\$	59,768	\$	0.00%
	Mercer Island	\$	29,882	\$	29,882	\$	0.00%
	Newcastle	\$	9,960	\$	9,960	\$	0.00%
	Redmond	\$	59,768	\$	59,768	\$	0.00%
	Woodinville	\$	11,898	\$	11,898	\$	0.00%
	Beaux Arts Village	\$	1,569	\$	1,569	\$	0.00%
	Clyde Hill	\$	2,660	\$	2,660	\$	0.00%
	Hunts Point	\$	1,569	\$	1,569	\$	0.00%
	Medina	\$	2,660	\$	2,660	\$	0.00%
	Yarrow Point	\$	1,569	\$	1,569	\$	0.00%
	Sammamish	\$	46,188	\$	46,188	\$	0.00%
	Kenmore	\$	25,195	\$	25,195	\$	0.00%
	Other*	\$	11,400	\$	11,400	\$	0.00%
	TOTAL	\$	361,442	\$	361,442	\$	-
B. In-Kind Contributions		2009		2010 Change		Percent Change	
	Bellevue	\$	136,791	\$	136,792	\$	1.10
	TOTAL	\$	136,791	\$	136,792	\$	1.10
C. Total Contributions		2009		2010 Change		Percent Change	
	Bellevue	\$	136,791	\$	136,792	\$	1.10
	Bothell	\$	39,191	\$	39,191	\$	0.00%
	Issaquah	\$	14,698	\$	14,698	\$	0.00%
	King County	\$	43,466	\$	43,466	\$	0.00%
	Kirkland	\$	59,768	\$	59,768	\$	0.00%
	Mercer Island	\$	29,882	\$	29,882	\$	0.00%
	Newcastle	\$	9,960	\$	9,960	\$	0.00%
	Redmond	\$	59,768	\$	59,768	\$	0.00%
	Woodinville	\$	11,898	\$	11,898	\$	0.00%
	Beaux Arts Village	\$	1,569	\$	1,569	\$	0.00%
	Clyde Hill	\$	2,660	\$	2,660	\$	0.00%
	Hunts Point	\$	1,569	\$	1,569	\$	0.00%
	Medina	\$	2,660	\$	2,660	\$	0.00%
	Yarrow Point	\$	1,569	\$	1,569	\$	0.00%
	Sammamish	\$	46,188	\$	46,188	\$	0.00%
	Kenmore	\$	25,195	\$	25,195	\$	0.00%
	Other*	\$	11,400	\$	11,400	\$	0.00%
	TOTAL	\$	498,233	\$	498,234	\$	1.10
	TOTAL COSTS	\$	498,193	\$	498,231	\$	38.32
	BALANCE	\$	39	\$	2		

* This is the administrative fee collected from Redmond Ridge East (\$250 / initial sale).



City Council Agenda Bill

Meeting Date: April 20, 2010

Date Submitted: February 24, 2010

Originating Department: City Manager

Clearances:

City Manager

Community Development

Parks & Rec

Attorney

Finance & IT

Police

Admin Services

Fire

Public Works

Subject: Motion to approve a new Interlocal Governmental Agreement (Interlocal) for A Coalition for Affordable Housing (ARCH)

Action Required: Motion to approve the Interlocal

Exhibits: 1. Interlocal draft, in final form, not legislative draft.

Budget: Not applicable

Summary Statement:

Sammamish, as a member of ARCH, has participated in development of a new Interlocal.

Background:

This Motion follows the presentation to the City Council on 06 APR by Arthur Sullivan, ARCH Program Manager.

Financial Impact:

None

Recommended Motion:

Approve new Interlocal Agreement.

**Amended and Restated Interlocal Agreement for ARCH
A Regional Coalition for Housing**

(Effective Date: July 1, 2010)

This Interlocal Agreement ("Agreement") is entered into by and between the Cities of Bellevue, Kirkland, Redmond, Bothell, Woodinville, Issaquah, Mercer Island, Newcastle, Beaux Arts, Clyde Hill, Hunts Point, Medina, Yarrow Point, Kenmore and Sammamish, municipal corporations organized under the laws of the State of Washington, and King County, a subdivision of state government (individually, the "Party", collectively, the "Parties"). This Agreement amends and restates the prior agreements by and between the Parties relating to the creation and operation of the joint board known as A Regional Coalition for Housing ("ARCH"). This Agreement is made pursuant to the Interlocal Cooperation Act, chapter 39.34 RCW, and has been authorized by the legislative body of each jurisdiction.

WHEREAS, the Parties have a common goal to ensure the availability of housing that meets the needs of all income levels; and

WHEREAS, the Parties desire to provide a sound base of housing policies and programs in East King County and to complement the efforts of existing organizations to address housing needs in East King County; and

WHEREAS, the Parties desire to act cooperatively to formulate affordable housing goals and policies, to foster efforts to provide affordable housing by combining public funding with private-sector resources, to support implementation of the goals of the state Growth Management Act and related Countywide Planning Policies relating to affordable housing, and to do so efficiently and expeditiously; and

WHEREAS, the Parties have determined that the most efficient and expeditious way for the Parties to address affordable housing needs in East King County is through cooperative action by the Parties; and

WHEREAS, the intent of this cooperative undertaking is not to duplicate efforts of non-profit corporations and other entities already providing affordable-housing-related services; now therefore,

IT IS HEREBY AGREED AS FOLLOWS:

1. PURPOSE. All Parties to this Agreement have responsibility for local and regional planning for the provision of

housing affordable to citizens that work and/or live in East King County. The Parties desire to act cooperatively to formulate affordable housing goals and policies and to foster efforts to provide affordable housing by combining public funding with private-sector resources. The Parties further intend that this interlocal agreement serve as a legal framework for all communities within the ARCH sphere of influence (See **Exhibit A**) to cooperate in planning for and providing affordable housing; the Parties therefore encourage other cities in East King County to join the Parties in this endeavor.

2. STRUCTURE. To accomplish the purposes of this Agreement, the Parties hereby create a joint and cooperative undertaking responsible for administering the activities described herein, to be called A Regional Coalition for Housing ("ARCH"). ARCH shall be governed by an Executive Board composed of members as provided for in section 4.a of this Agreement. The Executive Board shall constitute a "joint board" as that term is used in RCW 39.34.030(4). The Executive Board shall be assisted by an administrative staff and by a Citizen Advisory Board.

