

# COUNCIL MINUTES

## Regular Meeting July 1, 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 Tom Odell  
Councilmember Ramiro Valderrama  
Councilmember Nancy Whitten

### **Staff present:**

Ben Yazici, City Manager  
Lyman Howard, Deputy City Manager  
Jeff Thomas, Community Development Director  
Joe Guinasso, Finance and Technical Services Director  
Laura Philpot, Public Works Director  
Mike Kenyon, City Attorney  
Melonie Anderson, City Clerk  
Lita Hachey, Administrative Assistant to the City Clerk

### **Roll Call/Pledge of Allegiance**

Roll was called. Councilmember Keller led the pledge.

### **Approval of Agenda**

**MOTION:** Councilmember Odell moved to approve the agenda and the consent agenda. Councilmember Valderrama seconded. Motion carried unanimously 7-0.

### **Presentations/Proclamations**

#### **Public Comment**

Jane Burrell Yadav, 1223 227<sup>th</sup> Lane SE, Spoke regarding the community garden in Big Rock Park. She feels it is very important to have a community garden there.

Jackie Johnson, 21925 SE 16<sup>th</sup> Place, Spoke regarding the Big Rock Park. She urged the council to approve the plan as approved by the residents who were involved in the public process. That plan did not include a community garden.

Deb Grasso, 1700 220<sup>th</sup> Avenue SE, Spoke regarding the community input and consensus recommended by the public. This park should be a passive park.

Janet Wilson, 1653 219<sup>th</sup> Place SE, She agreed with the previous speakers that Big Rock Park should remain a passive park.

Silva Seabring, 224<sup>th</sup> & 15<sup>th</sup> Place Sammamish Commons Garden Manager, she urged the inclusion of a community garden at Big Rock Park. She said there have never been many cars parked to tend the current garden and they have had no problems with theft related to the garden.

Carly Leib, 24727 SE 31<sup>st</sup> Place, She asked Council to revise the municipal code to allowed miniature goats to be raised as pets rather than livestock in Sammamish (Passed out written information regarding miniature goats).

Susanne Ammons, Stan Khel, Representing Eastside Legal Assistance Program (ELSP), They provide free legal services to low income residents and survivors of domestic abuse. She thanked Council for the previous support for Human Service Funding. She explained the purpose of the non-profit.

Jim Chamber, 21700 SE 16<sup>th</sup> Place, He participated in the public meetings for Big Rock Park. He does not understand why Council is still considering items in the park that the public was against.

Bill Bastein, 22203 NE 31<sup>st</sup> Street, Past President of Rotary, President of Rotary Foundation, They would like to post signage for service organizations but they are prohibited by the city's code. He requested that the Council place this on the agenda for the Planning Commission.

### **Consent Agenda**

- Payroll for the period ending June 15, 2014 for pay date June 20, 2014 in the amount of \$314,830.50

**Approval:** Claims for period ending July 1, 2014 in the amount of \$ 427,582.50 for Check No. 37838 through 37921

**Resolution:** Of The City Of Sammamish, Granting Final Plat Approval To The Plat Of Tarrington Place (Aka Bel Aire) (R2014-590)

**Contract:** Intelligent Transportation System (ITS) Phase 1: 228<sup>th</sup> Avenue project/Jacobs Engineering Group Inc.

**Contract:** Amendment: Development On Call Review/Stantec Consulting Services Inc.

**Approval:** New Full Time Employee Position Deputy Director/Public Works

**Approval:** May 20, 2014 Regular Meeting

**Approval:** June 3, 2014 Regular Meeting

**Approval:** June 10, 2014 Study Session

## **Public Hearing**

**Ordinance:** Second 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

Public Hearing opened at 7:00 pm

## **Public Comment**

Michael Ramos, Church Council of Greater Seattle, They have strong reservations about the homeless encampment regulations being proposed. The regulations infringe on church congregations by preventing the exercise of their ministries to the homeless.

Frank Blau, 24742 SE 20<sup>th</sup> Place, He is deeply disappointed in the regulations being presented tonight. He is especially concerned that the city is proposing these regulations after that state has passed regulations that they city must follow. These regulations are overbearing.

Susan Appleton, 25038 SE 40<sup>th</sup> Drive, She is a member of Faith Methodist, current host of Tent City 4. She shared her experiences with the Tent City 4 residents. She reminded Council that the residents of Tent City are just regular human beings who have had some bad luck.

Bill Bennett, 22627 SE 47<sup>th</sup> Ct, Churches need to be allowed to minister to the homeless without undue burden such as these regulations are proposing.

Mary Doerrer, 3362 213<sup>th</sup> Place SE, She requested the City Council pass regulations that do not place unreasonable expectations of the hosting churches.

Fang Liu, 22548 SE 12<sup>th</sup> Street, He reminded Council of the petition signed by over 1,000 people requesting stricter regulations for the homeless encampments. Four month stays are too long.

