

**CITY OF SAMMAMISH  
CITY COUNCIL AGENDA  
REGULAR MEETING  
MAY 17, 2000**

**Wednesday, May 17, 2000, 7:30 p.m., 486 228<sup>th</sup> Ave. N.E., City Hall Chambers**

**CALL TO ORDER**

**ROLL CALL/PLEDGE**

**INTRODUCTION OF SPECIAL GUESTS AND PRESENTATIONS**

1. **Approval of Agenda**
2. **Public Comment** (For members of the public to speak to the Council regarding items **NOT** on the agenda.  
Please limit remarks to three minutes)
3. **Consent Calendar**
  - 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**
  - c) **Minutes of Regular Council Meeting April 19, 2000.**
4. **Unfinished Business**
  - a) **City Manager Hiring Process Review**
5. **New Business**
  - a) **Contract with CH2M Hill for Storm Water Comprehensive Plan Preparation**
  - b) **Moratorium Hardship Exemption Approval – Florencio Ponce -- Setback Variance**
  - c) **Moratorium Hardship Exemption Approval – John Thorpe – Setback Variance**
  - d) **Moratorium Hardship Exemption Approval – Marylin Pentisch – Setback Variance**
  - e) **Resolution No. R2000-50: Formation of Citizen Advisory Board for Development of a City Comprehensive Plan**

**6. Council and Committee Reports**

- a) Public Safety Committee – Fire Services**
- b) Other Reports**

**7. City Manager and Staff Reports**

- a) 228<sup>th</sup> Avenue Project, Next Phase – Public Works**
- b) Other Reports**

**8. Public Comments**

**9. Adjourn**

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**CITY COUNCIL ROLL CALL**

DATE: May 17, 2000

<u>NAME</u>	<u>PRESENT</u>	<u>EXCUSED</u>	<u>ABSENT</u>
Mayor Jack Barry	<u>✓</u>	<u>_____</u>	<u>_____</u>
Deputy Mayor Troy Romero	<u>✓</u>	<u>_____</u>	<u>_____</u>
Phil Dyer	<u>_____</u>	<u>✓</u>	<u>_____</u>
Don Gerend	<u>✓</u>	<u>_____</u>	<u>_____</u>
Ron Haworth	<u>✓</u>	<u>_____</u>	<u>_____</u>
Kathleen Huckabay	<u>✓</u>	<u>_____</u>	<u>_____</u>
Kenneth Kilroy	<u>✓</u>	<u>_____</u>	<u>_____</u>







*Submitted at  
May 17, 2000 meeting*

**To: Sammamish City Council**

**May 17, 2000**

**From: Janet Irons**

**PO Box 969**

**Fall City, WA 98024**

**(425) 391-9265**

**Since we incorporated, not much has changed—King County still calls many of the shots and when the council makes decisions, too often friends', neighbors' and the public's opinions are ignored and discontent and confusion fester.**

**The last council meeting was an example of this confusion. Of the six council members present, four didn't understand the two-year requirement for an issue dealing with incorporation even though the council had previously voted on it.**

**When you ran for office, every one of you boasted of your knowledge of government but there is evidence that the very basics escape you. And, not only are you confused, at the last council meeting the city attorney appeared to be equally in the dark because he didn't know any more about the two-year requirement than you did. It is a scary scenario when so many people representing the city are uninformed.**

**You cannot make good decisions based on insufficient or incorrect information but that condition is easily avoided; just do as much research as do concerned citizens and you will not have that problem on your plates.**

**However, it doesn't matter if you are basing decisions on right or wrong information, it is never, never acceptable to promote Sammamish at the expense of our friends and neighbors. Benjamin Franklin said the majority should not rule at the expense of the least among us and that wisdom seems to be soaring over your heads for this council is fast gaining the reputation of being a bully. The City of Sammamish must be careful not to profit at the expense of others.**

**If neighbors and friends become Sammamish adversaries, the city will lose.**

*submitted at*  
*May 17, 2000*  
*meeting*  
LAWYERS



## Davis Wright Tremaine LLP

ANCHORAGE BELLEVUE BOISE CHARLOTTE HONOLULU LOS ANGELES NEW YORK  
PORTLAND RICHLAND SAN FRANCISCO SEATTLE WASHINGTON, D.C. SHANGHAI

MARCO DE SA E SILVA  
Direct (206) 628-7766  
marcodesaesilva@dwt.com

2600 CENTURY SQUARE  
1501 FOURTH AVENUE  
SEATTLE, WA 98101-1688

TEL (206) 622-3150  
FAX (206) 628-7699  
www.dwt.com

May 17, 2000

Phil Dyer, Chair  
Troy Romero, Vice Chair  
Community Development Committee  
Sammamish City Council  
704 228<sup>th</sup> Avenue NE, PMB 491  
Sammamish, WA 98053

Re: Highland Creek Estates Division III; Storm Water Detention Vault

Dear Mr. Dyer and Mr. Romero:

I represent Brett and Kirsten Goodwin, who reside at 4503 - 229<sup>th</sup> Place S.E., Issaquah, Washington, across the street from Highland Creek Estates Division III. Conner Development, the developer of Division III, proposes to build a storm water detention vault across the street from the Goodwins. **I am writing to ask that you instruct City staff to require environmental review and a public hearing regarding the revised vault design, based on the fact that the revised vault design is substantially different from the design approved by King County during the preliminary plat process.**

### Background

Last September, the County determined that Conner's vault design was a substantial change from what was shown on the preliminary plat and determined that Conner therefore would have to undergo environmental review of the revised plans under SEPA and a re-opened public hearing under applicable subdivision regulations. The decision was based in part on the fact that the revised design called for three concrete facades comprising approximately 28 feet in height, whereas the vault had been described as "underground" at the plat hearings, in the staff report, and in the examiner's decision. Until recently, the City consistently has agreed with the County's decision.

Conner submitted revised plans to the County on April 27, 2000. The revised plans call for two structures located partly above ground and partly underground. The detention vault is 260 feet long by 42 feet deep. The sand filter is 225 feet long by 25 feet deep. There would be three



rockeries rising a total of 14 feet in height and two concrete facades rising a total of 22 feet, at the highest points (that is, at the north ends of the vault and filter).

On May 3, 2000, County staff reversed their position and recommended to the City that the revised plans be administratively approved without additional environmental review and without a hearing. The County is requiring no landscaping or other mitigation beyond what Conner has volunteered to provide. **We believe that City staff is likely to accept the County's recommendation this week.** If that happens, then there will be no environmental review of the aesthetic, public safety, and other impacts of the revised vault design and no opportunity for public comment on alternative designs and locations, and potential mitigation measures.

### **Why the City Should Require Environmental Review and a Hearing**

**A. An Above Ground Structure Will Have Significant Environmental Impacts that Have Not Been Subject to Environmental Review Under SEPA.** The proposed detention vault and sand filter are massive structures located on a steep slope across the street from single-family homes. They are located as close as 20 feet to the right of way, and so there is little chance that landscaping will obscure the height and bulk of these structures.

The vault and filter will have a dramatic aesthetic impact on the residents of 229th Avenue N.E., who will have to face an unmodulated concrete façade up to 22 feet in height. The vault and sand filter also will have public safety impacts: many children live across the street and will be tempted to visit the vault and filter, and if the vault and filter fail or slide they will endanger the residents across the street. You might be able to imagine looking out your bedroom window at a 22-foot-high concrete structure across the street, knowing they hold back massive amounts of water, but can you imagine that there would be no public hearing and no environmental review of the impacts of that structure?

**B. Structure Was Described as Underground During Plat Hearings.** During the preliminary plat process, the vault was described in the County's staff report, in the County hearing examiner's written decision, and by County staff on at least two occasions at the two public hearings as an "underground" or "subsurface" storm water treatment facility. See tape recordings of hearing testimony.<sup>1</sup> **The developer let the public hear that and believe it.** Underground means fully under the ground, not partly above the ground and partly below the ground.

The Goodwins reserved their home in January 1998 and closed the purchase in October 1998. They were aware of the Division III plat hearings and were told by their real estate agent that there would be an underground vault across the street from their home. They trusted the original developer (Parkwood Homes, not Conner Development) to protect their properties -- after all, Parkwood Homes was the developer of Division II and had a vested interest in maintaining the high quality of both residential developments.

