



# City Council, Regular Meeting

## AGENDA Revised

6:30 pm – 10:00 pm

July 19, 2016

**Call to Order**

**Roll Call**

**Pledge of Allegiance**

**Approval of Agenda**

**Presentations/Proclamations**

- Eastside Catholic High School Football Team

**Student Liaison Reports**

**Public Comment**

**Note:** *This is an opportunity for the public to address the Council. Three-minutes limit per person or five-minutes if representing the official position of a recognized community organization. If you would like to show a video or PowerPoint, it must be submitted or emailed by 5 pm, the end of the business day, to the City Clerk, Melonie Anderson at [manderson@sammamish.us](mailto:manderson@sammamish.us). Please be aware that Council meetings are videotaped and available to the public.*

**Consent Calendar**

- Payroll for period ending June 30, 2016 for pay date July 5, 2016 in the amount of \$ 392,074.48
- 1. **Approval:** Claims For Period Ending July 19, 2016 In The Amount Of \$ 1,912,571.00 For Check No. 44808 Through 44938
- 2. **Ordinance:** Second Reading: Amending Section 21A.55.030 Of The Sammamish Municipal Code Relating To Wireless Communication Facilities; Providing For Severability; And Establishing An Effective Date

City Council meetings are wheelchair accessible. American Sign Language (ASL) interpretation is available upon request. Please phone (425) 295-0500 at least 48 hours in advance. Assisted Listening Devices are also available upon request.

3. **Ordinance:** Second Reading: Relating To The Deferral Of Impact Fees; Adding A New Sammamish Municipal Code Chapter 14A.25 Entitled Impact Fee Deferral; Amending Sections 14A.15.020 And 14A.20.020 And Chapter 21A.105 Of The Sammamish Municipal Code; Providing For Severability; And Establishing An Effective Date
4. **Contract:** Stormwater/Low Impact Development Design Manual/AHBL
5. **Contract:** Emergency Management Consulting Services/GCH Disaster Solutions
6. **Amendment:** Blue Board Sign Placement/Piedmont
7. **Approval:** 212<sup>th</sup> Ave Non-Motorized Project/TBD
8. **Approval:** Authorization to purchase Electronic Card Readers – Maintenance and Operations Center
9. **Proclamation:** Women’s Equality Day
10. **Approval:** Minutes for the June 21, 2016 Regular Meeting.
11. **Approval:** Notes for June 28, 2016 Special Study Session
12. **Approval:** Minutes for July 5, 2016

#### **Public Hearings**

13. **Ordinance:** Second Reading: Amending Sections 19A.12.020, 19A.16.045, 20.05.030, 20.05.035, 20.05.100 21A.95.070, And 21A.100.060 Of The Sammamish Municipal Code Relating To Permitting Procedures; Providing For Severability; And Establishing An Effective Date

#### **Unfinished Business**

14. **Resolution:** Providing Design Guidance For SE 4<sup>th</sup> St Improvement Project From 218<sup>th</sup> Ave SE To 228<sup>th</sup> Ave SE
15. **Discussion:** Public Works Standards
16. **Discussion:** Issaquah Fall City Road Project 30% Design Update

#### **New Business**

#### **Council Reports/Council Committee Reports**

#### **City Manager Report**

**Executive Session** – Property Acquisition pursuant to RCW 42.30.110(1)(b)

#### **Adjournment**

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**AGENDA CALENDAR**

Aug 2016				NO MEETINGS
Sept 2016				
<b>Tues 9/6</b>	08/31	6:30 pm	Regular Meeting	<p>Proclamation: Mayor's Month of Concern Food Drive                      Presentation: PC Handoff of Stormwater Design Manual &amp; LID Code Revisions</p> <p><u>Consent Agenda</u>                      Contract: Trails, Bikeways and Path Plan Consultant/TBD                      Contract: YMCA Property Development Plan Consultant/TBD                      Contract: 2016 Non-Motorized Design/TBD                      Contract: Beaver Lake Shop Roof Replacement/TBD                      Approval: Authorization to purchase Replacement of Gator Utility Vehicle and two Sander Units.</p>
<b>Tues 9/13</b>	09/07	6:30 pm	Study Session	<p>Presentations &amp; Discussion: 2017-18 Biennial Budget                      Discussion: Public Works Standards                      Presentation: PC Handoff of Revised Surface Water Design Manual</p>
<b>Tues 9/20</b>	09/14	6:30 pm	Regular Meeting	<p>Proclamation: National Diaper Awareness                      Public Hearing: First Reading Adopting Revised Surface Water Design Manual</p> <p><u>Consent Agenda</u>                      Contract: ADA Transition Plan Completion Consultant/TBD</p>
Oct 2016				
<b>Tues 10/4</b>	09/28	6:30 pm	Regular Meeting	<p>Presentations &amp; Discussion: 2017-18 Biennial Budget                      Ordinance: Second Reading Adopting Revised Surface Water Design Manual</p> <p><u>Consent Agenda:</u>                      Contract: Intersection Improvement Design/TBD                      Contract: Neighborhood Projects Design/TBD                      Contract: ADA Transition Plan Completion Consultant/TBD</p>
<b>Tues 10/11</b>	10/05	6:30 pm	Study Session	<p>Presentations &amp; Discussion: 2017-18 Biennial Budget                      Discussion: 2017-2018 Human Service Grants</p>
<b>Tues 10/18</b>	10/12	6:30 pm	Regular Meeting	<p>Presentations &amp; Discussion: 2017-18 Biennial Budget                      Ordinance: Second Reading Adopting Revised Surface Water Manual &amp; Revised LID Code</p> <p><u>Consent Agenda:</u>                      Bid Award: 2016 Patching Projects/TBD                      Bid Award: 2016 Guard Rail Repair/TBD</p>
Nov 2016				
<b>Tues 11/1</b>	10/26	6:30 pm	Regular Meeting	<p>Presentations &amp; Discussion: 2017-18 Biennial Budget                      Public Hearing: First Reading Adopting Low Impacted Development Code Update</p> <p><u>Consent Agenda:</u>                      Bid Award: 228<sup>th</sup> &amp; Iss. Pine Lk Road Intersection/TBD</p>



<ul style="list-style-type: none"> <li>•</li> </ul>	<ul style="list-style-type: none"> <li>• Puget Sound Energy Franchise</li> <li>• Economic Development Plan</li> <li>• Traffic Impact Fee Update</li> <li>• ITS System Project Final Acceptance</li> <li>• Department Reports</li> <li>• Adoption Public Works Standards</li> <li>• Off-Leash Dogs</li> <li>• Discussion: Concurrency Ordinance</li> <li>• Comprehensive Plan Transportation Element (2017)</li> <li>• Contract: SE 24<sup>th</sup> St Sidewalk Design/TBD</li> <li>• Lake Sammamish Water Level</li> <li>• Connectivity Model Process</li> <li>• Bid Award: 212<sup>th</sup> Way Repair (Snake Hill)/TBD</li> <li>• Contract: 212<sup>th</sup> Way Repair Construction Support/TBD</li> </ul>	<ul style="list-style-type: none"> <li>• Review of regulations regarding the overlay areas, low impact development and special protection areas for lakes</li> <li>• Discussion: Inner City Bus Service</li> <li>• Good Samaritan Law</li> <li>• Stormwater Comprehensive Plan</li> <li>• Bid Award: 212<sup>th</sup> Way Repair (Snake Hill)/TBD</li> <li>• Contract: 212<sup>th</sup> Way Repair Construction Support/TBD</li> <li>• Contract: Major Stormwater Facility Repair/TBD</li> </ul>	<ul style="list-style-type: none"> <li>• Mountains to Sound Greenway</li> <li>• Sustainability/Climate Change</li> <li>• Water Quality Update</li> </ul>
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If you are looking for facility rentals, please click [here](#).

June

## July 2016

August

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1 9:30 a.m. Transportation Committee Meeting	2 10 a.m. Independence Day Parade in Klahanie
3	4 5 p.m. 4th on the Plateau Volunteer 6 p.m. Fourth on the Plateau	5 10 a.m. Fourth on the Plateau Clean-up 6 p.m. City Council Special Meeting	6 10:30 a.m. Health/Human Services Committee Meeting 3 p.m. Health and Human Service Task Force Meeting 4 p.m. Sammamish Farmer's Market 6:30 p.m. Parks and Recreation Commission Meeting	7 9 a.m. Finance Committee Meeting 10 a.m. Family Friendly Volunteering 6:30 p.m. Planning Commission Meeting 6:30 p.m. Concerts in the Park	8	9 9 a.m. Volunteer at Lower Commons Park! 1 p.m. Sammamish Walks
10	11 3 p.m. Transportation Committee Special Meeting	12 8:30 a.m. David Allison Art Exhibit 1 p.m. KidsFirst! 6:30 p.m. City Council Special Meeting 8:30 p.m. Trail work at Beaver Lake Preserve	13 4 p.m. Sammamish Farmer's Market 6 p.m. Issaquah-Fall City Road Public Meeting #2 8:30 p.m. Trail work at Beaver Lake Preserve	14 6:30 p.m. Concerts in the Park 8:30 p.m. Trail work at Beaver Lake Preserve	15 9 a.m. Public Safety Committee Meeting 10 a.m. Blood Drive 8:30 p.m. Trail work at Beaver Lake Preserve	16 9 a.m. Volunteer at Lower Commons Park! 7 p.m. Shakespeare in the Park
17	18 3 p.m. Health and Human Service Task Force Meeting	19 1 p.m. KidsFirst! 6:30 p.m. City Council Meeting	20 4 p.m. Sammamish Farmer's Market	21 9 a.m. Finance Committee Meeting 10 a.m. Family Friendly Volunteering 6 p.m. Exhibiting Artist Reception - David Allison 6:30 p.m. Concerts in the Park 6:30 p.m. Planning Commission Meeting	22 9 a.m. Volunteer at Ebright Creek	23 10 a.m. Sammamish Walks 7 p.m. Shakespeare in the Park
24	25 6:30 p.m. Arts Commission Meeting	26 1 p.m. KidsFirst!	27 4 p.m. Sammamish Farmer's Market	28 6:30 p.m. Concerts in the Park	29	30 10 a.m. Sammamish Walks

If you are looking for facility rentals, please click [here](#).

July

## August 2016

September

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2 1 p.m. KidsFirst!	3 4 p.m. Sammamish Farmer's Market 6:30 p.m. Parks and Recreation Commission Meeting	4 10 a.m. Family Friendly Volunteering 6:30 p.m. Concerts in the Park	5	6 10 a.m. Sammamish Walks
7	8	9 1 p.m. KidsFirst!	10 4 p.m. Sammamish Farmer's Market	11 6:30 p.m. Concerts in the Park	12	13
14	15	16 8:30 a.m. Trail Work at Evans Creek Preserve 1 p.m. KidsFirst!	17 8:30 a.m. Trail Work at Evans Creek Preserve 4 p.m. Sammamish Farmer's Market	18 8:30 a.m. Trail Work at Evans Creek Preserve 10 a.m. Family Friendly Volunteering 6:30 p.m. Concerts in the Park	19	20 10 a.m. Sammamish Days 10 a.m. Sammamish Walks 6 p.m. Sammamish Nights
21	22 6:30 p.m. Arts Commission Meeting Canceled	23 1 p.m. KidsFirst!	24 4 p.m. Sammamish Farmer's Market	25 6:30 p.m. Concerts in the Park	26	27 6 p.m. Bollywood Dance Event
28	29	30 1 p.m. KidsFirst!	31 4 p.m. Sammamish Farmer's Market			

Sammamish, Washington



# ~ Proclamation ~



**Whereas**, the Eastside Catholic High School Football Team culminated an impressive season by winning the 2015 State 3A Championship, and

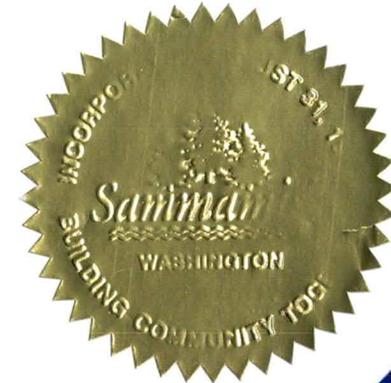
**Whereas**, these young men and coaches of the Eastside Catholic Football Team showed tremendous character in creating a winning tradition, and

**Whereas**, their success is an example of the passion and commitment to excellence we cherish in the City of Sammamish,

**Therefore**, we want to recognize the Coaches and Student Athletes of the Eastside Catholic Crusaders Football Program by awarding them with the City of Sammamish Achievement of Excellence Award. Congratulations!

