

# A G E N D A

## REGULAR MEETING/STUDY SESSION

**Call to Order** (6:30 pm)

**Roll Call/Pledge of Allegiance**

**Public Comment** (15 minutes)

**Approval of Agenda**

**Student Liaison Reports** (10 minutes)

- Eastlake High School (*Michelle Holmes*)
- Skyline High School (*Kim Lammers*)

**Presentations/Proclamations**

- **Proclamation: National Police Week**

**Consent Agenda** (1 minute)

- Payroll for pay period ending April 15, 2008 for pay date April 18, 2008 in the amount of \$215,162.69
- 1. [Approval: Claims for period ending May 6, 2008 for Check No. 20623 through Check No. 20763 in the amount of \\$1,038,966.81](#)
- 2. [Resolution: Final Acceptance 228th Sidewalk Project/JR Hayes](#)
- 3. [Contract: Sammamish Landing Master Plan/Berger](#)
- 4. [Amendment: On-Call Engineering Review/Roth Hill](#)
- 5. [Approval: Minutes for February 19, 2008 Regular Meeting](#)
- 6. [Approval: Notes for April 8, 2008 Study Session](#)
- 7. [Approval: Minutes for April 15, 2008 Regular Meeting](#)
- 8. [Approval: Amended minutes for June 19, 2007 Regular Meeting](#)

**Public Hearing**

9. [Ordinance: Amending The City Zoning Code, SMC Chapter 21A.55, To Adopt Temporary Interim Siting Hierarchy For Wireless Communication Facilities \(Wcf\) and Declaring An Emergency \(10 minutes\)](#)
10. [Ordinance: Amending The City Zoning Code, SMC Chapter 21A.75, To Adopt Temporary Interim Zoning Controls To Eliminate The Residential Density Incentives In R-4 And R-6 Zones and Declaring An Emergency \(10 minutes\)](#)

**Unfinished Business—None**

**New Business**

11. [Parks Commission Recommendation on Parks Bond and Parks Capital Improvement Projects \(10 minutes\)](#)

**Council Reports** (21 minutes)

**City Manager Report** (10 minutes)

### Public Comments

Provides an opportunity for citizens to address the Council regarding any issue. Comments are limited to three minutes.

### Consent Agenda

Agenda Bills and items listed below have been distributed to Council Members in advance for study.

If separate discussion is desired on an item, that item may be removed from the Consent Agenda and placed on the Regular Agenda at the request of a Council Member.

### Regular Agenda

Council may add or take action on other items not listed on this agenda.

### Accommodations

The meeting room is wheelchair accessible. American Disabilities Act (ADA) accommodations are available upon request. Please phone 425-295-0511 at least two (2) business days in advance.

### Television Rebroadcasts

Daily at: 7:00 p.m.  
1:00 a.m.  
7:00 a.m.  
1:00 p.m.

### Meeting Materials

Council Meeting Agenda Packets are available on the City's website at: [www.ci.sammamish.wa.us](http://www.ci.sammamish.wa.us)

(over)

Executive Session— If Necessary

Adjournment *Regular Meeting (730 pm)*

***OPEN STUDY SESSION***

Town Center—Transportation Capital Facilities *(60 minutes)*

***CLOSE STUDY SESSION***      *8:30 pm*

**AGENDA CALENDAR**

<b>May 2008</b>			
Tues 05/06	6:30 pm	Special Meeting/Study Session	Public Hearing: Emergency Wireless Ordinance Public Hearing: Emergency Density Amendment Resolution: Project Acceptance 228 <sup>th</sup> Sidewalk/JR Hayes (consent) Contract: Sammamish Landing Master Plan/Berger (consent) Amendment: Roth Hill/On Call Engineering Parks Commission Recommendation on Parks Bond and Parks CIP (last item) Town Center-Transportation Capital Facilities (ss)
Tues 05/13	6:30 pm	Study Session	Town Center – Questions & Answers/Peer Panel Candidate Forum
Mon 05/19	6:30 pm	Study Session	4 <sup>th</sup> on the Plateau Update Carry Forwards Art Commission Applicant Interviews Discussion: Parks Bond and Parks CIP
Tues 05/20	6:30 pm	Regular Council Meeting	Public Hearing: First Reading Town Center Public Hearing: Ordinance for Condemnation/SPLR Dedication: Confluence Sculpture (6:00) Resolution: SYB Youth Board Appointments Resolution: 4 <sup>th</sup> of July Parking (consent) Resolution: Appointing members to the Arts Commission Resolution: Final Acceptance City Hall Contract: Fireworks/ Approval: Carry Forwards
<b>June 2008</b>			
Tues 06/03	6:30 pm	Regular Council Meeting	Quarterly Report: Finance Ordinance: Second Reading Town Center Plan Contract: 212 <sup>th</sup> Sidewalk/ (consent) Ordinance: Second Reading Condemnation/SPLR Contract: Freed House Foundation Construction and Move/Contractor (consent)
Tues 06/10	6:30 pm	Study Session	AWC Presentation on Municipal Finances 2009/2010 Budget Discussion: Parks Bond and Parks CIP Sammamish Landing Master Plan Early Implementation Discussion
Thurs 06/12		Budget Retreat	
Sat 06/14		Budget Retreat	
Mon 06/16	6:30 pm	Study Session	Discussion: Review Sammamish Landing Master Plan Alternatives
Tues 06/17	6:30 pm	Regular Council Meeting	Quarterly Reports: Police/Fire/Administration/DCD Resolution: 6-Year TIP Resolution: 6-Year Parks CIP Resolution: Parks Bond
<b>July 2008</b>			
Tues 07/01	6:30 pm	Regular Council Meeting	Quarterly Reports: Parks/Public Works Contract: Pine Lake Park Waterfront Improvement and Dock Replacement/Contractor
Tues 07/08	6:30 pm	Study Session	
Tues 07/15	6:30 pm	Regular Council Meeting	
Tues 07/21	6:30 pm	Study Session	



[Home » Events](#)

## Events

<< [April](#)**May 2008**[June >>](#)

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1 6:30 p.m. <b>Planning Commission Meeting</b>	2	3
4	5	6 6:30 p.m. <b>City Council Regular Meeting / Study Session</b>	7	8	9	10
11	12	13 6:30 p.m. <b>City Council Study Session</b>	14 6:30 p.m. <b>Parks and Recreation Commission Meeting</b>	15 6:30 p.m. <b>Planning Commission Meeting</b>	16	17
18	19 6:30 p.m. <b>City Council Study Session</b>	20 5:30 p.m. <b>Sculpture Dedication</b> 6:30 p.m. <b>City Council Meeting</b>	21 4 p.m. <b>Sammamish Farmers Market Grand Opening</b> 6 p.m. <b>Sammamish Youth Board Meeting</b>	22	23	24
25	26 8 a.m. <b>Memorial Day</b> <b>City offices closed</b>	27	28 4 p.m. <b>Sammamish Farmer's Market</b>	29 5 p.m. <b>Planning Commission Special Meeting</b>	30	31

[List View](#)[To Top](#)

City of Sammamish, M - F, 8:30 am - 5 pm  
 801 228th Ave SE, Sammamish, WA 98075, Phone: (425) 295-0500, Fax: (425) 295-0600  
[www.ci.sammamish.wa.us](http://www.ci.sammamish.wa.us) - © 2004 - 2008 city of Sammamish, Washington

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Last updated Apr 29 2008

[Home » Events](#)

## Events

[\[ Add Event \]](#)<< [May](#)**June 2008**[July >>](#)

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2	3 6:30 p.m. <b>City Council Meeting</b>	4 4 p.m. <b>Sammamish Farmers Market</b>	5 6:30 p.m. <b>Planning Commission Meeting</b>	6	7
8	9	10 6:30 p.m. <b>City Council Study Session</b>	11 4 p.m. <b>Sammamish Farmers Market</b> 6:30 p.m. <b>Parks and Recreation Commission Meeting</b>	12	13	14
15	16 6:30 p.m. <b>City Council Study Session</b>	17 6:30 p.m. <b>City Council Meeting</b>	18 4 p.m. <b>Sammamish Farmers Market</b> 6 p.m. <b>Sammamish Youth Board Meeting</b>	19 5:30 p.m. <b>Planning Commission Meeting</b>	20 1 p.m. <b>Teen Skate Competition and Dance</b>	21
22	23	24	25 4 p.m. <b>Sammamish Farmers Market</b>	26	27	28
29	30					

[List View](#)[To Top](#)

City of Sammamish, M - F, 8:30 am - 5 pm

801 228th Ave SE, Sammamish, WA 98075, Phone: (425) 295-0500, Fax: (425) 295-0600

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Last updated Apr 29 2008



## PROCLAMATION

WHEREAS, The Congress and President of the United States have designated May 15 as Peace Officers' Memorial Day, and the week in which May 15 falls as National Police week; and

WHEREAS, the members of the law enforcement agency of Sammamish play an essential role in safeguarding the rights and freedoms of Sammamish; and

WHEREAS, it is important that all citizens know and understand the duties, responsibilities, hazards, and sacrifices of their law enforcement agency, and that members of our law enforcement agency recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression; and

WHEREAS, the men and women of the law enforcement agency of Sammamish unceasingly provide a vital public service;

NOW, THEREFORE, on behalf of the Sammamish City Council, I call upon all citizens of Sammamish and upon all patriotic, civic and educational organizations to observe the week of May 11 through 17, 2008, as Police Week in which all of our people may join in commemorating law enforcement officers, past and present, who, by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to their communities and, in so doing, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens.

I further call upon all citizens of Sammamish to observe Thursday, May 15<sup>th</sup>, as Peace Officers' Memorial Day in honor of those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty, and let us recognize and pay respect to the survivors of our fallen heroes.

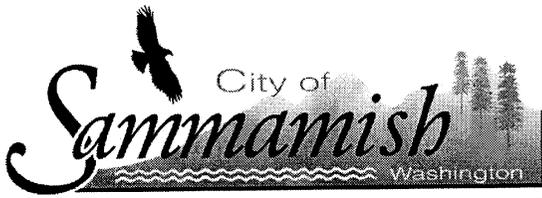
PROCLAIMED THIS 6<sup>TH</sup> DAY OF MAY, 2008

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Deputy Mayor Donald J. Gerend

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Date



# MEMORANDUM

**TO:** Melonie Anderson/City Clerk  
**FROM:** Marlene/Finance Department  
**DATE:** May 1, 2008  
**RE:** Claims for May 6, 2008

\$ 31,488.08  
44,739.64  
772,471.00  
80,667.22  
109,600.87

31,488.08 +  
44,739.64 +  
772,471.00 +  
80,667.22 +  
109,600.87 +  
1,038,966.81 \*

**TOTAL \$ 1,038,966.81**

Check # 20623 through # 20763

City of Sammamish  
marlene

Accounts Payable  
Computer Check Register Totals

Bill No. 1  
Printed: 04/14/08 12:01

<u>Check</u>	<u>Date</u>	<u>Vendor No</u>	<u>Vendor Name</u>	<u>Amount</u>	<u>Voucher</u>
20623	04/15/2008	SAM	Sammamish Plateau Water Sewer	31,488.08	000000
				-----	
<b>CHECK TOTAL:</b>				<b>\$31,488.08</b>	

Accounts Payable  
Computer Check Register Totals

<u>Check</u>	<u>Date</u>	<u>Vendor No</u>	<u>Vendor Name</u>	<u>Amount</u>	<u>Voucher</u>
20624	04/18/2008	ANI	ANI Administrators NW Inc	1,061.56	000000
20625	04/18/2008	ICMA401	ICMA 401	26,529.54	000000
20626	04/18/2008	ICMA401x	ICMA401	4,196.29	000000
20627	04/18/2008	ICMA457	ICMA	11,323.08	000000
20628	04/18/2008	WAREV	Wa State Dept of Revenue	1,629.17	000000
				-----	
<b>CHECK TOTAL:</b>				<b>\$44,739.64</b>	