3. RESPONSIBILITIES AND AUTHORITY. In order to carry out the purposes of this Agreement, ARCH shall have the following responsibilities and authority:

a. To provide recommendations to the Parties regarding the allocation of public funding for affordable housing purposes.

b. Through its Administering Agency (defined in Section 5), to enter into agreements with third parties for the use and application of public funds contributed by individual Parties to the ARCH Housing Trust Funds Account established in Section 12, under such terms and conditions as may be agreed by the individual contributing Parties, as further described in Section 12. ARCH shall, at least annually, report to the Parties on the geographic distribution of all housing trust funds as recommended by ARCH.

c. To provide recommendations to the Parties regarding local and regional affordable housing policies. ARCH will assist the Parties in developing strategies and programs to achieve Growth Management Act housing goals. ARCH will provide technical assistance to any Party adopting land use incentives or affordable housing programs. ARCH staff will research model programs, develop draft legislation, prepare briefing materials and make presentations to planning commissions and councils upon request by a Party. ARCH will assist Parties in developing strategies and programs to implement county-wide affordable housing policies to meet the Growth Management Act objective for an equitable and rational distribution of low- and moderate-income housing.

d. To facilitate cooperation between the private and public sector with regard to the provision of affordable housing. ARCH will work directly with private developers, financial institutions, non-profit corporations and other public entities to assist in the implementation of affordable housing projects. ARCH will work directly with any Party to provide technical assistance with regard to the public funding of affordable housing projects and the implementation of affordable housing regulatory agreements for private developments. ARCH will also provide assistance in making surplus sites available for affordable housing and in developing affordable housing alternatives for such sites.

e. To develop standard regulatory agreements acceptable to private and public financial institutions to facilitate the availability of funding for private and public projects containing affordable housing.

f. To provide other technical advice to any Party upon request and to enter into agreements to provide technical assistance to other public entities on a reimbursable basis.

g. To provide support and educational activities and to monitor legislative and regulatory activities related to affordable housing at the state and federal levels.

h. To develop and to carry out procedures for monitoring of affordable units and to administer direct service housing programs on behalf of any Party. Such direct service housing programs may include but are not limited to relocation assistance programs, rent voucher and/or deposit loan programs, etc.

i. To work directly with other public and private entities for the development of affordable housing policies and to encourage the provision of affordable housing.

j. Pursuant to the direction of the Executive Board, to take other appropriate and necessary action to carry out the purposes of this Agreement.

4. EXECUTIVE BOARD.

a. Membership. ARCH shall be governed by an Executive Board composed of the chief executive officer of each Party, with the following exception. There will not be more than two members on the Executive Board representing cities with population less than 5,000 persons, unless approved by the Executive Board. In the event that there are more than two Parties that are members of ARCH with population less than 5,000 persons, then those Parties will propose to the Executive Board for the Executive Board's approval, a method for shared membership on the Executive Board by those

Parties. Any member of the Executive Board representing more than one Party must be approved by the chief executive officer of those Parties being represented by the shared Executive Board member. The Executive Board shall administer this cooperative undertaking pursuant to the terms of this Agreement and pursuant to any procedures adopted by the Executive Board.

b. Chair. The Chair of the Executive Board shall be elected by the members of the Board from the Board membership; shall preside over all meetings of the Executive Board; and shall, in the absence of a Program Manager, process issues, organize meetings and provide for administrative support as required by the Executive Board.

c. Alternate Member. Each member of the Executive Board shall be entitled to designate one alternate member who shall serve in the place of the member on the Executive Board during the member's absence or inability to serve.

d. Powers. The Executive Board shall have the power to (1) develop and recommend a budget and work program to the Parties; (2) adopt procedures for the administration of ARCH and for the conduct of meetings; (3) make recommendations to the Parties concerning planning, policy and the funding of affordable housing projects; (4) establish policies for the expenditure of budgeted items; (5) appoint one of the Parties to serve as "Administering Agency" to carry out administrative functions as further described in this Agreement; (6) establish a special fund with the Administering Agency as authorized by RCW 39.34.030, to be known as the "Operating Fund of the ARCH Joint Board" ("ARCH Fund") within which Fund may be established various accounts and subaccounts including but not limited to an "ARCH Operating Account" (into which will be deposited funding for the ARCH operating budget) and a "Housing Trust Funds Account"; (7) hold regular meetings on such dates and at such places as the Executive Board may designate; (8) through its Administering Agency, enter into contracts and agreements for the provision of personnel and other necessary services to ARCH, including accounting and legal services and the purchase of insurance, and authorize the Administering Agency to execute such other contracts, agreements or other legal documents necessary for ARCH to carry out its purposes; (9) establish the responsibilities and direct and oversee the activities of the Program Manager; (10) appoint Citizen Advisory Board Members; and (11) take whatever other action is necessary to carry out the purposes of this Agreement.

5. ADMINISTRATION AND OVERSIGHT. The Executive Board shall have final decision-making authority on behalf of ARCH over all legislative and administrative matters within the scope of this Agreement. The Executive Board may delegate responsibility for general oversight of the operations of ARCH to a Program Manager.

The Program Manager shall submit quarterly budget performance and progress reports on the status of the work program elements to the Executive Board and the governing body of each Party. Such reports and contents thereof shall be in a form acceptable to the Executive Board.

The Executive Board shall designate the Administering Agency, which will provide administrative support services on behalf of ARCH. The Administering Agency shall be the Fiscal Agent for ARCH in accordance with the requirements of RCW Chapter 39.34. ARCH shall be staffed with personnel provided by the Parties and/or independent contractors contracting directly with ARCH through its Administering Agency.

Any Party providing personnel to ARCH shall remain solely responsible for the continued payment of any and all compensation and benefits to such personnel as well as for any worker's compensation claims. All Parties shall cooperate fully in assisting ARCH to provide the services authorized herein.

6. MEETINGS OF EXECUTIVE BOARD.

a. Frequency. The Executive Board shall meet as often as it deems necessary, but not less often than quarterly.

b. Quorum. A quorum at any meeting of the Executive Board shall consist of the Board members (or alternates) who represent a simple majority of the Board's membership.

c. Action. No action may be taken except at a meeting where a quorum exists. Action by the Executive Board requires an affirmative vote by a majority of the Board's membership, provided however, that a supermajority (66% in number of Board members) shall be required to appoint the Administering Agency. No action shall be taken except at a meeting open to the public.

7. CITIZEN ADVISORY BOARD. A Citizen Advisory Board is hereby created to provide advice and recommendation to the Executive Board on land and/or money resource allocation for affordable housing projects and to provide public relations and educational outreach services. The Citizen Advisory Board shall consist of not more than fifteen (15) and not less than twelve (12) citizen members. The Executive Board shall appoint members to the Citizen Advisory Board. Citizen members appointed to the Citizen Advisory Board must have a knowledge and understanding of affordable housing and be committed to the furtherance of affordable housing on the Eastside. Appointments shall be for a four-year term with service limited to a total of two consecutive terms. The Executive Board shall adopt procedures for the convening and administration of the Citizen Advisory Board. A citizen member may be removed from the Citizen Advisory Board by

the Executive Board with or without cause upon a majority vote of membership of the Executive Board.