Signed this 19th day of July, 2016

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*Mayor, Donald J. Gerend*







# MEMORANDUM

**TO:** Melonie Anderson/City Clerk  
**FROM:** Marlene/Finance Department  
**DATE:** July 14, 2016  
**RE:** Claims for July 19, 2016

\$ 207,816.31  
 190,000.00  
 230,831.15  
 23,000.00  
 1,233,005.69  
 27,917.85

### Top 10 Over \$10,000 Payments

Eastside Fire & Rescue	\$561,292.92	Fire Services - July 2016
Lochner	\$157,012.90	Iss Fall City Rd Improvements - May 2016
Kenyon Disend	\$87,062.35	Attorney Services - June 2016
Software One	\$56,158.75	Microsoft Enterprise Software - Annual Fee
JKA Well Drilling	\$38,445.03	Well Drilling - Big Rock Park
Badgley Landscape	\$23,561.30	Park & ROW Landscape - June 2016
KBA	\$21,835.89	2016 Pavement Overlay Project
Crabtree & Co	\$21,667.00	Website Redesign
Transmap Corp	\$20,283.90	ROW & Pedestrian & Bikeway Assets Inventory
Wa Trails Assoc	\$15,600.00	Beaver Lake Preserve Phase IIA

**TOTAL \$ 1,912,571.00**

**Check #44808 - # 44938**

207,816.31 +  
 190,000.00 +  
 230,831.15 +  
 23,000.00 +  
 1,233,005.69 +  
 27,917.85 +  
 1,912,571.00 \*

# Accounts Payable

## Check Register Totals Only

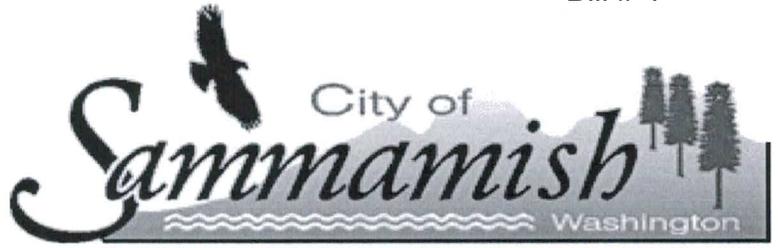
User: mdunham  
 Printed: 7/5/2016 - 9:34 AM



Check	Date	Vendor No	Vendor Name	Amount	Voucher
44808	07/05/2016	AWCLIF	Association of Washington Cities	206.80	44,808
44809	07/05/2016	AWCMED	AWC Employee BenefitsTrust	148,192.89	44,809
44810	07/05/2016	ICMA401	ICMA 401	46,660.67	44,810
44811	07/05/2016	ICMA457	ICMA457	10,809.29	44,811
44812	07/05/2016	IDHW	Idaho Child Support Receipting	200.00	44,812
44813	07/05/2016	PREPAIDL	LegalShield	83.70	44,813
44814	07/05/2016	NAVIA	Navia Benefits Solution	1,172.44	44,814
44815	07/05/2016	WASUPPOR	Wa State Support Registry	490.52	44,815
Check Total:				207,816.31	

Accounts Payable  
Computer Check Register

User: mdunham  
 Printed: 07/05/2016 - 3:05PM  
 Batch: 00002.07.2016  
 Bank Account: APPR



Check	Vendor No	Vendor Name	Date	Invoice No	Amount
44816	PELLCO	Pellco Construction Inc	7/5/2016		190,000.00
Check 44816 Total:					190,000.00
Report Total:					190,000.00

# Accounts Payable

## Check Register Totals Only

User: mdunham  
 Printed: 7/8/2016 - 9:29 AM



Check	Date	Vendor No	Vendor Name	Amount	Voucher
44817	07/08/2016	COMCAST2	Comcast	378.35	44,817
44818	07/08/2016	FRONTIR2	Frontier	387.64	44,818
44819	07/08/2016	ISD	Issaquah School District	48,678.00	44,819
44820	07/08/2016	KINGPET	King County Pet Licenses	140.00	44,820
44821	07/08/2016	LWSD	Lake Washington School Dist	171,255.00	44,821
44822	07/08/2016	PSE	Puget Sound Energy	8,768.16	44,822
44823	07/08/2016	WATREAS	Wa State Treasurer	1,224.00	44,823
Check Total:				230,831.15	

# Accounts Payable

## Check Register Totals Only

User: mdunham  
 Printed: 7/12/2016 - 8:37 AM



Check	Date	Vendor No	Vendor Name	Amount	Voucher
44824	07/12/2016	USPOST	U.S. Postal Service	23,000.00	44,824
				Check Total:	
				23,000.00	

## Accounts Payable

## Check Register Totals Only

User: mdunham  
 Printed: 7/14/2016 - 8:02 AM



Check	Date	Vendor No	Vendor Name	Amount	Voucher
44825	07/19/2016	ADAMSDAM	Damon Adams	64.00	44,825
44826	07/19/2016	ALLTRAFF	All Traffic Solutions	1,642.50	44,826
44827	07/19/2016	ARCHIVES	ArchiveSocial Inc	4,788.00	44,827
44828	07/19/2016	BACKGROU	Background Source Intl	66.00	44,828
44829	07/19/2016	BADGLEY	Badgley Landscape LLC	23,561.30	44,829
44830	07/19/2016	BELLCITY	City Of Bellevue	13,471.85	44,830
44831	07/19/2016	BEST	Best Parking Lot Cleaning, Inc	5,999.89	44,831
44832	07/19/2016	BORROWED	Creative Instrument LLC	1,000.00	44,832
44833	07/19/2016	bri	Bri Communications	4,600.00	44,833
44834	07/19/2016	BRIDENST	Art Bridenstine	167.52	44,834
44835	07/19/2016	BRIDGE	Bridge Disability Ministries	2,500.00	44,835
44836	07/19/2016	BRIM	Brim Tractor Co, Inc	358.54	44,836
44837	07/19/2016	CADMAN	Cadman, Inc.	506.30	44,837
44838	07/19/2016	CASCADED	Cascade Diesel & Truck Repair	223.77	44,838
44839	07/19/2016	CENTRALW	Central Welding Supply	1,437.20	44,839
44840	07/19/2016	COMCAST3	Comcast	1,282.21	44,840
44841	07/19/2016	CONTRACT	Contract Hardware, Inc	635.08	44,841
44842	07/19/2016	CORT	Cort Party Rental	1,864.23	44,842
44843	07/19/2016	COSTCO	Costco Wholesale	1,085.66	44,843
44844	07/19/2016	CRABTREE	Crabtree & Company	21,667.00	44,844
44845	07/19/2016	DEMARCHE	Demarche Consulting Group Inc	7,380.00	44,845
44846	07/19/2016	DESIGNTW	Design Two Four/Two Six Inc	3,040.00	44,846
44847	07/19/2016	DRSI	DRSI	24.95	44,847
44848	07/19/2016	EASTFIRE	Eastside Fire & Rescue	561,292.92	44,848
44849	07/19/2016	ELTEC	Eltec Systems LLC	2,118.84	44,849
44850	07/19/2016	ENGECONO	Engineering Economics, Inc.	2,341.04	44,850
44851	07/19/2016	FAIRWEAT	Fair Weather Site Furnishings	1,622.79	44,851
44852	07/19/2016	FASTENAL	Fastenal Industrial Supplies	201.33	44,852
44853	07/19/2016	FIREPROT	Fire Protection, Inc.	647.15	44,853
44854	07/19/2016	FUNRENT	Festival Rentals LLC	3,092.28	44,854
44855	07/19/2016	GCH	Gail C. Harris	1,560.00	44,855
44856	07/19/2016	GRANGE	Grange Supply, Inc.	91.94	44,856
44857	07/19/2016	GREATAME	Great America Financial Services	130.31	44,857
44858	07/19/2016	HOGAN	D. A. Hogan & Assoc., Inc	1,925.00	44,858
44859	07/19/2016	HONDAKU	Issaquah Honda Kubota	188.74	44,859
44860	07/19/2016	HONEY	Honey Bucket	4,894.79	44,860
44861	07/19/2016	HOWARD	Lyman Howard	34.40	44,861
44862	07/19/2016	HUCK	Kathleen Huckabay	188.88	44,862
44863	07/19/2016	HWA	HWA GeoSciences, Inc	2,624.24	44,863
44864	07/19/2016	ISSAQ1	Issaquah Press, Inc.	1,053.00	44,864
44865	07/19/2016	ISSCITY	City Of Issaquah	12,369.16	44,865
44866	07/19/2016	JAYMARC	Jaymarc AV	8,899.02	44,866
44867	07/19/2016	JKA	JKA Well Drilling	38,445.03	44,867
44868	07/19/2016	KBA	KBA Inc	21,835.89	44,868
44869	07/19/2016	KCRADIO	King Cty Radio Comm Svcs	972.36	44,869
44870	07/19/2016	KDDEVELO	KD Developemnt & Construction	7,574.00	44,870
44871	07/19/2016	KELLER	Mike Keller	36.18	44,871
44872	07/19/2016	KENYON2	Kenyon Disend PLLC	87,062.35	44,872
44873	07/19/2016	KINGFI	King County Finance A/R	930.00	44,873
44874	07/19/2016	L&IBOIL	Dept of Labor & Industries	28.20	44,874

Check	Date	Vendor No	Vendor Name	Amount	Voucher
44875	07/19/2016	LESSCHWA	Les Schwab Tire Center	1,599.75	44,875
44876	07/19/2016	LEXIS	Lexis Nexis Risk Data Mgmt	54.30	44,876
44877	07/19/2016	LEYTON	Kimberly Leyton	1,216.39	44,877
44878	07/19/2016	LIGHTLOA	Light Loads Concrete, LLC	1,026.02	44,878
44879	07/19/2016	LIVESOU	Live Sound & Stage LLC	1,040.25	44,879
44880	07/19/2016	LOCHNER	Lochner, Inc.	157,012.90	44,880
44881	07/19/2016	MALLORY	Mallory Paint Store	142.16	44,881
44882	07/19/2016	maren	Marenekos Rock Center	95.79	44,882
44883	07/19/2016	MIKEYMIK	Mike Gervais	225.00	44,883
44884	07/19/2016	MINUTE	Minuteman Press	59.68	44,884
44885	07/19/2016	MOBERLY	Lynn Moberly	12,100.00	44,885
44886	07/19/2016	MRMOBILE	Mr. Mobile Automotive Service LLC	4,133.63	44,886
44887	07/19/2016	NABARR	National Barricade Co., LLC	1,412.55	44,887
44888	07/19/2016	NAPA	NAPA Auto Parts	113.98	44,888
44889	07/19/2016	NC MACH	NC Machinery Co	1,102.92	44,889
44890	07/19/2016	NELSONCO	Walter E. Nelson Company	247.03	44,890
44891	07/19/2016	NESAM	NE Sammamish Sewer & Water	1,347.91	44,891
44892	07/19/2016	OILCAN	Oil Can Henry's	97.04	44,892
44893	07/19/2016	OLSENDAN	Dane Olsen	88.68	44,893
44894	07/19/2016	OPENDNS	Cisco Open DNS LLC	832.20	44,894
44895	07/19/2016	OSS	On Site Security Services LLC	1,043.58	44,895
44896	07/19/2016	PACAIR	Pacific Air Control, Inc	1,950.20	44,896
44897	07/19/2016	PACSOIL	Pacific Topsoils, Inc	5,706.46	44,897
44898	07/19/2016	PAPE	Pape Machinery	10,127.63	44,898
44899	07/19/2016	PARAME	Parametrix, Inc.	8,947.46	44,899
44900	07/19/2016	PLANTSCA	Plantscapes, Inc	13,038.55	44,900
44901	07/19/2016	RAINIER	Rainier Wood Recyclers Inc	48.00	44,901
44902	07/19/2016	ROTARSAM	Rotary Club of Sammamish	573.00	44,902
44903	07/19/2016	SAM	Sammamish Plateau Water Sewer	425.41	44,903
44904	07/19/2016	SAMCHAMB	Sammamish Chamber of Commerce	5,000.00	44,904
44905	07/19/2016	SEASHAKE	Seattle Shakespeare Company	1,800.00	44,905
44906	07/19/2016	SEATIM	Seattle Times	3,439.05	44,906
44907	07/19/2016	SEQUOYAH	Sequoyah Electric, LLC	2,865.12	44,907
44908	07/19/2016	SHAGGYSW	Benjamin Ekstedt	1,000.00	44,908
44909	07/19/2016	SHARPDV	Dave Sharp	2,847.00	44,909
44910	07/19/2016	SHERWIN	Sherwin-Williams Company	20.94	44,910
44911	07/19/2016	SITEONE	Site One Landscape Supply LLC	2,903.69	44,911
44912	07/19/2016	SOFTWARE	Software One, Inc.	56,158.75	44,912
44913	07/19/2016	STOECKL	Jane C. Stoecklin	140.00	44,913
44914	07/19/2016	STUCKER	Shawn Stucker	150.00	44,914
44915	07/19/2016	SWIFTTRE	Swift Tree Care	2,847.00	44,915
44916	07/19/2016	TRAFFIC	Trafficount Consultants, Inc	7,340.00	44,916
44917	07/19/2016	TRANSMAP	Transmap Corp	20,283.90	44,917
44918	07/19/2016	TRIANGLE	Triangle Associates, Inc	1,681.22	44,918
44919	07/19/2016	ULINE	ULINE	2,392.12	44,919
44920	07/19/2016	UNITRENT	United Rentals NA, Inc	833.00	44,920
44921	07/19/2016	USBANKNA	US Bank N.A.	61.00	44,921
44922	07/19/2016	USHEALTH	U S Healthworks	48.00	44,922
44923	07/19/2016	VATA	Vata, LLC	4,940.00	44,923
44924	07/19/2016	VERIZON	Verizon Wireless	3,408.51	44,924
44925	07/19/2016	VOYAGER	Voyager	6,671.86	44,925
44926	07/19/2016	WADEJAME	James Wade	136.00	44,926
44927	07/19/2016	WATERSH	The Watershed Company	3,944.73	44,927
44928	07/19/2016	WATRAILS	Wa Trails Assoc	15,600.00	44,928
44929	07/19/2016	WATSONSE	Watson Security	220.29	44,929
44930	07/19/2016	WORKSAFE	A Work Safe Service, Inc	104.00	44,930
44931	07/19/2016	ZAGARS	Andrew Zagars	175.75	44,931
44932	07/19/2016	ZUMAR	Zumar Industries, Inc.	659.45	44,932