<u>Check</u>	<u>Date</u>	<u>Vendor No</u>	<u>Vendor Name</u>	<u>Amount</u>	<u>Voucher</u>
20629	05/06/2008	ACCURINT	Accurint	30.00	000000
20630	05/06/2008	ADOLFSON	ESA Adolfson	3,347.17	000000
20631	05/06/2008	ALLISON	Allison & Ross, Inc	91.56	000000
20632	05/06/2008	ALPINE	Alpine Products, Inc.	789.74	000000
20633	05/06/2008	ANDERMEL	Melonie Anderson	47.47	000000
20634	05/06/2008	ANI	ANI Administrators NW Inc	130.00	000000
20635	05/06/2008	ANTIN	Aaron Antin	175.74	000000
20636	05/06/2008	ATOMIC	Atomic Art Serives Inc	360.00	000000
20637	05/06/2008	ATTLONG	AT&T	63.12	000000
20638	05/06/2008	ATWORK	At Work!	550.00	000000
20639	05/06/2008	BARRY	Jack Barry	25.00	000000
20640	05/06/2008	BCC	Bellevue Community College	150.00	000000
20641	05/06/2008	BELZAK	Steve Belzak	61.73	000000
20642	05/06/2008	BICKEL	Bruce & Cheryl Bickel	1,358.36	000000
20643	05/06/2008	BOGDAN	Advantage Building Services	4,989.50	000000
20644	05/06/2008	CADMAN	Cadman, Inc.	2,344.14	000000
20645	05/06/2008	CARTRIDG	Cartridge World	2,043.89	000000
20646	05/06/2008	CHAUVIN	Joseph Chauvin	112.50	000000
20647	05/06/2008	CHILDCAR	Child Care Resources	1,287.50	000000
20648	05/06/2008	CHILDRES	Harborview Children's Response Center	625.00	000000
20649	05/06/2008	CLEARWIR	Clearwire	190.40	000000
20650	05/06/2008	COMCAST	Comcast Cable Comm Inc	104.12	000000
20651	05/06/2008	COMCAST2	Comcast	99.95	000000
20652	05/06/2008	COMPLETE	The Complete Line	225.42	000000
20653	05/06/2008	CONSOLID	Consolidated Press	2,490.71	000000
20654	05/06/2008	COOPER	Ben Cooper	509.60	000000
20655	05/06/2008	dell	Dell Marketing L.P.	1,633.73	000000
20656	05/06/2008	EASTDOM	Eastside Domestic Violence	3,709.00	000000
20657	05/06/2008	EASTFIRE	Eastside Fire & Rescue	414,040.75	000000
20658	05/06/2008	EDGE	Edge Concrete Construction LLC	14,268.00	000000
20659	05/06/2008	ENCOMPAS	Encompass	1,625.00	000000
20660	05/06/2008	ENGBUS	Engineering Bus Syst, Inc.	980.10	000000
20661	05/06/2008	EVANS	David Evans & Associates, Inc	21,084.47	000000
20662	05/06/2008	EVERGR	Evergreen Print Solutions	209.44	000000
20663	05/06/2008	FORESTRY	Forestry Suppliers, Inc	75.45	000000
20664	05/06/2008	FRANCO2	U. S. Postal Service/ Francotyp-Postalia Teleset	2,500.00	000000
20665	05/06/2008	FRYOUTH	Friends Of Youth	2,500.00	000000
20666	05/06/2008	GIANINI	Chris Gianini	79.67	000000
20667	05/06/2008	HARDDRIV	Hard Drives NW	1,784.87	000000
20668	05/06/2008	HARTOFF	Hartman Office Equipment Inc	1,110.71	000000
20669	05/06/2008	HOANG	Tawni Hoang	58.33	000000
20670	05/06/2008	HOGAN	D. A. Hogan & Assoc., Inc	3,417.50	000000
20671	05/06/2008	HORIZON	Horizon	685.71	000000
20672	05/06/2008	HUCK	Kathleen Huckabay	76.57	000000
20673	05/06/2008	ICCMA	Int City/County Mgmt Assoc	627.18	000000
20674	05/06/2008	INTEGRA	Integra Telecom	3,701.54	000000
20675	05/06/2008	IRONMT	Iron Mountain	53.06	000000
20676	05/06/2008	ISSAQ1	Issaquah Press, Inc.	555.00	000000
20677	05/06/2008	ISSAUTO	Issaquah Auto Tech, Inc	478.39	000000
20678	05/06/2008	ISSCITY	City Of Issaquah	2,817.87	000000
20679	05/06/2008	KBA	KBA Inc	7,488.99	000000
20680	05/06/2008	KCRADIO	King Cty Radio Comm Svcs	196.15	000000
20681	05/06/2008	KCSARC	KC Sexual Assault Resource Ctr	650.00	000000
20682	05/06/2008	KENYON2	Kenyon Disend PLLC	16,885.36	000000
20683	05/06/2008	KINDER	Kindering Center	10,000.00	000000
20684	05/06/2008	KINGFI	King County Finance A/R	9,944.43	000000

<u>Check</u>	<u>Date</u>	<u>Vendor No</u>	<u>Vendor Name</u>	<u>Amount</u>	<u>Bill No</u>	<u>Voucher</u>
20685	05/06/2008	KINGPET	King County Pet Licenses	300.00		000000
20686	05/06/2008	KINGWAT	King County Finance Water & Land Division	43,194.50		000000
20687	05/06/2008	KIWANIS	Sammamish Kiwanis	199.00		000000
20688	05/06/2008	KUSTOM	Kustom Signals, Inc.	17,538.10		000000
20689	05/06/2008	LAKESIDE	Lakeside Industries	84.37		000000
20690	05/06/2008	LUMINOUS	Luminous Corp	5,869.02		000000
20691	05/06/2008	LWSFOUND	Lake Wa Schools Foundation	1,500.00		000000
20692	05/06/2008	MAUNE	Buell Maune	147.28		000000
20693	05/06/2008	MAXIM	Evan Maxim	755.00		000000
20694	05/06/2008	MICRO	Microflex, Inc.	45.13		000000
20695	05/06/2008	MINUTE	Minuteman Press	157.71		000000
20696	05/06/2008	MOBILEMA	Mobile Maintenance & Mechanix	649.01		000000
20697	05/06/2008	NAMI	NAMI Eastside	1,000.00		000000
20698	05/06/2008	NELSONCO	Walter E. Nelson Company	1,562.07		000000
20699	05/06/2008	NESAM	NE Sammamish Sewer & Water	95.96		000000
20700	05/06/2008	NINTEMAN	Sara Ninteman	216.64		000000
20701	05/06/2008	NWCASC	Northwest Cascade, Inc.	312.42		000000
20702	05/06/2008	NWLSVC	NW Landscape Service	14,938.02		000000
20703	05/06/2008	PACE	Pace Engineers, Inc.	1,641.00		000000
20704	05/06/2008	PACMAIL	Pacific Mailing & Shipping	92.70		000000
20705	05/06/2008	PERTEET	Pertect, Inc.	61,096.15		000000
20706	05/06/2008	PHOINIX	Phoinix Equipment LLC	5,419.18		000000
20707	05/06/2008	PROTH	Prothman Company	4,500.00		000000
20708	05/06/2008	PROV	Faith In Action	1,250.00		000000
20709	05/06/2008	PSE	Puget Sound Energy	19,567.50		000000
20710	05/06/2008	QWEST	QWEST	125.60		000000
20711	05/06/2008	RAINIER	Rainier Wood Recyclers Inc	85.25		000000
20712	05/06/2008	REDEMERG	Redmond Emergency Services	1,375.00		000000
20713	05/06/2008	RESPONSE	Response Law, Inc	195.00		000000
20714	05/06/2008	ROBINDAP	Daphne Robinson	123.25		000000
20715	05/06/2008	ROTARSAM	Rotary Club of Sammamish	40.00		000000
20716	05/06/2008	ROTH	Roth Hill Engineering Partners	8,488.88		000000
20717	05/06/2008	SAM	Sammamish Plateau Water Sewer	305.11		000000
20718	05/06/2008	SANDINE	Asea Sandine	25.00		000000
20719	05/06/2008	SB&MAC	Stewart Beall & MacNichols	4,120.00		000000
20720	05/06/2008	SEATIM	Seattle Times	2,075.02		000000
20721	05/06/2008	SEAWEEK	Seattle Weekly	950.00		000000
20722	05/06/2008	SERVICE	Service Paper Co	184.32		000000
20723	05/06/2008	SIMPLYPL	Simply Placed	378.00		000000
20724	05/06/2008	SONITROL	Sonitrol Pacific	683.16		000000
20725	05/06/2008	STAPLES	Staples Business Advantage	2,992.83		000000
20726	05/06/2008	TRELSTAD	Trelstad Tree, Inc	981.00		000000
20727	05/06/2008	UNITRENT	United Rentals NW, Inc	2,610.91		000000
20728	05/06/2008	VAN NOST	Maren Van Nostrand	3,480.00		000000
20729	05/06/2008	WAAUDIT	Wa State Auditor's Office	157.20		000000
20730	05/06/2008	WAEMP	State of Wa Employment Security Dept	7,220.00		000000
20731	05/06/2008	WAWORK	Washington Workwear LLC	185.10		000000
20732	05/06/2008	WERRE	Lisa Werre	28.00		000000
20733	05/06/2008	YAKIMA	Yakima County Department of Corrections	4,659.84		000000
20734	05/06/2008	YES	Youth Eastside Services	2,500.00		000000
20735	05/06/2008	ZUMAR	Zumar Industries, Inc.	931.88		000000

-----  
**CHECK TOTAL: \$772,471.00**

Accounts Payable  
Computer Check Register

Bill No. 1



User: marlene  
Printed: 04/30/2008 - 15:45  
Bank Account:

Check	Vendor No	Vendor Name	Date	Invoice No	Amount
20736	BARKERLA	Barker Landscape Architects PS	05/06/2008	08-03-15	8,351.71
Check 20736 Total:					8,351.71
20737	BCC	Bellevue Community College	05/06/2008	95683	167.52
				95683a	167.52
Check 20737 Total:					335.04
20738	BUTKUS	Pete Butkus	05/06/2008		31.31
					66.66
					16.00
Check 20738 Total:					113.97
20739	CADMAN	Cadman, Inc.	05/06/2008	2471456	609.28
				2473037	596.88
				2472852	622.98
				2472434	605.74
Check 20739 Total:					2,434.88
20740	CONSOLID	Consolidated Press	05/06/2008	7653	9,005.34
Check 20740 Total:					9,005.34
20741	EADS	Elder & Adult Day Services	05/06/2008	012008	2,500.00

			Check 20741 Total:	2,500.00
				<hr/> <hr/>
20742	EWINGIRR	Ewing Irrigation	05/06/2008	
			9008758	2,429.61
				<hr/>
			Check 20742 Total:	2,429.61
				<hr/> <hr/>
20743	FERGUSON	Ferguson Enterprises, Inc	05/06/2008	
			0143092	10,989.29
				<hr/>
			Check 20743 Total:	10,989.29
				<hr/> <hr/>
20744	HANDLOS	Lynne Handlos	05/06/2008	
			042008	212.10
				<hr/>
			Check 20744 Total:	212.10
				<hr/> <hr/>
20745	HDFOWL	H. D. Fowler Company	05/06/2008	
			I2315715	2,037.99
				<hr/>
			Check 20745 Total:	2,037.99
				<hr/> <hr/>
20746	KINGFI	King County Finance A/R	05/06/2008	
			148052	2,654.93
			1485051	738.95
			1485956	1,683.00
				<hr/>
			Check 20746 Total:	5,076.88
				<hr/> <hr/>
20747	KINGWAT	King County Finance Water & Lan	05/06/2008	
			WRIA8-4234	5,072.67
				<hr/>
			Check 20747 Total:	5,072.67
				<hr/> <hr/>
20748	MATTHIAS	Michael Matthias	05/06/2008	
			042008	5.96
				<hr/>
			Check 20748 Total:	5.96
				<hr/> <hr/>

				Bill No. 1
20749	NELSON	Lola Nelson-Mills	05/06/2008	0408 24.24
			Check 20749 Total:	24.24
<hr/>				
20750	NWCASC	Northwest Cascade, Inc.	05/06/2008	713638 554.84
				713874 165.20
				713875 260.40
			Check 20750 Total:	980.44
<hr/>				
20751	PROPET	Pro Pet Distributors, Inc	05/06/2008	51679 1,491.22
				51679tx -123.12
			Check 20751 Total:	1,368.10
<hr/>				
20752	QWEST	QWEST	05/06/2008	042708 40.86
			Check 20752 Total:	40.86
<hr/>				
20753	QWEST!NT	Qwest !nterprise	05/06/2008	100372 12,761.79
				100372a 1,153.51
			Check 20753 Total:	13,915.30
<hr/>				
20754	RAINIER	Rainier Wood Recyclers Inc	05/06/2008	34643 38.50
			Check 20754 Total:	38.50
<hr/>				
20755	RICHARDS	Jessi Richardson	05/06/2008	042008 212.10
			Check 20755 Total:	212.10
<hr/>				
20756	SAM	Sammamish Plateau Water Sewer	05/06/2008	050508 107.10