CJ Kahler, 21911 SE 20<sup>th</sup> Street, He would like to see two amendments to the regulations regarding comments be replaced with "copies" Handed out written comments (see <https://www.sammamish.us/files/document/13091.pdf>).

Jennifer Watson, 3913 242<sup>nd</sup> Avenue SE, Issaquah, She asked Council to consider the plight of the homeless.

Jane McGrane, 22644 SE 12<sup>th</sup> Way, She lives very close to MQP. She feels having two encampments in the city at the same time would drain the resources of the city.

Rickie Anderson, 23318 SE 13<sup>th</sup> Ct, as a member of Faith Methodist, she feels they learned valuable lessons in hosting Tent City. She supports a four month stay and allowing 2 camps at one time.

Cynthia Moss, PO Box 2548, Seattle, Introduced other members of Tent City 4. They explained that they perform their own warrant checks for their own safety. There should be no limit on hosting camps. No child have ever been harmed. Tent City works hard to protect the surrounding community.

Rhonda Kaetzel, 1725 W Beaver Lake Drive SE, She is a trustee of Faith Methodist Church. She explained that onerous regulations greatly impact the volunteer staff at the church.

Seth Eliot, 23244 NE 15<sup>th</sup> Street, He does not feel that Tent City is a solution for homelessness. He also feels the security requirements are too vague. He also feels there should be a limit to how close a camp can be to a schools and parks.

Bill Mencey, 20803 NE 26<sup>th</sup> Place, Member of Faith Methodist Church, He explained that the neighborhood meeting was a very stressful experience. He asked that the regulations be reasonable.

Jan Bennet 22627 SE 47<sup>th</sup> St, Representing Faith Methodist Church. She asked the city to work with the churches and not put too many restrictions on the process.

Father Kevin Duggin, 1121 228<sup>th</sup> Avenue SE, Pastor Mary Queen of Peace. He presented a petition signed by parishioners asking for reasonable regulations. He explained that the first time Tent City is hosted people react with fear. But as the Tent Cities return, the fear tends to die down (see <https://www.sammamish.us/files/document/13093.pdf>).

Elizabeth Maupin, 410 Mt Jupiter Way, She gave an example of how encampment security actually aided in the apprehension of a suspect. Rising rents are increasing homelessness. These regulations should not hinder churches from helping the homeless (see <https://www.sammamish.us/files/document/13094.pdf>).

Maria Silvers, 3048 255<sup>th</sup> Avenue SE, While she recognizes the need for regulations, she also feels that Council should not develop regulations which violate state law. She feels collecting data would be valuable regarding crimes related to the encampments. If the city has not collected this data, they cannot justify their stiff regulations. She urges tabling this ordinance until this data has been collected.

Christine Liu, 23817 SE 6<sup>th</sup> St, She supported a three month stay. She does not feel Sammamish can provide the services necessary for a longer stay.

Karen Studders, 410 Mt Jupiter Way, She has submitted a great deal of information regarding homeless encampments. She noted that Sammamish modeled their regulations after Mercer Island's. Mercer Island has not hosted a homeless encampment since the regulations were instituted because it is too difficult for the churches to meet the requirements. She requested the council table this issue until they can develop better regulations.

Karen Morris, 15788 NE 4<sup>th</sup> Street, Bellevue, She believes that the information being presented tonight are not facts. She has presented facts that crimes have been committed at Tent City 4 while in Bellevue. She urged the council to not give the churches greater rights than the citizens.

Mary Obrien, 1107 228<sup>th</sup> Avenue SE, She was supportive of the regulations as being proposed. She feels it protects the interests of both city residents and the homeless residents.

John O'Brien, same as above, Arbor School, He feels the regulations are defensible. He advocated for a three month length of stay.

Biren Dahmani, 22528 SE 12<sup>th</sup> Place, He was supportive of the proposed regulations. He would like the camp limited to three months, adding ½ mile restriction for locating twice. He feels the regulations are legally defensible.

Rachel Schnebele, 2004 263<sup>rd</sup> Place, She has concerns with homeless encampments in Sammamish. She suggested adding requirements that past behavior can be taken into consideration when allowing camps. She supported 90 days, once per year.

Tom McCollough, 3014 233<sup>rd</sup> Avenue SE, He feels Tent City is forming a community for homeless people. If their rights to gather and be safe are restricted, then we are contributing to homelessness instead of trying to improve it.

Holly Everett, 1630 SW Austin St, She experienced homelessness as a child. She asked Council not to stereotype homeless people.

Ryan Maddox, 24107 NE 20<sup>th</sup> Street, Believes that Sammamish should share in their proportional responsibility for 200 homeless people in King County.

Roger Franz, Tent City Resident, He explained that Tukwila has no homeless encampment regulations. They just meet with the City and hosting church.