Check	Date	Vendor No	Vendor Name	Amount	Voucher
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Check Total:

1,233,005.69

# Accounts Payable

## Check Register Totals Only

User: mdunham  
 Printed: 7/14/2016 - 10:03 AM



Check	Date	Vendor No	Vendor Name	Amount	Voucher
44933	07/19/2016	HENDRIKU	Hendrikus Organics, Inc.	6,098.60	44,933
44934	07/19/2016	CUNNINGH	J. A. Cunningham Consulting LLC	5,092.50	44,934
44935	07/19/2016	LIVESOU	Live Sound & Stage LLC	1,040.25	44,935
44936	07/19/2016	MAILPO	Mail Post	10,807.12	44,936
44937	07/19/2016	WALAB	Wa State Dept of Labor & Indus	4,679.43	44,937
44938	07/19/2016	WATRACTO	Washington Tractor	199.95	44,938
				27,917.85	
Check Total:					





**Meeting Date:** July 19, 2016

**Date Submitted:** 7/13/2016

**Originating Department:** Community Development

**Clearances:**

- |  |   |   |
|--|---|---|
| <input checked="" type="checkbox"/> Attorney     | <input checked="" type="checkbox"/> Community Development | <input type="checkbox"/> Parks & Recreation |
| <input type="checkbox"/> Admin Services          | <input type="checkbox"/> Eastside Fire and Rescue         | <input type="checkbox"/> Police             |
| <input checked="" type="checkbox"/> City Manager | <input type="checkbox"/> Finance & IT                     | <input type="checkbox"/> Public Works       |

**Subject:** An Ordinance to amend the SMC, Chapter 21A.55 related to wireless regulations

**Action Required:** Second Ordinance Reading and Adopt Ordinance

- Exhibits:**
1. Ordinance with attachment
  2. Redline version of wireless regulation amendments
  3. 47 CFR 1.40001 (FCC Report and Order)

**Budget:** N/A

**Summary Statement:**

Minor code amendments are needed to align the City's wireless regulations, contained in Sammamish Municipal Code (SMC), Chapter 21A.55 with Federal regulations regarding wireless facility modifications.

Proposed are the following amendments to SMC 21A.55.030 - Exemptions:

1. Specify that wireless exemptions do not apply to projects taking place within environmentally critical areas.
2. Add a subsection exempting eligible facilities requests from the requirements of Chapter 21A.55. Require that all projects meeting the definition of an eligible facilities request follow the procedures and definitions set forth in the Code of Federal Regulations. Require that the applicant obtain a Wireless Exemption Letter from the City.

**Background:**

1. Overview of Changes to Federal Law

The Middle Class Tax Relief and Job Creation Act of 2012 (the "Spectrum Act") contained provisions to facilitate the deployment of wireless broadband infrastructure deemed necessary for economic development. In particular, Section 6409(a) of the Spectrum Act mandates that state and local governments approve certain requests to collocate equipment on existing wireless towers<sup>1</sup> and base

<sup>1</sup> "Tower" is a structure built for the primary purpose of supporting antennas (e.g. monopoles and guyed towers).

stations<sup>2</sup>. Section 6409(a) provides that state and local governments “may not deny, and shall approve” an “eligible facilities request<sup>3</sup>” so long as it does not “substantially change the physical dimensions of the existing wireless tower or base station.”

On October 21, 2014, the Federal Communications Commission (FCC) issued a Report and Order clarifying and implementing statutory requirements related to state and local government review of infrastructure siting, including Section 6409(a), with the intent to facilitate and expedite the deployment of equipment and infrastructure to meet the demand for wireless capacity. The FCC Order and Report became effective on April 8, 2015, and significantly impacts how states and local governments may process eligible facilities requests (see Exhibit 3).

Qualifying eligible facilities requests must be approved within 60 days. Failure to act within 60 days results in automatic approval of the request. If the City finds that the request constitutes a substantial change, the application will be processed according to the requirements of Chapter 21A.55.

Type of Facility	Any of the following constitutes a <u>Substantial Change</u> :
<b>Towers Outside of the ROW</b>	<ul style="list-style-type: none"> <li>• The modification increases the height of the tower by more than 10%, or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed 20 feet, whichever is greater.</li> <li>• The modification protrudes from the edge of the tower more than 20 feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater.</li> </ul>
<b>Towers in the ROW and all Base Stations</b>	<ul style="list-style-type: none"> <li>• The modification increases the height of the tower or base station by more than 10% or 10 feet, whichever is greater.</li> <li>• The modification protrudes from the edge of the structure more than 6 feet.</li> </ul>
<b>All Projects</b>	<ul style="list-style-type: none"> <li>• The modification involves installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four cabinets;</li> <li>• It entails any excavation or deployment outside the current site;</li> <li>• It would defeat the existing concealment elements of the tower or base station; or</li> <li>• It does not comply with conditions associated with the prior approval of construction or modification of the tower or base station unless the non-compliance is due to an increase in height, increase in width, addition of cabinets, or new excavation that does not exceed the corresponding “substantial change” thresholds identified above.</li> </ul>

<sup>2</sup> “Base Station” includes any structure other than a tower that, at the time the relevant application (for a Section 6409 Modification), supports wireless equipment. This includes buildings, utility poles, water towers, etc.

<sup>3</sup> “Eligible facilities request” is any request for modification of an existing tower or base station that does not *substantially change* the physical dimensions of such tower or base station, involving: (i) Collocation of new transmission equipment; (ii) Removal of transmission equipment; or (iii) Replacement of transmission equipment.

2. Current City Process

The Wireless Exemption Letter is the City's application for reviewing eligible facilities requests under Section 6409(a). The Exemption process has been effective in processing eligible applications and the City has not had an issue in meeting the 60-day shot clock. The federal provisions preempt local permitting and land use requirements and essentially require ministerial review by the City. If the application meets the federal requirements, then the City must approve the permit (i.e., issue the Exemption).

3. City Council Review

On July 5, 2016, staff introduced the proposed wireless Code amendments to City Council and received questions and comments. No further changes to the Planning Commission approved amendments were suggested.

**Financial Impact:**

There is no financial impact directly associated with adoption of this Ordinance.

**Recommended Motion:**

Move to approve the Ordinance, included as Exhibit 1, to amend Chapter 55 of Title 21A of the Sammamish Municipal Code as detailed in Attachment A.



**CITY OF SAMMAMISH  
WASHINGTON**

**ORDINANCE NO. O2016-**

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**AN ORDINANCE OF THE CITY OF SAMMAMISH,  
WASHINGTON, AMENDING SECTION 21A.55.030 OF THE  
SAMMAMISH MUNICIPAL CODE RELATING TO WIRELESS  
COMMUNICATION FACILITIES; PROVIDING FOR  
SEVERABILITY; AND ESTABLISHING AN EFFECTIVE  
DATE**

WHEREAS, the City has previously adopted Chapter 21A.55 of the Sammamish Municipal Code (“SMC”), entitled Wireless Communication Facilities (“WCF”), the purpose of which is to provide general requirements, siting hierarchy, design standards, and evaluations in exchange for public benefits to help achieve reasonable location of wireless communication facilities; and

WHEREAS, in 2012, Congress passed the "Middle Class Tax Relief and Job Creation Act of 2012" (the "Spectrum Act"); and

WHEREAS, Congress, through its enactment of Section 6409 of the Spectrum Act, has mandated that state and local governments approve, and cannot deny, any eligible facilities request for a modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station; and

WHEREAS, on October 21, 2014, the FCC issued a report and order, WT Docket Nos. 13-238, 13-32; WC Docket No. 11-59; FCC 14-153, (the "Report and Order" or "Order") clarifying and implementing statutory requirements related to state and local government review of infrastructure siting, including Section 6409, with the intent of facilitating and expediting the deployment of equipment and infrastructure to meet the demand for wireless capacity; and

WHEREAS, that part of the Report and Order related to implementation of Section 6409, amends 47 C.F.R. Part 1 by adding new Subpart CC § 1.40001 and establishes both substantive and procedural limitations upon local government’s ability to regulate an eligible facilities request; and

WHEREAS, the Order, among other things, defines key terms utilized in Section 6409, establishes application requirements limiting the information that can be required from an applicant, implements a 60-day shot clock and tolling provisions, establishes a deemed approved remedy for applications not timely responded to, requires cities to approve a project permit application requesting modification of an existing tower or base station that does not substantially change the physical dimensions of such tower or base station, and establishes development standards that govern such proposed modifications; and

## Exhibit 1

WHEREAS, the Order was published in the Federal Register on Thursday, January 8, 2015, Federal Register; Vol. 80; No. 5, resulting in the regulations for eligible facilities requests becoming effective on April 8, 2015; and

WHEREAS, Section 21A.05.040 of the Sammamish Municipal Code requires all land uses and development to comply with applicable federal, state, and local laws; and

WHEREAS, in addition to the code amendments that the City has deemed necessary for compliance with federal law, additional amendments were identified for internal code consistency regarding wireless exemptions and the protection of environmentally critical areas (the “Proposed Amendments”); and

WHEREAS, in accordance with WAC 365-195-620, on May 26, 2016, the City submitted a Notice of Intent to Adopt Amendments to the Washington State Department of Commerce for expedited review; and

WHEREAS, an environmental review of the Proposed Amendments has been conducted in accordance with the requirements of the State Environmental Policy Act (“SEPA”), and a SEPA threshold determination of non-significance was issued on June 24, 2016, and sent to state agencies and interested parties; and

WHEREAS, on May 19, 2016, the Planning Commission held a work session on the Proposed Amendments; and

WHEREAS, on June 2, 2016, the Planning Commission held a public hearing on the Proposed Amendments and developed its recommendation for the City Council; and

WHEREAS, on July 5, 2016, the City Council received the Planning Commission recommendation and held a second public hearing on the Proposed Amendments; and

WHEREAS, the City Council finds that the Proposed Amendments are reasonable and necessary in order to bring the City's development regulations into compliance with the mandate imposed upon the City by Congress pursuant to Section 6409 and the regulations imposed upon the City by the FCC pursuant to its Report and Order, and are therefore in the public interest;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAMMAMISH, WASHINGTON, DO ORDAIN AS FOLLOWS:**

**Section 1. SMC 21A.55.030, Exemptions, Amended.** Sammamish Municipal Code Section 21A.55.030, *Exemptions*, is hereby amended as set forth in **Attachment A**, which is incorporated herein by this reference.

**Section 2. Severability.** Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state

Exhibit 1

or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

**Section 3. Effective Date.** This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

**ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE \_\_\_ DAY OF JULY, 2016.**

CITY OF SAMMAMISH

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Mayor Donald J. Gerend

ATTEST/AUTHENTICATED:

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Melonie Anderson, City Clerk

Approved as to form:

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Michael R. Kenyon, City Attorney

Filed with the City Clerk:	June 28, 2016
Public Hearing:	July 5, 2016
First Reading:	July 5, 2016
Passed by the City Council:	
Date of Publication:	
Effective Date:	

**ATTACHMENT A:  
Amended SMC 21A.55.030**

**21A.55.030 Exemptions.**

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Exemptions shall comply with generally applicable building, structural, electrical, and safety codes and other laws codifying objective standards reasonably related to health and safety. A project taking place within an environmentally critical area shall not be eligible for an exemption. The following are exempt from the provisions of this chapter:

- (1) Amateur radio antenna operated by a federally licensed amateur radio operator as part of the amateur or business radio service;
- (2) Citizen band or two-way radio antenna including any mast;
- (3) Satellite earth stations (satellite dish) that are one meter (39.37 inches) or less in diameter in all residential districts and two meters or less in all other zoning districts and which are not greater than 20 feet above grade in residential districts and 35 feet above grade in all other zoning districts;
- (4) Public agency communications systems of the City of Sammamish, without limitation, when the facility or facilities are on lands owned by the City and all other building and land development regulations are complied with. Any such facility constructed and operated under this section shall comply with all federal regulations including, but not limited to, site location, aircraft warning, station power level, and frequency allocation;
- (5) A temporary commercial wireless communications facility, for the purposes of providing coverage of a special event such as news coverage or sporting event, subject to approval by the City, except that such facility must comply with all federal and state requirements. Said wireless communications facility may be exempt from the provisions of this chapter up to one week after the duration of the special event;
- (6) In the event a building permit is required for any emergency repair, notification in writing to the director of community development shall occur within 24 hours of identification of the needed repair; filing of the building permit application shall be done in compliance with the City's adopted building code;
- (7) Antenna modifications, provided:
  - (a) There is no increase in the number of antennas; and

## Exhibit 1

(b) There is no increase in the height of the antenna support structure;

(8) Temporary WCF; and

(9) An eligible facilities request pursuant to Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012 and 47 CFR 1.40001. All projects that meet the definition of an “eligible facilities request” as defined in 47 CFR 1.40001 shall be permitted upon the issuance of a wireless exemption letter. An application for an eligible facilities request shall provide information as required by the Director. For the purpose of reviewing an eligible facilities request, the definitions and procedures of 47 CFR 1.40001 shall control and supersede any contrary definitions or procedures of this Chapter.