				Check 20756 Total:	107.10
					<u>          </u>
20757	SITE	Site Workshop	05/06/2008	1663	8,050.00
				Check 20757 Total:	8,050.00
					<u>          </u>
20758	SPRAGUE	SPRAGUE	05/06/2008	911343	87.20
				Check 20758 Total:	87.20
					<u>          </u>
20759	TAGS	Tags Awards & Specialties	05/06/2008		
				126629	22.96
				126629a	22.96
				126629b	45.92
				126629c	34.45
				Check 20759 Total:	126.29
					<u>          </u>
20760	TRELSTAD	Trelstad Tree, Inc	05/06/2008	9206	4,621.60
				Check 20760 Total:	4,621.60
					<u>          </u>
20761	UNITRENT	United Rentals NW, Inc	05/06/2008		
				55365445-028	1,123.05
				Check 20761 Total:	1,123.05
					<u>          </u>
20762	VANDEMAR	Van De Mark Landscape Architect,	05/06/2008	022008	1,367.00
				Check 20762 Total:	1,367.00
					<u>          </u>
20763	WAAUDIT	Wa State Auditor's Office	05/06/2008		40.00
				Check 20763 Total:	40.00
					<u>          </u>

Accounts Payable  
Computer Check Register Totals

<u>Check</u>	<u>Date</u>	<u>Vendor No</u>	<u>Vendor Name</u>	<u>Amount</u>	<u>Voucher</u>
20764	05/06/2008	BOGDAN	Advantage Building Services	3,621.38	000000
20765	05/06/2008	BRAUNS	Jeff Brauns	502.17	000000
20766	05/06/2008	CARRAGHE	John Carragher	200.00	000000
20767	05/06/2008	DELP	Traci Delp	500.00	000000
20768	05/06/2008	JAIN	Anju Jain	200.00	000000
20769	05/06/2008	LOCHNER	Lochner, Inc.	102,587.58	000000
20770	05/06/2008	MUSICCLU	Sammamish Music club	40.00	000000
20771	05/06/2008	OTAK	Otak	719.74	000000
20772	05/06/2008	SAMCHAMB	Sammamish Chamber of Commerce	1,110.00	000000
20773	05/06/2008	SLUTSKY	Eugene Slutsky	120.00	000000
				-----	
<b>CHECK TOTAL:</b>				<b>\$109,600.87</b>	



## CITY COUNCIL AGENDA BILL

---

**Subject:**

228<sup>th</sup> Ave NE at NE 25<sup>th</sup> Way - Sidewalk Improvements; Final Project Acceptance

**Meeting Date:** May 6, 2008

**Date Submitted:** April 30, 2008

**Originating Department:** Public Works

**Action Required:**

- Approve the final contract amount with J.R. Hayes & Sons of Maple Valley, Washington, for the bid and final amount of \$48,628.00 and accept construction of the 228th Ave NE at NE 25th Way Sidewalk Improvements, complete as of May 6, 2008.

**Clearances:**

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> <b>City Manager</b> | <input type="checkbox"/> <b>Police</b>   |
| <input checked="" type="checkbox"/> <b>Public Works</b> | <input type="checkbox"/> <b>Fire</b>     |
| <input type="checkbox"/> <b>Building/Planning</b>       | <input type="checkbox"/> <b>Attorney</b> |

**Exhibits:**

1. Resolution of Project Acceptance

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**Budgeted Amount:** \$355,300 total budgeted funds in 2007 Sidewalk Program

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**Summary Statement:**

Construction of this project is now complete. This project provided for the removal and replacement of interim sidewalk along 228<sup>th</sup> Avenue NE just south of NE 25<sup>th</sup> Way. The interim asphalt sidewalk was constructed with the 228<sup>th</sup> Avenue NE Sidewalk project. The interim sidewalk was replaced with concrete sidewalk and concrete curb and gutter.

There were no contractor claims filed against the City, and no liquidated damages were assessed against the contractor.

All work under this contract has been completed in accordance with Contract approved by the City Manager. The recommended action approves the final contract amount and constitutes the final acceptance of the work.

**Background:**

This pedestrian improvement project was established by the City Council. Council awarded the construction contract to Construct Company LLC, at the July 11, 2006 meeting. Work began on August 17, 2006, and was substantially complete by May 16, 2007. Subsequent to completion of this capital project, multiple requests were made to the City to replace the interim asphalt sidewalk with concrete sidewalk and concrete curb and gutter. At the June 19, 2007 meeting, City Council authorized the expenditure of 2007 Sidewalk Program funds to replace the asphalt sidewalk with a concrete sidewalk. The 2007 Sidewalk Program funds were included in the 2007 – 2008 budget approved by City Council at the December 5, 2006 meeting.

**Financial Impact:**

The completed improvements were constructed within the project budget.

## Summary of Completed Project Budget:

<u>Construction Costs</u>	
Original Contract	\$ 48,628.00
Bid Item (Decreases)	\$ -
Change Orders	\$ -
Final Contract Amount	<u>\$ 48,628.00</u>
Easement and Right of Way Acquisition	\$ -
Design	\$ -
Construction Management	\$ -
Materials Testing	\$ -
Miscellaneous	<u>\$ -</u>
Total	\$ 48,628.00

**Recommended Motion:**

Approve the final contract amount with J.R. Hayes & Sons of Maple Valley, Washington, Washington, for the bid and final amount of \$48,628.00 and accept construction of the 228th Ave NE at NE 25<sup>th</sup> Way Sidewalk Improvements, complete as of May 6, 2008.

**CITY OF SAMMAMISH  
WASHINGTON  
RESOLUTION NO. R2008-\_\_**

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**A RESOLUTION OF THE CITY OF SAMMAMISH,  
WASHINGTON, ACCEPTING THE CITY OF SAMMAMISH 228<sup>TH</sup>  
AVE NE AT NE 25<sup>TH</sup> WAY SIDEWALK IMPROVEMENTS  
PROJECT AS COMPLETE**

WHEREAS, at the Council meeting of June 19, 2007 the City Council authorized the expenditure of Sidewalk Program funds to replace the temporary asphalt sidewalk with a concrete sidewalk along 228<sup>th</sup> Avenue NE just south of NE 25<sup>th</sup> Way; and

WHEREAS, the City Manager entered into a contract with J.R. Hayes & Sons, Inc. on September 19, 2007; and

WHEREAS, the project was substantially completed by the contractor on October 6, 2007;

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

Section 1. Acceptance of the project 228<sup>th</sup> Ave NE at NE 25<sup>th</sup> Way – Sidewalk Improvements as Complete. The City of Sammamish hereby accepts the project 228th Ave NE at NE 25th Way – Sidewalk Improvements as complete.

Section 2. Authorization of Contract Closeout Process. The City of Sammamish Director of Public Works is hereby authorized to complete the contract closure process upon receiving appropriate clearances from the Department of Revenue, and the Department of Employment Security.

Section 3. Effective Date. This resolution shall take effect immediately upon signing.

**PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 6<sup>TH</sup> DAY OF MAY 2008.**

CITY OF SAMMAMISH

\_\_\_\_\_  
Mayor Lee Felling

ATTEST/AUTHENTICATED:

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Melonie Anderson, City Clerk

Approved as to form:

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Bruce L. Disend, City Attorney

Filed with the City Clerk: April 30, 2008

Passed by the City Council:

Resolution No.: R2008-\_\_\_\_



## CITY COUNCIL AGENDA BILL

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**Subject:**

Contract with The Berger Partnership PS for the completion of a Master Plan and additional site analysis for Sammamish Landing Park.

**Meeting Date:** May 6, 2008

**Date Submitted:** April 30, 2008

**Originating Department:** Parks & Recreation

**Clearances:**

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> <b>City Manager</b> | <input type="checkbox"/> <b>Police</b>              |
| <input type="checkbox"/> <b>Public Works</b>            | <input type="checkbox"/> <b>Fire</b>                |
| <input type="checkbox"/> <b>Building/Planning</b>       | <input checked="" type="checkbox"/> <b>Attorney</b> |

**Action Required:**

Authorize the City Manager to sign a contract with The Berger Partnership PS for the completion of a Master Plan and additional site analysis for Sammamish Landing Park in the amount of \$188,204.00

**Exhibits:**

1. Contract
2. Scope of Work

---

**Budgeted Amount:** \$200,000 allocated for Sammamish Landing (Waterfront Park) for site analysis and master planning. (Note: \$100,000 in 2008 budget and \$100,000 carryforward from 2007.)

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**Summary Statement:**

In February a Request for Proposals (RFP) was published for landscape architectural services for Sammamish Landing Park. Seven landscape architecture firms responded to the RFP. Based on the quality of previous planning and design work with projects of a similar nature, the experience and qualifications of staff and the ability to meet the project time schedule, The Berger Partnership was selected for the project.

This firm has significant experience and expertise in park planning and design, including environmentally sensitive waterfront park sites in the Puget Sound region.

The initial phase of the consultant's work will be to complete a site investigation including a site survey, shoreline, and wetlands delineation, cultural resources investigation and environmental critical areas report.

The City's Model Master Plan Process will be utilized to seek input from the public regarding the master plan.

**Background:**

In 2001, the City received a gift of 1,470 feet of Lake Sammamish waterfront property valued at \$4.8 million. The City's property is not contiguous, but is split into lengths of roughly 1,100 feet and 370 feet. The City's property is adjacent to waterfront properties owned by the City of Redmond and King County. The East Lake Sammamish Trail is also adjacent to the City's waterfront parcels. City staff members are currently working with the City of Redmond to acquire adjacent waterfront parcels located within Sammamish City limits. City staff will also coordinate the master planning efforts with King County.

**Financial Impact:**

The contract with The Berger Partnership for consultant services is in the amount of \$188,204.00. A total of \$200,000 is allocated in the 2008 Budget (\$100,000 in 2008 and \$100,000 carryforward from 2007) for Sammamish Landing (Waterfront Park). This amount is intended to fund site investigation and completion of a master plan for the site.

A significant portion of the consultant's scope of work will be to complete a thorough site investigation before the master plan process begins. Unlike the master planning process for Evans Creek Preserve, the environmental constraints will be mapped upfront. A detailed inventory of wetlands, shorelines, steep slopes, along with a cultural resources assessment will be completed at the beginning of the process. In addition, a preliminary traffic analysis will be completed to provide guidance on how traffic, parking and pedestrian crossings could affect East Lake Sammamish Parkway.

At this point, cost allowances have been included in the contract for site surveying, the preliminary traffic analysis and cultural resources assessment. It may be possible to utilize surveying and traffic analysis work that is already underway for King County's East Lake Sammamish (ELS) Trail and the City's ELS Parkway projects. Parks staff will investigate this further as this may provide significant saving for the park project.

**Recommended Motion:**

Authorize the City Manager to sign the contract with The Berger Partnership for consultant services to complete the Master Plan and additional site analysis for Sammamish Landing.

**CITY OF SAMMAMISH  
AGREEMENT FOR SERVICES**

Consultant: The Berger Partnership PS

This Agreement is entered into by and between the City of Sammamish, Washington, a municipal corporation, hereinafter referred to as the "City," and The Berger Partnership PS, hereinafter referred to as the "Consultant."

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

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

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

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

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

The City shall pay Consultant:

[Check applicable method of payment]

According to the rates set forth in Exhibit "\_\_\_"

A sum not to exceed **\$188,204.00**

Other (describe): \_\_\_\_\_  
\_\_\_\_\_

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

3. **Duration of Agreement.** This Agreement shall be in full force and effect for a period commencing upon execution and ending December 31, 2009, unless sooner terminated under the provisions of the Agreement. Time is of the essence of this Agreement in each and all of its provisions in which performance is required.

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

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

6. **Indemnification.** The Consultant shall defend, indemnify and hold the City, its officers, officials, employees and volunteers harmless from any and all claims, injuries, damages, losses or suits including attorney fees, arising out of or resulting from the negligent acts, errors or omissions of the Consultant, in performance of this Agreement, except for injuries and damage caused by the sole negligence of the City.