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<sup>1</sup> Tape 1, Side A, Testimony of Lanny Henoach or Peter Dye; Tape 4, Side A, Testimony of Lanny Henoach; and Tape 5, Side A, Testimony of Jim Hess.



Conner and the County have pointed out that the plat reveals the vault elevation and contour lines, which show that a portion of the vault, 13 feet at its highest, would rise above the ground. If that map is clear, then it fooled not only the real estate agent but also the Goodwins, the County staff, and the County hearing examiner -- they all believed the vault was underground. The developer allowed the plat's technical specifications to be buried beneath an avalanche of contradictory evidence in the staff report, examiner's decision, and oral testimony that the vault would be underground. The plat is subject to the examiner's decision, and the examiner clearly called the vault a "subsurface R/D stormwater vault." See Hearing Examiner's Decision Condition No. 20.D at page 12 (July 7, 1998).

Even if it the plat fully disclosed that the vault would be partly above ground, the plat elevations showed that there would be no more than one 13 foot wall. The revised drawings show two concrete facades rising a total of 22 feet, in addition to three rockeries rising a total of 14 feet. Furthermore, the plat drawing showed only a vault. The revised drawings show both a vault and a sand filter, as two separate structures -- and therefore two walls. These are substantial changes.

WAC 197-11-340(3)(a) provides in part as follows: "The lead agency shall withdraw a DNS if . . . [t]here are substantial changes to a proposal so that the proposal is likely to have significant adverse environmental impacts." The proposed facility will have a significant adverse aesthetic impact on residents of 229th Avenue N.E., including the Goodwins.

The King County Subdivision ordinance, King County Code Title 19, under which Division III was vested, requires at Section 19.36.060.1 that "The final plat strictly conforms with the approved preliminary plat." Strict conformance is a high standard, and the revised storm water treatment facility is not in strict conformance with the approved preliminary plat -- it increases the concrete wall from 13 to 22 feet and adds a separate sand filter structure. The City cannot approve a final plat for Division III unless a hearing examiner first has approved a revised preliminary plat that includes the revised design for this facility and has considered the environmental impacts of the facility.

The design changes proposed by Conner Development cry out for additional environmental review under SEPA and reconsideration by a hearing examiner.

**C. The City's April 2000 Referendum Supported a Hearing and Environmental Review of the Revised Vault.** Late last month, the City held a neighborhood referendum among the residents of 229th Avenue N.E. to gauge sentiment regarding the revised vault design. By a vote of 15 to 11, the residents voted in favor of a hearing, consideration of whether the vault should be underground, and consideration of additional mitigating measures. If the City does not require a hearing and environmental review now, what was the point of the referendum?

**For these reasons, we ask that you instruct the City planning department to require additional environmental review and a re-opened public hearing.**

May 17, 2000  
Page 4



Thank you very much for your consideration.

Sincerely yours,

DAVIS WRIGHT TREMAINE LLP

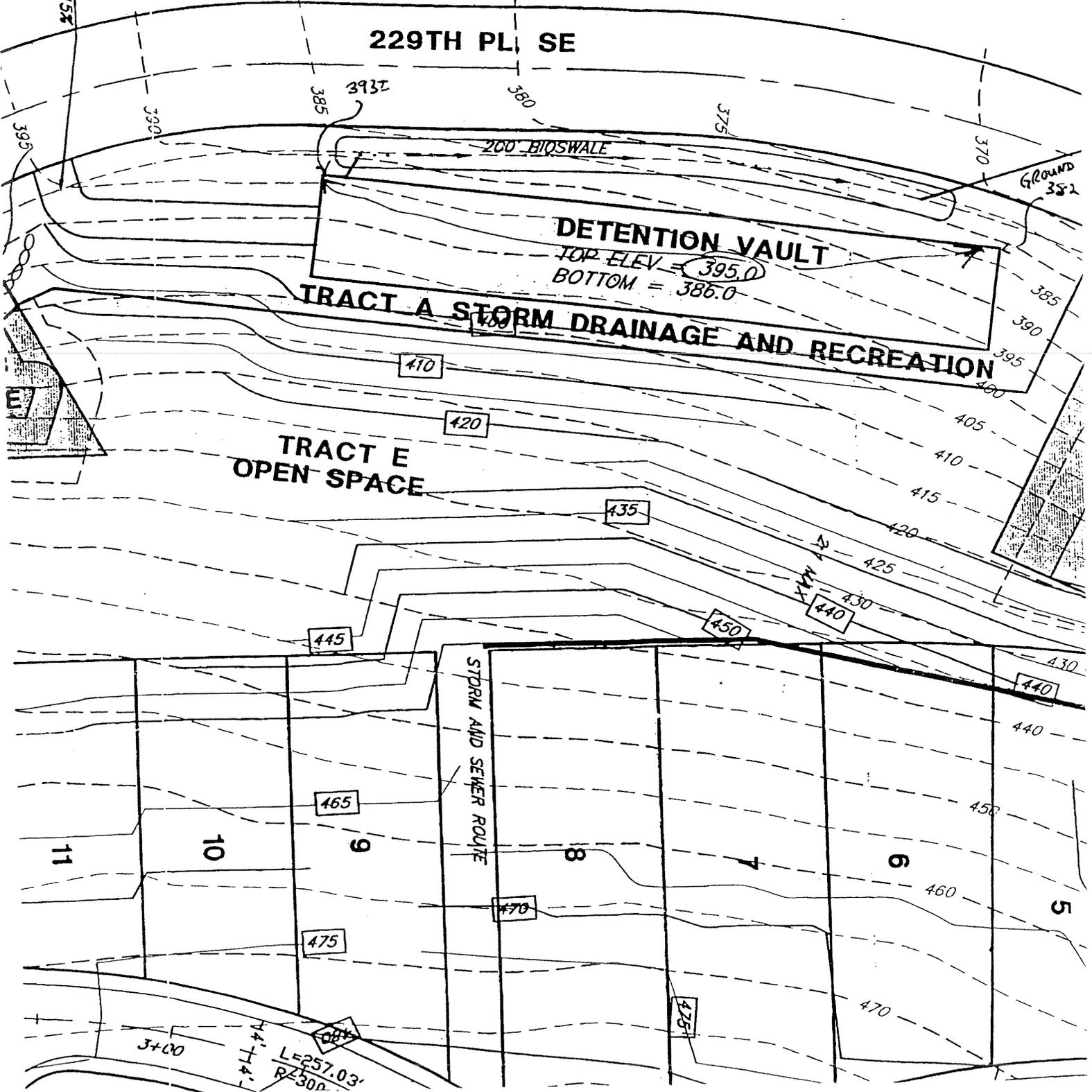
A handwritten signature in black ink, appearing to read 'Marco de Sa e Silva'.

Marco de Sa e Silva

Enclosures

cc: Brett and Kirsten Goodwin

# 1998 Plat Map Highland Creek Estates Division III



$3+00$   
 $44.74'$   
 $L=257.03'$   
 $R=300'$

**STATEMENTS MADE BY KING COUNTY DDES ON  
THE RECORD DURING PRELIMINARY PLAT  
HEARINGS FOR HIGHLAND CREEK ESTATES  
DIVISION III BEFORE THE  
KING COUNTY SUBDIVISION EXAMINER**

**JUNE 11-25, 1998**

“In the case of Highland Creek Division III... the applicant has proposed to provide a basketball court or sport court over the top of a planned underground storm water vault which would be constructed along the west side of tract E. The Land Services Division supports this approach...”--  
*Tape #1, Side A, June 11, 1998.*

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“The applicant for Highland Creek Estates Division III believes he should be permitted to pay a fee if the recreation improvements proposed over an underground storm water vault can't meet the applicants entire responsibilities for on-site recreation space...”--*Tape #4, Side A, June 25, 1998.*

County unrestricted access to the Tract for the purpose of maintaining and repairing the drainage facilities.

D. With regard to the square footage requirements of KCC 21A.14.180A and D, and the joint use of Tract A for both recreational and subsurface stormwater facilities, more than 50% credit can be given for Tract A, if active recreational facilities are provided over top of the proposed, subsurface R/D stormwater vault. In this instance, no credit shall be given for the above-ground stormwater facilities, such as the gravel access road, a biofiltration swale, and a sand filter; PROVIDED, however, that appropriate credit shall be given for the pedestrian trails referenced in condition 20.B, above.