Jane Bur 1223 227<sup>th</sup> Lane SE, She agreed with previous speaker. She urged Council to compare crime statistics with the general city population and homeless encampments.

Dan, Tent City Resident, He agreed with previous speaker from Tukwila.

Guadalupe, Tent City Resident, He explained that having Tent City has allowed him to get back on his feet.

Sharon Maddox, 24107 NE 20<sup>th</sup> Street, She feels the ordinance is too restrictive and should be tabled or some of the requirements should be lessened.

Public Hearing closed at 8:45 pm

Deputy Director Susan Cezar gave the staff report and showed a PowerPoint presentation (available on the city's website at [www.sammamish.us](http://www.sammamish.us)). She explained that Council will begin deliberations tonight. There are four remaining issues the Council needs to decide tonight.

Mayor Vance explained that deciding on these items will not be the final decision. It is the last step in crafting the ordinance which may then be amended before final adoption. Councilmembers Huckabay, Vance, Gerend and Valderrama agreed to 4 calendar months for length of occupancy at the same site. Councilmembers Odell, Vance, Keller, Whitten and Valderrama agreed that the time period between encampments at the same location shall be begin from the date of the end of the previous encampment.

**MOTION:** Councilmember Gerend moved to approve the ordinance. Deputy Mayor Huckabay seconded.

Chief Elledge reported that the Police staff could probably only handle one homeless encampment at a time.

**AMENDMENT:** Councilmember Odell moved to increase noticing requirement from 500 feet to 1,000 feet for both the neighborhood meeting notice and the application notice. Deputy Mayor Huckabay second. Motion failed 2-5 with Mayor Vance and Councilmembers Keller, Whitten, Valderrama and Gerend dissenting.

**AMENDMENT:** Councilmember Whitten moved to that the 15 days-notice requirement be increased to 21 days. Councilmember Odell seconded. Motion failed 3-4 with Councilmembers Gerend, Valderrama, Keller and Deputy Mayor Huckabay dissenting.

**AMENDMENT:** Councilmember Gerend moved to amend SMC21A.70.195(4)(a)(iii) by changing the words “all comments and/or comments” with the words “copies of all previously submitted written comments”. Councilmember Valderrama seconded. Motion carried unanimously 7-0.

**MAIN MOTION:** Carried as amended unanimously 7-0 (O2014-372)

**MOTION:** Councilmember Whitten moved to extend the meeting until 11:00 pm. Councilmember Valderrama seconded. Motion carried unanimously 7-0.

**Unfinished Business** - None

### **New Business**

**MOTION:** Councilmember Keller moved to defer the resolution adopting the Big Rock Park Master Plan and the Parks Capital Improvement Plan to July 8, 2014. Councilmember Valderrama seconded. Motion failed 2 -5 with Councilmembers Whitten, Gerend, Valderrama, Deputy Mayor Huckabay and Mayor Vance dissenting.

**MOTION:** Deputy Mayor Huckabay moved to defer the resolution adopting the Big Rock Park Master Plan to July 8, 2014 meeting. Councilmember Whitten seconded. Motion carried 6-1 with Councilmember Valderrama dissenting.

**Resolution:** Of The City Of Sammamish, Washington, Adopting A Six-Year Parks Capital Improvement Plan For 2015-2020.

City Manager Ben Yazici gave a short staff report. This plan was discussed in detail at the last study session.

**MOTION:** Councilmember Huckabay moved to approve the resolution adopting the Parks Capital Improvement Plan (CIP) for 2015-2020. Councilmember Whitten seconded. Motion carried 5-2 with Councilmembers Odell and Valderrama dissenting (R2014-591).

Councilmember Valderrama expressed concerns over adopting the Parks CIP before approving the Big Rock Park Master Plan. He also has concerns over the priorities of the projects. Councilmember Odell would also like to approve the Master Plan for Big Rock Park before approving the CIP.

**MOTION:** Councilmember Gerend moved to extend the meeting to 11:30 pm. Councilmember Odell seconded. Motion carried unanimously 7-0.

**Council Reports** - None

**City Manager Report** - None

**Executive Session** – Personnel pursuant to RCW 42.30.110(1)(g)

Council retired to Executive Session at 10:42 pm. City Attorney Mike Kenyon extended the session for an additional 60 minutes at 11:08 pm. Council returned at 12:08 am and took the following action.

**MOTION:** Deputy Mayor Huckabay moved that the Council has reviewed the City Manager’s performance for the year ending June 30, 2014 and find his performance, considering the above appraisal, **outstanding, exceeding expectations.** The Council thanked him for his accomplishments during a very busy and productive past twelve months. His leadership and staff support made a very productive year possible. Please accept our sincere appreciation of your work over the past year and our anticipation of your best efforts to accomplish your goals over the next twelve months. Councilmember Odell seconded. Motion carried 7-0.

Meeting adjourned at 12:10 am

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Melonie Anderson, City Clerk

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Thomas E. Vance, Mayor