**7. Insurance.**

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

**Minimum Scope of Insurance**

Consultant shall obtain insurance of the types described below:

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

**Minimum Amounts of Insurance**

Consultant shall maintain the following insurance limits:

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

**Other Insurance Provisions**

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

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

**Verification of Coverage**

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

**8. Record Keeping and Reporting.**

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

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

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

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

**10. Termination.**

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

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

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

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

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

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

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

**13. Conflict of Interest.** The City insists on the highest level of professional ethics from its consultants. Consultant warrants that it has performed a due diligence conflicts check, and that there are no professional conflicts with the City. Consultant warrants that none of its officers, agents or employees is now working on a project for any entity engaged in litigation with the City. Consultant warrants that for 2 years following termination of this contract, no officer, agent or employee of Consultant will enter into any contract or agreement with any entity that is currently engaged in litigation with the City or which is in the future engaged in or has threatened litigation with the City. It is the Consultant's duty and obligation to constantly update its due diligence with respect to conflicts, and not the City's obligation to inquire as to potential conflicts. This provision shall survive termination of this Agreement.

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

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

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

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

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

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

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

Company Name The Berger Partnership PS  
Contact Name Mr. Guy Michaelsen  
Street Address 1721 8<sup>th</sup> Avenue N.  
City, State Zip Seattle, WA 98109  
Phone Number 206.325.6877  
Email guym@bergerpartnership.com

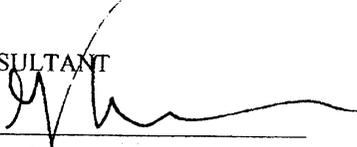
18. **Applicable Law; Venue; Attorneys' Fees.** This Agreement shall be governed by and construed in accordance with the laws of the State of Washington. In the event any suit, arbitration, or other proceeding is instituted to enforce any term of this Agreement, the parties specifically understand and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

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

CITY OF SAMMAMISH, WASHINGTON

CONSULTANT

By: \_\_\_\_\_

By: 

Title: City Manager

Title: PRINCIPAL, THE BERGER PARTNERSHIP

Date: \_\_\_\_\_

Date: 4/30/08

PS.

Attest/Authenticated:

Approved As To Form:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
City Attorney

4.30.08

Michael Shiosaki  
City of Sammamish, Parks and Recreation  
801 228<sup>th</sup> Avenue SE  
Sammamish, WA 98075



**The Berger Partnership PS**  
Landscape Architecture

**Fee Estimate for Landscape Architectural Services – City of Sammamish,  
Sammamish Landing Park Masterplan**

1721 8th Avenue N  
Seattle, WA 98109  
v 206.325.6877  
f 206.323.6867

[bergerpartnership.com](http://bergerpartnership.com)

Dear Mr. Shiosaki:

We are pleased to provide you with this fee estimate for work on the Sammamish Landing Park Masterplan. The following outlines our proposed landscape architectural services, with each phase of service described and a corresponding fee assigned. Tasks to be completed are detailed on the attached task worksheet and based on numerous assumptions which we have attempted to detail herein.

**Phase 1: Inventory, Site Analysis & Project Scoping**

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Work in this phase is to include those tasks identified on the attached task worksheet and as noted in the assumptions in this fee estimate:

1. This phase of work is assumed to run from approximately May through mid August 2008.
2. The purpose of this phase is to gather and compile background information that will form the baseline conditions from which the planning effort will proceed. Findings from meetings with Parks, King County and other appropriate agencies will help build background on potential park needs. The city will provide all available site information including survey documentation which will be supplemented with additional survey work completed as part of this scope. A detailed site inventory of shoreline and wetland habitat and steep slopes will be completed. Preliminary traffic analysis will also be completed to provide guidance on how traffic, parking and pedestrian crossing will affect East Sammamish Parkway. Public outreach during this phase may include a mail-based survey (potentially internet) developed with the City to invite public input and to serve as the public involvement kick-off and advertising for upcoming meetings. This phase will also include meetings with the Parks Board and City Council Session.
3. Deliverables in this phase include:
  - Base drawing of park (to serve as a basis for all further masterplan development).
  - Updated comprehensive site survey



- Analysis drawings, hand or CAD generated as determined by Landscape Architect. (Landscape Architect is to retain drawings during design process, copies available to the City on request.)
- Existing conditions narrative
- Draft and Final Shoreline delineations memo and map
- Wetland delineation report and figures
- Wetland ECA report and figures
- Steep Slopes map
- Baseline Traffic analysis report
- Cultural Resources Assessment

### **Phase 2: Park Programming**

---

Work in this phase is to include those tasks identified on the attached task worksheet and as noted in the assumptions in this fee estimate:

1. This phase of work is assumed to run from mid August through September 2008.
2. In this phase the overall park program will begin to emerge based on the realities of the site (identified in the Inventory & Analysis) and on the desires of the public (from both the survey and first public meeting), city council, Parks Commission and the Parks Department and King County. Based on this input, an overall park program will be developed. This park program may also be influenced by permit and schedule implications and realities and will include a meeting with permitting agencies to review preliminary park program for any "red flags."
3. Potential deliverables in this phase include:
  - Preliminary park program.
  - Permit requirement and strategy report

### **Phase 3: Master Plan Development**

---

Work in this phase is to include those tasks identified on the attached task worksheet and as noted in the assumptions in this fee estimate:

1. This phase of work is estimated to run from mid July through mid October 2008.
2. Based on findings and initial park programming, 2-3 design alternatives will be developed with input and review from Parks and King County in preparation for the second community workshop, and Parks Commission and City Council meetings. Following this round of input, the alternatives



will be refined into a preferred plan. Supporting documents and graphics are prepared and refined throughout this phase, leading to the third round of public commission and council meetings, after which the preferred concept will be further refined (refinements are assumed to be "tweaks" at this point as opposed to significant changes to program and character). From this point, the final masterplan package is developed to include summary of the process, Probable Costs of Construction, draft SEPA checklist, final narrative and drawings.

3. The final report will be 8-1/2 x 11 documents with final project drawings, project description narrative, cost estimates and graphics. Final report provided as 1 hard copy and electronic version on disk. Project illustrative drawings will be provided electrically as well as large scale hardcopy (24x36 or 30x42).
4. Deliverables in this phase, assembled in a final report form, are as follows:
  - Final park program and character
  - Final preferred design
  - Cost estimate
  - Project phasing scenarios/recommendations
  - Draft SEPA checklist

### **Assumptions**

We have made the following assumptions in preparing this fee estimate:

1. We will develop a base drawing of the park based on information provided by the city (and trail ROW survey from the county) to be supplemented with additional delineation and survey work included in this scope.
2. The level of detail of plan drawings will be adequate to convey location and character of elements and identify environmental impacts and concerns. As drawings are further developed (i.e., from initial schemes to preferred scheme), drawings and documentation will become more detailed to allow approximate quantity take-offs for preparation of the probable cost of construction.
3. The City of Sammamish will be responsible for all scheduling, venue coordination, notification and sign-in sheets for public input opportunities. The Berger Partnership will coordinate agenda, mailers, etc., with the City and lead these meetings as required, providing meeting summaries of key issues and themes.
4. Parks coordination meetings noted on the attached task worksheet (in bold) reflect meetings with Parks staff and any other relevant city agencies/departments invited by Parks. The focus of these meetings is to



get input and approval to build on current design progress including drawings and program elements.

5. The Sammamish Landing team, with The Berger Partnership as prime consultant, includes three subconsultants with defined scope and fee allowances included in this proposal: Anchor Environmental for wetland and environmental assessment, Perteet for land surveying Services, Northwest Archaeological Associates, Inc. for Cultural Resources assessment and David Evans and Associates for traffic analysis.
6. Fees for both Perteet and David Evans and Associates are denoted as "allowances". These are intended to be conservative estimates from these consultants, based on information in hand. Upon better definition of existing information/base line conditions, these scopes will be finalized with possible fee reductions to the allowances.
7. Fees for Northwest Archaeological Associates, Inc. are denoted as an "allowance". This is intended to be conservative estimate, based on information in hand. Upon better definition of existing information/base line conditions, these scopes will be finalized with possible fee reductions to the allowances. The cultural Resources Assessment will be:
  - Completed to Federal Funding Level, meaning that should federal funding pursued, the city would have necessary information in hand.
  - Identify the area of potential effect and identify likelihood of cultural/archeological issues that may arise and shape the master Plan process. (If archeological issues are found to exist, this fee does not involve all logistics/documentation to resolve such issues)
  - Provide historical research into the Campbell Lumber company, located on or adjacent to the northern boundary, and the historic town of Adelaide.
8. While the plan may identify public art opportunities, coordination of specific art works and collaboration with artists is not included in this proposal.
9. This proposal assumes a SEPA checklist will be completed for the project but assumes a full EIS process will NOT be triggered.
10. Design alternatives, derivative plans and preferred concept plans may be completed by hand, in CAD, or a combination of both as determined by the Landscape Architect for project efficiency and to meet the masterplan project objectives.



11. The final Masterplan Report will be developed to an appropriate level of detail to identify program elements, recommended locations, and design character of the park. The resulting cost estimates will be based on these plans but will also contain allowances for the yet to be developed fully detailed concepts.
12. Cost estimates will be prepared in Phase 3 based on the preferred concept. This cost estimate will quantify elements based on a masterplan level of detail, with allowances for yet to be developed detail. Due to the limited level of detail associated with a masterplan, all costs cannot be precisely defined at this stage. (A more definitive estimate of probable construction costs would typically be prepared at later stages of a project's development.)
13. No permit preparations or application is included in this fee estimate.
14. Presentations beyond those noted on the attached task list will be made upon your approval and will be billed on an hourly basis.
15. The construction budget and schedule for the implementation of design improvements is not known at this time.
16. This fee agreement will be for a lump sum fee billed monthly for percentage completed.

### **Schedule Considerations**

---

Please note that the schedule included in this fee proposal is estimated. There is room to adjust the schedule both ways, lengthening the timeline (sometimes required due to scheduling of numerous public, commission and council meetings) or shortening the timeline, which we feel is a realistic consideration and within our capabilities (again, we suspect scheduling of key input meetings will be the driving scheduling factor).

### **Fees**

---

Based on the scope of services at this time, we have established a lump sum fee for landscape architectural services as follows:

Phase 1- Inventory, Site Analysis and Project Scoping	\$106,051.00
Phase 2 - Synthesis & Preliminary Concept Development	\$27,893.00
Phase 3 - Concept Dev., Costing, and Final Report	<u>\$54,260.00</u>
Total	\$188,204.00

Fees will be billed monthly based upon the percentage of work completed. This percentage will be based on hours, milestones and deliverables. Services beyond those noted in this proposal will be billed as additional services on an hourly basis as follows, or lump sum fees can be negotiated:



Principal (Guy Michaelsen)	\$160.00 per hour
Associate (Andy Mitton)	\$105.00 per hour
Landscape Architectural Staff	\$75.00 per hour
Administrative Staff	\$50.00 per hour

Printing, reprographic expenses, CAD plots, film, travel costs, and other reimbursable expenses will be billed in addition to the above sum, including a 10% administrative mark-up.

We are excited to work with you, the citizens of Sammamish, the Parks Commission, and City Council to help make Sammamish Landing a great waterfront park for the City. We look forward to the opportunity to address any questions or additional information you may need in reviewing this fee estimate.

