

COUNCIL MINUTES

Regular Meeting June 3, 2014

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

Councilmembers present:

Mayor Tom Vance
Deputy Mayor Kathy Huckabay
Councilmember Don Gerend
Councilmember Bob Keller
Councilmember Ramiro Valderrama
Councilmember Nancy Whitten

Councilmember absent:

Councilmember Tom Odell

Motion: Deputy Mayor Huckabay moved to excuse Councilmember Odell. Councilmember Keller seconded. Motion carried unanimously 6-0.

Staff present:

Ben Yazici, City Manager
Lyman Howard, Deputy City Manager
Beth Goldberg, Administrative Services Director
Joe Guinasso, Finance and Technical Services Director
Susan Cezar, Deputy Director Community Development
Carl de Simas, Code Compliance Officer
Jeff Brauns, City Engineer
Mike Kenyon, City Attorney
Melonie Anderson, City Clerk

Roll Call/Pledge of Allegiance

Roll was called. Councilmember Keller led the pledge.

Approval of Agenda

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

Presentations/Proclamations – None

Public Comment

Mike Collins 2841 ELSP NE, Spoke regarding the Eastlake Sammamish trail. He encouraged the city to make sure that all sides are happy with the trail development. He also spoke regarding homeless encampments. He feels they should be limited to returning to the same site to every two years.

Don Oelecker, 819 212th Ave NE, He wants to start a brewery in his garage but the current regulations define that his would be a Type 2 Business. He believes his business is a Type 1. If he is required to be considered a Type 2 business his property will be too small to provide the required 100 foot boundary.

Teresa Bretl, 1026 Lancaster Way SE, Representing the non-profit Athletes for Kids. She explained the mission of the group. She hopes that the Council will continue to fund this organization through the Human Service grants program.

Tom Harmon 24252 SE 11th Place, He thanked the Council for their work toward annexing Klahanie. He also spoke regarding waste water issues.

Consent Agenda

Payroll for the period ending May 15, 2014 for pay date May 20, 2014 in the amount of \$ 289,867.12

Approval: Claims for period ending June 3, 2014 in the amount of \$ 530,817.07 for Check No. 37597 through 37690

Resolution: 2014/2015 Sammamish Youth Board (SYB) Appointments

Resolution: Amending the City's Personal Leave Without Pay policies to encompass changes in Washington State law which requires local jurisdictions to afford employees up to two days unpaid leave for reasons of faith or conscience.

~~**Interlocal:** North East Sammamish Sewer & Water District/Sammamish Landing Parking Lot~~

Interlocal: Community Development Block Grant/King County

Contract: Fourth of the Plateau Fireworks/Wolverine West Fireworks

Amendment: SE 14th Street Extension Project Design/Blueline Group

Approval: Postal Expenses for Newsletter Delivery to Klahanie

Approval: A Regional Coalition for Housing (ARCH) Funding

Councilmember Valderrama asked to remove item #4 – Interlocal Agreement with North East Sammamish Sewer & Water District/Sammamish Landing Parking Lot.

MOTION: Councilmember Gerend moved to approve the Consent Agenda as amended. Councilmember Valderrama seconded. Motion carried unanimously 6-0.

Public Hearing

Ordinance: First Reading Of The City Of Sammamish, Washington, Imposing A Moratorium On The Establishment Of Certain Marijuana-Related Facilities; Defining Said Certain Marijuana-Related Facilities; Entering Legislative Findings; Providing For Severability; And Establishing An Effective Date

Ordinance: First Reading Of The City Of Sammamish, Washington, Prohibiting The Establishment, Location, Operation, Licensing, Maintenance Or Continuation Of Medical Marijuana Collective Gardens; Providing For Severability; And Establishing An Effective Date

Deputy Director of Community Development Susan Cezar gave the staff report and a PowerPoint presentation (*available on the city's website at www.sammamish.us*)

Mayor Vance opened and closed the public hearing for Recreational Marijuana at 6:59 with no public comment.

Mayor Vance opened and closed the public hearing for Medical Marijuana at 7:01 with no public comment.

This is the first reading of both ordinances. No action is requested.

Interlocal: North East Sammamish Sewer & Water District/Sammamish Landing Parking Lot

Parks Director Jessi Bon gave the staff report explaining that the funds for this interlocal were approved as part of the overall budget previously approved by Council for the Sammamish Landing Parking Lot Project.

MOTION: Councilmember Valderrama moved to authorize the City Manager to sign the interlocal agreement. Councilmember Whitten seconded. Motion carried unanimously 6-0.

