

# COUNCIL MINUTES

## Regular Meeting September 19, 2006

Mayor Michele Petitti called the regular meeting of the Sammamish City Council to order at 6:35 pm.

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

**Staff present:** City Manager Ben Yazici, Deputy City Manager Pete Butkus, Assistant City Manager/Finance Director Lyman Howard, Public Works Director John Cunningham, Parks & Recreation Director Jeff Watling, Community Development Director Kamuron Gurol, City Attorney Bruce Disend, and Deputy City Clerk Stacy Herman.

### **Roll Call/Pledge**

Roll was called. Sammamish Youth Board Member Laura Hawkinson led the pledge.

Mike Bell - 22423 SE 20<sup>th</sup> Street: He commented on placement of a sidewalk at SE 20<sup>th</sup> Street.

Barb Thorn – 3626 223<sup>rd</sup> Avenue SE: She would like to see more flexibility in the Public Works Standards. She suggests narrower streets could slow down traffic.

### **Approval of Agenda:**

**MOTION:** Councilmember Whitten moved to approve the agenda. Councilmember Cross seconded. Motion carried unanimously 7-0.

### **Proclamation: Kids Day America International:**

Mayor Petitti presented the proclamation claiming September 16, 2006 “Kids Day America International”

### **Introduction:**

Mayor Petitti introduced the Sammamish City Council Youth Liaisons. Skyline Representatives are Jordan Graham and Mik Kurian, Eastlake Representative Jessica Dover and Sammamish Youth Board Laura Hawkinson.

Jessica Dover: She reported on homecoming, undefeated soccer team, Eastlake High School homecoming football game next week, and homecoming themes.

Mik Kurian: He announced the October 28, 2006 Skyline High School homecoming.

## **Consent Agenda**

- Approval: Claims for period ending September 19, 2006 in the amount of \$1,935,299.33 For Check No. 16254 through Check No.16347
- Approval: Notes for January 20, 2006 Study Session
- Approval: Notes for January 30, 2006 Study Session
- Approval: Minutes for September 5, 2006 Regular Meeting
- Approval: Notes for September 12, 2006 Study Session

Consent agenda was approved as presented.

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

## **Public Hearing**

### **Resolution: Confirming The Assessment Roll For Beaver Lake Management District No.1**

This will be the last step in forming the district. There are two zones in the district: Zone 1 lakefront properties will be assess \$230 per year and Zone 2 non-lakefront, which will be assessed \$23.00 per year.

Public Hearing opened at 6:45 pm. Public hearing closed at 6:47 pm. There was no public comment.

MOTION: To approve the assessment roll for Beaver Lake Management District #1. Motion carried unanimously 7-0. (R2006-247)

### **Resolution: Opposing Initiative 933, Entitled “An Act Relating To Providing Fairness In Government Regulation Of Property”**

Public Hearing opened at 6:48 pm. Public Hearing closed at 6:50 pm. There was no public comment.

City Attorney Bruce Disend gave the report on the controversy surrounding the Initiative. There is a primary compensation requiring the local jurisdiction who put restrictions that would negatively impact the value of private property, the jurisdiction would then be responsible to pay for any impacts to the property. This initiative goes back to January 1, 1996 and there could be several legal issues for new cities incorporating subsequent to January 1, 1996. Our state could face similar consequences as Oregon did with the passing of Measure 37. Oregon anticipates \$18 to \$44 million dollars in Administrative fees. (See handouts on I-933 and Oregon Measure 37, available in the City Clerk’s office.) Impacts include taxpayers paying litigation fees, non-enforcement of development regulations in an attempt to avoid litigation and paying out compensation. The scope of the initiative goes beyond the best interest of the public and is filled with ambiguities that could potentially create large amounts of litigation and has potential to

negate all regulations adopted by the City, with the thought and intent of protecting the health, safety and welfare of the community.

The City received one written comment opposing I-933, submitted by Steve Butler of the American Planning Association. (copies available in the Clerk's office.)