## Exhibit 1

## Chapter 21A.55 WIRELESS COMMUNICATION FACILITIES

Sections:

- [21A.55.010](#) Purpose.
- [21A.55.020](#) Applicability.
- [21A.55.030](#) Exemptions.
- [21A.55.040](#) Permit required.
- [21A.55.050](#) Application requirements.
- [21A.55.060](#) Siting hierarchy.
- [21A.55.070](#) Base station hierarchy.
- [21A.55.080](#) General requirements.
- [21A.55.090](#) Design standards.
- [21A.55.100](#) Technical evaluation.
- [21A.55.110](#) Interference.
- [21A.55.120](#) Cessation of use.
- [21A.55.130](#) Light poles.

### **21A.55.030 Exemptions.**

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Exemptions shall comply with generally applicable building, structural, electrical, and safety codes and other laws codifying objective standards reasonably related to health and safety. A project taking place within an environmentally critical area shall not be eligible for an exemption. The following are exempt from the provisions of this chapter:

- (1) Amateur radio antenna operated by a federally licensed amateur radio operator as part of the amateur or business radio service;
- (2) Citizen band or two-way radio antenna including any mast;
- (3) Satellite earth stations (satellite dish) that are one meter (39.37 inches) or less in diameter in all residential districts and two meters or less in all other zoning districts and which are not greater than 20 feet above grade in residential districts and 35 feet above grade in all other zoning districts;

## Exhibit 2

(4) Public agency communications systems of the City of Sammamish, without limitation, when the facility or facilities are on lands owned by the City and all other building and land development regulations are complied with. Any such facility constructed and operated under this section shall comply with all federal regulations including, but not limited to, site location, aircraft warning, station power level, and frequency allocation;

(5) A temporary commercial wireless communications facility, for the purposes of providing coverage of a special event such as news coverage or sporting event, subject to approval by the City, except that such facility must comply with all federal and state requirements. Said wireless communications facility may be exempt from the provisions of this chapter up to one week after the duration of the special event;

(6) In the event a building permit is required for any emergency repair, notification in writing to the director of community development shall occur within 24 hours of identification of the needed repair; filing of the building permit application shall be done in compliance with the City's adopted building code. ~~(In the event a building permit is required for nonemergency maintenance, reconstruction, repair or replacement, filing of the building permit application shall be required prior to the commencement of such nonemergency activities);~~

(7) Antenna modifications, provided:

(a) There is no increase in the number of antennas; and

(b) There is no increase in the height of the antenna support structure; ~~and~~

(8) Temporary WCF; ~~and (Ord. O2010-281 § 4)~~

(9) An eligible facilities request pursuant to Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012 and 47 CFR 1.40001. All projects that meet the definition of an "eligible facilities request" as defined in 47 CFR 1.40001 shall be permitted upon the issuance of a wireless exemption letter. An application for an eligible facilities request shall provide information as required by the Director. For the purpose of reviewing an eligible facilities request, the definitions and procedures of 47 CFR 1.40001 shall control and supersede any contrary definitions or procedures of this Chapter.

## Exhibit 3

### 47 CFR 1.40001

(a) *Purpose.* These rules implement section 6409 of the Spectrum Act (codified at [47 U.S.C. 1455](#)), which requires a State or local government to approve any eligible facilities request for a modification of an existing tower or base station that does not substantially change the physical dimensions of such tower or base station.

(b) *Definitions.* Terms used in this section have the following meanings.

(1) *Base station.* A structure or equipment at a fixed location that enables Commission-licensed or authorized wireless communications between user equipment and a communications network. The term does not encompass a tower as defined in this subpart or any equipment associated with a tower.

(i) The term includes, but is not limited to, equipment associated with wireless communications services such as private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.

(ii) The term includes, but is not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration (including Distributed Antenna Systems and small-cell networks).

(iii) The term includes any structure other than a tower that, at the time the relevant application is filed with the State or local government under this section, supports or houses equipment described in paragraphs (b)(1)(i) through (ii) of this section that has been reviewed and approved under the applicable zoning or siting process, or under another State or local regulatory review process, even if the structure was not built for the sole or primary purpose of providing such support.

(iv) The term does not include any structure that, at the time the relevant application is filed with the State or local government under this section, does not support or house equipment described in paragraphs (b)(1)(i)-(ii) of this section.

(2) *Collocation.* The mounting or installation of transmission equipment on an eligible support structure for the purpose of transmitting and/or receiving radio frequency signals for communications purposes.

(3) *Eligible facilities request.* Any request for modification of an existing tower or base station that does not substantially change the physical dimensions of such tower or base station, involving:

(i) Collocation of new transmission equipment;

(ii) Removal of transmission equipment; or

(iii) Replacement of transmission equipment.

(4) *Eligible support structure.* Any tower or base station as defined in this section, provided that it is existing at the time the relevant application is filed with the State or local government under this section.

## Exhibit 3

(5) *Existing*. A constructed tower or base station is existing for purposes of this section if it has been reviewed and approved under the applicable zoning or siting process, or under another State or local regulatory review process, provided that a tower that has not been reviewed and approved because it was not in a zoned area when it was built, but was lawfully constructed, is existing for purposes of this definition.

(6) *Site*. For towers other than towers in the public rights-of-way, the current boundaries of the leased or owned property surrounding the tower and any access or utility easements currently related to the site, and, for other eligible support structures, further restricted to that area in proximity to the structure and to other transmission equipment already deployed on the ground.

(7) *Substantial change*. A modification substantially changes the physical dimensions of an eligible support structure if it meets any of the following criteria:

(i) For towers other than towers in the public rights-of-way, it increases the height of the tower by more than 10% or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed twenty feet, whichever is greater; for other eligible support structures, it increases the height of the structure by more than 10% or more than ten feet, whichever is greater;

(A) Changes in height should be measured from the original support structure in cases where deployments are or will be separated horizontally, such as on buildings' rooftops; in other circumstances, changes in height should be measured from the dimensions of the tower or base station, inclusive of originally approved appurtenances and any modifications that were approved prior to the passage of the Spectrum Act.

(ii) For towers other than towers in the public rights-of-way, it involves adding an appurtenance to the body of the tower that would protrude from the edge of the tower more than twenty feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater; for other eligible support structures, it involves adding an appurtenance to the body of the structure that would protrude from the edge of the structure by more than six feet;

(iii) For any eligible support structure, it involves installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four cabinets; or, for towers in the public rights-of-way and base stations, it involves installation of any new equipment cabinets on the ground if there are no pre-existing ground cabinets associated with the structure, or else involves installation of ground cabinets that are more than 10% larger in height or overall volume than any other ground cabinets associated with the structure;

(iv) It entails any excavation or deployment outside the current site;

(v) It would defeat the concealment elements of the eligible support structure; or

(vi) It does not comply with conditions associated with the siting approval of the construction or modification of the eligible support structure or base station equipment, provided however that this limitation does not apply to any modification that is non-compliant only in a manner that would not exceed the thresholds identified in § 1.40001(b)(7)(i) through (iv).

## Exhibit 3

(8) *Transmission equipment.* Equipment that facilitates transmission for any Commission-licensed or authorized wireless communication service, including, but not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, and regular and backup power supply. The term includes equipment associated with wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.

(9) *Tower.* Any structure built for the sole or primary purpose of supporting any Commission-licensed or authorized antennas and their associated facilities, including structures that are constructed for wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul, and the associated site.

(c) *Review of applications.* A State or local government may not deny and shall approve any eligible facilities request for modification of an eligible support structure that does not substantially change the physical dimensions of such structure.

(1) *Documentation requirement for review.* When an applicant asserts in writing that a request for modification is covered by this section, a State or local government may require the applicant to provide documentation or information only to the extent reasonably related to determining whether the request meets the requirements of this section. A State or local government may not require an applicant to submit any other documentation, including but not limited to documentation intended to illustrate the need for such wireless facilities or to justify the business decision to modify such wireless facilities.

(2) *Timeframe for review.* Within 60 days of the date on which an applicant submits a request seeking approval under this section, the State or local government shall approve the application unless it determines that the application is not covered by this section.

(3) *Tolling of the timeframe for review.* The 60-day period begins to run when the application is filed, and may be tolled only by mutual agreement or in cases where the reviewing State or local government determines that the application is incomplete. The timeframe for review is not tolled by a moratorium on the review of applications.

(i) To toll the timeframe for incompleteness, the reviewing State or local government must provide written notice to the applicant within 30 days of receipt of the application, clearly and specifically delineating all missing documents or information. Such delineated information is limited to documents or information meeting the standard under paragraph (c)(1) of this section.

(ii) The timeframe for review begins running again when the applicant makes a supplemental submission in response to the State or local government's notice of incompleteness.

(iii) Following a supplemental submission, the State or local government will have 10 days to notify the applicant that the supplemental submission did not provide the information identified in the original notice delineating missing information. The timeframe is tolled in the case of second or subsequent notices pursuant to the procedures identified in this paragraph (c)(3). Second or subsequent notices of incompleteness may not specify missing documents or information that were not delineated in the original notice of incompleteness.

## Exhibit 3

(4) *Failure to act.* In the event the reviewing State or local government fails to approve or deny a request seeking approval under this section within the timeframe for review (accounting for any tolling), the request shall be deemed granted. The deemed grant does not become effective until the applicant notifies the applicable reviewing authority in writing after the review period has expired (accounting for any tolling) that the application has been deemed granted.

(5) *Remedies.* Applicants and reviewing authorities may bring claims related to Section 6409(a) to any court of competent jurisdiction.



**Meeting Date:** July 19, 2016

**Date Submitted:** 6/29/2016

**Originating Department:** Community Development

**Clearances:**

- |  |   |  |
|--|---|--|
| <input checked="" type="checkbox"/> Attorney     | <input checked="" type="checkbox"/> Community Development | <input type="checkbox"/> Public Safety           |
| <input type="checkbox"/> Admin Services          | <input type="checkbox"/> Finance & IT                     | <input checked="" type="checkbox"/> Public Works |
| <input checked="" type="checkbox"/> City Manager | <input checked="" type="checkbox"/> Parks & Recreation    |  |

**Subject:** An Ordinance to amend the SMC, Chapter 14A.15, 14A.20, 14A.25 and 21A.105 related to assessment, collection and deferral of impact fees

**Action Required:** Second Reading and Adoption of Ordinance

**Exhibits:** 1 – Ordinance with attachments

**Budget:** N/A

**Summary Statement:** An Ordinance adopting a new Code chapter implementing an impact fee deferral program for residential construction consistent with and pursuant to recent changes in State law. These amendments were presented to the City Council Finance Committee on June 2, 2016.

**Background:** Sammamish was the first to adopt an ordinance allowing deferral of impact fees. In response to economic downturn, the Council adopted Ordinance O2009-263 in July 2009 that revised the Street and Parks impact fee code provisions to allow deferred payment of impact fees to the point of sale. The deferral provisions extended until December 31, 2014 and were not renewed due to lack of utilization. However, deferral of impact fees for Parks is currently allowed under SMC 14A.20.020(12).

The Washington State Legislature recently amended RCW 82.02.050 requiring that all counties, cities, and towns provide a mechanism for which impact fees for residential construction may be deferred to either final inspection; issuance of the Certificate of Occupancy or equivalent certification; or the closing of the first sale of the property. This RCW is effective as of September 1, 2016. Under the current Code, the timing of impact fee assessments and payments varies based on the type of development and type of fee. However, this flexibility is no longer needed in light of the new deferral option being adopted pursuant to State law.

The attached Ordinance adopts a new Chapter 14A.25 which governs the impact fee deferral provisions for all impact fees assessed under the City Code. The Ordinance also includes housekeeping revisions to the respective impact fee chapters (14A.15, 14A.20, and 21A.105) needed to make the Code consistent with the implementation of the new deferral program and also to streamline the timing of the assessment and collection of all impact fees so that payment obligations are clear and consistent.

**Financial Impact:** N/A

**Recommended Motion:** Motion to approve the ordinance regarding impact fees.

**CITY OF SAMMAMISH  
WASHINGTON**

**ORDINANCE NO. O2016-\_\_\_\_\_**

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**AN ORDINANCE OF THE CITY OF SAMMAMISH, RELATING TO THE DEFERRAL OF IMPACT FEES; ADDING A NEW SAMMAMISH MUNICIPAL CODE CHAPTER 14A.25 ENTITLED IMPACT FEE DEFERRAL; AMENDING SECTIONS 14A.15.020 AND 14A.20.020 AND CHAPTER 21A.105 OF THE SAMMAMISH MUNICIPAL CODE; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE**

WHEREAS, the City of Sammamish (“City”) is authorized by Chapter 82.02 RCW to require new growth and development within the City to pay a proportionate share of the cost of new facilities to serve such new growth and development through the assessment of impact fees; and

WHEREAS, pursuant to such authority and the police powers of the City, the City has enacted Chapters 14A.15, 14A.20 and 21A.105 of the Sammamish Municipal Code (“SMC”) establishing such impact fees; and

WHEREAS, the current impact fee provisions provide flexibility for developers by staggering some payments for various impact fees, which creates an administrative burden on City staff; and

WHEREAS, as the State recently amended RCW 82.02.050 requiring that all counties, cities, and towns provide a mechanism for which impact fees for single-family detached and single-family attached residential construction may be deferred to either final inspection, issuance of a certificate of occupancy or equivalent certification, or the closing of the first sale of the property; and

WHEREAS, the City desires to encourage new growth and development in the City, to ease the financial burden on individual homebuilders, and to promote economic recovery in the construction industry, and finds that adopting an impact fee deferral mechanism provides the needed flexibility on the timing of impact fee payments and is in the public interest, and eliminates the need for staggered payment as currently allowed under the City Code; and

WHEREAS, City staff has proposed the addition of a new Chapter 14A.25 SMC establishing an impact fee deferral mechanism and has also proposed amendments to Chapters 14A.15, 14A.20 and 21A.105 SMC to streamline the timing of both the assessment and collection of impact fees (“the Proposed Amendments”); and

WHEREAS, the ordinance amendments are procedural in nature, and are therefore categorically exempt from State Environmental Policy Act (SEPA) review pursuant to WAC 197-11-800(19);

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SAMMAMISH, WASHINGTON, DOES ORDAIN AS FOLLOWS:

**Section 1. Chapter 14A.25, Impact Fee Deferral, Added:** A new Sammamish Municipal Code Chapter 14A.25, entitled Impact Fee Deferral, is hereby adopted to read as set forth in the attached **Attachment A**, which is incorporated herein by this reference.