8. MEETINGS OF CITIZEN ADVISORY BOARD.

a. Frequency. The Citizen Advisory Board shall meet as often as it deems necessary, but not less often than quarterly.

b. Quorum. A quorum at any meeting of the Citizen Advisory Board shall consist of the Board members who represent a simple majority of the Board's membership.

c. Action. No action may be taken except at a meeting where a quorum exists. Action by the Citizen Advisory Board requires an affirmative vote by a majority of those members attending a Board meeting where a quorum exists. No action shall be taken except at a meeting open to the public.

9. DURATION AND TERMINATION. This Agreement shall be of five years' duration and shall continue in effect for subsequent five-year periods upon affirmative vote of a majority of the membership of the Executive Board. Any vote to continue the Agreement shall be taken between three to six months before the end of the five-year term. This Agreement may be terminated at any time by affirmative vote of a majority of the legislative bodies of the Parties to this Agreement.

Upon termination of this Agreement, all property acquired during the life of the Agreement shall be disposed of in the following manner:

- (i) all property contributed without charge by any Party shall revert to the contributing Party;
- (ii) all property purchased by ARCH after the effective date of this Agreement shall be distributed to the Parties based on each Party's pro rata contribution to the overall budget at the time the property was purchased;
- (iii) except as provided in Subsection (iv) below, all unexpended or reserve funds shall be distributed to the Parties based on each Party's pro rata contribution to the overall budget in effect at the time the Agreement is terminated;
- (iv) all uncommitted monies in the Housing Trust Funds Account shall be distributed to the Parties by remitting the total uncommitted amounts remaining in each Party's Individual Account(as described in Section 12) to that Party; and
- (v) each Party that has funded a project through the Housing Trust Funds Account shall be substituted for the Administering Agency with regard to all project financing documents, and the Administering Agency shall be released from further obligations with respect thereto.

10. WITHDRAWAL. Any Party may withdraw from this Agreement by giving one year's written notice to the Executive Board, by December 31 in any year, of its intention to terminate, effective December 31 of the following year. Any Party withdrawing from this Agreement shall remain legally and financially responsible for any obligation incurred by the Party pursuant to the terms of this Agreement, including but not limited to any project financing documents executed by the Administering Agency on behalf of that Party, during the time the withdrawing Party was a member of ARCH.

11. BUDGET. The budget year for ARCH shall be January 1 to December 31 of any year. On or before June 1st of each year, a recommended operating budget and work plan for ARCH for the next budget year shall be prepared, reviewed and recommended by the Executive Board and transmitted to each Party. The recommended operating budget shall contain an itemization of all categories of budgeted expenses and shall contain an itemization of the amount of each Party's contribution, including in-kind services, toward that budget.

a. No recommended budget or work plan shall become effective unless and until approved by the legislative body of each Party and finally adopted by the Executive Board. Approval of the budget by a Party shall obligate that Party to make whatever contribution(s) is budgeted for that Party.

b. Such contribution(s) shall be transmitted to ARCH on a quarterly basis at the beginning of each quarter unless otherwise provided in the budget document. Each Party shall specify the amount of its contribution to be deposited by the Administering Agency into the ARCH Operating Account, as well as the amount, *if any*, to be deposited into the Party's Individual Account within the ARCH Housing Trust Funds Account established by Section 12.

c. If any Party is delinquent by more than three months in the payment of its approved operating budget contribution to the ARCH Operating Account, such Party shall not be entitled to vote on matters before the Executive Board until such delinquency has been paid; provided however, that a Party's decision not to contribute funds to its Individual Account, or its delinquency in funding the same shall not affect that Party's voting rights on the Executive Board.

12. HOUSING TRUST FUNDS ACCOUNT ESTABLISHED; PROCEDURES FOR ADMINISTERING TRUST FUNDS ACCOUNT CONTRIBUTIONS. Upon resolution of the Executive Board, the Administering Agency shall establish and maintain an account within the ARCH Fund for the purpose of administering the contributions of Parties to affordable housing projects and programs, to be known as the ARCH Housing Trust Funds Account. The amounts in the Housing Trust Funds Account shall be held and disbursed by the Administering Agency as described herein.

a. Within the Housing Trust Funds Account, a sub-account shall be established for each Party to this Agreement that chooses to contribute to the Housing Trust Funds Account. Such sub-accounts are collectively referred to as the "Individual Accounts." Contributions to an Individual Account from a Party may be released only upon, and in accordance with, the written direction of that Party.

b. A subaccount shall be established within each Individual Account for each project or program funded in whole or part by a Party from its Individual Account. Such sub-accounts are referred to as "Project Accounts."

c. The Administering Agency shall maintain records sufficient to separately track the deposits, withdrawals and interest earnings, within each Individual Account and each Project Account, and shall provide quarterly reports to all Parties as to the status of funds in each Individual Account and Project Account. The Administering Agency's responsibilities under this Section may be delegated to the ARCH Program Manager to the extent consistent with applicable law and as the Administering Agency and Executive Board may agree.

d. Funds transmitted to ARCH for deposit in the Housing Trust Funds Account shall be held by ARCH until directed for application to a specific project or program by the contributing Party; *provided*, that uncommitted funds in an Individual Account shall be remitted to the contributing Party within 45 days of receipt of written request from the Party signed by its Chief Executive Officer, or upon the Party's withdrawal from ARCH in accordance with the terms of Section 10, or upon the dissolution of ARCH per Section 9.

e. Funds within the Housing Trust Funds Account shall be invested by the Administering Agency in investments permitted by state law for investment of public funds. Investment earnings shall be credited to each Individual Account and Subaccount on a pro rata basis.

f. The Executive Board shall develop standard forms of approvals and agreements to be used in the application of funds contributed to the Housing Trust Funds Account (collectively referred to as "project financing documents"), consistent with the following goals and procedures:

(i) Each Party choosing to participate in funding a project or program through the Housing Trust Funds Account will by action of its legislative body authorize the application of a specified amount of its Individual Account monies to such project or program, and shall

authorize and direct ARCH, ARCH Program Manager, and the Administering Agency to take such actions as necessary to accomplish this. The Executive Board shall recommend to the individual legislative bodies various terms to accompany their authorizations, and the legislative body authorizations shall at a minimum include terms related to:

1. amount of funds allocated;
2. project description, including minimum affordability requirements, if any;
3. nature of the funding commitment (loan, grant, or other);
4. in the event the funding commitment is provided as a loan, the general repayment terms including but not limited to the term of the loan and applicable, interest rate(s); and
5. a general description of the security interests, if any, to be recorded in favor of the Party.

