

# COUNCIL MINUTES

## Special Meeting January 22, 2013

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

**Councilmembers present:** Mayor Tom Odell, Deputy Mayor Ramiro Valderrama, Councilmembers John Curley, Don Gerend, John James Tom Vance and Nancy Whitten.

**Staff present:** City Manager Ben Yazici, Public Works Director Laura Philpot, Assistant City Manager/Community Development Director Kamuron Gurol, Parks & Recreation Director Jessi Richardson, Assistant City Manager/ Administrative Services Director Mike Sauerwein, City Engineer, Jeff Brauns, Senior Project Engineer, Jed Ireland, City Attorney Bruce Disend, and City Clerk Melonie Anderson.

### Roll Call/Pledge of Allegiance

Roll was called. Deputy Mayor Valderrama led the pledge.

### Approval of Agenda

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

### Presentations/Proclamations

- Discussion: 244<sup>th</sup> Avenue SE Non-Motorized Design Options – Public Works Director Laura Philpot gave the staff report and showed a PowerPoint presentation (*available on the city's website at [www.ci.sammamish.wa.us](http://www.ci.sammamish.wa.us)*).
- Discussion: Transportation Level of Service – City Engineer Jeff Brauns gave the staff report and showed a PowerPoint presentation (*available on the city's website at [www.ci.sammamish.wa.us](http://www.ci.sammamish.wa.us)*). Council was presented with the following four options:
  - a. **Replace Some Projects/Test:** Remove desired existing project from the project list and run model to see if alternative projects can be added to system to meet future capacity needs to maintain concurrency. This option was tested prior to the meeting on May 8, 2012. The test case removed the future phases of East Lake Sammamish Parkway. The system (based on current policies) failed in future years.
  - b. **Lower LOS System Wide:** This option could potentially eliminate most, if not all projects currently identified in the 18 year transportation improvement plan.

- c. **Facility Specific LOS:** Assign unique level of service standards for specific corridors that differs from the rest of the city.
- d. **LOS Averaging:** Look at new ways of averaging capacity, e.g. adding a screen line across the north end of the city and averaging the capacity of ELSP, Sahalee and 244<sup>th</sup> Ave NE

Council agreed that staff should proceed with development of Option C.

**Public Comment**

Cliff Breedlove, 3203 220<sup>th</sup> Avenue SE, Spoke regarding traffic calming measures on SE 32<sup>nd</sup> Street.

Eric Severson, KinderAce, Spoke regarding revised project proposal.

Charlie Klinge, KinderAce Attorney, Spoke regarding KinderAce proposal.

Tim Koch, Ace Hardware Store Owner, Spoke regarding KinderAce proposal.

Diane Bugge, Issaquah Community Network, Spoke regarding the “Influence the Choice Video Contest” they are sponsoring.

Barbara De Michelle, Issaquah Community Network, Spoke regarding the Youth Job Skills Fair they are sponsoring.

Greg Nelson, William Buchan Builders, Spoke regarding the Transportation Impact Fee increase.

David Hoffman, Master Builders Association, Spoke regarding the Transportation Impact Fee increase.

**Consent Agenda**

Payroll for the period ending January 15, 2012 for pay date January 18, 2013 in the amount of \$248,210.41

Approval: Claims for period ending January 22, 2012 in the amount of \$2,260,950.49 for Check No. 33822 through No. 34015

~~Ordinance: Second Reading Amending Title 14A.15 Of The Sammamish Municipal Code Adjusting The Impact Fees For Streets And Increasing The Time Allowed To Spend/Encumber Impact Fees From Six Years To Ten Years~~

~~Ordinance: Second Reading Amending Title 14A.20 Of The Sammamish Municipal Code Adjusting The Impact Fees For Park And Recreational Facilities And Increasing The Time Allowed To Spend/Encumber Impact Fees From Six Years To Ten Years~~

Resolution: Accepting the 2012 Pavement Program-Overlays Project as Complete (R2013-520)

Interlocal: Lake Monitoring Support Services For Pine and Beaver Lakes King County.

Approval: Vehicle Replacements

Approval: January 8, 2013 Special Meeting Minutes

**MOTION:** Councilmember James moved to removed Items #2 and #3 from the consent agenda and approved the agenda as amended. Deputy Mayor Valderrama seconded. Motion carried unanimously 7-0.

### **Public Hearing - None**

### **New Business**

- Interviews: Planning Commission applicants  
Council interviewed Philip Cherian.

