

**City of Sammamish
City Council Minutes
Regular Meeting
May 17, 2000**

Mayor Jack Barry called the regular meeting of the Sammamish City Council to order at 7:35 p.m.

Councilmembers present: Mayor Jack Barry, Deputy Mayor Troy Romero, Councilmembers Don Gerend, Ron Haworth, Kathleen Huckabay and Kenneth Kilroy.

Councilmember excused: Councilmember Phil Dyer

Staff present: City Manager Michael Wilson, City Attorney Bruce Disend, Director of Administrative Services Dennis Richards, Director of Public Works/Finance Ben Yazici, Director of Community Development Ray Gilmore, Chief Richard Baranzini, Planning Manager David Sawyer, and Acting City Clerk Ruth Muller

Student Liaison: Jamie Furse, Skyline High School.

Roll Call/Pledge

Roll was called and Councilmember Kilroy led the pledge. Councilmember Kilroy moved to excuse Councilmember Dyer from the meeting. Deputy Mayor Romero seconded the motion. The motion carried unanimously.

Approval of Agenda

Councilmember Haworth moved to approve the agenda adding under New Business an Item 5. (f) discussion of property sale to the postal service. Councilmember Gerend seconded the motion. The motion carried unanimously.

Public Comments

Marco De Sa E Silva, 1501 4th Ave. #2600, Seattle, representing Brett and Kirsten Goodwin, who reside across the street from the Highland Creek Estates Division III, submitted a letter enumerating concerns of the Goodwins about the development. It is requested that Sammamish require an environmental review and a hearing for the stormwater system that has been changed from underground to above ground.

Brett Goodwin, 4503 229th Place S.E., said that he and his neighbors are very concerned about the change to this stormwater structure and thanked the Council for the opportunity to express these concerns.

Lisa McElroy, 247 243rd S. E., invited councilmembers to attend the May 18 Chamber meeting at 11:30 a.m.

Janet Irons, expressed concern that councilmembers are not taking into account the public's opinion and that there is insufficient or incorrect information provided to the Council as they make decisions. She stated that this leads to discontent and confusion for the community.

Tom Harmon, 2302 West Beaver Lake Drive S.E., questioned the decision of the Council to have appeals of the hearing examiner decisions filed with superior court, since councilmembers had indicated their desire to be involved.

Consent Calendar

Councilmember Huckabay moved that the consent calendar be approved.

Councilmember Kilroy seconded the motion. The motion carried unanimously approving (a) claims for the period ending May 11, 2000 in amount of \$156,972.02, (b) payroll for period April 16-30, 2000 in amount of \$58,272.01, and (c) minutes of regular Council meeting April 19, 2000.

Unfinished Business

Councilmember Kilroy moved that the Council discuss the City Manager hiring process.

Councilmember Gerend seconded the motion. The motion carried unanimously. Mayor Barry announced that there had been a lawsuit filed by the Issaquah Press relating to this subject that has been settled with the stipulation that the Council publicly review the hiring process for this position. Mayor Barry summarized the steps taken by the Council last fall.

Councilmember Gerend stated that there were over 100 applicants for this position. These were screened to 25 for detailed review by the Council with 5 applicants selected for interviews and introduction during public forums. After this process the 2 most qualified applicants were then considered for hire. His selection was Mr. Wilson because of his knowledge of the Puget Sound area and the state Growth Management Act; his experience with new cities and growth issues; citizens he spoke to indicated this candidate was their choice; he is positive and operates with the premise that governing should be fun; and with his legal background could help minimize the City's legal exposure.

Mayor Barry stated that there were many qualified local and national candidates and he was impressed with Mr. Wilson's philosophy of the importance for the Council and staff to work with the community to determine what a new city wants to be and how to get there; his commitment to communicate with the Council and citizens; his knowledge of state growth and environmental laws that would be beneficial to Sammamish; and input from citizens expressing that they favored Mr. Wilson.

Councilmember Kilroy stated that this was a fair process with the public involved in meeting with the 5 finalists. In observing Mr. Wilson over the 3-day interview process it was apparent that he had good communication skills with the public; his knowledge of the state requirements was a plus; and he could implement the policies of the Council.

Councilmember Haworth stated that he voted for Mr. Wilson as he has a positive reputation; is familiar with state requirements; had the ability to hire a good team; was the choice of his peers although his experience was as an administrator rather than a manager; the favorable expressions of the community; and his decision not to continue practicing law.

Councilmember Huckabay stated her choice was made for many of the reasons already stated by other councilmembers, and that primary to her was the commitment of Mr. Wilson to communicate with both the Council and the community; his ability to attract a winning team; and his familiarity with state-wide issues.

Deputy Mayor Romero said that because a new City's first manager must be able to handle a great deal of pressure and adversity with an understanding of the state laws, he felt that during the interview process Mr. Wilson responded with the best answers to the questions in an honest and candid manner and concurs with statements of his fellow councilmembers.