*5/25/08*

} \*

E. In the event that applicant is unable to satisfy the total on-site recreational space requirements of KCC 21A.14.180 within Tracts A and/or E, then applicant may pay a fee-in-lieu of actual recreation space pursuant to KCC.21A.14.185 with respect to the difference in the amount of on-site recreation space required under KCC 21A.14.180 and the amount of actual on-site recreation space developed within Tracts A and/or E.

- 21. A homeowners' association or other workable organization shall be established to the satisfaction of LUSD which provides for the ownership and continued maintenance of the sensitive area tracts, recreation tracts and open space areas.

The following conditions have been established under SEPA authority as necessary to mitigate the adverse environmental impacts of this development. The applicant shall demonstrate compliance with these items prior to final approval.

- 22. Runoff from impervious surfaces subject to vehicle use or storage &/or transfer of chemicals, petroleum products or wastes must be treated to remove 50 percent of the annual average total phosphorus concentration before discharge to Lake Sammamish or it's tributaries (either natural or engineered). This goal may be met by treating the water quality flow (defined below) with one of the following three on-site treatment options. The design of the facilities shall be approved by King County Water and Land Resource Division (WLRD). Other options that provide an equivalent level of pollutant removal are also acceptable, but must be approved by WLRD.

Option 1: A large wet-pond having a dead storage volume of at least 4.5 times the runoff from the mean annual storm. The mean annual storm is determined by dividing the annual rainfall (in inches) by the number of storms in a typical year. In the Lake Sammamish area, the mean annual storm ranges from about 0.47 to 0.56 inches.

Option 2: A large sand filter treating 95% of the annual average runoff volume as computed by the KCRTS time series. If a detention facility does not precede the sand filter, a pre-settling pond or vault must be provided prior to the sand filter. The pre-settling pond must be sized to hold a volume of 0.75 times the runoff from the mean annual storm.

Option 3: A two-facility treatment train, with the first facility sized to treat the water quality flow (see below), and the second facility a sand filter sized to treat the flow from the first facility, or 90 percent of the annual average runoff volume as computed by the KCRTS time series.

The water quality flow is defined by one of the following:

**1998 Examiner's Decision  
Highland Creek Estates Division III**

Gary Upper, Chateau Development, Inc  
September 10, 1999  
Page 2

Following my review of King County Code Title 19 and the SEPA rules, I have concluded that unless additional changes are made to modify the nature and impacts of your proposal, your current plat design is more than a "minor" change, as contemplated by KCC 19.28.050B. The current design would also require a new SEPA evaluation, per WAC 197-11-335(3), and a re-opened public hearing would be required. As a result, DDES is suspending our review of the engineering plans until we hear from you further on how you wish to proceed.

It is important to note that the subject property is now under the jurisdiction of the new City of Sammamish. Although King County is responsible for technical review and administrative processing of pending applications within the City, the interlocal agreement between the City and the County specifies that final approvals on pending applications ultimately rest with the City. Based on my discussions with City staff, they share our concerns about your current design of the stormwater vault.

At this point, we would encourage you to contact the neighbors living immediately west of the proposed plat, and in particular Mr. Swallow and Mr. and Mrs. Goodwin, to see if certain modifications can be mutually agreed upon that will address the impacts to the off-site properties. If agreement can be reached, please notify us and submit your revised proposal to us for further review. Conversely, if you want to continue with the review of your current design, we will re-consider our previous SEPA determination and make recommendations to the City of Sammamish on how to proceed.

If you would like to discuss this matter further with me, I can be reached at (206) 296-7118.

Sincerely,



Greg Borba, Current Planning Supervisor  
Land Use Services Division

Enclosures

cc: Marco de Sa e Silva, Davis Wright Tremaine,  
Attorney representing Brett and Kirsten Goodwin  
Daniel J. Swallow  
Kelly Robinson, Interim Planning Manager, City of Sammamish  
Brian Derdowski, Councilmember, Metropolitan King County Council  
R. S. Titus, Deputy, King County Hearing Examiner  
Greg Kipp, Director, Department of Development and Environmental Services  
Mark Carey, Manager, Land Use Services Division, DDES  
Joe Miles, P.E., Supervisor, Engineering Review Section, LUSD  
ATTN: Pete Dye, Senior Engineer  
Rebecca Cushman, Engineer  
Kim Claussen, Planner III, Current Planning Section, LUSD  
Lanny Henoch, Planner II, Current Planning Section, LUSD

**CITY OF SAMMAMISH  
CITY COUNCIL AGENDA  
REGULAR MEETING  
MAY 17, 2000**

**Wednesday, May 17, 2000, 7:30 p.m., 486 228<sup>th</sup> Ave. N.E., City Hall Chambers**

**CALL TO ORDER**

**ROLL CALL/PLEDGE**

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1. **Approval of Agenda**
2. **Public Comment** (For members of the public to speak to the Council regarding items NOT on the agenda.  
Please limit remarks to three minutes)
3. **Consent Calendar**

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  - e) **Resolution No. R2000-50: Formation of Citizen Advisory Board for Development of a City Comprehensive Plan**

**6. Council and Committee Reports**

- a) **Public Safety Committee – Fire Services**
- b) **Other Reports**

**7. City Manager and Staff Reports**

- a) **228<sup>th</sup> Avenue Project, Next Phase – Public Works**
- b) **Other Reports**

**8. Public Comments**

**9. Adjourn**

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  - e) **Resolution No. R2000-50: Formation of Citizen Advisory Board for Development of a City Comprehensive Plan**

f) *Consideration  
Property Sale to Post Office*

- 6. Council and Committee Reports**
    - a) Public Safety Committee – Fire Services**
    - b) Other Reports**
  
  - 7. City Manager and Staff Reports**
    - a) 228<sup>th</sup> Avenue Project, Next Phase – Public Works**
    - b) Other Reports**
  
  - 8. Public Comments**
  
  - 9. Adjourn**
-

**MAY 2000**  
**SAMMAMISH CITY COUNCIL CALENDAR**

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
	1	2	3 All at City Hall 5:30 pm Finance 6:30 pm YMCA Sherwood Brief 7:30pm City Council Mtg	4	5	6
7	8 6:00 pm Comm. Develop Comm Mtg/City Hall	9	10 6:30pm Council Study Session/City Hall	11	12	13
14	15 6:30 pm Parks & Rec Commission City Hall	16 6:00 p.m. Hearing Exam, Condryn Public Benefit Rating System Request City Hall	17 5:00 pm Pub Wks Comm/City Hall 7:30PM City Council Mtg./City Hall	18 1:30 pm Emerg. Mgt Mtg/C.H	19	20
21	22	23	24 5:30-7:30 pm Joint Redmond Sammamish Mtg Redmond Coun. Chambers	25 6:00 pm, Hrg Exam/City Hall Cline Wetland	26	27
28	29 HOLIDAY	30 7:00-9:00 pm, Hrg.Exam. Llama Landing, City Hall	31			

**MEETING DATES AND TIMES ARE SUBJECT TO CHANGE**

**JUN. 000**  
**SAMMAMISH CITY COUNCIL CALENDAR**

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
				1	2	3
4	5 10:00 am Hrg Exam/Chestnut Lane/City Hall 7:00 pm Hrg Exam/Chestnut Lane/City Hall	6 10:00 am Hrg Exam/Chestnut Lane/City Hall 7:00 pm Hrg Exam/Chestnut Lane/City Hall	7 All at City Hall 10:00 am Hrg Exam/Llama Ldg 5:30 pm Finance 7:30 pm Council Meeting	8	9	10
11	12 6:30 pm Parks & Rec Commission City Hall	13 6:00 pm Comm. Develop Comm Mtg/City Hall	14 6:30pm Council Study Session City Hall	15 1:30 pm Emerg. Mgt. Mtg/City Hall	16 228 <sup>th</sup> Ave. Design Workshop 1:00 pm-5:00 pm Focus Groups 7:00-9:00 pm Presentation	17 228 <sup>th</sup> Ave. Design Workshop,10:00 am – 5:00 pm Presentations Focus Groups
18	19	20	21 All at City Hall 5:00 pm Pub Wks Comm 7:30pm City Council Mfg.	22	23	24
25	26	27	28 5:30 pm Public Safety/City Hall 6:30pm Council Study Session/City Hall	29	30	