Sincerely,

**The Berger Partnership PS**

Guy Michaelsen  
Principal

Andy Mitton  
Associate

EXHIBIT B



# REQUEST FOR CONSULTANT PAYMENT

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

Invoice Number: \_\_\_\_\_ Date of Invoice: \_\_\_\_\_

Consultant: \_\_\_\_\_

Mailing Address: \_\_\_\_\_  
\_\_\_\_\_

Telephone: \_\_\_\_\_

Email Address: \_\_\_\_\_

Contract Period: \_\_\_\_\_ Reporting Period: \_\_\_\_\_

Amount requested this invoice: \$ \_\_\_\_\_

Specific Program: \_\_\_\_\_

\_\_\_\_\_  
Authorized signature

**ATTACH ITEMIZED DESCRIPTION OF SERVICES PROVIDED**

**For Department Use Only**

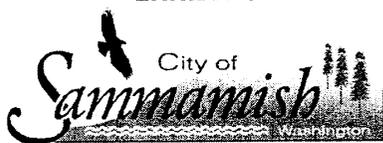
Total contract amount	
Previous payments	
Current request	
Balance remaining	

Authorization to Consultant: \$
Account Number:
Date:

Approved for Payment by: \_\_\_\_\_ Date: \_\_\_\_\_

<b>Finance Dept.</b>	
Check # _____	Check Date: _____

EXHIBIT C



## TAX IDENTIFICATION NUMBER

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

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

Please check the appropriate category:

Corporation                       Partnership                       Government Consultant  
 Individual/Proprietor                       Other (explain)

TIN No.: 91-1122916

Social Security No.: \_\_\_\_\_

Print Name: The Berger Partnership PS

Title: \_\_\_\_\_

Business Name: The Berger Partnership PS

Business Address: 1721 8th Ave N, Seattle WA 98109

Business Phone: 206 325 6877

4/30/08  
Date

Cherise Dwyer  
Authorized Signature (Required)



## CITY COUNCIL AGENDA BILL

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**Subject:**

On-call Development Review Engineering Services  
Contract Amount Increase

**Meeting Date:** May 6, 2008**Date Submitted:** April 22, 2008**Originating Department:** Public Works**Action Required:**

- Authorize the City Manager to execute a Contract Supplemental Amendment with Roth Hill Engineering Partners, LLC, for additional On-call Engineering Services related to Development Review Assistance

**Clearances:**

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> <b>City Manager</b> | <input type="checkbox"/> <b>Police</b>   |
| <input checked="" type="checkbox"/> <b>Public Works</b> | <input type="checkbox"/> <b>Fire</b>     |
| <input type="checkbox"/> <b>Building/Planning</b>       | <input type="checkbox"/> <b>Attorney</b> |

**Exhibits:**

1. Supplemental Agreement, Amendment #2

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**Budgeted Amount:** Money for these services is budgeted in the General Fund (001-040) within the Public Works Engineering Program. In 2008, the City Council adopted budget contained a total of \$100,000 appropriated in this budget for Engineering and Professional services.

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**Summary Statement:**

This contract amendment will increase the contract authorization with Roth Hill Engineering Partners, LLC for additional On-call engineering services for development review by \$50,000 to a total authorization of \$100,000. This authorization will be used for On-call development review.

Typically, the consultant is asked to review drainage reports and roadway & storm drainage system construction documents associated with the review of development proposals. This on-call work aids City staff in providing consistent, thorough, and timely project review.

All costs associated with this service are reimbursed to the City by project developers.

**Background:**

In January 2008, the City entered into a contract with Roth Hill Engineering Services, LLC for On-call development review services to supplement the services being provided by city staff. The contract authorization was for \$50,000. This current authorization has been nearly expended. Supplemental Agreement, Amendment #1 extended the scope of work to allow HWA GeoSciences as a subcontractor for review of geotechnical reports and engineering plans related to landslide, drainage, erosion, and construction. The supplement was dated March 4, 2008 and approved on March 20, 2008. The currently proposed Supplemental Agreement Amendment #2 would increase the contract authorization with Roth Hill to a total not to exceed amount of \$100,000.

**Financial Impact:**

There is no direct financial impact resulting from this contract amendment as all incurred costs are billed to development applications and reimbursed to the City. The requested total contract not to exceed amount is within the adopted 2008 budget amount.

**Recommended Motion:**

Move to authorize the City Manager to execute a Contract Amendment in the amount of \$50,000 with Roth Hill Engineering Services, LLC for additional On-call engineering services for development review, resulting in a total contract amount not to exceed \$100,000.



## SUPPLEMENTAL AGREEMENT

Amendment Number: <b>2</b>	Date: <b>April 30, 2008</b>
Project: <b>On-Call Engineering Services Development Review</b>	City Project number: <b>N/A</b>
Consultant: <b>Roth Hill Engineering Partners, LLC</b>	Contract Number: <b>C2008-102</b>

The City of Sammamish desires to amend the agreement with Roth Hill Engineering Partners, LLC for on-call development review engineering services. All provisions in the basic agreement remain in effect except as expressly modified by this amendment.

The changes to this agreement are described as follows:

- Increase the contract amount by \$50,000 to a total of \$100,000.

PAYMENT shall be amended in accordance with the referenced contract number C2008-102 consultant fee determination and as summarized as follows:

Original Contract Amount:	Current Contract Amount	Estimated Net Change This Amendment	Estimated Contract Total After Change
<b>\$ 50,000</b>	<b>\$ 50,000</b>	<b>\$ 50,000</b>	<b>\$ 100,000</b>
<div style="display: flex; justify-content: space-between; align-items: center;"> <div style="border-top: 1px solid black; width: 80%;"></div> <div style="border-top: 1px solid black; width: 15%; text-align: center;">Date</div> </div> <p>Roth Hill Eng. Partners, LLC.</p>		<div style="display: flex; justify-content: space-between; align-items: center;"> <div style="border-top: 1px solid black; width: 80%;"></div> <div style="border-top: 1px solid black; width: 15%; text-align: center;">Date</div> </div> <p>City of Sammamish</p>	

**COUNCIL**  **MINUTES**

**Regular Meeting  
February 19, 2008**

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

**Councilmembers present:** Mayor Lee Felling Deputy Mayor Don Gerend, Councilmembers Jack Barry, Mark Cross, Michele Petitti and Nancy Whitten (arrived 6:40 pm).

**Councilmember absent:** Councilmember Kathleen Huckabay

**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**

Roll was called. Councilmember Petitti led the pledge.

MOTION: To excuse Councilmember Whitten and Huckabay. Motion carried unanimously 5-0.

**Public Comment**

**Carl Schwarz:** He spoke in favor of a US postal office.

**John Galvin:** He commented on the Town Center Plan. He has concerns with minimum to maximum return on residential density. It was suggested the Council look at additional commercial opportunities.

**Approval of Agenda**

MOTION: To approve the agenda. Motion carried unanimously 6-0.

**Proclamations/Presentations:** None

**Student Liaison Report:** None

**Consent Calendar:**

- Payroll for pay period ending January 31, 2008 for pay date February 5, 2008 in the amount of \$221,459.52
- Approval: Claims for period ending February 19, 2008 for Check No. 20103

through Check No. 20232 in the amount of \$1,174,136.15

- **Resolution: Adopting A Policy For Program And Event Sponsorships (R2008-317)**
- **Resolution: Approving The 2008 Work Program And Budget For A Regional Coalition For Housing (ARCH) (R2008-318)**
- **Resolution: Approving The Transfer Of Budgeted Sammamish Funds To The Housing Trust Fund Administered By A Regional Coalition For Housing (R2008-319)**
- **Interlocal: An Agreement for the use of SHB 2060 Local Low Income Housing Funds in King County/ARCH**
- **Contract: 2008/2009 Storm Sewer System Cleaning/Action Services Corporation**
- **Contract: 2008/2009 Street Sweeping Contract/Action Services Corporation**
- **Approval: Minutes for February 5, 2008 Regular Meeting**

**MOTION:** To approve the consent calendar. Motion was seconded.

**AMENDMENT:** To remove item #2 (Noelke Property resolution) from the consent calendar and place it as the next item under new business. Motion carried unanimously 6-0.

**MOTION:** To approve consent calendar as amended. Motion carried unanimously 6-0.

**Public Hearing:** None

**Unfinished Business:** None

### **New Business**

#### **Town Center Recommendation:**

Community Development Director Kamuron Gurol and Planning Commissioner Bob Keller presented the Planning Commission's recommendation on the Town Center. Their presentation addressed public involvement, Planning Commission's motions, changes and rationale of each recommendation, summary of timetable, and vision statement. Motions included commercial development caps, residential development caps, mixed-use development on the West side of 228<sup>th</sup>, A-4 zone in SW quadrant, stormwater management/LID, transfer of development rights, designation of properties in the Southeast quadrant, Lake Washington School District property, allow for limited single family residential in "B" zones, local transit options, traffic calming designs, destination park, and transit oriented development. (See packet materials for a list of complete recommendations)

**Resolution: Selecting the "Noelke" Property Located Along 244th Avenue NE At NE 18th Street As The Preferred Location For The City's New Parks And Public Works**

**Infrastructure Maintenance Facility.**

City Manager Yazici gave the staff report. The Kellman property and the Noelke property were both considered as options to build and operate a maintenance facility. After analysis of both sites, the Noelke property was chosen as the preferred site.

**MOTION:** To approve a resolution selecting the Noelke property located along 244<sup>th</sup> Avenue as a preferred site for the City's New Parks and Public Works Infrastructure Maintenance Facility. Motion carried unanimously 6-0. (R2008-316)

**Council Reports**

**Councilmember Barry:** He commented on a recent housing report suggesting prices of homes have increased due to stringent land use regulations and the price tags associated with those improvements. In addition, Councilmember Barry announced that the 2008 Sammi Awards will take place on March 8th.

**Councilmember Cross:** He has concerns with commercial signs bigger than 4x8 feet and whether they are legally sited. If these are legal, he suggests the Council revisit the sign ordinance.

**Deputy Mayor Gerend:** He complimented the connection between the Hazel Wolf Wetland Trail and the Soaring Eagle Park.

**Councilmember Whitten:** She encouraged any member of the Sammamish Youth Board to attend PIC meetings.

**Councilmember Petitti:** She reported on Suburban Cities Association event Saturday, March 29th at the Mercer Island Community Center. The focus of the meeting is investing in youth. Lynne Handlos will be inviting the Sammamish Youth Board and Councilmember Petitti recommends the City pay for any costs associated with the youth's attendance at the meeting. Any student that would like to attend is encouraged to contact Michele Petitti.

**Mayor Felling:** Reported on a possible community center/youth facility in partnership with the YMCA and Boys n Girls Club. He also suggested that such a facility could also be used as a Senior Center. He attended a class called Leadership Eastside with Dawn Sanders and Michele Petitti.

**City Manager Report**

City Manger Yazici presented a new option for design to Pine Lake park turn around. A new option was presented with a pull out rather than the roundabout. Councilmember Petitti suggested adding room for 2 additional cars in the pullout.

He reported on a code violation that recently occurred within the entrance to Evans Creek Preserve. Trees were cut down on the property. The City intends to prosecute the violator.

*PRELIMINARY*

Updates on the Section 36 transfer were presented. King County tentatively has this item on their council agenda for February 25<sup>th</sup> at 1:00 p.m. Parks Director Jessi Richardson will attend.

City Manager Yazici requested Council look at their calendars and get back to him with possible dates for a joint meeting with the Issaquah School District.

City Manager Yazici also reported on maintenance contracts. After awarding the contracts, the State prevailing wage rate has increased from \$8.42 per hour to \$14.42 per hour. The City is required by State Law to pay the rate increases. Impacts to the budget have increased \$31,424 due to the new rates.

Seattle Times articles and the housing report were distributed to Council Members.

**Executive Session** – Litigation RCW 42.17.110 (1)(i)

City Council retired to executive session at 9:00 p.m. and returned at 9:37 p.m. No action was taken.

**MOTION:** To adjourn. Motion carried unanimously 6-0.

Meeting adjourned at 9:40 p.m.

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Stacy Herman, Deputy City Clerk

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Lee Felling, Mayor



# *STUDY SESSION NOTES*

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## **Study Session April 8, 2008**

Mayor Lee Fellingge opened the Joint Meeting/study session of the Sammamish City Council at 6:30 pm.

### **Public Comment:**

### **Topics:**

- **2008 Comp Plan Amendments**
  - **Planning Commission Recommendations Potential Annexation Areas and Docket**
  - **Town Center Housing Chapter**

Community Development Director Kamuron Gurol gave the staff report

### ➤ **Purchasing Manual**

Assistant City Manager/Finance Director and Finance Specialist Marlene Dunham gave the staff report.

**Close Study Session**

**9:00 pm**

**COUNCIL**  **MINUTES**

**Regular Meeting**  
**April 15 2008**

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

**Councilmembers present:** Mayor Lee Felling, Deputy Mayor Don Gerend, Councilmembers Jack Barry, Mark Cross, Kathleen Huckabay, and Nancy Whitten.

**Councilmembers absent:** Councilmember Michele Petitti

**MOTION:** Deputy Mayor Gerend moved to excuse Councilmember Petitti. Councilmember Cross seconded. Motion carried unanimously 6-0.