(ii) For each individual housing project or program to be funded through the Housing Trust Funds Account, the developer, owner or administrator of such project or program (generally referred to as the "developer"), shall enter into the necessary set of agreements (project financing documents) with the Administering Agency. The project financing documents shall specify that the Administering Agency is acting as administering agency on behalf of each Party that is providing Housing Trust Funds Account funding to the project or program pursuant to this Agreement and RCW 39.34.030(4), and shall identify each such participating funding Party. The project financing documents will be consistent with general forms of agreement approved by the Executive Board and the terms and conditions approved by the legislative bodies of the funding Parties. The project financing agreements will incorporate all terms and conditions relative to the use and (if applicable) repayment of such funds, and provide for transfer of the Housing Trust Funds Account monies from the funding Parties to the developer.

(iii) Funding contributions to, and repayments (if any) from, specific projects and programs shall be recorded by the Administering Agency, including recording of monies deposited and withdrawn from each Party's Individual Account and Project Accounts therein. Repayments (if any) under any project financing agreement shall be applied *pro rata* to the funding Parties' Individual Accounts based on the ratio of funding contributed to the project by each Party, unless the funding Parties otherwise agree.

(iv) Unless the Parties funding a project or program through the Housing Trust Funds Account otherwise agree, a default, termination or other action against a developer or other third party may be declared only after securing approval in writing of the chief executive officers of funding Parties which together have contributed not less than 51% of the total ARCH member funding to the project. The Administering Agency shall provide reasonable notice and information regarding the status of projects as necessary to each funding Party's Chief Executive Officer to allow him or her to make a timely decision in this regard. Funding parties not consenting to such default, termination or other action shall be bound by the decision of the majority. All funding Parties shall be obligated on a pro rata basis (based on their contributions to the project) to pay to the Administering Agency its reasonable costs and expenses incurred in furtherance of such actions. Any funds recovered through such actions shall be allocated to the funding Parties Individual Accounts pro rata based on their respective funding contributions to a project.

(v) The Executive Board may from time to time authorize the Administering Agency to administer housing project agreements entered into prior to the effective date of this Amended and Restated Agreement, upon terms consistent with this Agreement and subject to the consent of the Administering Agency and the Parties to such agreements.

13. DUES, ASSESSMENTS AND BUDGET AMENDMENTS. Funding for the activities of ARCH shall be provided solely through the budgetary process. Unless otherwise specified in this Agreement, no separate dues, charges or assessments shall be imposed or required of the Parties except upon unanimous vote of the membership of the Executive Board and ratification by the legislative body of each Party to the Agreement. An approved budget shall not be modified unless and until approved by the legislative body of each Party and finally adopted by the Executive Board; provided that, in the event a Party agrees to totally fund an additional task to the work program, not currently approved in the budget, the task may be added to the work plan and the budget amended to reflect the funding of the total cost of such task by the requesting Party, upon approval by a majority of the membership of the Executive Board without approval by the individual Parties. Notwithstanding the foregoing, contributions by a Party to its Individual Account within the Housing Trust Funds Account shall be solely within the discretion of that Party and are not considered "assessments."

14. INDEMNIFICATION AND HOLD HARMLESS.

a. Each Party shall, indemnify and hold other Parties (including without limitation the Party serving as, and acting in its capacity as, ARCH's Administering Agency), their officers, officials, agents and volunteers harmless from any and all claims, injuries, damages, losses or suits including attorney fees, arising out of that Party's wrongful acts or omissions in connection with the performance of its obligations under this Agreement, except to the extent the injuries or damages are caused by another Party. In the event of recovery due to the aforementioned circumstances, the Party responsible for any such wrongful acts or omissions shall pay any judgment or lien arising therefrom, including any and all costs and reasonable attorneys fees as part thereof. In the event more than one Party is held to be at fault, the obligation to indemnify and to pay costs and attorneys fees, shall be only to the extent of the percentage of fault allocated to each respective Party by a final judgment of the court.

b. Should a court of competent jurisdiction determine that this Agreement is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of a Party hereto (including without limitation the Party serving as, and acting in its capacity as, ARCH's Administering Agency), its officers, officials, employees, and volunteers, the Party's liability hereunder shall be only to the extent of the Party's negligence. It is further specifically and expressly understood that the indemnification provided herein constitutes the Party's waiver of immunity under Industrial Insurance Title 51 RCW, solely for the purpose of this indemnification. This waiver has been mutually negotiated by the Parties. The provisions of this Section shall survive the expiration or termination of this Agreement.

c. Each Party (including without limitation the Party serving as, and acting in its capacity as, ARCH's Administering Agency) shall give the other Parties proper notice of any claim or suit coming within the purview of these indemnities.

15. INSURANCE. ARCH's Executive Board, Program Staff and the Administering Agency shall take such steps as are reasonably practicable to minimize the liability of the Parties associated with their participation in this Agreement, including but not limited to the utilization of sound business practice. The Executive Board shall determine which, if any, insurance policies may be reasonably practicably acquired to cover the operations of ARCH and the activities of the Parties pursuant to this Agreement (which may include general liability, errors and omissions, fiduciary, crime and fidelity insurance), and shall direct the acquisition of same.

16. AMENDMENTS. Any amendments to this Agreement must be in writing. This Agreement may be amended upon approval of at least two thirds (66%) of the legislative bodies of all Parties to this Agreement, evidenced by the authorized signatures of such approving Parties as of the effective date of the amendment; *provided that* any amendment to this Agreement affecting the terms and conditions of membership on the Executive Board, powers of the Executive Board, voting rights of Executive Board members, Party contribution responsibilities, hold harmless and indemnification requirements, provisions regarding duration, termination or withdrawal, or the conditions of this Section shall require consent of the legislative authorities of all Parties. This Section shall not be construed to require amendment of this Agreement for the addition of a new Party contemplated under Section 17 or for any related revision to Executive Board membership authorized in Section 4(a).

17. ADDITIONAL PARTIES. Any city or town within the approved ARCH Sphere of Influence may, upon execution of the Agreement and approval of the budget and work plan by its legislative body, become a Party to this Agreement upon affirmative vote of a majority of the membership of the Executive Board. The Executive Board shall determine by a vote of a majority of its membership what, if any, funding obligations such additional Party shall commit to as a condition of becoming a Party to this Agreement.

18. SEVERABILITY. The invalidity of any clause, sentence, paragraph, subdivision, section or portion thereof, shall not affect the validity of the remaining provisions of the Agreement.

19. CONFLICT RESOLUTION. Whenever any dispute arises between the Parties or between a Party or Parties, the Executive Board, or the Administering Agency (referred to collectively in this Section as the "parties") under this Agreement which is not resolved by routine meetings or communications, the parties agree to seek resolution of such dispute in good faith by meeting, as soon as feasible. The meeting shall include the Chair of the Executive Board, the Program Manager, and the representative(s) of the Parties involved in the dispute. If the parties do not come to an agreement on the dispute, any party may pursue mediation through a process to be mutually agreed to in good faith between the parties within 30 days, which may include binding or nonbinding decisions or recommendations. The mediator(s) shall be individuals skilled in the legal and business aspects of the subject matter of this Agreement. The parties to the dispute shall share equally the costs of mediation and assume their own costs.