**Section 2. SMC 14A.15.020, Assessment of impact fees, Amended:** Sammamish Municipal Code Section 14A.15.020, Assessment of Impact Fees, is hereby amended as set forth in the attached **Attachment B**, which is incorporated herein by this reference.

**Section 3. SMC 14A.20.020, Assessment of impact fees, Amended:** Sammamish Municipal Code Section 14A.20.020, Assessment of Impact Fees, is hereby amended as set forth in the attached **Attachment C**, which is incorporated herein by this reference.

**Section 4. Chapter SMC 21A.105, School Impact Fees, Amended:** Sammamish Municipal Code Chapter 21A.105, School Impact Fees, is hereby amended as set forth in the attached **Attachment D**, which is incorporated herein by this reference.

**Section 5. Interpretation:** The City Council authorizes the Community Development Director to administratively interpret these provisions as necessary to implement the intent of the Council.

**Section 6. Severability:** If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or the application of the provision to other persons or circumstances is not affected.

**Section 7. Effective Date:** This ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force 5 days after the date of publication.

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF SAMMAMISH AT A REGULAR MEETING THEREOF ON THE XX DAY OF JUNE, 2016.**

CITY OF SAMMAMISH

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Mayor Donald J. Gerend

ATTEST/AUTHENTICATED:

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Melonie Anderson, City Clerk

Approved as to form:

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Michael R. Kenyon, City Attorney

Filed with the City Clerk: June 29, 2016  
Public Hearing: July 5, 2016  
First Reading: July 5, 2016  
Passed by City Council:  
Date of Publication:  
Effective Date:

**ATTACHMENT A:  
New Chapter 14A.25 SMC**

**CHAPTER 14A.25  
IMPACT FEE DEFERRAL**

Sections:

14A.25.010	Purpose
14A.25.020	Applicability
14A.25.030	Impact Fee Deferral
14A.25.040	Deferral Term
14A.25.050	Deferred Impact Fee Lien
14A.25.060	Limitation on Deferrals

**14A.25.010 Purpose**

The purpose of this chapter is to comply with the requirements of RCW 82.02.050, as amended by ESB 5923, Chapter 241, Laws of 2015, to provide an impact fee deferral process for single-family residential construction, in order to promote economic recovery in the construction industry.

**14A.25.020 Applicability**

(1) The provisions of this chapter shall apply to all impact fees established and adopted by the City pursuant to Chapter 82.02 RCW, including street impact fees assessed under Chapter 14A.15 SMC, impact fees for parks and recreational facilities assessed under Chapter 14A.20 SMC, and school impact fees assessed under Chapter 21A.105 SMC.

(2) Subject to the limitations imposed in SMC 14A.25.060, the provisions of this chapter shall apply to all building permit applications for single-family detached and single-family attached residential construction. For the purposes of this chapter, an “applicant” includes an entity that controls the named applicant, is controlled by the named applicant, or is under common control with the named applicant.

**14A.25.030 Impact Fee Deferral**

(1) Deferral Request Authorized. Applicants for single-family attached or single-family detached residential building permits may request to defer payment of required impact fees until the sooner of:

- a) final inspection; or

## Exhibit 1

b) the closing of the first sale of the property occurring after the issuance of the applicable building permit;.....

which request shall be granted so long as the requirements of this chapter are satisfied.

(2) Method of Request. A request for impact fee deferral shall be declared at the time of preliminary plat application (for platted development) or building permit application (for non-platted development) in writing on a form or forms provided by the City. Any request for impact fee deferral must be accompanied by an administrative fee in an amount equal to one hour at the City's hourly rate for planning as stated in the City's current Fee Schedule.

(3) Calculation of Impact Fees. The amount of impact fees to be deferred under this chapter shall be determined as of the date the request for deferral is submitted.

### **14A.25.040 Deferral Term**

The term of an impact fee deferral granted under this chapter may not exceed eighteen (18) months from the date the building permit is issued ("Deferral Term"). If the condition triggering payment of the deferred impact fees does not occur prior to the expiration of the Deferral Term, then full payment of the impact fees shall be due on the last date of the Deferral Term.

### **14A.25.050 Deferred Impact Fee Lien**

(1) Applicant's Duty to Record Lien. An applicant requesting a deferral under this chapter must grant and record a deferred impact fee lien, in an amount equal to the deferred impact fees as determined under SMC 14A.25.030(C), against the property in favor of the City in accordance with the requirements of RCW 82.02.050(3)(c).

(2) Satisfaction of Lien. Upon receipt of final payment of all deferred impact fees for the property, the City shall execute a release of deferred impact fee lien for the property. The property owner at the time of the release is responsible, at his or her own expense, for recording the lien release.

### **14A.25.060 Limitation on Deferrals**

The deferral entitlements allowed under this chapter shall be limited to the first twenty (20) single-family residential construction building permits per applicant, as identified by contractor registration number or other unique identification number, per year.....

**ATTACHMENT B:  
Amended SMC 14A.15.020**

**14A.15.020 Assessment of impact fees.**

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(1) The City shall collect impact fees, based on the rates in SMC 14A.15.110, from any applicant seeking development approval from the City for any development within the City, where such development requires the issuance of a building permit. This shall include, but is not limited to, the development of residential, commercial, retail, and office uses, and includes the expansion of existing uses that creates a demand for additional public facilities, as well as a change in existing use that creates a demand for additional public facilities.

(2) An impact fee shall not be assessed for the following types of development activity because the activity either does not create additional demand as provided in RCW 82.02.050 and/or is a project improvement (as opposed to a system improvement) under RCW 82.02.090:

- (a) Miscellaneous nontraffic generating improvements, including, but not limited to, fences, walls, swimming pools, sheds, and signs;
- (b) Demolition or moving of a structure;
- (c) Expansion of an existing nonresidential structure that results in the addition of 100 square feet or less of gross floor area;
- (d) Expansion of a residential structure provided the expansion does not result in the creation of any additional dwelling units as defined in SMC 21A.15.345 through 21A.15.370;
- (e) Replacement of a residential structure with a new residential structure at the same site or lot when such replacement occurs within 12 months of the demolition or destruction of the prior structure. For the terms of this requirement, “replacement” is satisfied by submitting a complete building permit application;
- (f) Replacement of a nonresidential structure with a new nonresidential structure of the same size and use at the same site or lot when such replacement occurs within 12 months of the demolition or destruction of the prior structure. Replacement of a nonresidential structure with a new nonresidential structure of the same size shall be interpreted to include any structure for which the gross square footage of the building will not be increased by more than 100 square feet. For

## Exhibit 1

the terms of this requirement, "replacement" is satisfied by submitting a complete building permit application.

(3) For a change in use of an existing building or dwelling unit, including any alteration, expansion, replacement or new accessory building, the impact fee for the new use shall be reduced by an amount equal to the current impact fee rate for the prior use; provided, that the applicant has previously paid the required impact fee for the original use.

(4) For mixed use developments, impact fees shall be imposed for the proportionate share of each land use based on the applicable measurement in the impact fee rates set forth in SMC 14A.15.110.

(5) Applicants seeking a building permit for a change in use shall be required to pay an impact fee if the change in use increases the existing trip generation by the lesser of five percent or 10 peak hour trips.

(6) Except as provided in SMC 14A.25.030, impact fees shall be assessed and collected, at the option of the applicant, either:

(a) at the time of final plat (for platted development) or building permit application (for non-platted development); or

(b) at the time of building permit issuance;

which option shall be declared at the time of final plat (for platted development) or building permit application (for non-platted development) in writing on a form or forms provided by the City.

(7) Applicants that have been awarded credits prior to the submittal of the complete building permit application pursuant to SMC 14A.15.040 shall submit, along with the complete building permit application, a copy of the letter or certificate prepared by the director pursuant to SMC 14A.15.040 setting forth the dollar amount of the credit awarded. Impact fees, as determined after the application of appropriate credits, shall be collected from the feepayer at the time the building permit is issued by the City for each unit in the development.

(8) Where the impact fees imposed are determined by the square footage of the development, a deposit shall be due from the feepayer pursuant to subsection (6) of this section. Deposit and installment percentages shall be based on an estimate, submitted by the feepayer, of the size and type of structure proposed to be constructed on the property. In the absence of an estimate provided by the feepayer, the department shall calculate percentages based on the maximum allowable density/intensity permissible

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on the property. If the final square footage of the development is in excess of the initial estimate, any difference in the amount of the impact fee will be due prior to the issuance of a building permit, using the same impact fee rate previously assessed. The feepayer shall pay any such difference plus interest, calculated at the statutory rate. If the final square footage is less than the initial estimate, the department shall give a credit for the difference, plus interest at the statutory rate.

(9) The department shall not issue the required building permit unless and until the impact fees required by this chapter, less any permitted exemptions or credits provided pursuant to SMC 14A.15.030 or 14A.15.040, have been paid, unless a deferral has been granted pursuant to Chapter 14A.25 SMC.

(10) The service area for impact fees shall be a single City-wide service area.

(11) In accordance with RCW 82.02.050, the City shall collect and spend impact fees only for the public facilities defined in this title and RCW 82.02.090 which are addressed by the capital facilities plan element of the City's Comprehensive Plan. The City shall base continued authorization to collect and expend impact fees on revising its Comprehensive Plan in compliance with RCW36.70A.070, and on the capital facilities plan identifying: (a) deficiencies in public facilities serving existing development and the means by which existing deficiencies will be eliminated within a reasonable period of time; (b) additional demands placed on existing public facilities by new development; and (c) additional public facility improvements required to serve new development.

(12) In accordance with RCW 82.02.050, if the City's capital facilities plan is complete other than for the inclusion of those elements which are the responsibility of a special district, the City may impose impact fees to address those public facility needs for which the City is responsible.

(13) Applicants for single-family attached or single-family detached residential construction may request deferral of all impact fees due under this chapter in accordance with the provisions of Chapter 14A.25 SMC.

**ATTACHMENT C:  
Amended SMC 14A.20.020**

**14A.20.020 Assessment of impact fees.**

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(1) The City shall collect impact fees, based on the rates in SMC 14A.20.110, from any applicant seeking development approval from the City for any residential development within the City, where such development requires the issuance of a building permit. This shall include, but is not limited to, the expansion or change of use of existing uses that creates a demand for additional public facilities.

(2) An impact fee shall not be assessed for the following types of development activity because the activity either does not create additional demand as provided in RCW 82.02.050 and/or is a project improvement (as opposed to a system improvement) under RCW 82.02.090:

(a) Miscellaneous improvements to residential dwelling units that will not create additional park use demand, including, but not limited to, fences, signs, walls, swimming pools, sheds, and residential accessory uses as defined in SMC 21A.15.020;

(b) Demolition or moving of a residential structure;

(c) Expansion or alteration of a residential structure provided the expansion or alteration does not result in the creation of any additional dwelling units as defined in SMC 21A.15.345 through 21A.15.370;

(d) Replacement of a residential structure with a new residential structure at the same site or lot when such replacement occurs within 12 months of the demolition or destruction of the prior structure.

(3) For a change in use of an existing structure or dwelling unit, including any alteration, expansion, replacement or new accessory building, the impact fee for the new use shall be reduced by an amount equal to the current impact fee rate for the prior use; provided, that the applicant has previously paid the required impact fee for the original use.

(4) For mixed use developments, impact fees shall be imposed for the proportionate share of each residential land use based on the applicable measurement in the impact fee rates set forth in SMC 14A.20.110.

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(5) Applicants seeking development approval for a change in use shall be required to pay an impact fee if the change in use increases the number of dwelling units.

(6) Except as provided in SMC 14A.25.030, impact fees shall be assessed and collected, at the option of the applicant, either:

(a) at the time of final plat (for platted development) or building permit application (for non-platted development); or

(b) at the time of building permit issuance;

which option shall be declared at the time of final plat (for platted development) or building permit application (for non-platted development) in writing on a form or forms provided by the City. .

(7) Applicants that have been awarded credits prior to the submittal of the complete building permit application pursuant to SMC 14A.20.040 shall submit, along with the complete building permit application, a copy of the letter or certificate prepared by the director pursuant to SMC 14A.20.040 setting forth the dollar amount of the credit awarded. Impact fees, as determined after the application of appropriate credits, shall be collected from the feepayer at the time the building permit is issued by the City for each residential dwelling unit in the development.

(8) The department shall not issue the required building permit unless and until the impact fees required by this chapter, less any permitted exemptions or credits provided pursuant to SMC 14A.20.030 or 14A.20.040, have been paid, unless a deferral has been granted pursuant to Chapter 14A.25 SMC.

(9) The service area for impact fees shall be a single City-wide service area.