Ordinance: First Reading Of The City Of Sammamish, Washington, Relating To Temporary Homeless Encampment Regulations And Specifically Amending Exhibit A To SMC Section 20.05.020; Amending SMC Chapter 21A.15; Amending SMC Section 21A.70.010; Adopting A New SMC Section 21A.70.195; Providing For Severability; And Establishing An Effective Date

Ms. Cezar gave the staff report PowerPoint presentation (*available on the city's website at www.sammamish.us*). Arthur Sullivan, Director of a Regional Coalition for Affordable Housing (ARCH) explained the need for additional shelter options for the homeless.

Public Hearing opened at 7:16 pm

Public Comments

Rev. Kevin Duggan, 1121 228th Avenue SE, Pastor Mary Queen of Peace, he feels the draft ordinance being presented tonight would hinder the parish's ability to host additional Tent Cities. The parish sent a letter to the City Council outlining their concerns in detail.

Bruce Boyd, 3102 211 Avenue NE, He believes homeless encampments endanger the residents. There are better ways to serve the homeless. He believes this issue should be decided by the voters.

Seth Elliot, 23244 NE 15th Street, He feels the regulations should be stricter than those being presented tonight. He believes Tent City 4 is just trying to make a political statement.

Share Wheel TC4, Tent City Residents, They spoke in favor of allowing homeless encampments. They feel the proposed regulations are too strict.

Christine Liu 23817 SE 6th St, She feels homeless encampments endanger children and lower property values.

Wei Fu, 220 218th Place, He requested the Council to adopt stricter measures than are being proposed tonight.

Jan Bennett, 22627 SE 47th Court, She reiterated that there have been no incidents or problems between tent city residents and children. She also explained that there are not enough options for permanent housing for the homeless and people must be housed.

Dick Gram, 19306 SE 21st Street, He shared stories about why people end up in homeless encampments. He wanted people to understand that homeless people are not necessarily threatening.

C.J. Kahler, 21911 SE 20th Street, He reiterated that state law does not allow a city to place unreasonable burdens on homeless encampments. He questioned if all religious groups in the city will have the resources to comply with the proposed regulations.

Kurt Hamke, 24324 SE 17th Pl, He feels the regulations should be simplified so the churches can comply with the regulations. Most of the church workers are volunteers. He also supported extending the length of time an encampment could stay in the city to four months.

Fang Liu, 22548 SE 12th Place, He presented a petition signed by over 1,000 people requesting stricter regulations. They would like 18 months between each hosting. Each encampment must be at least ½ mile from the previous hosting.

John O'Brien, 1107 228th Avenue SE, owner of Arbor School, He requested that the required distance between camps and schools be increased. There should be extra meetings and notifications for schools. The sponsoring agency should provide for security.

Mary O'Brien, 1107 228th Avenue SE, owner of Arbor School, She spoke of the troubles they experienced with the last Tent City encampment. They had to hire their own security guard to protect the students at their school.

Jing Zu, 1321 226th Ct SE, She requested stricter regulations. She does not agree with two encampments per year. It will be a burden for both city staff and police.

Ann Ite, 24252 SE 11th Pl, She supported stricter regulations for homeless encampments. She feels there should be consequences if homeless residents break the regulations. She also feels this issue should be decided by voters.

Jane McGrane, 22644 SE 12th Place, She requested stricter guidelines for the homeless encampments. Sammamish does not have the police resources to deal with more than one camp per year.

Birin Domani, 22528 SE 12th Place, He was disappointed that the Planning Commission did not receive all the information petitioners submitted. He also feels this issue should be placed on the ballot in the fall.

Song Li, 24027 SE 11th Place, He feels that Sammamish is too cold for homeless encampments. There are also many wild animals that could endanger people without walls. The city does not have enough social services.

Elizabeth Maupin, 410 Mt Jupiter St SW, Issaquah, She urged the Council to take a long term view of homelessness. The number of homeless has been rising. Currently there are not enough affordable options for all the homeless in the county.

Karen Studders, 410 Mt Jupiter St SW, Issaquah, She explained that there are no other options for homeless children and families in the city of Sammamish. There needs to be an option that will keep these people safe and sheltered.

Scott Martin 24015 SE 20th Street, He was disturbed by the illegal activities that occurred at the last Tent City. He also feels there is some conflicting information about how these encampments affect the surrounding neighborhoods. He supports stricter regulations.

Mike Zhang, 23016 SE 13th Place, He urged Council to consider the impacts of these encampments on the surrounding residents. He is supportive of the 18 month restriction.

Karen Morris, 15788 NE 4th Street, Bellevue, She is representing the HOA of a neighborhood that is close to a current homeless encampment in Bellevue. She reported on the impacts of these encampments on the surrounding neighborhoods.

Vikkam Kulkarni, 1344 22th Court SE, He feels these encampments place an undue burden on the neighboring community. He requested the Council act upon the residents' requests for stricter regulations.

