

COUNCIL MINUTES

Special Meeting/Study Session February 10, 2004

Mayor Kathleen Huckabay called the regular meeting of the Sammamish City Council to order at 7:30 pm.

Councilmembers present: Mayor Kathleen Huckabay, Deputy Mayor Don Gerend, Councilmembers Jack Barry, Mark Cross, Lee Felling (arrived 8:20 pm), Michele Petitti and Nancy Whitten.

MOTION: Councilmember Cross moved to excuse the tardiness of Councilmember Felling. Deputy Mayor Gerend seconded. Motion carried unanimously 6-0.

Staff present: City Manager Ben Yazici, Director of Community Development Ray Gilmore, Director of Public Works Delora Kerber, City Infrastructure Operations & Maintenance Manager Glenn Akramoff, City Attorney Bruce Disend and City Clerk Melonie Anderson.

ROLL CALL/PLEDGE

Roll was called. Councilmember Barry led the pledge.

Approval of Agenda

MOTION: Councilmember Barry moved to approve the agenda. Councilmember Petitti seconded the motion. Motion carried unanimously 6-0.

Open Study Session

7:35 pm

a) Concurrency & Impact Fees

Public Works Director Delora Kerber gave the staff report. The Sammamish Municipal Code requires modifications to carry out the directives of the Comprehensive Plan. She reviewed the projects on the current Transportation Improvement Project List. She explained that developers could only be charged their proportional share of new growth; this leaves the rest of the funding to come from the City's general fund.

Mr. Yazici said it would be very costly for the City to use an alternate formula to calculate concurrency fees that was not based on the ITA. If an alternate method were used it would require unique circumstances and monitoring by staff to ensure that the use of building never changes.

Many factors are taken into account when determining fees. These are not all spelled out in the ordinance but are left up to the interpretation of the Public Works Director.

The Transportation Project List will be reviewed at March 2, 2004 Community Development Committee meeting.

b) A Regional Coalition for Housing (ARCH) 2004 Work Plan

Director of Community Development Director Ray Gilmore gave the staff report. Program Manager Art Sullivan explained the proposed work schedule and budget for 2004. The Program addresses four areas:

- A. Project Assistance
- B. Housing Policy Planning
- C. Housing Program Implementation
- D. Support/Education/Administrative Activities

A resolution approving this work plan will be brought before Council at a future meeting.

c) Public Works Maintenance Facility

City Infrastructure Operations & Maintenance Manager Glenn Akramoff gave the staff report. He reviewed three options for moving forward on building a Public Work facility. The three options are:

1. Work Jointly with Sammamish Plateau Water & Sewer District
2. Improve the current site at Beaver Lake Park
3. Buy property and build a new facility

Several Councilmembers will be meeting with staff from the Sammamish Plateau Water & Sewer District on March 2. Refinement of the plan will continue.

Close Study Session

8:55 pm

Special Meeting reconvened.

MAYOR/COUNCIL/COMMITTEE REPORTS

- *Public Safety Committee (Councilmember Felling)*: Attended the Eastside Fire & Rescue Meeting tonight. They were in executive session to discuss fire contract negotiations.
- *Finance Committee (Deputy Mayor Gerend)*: Met with Sound Transit and got an update on the regional projects. The total budget for all capital projects is \$530 million. Projections for all projects show the actual costs will be \$39 million less than estimated. There might be as much as \$80 million left for new projects. Sound Transit is visiting cities to get ideas for new projects to spend the money on.
- *Community Development Committee (Councilmember Cross)*: The committee and Mr. Yazici discussed the process for presenting items to the Planning Commission. The suggestion is that a full list of topics be developed at the Community Development Meeting and then brought before the full Council for approval before assignment to the Planning Commission.
- *Public Works Committee (Councilmember Petitti)*: Committee met tonight. They were introduced to new staff members in Public Works. Topics discussed were (1) Issaquah-Pine Lake Road extension. There will be an open house on February 25, 2004 with both staff and consultants from Sound Transit on hand to answer questions. (2) Discussed projects on the concurrency list. (3) Discussed school-related

transportation issues. The districts are asking for many improvements. The question arose of who would be liable if improvements are not made and someone is injured. Does the City have to provide total cost of these projects? Perhaps this should be a discussion item at the next joint meeting with the school districts. (4) Update on the Roundabout at Issaquah-Pine Lake Road and SE 32nd. It is still on schedule to be constructed this year.