20. SURVIVABILITY. Notwithstanding any provision in this Agreement to the contrary, the provisions of Section 9 (Duration and Termination), Section 10 (Withdrawal), Section 14 (Indemnification and Hold Harmless) shall remain operative and in

full force and effect, regardless of the withdrawal or termination of any Party or the termination of this Agreement.

21. WAIVER. No term or provision of this Agreement shall be deemed waived and no breach excused unless such waiver or consent shall be in writing and signed by the Party claimed to have waived or consented.

22. SUBSEQUENT BREACH. Waiver of any default shall not be deemed a waiver of any subsequent default. Waiver of breach of any provision of this Agreement shall not be deemed to be a waiver of any other or subsequent breach and shall not be construed to be a modification of the terms of the Agreement unless stated to be such through written approval of all Parties.

23. NOTICE. Any notice to the Executive Board shall be in writing and shall be addressed to the Chair of the Executive Board and to the Program Manager. In the absence of a Program Manager, notice shall be given to the Chief Executive Officer of the Administering Agency. Any notice to an Officer or Party shall be sent, respectively, to the address specified by the chief executive officer of the Party.

24. ASSIGNMENT. No Party may sell, transfer or assign any of its rights or benefits under this Agreement without Executive Board approval.

25. VENUE. The Venue for any action related to this Agreement shall be in Superior Court in and for King County, Washington at Seattle.

26. RETAINED RESPONSIBILITY AND AUTHORITY. Parties retain the responsibility and authority for managing and maintaining their own internal systems and programs related to affordable housing activities.

27. NO THIRD PARTY BENEFICIARIES. This Agreement is for the benefit of the Parties only, and no third party shall have any rights hereunder.

28. COUNTERPARTS. This Agreement may be signed in counterparts and, if so signed, shall be deemed one integrated Agreement.

29. FILING AND EFFECTIVE DATE; PRIOR AGREEMENTS. This Agreement shall become effective July 1, 2010, subject to its prior approval by the legislative bodies of all jurisdictions who are members of ARCH as of January 1, 2010, and upon posting of the Agreement on a Party's web site or other electronically retrievable public source. Upon the effective date of this Agreement, the prior interlocal agreements relating to ARCH (the "First Amended

Interlocal Agreement for ARCH A Regional Coalition for Housing," dated January 1993, the "First Amendment to the First Amended Interlocal Agreement for ARCH A Regional Coalition for Housing," dated February 1999, and the "Second Amendment to the First Amended Interlocal Agreement for ARCH A Regional Coalition for Housing," dated November 1999), are amended and restated by this Agreement.

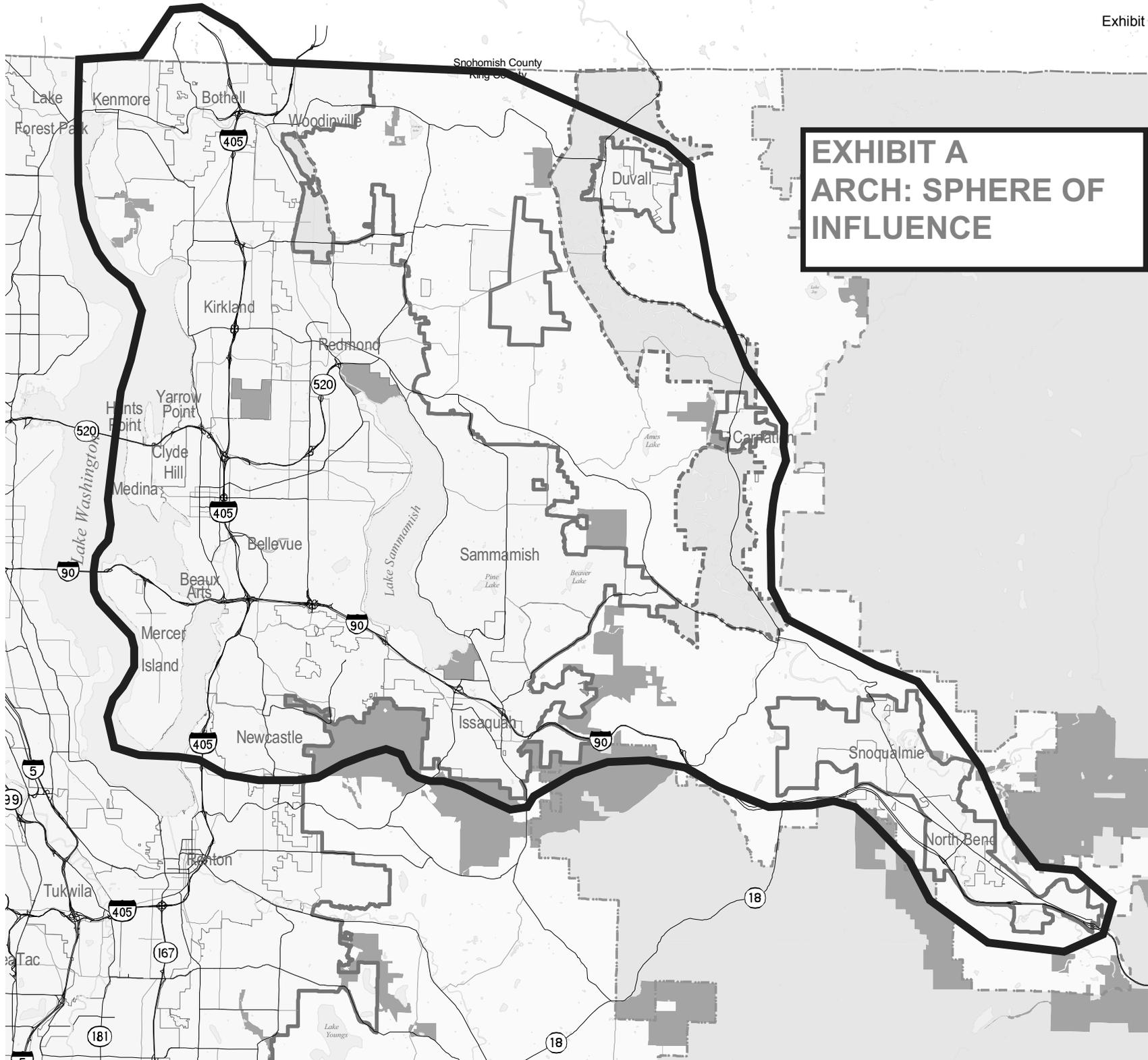
Approved and executed this _____ day of _____, 2010.