New Business

Contract with CH2M Hill

Councilmember Haworth moved that the Council authorize the City Manager to execute a contract with CH2M Hill for preparation of a Storm Water Comprehensive Plan.

Councilmember Huckabay seconded the motion. Councilmember Haworth said that the Public Works Committee has reviewed the need for securing a contract and to begin the process for development of a Storm Water Plan. The Committee has reviewed qualifications of this firm and recommends execution of a contract with CH2M Hill. Public Works/Finance Director Yazici said that after interviewing several firms on the on-call engineering roster, this firm was selected because they have the best experience to inventory the system; to prepare a capital improvement plan; and to develop an operations and maintenance manual for Sammamish. There was discussion of the process for selection of firms to be interviewed, that this issue is a high priority for the City, of the ability to amend agreement as ESA requirements evolve, of the need for a capital facilities charge, and of the need for a maximum contract amount.

Councilmember Haworth moved to amend the motion to provide that contract amount is not to exceed \$90,000 and that final contract is to be approved by the City Attorney.

Councilmember Gerend seconded the motion. The amendment carried unanimously. The main motion as amended carried by majority vote with five aye votes – Barry, Gerend, Haworth, Huckabay and Kilroy; and one nay vote – Romero.

Florencio Ponce Moratorium Hardship Exemption

Deputy Mayor Romero moved that the hardship request of Florencio D. Ponce as recommended by the Community Development Committee be approved and that staff be authorized to accept and process an application for the petitioner. Councilmember Huckabay seconded the motion. Deputy Mayor Romero said that this application was reviewed by the Community Development Committee May 9, 2000 and the Committee recommends approval. The motion to approve the hardship exemption carried unanimously.

John Thorpe Moratorium Hardship Exemption

Deputy Mayor Romero moved that the hardship request of John Thorpe as recommended by the Community Development Committee be approved and that staff be authorized to accept and process an application for the petitioner. Councilmember Huckabay seconded the motion. Deputy Mayor Romero reviewed the status of the accessory structure that is non-conforming under the City’s code and the recommendation of the Community Development Committee. The motion to approve the hardship exemption carried unanimously.

Marilyn Penitsch Moratorium Hardship Exemption

Deputy Mayor Romero moved that the hardship request of Marilyn Penitsch as recommended by the Community Development Committee be approved and that staff be authorized to accept and process an application for the petitioner. Councilmember Gerend seconded the motion. Deputy Mayor Romero said that this application was reviewed by the Community Development Committee May 9, 2000 and the Committee recommends approval. The motion to approve the hardship exemption carried unanimously.

Resolution No. R2000-50:

Deputy Mayor Romero moved that Resolution No. R2000-50 be adopted Forming a Citizens Planning Advisory Board to Assist in the Development of the City of Sammamish Comprehensive Plan and Development Regulations. Councilmember Huckabay seconded the motion. Community Development Director Gilmore advised that it is proposed that the Council establish this Board to consist of 7 to 15 members plus alternates to guide the development of the comprehensive plan. Councilmembers discussed number of members that could effectively address development of the plan; whether membership should include residents of the City’s Urban Growth Area (UGA); and the need for good geographic representation on the Board.

Deputy Mayor Romero moved to amend the motion changing Section 1, line 2, by deleting the words “not less than eleven but no more than” and inserting the word “four” in line 3. Councilmember Gerend seconded the motion. The motion to amend carried unanimously.

Councilmember Haworth moved to amend the motion changing Section 1., line 3, to read “residents of the City UGA.” Councilmember Gerend seconded the motion. The motion failed with a tie vote, three aye votes –Barry, Gerend, Haworth; and three nay votes – Huckabay, Kilroy and Romero.

Deputy Mayor Romero moved to amend the motion to add the following sentence at the end of Section 1. “The PAB may have up to three members who live outside the city, but in the UGA. Councilmember Kilroy seconded the motion. After brief discussion of the proposed amendment, Deputy Mayor Romero moved to amend the amendment to add “Notwithstanding the above” at the beginning of the added sentence. Councilmember

Huckabay seconded the motion. The motion to amend the amendment carried unanimously. The motion to amend carried unanimously.

The motion to adopt Resolution No. R2000-50 as amended carried unanimously.

Mayor Barry recessed the meeting for ten minutes at 8:51 p.m.

The meeting reconvened at 9:03 p.m.

Property Sale

Councilmember Haworth moved that the Council reconsider its offer made to sell a portion of the City's ten-acre site on 228th Avenue Northeast to the Postal Service. Councilmember Huckabay seconded the motion. The motion carried unanimously. Councilmember Haworth said that this property was purchased with the understanding that it was going to be used for municipal purposes. Since it is still not clear to us how much property will be needed for a post office facility, the City should withdraw its offer. City Manager Wilson reviewed the specifics in relation to the decision to make this offer. Councilmembers discussed whether the post office has accepted the offer made by the City; advantages and disadvantages to a post office facility at this site; and the possibility of withdrawing the offer.