### **Unfinished Business**

Ordinance: Second Reading Amending Title 14A.15 Of The Sammamish Municipal Code Adjusting The Impact Fees For Streets And Increasing The Time Allowed To Spend/Encumber Impact Fees From Six Years To Ten Years

**MOTION:** Councilmember James moved to suspend the inflationary adjustment on the Transportation Impact fees but to align our current ordinance to be in-line with RCW 82.02 to increase the length of time the fees can be used. Councilmember Gerend seconded. Motion carried 6-1 with Councilmember Whitten dissenting (O2013-341).

Ordinance: Second Reading Amending Title 14A.20 Of The Sammamish Municipal Code Adjusting The Impact Fees For Park And Recreational Facilities And Increasing The Time Allowed To Spend/Encumber Impact Fees From Six Years To Ten Years

**MOTION:** Councilmember Gerend moved to approve the Parks Impact Fees Ordinance Title 14A.20 of the Sammamish Municipal Code. Councilmember Vance seconded. Motion carried unanimously 7-0 (O2013-342).

Council recessed from 8:45 pm to 8:50 pm

**Executive Session** – Pursuant to RCW 42.30.110 (1) (g) to evaluate the qualifications of an applicant and potential litigation – Council retired to Executive Session at 8:50 pm and returned at 10:05 pm

**MOTION:** Councilmember Gerend moved to extend the meeting to 10:45 pm. Deputy Mayor Valderrama seconded.

### **City Manager Report**

Report: KinderAce –Assistant City Manager/Director of Community Development Kamuron Gurol gave the staff report and showed a PowerPoint presentation (*available on the city's website at [www.ci.sammamish.wa.us](http://www.ci.sammamish.wa.us)*).j City Attorney Bruce Disend responded to the issues raised by the KinderAce proposal.

Deputy Mayor Valderrama made the following statement:

- Sammamish first heard about a problem with Ace Hardware in November 2011, and since then the city has made every effort to help keep this local business in Sammamish.
- The City received a docket application from KinderAce in September 2012, and staff has worked with the applicant to review the proposal, identify and resolve numerous challenging issues.
- The KinderAce proposal would require major amendments to our adopted Comprehensive Plan, to the City's land use permit procedures, and to our environmental regulations and standards.
- The proposed site appears to be 100% constrained by important environmental features including George Davis creek, a bog-type wetland, and their associated buffers and setbacks.
- The KinderAce proposal raises a substantial number of significant legal and policy issues, there is a danger that it creates a perception of favoritism, and the timeframe for making informed decisions is severely insufficient.

MOTION: Councilmember Valderrama moved to extend the meeting. Councilmember Vance seconded. Motion carried unanimously 7-0.

MOTION: Deputy Mayor Valderrama moved to deny the KinderAce docket proposal and all subsequent amendments proposed by the applicant team, and discontinue further work on the proposal. Furthermore, to direct the City Manager, Ben Yazici to continue to work with Ace Hardware to explore options to relocate elsewhere in Sammamish. Councilmember Vance seconded. Motion carried unanimously 7-0.

Resolution: Appointing Three Regular Members To The Sammamish Arts Commission

MOTION: Deputy Mayor Valderrama made a motion to adopt the resolution appointing Lin Garretson (Position 1 - 4 year term), Anne Schaefer (Position 2 - 4 year term) and Amy Lam (Position 4 - 1 year term) as regular members to the Sammamish Arts Commission. Councilmember Gerend seconded. The motion passed unanimously 7-0 (R2013-521).

Resolution: Appointing Three Members To The Parks And Recreation Commission

MOTION: Deputy Mayor Valderrama made a motion to adopt the resolution appointing Pauline Cantor, Loreen Leo and Cheryl Wagner (all 4 year terms) as regular members to the Parks and Recreation Commission. Councilmember Gerend seconded. The motion passed unanimously 7-0 R2013-522).

Resolution: Appointing Two Members To The Sammamish Planning Commission

MOTION: Deputy Mayor Valderrama made a motion to adopt the resolution appointing Philip Cherian (4 year term) and Manuel Soto (1 year term) as regular members to the Sammamish Planning Commission. Councilmember Gerend seconded. The motion passed unanimously 7-0 (R2013-523).

Resolution: Extending The Terms Of Sammamish Planning Commission Member Kathy Richardson For The Purpose Of Completing The 2012 Commission Work Plan

MOTION: Councilmember James made a motion to adopt the resolution extending the term of Planning Commission member Kathy Richardson for the purpose of completing the 2012 Commission Work Plan. Councilmember Nancy Whitten seconded. The motion passed unanimously 7-0 (2013-524).

**Council Reports**

Councilmember Gerend reported on the Regional Transportation Lobby effort.

Meeting adjourned at 11:22 pm.

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Melonie Anderson, City Clerk

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Thomas T. Odell, Mayor