**JUL. 000**  
**SAMMAMISH CITY COUNCIL CALENDAR**

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
						1
2	3	4 HOLIDAY	5 All at City Hall 5:30 pm Finance Committee 7:30 pm Council Meeting	6	7	8
9	10	11 6:00 pm Comm. Develop Cmtee City Hall	12 6:30 pm Council Study Session City Hall	13	14	15
16	17 6:30 pm Parks & Rec Commission City Hall	18	19 All at City Hall 5:00 pm Pub Wks Committee 7:30 pm Council Meeting	20 1:30 pm Emerg. Mgt. Mtg - City Hall	21	22
23/30	24/31	25	26 5:30 pm Public Safety/City Hall 6:30 pm Council Study Session City Hall	27	28	29

**MEETING DATES AND TIMES ARE SUBJECT TO CHANGE**

**Revised 05/12/00**

DEPT.	AGENDA ITEM	COUNCIL COMMITTEE	DUE DATE		
			COUNCIL STUDY SESSION	SPECIAL COUNCIL MEETING	REGULAR COUNCIL MEETING

AD	City Manager appointment review				5/17/00
AD	Resolution calling for annexation to King County Library System	Finance			
AD	Fire Services – Contract/Annex?	Public Safety			
AD					

**Revised 05/12/00**

DEPT.	AGENDA ITEM	COUNCIL COMMITTEE	DUE DATE		
			COUNCIL STUDY SESSION	SPECIAL COUNCIL MEETING	REGULAR COUNCIL MEETING

CD	Moratorium Exemption for owner-occupied Property – shortplats	Comm. Develop. 4/11/00			
CD	Planning Area Boundary	Comm. Develop. 4/11/00			
CD	Vision Statement	Comm. Develop			
CD	Land Use Element	Comm. Develo			
CD	Comprehensive Plan Policies	Comm. Develop			
CD	Public Benefit Rating System (PBRs) Hearing Condrin, Hearing Examiner	Comm. Develop 4/11/00			5/16/00 Hearing Exam.
CD	East Lake Sammamish Trail Interlocal	Comm. Develop			
CD	Equestrian Overlay	Comm. Develop 4/11/00			
CD	Vesting Decision – Lein Property	Comm. Develop 5/9/00			
CD	Moratorium Hardship Requests – Ponce, Thorpe and Pentisch	Comm. Develop 5/9/00			5/17/00
CD	Wireless Telecommunication Regulations	Comm. Develop 5/9/00	5/10/00 6/14/00		
CD	IAC Grant Applic. Beaver Lake Natural Area Property Acquisition/Study				
CD	Citizen Planning Advisory Board Resolution	Comm. Develop			5/17/00

**Revised 05/12/00**

DEPT.	AGENDA ITEM	COUNCIL COMMITTEE	DUE DATE		
			COUNCIL STUDY SESSION	SPECIAL COUNCIL MEETING	REGULAR COUNCIL MEETING

FIN					



**Revised 05/12/00**

DEPT.	AGENDA ITEM	COUNCIL COMMITTEE	DUE DATE		
			COUNCIL STUDY SESSION	SPECIAL COUNCIL MEETING	REGULAR COUNCIL MEETING

PW	Metricom Franchise	Public Works	4/12/00		
PW	Street Lighting Plan	Public Works	5/10/00		6/7/00
PW	East Lake Sammamish Parkway Reclassification Review	Public Works			
PW	Sidewalk/Schools Program	Public Works	5/10/00		
PW	228 <sup>th</sup> Street Improvements Next Phase	Public Works			5/17/00
PW	Storm Water Comp. Plan – Consultant	Public Works	5/17/00		5/17/00
PW					

MAY 11, 2000

<u>HECK NO</u>	<u>CHECK DATE</u>	<u>VENDOR NO</u>	<u>VENDOR NAME</u>	<u>PAYMENT AMOUNT</u>
2101	05/17/2000	ace	Ace Hardware	120.44
2102	05/17/2000	ADP	ADP, Inc.	251.83
2103	05/17/2000	Arrow	Arrow Graphics	4,409.60
2104	05/17/2000	BBN	BBN Corporation	79.00
2105	05/17/2000	Berry	Berryman & Henigar	25,223.81
2106	05/17/2000	Bogdan	Bogdan's Janitorial	712.00
2107	05/17/2000	Corpex	Corporate Express	621.06
2108	05/17/2000	Dell	Dell Marketing L.P.	5,632.07
2109	05/17/2000	Delux	Delux Business Forms	295.61
2110	05/17/2000	dufford	PHILIP DUFFORD	738.00
2111	05/17/2000	Fedex	Federal Express Corp	836.94
2112	05/17/2000	front	Frontier Ford	16,861.81
2113	05/17/2000	GTEERS	GTE Electronic Repair Services	209.34
2114	05/17/2000	ICCM	Int City/County Mgmt Assoc	805.00
2115	05/17/2000	KINGFI	King County Finance A/R	40,045.63
2116	05/17/2000	Kingjo	King County Journal Newspapers	999.10
2117	05/17/2000	mailpo	Mail Post	2,332.57
2118	05/17/2000	newstr	The News Tribune	380.28
2119	05/17/2000	Nova	Nova Networks, Inc.	1,552.98
2120	05/17/2000	OFFDEP	Office Depot	1,334.92
2121	05/17/2000	PSE	Puget Sound Energy	162.12
2122	05/17/2000	RABANC	Rabanco Connections	30.00
2123	05/17/2000	Regenc	Regency Realty Corp.	331.23
2124	05/17/2000	SEATIM	Seattle Times	1,235.34
2125	05/17/2000	shell	Shell Oil Company	224.53
2126	05/17/2000	Spring	Springbrook Software, Inc.	2,108.31
2127	05/17/2000	Thiel	Richard Thiel	36.01
2128	05/17/2000	voice	Voice Stream Wireless	783.01
2129	05/17/2000	WACRIME	Wa State Crime Prevention Asc.	200.00

PC. 1 CHECK TOTAL: \$108,552.54

PG. 2 48,032.07

PG. 3 390.41

CHECK TOTAL \$156,975.<sup>00</sup>

<u>CHECK NO</u>	<u>CHECK DATE</u>	<u>VENDOR NO</u>	<u>VENDOR NAME</u>	<u>PAYMENT AMOUNT</u>
2132	05/15/2000	RICHD	Dennis Richards	140.41
2133	05/15/2000	ICMA		250.00
<b>CHECK TOTAL:</b>				----- <b>\$390.41</b>

**City of Sammamish  
City Council Minutes  
Regular Meeting  
April 19, 2000**

Mayor Jack Barry called the regular meeting of the Sammamish City Council to order at 7:30 p.m.

**Councilmembers present:** Mayor Jack Barry, Deputy Mayor Troy Romero (8:20 p.m.), Councilmembers Phil Dyer, Don Gerend, Ron Haworth, Kathleen Huckabay and Kenneth Kilroy.

**Staff present:** City Manager Michael Wilson, City Attorney Bruce Disend, Director of Administrative Services Dennis Richards, Director of Public Works/Finance Ben Yazici, Chief Richard Baranzini, City Engineer Dick Thiel, Accounting Manager Diane Lukin, Special Projects Planner Matt Mathes and Acting City Clerk Ruth Muller.

**Student Liaisons:** Jamie Furse, Skyline High School and Montsine Nshom, Eastlake High School.

**Roll Call/Pledge**

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

**Approval of Agenda**

Councilmember Gerend moved to approve the agenda. Councilmember Dyer seconded the motion. Councilmember Huckabay moved to amend the motion to move Consent Calendar items (d) and (e) to the regular agenda as Items 5.(j) and 5.(k). Councilmember Kilroy seconded the motion. The motion to amend carried unanimously.

Councilmember Huckabay moved to amend the agenda to table Consent Calendar item (g) to the next meeting. Councilmember Kilroy seconded the motion. The motion to amend carried unanimously. Councilmember Gerend moved to amend the agenda to add an item (b) to Executive Session for discussion of property acquisition. Councilmember Haworth seconded the motion. The motion to amend carried by majority vote with five aye votes – Barry, Dyer, Gerend, Haworth, Huckabay and one nay vote – Kilroy. The main motion to approve agenda as amended carried unanimously.