(10) In accordance with RCW 82.02.050, the City shall collect and spend impact fees only for the public facilities defined in this title and RCW 82.02.090 which are addressed by the capital facilities plan element of the City's Comprehensive Plan. The City shall base continued authorization to collect and expend impact fees on revising its Comprehensive Plan in compliance with RCW36.70A.070, and on the capital facilities plan identifying: (a) deficiencies in public facilities serving existing development and the means by which existing deficiencies will be eliminated within a reasonable period of time; (b) additional demands placed on existing public facilities by new development; and (c) additional public facility improvements required to serve new development.

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(11) In accordance with RCW 82.02.050, if the City's capital facilities plan is complete other than for the inclusion of those elements which are the responsibility of a special district, the City may impose impact fees to address those public facility needs for which the City is responsible.

(12) Applicants for single-family attached or single-family detached residential construction may request deferral of all impact fees due under this chapter in accordance with the provisions of Chapter 14A.25 SMC. .

(13) If, prior to February 12, 2016, an applicant submits a copy of a fully executed purchase and sale agreement with an affidavit from the applicant attesting that the agreement was fully executed prior to November 11, 2015, the residential dwelling unit that is the subject of that agreement will be subject to the parks and recreational facilities impact fee in effect on the date of execution of that agreement, as provided in SMC 14A.20.110.

**ATTACHMENT D:  
Amended Chapter 21A.105 SMC**

**Chapter 21A.105  
SCHOOL IMPACT FEES**

Sections:

- 21A.105.010 Authority.
- 21A.105.020 Purpose.
- 21A.105.030 Impact fee program elements.
- 21A.105.040 Fee calculations.
- 21A.105.050 Fee collection.
- 21A.105.060 Assessment of impact fees.
- 21A.105.070 Adjustments, exceptions, and appeals.
- 21A.105.080 Exemption or reduction for low or moderate income housing.
- 21A.105.090 Impact fee accounts and refunds.
- 21A.105.100 Formula for determining school impact fees.

**21A.105.010 Authority.**

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The provisions of this chapter for the assessment and collection of impact fees are adopted pursuant to Chapter 82.02 RCW.

**21A.105.020 Purpose.**

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The purpose of this chapter is to implement the capital facilities element of the interim comprehensive plan and the Growth Management Act by:

- (1) Ensuring that adequate public school facilities and improvements are available to serve new development;
- (2) Establishing standards whereby new development pays a proportionate share of the cost for public school facilities needed to serve such new development;
- (3) Ensuring that school impact fees are imposed through established procedures and criteria so that specific developments do not pay arbitrary fees or duplicative fees for the same impact; and

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(4) Providing needed funding for growth-related school improvements to meet the future growth needs of the City of Sammamish.

### **21A.105.030 Impact fee program elements.**

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(1) Impact fees will be assessed on every new dwelling unit in the district for which a fee schedule has been established.

(2) Impact fees will be imposed on a district-by-district basis, on behalf of any school district that provides to the City a capital facilities plan, the district's standards of service for the various grade spans, estimates of the cost of providing needed facilities and other capital improvements, and the data from the district called for by the formula in SMC 21A.105.040. The actual fee schedule for the district will be adopted by ordinance based on this information and the fee calculation set out for SMC 21A.105.040. Any impact fee imposed shall be reasonably related to the impact caused by the development and shall not exceed a proportionate share of the cost of system improvements that are reasonably related to the development. The impact fee formula shall account in the fee calculation for future revenues the district will receive from the development. The ordinance adopting the fee schedule shall specify under what circumstances the fee may be adjusted in the interests of fairness.

(3) The impact fee shall be based on a capital facilities plan developed by the district and approved by the school board, and adopted by reference by the City of Sammamish as part of the capital facilities element of the interim comprehensive plan for the purpose of establishing the fee program.

### **21A.105.040 Fee calculations.**

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(1) The fee for each district shall be calculated based on the formula set out in SMC 21A.105.100.

(2) Separate fees shall be calculated for single-family and multifamily residential units and separate student generation rates must be determined by the district for each type of residential unit. For purposes of this chapter single-family units shall mean single detached dwelling units, and multifamily units shall mean townhouses and apartments.

(3) The fee shall be calculated on a district-by-district basis using the appropriate factors and data to be supplied by the district, as indicated in SMC 21A.105.100. The fee calculations shall be made on a district-wide basis to assure maximum utilization of all school facilities in the district used currently or within the last two years for instructional purposes.

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(4) The formula in SMC 21A.105.100 also provides a credit for the anticipated tax contributions that would be made by the development based on historical levels of voter support for bond issues in the school district.

(5) The formula in SMC 21A.105.100 also provides for a credit for school facilities or sites actually provided by a developer that the school district finds to be acceptable.

### **21A.105.050 Fee collection.**

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Fees shall be collected by the department of community development and maintained in a separate account for each school district, pursuant to SMC 21A.105.070. Fees shall be paid to the district pursuant to administrative rules of an interlocal agreement between the City and the district.

### **21A.105.060 Assessment of impact fees.**

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(1) In school districts where impact fees have been adopted by City ordinance and except as provided in SMC 21A.105.060, the City shall collect impact fees, based on the schedules set forth in each ordinance establishing the fee to be collected for the district, from any applicant seeking development approval from the City where such development activity requires final plat or PUD approval or the issuance of a residential building permit or a mobile home permit and the fee for the lot or unit has not been previously paid. No approval shall be granted and no permit shall be issued until the required school impact fees set forth in the district's impact fee schedule have been paid, unless a deferral has been granted pursuant to Chapter 14A.25 SMC.

(2) Except as provided in SMC 14A.25.030, impact fees shall be assessed and collected, at the option of the applicant, either:

(a) at the time of final plat (for platted development) or building permit application (for non-platted development); or

(b) at the time of building permit issuance;

which option shall be declared at the time of final plat (for platted development) or building permit application (for non-platted development) in writing on a form or forms provided by the City.

(4) For existing lots or lots not covered by subsection (2) of this section, application for single-family and multifamily residential building permits, mobile home permits, and site plan approval for mobile home

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parks, the total amount of the impact fees shall be assessed and collected from the applicant when the building permit is issued, using the impact fee schedules in effect at the time of permit application.

(3) Any application for preliminary plat or PUD approval or multifamily zoning that has been approved subject to conditions requiring the payment of impact fees established pursuant to this chapter shall be required to pay the fee in accordance with the condition of approval.

(4) Applicants for single-family attached or single-family detached residential construction may request deferral of all impact fees due under this chapter in accordance with the provisions of Chapter 14A.25 SMC.

### **21A.105.070 Adjustments, exceptions, and appeals.**

(1) The following are excluded from the application of the impact fees:

(a) Any form of housing exclusively for the senior citizen, including nursing homes and retirement centers, so long as these uses are maintained;

(b) Reconstruction, remodeling, or replacement of existing dwelling units that does not result in additional new dwelling units. In the case of replacement of a dwelling, a complete application for a building permit must be submitted within three years after it has been removed or destroyed;

(c) Shelters for temporary placement, relocation facilities, transitional housing facilities, and community residential facilities as defined in SMC 21A.15.220;

(d) Any development activity that is exempt from the payment of an impact fee pursuant to RCW 82.02.100, due to mitigation of the same system improvement under the State Environmental Policy Act;

(e) Any development activity for which school impacts have been mitigated pursuant to a condition of plat or PUD approval to pay fees, dedicate land or construct or improve school facilities, unless the condition of the plat or PUD approval provides otherwise; provided, that the condition of the plat or PUD approval predates the effective date of a school district's fee implementing ordinance;

(f) Any development activity for which school impacts have been mitigated pursuant to a voluntary agreement entered into with a school district to pay fees, dedicate land or construct or improve

## Exhibit 1

school facilities, unless the terms of the voluntary agreement provide otherwise; provided, that the agreement predates the effective date of a school district's fee implementing ordinance;

(g) Housing units that fully qualify as housing for persons age 55 and over meeting the requirements of the Federal Housing Amendments Act of 1988, 42 U.S.C. 3607(b)(2)(c) and (b)(3), as subsequently amended, and that have recorded covenants or other legal arrangements precluding school-aged children as residents in those units;

(h) Mobile homes permitted as temporary dwellings pursuant to SMC 21A.70.170; and

(i) Accessory dwelling units as defined in SMC 21A.15.350 and 21A.20.030(B)(6)(a).

(2) Arrangement may be made for later payment with the approval of the school district only if the district determines that it will be unable to use or will not need the payment until a later time; provided, that sufficient security, as defined by the district, is provided to assure payment. Security shall be made to and held by the school district, which will be responsible for tracking and documenting the security interest.

(3) The fee amount established in the schedule shall be reduced by the amount of any payment previously made for the lot or development activity in question, either as a condition of approval or pursuant to a voluntary agreement with a school district entered into after the effective date of a school district's fee implementing ordinance.

(4) After the effective date of a school district's fee implementing ordinance, whenever a development is granted approval subject to a condition that the developer actually provide school sites, school facilities, or improvements to school facilities acceptable to the district, or whenever the developer has agreed, pursuant to the terms of a voluntary agreement with the school district, to provide land, provide school facilities, or make improvements to existing facilities, the developer shall be entitled to a credit for the value of the land or actual cost of construction against the fee that would be chargeable under the formula provided by this chapter. The land value or cost of construction shall be estimated at the time of approval, but must be documented. If construction costs are estimated, the documentation shall be confirmed after the construction is completed to assure that an accurate credit amount is provided. If the land value or construction costs are less than the calculated fee amount, the difference remaining shall be chargeable as a school impact fee.

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(5) Impact fees may be adjusted by the City, at the City's discretion, if one of the following circumstances exist; provided, that the discount set forth in the fee formula fails to adjust for the error in the calculation or fails to ameliorate for the unfairness of the fee:

(a) The developer demonstrates that an impact fee assessment was incorrectly calculated; or

(b) Unusual circumstances identified by the developer demonstrate that if the standard impact fee amount was applied to the development, it would be unfair or unjust.

(6) A developer may provide studies and data to demonstrate that any particular factor used by the district may not be appropriately applied to the development proposal, but the district's data shall be presumed valid unless clearly demonstrated to be otherwise by the proponent.

(7) Any appeal of the decision of the director or the hearing examiner with regard to imposition of an impact for or fee amounts shall follow the appeal process for the underlying permit and not be subject to a separate appeal process. Where no other administrative appeal process is available, an appeal may be taken to the hearing examiner using the appeal procedures for variances. Any errors in the formula identified as a result of an appeal should be referred to the City council for possible modification.

(8) Impact fees may be paid under protest in order to obtain a building permit or other approval of development activity, when an appeal is filed.

### **21A.105.080 Exemption or reduction for low or moderate income housing.**

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(1) Low- or moderate-income housing projects being developed by public housing agencies or private nonprofit housing developers shall be exempt from the payment of school impact fees. The amount of the school impact fees not collected from low- or moderate-income household development shall be paid from public funds other than impact fee accounts. The impact fees for these units shall be considered paid for by the district through its other funding sources, without the district actually transferring funds from its other funding sources into the impact fee account. The department of community development shall review proposed developments of low- or moderate-income housing by such public or nonprofit developers pursuant to criteria and procedures adopted by administrative rule, and shall determine whether the project qualifies for the exemption.

(2) Private developers who dedicate residential units for occupancy by low- or moderate-income households may apply to the department for reductions in school impact fees pursuant to the criteria established for public housing agencies and private nonprofit housing developers pursuant to subsection

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(1) of this section, and subject to the provisions of subsection (1) of this section. The department shall review proposed developments of low- or moderate-income housing by such private developers pursuant to criteria and procedures adopted by administrative rule, and shall determine whether the project qualifies for the exemption. If the department recommends the exemption, it shall reduce the calculated school impact fee for the development by an amount that is proportionate to the number of units in the development that satisfy the adopted criteria.

(3) Individual low- or moderate-income home purchasers (as defined pursuant to the King County Comprehensive Housing Affordability Strategy (CHAS)) who are purchasing homes at prices within their eligibility limits based on standard lending criteria and meet other means tests established by rule are exempted from payment of the impact fee; provided, that at such time as the property in question is transferred to another owner who does not qualify for the exemption, at which time the fee shall be due and payable.

(4) The department is hereby instructed and authorized to adopt, pursuant to Chapter 2.55 SMC, administrative rules to implement this section.

(5) As a condition of receiving an exemption under subsections (2) or (3) of this section, the owner must execute and record a City-drafted lien, covenant, and/or other contractual provision against the property for a period of 10 years for individual owners, and 15 years for private developers, guaranteeing that the proposed development will continue to be used for low- or moderate-income housing. In the event that the pattern of development or the use of the development is no longer for low- or moderate-income housing, then the owner shall pay the impact fee amount from which the owner or any prior owner was exempt. The lien, covenant, or other contractual provision shall run with the land and apply to subsequent owners. (Ord. O99-29 § 1)

### **21A.105.090 Impact fee accounts and refunds.**

(1) Impact fee receipts shall be earmarked specifically and retained in a special interest-bearing account established by the City solely for the district's school impact fees. All interest shall be retained in the account and expended for the purpose or purposes identified in subsection (2) of this section. Annually, the City shall prepare a report on each impact fee account showing the source and amount of all monies collected, earned or received, and capital or system improvements that were financed in whole or in part by impact fees.

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(2) Impact fees for the district's system improvements shall be expended by the district for capital improvements including but not limited to school planning, land acquisition, site improvements, necessary off-site improvements, construction, engineering, architectural, permitting, financing, and administrative expenses, relocatable facilities, capital equipment pertaining to educational facilities, and any other expenses that could be capitalized and that are consistent with the school district's capital facilities plan.