Name of Party: _____

Approved as to form

By: _____
Its: _____

City Attorney



**EXHIBIT A
ARCH: SPHERE OF
INFLUENCE**



City Council Agenda Bill

Meeting Date: April 20, 2010

Date Submitted: April 12, 2010

Originating Department: Admin Services

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 checked="" type="checkbox"/> Admin Services | <input type="checkbox"/> Fire | <input type="checkbox"/> Public Works |

Subject: Regional Animal Services

Action Required: Review conceptual "Agreement in Principle for Regional Animal Services"

- Exhibits:**
1. Map – Animal Control Service Districts
 2. Regional Animal Services Estimated Program Cost Allocation

Budget: Sammamish's Estimated Annualized 2010 Regional Animal Services Cost Allocation - \$6,567

Summary Statement:

Historically animal control, sheltering, and pet licensing services have been provided by King County in both incorporated cities and unincorporated areas of the County. The cost of providing animal services exceeds the program's revenue. King County provides a subsidy of over 2 million dollars per year to support the program. An "Agreement in Principle for a Regional Animal Care and Control System" has been developed by a joint City-County Workgroup. The "Agreement in Principle" includes specific service expectations and a cost allocation model.

Background:

Since the mid 1980s King County has provided animal control, sheltering, and pet licensing services for both incorporated cities and unincorporated areas. About 35 cities, including Sammamish, currently contract with the County for these services. The system is funded predominantly by pet licensing revenue and the County General Fund.

In 2009 the King County Council directed the County Executive to enter into new, full-cost recovery contracts for animal care and control services with incorporated cities by June 30, 2010. On March 26, 2010 the County Executive officially notified the City of Sammamish that our contract will be canceled effective June 30, 2010.

In anticipation of the termination of contracts, a Joint Cities-County Work Group has been meeting since January to develop a proposed "Agreement in Principle". This "Agreement in Principle", if adopted by a sufficient number of cities, would establish a regional animal services system.



City Council Agenda Bill

The "Agreement in Principle" incorporates specific service expectations in the three core service areas: animal control (field services); shelter; and licensing.

Animal Control – The County would be divided into 4 Animal Control Districts; each District would have an Animal Control Officer assigned 5 days a week, 8 hours a day. Weekends and after hours calls would go to supervisors and/or Police Departments.

Animal Shelter – The Kent Shelter will remain open 7 days a week and have a capacity of 7,000 animals per year.

Pet Licensing – King County will continue to be responsible for administration of the licensing program, including marketing, education, and outreach.

Length of Agreement – 2 ½ years, July 1, 2010 – December 31, 2012, with the option for a 2 year extension.

Animal Services Committee – Cities and the County would continue to collaborate and explore options for system improvements through a joint City-County Animal Services Committee.

Financial Impact:

The "Agreement in Principle" also includes a cost allocation model which is detailed on the attached spreadsheet. Please Note: All financial data presented assumes participation by 30 Cities.

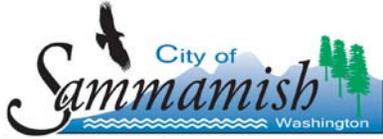
Cost for Animal Services and Pet Licensing Revenue

Total Cost for Animal Control	\$1,698,600
Total Cost for Animal Shelter	\$3,004,900
Total Cost for Pet Licensing Administration	<u>\$ 898,400</u>
Total Cost for Animal Services	\$5,601,900
2009 Licensing Revenue	<u>\$3,209,469</u>
Estimated Net Cost to be Allocated between Cities/County	\$2,392,431

Cost Allocation

Each jurisdiction's (Cities and unincorporated areas) costs for animal control, shelter, and licensing administration are allocated 50% based on usage of the service and 50% based on population. In addition, King County is contributing \$800,000 in transitional funding to Cities whose cost per capita is above the median for all participating Cities and/or participating Cities with low per capita licensing revenue.

King County Allocation for Unincorporated Area's	\$ 444,367
King County Transitional Funding	\$ 800,000
Total Allocation for Cities	<u>\$1,148,064</u>
Estimated Net Cost to be Allocated between Cities/County	\$2,392,431



City Council Agenda Bill

Sammamish's Allocation

The City of Sammamish has a relatively low rate of animal control and sheltering costs and a relatively high rate of compliance with pet licensing regulations.

Sammamish's Allocation for Animal Control	\$ 38,565
Sammamish's Allocation for Animal Shelter	\$ 68,595
Sammamish's Allocation for Pet Licensing Administration	<u>\$ 34,532</u>
Sammamish's Cost for Animal Services	\$141,692
Sammamish's 2009 Licensing Revenue	<u>\$135,125</u>
Sammamish's Estimated Annualized Net Cost for 2010	\$ 6,567

Areas for Concern

Staff has two major areas of concern: Participation by other Cities and Transitional Funding.

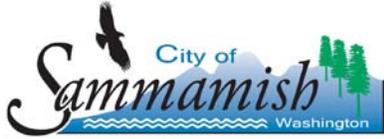
Participation by other Cities - As noted earlier, the "Agreement in Principle" creates a regional animal care and control system if it is adopted by a sufficient number of cities. Economies of scale exist in providing animal services: the more cities that participate in a regional system, the lower the costs are for everyone. Conversely, if the geographic distribution of cities participating in the regional system starts to look like a patchwork, the service delivery becomes more challenging, inefficient, and expensive for participating Cities. In addition, at some point, the County will probably be unwilling or unable to effectively continue providing services.

Transitional Funding – King County is providing \$800,000 in transitional funding to Cities whose cost per capita is above the median for all participating Cities and/or participating Cities with low per capita licensing revenue. However, the level of transitional funding decreases over time and is eliminated in 2014, the 2nd year of the optional 2-year contract extension.

Due to our relatively low rate of animal control and sheltering costs and our relatively high rate of compliance with pet licensing regulations, Sammamish does not qualify for transitional funding. However, transitional funding would be a major source of program revenue for some of our potential partner Cities. For example:

	<u>Net Cost Allocation</u>	<u>Transitional Funding/Licensing Support</u>	<u>Net Final Cost</u>
Auburn	\$341,154	\$170,685	\$170,469
Bellevue	\$200,857	\$ 60,000	\$140,857
Kent	\$642,219	\$377,628	\$264,591

If larger Cities chose not to participate, or to withdraw from the program once transitional funding is no longer available, the impact on Cities remaining in the program could be significant.