**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**

Roll was called. Boy Scout Troup # 682 led the pledge.

**Public Comment**

Juliana Pasch, 24102 NE 6<sup>th</sup> Place, She invited everyone to attend the May 21, Grand Opening of the Farmers Market. It will take place at Sammamish Commons beginning at 4:00 pm. Following this event the market will be open every Wednesday from 4:00 to 8:00 throughout the summer.

Heidi Bohan, 29505 NE 189<sup>th</sup> Street, She is the Farmer's Market Manager. She updated the Council on who the venders will be at the market. The market is looking to be very successful.

**Approval of Agenda**

**MOTION:** Deputy Mayor Gerend moved to approve the agenda. Councilmember Cross seconded. Motion carried unanimously 6 -0.

**Student Liaison Reports**

**Skyline Student Liaisons** (*Kim Lammers*): No Report

**Eastlake Student Liaison** (*Michelle Holmes*):

WASL testing began this week. The Jazz Band will perform on Friday. The Spring Musical will begin next Thursday. Next Tuesday, students from the Leadership Class will go to Juanita High School to participate in an inter-school event. ASB elections will take place on April 28. Advisories are participating in a “Pennies for Patients” drive to help fight leukemia.

### **Proclamations/Presentations**

- **Proclamation: Day of Prayer**

WHEREAS, on April 17, 1952, the Congress of the United States approved the Joint Resolution to provide for setting aside an appropriate day as a National Day of Prayer (Public Law 82-324; 66 Stat. 64); and

WHEREAS, the history of our nation is indelibly marked with the role that prayer has played in the lives of individuals and the nation; and

WHEREAS, historically our greatest leaders have turned to prayer in times of crisis and thanksgiving; and

WHEREAS, the virtues of prayer reflect a common bond; hopes and aspirations, sorrows and fears, repentance and renewed resolve, thanks and joyful praise, and love; and

WHEREAS, our nation celebrates the 57<sup>th</sup> anniversary of the National Day of Prayer on Thursday, May 1, 2008, and

WHEREAS, the Governor of the state of Washington, Christine O. Gregoire, has proclaimed May 1, 2008 as the Day of Prayer in Washington state;

NOW, THEREFORE, the Sammamish City Council does hereby proclaim May 1, 2008 as the

#### **DAY OF PRAYER**

In the city of Sammamish, in keeping with the wishes of the Congress of the United States and Governor of the state of Washington, and urge all citizens to join us in this special observance.

- **Presentation: Skyline High School Cheerleaders**

The Mayor introduced Stephania Lemschka and Casey Johansen, Coaches of the Skyline High School Cheerleading Squad. This year the team won the State Championship for the Large Squad Division. They showed a video of their winning performance.

### **Planning Commission Recommendation for 2008 Comprehensive Plan**

Planning Commission Chair, Erica Tiliacos made a brief presentation explaining the Planning Commission recommendations and took questions from the Council. She explained that the area known as the “Notch” was not included in the PAA recommendation because many of the

residents do not want to be included, and there are many sensitive areas within it. Although most Commissioners agree that Duthie Hill Road is a natural boundary for the Urban Growth Boundary, some Planning Commission members felt that the process for including this area was not done properly. It could be considered again in the next four year process for amending the Potential Annexation Areas. The Mystic Lake area is also encumbered by large sensitive areas but could be zoned to R-4 because of the net density requirements. This would provide for better protection of the area. If it was developed under the County it could be built out at a higher density, the County would collect the impact fees, and after it was built out, they would probably petition for annexation anyway.

### **Consent Calendar**

**Payroll for pay period ending March 31, 2008 for pay date April 4, 2008 in the amount of \$216,068.21**

**Approval: Claims for period ending April 15, 2008 for Check No. 20512 through Check No.20622 in the amount of \$514,494.52**

**Resolution: Establishing Purchasing Policies**

**Contract: Non-Motorized Project List/Gray & Osborne**

**Agreement: Bus Route 269/King County**

**Purchase: Radar Guns**

**Approval: April 1, 2008 Regular Meeting Minutes**

**MOTION: Deputy Mayor Gerend moved to approve the consent agenda. Councilmember Whitten seconded. Motion carried unanimously 6-0.**

### **Public Hearing**

**Ordinance: First Reading Amending The City Of Sammamish Municipal Code To Refine And Clarify Administrative Procedures Related To The Issuance Of Interpretations Of The Development Code, And Amending Certain Other Chapters Of The City Of Sammamish Municipal Code To Ensure Consistency With Chapter 5 Of Title 21A Of The Sammamish Municipal Code**

Community Development Director Kamuron Gurol gave the staff report. He explained the reason for the ordinance and recommended that the Council take public comment, and then continue the second reading to a date to be determined to allow more time for consideration of this ordinance. The major change this ordinance makes to existing code is to allow for an appeal of a code interpretation.

Public Hearing opened at 7:20 pm. There was no public comment. The public hearing was continued to a time yet to be determined.

## **2008 Comprehensive Plan Amendments:**

**Ordinance amending The City Of Sammamish Comprehensive Plan Land Use Element, Figure III-2, For The Purpose Of Changing The Land Use Designations Associated With The Kaschko Property**

**Ordinance Amending The City Of Sammamish Zoning Map For The Purpose Of Rezoning 30.46 Acres Associated With The Kaschko Docketed Comprehensive Plan Amendment**

**Ordinance Amending The City Comprehensive Plan Land Use Element Including: Revising Land Use Policies And Figures III-2 And III-2a For The Designating Purpose Of Additional Potential Annexation Areas And Designating Contingent Land Uses Associated With Such Potential Annexation Areas**

### **Ordinance Amending The City Zoning Map To Designate Contingent PAA Zoning**

Community Development Director Kamuron Gurol gave the staff report. Before he began his report, City Manager Ben Yazici recused himself from all discussion on these ordinances. Mr. Gurol explained that there are three components to the 2008 Comprehensive Plan changes. Council will be considering two of those components tonight and will consider the third component at a future meeting. The third component consists of the Town Center. Mr. Gurol explained that the schedule for approval of these two components will come before the Council for adoption on Monday, April 21, 2008, but they will not become effective until the Town Center Plan ordinance becomes effective, probably on June 6, 2008. Deputy Mayor Gerend pointed out that one of the “Whereas” clauses states that the “City Council desires to designate all areas within the City’s Urban Growth Boundary as potential annexation areas”. He suggested adding language that includes “or as the Urban Growth Boundary may be amended in the future”. Mr. Gurol will add language to reflect that before the ordinance comes back for the second reading. In response to a question from Councilmember Whitten, Mr. Gurol explained that staff is recommending R-4 zoning for the Mystic Lake area because the property owner has requested that designation from King County, it is adjacent to R-4 Zoning on two sides and that the City’s net density requirements will better protect the sensitive areas.

Public Hearing opened at 7:30 pm

Zenetta Fontas, PO Box 626, Renton, She spoke in favor of the R-4 zoning being proposed for Mystic Lake. R-4 zoning within the City would result in approximately the same number of lots as R-1 zoning under the County. She also favors removing the P suffix from some of the potential annexation areas.

John Kaschko, 629 234<sup>th</sup> Avenue SE, Submitted written comments (Exhibit 1).

Fred Forg, 601 234<sup>th</sup> Avenue SE, He is requesting the zoning change to his property because he is surrounded by commercial property and higher density developments.

Aysel Sanderson, Paul Brenna, Aaron Chausee, Alan Kaufer, Barbara Kaufer, They presented a PowerPoint Presentation (Exhibit #3) (Available upon request or at the City's website at [www.ci.sammamish.wa.us](http://www.ci.sammamish.wa.us).)

Peggy Braeutigam, 2640 271 Avenue SE, While she sympathizes with her neighbors who are in favor of the annexation, she feels they have presented some misinformation in their presentation. She is also concerned that the nature of their property will be changed by this annexation.

**MOTION: Councilmember Cross moved to continue the public hearing to April 21, for additional comment. Councilmember Whitten seconded. Motion carried unanimously 6-0.**

Public Hearing was continued until April 21, 2008.

Council recessed from 8:25 to 8:40 pm

**Unfinished Business - None**

**New Business - None**

### **Council Reports**

Councilmember Barry reported that the Lake Washington Schools foundation will be having a fundraising luncheon soon. He invited everyone to attend.

Mayor Felling attended the last Arts Commission Open House. He invited everyone to attend their next event on May 20<sup>th</sup>. Landscape painters will be on display from September to November.

### **City Manager Report**

- **Impact Fee Report**  
Deputy Finance Director Aaron Antin gave the staff report.
- **Permit Center Improvements**  
Mr. Yazici gave an update on the permit center improvements. These improvements have generated a list of code amendments that will help streamline the permit process. Staff is recommending that Council direct them to proceed with these changes and that the Planning Commission be directed to consider them quickly. Council was given a list of proposed code amendments. Mr. Yazici will come back to Council with additional information on the recommendation for a new SEPA exemption for "infill development.

Meeting adjourned at 9:15 pm

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Melonie Anderson, City Clerk

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Lee Felling, Mayor



## Memorandum

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**Date:** April 30, 2008  
**To:** City Council  
**From:** City Clerk  
**Re:** Amended Minutes for June 19, 2007

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**While staff was preparing documents to close out the JR Hayes contract for the 228<sup>th</sup> Street Sidewalk project, it was noted that the authorization the expenditure of funds for this project was not specifically written in the minutes. After reviewing the video tape of the meeting, the minutes have been amended to clearly include this authorization and these minutes are being offered for re-approval.**

# COUNCIL MINUTES

## Regular Meeting June 19, 2007

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

**Councilmembers present:** Mayor Mark Cross, Deputy Mayor Lee Felling, Councilmembers Don Gerend, Kathleen Huckabay, Michele Petitti and Nancy Whitten.

**MOTION:** Councilmember moved to excuse Councilmember Barry. Councilmember seconded. Motion carried unanimously 6-0.

**Staff present:** City Manager Ben Yazici, Deputy City Manager Pete Butkus, Assistant City Manager/Finance Director Lyman Howard, Public Works Director John Cunningham, Community Development Director Kamuron Gurol, Parks & Recreation Director Jessi Richardson, Administrative Services Director Mike Sauerwein, Police Chief Brad whatever, Fire Chief Lee Soptich, City Attorney Bruce Disend, and City Clerk Melonie Anderson.

### **Roll Call/Pledge**

Roll was called. DNR Commissioner Doug Sutherland led the pledge.

### **Public Comment**

Reid Brockway, 167 E Lake Sammamish Shore Lane NE, spoke regarding the day-lighting project at Zaccuse Creek. He believes this project will allow Kokanee to migrate up the creek, which they currently do not do. He praised the City for following through on this project. Unfortunately, he feels the day-lighting project will present restrictions on his being able to enlarge his current home because it turns the creek into a salmon bearing stream and will bring different rules into place.

### **Approval of Agenda**

**MOTION:** Councilmember Gerend moved to approve the agenda. Deputy Mayor Felling seconded. Motion carried unanimously 6-0.

### **Proclamations/Presentations**

- **Presentation: Sammamish Youth Board Liaison Plaque**  
Mayor Cross presented a perpetual plaque to Robert Baxter, the first Sammamish Youth Board Liaison and Laura Hawkinson, the current Youth Board Liaison.

- **Presentation: Commissioner Department of Natural Resources**  
Mayor Cross and Deputy City Manager Pete Butkus presented Department of Natural Resources Commission Doug Sutherland with a plaque in recognition of his work in transferring a tract of property adjoining Evans Creek Preserve from DNR to the City.
- **Presentation: J. Robert Havlick Award/E Gov**  
Assistant City Manager/Finance Director Lyman Howard presented City Manager Ben Yazici and the City Council with the J. Robert Havlick Award in Local Government, recognizing their leadership in the E-Gov Alliance.