- *Legislative Committee (Mayor Huckabay):* No report
- *Parks, Trails and Natural Resources Committee (Councilmember Whitten):* Committee will have its first meeting on February 23, 2004 at 10:00 am. Their first project will be to develop a process for public input.
- *Mayor Report:* Attended the Economic Development District meeting. This committee will be melded with the Puget Sound Regional Council. A work schedule will be developed. Attended Suburban Cities Association Management and Policy Board Meeting with Deputy Mayor Gerend. This committee has worked on several major issues on behalf of eastside cities. They are advising that the King County contract for Solid Waste be examined before it expires. Currently it requires the cities to move to a different location if the Cedar Hills Landfill is closed. Attended the Women Mayors meeting. Suggested that someone from Sound Transit should be invited to give a short presentation to Council regarding services.

PUBLIC COMMENT:

Scott Hamilton, 19727 SE 19th Street, He did not think that ARCH was very helpful to the Planning Advisory Board when they were working on the Comprehensive Plan Housing Element. Their recommendations were not tailored to Sammamish. Questions were left unanswered. Suggested Council examine how they perform this year's work plan.

BJ Sherman/Rodger McPherson, 21626 SE 28th Street, They have been adversely impacted by the recent change in side yard set back requirements. They have spent a great deal of money on the house design and now it is unusable. They asked Council for an exemption from the set back requirements. He does not think it is fair that the rules were changed without notice.

John Galvin, 432 228th Avenue SE, He does not believe that the City vision really represents what is reasonable development for the future. Smart Growth and urban design has not been considered. The City vision should be revised.

Council recessed from 9:25 pm to 9:40 pm.

Unfinished Business

Ordinance: Adding Chapter 14A.05 To Define Terms For Concurrency, Impact Fees And Traffic Impact Analysis; Providing An Effective Date (O2004-138)

Ms. Kerber gave the staff report. No changes have been made to this ordinance since the last reading. There have been several public hearings on the following ordinances. Staff is recommending approval of all three ordinances.

MOTION: Councilmember Gerend moved to approve Ordinance O2004-138 to add Chapter 14A.05 and Ordinance O2004-139 to add Chapter 14A.10 to the Sammamish Municipal Code. Councilmember Petitti seconded.

Councilmember Barry requested that these two ordinances separate out any references to exemption for public schools. He will not vote on those sections.

Ms. Kerber explained that this motion should be for approval of O2004-138 only.

AMENDMENT: Councilmember Petitti moved to amend the motion to approve only O2004-138. Councilmember Cross seconded. Motion carried unanimously 7-0

MAIN MOTION: Passed unanimously 7-0.

Ordinance: Adding Chapter 14A.10 To Require Adequate Public Facilities Concurrent With Development; Providing An Effective Date (O2004-139)

Ms. Kerber noted that two changes have been made to this ordinance. The first one is the removal of the five-year term limit on concurrency certificates and the second one is changing the final deposit to final payment, with no further payments being required at time of building permit.

Councilmember Barry removed himself from voting on Section 14A.10.030A3 in Ordinance O2004-139 and Section 14A.15.030 A11 in Ordinance O2004-140 (both sections dealing with the exemption of public schools from concurrency to avoid any conflict of interest).

MOTION: Councilmember Whitten moved to remove Section 14A.10.030A3 and Section 14A.15.030A11. Councilmember Petitti seconded. Motion carried 6-0.