**Public Comments**

Rena Brady, 1304 251<sup>st</sup> Ave. S.E., requested that the Council approve sponsorship of an Interagency Committee for Outdoor Recreation (IAC) grant application due May 1, 2000 for submittal by community group for property acquisition of Beaver Lake Natural Area Preserve. IAC requires that a city sponsor applications and to be the grantee; the community is prepared to raise all matching funding required, and the City Parks and Recreation Commission has reviewed this proposal and supports the application.

for some of the dollars contributed for various project phases so that the community has knowledge of how this will solve problems.

Bente Pasko, 22109 N. E. 21<sup>st</sup> Way, questioned if the East Lake Sammamish Parkway has proposed sidewalks like the Burke-Gilman Trail or offset sidewalks.

Deputy Mayor Romero arrived at 8:20 p.m.

Director Yazici said that the City has little historical data, but is doing modeling to develop a formula for use in determining impact fees; provided some examples of what dollars will accomplish at the 228<sup>th</sup> Avenue Northeast and Northeast 8<sup>th</sup> Street intersection; staff will work on prioritizing in the near future; modeling was done, and staff will identify needs to Council during the budget process; that there is limited access to and from the plateau and the staff is proposing sensible projects to address some of the problems the community is experiencing. The Council has requested that King County complete the Master Plan for the East Lake Sammamish Trail before opening to interim usage.

Mayor Barry closed the hearing at 8:25 p.m.

### **Interim Public Works Standards**

Mayor Barry opened the public hearing at 8:26 p.m.

Public Works/Finance Director Yazici introduced City Engineer Dick Thiel who reviewed the proposed standards for Sammamish. The Council had questions relating to several of the standards and implications of reclassification of specific streets.

Bente Pasko, 22109 N. E. 21<sup>st</sup> Way, expressed concern about the traffic impact to already congested 228<sup>th</sup> Avenue Northeast with reclassification of East Lake Sammamish Parkway from major to minor arterial.

Kevin Kaelber, 2101 220<sup>th</sup> Place N.E., president of the Hampton Woods Homeowners Association, noted that the City has only two major thoroughfares and reclassification of East Lake Sammamish Parkway will shift the burden to 228<sup>th</sup> Avenue Northeast. He asked that the City not reclassify East Lake Sammamish Parkway to minor arterial until there is an alternate route for traffic to use.

Sayed Safavian, 21714 N. E. 29<sup>th</sup> Street, has provided his specific comments to staff on these standards. He said that the Council should look at amenity improvements such as undergrounding of utilities; partial closure of streets by developers; sidewalk width and commercial zones; safety of bicyclist/joggers/pedestrians; and street parking.

Steve Crawford, 22917 N. E. 20<sup>th</sup> Place, said that sidewalks separated from the vehicular traffic lanes is a positive step for safety.

the Public Works Committee, and addressed differences between some of the classifications.

Councilmember Dyer moved, at 9:40 p.m., to extend the meeting adjournment to 10:30 p.m. Councilmember Kilroy seconded the motion. The motion carried unanimously.

There was discussion of proposed changes to existing classifications and how any change could affect traffic movement and impact within the City.

Bente Pasko, 22109 N. E. 21<sup>st</sup> Way, said that classification change to East Lake Sammamish Parkway could shift traffic to 228<sup>th</sup> Avenue Northeast where speed is a major problem, and where traffic volume is already pushing the limits of acceptability. In making such a decision, the Council should consider traffic use regionally.

Jim McGraw, 1525 248<sup>th</sup> Ave. S.E., agrees that classification change on East Lake Sammamish Parkway would cause a major impact on other streets.

Sayed Safavian, 21714 N. E. 29<sup>th</sup> Street, noted that information in the paper identified hearing on six public works items.

The motion approving Ordinance No. O2000-57 carried unanimously.

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**Resolution No. R2000-46:** Councilmember Haworth moved for approval of Resolution No. R2000-46 Adopting an Interim Six-Year Transportation Plan. Councilmember Gerend seconded the motion. The motion carried unanimously.

**Ordinance No. O2000-59:** Councilmember Kilroy moved for approval of Ordinance No. O2000-59 Adopting an Interim Six-Year Capital Improvement Plan. Councilmember Gerend seconded the motion. The motion carried unanimously.

**Ordinance No. O2000-60:** Councilmember Kilroy moved for approval of Ordinance No. O2000-60 Adopting Interim Public Works Standards. Deputy Mayor Romero seconded the motion. The motion carried unanimously.

**Ordinance No. O2000-61:** Councilmember Kilroy moved for approval of Ordinance No. O2000-61 Adopting a Neighborhood Traffic Management Program. Councilmember Gerend seconded the motion. Public Works/Finance Director Yazici reviewed the proposed plan that has been developed to address problems with speeding, careless driving, and safety concerns.

Scott Hamilton, 23410 S. E. 8<sup>th</sup> Street, said that another effective method to address these concerns is to have a police vehicle parked in the area that is experiencing problems.

Sayed Safavian, 21714 N. E. 29<sup>th</sup> Street, said that he applauds staff on development of this program, but is concerned about the lack of public involvement.

**Hardship Exemption Requests:** Councilmember Dyer moved that the Council approve hardship requests of Robert S. Davey, 21602 S. E. 28<sup>th</sup> Street, for a water setback variance and for Scott Saunders, 3228 East Lake Sammamish Parkway N.E., for shoreline and zoning setbacks. Deputy Mayor Romero seconded the motion. Councilmember Huckabay reported that the Community Development Committee reviewed these requests and heard presentations made by the applicants. The Committee recommends approval of both of these hardship requests since they are consistent with similar circumstances of previously approved requests. The motion to approve hardship exemptions for Robert S. Davey and Scott Saunders carried unanimously.

Councilmember Haworth moved to amend the agenda to add an item to allow Lynn and Sally Mattson to present their letter of information on their hardship exemption request for a wetland buffer setback variance. Councilmember Kilroy seconded the motion. The motion carried unanimously. Councilmember Huckabay reported that the Community Development Committee recommended denial of this request after reviewing information and hearing from the applicant. There was brief discussion for the need to have parameters for granting exemptions, and Councilmember Dyer advised that this request would be reconsidered by the Community Development Committee on April 25.

#### **Agenda**

Councilmember Haworth moved to amend the agenda to add Report on 228<sup>th</sup> Avenue Northeast project. Councilmember Dyer seconded the motion. The motion carried unanimously. Public Works/Finance Director Yazici briefed the Council on negotiations between the Issaquah School District for additional property in order to provide the enhancements that the City would like to add to the project. Councilmember Haworth moved to eliminate the sidewalk on the west side of 228<sup>th</sup> Avenue Northeast from 32<sup>nd</sup> Street south. Councilmember Gerend seconded the motion. Councilmember Dyer offered a friendly amendment for purposes of redirecting available funding to the expansion of the center left turn lane for improved traffic safety for storage of buses turning left. Councilmember Huckabay seconded the motion. The amendment carried unanimously. There was brief discussion about need to address pedestrian safety without the sidewalk. The main motion as amended carried unanimously.

#### **Executive Session**

Councilmember Haworth moved, at 11:25 p.m., to extend the meeting to 12:00 midnight. Councilmember Huckabay seconded the motion. The motion carried by majority vote with five aye votes – Barry, Gerend, Haworth, Huckabay, and Kilroy; and two nay votes – Dyer and Romero.

City Attorney Disend said that the executive session is for purposes of discussing litigation and property acquisition and will last for approximately 35 minutes.

Councilmember Dyer moved that this meeting be continued to April 26, 2000 at the end of the Executive Session. Councilmember Haworth seconded the motion. The motion carried unanimously.

Councilmember Kilroy called for the question. The motion failed with two aye votes – Barry and Haworth; and five nay votes – Dyer, Gerend, Huckabay, Kilroy and Romero.

**Adjournment**

Councilmember Dyer moved to continue this meeting to Wednesday April 26, 2000 at 7:30 p.m. Councilmember Kilroy seconded the motion. The motion carried unanimously.

The meeting recessed at 12:30 a.m.