City Council Agenda Bill

Other Potential Options for Animal Services

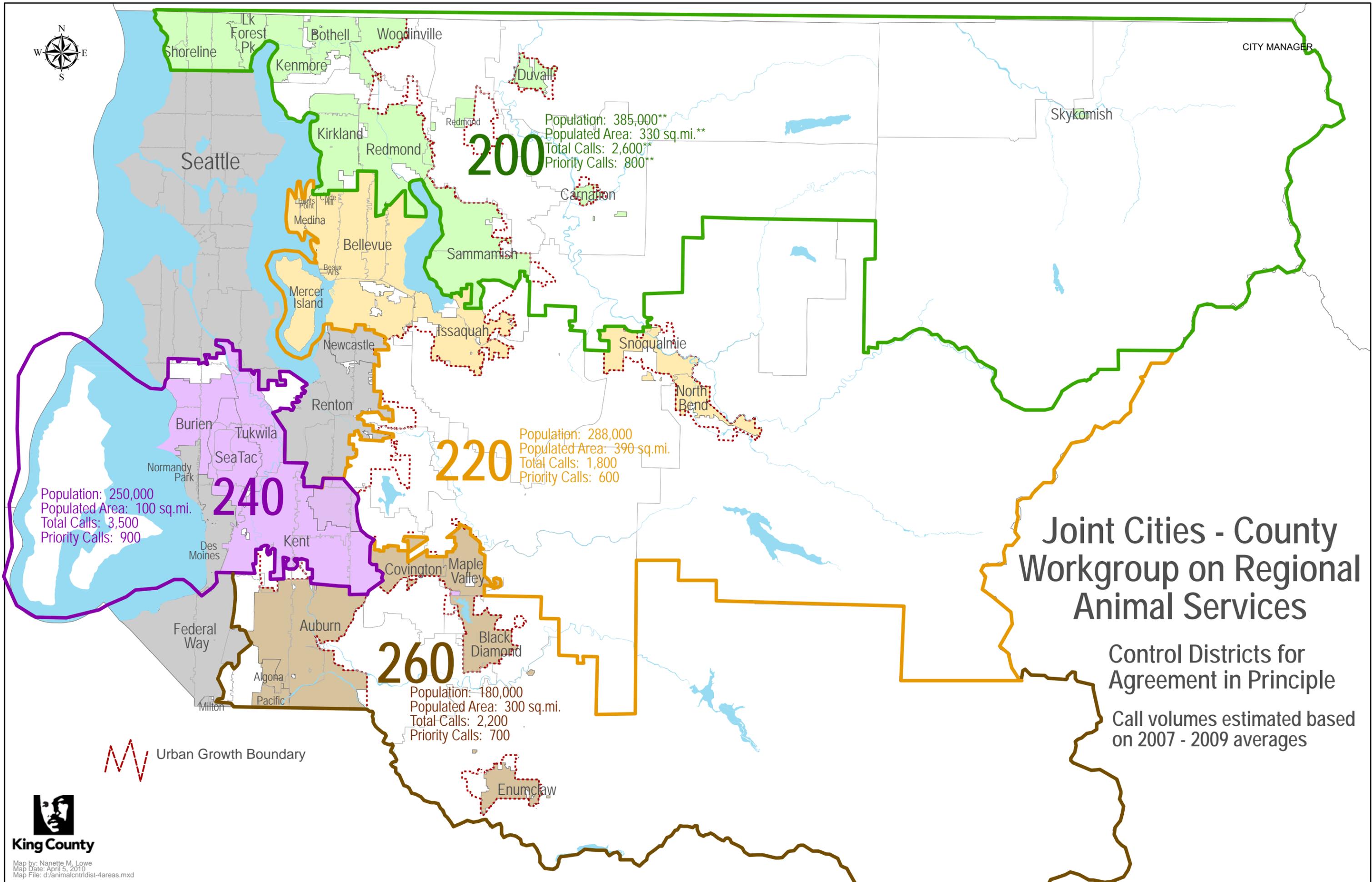
As an alternative to a County wide system, a number of Cities have been discussing agreements for Animal Services between themselves and neighboring jurisdictions. City Staff has been involved with these discussions and we remain open to alternatives.

Recommended Motion

City Staff is not recommending action at this time. King County is incorporating the concepts outlined in the "Agreement in Principal" into an Interlocal Agreement for City Council review next month.



CITY MANAGER



Joint Cities - County Workgroup on Regional Animal Services

Control Districts for Agreement in Principle

Call volumes estimated based on 2007 - 2009 averages

**Joint Cities-County Work Group for Regional Animal Services
Estimated Annualized 2010 Regional Program Cost Allocation (1)
with Transition Funding and Transitional Licensing Support**