Rachel Schnebele, 2004 263rd Place SE, She feels that the illegal activities that occurred at the first Tent City should require stricter regulations for future homeless encampments.

Donna Vincent, President Redford Ranch HOA, They have met with City staff and Councilmembers to discuss their experience with the first Tent City. Having the encampment close makes it more difficult to sell or rent homes in this neighborhood. They do not want the encampments to always locate at Mary Queen of Peace. They also requests periodic background checks on encampment residents.

Sharon Maddox 24107 NE 20th, She believes the increased population in Sammamish has also accounted for an increase in crime and drugs. This is not a reason to limit homeless encampments.

Zoltan Abraham, Employee Mary Queen of Peace, He feels that allegations made against residents of the last homeless encampment are being taken as facts. None of those arrested, at the previous tent city, have been convicted.

Gabriella, She explained that she is homeless. Tent city residents are people.

Yucheng Zheng, 1333 226th Court SE, He pointed out the state laws refers to the burden of the hosting church, not the encampment.

Sean O'Brien, 1107 228th Avenue SE, Head of Arbor School, He feels Share Wheel is not providing adequate leadership to Tent City.

At 9:04 pm the Public Hearing was continued to July 1, 2014.

Council recessed from 9:04 to 9:15 pm.

Ms. Cezar explained that staff is looking for further direction on the following issues before the second reading of the ordinance:

- Item #1 – Type of Permit decision – Type 1 decision
- Item #2 – Eligible Hosts – Religious organizations on real property owned or controlled by the organization
- Item #3 – Length of occupancy at same site – 3 or 4 months and will determine length at next reading of ordinance
- Item #4 – How often return to the same site - Asked staff to come back with map to show possible encampment locations. Council likes 18 months from end of encampment
- Item #5 – How many encampments in the city at the same time - One camp at a time
- Item #6 – How many in the city in a year - One in 365 days
- Item #7 – Neighborhood meeting - Leave the number of required number of days' notice must be mailed blank. Notice to go to all residents within 500 feet plus meet and confer with police, schools and childcare
- Item #8 – Notice of Application – Mailed to properties within 500 feet, application submitted at least 30 days prior to occupancy
- Item #9 – Warrant/sex offender checks – All new residents prior to encampment and new residents moving into the encampment
- Item #10 – Transportation - Change from “nearest public transit to “an appropriate or particular public transportation stop”. Something more needs to be added to the plan
- Item #11 – Debris cleanup – Site to be left free of debris, waste disposal supervised by the sponsor or managing agency.
- Item #12 – Code of Conduct Marijuana - prohibition of marijuana should be included in the code of conduct
- Item #13 – Catastrophic event provision - Remove catastrophic provision. Staff to provide some clarifying language
- Item #14 – Should host or sponsor be required to provide private security - Ask host or sponsor to provide a security plan

- Item #15 – Clarify the length of time for an encampment to stay at one location – ____ “consecutive” months or ____ calendar days (whichever is longer) plus 5 days
- Item #16 – Hand delivered notices – No, notice must be mailed.
- Item #17 – Responsibilities/Consequences if permit requirements are violated – treated as a code violation
- Item #18 – Bonding and Insurance requirements – RCW does not allowed bonding/insurance requirements. Staff will do some additional research on this issue.

Council requested staff add language limiting the number of residents by location.

Hosting church would like to be exempt from the school notification if school is located/operated by the hosting church.

Unfinished Business - None

New Business - None

Council Reports

Councilmember Gerend announced that Sammamish Friends is sponsoring a children’s photo contest. He is also joining the Advisory Board for Mountains to Sound Greenway.

Councilmember Valderrama attended the IDEA meeting. He attended the Citizen for Sammamish meeting. He also requested the Council consider public comment on the Eastlake Sammamish Trail.

Deputy Mayor Huckabay attended the Eastside Fire & Rescue Operations Committee. They are in the process of reviewing the non-profit agreement. Not all questions have been resolved with this agreement.

Councilmember Keller attended the Growth Management Planning Council meeting. The council unanimously passed transferring the Klahanie Potential Annexation Area from Issaquah to Sammamish.

Mayor Vance attended Puget Sound Regional Council General Assembly Meeting with Councilmember Gerend.

City Manager Report

➤ **Memo:** Community and Aquatic Center Update

City Manager reported the contract with Porter Brothers has been signed and the project is moving along on schedule. It will be the city’s largest project to date.

He will be meeting with the HOA associations in Klahanie this week. The annexation study will be completed by the end of this month.

Executive Session Personnel issue pursuant to RCW 42.30.110(1)(g)

Council retired to Executive Session at 10:17 pm and returned at 10:30 pm. No action was taken.

Meeting adjourned at 10:30 pm

Melonie Anderson, City Clerk

Thomas E. Vance, Mayor