MOTION: Deputy Mayor Gerend moved to approve Section 14A.10.030A3 of ordinance O2004-139. Councilmember Petitti seconded. Motion carried 6-0.

MOTION: Deputy Mayor Gerend moved to approve Section 14A.15.030A11 of Ordinance O2004-140. Councilmember Whitten seconded. Motion carried unanimously 6-0.

Ordinance: Amending Chapter 14A.15 Authorizing The Collection Of Impact Fees For Roads; For The Purpose Of Modifying The Schedules For Impact Fees And Authorizing Independent Fee Calculations; And Providing For Certain Other Matters In Connection Therewith.

Ms. Kerber explained that schools were exempt from fees, verbiage was added that fee payer could get credit for fees already paid and some additional land use categories. Mayor Huckabay added that the project list would be revisited at the March 2 meeting because Council feels the proposed fees are very high.

MOTION: Councilmember Cross moved to approve O2004-140 with the exception of Section 14A.15.030.A11. Councilmember Petitti seconded. Motion carried 7-0.

Councilmember Barry returned.

MOTION: Deputy Mayor Gerend moved to approve O2004-139 in total incorporating all sections. Councilmember Whitten seconded. Motion carried 6-0.

Councilmember Cross agrees that schools do impact traffic, especially high schools. The City and the schools should address this problem collectively. Working together will have much more impact than mitigation fees that could be collected. For that reason he will vote for exempting schools from concurrency.

MOTION: Councilmember Cross moved to approve ordinance O2004-140 in its entirety. Councilmember Petitti seconded. Motion carried 6-0.

New Business

Hardship Exception Request: Moravan (24708 SE 14th Street)

Community Development Director Ray Gilmore gave the staff report. The request is for 16 lots on 6 ½ acres in R-4 zoning. Applicant has received water certificates but they will expire in March.

Councilmember Whitten asked if the application includes any open space tracks. Mr. Gilmore explained that no application is accepted until the exception is granted.

Councilmember Felling asked if the Council had considered similar requests in the past and how were they handled. Mr. Gilmore said several comparable plats have been approved under similar circumstances.

Councilmember Petitti questioned what would happen to the trail connection if the area is developed?

Councilmember Cross feels that the road would have to offset at a sharp angle in this development.

Councilmember Whitten said that the moratorium is in place to allow for development regulations to be put in place. She doesn't think this hardship should be granted when it is so close to the end of the moratorium.

City Attorney Bruce Disend pointed out the Council has consistently granted exceptions when water certificates are about to expire. He advised them to remain consistent.

Deputy Mayor Gerend feels that due to the excessive length of the moratorium, this request should be granted.

Councilmember Cross will vote against the exception because the code should be revised appropriately before any more development occurs.

MOTION: Councilmember Cross moved to table the motion. No second

MOTION: Deputy Mayor Gerend moved to approve the hardship exception. Councilmember Felling seconded. Motion carried 5-1-1 with Councilmember Cross dissenting and Councilmember Whitten abstaining.

City Manager Report

Parks Manager Jeff Watling gave an update on the progress of the potential project with Lake Washington School District to build a joint-use ball field on their property. He said that the main concern of the surrounding residents was about lighting of the field. A study has been done to show what the impact of the lighting would be. The next step will be to schedule a joint meeting with the school board members and the City Council.

Mr. Yazici reported on the recent Staff Director Retreat. They worked on developing a process for achieving the goals set by Council at the January Retreat. Additional staff resources may be requested.

Executive Session – Property Acquisition and personnel pursuant to RCW 42.30.110(1)(b) and (g).

Council adjourned to Executive Session at 10:50 pm and returned at 11:15 pm. No action was taken.

Adjournment – Mayor Huckabay adjourned the meeting at 11:15 pm.

Melonie Anderson, City Clerk

Kathleen Huckabay, Mayor