		Control	Sheltering	Licensing	Total Allocated Costs	2009 Licensing Revenue	Estimated Net Cost			
Total Regional Program Costs To Be Allocated:		\$1,698,600	\$3,004,900	\$898,400	\$5,601,900	\$3,209,469	-\$2,392,431			
Proposed Animal Control District Number	Jurisdiction	Estimated Animal Control Cost Allocation (2)	Estimated Sheltering Cost Allocation (Excludes Costs to North Side Cities for PAWS Sheltering) (3)	Estimated Pet Licensing Cost Allocation (4)	Estimated Total Cost Allocation	2009 Licensing Revenue	Estimated Net Cost Allocation	Transition Funding (5)	Estimated Revenue from Transitional Licensing Support	Estimated Net Final Cost
200	Bothell	\$34,336	\$22,973	\$30,095	\$87,404	\$102,067	\$14,663	\$0	\$0	\$14,663
	Carnation	\$2,563	\$8,091	\$1,564	\$12,218	\$5,723	-\$6,495	\$1,431	\$0	-\$5,065
	Duvall	\$6,615	\$12,571	\$5,385	\$24,571	\$22,113	-\$2,457	\$0	\$0	-\$2,457
	Unincorporated King County	\$116,932	(see total below)	(see total below)	\$116,932	(see total below)	(see total below)	NA	NA	(see total below)
	Kenmore	\$25,488	\$13,943	\$19,140	\$58,571	\$73,160	\$14,589	\$0	\$0	\$14,589
	Kirkland	\$50,147	\$97,540	\$38,979	\$186,666	\$159,211	-\$27,455	\$0	\$0	-\$27,455
	Lake Forest Park	\$13,759	\$8,741	\$12,726	\$35,226	\$71,987	\$36,761	\$0	\$0	\$36,761
	Redmond	\$50,336	\$97,197	\$41,042	\$188,575	\$134,311	-\$54,264	\$0	\$0	-\$54,264
	Sammamish	\$38,565	\$68,595	\$34,532	\$141,692	\$135,125	-\$6,567	\$0	\$0	-\$6,567
	Shoreline	\$71,289	\$37,036	\$46,034	\$154,359	\$189,347	\$34,987	\$0	\$0	\$34,987
Woodinville	\$14,619	\$7,275	\$9,462	\$31,357	\$37,918	\$6,562	\$0	\$0	\$6,562	
SUBTOTAL FOR CITIES IN 200 (excludes unincorporated area)		\$307,718	\$373,961	\$238,959	\$920,638	\$930,963	\$10,325	\$1,431	\$0	\$11,755
220	Beaux Arts	\$466	\$459	\$301	\$1,226	\$900	-\$326	\$0	\$0	-\$326
	Bellevue	\$151,300	\$233,274	\$90,629	\$475,204	\$274,346	-\$200,857	\$0	\$60,000	-\$140,857
	Clyde Hill	\$3,676	\$4,389	\$2,465	\$10,530	\$8,044	-\$2,486	\$0	\$0	-\$2,486
	Unincorporated King County	\$174,816	(see total below)	(see total below)	\$174,816	(see total below)	(see total below)	NA	NA	(see total below)
	Hunts Point	\$382	\$677	\$229	\$1,288	\$230	-\$1,059	\$0	\$0	-\$1,059
	Issaquah	\$42,683	\$58,181	\$20,013	\$120,876	\$64,509	-\$56,368	\$0	\$0	-\$56,368
	Mercer Island	\$26,827	\$37,530	\$17,142	\$81,498	\$55,113	-\$26,385	\$0	\$0	-\$26,385
	North Bend	\$10,448	\$14,463	\$4,024	\$28,935	\$14,341	-\$14,594	\$3,565	\$0	-\$11,029
	Snoqualmie	\$12,950	\$20,832	\$6,901	\$40,683	\$23,667	-\$17,015	\$0	\$0	-\$17,015
Yarrow Pt	\$1,102	\$1,405	\$819	\$3,327	\$2,864	-\$463	\$0	\$0	-\$463	
SUBTOTAL FOR CITIES IN 220 (excludes unincorporated area)		\$249,834	\$371,210	\$142,523	\$763,567	\$444,014	-\$319,553	\$3,565	\$60,000	-\$255,988
240	Burien (includes North Highline Area X Annexation)	\$85,675	\$161,131	\$35,845	\$282,652	\$119,251	-\$163,400	\$34,634	\$0	-\$128,767
	Unincorporated King County	\$81,257	(see total below)	(see total below)	\$81,257	(see total below)	(see total below)	NA	NA	(see total below)
	Kent (Includes Panther Lake Annexation)	\$169,516	\$643,902	\$84,166	\$897,584	\$255,365	-\$642,219	\$317,628	\$60,000	-\$264,591
	SeaTac	\$50,171	\$105,148	\$18,847	\$174,166	\$53,065	-\$121,101	\$19,272	\$10,000	-\$91,829
	Tukwila	\$38,031	\$78,208	\$12,000	\$128,239	\$30,348	-\$97,892	\$13,609	\$10,000	-\$74,282
SUBTOTAL FOR CITIES IN 240 (excludes unincorporated area)		\$343,393	\$988,390	\$150,858	\$1,482,641	\$458,028	-\$1,024,612	\$385,143	\$80,000	-\$559,469
260	Algona	\$10,146	\$16,087	\$2,418	\$28,651	\$11,415	-\$17,237	\$7,746	\$0	-\$9,491
	Auburn	\$135,980	\$318,537	\$45,052	\$499,569	\$158,415	-\$341,154	\$170,685	\$0	-\$170,469
	Black Diamond	\$10,160	\$17,383	\$3,483	\$31,026	\$13,071	-\$17,954	\$3,131	\$0	-\$14,824
	Covington	\$49,061	\$63,567	\$15,742	\$128,371	\$60,534	-\$67,836	\$13,130	\$0	-\$54,706
	Enumclaw	\$30,292	\$53,472	\$8,541	\$92,304	\$22,464	-\$69,840	\$32,161	\$10,000	-\$27,679
	Unincorporated King County	\$126,254	(see total below)	(see total below)	\$126,254	(see total below)	(see total below)	NA	NA	(see total below)
	Maple Valley	\$45,622	\$63,754	\$17,056	\$126,432	\$62,293	-\$64,139	\$15,609	\$0	-\$48,530
	Pacific	\$17,136	\$33,165	\$4,682	\$54,982	\$18,920	-\$36,062	\$17,400	\$0	-\$18,662
SUBTOTAL FOR CITIES IN 260 (excludes unincorporated area)		\$298,396	\$565,966	\$96,974	\$961,335	\$347,112	-\$614,223	\$259,862	\$10,000	-\$344,362
TOTAL FOR CITIES		\$1,199,341	\$2,299,526	\$629,314	\$4,128,181	\$2,180,117	-\$1,948,064	\$650,000	\$150,000	-\$1,148,064
Total King County Unincorporated Area Allocation		\$499,259	\$705,374	\$269,086	\$1,473,719	\$1,029,352	-\$444,367			-\$444,367
King County Transitional Costs										
• IT Costs Associated with Mainframe Systems										-\$170,000
• Potential Lease Costs for 2011										-\$150,000
• Transition Funding for Cities										-\$650,000
• Transitional Licensing Support for Cities										-\$100,000
TOTAL FOR KING COUNTY										-\$1,514,367

Source: KC Office of Management and Budget and Animal Care and Control
Date: April 7, 2010

Notes:

1. Estimated allocations are based 50% on population and 50% on use. Populations, usage, and revenues have been adjusted to include annexations with 2010 effective dates of July 1, 2010 or earlier (i.e., Burien, Panther Lake). Usage estimated as follows: total calls for control, total intake for sheltering, and total active licenses for licensing. Assumes the following cities do not participate: Federal Way, Seattle, Renton, Des Moines, Normandy Park, Medina, Newcastle, Skykomish, and Milton.
2. One quarter of control costs are allocated to each district, then costs are further allocated 50% by total call volume (averaged from 2007-2009) and 50% by 2009 population.
3. Shelter costs are allocated 50% by King County shelter volume intake (averaged for 2008-2009) and 50% by 2009 population. Values for north cities anticipating using PAWS for sheltering include only the 50% population allocation. North city costs to send animals formerly sent to King County shelters to PAWS are estimated at the following assuming a cost of \$150 per animal: Bothell, \$13,050; Kenmore, \$7,575; Lake Forest Park, \$3,150; Shoreline, \$22,575; Woodinville, \$6,600. The reduction in population-related costs for the north cities is distributed to all other jurisdictions based on population.
4. Licensing costs are allocated 50% by population and 50% by total number of active licenses (average 2007-2009).
5. Transition funding is allocated per capita in a two tier formula to cities with certain per capita net cost allocations as indicated below. Licensing support is allocated to the five cities with the lowest per capita licensing revenue.
 - \$250,000 is allocated to cities with net costs exceeding \$3.00 per capita
 - \$400,000 is allocated to cities with net costs exceeding \$5.50 per capita