**Consent Calendar**

**Payroll for pay period ending May 31, 2007 for pay date June 5, 2007 in the amount of \$214,391.46**

**Approval: Claims for period ending June 19, 2007 in the amount of \$1,353,288.56 For Check No.18288 through Check No.18377**

**Ordinance: Second Reading Amending Title 16, Buildings And Construction, Of The Sammamish Municipal Code By Amending Chapter 16.05, Construction Codes; 16.20, Construction Administrative Code; And 16.25, Sammamish Building And Property Maintenance Code (O2007-214)**

**Resolution: Granting Final Plat Approval To The Plat Of Moravan (Aka Windsor Fields) Subdivision (R2007-276)**

**Resolution: Accepting The City Of Sammamish East Lake Sammamish Parkway/Louis Thompson Rd NE Traffic Signal Project As Complete (R2007-277)**

**Resolution: Accepting the City of Sammamish 228th Avenue Phase 1C2 Paving and Illumination from SE 8th Street to NE 12th Street Project as complete (R2007-278)**

**Resolution: Approving Public Benefit Rating System, Current Use Assessment For Alan, Joann And Bjorn Anderson Tax Parcel No. 217750-0425 (R2007-279)**

**Bid Award: Amateur Radio (HAM) Equipment/Amateur Radio Equipment**

**Contract: Pavement Management System/Northwest Management Systems**

**Contract: Town Center Economic Analysis/Community Attributes**

**Approval: Debt Service Fund Increase/Public Works Trust Fund**

**Amendment: Wetland Review/ESA Adolfsen**

**Amendment: Custodial Services Beaver Lake Lodge/ABS**

**Amendment: On-Call GeoTech/Kleinfelder**

**Amendment: Town Center/Makers**

MOTION: Consent Agenda was approved unanimously 6-0.

**Public Hearing**

**Resolution: Adopting An Updated Six-Year Transportation Improvement Plan For 2008-2013 (R2007-280)**

Public Works Director John Cunningham gave the overview. This list of projects has not changed since the 18 year plan was presented to the Council last year with exception of postponing improvements to Beaver Lake Drive and some changes to Trossachs Blvd. which will be completed by the developer.

There is no financial implication with the adoption of this plan. It does allow the Public Works department to apply for Transportation Improvement funds. Council directed staff to correct Project #14 to describe the project by replacing East Beaver Lake Drive with West Beaver Lake Drive.

Public Hearing opened at 7:25 pm.

**Public Comment**

Tom Melling, 1307 East Beaver Lake Drive, Representing the Beaver Lake Homeowners Association. He is glad that these projects are being delayed. He is trying to collect traffic information to see if any improvements are necessary at that intersection. The HOA is eager to be part of this process.

Public Hearing closed at 7:30 pm.

MOTION: Councilmember Gerend moved to approve the resolution adopting the Six Year Transportation Improvement Plan for 2008-2013. Deputy Mayor Felling seconded.

AMENDMENT: Councilmember Gerend moved accept Councilmember Huckabay's suggestion to change the wording in projects 2, 3 and 4 to say "widening with pedestrian facilities". Councilmember Petitti seconded. Amendment carried 5-1 with Councilmember Whitten dissenting

Motion carried as amended carried 5-1 with Councilmember Whitten dissenting

Councilmember Whitten is against the inclusion of the East Lake Sammamish Parkway project as she feels it will not improve the roadway in relation to its cost.

Mr. Cunningham explained that approving the TIP does not mean that Council is endorsing any particular plan or any design specifics.

**Public Hearing Continued/Second Reading: An Ordinance Vacating A Portion Of Unopened Beaver Lake Road (King County Survey 1-24-6-1)**

Mr. Cunningham gave the staff report. This is the continued public hearing and second reading of this ordinance. After the first reading staff was directed to bring back two ordinances, one including conditions and one without any conditions. Staff also brought back a third option, which provides for the applicant granting the City easements for right of way to improve Beaver Lake Drive. The area for easement dedications has been reduced since the last meeting. The applicants are still seeking the vacation without any conditions attached to it. The State Attorney Generals Office has advised that the City can choose to either charge or not charge for the vacated property. Our own Public Works Standards prohibits charging for the vacated property (PWS05.110) when it is being required by the City as part of a land use action.

Mayor Cross reopened the public hearing at 8:05 pm.

Alan Paschal, 1501 East Beaver Lake Drive, spoke in support of the council granting the vacation with no conditions. He contends that PWS 05.110 prohibits both charging money for the vacation or requiring any dedication of property.

Amy Paschal, 1501 East Beaver Lake Drive, She believes the street should be vacated without any conditions since this street should have been vacated by the County long ago.

Tom Melling, spoke previously, He agreed with Mr. Paschal.

Don Remberger, 1302 East Beaver Lake Drive, he believes the street should be vacated without any conditions.

Public Hearing closed at 8:15 pm

**MOTION:** Deputy Mayor Felling moved to approve the ordinance granting the street vacation with no conditions and allowing Staff to correct the survey information. Councilmember Huckabay seconded. Motion carried unanimously 6-0 (O2007-215).

**Unfinished Business - None**

Council recessed from 8: 30 pm to 8:35 pm.

**New Business**

**Resolution: Appointing Members to the 2007-2008 Sammamish Youth Board**  
Parks & Recreation Director Jessi Richardson gave the staff report.

**MOTION:** Councilmember Whitten moved to approve the resolution appointing the 2007/2008 Sammamish Youth Board. Councilmember Petitti seconded. Motion carried unanimously 6-0 (R2007-281).

**Approval: 228th Street Overlay-Change Order/King County**

Mr. Cunningham gave the staff report. The pavement condition along this street has suffered significant deterioration due to severe winter weather. Staff was able to initiate a change order with King County to include this project in the current summer's overlay program in an amount not to exceed \$500,000. These funds will allow for the repair of the roadway, the overlay and the replacement of the asphalt walkway portion of the 228<sup>th</sup> Walkway Project with concrete sidewalk

**MOTION: Councilmember Petitti moved to authorize the City Manager to sign a change order with King County to repair and overlay 228<sup>th</sup> from NE 12 to NE 25<sup>th</sup> Way in an amount not to exceed \$500,000. . In addition the City Manager is authorized to expend funds from the 2007 Sidewalk Project to replace the temporary asphalt sidewalk along the west side of 228<sup>th</sup> Avenue just south of NE 25<sup>th</sup> Way with a concrete sidewalk. Councilmember Gerend seconded. Motion carried unanimously 6-0.**

**Council Reports**

Councilmember Gerend and Deputy Mayor Fellingine attended the Association of Washington Cities Conference. He attended a Green Tool seminar.

Deputy Mayor Fellingine reported that Councilmember Gerend was chosen to serve on AWC Board of Directors.

Councilmember Whitten attended the PSRC PIC Committee meeting.

**City Manager Report**

**Buildable Lands Report**

Community Development Director Kamuron Gurol gave the staff report.

**Executive Session** – Contract Negotiations pursuant to RCW 42.30.110(1)(d) and litigation.

Council retired to Executive Session at 9:50 and returned at 10:35 pm.

No action was taken.

Meeting adjourned at 10:30 pm

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Melonie Anderson, City Clerk

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Mark Cross, Mayor



## CITY COUNCIL AGENDA BILL

**Subject:**

Public Hearing and first reading of an ordinance to extend Emergency Ordinance 2007-223– revisions to the Wireless Communication Facility (WCF) provisions of the Sammamish Municipal Code. This ordinance was approved by City Council on December 11, 2007.

**Action Required:**

First reading and public hearing  
Motion to approve

**Exhibits:**

1. Emergency Ordinance
2. Ordinance 2007-223

**Meeting Date:** May 6, 2008**Date Submitted:** April 29, 2008**Originating Department:** City Manager**Clearances:**

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> <b>City Manager</b>      | <input type="checkbox"/> <b>Police</b>              |
| <input type="checkbox"/> <b>Public Works</b>                 | <input type="checkbox"/> <b>Fire</b>                |
| <input checked="" type="checkbox"/> <b>Building/Planning</b> | <input checked="" type="checkbox"/> <b>Attorney</b> |

**Budgeted Amount:** N/A

**Summary Statement:** The Council directed that action be taken to change the existing WCF siting hierarchy to place collocation on existing structures as the highest priority [new Section 1, (1)]. Legal counsel suggested that to comply with federal agency decisions on hierarchy siting that new language should be added to cover a new (lowest) level within the hierarchy [new Section 1, (5)]. Both hierarchy changes were included in the Emergency Ordinance adopted on December 11, 2007. More permanent changes to the wireless communication provisions are still in process, necessitating an extension of the emergency ordinance.

**Background/Justification:** Thee changes have come about as a result of input from the City Technology Committee and public testimony before the City Council regarding siting hierarchy.

**Financial Impact:** N/A

**Recommended Motion:** Move that the Emergency Ordinance be approved and that the Council finds that an emergency exists and that immediate action is necessary.

**CITY OF SAMMAMISH  
WASHINGTON  
ORDINANCE NO. O2008-**

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**AN ORDINANCE OF THE CITY OF SAMMAMISH,  
WASHINGTON EXTENDING THE TEMPORARY  
INTERIM SITING HIERACHY FOR WIRELESS  
COMMUNICATION FACILITIES (WCF) OF SMC  
CHAPTER 21A.55 AS ADOPTED IN ORDINANCE  
2007-223; AND DECLARING AN EMERGENCY**

WHEREAS, the purpose of Chapter 21A.55 of the Sammamish Municipal Code (SMC), entitled Wireless Communication Facilities (WCF), 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 Technology Committee has recommended that the City Council give a higher priority in the siting hierarchy to collocation on existing poles or structures as set forth in Section 21A.55.060, SMC; and

WHEREAS, the City Council has discussed in open public meetings their desire to consider changes to the existing siting hierarchy standards as set forth in Section 21A.55.060, SMC, to give higher priority to collocation on existing poles or structures; and

WHEREAS, the City Council also desires to reduce potential for appeals of WCF siting standards to federal agencies by clarifying the conditions under which a WCF may be permitted when no reasonable alternative exists in higher-level siting hierarchies; and

WHEREAS, the City Council concluded that it is in the interest of the public health, safety and welfare to adopt and emergency ordinance to re-prioritize siting hierarchy standards;

WHEREAS, the City Council adopted Emergency Ordinance 2007-223 on December 11, 2007; and

WHEREAS, more permanent revisions to SMC 21A.55 are currently being prepared for public review and consideration by the Planning Commission and City Council; and

WHEREAS, the City Council finds that an emergency continues to exist, and desires to extend the interim siting hierarchy changes to allow completion of the more permanent SMC 21A.55 revisions;

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

Section 1. Ordinance No. 2007-223 is hereby renewed and extended for a period of six (6) months from the date of enactment of this ordinance.

Section 2.The Council does hereby find that an emergency exists, in light of the potential that applicants might “vest” applications seeking approval to for proposed wireless facilities without first seeking to co-locate on existing poles or structures. Therefore, immediate action is necessary. This ordinance shall be effective immediately upon passage by five (5) or more votes.

Section 3. This Ordinance shall be effective for a period of six months from the date of enactment unless: sooner terminated by action of the Council; or, renewed for one or more additional six-month periods as provided by state law.

Section 4. The recitals stated above (i.e., the "Whereas" clauses) constitute specific findings by the Council in support of passage of this ordinance. If any part or portion of this ordinance is declared invalid for any reason, such declaration of invalidity shall not affect any remaining part or portion.

**ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING  
THEREOF ON THE XX DAY OF MAY, 2008.**

CITY OF SAMMAMISH

\_\_\_\_\_  
Mayor Lee Felling

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:  
Date of Publication:  
Effective Date:

**CITY OF SAMMAMISH  
WASHINGTON  
ORDINANCE NO. O2007-223**

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**AN ORDINANCE OF THE CITY OF SAMMAMISH,  
WASHINGTON, AMENDING THE CITY ZONING  
CODE, SMC CHAPTER 21A.55, TO ADOPT  
TEMPORARY INTERIM SITING HIERACHY FOR  
WIRELESS COMMUNICATION FACILITIES  
(WCF); DECLARING AN EMERGENCY; AND  
SCHEDULING A PUBLIC HEARING**

WHEREAS, the purpose of Chapter 21A.55 of the Sammamish Municipal Code (SMC), entitled Wireless Communication Facilities (WCF), 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 Technology Committee has recommended that the City Council give a higher priority in the siting hierarchy to collocation on existing poles or structures as set forth in Section 21A.55.060, SMC; and

WHEREAS, the City Council has discussed in open public meetings their desire to consider changes to the existing siting hierarchy standards as set forth in Section 21A.55.060, SMC, to give higher priority to collocation on existing poles or structures; and

WHEREAS, the City Council also desires to reduce potential for appeals of WCF siting standards to federal agencies by clarifying the conditions under which a WCF may be permitted when no reasonable alternative exists in higher-level siting hierarchies; and

WHEREAS, the City Council has concluded that it is in the interest of the public health, safety and welfare to adopt this emergency ordinance to re-prioritize siting hierarchy standards;

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

Section 1. Sammamish Municipal Code Chapter 21A.55 is hereby amended to read as follows:

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, 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 2e. The applicant then moves to hierarchy 3 and is able to propose a site.