MOTION: To approve a Resolution of the City of Sammamish Opposing Initiative I-933, An Act Relating to Providing Fairness in Government Regulation of Property. Motion carried unanimously 7-0. (R2006-248)

### **Unfinished Business**

#### **Ordinance: Second Reading Adopting The Lake Washington School District No. 414 Impact Fee For 2006.**

Denise Stiffarm, with Preston Gates Ellis Law Firm, represented Lake Washington and Issaquah School District.

MOTION: To approve 2006 Lake Washington School District No. 414 School Impact Fees for single family housing units in the amount of \$2,975.00 per unit and multifamily housing units in the amount of \$307.00 per unit. Motion carried unanimously 7-0. (O2006-201)

#### **Ordinance: Second Reading Adopting the Issaquah School District No. 411 Impact Fees for 2006.**

MOTION: To approve 2006 Issaquah School District No. 411 School Impact Fees for single family housing units in the amount of \$6,136.00 per unit and multifamily housing units in the amount of \$1,264 per unit. Motion carried 6-1 with Councilmember Barry abstaining. (O2006-202)

### **New Business**

#### **Approval: Sammamish Commons Change Orders**

Assistant City Manager Butkus discussed Bayley Construction change order #9 and #10 for Sammamish Commons. These are budget items.

MOTION: To approve Sammamish Commons change order #9 and #10 in the amount of \$166,270.34. Motion carried unanimously 7-0.

#### **Motion: Parks Bond Study**

Parks Director Jeff Watling gave an overview of the park funding study. He is looking for a motion tonight that will identify how to proceed. The motion will confirm the next steps and provide staff with clear direction. Three potential packages will be presented to the public for comment and feedback, presentation to the Council with a preferred package, and a funding mechanism of a voter approved property tax increase with the intent to establish a preferred park bond package to the voters in 2007.

Councilmember Huckabay would like to see additional data and public response. She would like to separate the funding and the packages.

MOTION: To support and develop the three options bond study and proceed with a voter approved tax increase/bond rather than a Real Estate Excise Tax (REET). Motion carried 6-1 with Councilmember Huckabay dissenting.

### **Council Report:**

Councilmember Barry: No report.

Councilmember Gerend: He announced that Councilmember Huckabay is the representative for Transportation Choices. He reported on the budget and capital project funding. He attended National League of Cities Information/Technology/Communication Steering Committee meeting. Items discussed: Federal Election Reform, electronic voting machines, GIS, media violence and computer game violence.

Councilmember Whitten: She attended Suburban Cities Association meeting. She is looking for council direction on how to vote on the King County Conservation District. Suburban Cities has drafted a resolution to oppose the King County Conservation District's per parcel assessment fee. The City Council decided to vote opposing the Suburban Cities Resolution.

Councilmember Huckabay: She reported on Transportation Choices meeting scheduled for September 27, 2006. The entire Council is invited to attend.

Councilmember Felling: He reported on the 2007-2008 biennial budget process. The 6 year plan is being looked at. Capital projects funding is hitting its crossover point and will be looked at in very near future.

Deputy Mayor Cross: No report.

Mayor's Report: She announced there will be a Special Meeting next Tuesday with the Arts Commission. The Water and Sewer District would like to meet with Council. Mayor Petitti suggesting October 3, 2006 at 5:00 pm. Mark and Don would also like to attend.

### **City Manager Report**

- **Parks Project Updates:**

Parks Director Jeff Watling updated council on parks projects. He presented parks project photographs on PowerPoint. (Copies are available in the City Clerk's office upon request.)

Councilmember Whitten publicly thanked Parks Director Jeff Watling for his hard work on park projects.

Mayor Petitti would like the City to respond to neighbors surrounding the proposed development known as Kleinburger, located by the roundabout.

**Executive Session** –

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

Council retired at 8:42 pm to Executive Session and returned at 9:20 pm. No action was taken.

Meeting adjourned at 9:25 pm

---

Stacy Herman, Deputy City Clerk

---

Michele E. Petitti, Mayor