Councilmember Huckabay moved that staff be directed to determine if we have received a signed acceptance of the City's offer, and if not that the City Manager send a letter to the Post Office withdrawing the offer to sell a portion of the City's property. Councilmember Haworth seconded the motion. The motion carried unanimously.

Council and Committee Reports

Student Liaison Furse reported on activities at Skyline High School, advising that candidates for next year's student representative will be made May 18.

Councilmember Kilroy reported on discussions that the Public Safety Committee has had about service options for Sammamish with representatives of the three fire districts servicing the City, commending Councilmember Haworth on the knowledge he brought to these discussions.

Councilmember Haworth summarized the information that was presented at the May 10 Study Session on the discussions relating to fire services that have been in progress since November 1999. Councilmember Haworth moved that the City Council authorize the City Manager to enter into negotiations with Fire District No. 10 to develop a fire services contract for the City of Sammamish to (1) identify service level, (2) require that a subcontract be established with Fire District No. 34 with Sammamish involved in the negotiations establishing basis of service and cost for the subcontract, and (3) provide that cost of service in the city is done at actual cost, with proportionate share to be paid to District No. 34. Councilmember Kilroy seconded the motion.

Councilmember Haworth responded to questions of councilmembers regarding existing levy rates of the fire districts; level of service to the City; estimated costs for service; equitable distribution of dollars to districts as service areas shift because of contracting with the City; when division of assets would be addressed; response time for the Trossachs area; possible length of contract; timing for contract negotiation completion; and the need to maintain good relationship with neighboring cities during this process.

Councilmember Kilroy moved to suspend the rules to allow for public comment on this issue. Councilmember Huckabay seconded the motion. The motion carried unanimously.

Scott Hamilton, 23410 S. E. 8th Street, questioned how the \$1.2 million savings is available to citizens. Councilmember Haworth advised that individual tax bills will not include a levy for fire service as the cost will be paid from the City's general fund.

Karen Moran, 20735 S. E. 3rd Street, expressed appreciation for the work done by the Public Safety Committee to develop a proposal that includes savings to the community.

The motion to authorize City Manager to negotiate a contract for fire services with District No. 10 carried unanimously.

Councilmember Gerend reported that the Public Works Committee continues to monitor the service provisions for the Eastside proposed by Sound Transit and cities need to continue the pressure in order to get our fair share of service. Councilmember Gerend moved that Sammamish support Issaquah's position about lack of service to the Eastside by sending a letter to this effect to Sound Transit. Deputy Mayor Romero seconded the motion. The motion carried unanimously.

Councilmember Gerend moved that the City Council endorse a City sponsored math contest with scholarships and cash prizes for two divisions, youth and adult, to call attention to the drainage, transportation and fire service issues before the City. Mayor Barry seconded the motion. The motion carried unanimously.

Deputy Mayor Romero reported that the Community Development Committee has developed a process for selection of members to the Planning Advisory Board; is working on the draft Vision Statement; working on a policy for moratorium hardship exemptions; and on the comprehensive plan process.

Mayor Barry reported on the recent Sammamish Symphony concert and requested that the Council identify to him topics of mutual concern and interest for discussion items at our joint meeting with the Redmond City Council.

City Manager and Staff Reports

Public Works/Finance Director Yazici reported that SR202 has been funded for 2002; on the status of the public forums scheduled June 16 and 17 for 228th design; and that the goal for construction phase of 228th is the summer of 2001, if funding is approved.

Chief Baranzini reported that the department is close to being fully staffed with the addition of three additional full time officers.

Community Development Director Gilmore reported that staff is working on development of brochures summarizing complex land use processes to identify what the community needs to know for various questions that permit counter staff are responding to regularly. An information bulletin about signs is proposed and we are still endeavoring to provide code enforcement staff.

Administrative Services Director Richards reported on staff positions filled and in the interview process.

City Manager Wilson reported that the newsletter is still on schedule and using the postal routes for Sammamish zip codes delivery will be within the corporate boundaries; on proposed June 15 study session topics; and on a meeting with Sahalee to discuss what services a municipality can provide to a gated private community.

Public Comment

Jim McGraw, 1525 248th S.E. is pleased about the approval for a Planning Advisory Board and that residents in the Urban Growth Area are to be included, but is concerned about two more positions for youth.

Adjournment

Deputy Mayor Romero moved that the meeting adjourn. Councilmember Gerend seconded the motion. The motion carried unanimously and the meeting adjourned at 10:43 p.m.

Ruth Muller, Acting City Clerk

Mayor Jack Barry