(3) In the event that bonds or similar debt instruments are issued for the advanced provision of capital facilities for which impact fees may be expended and where consistent with the provisions of the bond covenants, impact fees may be used to pay debt service on such bonds or similar debt instruments to the extent that the facilities or improvements provided are consistent with the requirements of this section.

(4) Impact fees shall be expended or encumbered (i.e., committed as part of the funding for a facility for which the publicly funded share has been assured, or building permits applied for, or construction contracts let) by the district for a permissible use within six years of receipt by the City, unless there exists an extraordinary and compelling reason for fees to be held longer than six years. Such extraordinary or compelling reasons shall be identified to the City by the district. The City must prepare written findings concurring with the district's reasons, and authorizing the later encumbrance or expenditure of the fees prior to the district so encumbering or expending the funds, or directing a refund of the fees.

(5) The current owner of property on which an impact fee has been paid may receive a refund of such fees if the impact fees have not been expended or encumbered within six years of receipt of the funds by the City. In determining whether impact fees have been encumbered, impact fees shall be considered encumbered on a first in, first out basis. The City shall notify potential claimants by first class mail deposited with the United States Postal Service addressed to the owner of the property as shown in the county tax records.

(6) An owner's request for a refund must be submitted to the City council in writing within one year of the date the right to claim the refund arises or the date that notice is given, whichever date is later. Any impact fees that are not expended or encumbered within these time limitations, and for which no application for a refund has been made within this one-year period, shall be retained and expended consistent with the provisions of this section. Refunds of impact fees shall include any interest earned on the impact fees.

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(7) Should the City seek to terminate any or all school impact fee requirements, all unexpended or unencumbered funds, including interest earned, shall be refunded to the current owner of the property for which a school impact fee was paid. Upon the finding that any or all fee requirements are to be terminated, the City shall place notice of such termination and the availability of refunds in a newspaper of general circulation at least two times and shall notify all potential claimants by first class mail addressed to the owner of the property as shown in the county tax records. All funds available for refund shall be retained for a period of one year. At the end of one year, any remaining funds shall be retained by the City, but must be expended for the district, consistent with the provisions of this section. The notice requirement set forth above shall not apply if there are no unexpended or unencumbered balances within the account or accounts being terminated.

(8) A developer may request and shall receive a refund, including interest earned on the impact fees, when:

(a) The developer does not proceed to finalize the development activity as required by statute or City code or the Uniform Building Code; and

(b) No impact on the district has resulted. "Impact" shall be deemed to include cases where the district has expended or encumbered the impact fees in good faith prior to the application for a refund. In the event that the district has expended or encumbered the fees in good faith, no refund shall be forthcoming. However, if within a period of three years, the same or subsequent owner of the property proceeds with the same or substantially similar development activity, the owner shall be eligible for a credit. The owner must petition the City and provide receipts of impact fees paid by the owner for a development of the same or substantially similar nature on the same property or some portion thereof. The City shall determine whether to grant a credit, and such determinations may be appealed by following the procedures set forth in SMC 21A.105.070.

(9) Interest due upon the refund of impact fees required by this section shall be calculated according to the average rate received by the City or the district on invested funds throughout the period during which the fees were retained.

### **21A.105.100 Formula for Determining School Impact Fees.**

IF:

## Exhibit 1

A = Student factor for dwelling unit type and grade span X site cost per student for sites for facilities in that grade span = Full cost fee for site acquisition cost

B = Student factor for dwelling unit type and grade span X school construction cost per student for facilities in that grade span X ratio of district's square footage of permanent facilities to total square footage of facilities = Full cost fee for school construction

C = Student factor for dwelling unit type and grade span X relocatable facilities cost per student for facilities in that grade span X ratio of district's square footage of relocatable facilities to total square footage of facilities = Full cost fee for facilities construction

D = Student factor for dwelling unit type and grade span "Boeckh index" X SPI square footage per student factor X state match % = State Match Credit, and

A1, B1, C1, D1 = A, B, C, D for elementary grade spans

A2, B2, C2, D2 = A, B, C, D for middle/junior high grade spans

A3, B3, C3, D3 = A, B, C, D for high school grade spans

TC = Tax payment credit = the net present value of the average assessed value in district for unit type X current school district capital property tax levy rate, using a 10-year discount period and current interest rate (based on the Bond Buyer Twenty Bond General Obligation Bond Index)

FC = Facilities credit = the per-dwelling unit value of any site or facilities provided directly by the development

THEN: the unfunded need =  $UN = A1 + \dots + C3 - (D1 - D2 - D2) - TC$

AND the developer fee obligation =  $F = UN/2$

AND the net fee obligation =  $NF = F - FC$

Notes:

1. Student factors are to be provided by the school district based on district records of average actual student generation rates for new developments constructed over a period of not more than five years prior to the date of the fee calculation; if such information is not available in the district, data from adjacent

## Exhibit 1

districts, districts with similar demographics, or countywide averages must be used. Student factors must be separately determined for single-family and multifamily dwelling units, and for grade spans.

2. The “Boeckh index” is a construction trade index of construction costs for various kinds of buildings; it is adjusted annually.

3. The district is to provide its own site and facilities standards and projected costs to be used in the formula, consistent with the requirements of this chapter.

The formula can be applied by using the following table:

<b>Table for Calculating School Impact Fee Obligations for Residential Dwelling Units (to be separately calculated for single-family and multifamily units)</b>	
Elementary school site cost per student X student factor	=
Middle/junior high school site cost per student X student factor	=
High school site cost per student X student factor	=
A1 + A2 + A3	=
Elementary school construction cost per student X student factor	=
Middle/junior high school construction cost per student X student factor	=
High school construction cost per student X student factor	=
square footage of permanent facilities (B1 + B2 + B3) X _____ total square footage of facilities	=
Elementary school relocatable facility cost per student X student factor	=
Middle/junior high school relocatable facility cost per student X student factor	=
High school relocatable facility cost per student X student factor	=

Exhibit 1

square footage of permanent facilities $(C1 + C2 + C3) \times$ _____ total square footage of facilities	=
Boeckh index X SPI square footage per student for elementary school X state match % X student factor	=
Boeckh index X SPI square footage per student for middle/junior high school X state match % X student factor	=
Boeckh index X SPI square footage per student for high school X state match % X student factor	=
D1 + D2 + D3	=
$\frac{((1 + I)^{10}) - 1}{i(1 + i)^{10}}$ X average assessed value for the dwelling unit type in the school district	
X current school district capital property tax levy rate where I = the current interest rate as stated in the Bond Buyer Twenty Bond General Obligation Bond Index	

Value of site or facilities provided by the development

Number of dwelling units in development

1 Unfunded Need = A + B + C - D - TC =

\_\_\_\_\_ A

+ \_\_\_\_\_ B

+ \_\_\_\_\_ C

Subtotal

- \_\_\_\_\_ D

- \_\_\_\_\_ TC

Exhibit 1

L UNFUNDED NEED UN = \_\_\_\_\_ divided by 2 = \_\_\_\_\_ = DEVELOPER FEE

OBLIGATION

- \_\_\_\_\_ Less FC (if applicable)

\_\_\_\_\_ NET FEE OBLIGATION



**Meeting Date:** July 19, 2016

**Date Submitted:** 7/13/2016

**Originating Department:** Public Works

**Clearances:**

- |  |  |  |
|--|--|--|
| <input checked="" type="checkbox"/> Attorney     | <input type="checkbox"/> Community Development | <input type="checkbox"/> Public Safety           |
| <input type="checkbox"/> Admin Services          | <input type="checkbox"/> Finance & IT          | <input checked="" type="checkbox"/> Public Works |
| <input checked="" type="checkbox"/> City Manager | <input type="checkbox"/> Parks & Recreation    |  |

**Subject:** Low Impact Development Code Update and Surface Water Design Manual Update

**Action Required:** Authorize the City Manager to execute a Contract Agreement with AHBL, Inc. to provide Professional Services to support the Surface Water Design Manual and Low Impact Development Code updates.

**Exhibits:** Agreement For Services

**Budget:** The approved 2015-16 Mid-Biennial Budget allocates \$260,656 in the Surface Water Management Fund for Professional Services

**Summary Statement:**

Professional services are needed to support the City of Sammamish to comply with requirements from the 2013-2018 Western Washington Phase II Municipal Stormwater Permit (also known as the National Pollutant Discharge Elimination System, or NPDES Permit). In order to comply with the NPDES Permit, the City is required to complete the following work by December 31, 2016:

1. Review, revise and make effective our local development codes, rules, standards or other enforceable documents to incorporate and require Low Impact Development (LID) principles and Best Management Practices (BMPs)
2. Revise surface water design standards so that they are equivalent to the *2012 Stormwater Management Manual for Western Washington* (Ecology Manual)

**Background:**

Requirements in the 2013-2018 NPDES Permit include provisions to review and revise all municipal codes, rules, and standards to remove barriers to implement Low Impact Development principles and Best Management Practices. Jurisdictions are also required to update their surface water design standards so that they are equivalent to the design requirements in the 2012 Ecology Manual.

Consultant services are needed to support this work including public outreach and stakeholder involvement; review and revision of applicable local development and stormwater codes, and storm and surface water design standards; development of materials for Planning Commission and City Council

meetings; updating the City's educational and technical materials to reflect the changes and provide training for the City's permitting, inspection, engineers, project managers and maintenance staff.

**Financial Impact:**

The budget for this work is included in the approved 2015-16 Mid-Biennial Budget which allocates \$260,656 in the Surface Water Management Fund for Professional Services.

**Recommended Motion:**

Authorize the City Manager to execute a Contract Agreement with AHBL, Inc. for an amount not to exceed \$119,477 for Professional Services for this project in association with the Low Impact Development Codes and Surface Water Design Manual updates.

Authorize the City Manager to retain a management reserve of \$25,000 for unanticipated contract services needed to complete the project.

Exhibit 1

CITY OF SAMMAMISH  
AGREEMENT FOR SERVICES

Consultant: AHBL, Inc.

This Agreement is entered into by and between the City of Sammamish, Washington, a municipal corporation, hereinafter referred to as the "City," and AHBL, Inc. hereinafter referred to as the "Consultant."

WHEREAS, the City desires to have certain services performed for its citizens; and

WHEREAS, the City has selected the Consultant to perform such services pursuant to certain terms and conditions;

NOW, THEREFORE, in consideration of the mutual benefits and conditions set forth below, the parties hereto agree as follows:

1. **Scope of Services to be Performed by Consultant.** The Consultant shall perform those services described in Exhibit "A" of this agreement. In performing such services, the Consultant shall comply with all federal, state, and local laws and regulations applicable to the performance of such services. The Consultant shall perform services diligently and completely and in accordance with professional standards of conduct and performance.

2. **Compensation and Method of Payment.** The Consultant shall submit invoices for work performed using the form set forth in Exhibit "B".

The City shall pay Consultant:

[Check applicable method of payment]

According to the rates set forth in Exhibit " "

A sum not to exceed **\$ 119,477**

Other (describe): \_\_\_\_\_  
\_\_\_\_\_

The Consultant shall complete and return to the City Exhibit "C," Taxpayer Identification Number, prior to or along with the first invoice submittal. The City shall pay the Consultant for services rendered within ten days after City Council approval.

3. **Duration of Agreement.** This Agreement shall be in full force and effect for a period commencing upon execution and ending December 31, 2017, unless sooner terminated under the provisions of the Agreement. Time is of the essence of this Agreement in each and all of its provisions in which performance is required.

4. **Ownership and Use of Documents.** Any records, files, documents, drawings, specifications, data or information, regardless of form or format, and all other materials produced by the Consultant in connection with the services provided to the City, shall be the property of the City whether the project for which they were created is executed or not

5. **Independent Contractor.** The Consultant and the City agree that the Consultant is an independent contractor with respect to the services provided pursuant to this Agreement. The Consultant will solely be responsible for its acts and for the acts of its agents, employees, subconsultants, or representatives during the performance of this Agreement. Nothing in this Agreement shall be considered to create the relationship of employer and employee between the parties hereto.

6. **Indemnification.** Consultant shall defend, indemnify and hold the City, its officers, officials, employees and volunteers harmless from any and all claims, injuries, damages, losses or suits including attorney fees, arising out of or resulting from the acts, errors or omissions of the Consultant in performance of this Agreement, except for injuries and damages caused by the sole negligence of the City. Should a court of competent jurisdiction determine that this Agreement is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the Consultant

## Exhibit 1

and the City, its officers, officials, employees, and volunteers, the Consultant's liability, including the duty and cost to defend, hereunder shall be only to the extent of the Consultant's negligence. It is further specifically and expressly understood that the indemnification provided herein constitutes the Consultant's waiver of immunity under Industrial Insurance, Title 51 RCW, solely for the purposes of this indemnification. This waiver has been mutually negotiated by the parties. The provisions of this section shall survive the expiration or termination of this Agreement.

Furthermore, should subcontracting be agreed to by the parties, the Consultant shall cause each and every Subcontractor to provide insurance coverage that complies with all applicable requirements of the Consultant-provided insurance as set forth herein, except the Consultant shall have sole responsibility for determining the limits of coverage required to be obtained by Subcontractors. The Consultant shall ensure that the City is an additional insured on each and every Subcontractor's Commercial General liability insurance policy using an endorsement at least as broad as the Insurance Services Office Additional Insured endorsement CG 20 38 04 13.

### 7. **Insurance.**

A. The Consultant shall procure and maintain for the duration of the Agreement, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work hereunder by the Consultant, its agents, representatives, or employees.