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Ruth Muller, Acting City Clerk

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Jack Barry, Mayor

**AGENDA BILL**

**CITY OF SAMMAMISH  
CITY COUNCIL**

**Subject:**  
Storm Water Comprehensive Plan

Meeting Date May 17, 2000 Date Submitted May 12, 2000

Department Originating Public Works

**Clearances:**

                     Administration/Finance                      Police

                      Public Works                      Fire

                     Building/Planning                      Attorney

                     Public Works                      Committee

**Exhibits:** Copy of Contract will be available at Council Meeting

**Amount**

**Budgeted:**

**Summary Statement:**

Staff issued a Request for Proposal to prepare a Stormwater Comprehensive Plan for the City. It is estimated that the cost for accomplishing this will be approximately \$90,000 to be completed in three to five months. The Plan will inventory drainage facilities, develop a Capital Improvement Program, recommend a rate structure and developer charge system, and propose program policies and standards. Three firms were interviewed and the firm of CH2M Hill was selected for preparation of this Plan. It is recommended that a contract for performing this work be awarded to CH2M Hill.

**Recommended Motion:**

Authorize the City Manager to execute contract with CH2M Hill for preparation of a Stormwater Comprehensive Plan for the City of Sammamish.

**AGENDA BILL**

**CITY OF SAMMAMISH  
CITY COUNCIL**

**Subject:**  
Moratorium Hardship Exemption - Ponce

Meeting Date May 17, 2000      Date Submitted May 12, 2000

Department Originating Community Development

**Clearances:**

\_\_\_\_\_ Administration/Finance                      \_\_\_\_\_ Police

**Action Required:**

\_\_\_\_\_ Public Works                                      \_\_\_\_\_ Fire

Approve or deny request

\_\_\_\_\_ X Building/Planning                              \_\_\_\_\_ Attorney

\_\_\_\_\_ Community Development                      \_\_\_\_\_ Committee

**Exhibits: Letter of request; site plan**

**Amount**

**Budgeted:**

**Summary Statement:**

The applicant purchased the subject property on the south side of the west end of Pine Lake to build a house to sell for funding his retirement. The lot is fully developed with sewer, water, gas, cable, electricity, all on the property or in the newly paved street that runs in front of the property. During a pre-application meeting, it was determined that the property is classified as a Class I wetlands. The applicant has hired Watershed Associates to prepare a mitigation revegetation plan for the property. A setback variance from the water's edge for new construction on the subject lot is required to make the lot buildable. The applicant is retired and on a limited income. The exemption request was presented before the Community Development Committee May 9, 2000. The Community Development Committee recommends approval of the exemption request on the basis that it is consistent with similar circumstances of hardship requests that have been approved (main source of retirement funds).

**Recommended Motion: Approve the hardship request of Florencio D. Ponce as recommended by the Community Development Committee and authorize staff to accept and process an application for the petitioner.**

voted to APPROVE the hardship request and AUTHORIZE the staff to accept and process an application for this petitioner.

ADOPTED this 17<sup>th</sup> day of May 2000.

CITY OF SAMMAMISH

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Mayor Jack Barry

ATTEST:

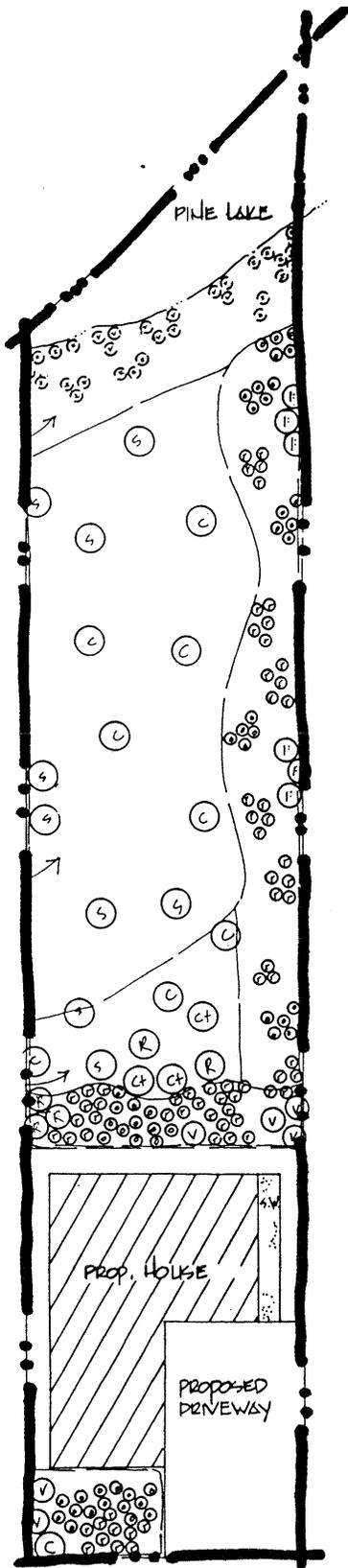
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Ruth Muller, Acting City Clerk

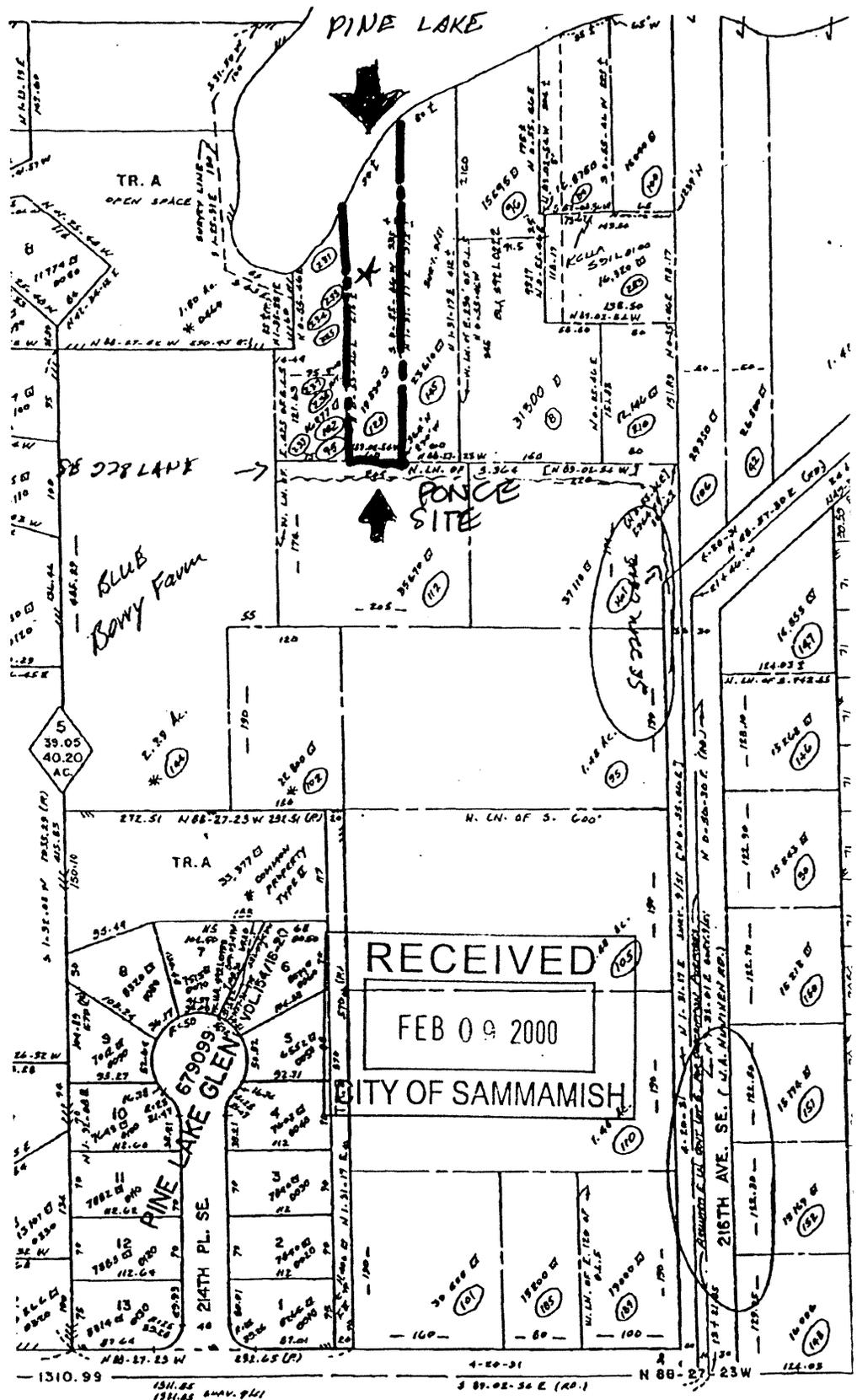
APPROVED AS TO FORM:

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Bruce Disend, City Attorney



↑ NORTH  
 FLORENCIO PONCE  
 SITE PLAN



FLORENCIO PONCE  
 HARSHIP REQUEST

**AGENDA BILL**

**CITY OF SAMMAMISH  
CITY COUNCIL**

**Subject:** Meeting Date May 17, 2000 Date Submitted May 12, 2000

Hardship Exemption request Department Originating Community Development

**Clearances:**

                     Administration/Finance                      Police

**Action Required:**                      Public Works                      Fire

                      Building/Planning                      Attorney

Approve or deny request                      Community Development                      Committee

**Exhibits:** May 3, 2000 letter; Homeowner Assn letter; site plan

**Amount**

**Budgeted:**

**Summary Statement:**

The applicant submitted plans to his homeowners association to build a playhouse/garden shed in the to the side of his house. The location and construction was approved by the homeowners association in January 2000. Based on information the applicant had received earlier that a building permit was not necessary since the structure is under 100 square feet in size, he constructed the building. There was no review of the accessory structure by the City in advance of construction. Responding to a neighbor's concerns, the City's building official inspected the structure and was satisfied that no building permit was required, however the location of the structure did not meet zoning requirements. The applicant has submitted this hardship exemption request to allow him to retain the structure in its current location. The Community Development Committee considered this request on May 9, 2000 and recommend approval by the City Council on the basis that it is consistent with similar circumstances of hardship requests that have been approved.

**Recommended Motion:**

Approve hardship exemption request of John Thorpe as recommended by the Community Development Committee and authorize staff to accept and process an application for this petitioner.

CITY OF SAMMAMISH

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Mayor Jack Barry

ATTEST:

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Ruth Muller, Acting City Clerk

APPROVED AS TO FORM:

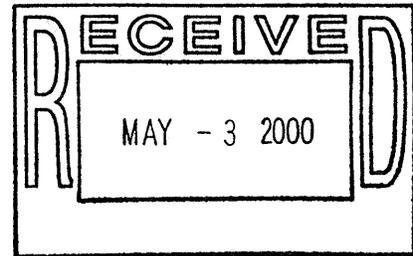
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Bruce Disend, City Attorney

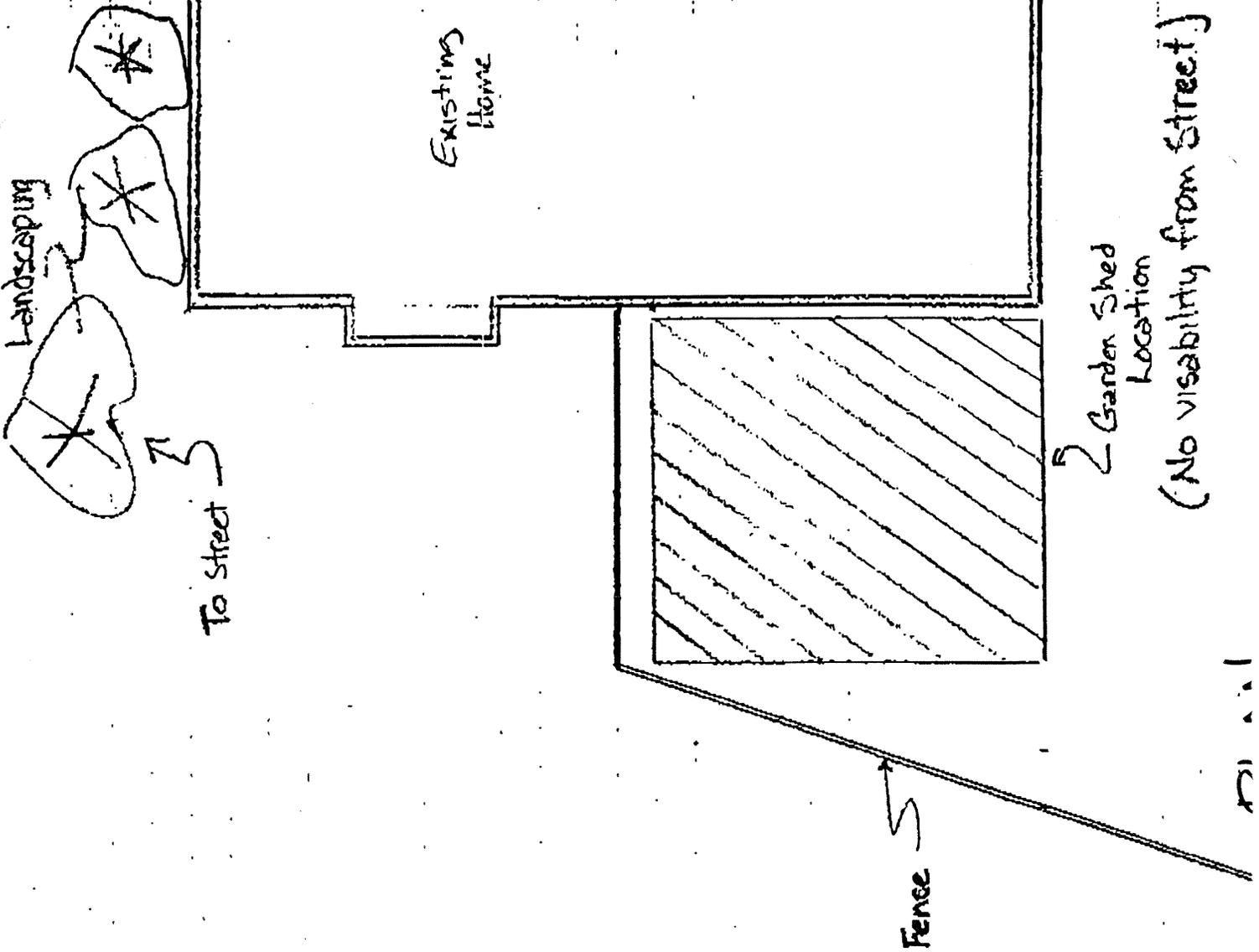
I understand that before I can have Matt Mathes of our Zoning Department review our situation I need to ask the city council to grant me an exemption (under section 5) to the building moratorium. I hope that I have provided enough information to the committee that you would feel comfortable presenting this request to the council. If you would please review the attached documentation and present my request to the city council for approval I would be most appreciative.

Sincerely,

John Thorpe  
2225 274<sup>th</sup> Court S.E.  
Sammamish, WA 98029  
425-427-8379 home  
425-453-7222 work