(1) Collocation with existing WCF, concealed or non-concealed.

- (a) That requires no increase in pole or structure height.
- (b) That requires an increase in pole or structure height which shall comply 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) New Non-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) In any nonresidential zoning district.
- (d) 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 location not falling within categories 1 through 4 when no reasonable alternative exists.

Section 2. The Council does hereby find that an emergency exists and that immediate action is necessary. This ordinance shall be effective immediately upon passage by five (5) or more votes.

Section 3. The City Clerk is directed to schedule a public hearing within sixty days of the date of adoption of this ordinance in accordance with RCW 35A.63.220.

Section 4. This Ordinance shall be effective for a period of six months from the date of enactment unless: sooner terminated by action of the Council; or, renewed for one or more additional six-month periods as provided by state law.

Section 5. The above "Whereas" clauses of this ordinance constitute specific findings by the Council in support of passage of this ordinance. If any part or portion of this ordinance is declared invalid for any reason, such declaration of invalidity shall not affect any remaining part or portion.

**ADOPTED BY THE CITY COUNCIL AT A SPECIAL MEETING  
THEREOF ON THE 11TH DAY OF DECEMBER, 2007.**

CITY OF SAMMAMISH

  
\_\_\_\_\_  
Mayor Lee Felling

ATTEST/AUTHENTICATED:

  
\_\_\_\_\_  
Melonie Anderson, City Clerk

Approved as to form:

  
\_\_\_\_\_  
Bruce L. Disend, City Attorney

Filed with the City Clerk:	December 6, 2007
Passed by the City Council:	December 11, 2007
Date of Publication:	December 15, 2007
Effective Date:	December 11, 2007



## CITY COUNCIL AGENDA BILL

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**Subject:**

Public Hearing and First Reading extending emergency ordinance O2007-219 amending SMC21A.75 Residential Density Incentives. This ordinance was passed by the City Council on November 20, 2007.

**Meeting Date:** May 6, 2008

**Date Submitted:** April 29, 2008

**Originating Department:** City Attorney's Office and Community Development

**Clearances:****Action Required:**

Public Hearing and first reading  
Motion to approve the ordinance.

**City Manager**                       **Police**

**Public Works**                       **Fire**

**Building/Planning**                       **Attorney**

**Exhibits:**

Exhibit 1-Proposed Ordinance  
Exhibit 2-Ordinance 2007-219

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**Budgeted Amount:** N/A

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**Summary Statement:**

**Background:** A recent decision of the City Hearing Examiner has interpreted the provisions of Chapter 21A.75-Residential Density Incentives, in a manner that would allow development to occur at higher densities than the City anticipated. The Hearing Examiner's interpretation is inconsistent with staff's interpretation of Chapter 21A.75. In order to avoid confusion over the interpretation of Chapter 21A.75, and to prevent development at higher densities in zones intended for lower density, an emergency amendment to the zoning code was determined to be necessary and appropriate. The City Council adopted Emergency Ordinance 2007-219 on November 20, 2007. More permanent revisions are not yet complete for consideration by the Planning Commission and City Council, necessitating an extension of the emergency ordinance.

**Financial Impact:**

N/A

**Recommended Motion:**

Move that the Emergency Ordinance be approved and that the Council finds that an emergency exists and that immediate action is necessary.

**CITY OF SAMMAMISH  
WASHINGTON  
ORDINANCE NO. O2008-**

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**AN ORDINANCE OF THE CITY OF SAMMAMISH,  
WASHINGTON, AMENDING THE SAMMAMISH  
MUNICIPAL CODE, CHAPTER 21A.75, TO EXTEND  
TEMPORARY INTERIM ZONING CONTROLS  
ELIMINATING THE RESIDENTIAL DENSITY  
INCENTIVES IN R-4 AND R-6 ZONES AND DECLARING  
AN EMERGENCY**

WHEREAS, the purpose of Chapter 21A.75 of the Sammamish Municipal Code (SMC), entitled Residential Density Incentives, is to provide density incentives to developers of residential lands in exchange for public benefits to help achieve comprehensive plan goals of affordable housing, open space protection, and energy conservation; and

WHEREAS, a recent decision of the City Hearing Examiner has interpreted the provisions of Chapter 21A.75 in a manner that would allow development to occur at higher densities than anticipated; and

WHEREAS, the Hearing Examiner's interpretation is inconsistent with the City Council's intent in adopting Chapter 21A.75; and

WHEREAS, to avoid confusion over the interpretation of Chapter 21A.75, and to prevent development at higher densities in zones intended for lower density, an amendment to the zoning code is necessary and appropriate; and

WHEREAS, RCW 35A.63.220 provides that the City may adopt temporary interim zoning controls provided that a public hearing on the interim zoning ordinance is held within sixty days of its adoption; and

WHEREAS, an interim zoning ordinance may be effective for not longer than six months unless renewed in accordance with RCW 35A.63.220; and

WHEREAS, the City Council previously concluded that it is in the interest of the public health, safety and welfare to adopt an emergency ordinance to prevent conflicts with the City's Comprehensive Plan and to prevent significant density from occurring in an areas planned for lower densities;

WHEREAS, the City Council adopted Emergency Ordinance 2007-219 on November 20, 2008; and

WHEREAS, more permanent revisions to SMC 21A.75 are currently being prepared for public review and consideration by the Planning Commission and City Council; and

WHEREAS, the City Council finds that an emergency continues to exist, and desires to extend the interim municipal code changes to allow completion of the more permanent SMC 21A.75 revisions;

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

Section 1. Ordinance No. 2007-219 is hereby renewed and extended for a period of six (6) months from the date of enactment of this ordinance.

Section 2. The Council does hereby find that an emergency exists, in light of the potential that applicants might “vest” applications seeking approval to develop at densities greater than the surrounding area and public infrastructure can support. Therefore, immediate action is necessary. This ordinance shall be effective immediately upon passage by five (5) or more votes.

Section 3. This Ordinance shall be effective for a period of six months from the date of enactment unless: sooner terminated by action of the Council; or, renewed for one or more additional six-month periods as provided by state law.

Section 4. The recitals stated above (i.e., the "Whereas" clauses) constitute specific findings by the Council in support of passage of this ordinance. If any part or portion of this ordinance is declared invalid for any reason, such declaration of invalidity shall not affect any remaining part or portion.

**ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE XX DAY OF MAY, 2008.**

CITY OF SAMMAMISH

\_\_\_\_\_  
Mayor Lee Felling

ATTEST/AUTHENTICATED:

\_\_\_\_\_  
Melonie Anderson, City Clerk

Approved as to form:

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Bruce L. Disend, City Attorney

Filed with the City Clerk:  
Passed by the City Council:  
Date of Publication:  
Effective Date:

**CITY OF SAMMAMISH  
WASHINGTON  
ORDINANCE NO. O2007-219**

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**AN ORDINANCE OF THE CITY OF SAMMAMISH,  
WASHINGTON, AMENDING THE CITY ZONING CODE,  
SMC CHAPTER 21A.75, TO ADOPT TEMPORARY  
INTERIM ZONING CONTROLS TO ELIMINATE THE  
RESIDENTIAL DENSITY INCENTIVES IN R-4 AND R-6  
ZONES; DECLARING AN EMERGENCY; AND  
SCHEDULING A PUBLIC HEARING**

WHEREAS, the purpose of Chapter 21A.75 of the Sammamish Municipal Code (SMC), entitled Residential Density Incentives, is to provide density incentives to developers of residential lands in exchange for public benefits to help achieve comprehensive plan goals of affordable housing, open space protection, and energy conservation; and

WHEREAS, a recent decision of the City Hearing Examiner has interpreted the provisions of Chapter 21A.75 in a manner that would allow development to occur at higher densities than anticipated; and

WHEREAS, the Hearing Examiner's interpretation is inconsistent with staff's interpretation of Chapter 21A.75; and

WHEREAS, to avoid confusion over the interpretation of Chapter 21A.75, and to prevent development at higher densities in zones intended for lower density, an amendment to the zoning code is necessary and appropriate; and

WHEREAS, RCW 35A.63.220 provides that the City may adopt temporary interim zoning controls provided that a public hearing on the interim zoning ordinance is held within sixty days of its adoption; and

WHEREAS, an interim zoning ordinance may be effective for not longer than six months unless renewed in accordance with RCW 35A.63.220; and

WHEREAS, the City Council has concluded that it is in the interest of the public health, safety and welfare to adopt this emergency ordinance to prevent conflicts with the City's Comprehensive Plan and to prevent significant density from occurring in an areas planned for lower densities;

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

Section 1. Sammamish Municipal Code Chapter 21A.75 is hereby amended as follows:

**21A.75.020 Permitted locations of residential density incentives.**

Residential density incentives (RDI) shall be used only on sites served by public sewers and only in the following zones:

- (1) In ~~R-4~~ R-8 through R-18 zones; and
- (2) In NB, CB and O zones when part of a mixed use development.

**21A.75.040 Public benefits and density incentives.**

(5) Residential development in ~~R-4~~ R-8 through R-18 zones with property specific development standards requiring any public benefit enumerated in this chapter shall be eligible to earn bonus dwelling units as set forth in subsection (6) of this section when the public benefits provided exceed the basic development standards of this title. When a development is located in a special overlay district, bonus units may be earned if the development provides public benefits exceeding corresponding standards of the special district.

**21A.75.080 Applicability of development standards.**

(1) RDI developments shall comply with dimensional standards of the zone with a base density most closely comparable to the total approved density of the RDI development; provided, that an RDI proposal in the ~~R-4~~ R-8 through ~~R-8~~ R-18 zone shall conform to the height requirements of the underlying zone in which it is located.

(2) RDI developments in the ~~R-4~~ R-8 through ~~R-8~~ R-18 zones shall be landscaped as follows:

(a) When 75 percent or more of the units in the RDI development consists of townhouses or apartments, the development shall provide perimeter landscaping and tree retention in accordance with Chapter 21A.35 SMC for townhouse or apartment projects.

(b) When less than 75 percent of the units in the RDI consists of townhouses or apartments, the development shall provide landscaping and tree retention in accordance with Chapter 21A. 35 SMC for townhouses or apartments on the portion(s) of the development containing such units; provided, that if buildings containing such units are more than 100 feet from the development's perimeter, the required landscaping may be reduced by 50 percent.

(c) All other portions of the RDI shall provide landscaping or retain trees in accordance with Chapter 21A.35 SMC.

Section 2. The Council does hereby find that an emergency exists and that immediate action is necessary. This ordinance shall be effective immediately upon passage by five (5) or more votes.

Section 3. The City Clerk is directed to schedule a public hearing within sixty days of the date of adoption of this ordinance in accordance with RCW 35A.63.220.

Section 4. This Ordinance shall be effective for a period of six months from the date of enactment unless: sooner terminated by action of the Council; or, renewed for one or more additional six-month periods as provided by state law.

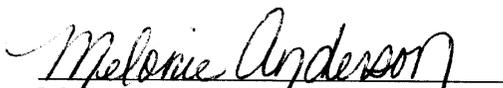
Section 5. The above "Whereas" clauses of this ordinance constitute specific findings by the Council in support of passage of this ordinance. If any part or portion of this ordinance is declared invalid for any reason, such declaration of invalidity shall not affect any remaining part or portion.

**ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 20<sup>th</sup> DAY OF NOVEMBER, 2007.**

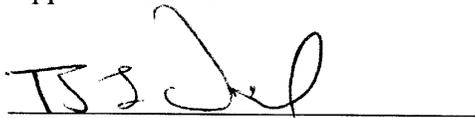
CITY OF SAMMAMISH

  
\_\_\_\_\_  
Mayor Mark Cross

ATTEST/AUTHENTICATED:

  
\_\_\_\_\_  
Melonie Anderson, City Clerk

Approved as to form:

  
\_\_\_\_\_  
Bruce L. Disend, City Attorney

Filed with the City Clerk:	November 15, 2007
Passed by the City Council:	November 20, 2007
Date of Publication:	November 24, 2007
Effective Date:	November 20, 2007