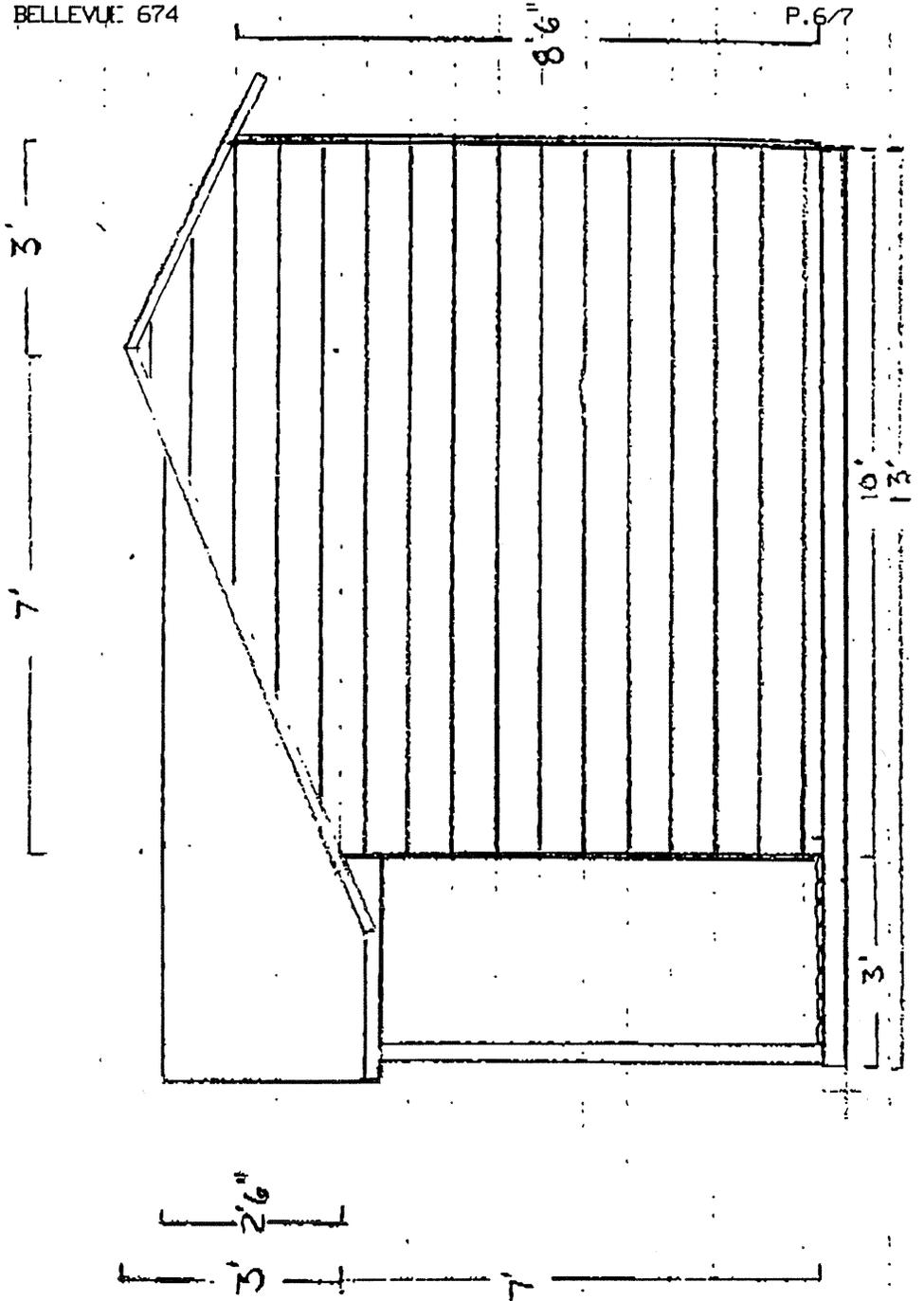


ITEM  
16



(No visibility from Street)

J. THORPE - 16



SIDE ELEVATION

J. THORPE - ITEM 1b

(5)

**AGENDA BILL**

**CITY OF SAMMAMISH  
CITY COUNCIL**

**Subject:** Meeting Date May 17, 2000 Date Submitted May 12, 2000

Hardship Exemption request Department Originating Community Development

**Clearances:**

\_\_\_\_\_ Administration/Finance \_\_\_\_\_ Police

\_\_\_\_\_ Public Works \_\_\_\_\_ Fire

\_\_\_\_\_  Building/Planning \_\_\_\_\_ Attorney

\_\_\_\_\_ Community Development \_\_\_\_\_ Committee

**Action Required:**  
Approve or deny request

**Exhibits:** Kappler May 3, 2000 letter; May 3, 2000 King County Parks letter

**Amount  
Budgeted:**

**Summary Statement:**

The applicant has been working for several years to to obtain necessary permits to construct a single family residence on the subject property. Sewer availability was obtained and a water availability received after two years submitting applications. The water availability certificate will lapse on March 3, 2001. The size of the property constricts the placement of the garage within the required setback, as it is desired that the home be as far away from the shoreline as possible. A variance from the setback requirement will allow the entire home to be pulled away from the shoreline, as coverage requirements will limit the size of the home. No shoreline setback variance exemption is included in the request. The exemption request was presented to the Community Development Committee May 9, 2000 and a recommendation made by the Committee to approve the hardship exemption request.

**Recommended Motion:**

Approve hardship exemption request of Marilyn Penitsch as recommended by the Community Development Committee and authorize staff to accept and process an application for this petitioner.

ADOPTED this 17<sup>th</sup> day of May 2000.

CITY OF SAMMAMISH

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Mayor Jack Barry

ATTEST:

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Ruth Muller, Acting City Clerk

APPROVED AS TO FORM:

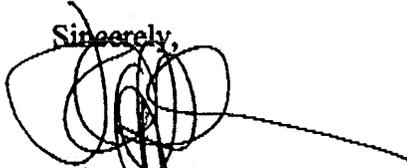
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Bruce Disend, City Attorney

Our office has worked for several years with the property owner. We now have water availability and want to conclude the project with the same design concept we started many years ago.

Submitted this request for your consideration.

Should you have any questions or comments, please do not hesitate to call.

Sincerely,  
  
John Kappler  
President

Cc: Marilyn Penitsch

ITEM  
1C

**AGENDA BILL**

**CITY OF SAMMAMISH  
CITY COUNCIL**

---

**Subject:**

Meeting Date: May 17, 2000

Date submitted: May 12, 2000

Resolution calling for the formation of a citizens advisory board to assist in the development of the City's Comprehensive Plan and development regulations

Department Originating

**Clearances:**

Administration/Finance

Police

Public Works

Fire

**Action Required:**

Adoption of resolution.

Community Development

Attorney

Community Development Committee

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**Exhibits:**

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**Amount**

**Budgeted:**

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**Summary Statement:**

The City will be developing a comprehensive plan to guide the development of land within the City and its Urban Growth Area. To assure a high level of community involvement in this most important process, the formation of a citizens advisory board to assist in the development and public review of the comprehensive plan is deemed necessary and appropriate. The resolution would establish an 11 to 15 member board, plus 4 alternates, to guide the public review process. The board formed will be called the City of Sammamish Planning Advisory Board.

**Recommended Motion:**

Adoption of a resolution calling for the formation of a Planning Advisory Board.

# CITY OF SAMMAMISH

WASHINGTON

RESOLUTION NO. R2000-50

---

**AN RESOLUTION OF THE CITY OF SAMMAMISH  
FORMING A CITIZENS PLANNING ADVISORY BOARD  
TO ASSIST IN THE DEVELOPMENT OF THE CITY OF  
SAMMAMISH COMPREHENSIVE PLAN AND  
DEVELOPMENT REGULATIONS.**

WHEREAS, the City of Sammamish was incorporated on August 30 of 1999; and

WHEREAS, under the provisions of RCW 36.70A, the City of Sammamish must adopt a Comprehensive Plan within four years of the city's incorporation date; and

WHEREAS, in order to promote and facilitate public participation and involvement in the development of the new Comprehensive Plan, the City calls on its citizenry to assist in this important process; and

WHEREAS, the City Council finds that a citizen advisory board, working in conjunction with the City staff, should conduct the requisite open public meetings in developing the City's Comprehensive Plan and Development Regulations; and

WHEREAS, the Planning Advisory Board should consist of residents of the City and should represent a broad interest of the community; and

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

Section 1. Formation of a Citizen Advisory Board. The City of Sammamish hereby appoints a citizen advisory board, consisting of ~~not less than eleven but no more than fifteen~~ residents of the City, including four alternates, to assist in the development of a comprehensive Plan for the City of Sammamish and its Urban Growth Area (UGA), said advisory board to be called the Planning Advisory Board (PAB),

Section 2. Term of Appointment. All members of the Board shall serve until adoption by the City Council of the City Comprehensive Plan and Development Regulations

Section 3. Open Public Meetings. All meetings conducted by the PAB shall be open public meetings governed under the rules of RCW 42.30

*Notwithstanding the above, the PAB may have up to three members who live outside the city - 1 - but in the UGA.*

**CITY OF SAMMAMISH  
WASHINGTON**

RESOLUTION NO. R2000-50

---

**AN RESOLUTION OF THE CITY OF SAMMAMISH  
FORMING A CITIZENS PLANNING ADVISORY BOARD  
TO ASSIST IN THE DEVELOPMENT OF THE CITY OF  
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Section 2. Term of Appointment. All members of the Board shall serve until adoption by the City Council of the City Comprehensive Plan and Development Regulations

Section 3. Open Public Meetings. All meetings conducted by the PAB shall be open public meetings governed under the rules of RCW 42.30