B. Should a court of competent jurisdiction determine that this Agreement is subject to RCW 4.24.115, then, in the event of liability for damages arising out of such services, or bodily injury to persons or damages to property, caused by or resulting from the concurrent negligence of the Consultant and the City, its officers, officials, employees, and volunteers, the Consultant's liability hereunder shall be only to the extent of the Consultant's negligence.

### **Minimum Scope of Insurance**

Consultant shall obtain insurance of the types described below:

1. Automobile Liability insurance covering all owned, non-owned, hired and leased vehicles. Coverage shall be written on Insurance Services Office (ISO) form CA 00 01 or a substitute form providing equivalent liability coverage. If necessary, the policy shall be endorsed to provide contractual liability coverage.
2. Commercial General Liability insurance shall be written on ISO occurrence form CG 00 01 and shall cover liability arising from premises, operations, independent contractors and personal injury and advertising injury. The City shall be named as an additional insured under the Contractor's Commercial General Liability insurance policy with respect to the work performed for the City.
3. Workers' Compensation coverage as required by the Industrial Insurance laws of the State of Washington.
4. Professional Liability insurance appropriate to the Consultant's profession.

### Minimum Amounts of Insurance

Consultant shall maintain the following insurance limits:

1. Automobile Liability insurance with a minimum combined single limit for bodily injury and property damage of \$1,000,000 per accident.
2. Commercial General Liability insurance shall be written with limits no less than \$1,000,000 each occurrence, \$2,000,000 general aggregate.
3. Professional Liability insurance shall be written with limits no less than \$1,000,000 per claim and \$1,000,000 policy aggregate limit.

### **Other Insurance Provisions**

The insurance policies are to contain, or be endorsed to contain, the following provisions for Automobile Liability, Professional Liability and Commercial General Liability insurance:

## Exhibit 1

1. The Consultant's insurance shall not be cancelled by either party except after thirty (30) days prior written notice has been given to the City

### **Verification of Coverage**

Consultant shall furnish the City with original certificates and a copy of the amendatory endorsements, including but not necessarily limited to the additional insured endorsement, evidencing the insurance requirements of the Consultant before commencement of the work.

### **8. Record Keeping and Reporting.**

**A.** The Consultant shall maintain accounts and records, including personnel, property, financial, and programmatic records, which sufficiently and properly reflect all direct and indirect costs of any nature expended and services performed pursuant to this Agreement. The Consultant shall also maintain such other records as may be deemed necessary by the City to ensure proper accounting of all funds contributed by the City to the performance of this Agreement.

**B.** The foregoing records shall be maintained for a period of seven years after termination of this Agreement unless permission to destroy them is granted by the Office of the Archivist in accordance with RCW Chapter 40.14 and by the City.

**9. Audits and Inspections.** The records and documents with respect to all matters covered by this Agreement shall be subject at all times to inspection, review, or audit by the City during the performance of this Agreement.

### **10. Termination.**

**A.** This City reserves the right to terminate or suspend this Agreement at any time, with or without cause, upon seven days prior written notice. In the event of termination or suspension, all finished or unfinished documents, data, studies, worksheets, models, reports or other materials prepared by the Consultant pursuant to this Agreement shall promptly be submitted to the City

**B.** In the event this Agreement is terminated or suspended, the Consultant shall be entitled to payment for all services performed and reimbursable expenses incurred to the date of termination.

**C.** This Agreement may be cancelled immediately if the Consultant's insurance coverage is canceled for any reason, or if the Consultant is unable to perform the services called for by this Agreement.

**D.** The Consultant reserves the right to terminate this Agreement with not less than fourteen days written notice, or in the event that outstanding invoices are not paid within sixty days.

**E.** This provision shall not prevent the City from seeking any legal remedies it may otherwise have for the violation or nonperformance of any provisions of this Agreement.

**11. Discrimination Prohibited.** The Consultant shall not discriminate against any employee, applicant for employment, or any person seeking the services of the Consultant under this Agreement, on the basis of race, color, religion, creed, sex, age, national origin, marital status, or presence of any sensory, mental, or physical handicap.

**12. Assignment and Subcontract.** The Consultant shall not assign or subcontract any portion of the services contemplated by this Agreement without the prior written consent of the City.

**13. Conflict of Interest.** The City insists on the highest level of professional ethics from its consultants. Consultant warrants that it has performed a due diligence conflicts check, and that there are no professional conflicts with the City. Consultant warrants that none of its officers, agents or employees is now working on a project for any entity engaged in litigation with the City. Consultant will not disclose any information obtained through the course of their work for the City to any third party, without written consent of the "City". It is the Consultant's duty and obligation to constantly update its due diligence with respect to conflicts, and not the City's obligation to inquire as to potential conflicts. This provision shall survive termination of this Agreement.

Exhibit 1

14. **Confidentiality.** All information regarding the City obtained by the Consultant in performance of this Agreement shall be considered confidential. Breach of confidentiality by the Consultant shall be grounds for immediate termination.

15. **Non-appropriation of funds.** If sufficient funds are not appropriated or allocated for payment under this Agreement for any future fiscal period, the City will so notify the Consultant and shall not be obligated to make payments for services or amounts incurred after the end of the current fiscal period. This Agreement will terminate upon the completion of all remaining services for which funds are allocated. No penalty or expense shall accrue to the City in the event that the terms of the provision are effectuated.

16. **Entire Agreement.** This Agreement contains the entire agreement between the parties, and no other agreements, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or bind either of the parties. Either party may request changes to the Agreement. Changes which are mutually agreed upon shall be incorporated by written amendments to this Agreement.

17. **Notices.** Notices to the City of Sammamish shall be sent to the following address:

City of Sammamish  
801 228<sup>th</sup> Avenue SE  
Sammamish, WA 98075  
Phone number: (425) 295-0500

Notices to the Consultant shall be sent to the following address:

Company Name AHBL, Inc.  
Contact Name Wayne Carlson  
Street Address 1200 6th Ave #1620  
City, State Zip Seattle, WA 98101  
Phone Number 206.267.2425  
Email wecarlson@ahbl.com

18. **Applicable Law; Venue; Attorneys' Fees.** This Agreement shall be governed by and construed in accordance with the laws of the State of Washington. In the event any suit, arbitration, or other proceeding is instituted to enforce any term of this Agreement, the parties specifically understand and agree that venue shall be exclusively in King County, Washington. The prevailing party in any such action shall be entitled to its attorneys' fees and costs of suit, which shall be fixed by the judge hearing the case and such fee, shall be included in the judgment.

The Consultant will be required to obtain a City of Sammamish business license prior to performing any services and maintain the business license in good standing throughout the term of its agreement with the City. A city business license application can be found at: <http://www.bls.dor.wa.gov/cities/sammamish.aspx>.”

19. **Severability.** Any provision or part of this Agreement held to be void or unenforceable under any law or regulation shall be deemed stricken and all remaining provisions shall continue to be valid and binding upon the City and the Consultant, who agree that the Agreement shall be reformed to replace such stricken provision or part with a valid and enforceable provision that comes as close as reasonably possible to expressing the intent of the stricken provision.

CITY OF SAMMAMISH, WASHINGTON

CONSULTANT

By: \_\_\_\_\_

By: Wayne Carlson

Print Name: \_\_\_\_\_

Print Name: Wayne Carlson

Title: \_\_\_\_\_

Title: Principal

Date: \_\_\_\_\_

Date: 13 July 2016

Attest/Authenticated: \_\_\_\_\_

Approved As To Form: \_\_\_\_\_

City Clerk

City Attorney

## EXHIBIT A – SCOPE OF WORK

### LOW IMPACT DEVELOPMENT CODE AND SURFACE WATER DESIGN MANUAL UPDATE PROJECT

The City of Sammamish intends to revise its codes and enforceable standards to integrate LID BMPs and Principles in accordance with Condition S5.C.4.f of the Western Washington Phase II NPDES Municipal Stormwater Permit (Permit).

The portion of the Permit addressing the integration of the BMPs will be addressed through amendments to the City’s stormwater codes, its adoption of the 2016 King County Surface Water Design Manual, and its adoption of a local addendum to the manual.

The Permit also requires that the City make LID the “commonly used and preferred method of stormwater management” and has objectives including minimizing impervious surface coverage and native vegetation loss. Because the integration of the principles is intended to harmonize with other planning efforts that the City has performed under the Growth Management Act (GMA) there are a variety of ways that the City can elect to address these objectives.

Condition S5.C.4.f requires that the integration of the LID BMPs and Principles by December 31, 2016. Our scope of work was based on these requirements and dates that the City of Sammamish has provided for stakeholder meetings, open houses, and adoption proceedings.

#### Task 1: Project Management

1. Weekly meetings and conference calls with City staff to ensure that the project stays on schedule. AHBL staff will participate in weekly conference calls for the purpose of keeping the project team apprised of the project schedule and discussing impending items. Depending on availability and need, there will be either one or two of AHBL’s staff participating.
2. Develop and maintain project schedule. AHBL staff will prepare and keep updated a project schedule that documents the progress made on the project from contract authorization through adoption.
3. Monthly project summaries and invoicing. AHBL staff will prepare a monthly billing statement that includes a memorandum summarizing the work completed during the previous month, depicting the current billing by hours and task, and the percentage of the contract that has been completed to date by task.
4. Project Kick-Off Meeting. AHBL staff will work with City’s Project Lead to facilitate an integration process kick-off meeting for City staff who will be directly involved in the code and policy review process.
5. Open Houses. AHBL staff will attend and participate in two project Open Houses. The first Open House will occur in late July and will introduce the project to the public, while the second Open

## Exhibit 1

House will occur in September and share draft language and the opportunity analysis with the public. Three AHBL staff will be participating in each Open House.

6. Technical Stakeholder Committee Meetings. AHBL staff will attend and facilitate four stakeholder meetings. This work will include two stakeholder meetings associated with the amendments to the surface water design manual update. Two meetings will be for the LID code amendments.
7. Planning Commission Review and Recommendation. AHBL staff will attend up to four meetings/hearings with the City's Planning Commission to solicit comment and recommendation on the amendment package.
8. City Council Review and Adoption. AHBL staff will attend up to four meetings/hearings with the Sammamish City Council to solicit comment and seek adoption of the amendment package.

### Assumptions:

- City staff will make themselves available for interviews and discussions of gaps and opportunities within the City's codes and standards.
- City staff will provide logistical support for the Open Houses by reserving the room and advertising/scheduling the Open Houses, Planning Commission meetings/hearings, and City Council meeting/hearings.
- City staff will confirm that the City's Planning Commission and Council will have a quorum prior to the consultant going to the meeting.
- Preparation and follow-up work from Open Houses, Stakeholder Committee Meetings, Planning Commission Meetings, and City Council Meeting will be under separate tasks.
- There will be two Open Houses, 3 hours each. Three AHBL staff (2 planners and 1 engineer from the project team) will participate in each Open House.
- Up to four Technical Stakeholders Committee Meetings will be 2 hours each. Two AHBL staff from the project team will participate in each meeting.
- Consultant participation at Planning Commission Meetings will be no more than 3 hours each. Two AHBL staff from the project team will participate in each meeting.
- Consultant participation at City Council Meetings will be no more than 3 hours each. The LID Code Update and the Surface Water Design Manuals are scheduled for the same dates. Two AHBL staff from the project team will participate in each meeting.

### Task Deliverable(s):

- 1.1 Meeting participation; summary meeting notes as requested.
- 1.2 Project schedule
- 1.3 Monthly invoices
- 1.4 Kickoff meeting agenda

## Exhibit 1

- 1.5 Notes summarizing the kickoff meeting

### Task 2: Public Outreach

1. Assist with Open House Outreach. AHBL staff will assist the City in preparing for Public Open Houses and provide a summary of notes from Open House events. AHBL staff will assist in advertising meetings through social media and City website notices.
2. Assist with Technical Stakeholder Committee Formation and Outreach. AHBL staff will assist the City with identifying potential stakeholders and providing invitation materials to aid in recruiting members of the building/development industry and environmental groups to the Technical Stakeholder Committee.
3. Prepare for, Facilitate and Document Technical Stakeholder Committee Meetings. AHBL staff will prepare for four stakeholder meetings by assembling meeting materials including boards, PowerPoint presentations and meeting agendas and provide facilitation for each. This scope of work also includes preparing of meeting notes that summarize the meetings as requested.

#### Assumptions:

- City staff will provide logistical support for the Technical Stakeholder Committee meetings by reserving the room.
- City staff will help identify potential stakeholders
- City staff will participate in each open house and stakeholder meetings.

#### Task Deliverable(s):

- 2.1 Invitation letters/notices
- 2.2 Social media and City website notices for open house events
- 2.3 Agenda for each meeting
- 2.4 Meeting materials and notes
- 2.5 Meeting summary memorandum documenting discussion, conclusions, recommendations, and next steps.

### Task 3: Low Impact Development Code Revisions

1. Gap/Opportunity Analysis. Prepare a “gap” or “opportunity” analysis that will examine the following Sammamish Municipal Code, Standards, and Plans with additional scrutiny on the chapters bulleted below:

## Exhibit 1

- City of Sammamish Comprehensive Plan (2015)
  - City of Sammamish Municipal Code
    - SMC Title 14 Public Works and Transportation
    - SMC Title 14A Public Facilities
    - SMC Title 16 Buildings and Construction
    - SMC Title 17 Fire
    - SMC Title 19A Land Division
    - SMC Title 21A Development Code
    - SMC Title 21B Town Center Development Code
    - SMC Title 25 Shoreline Management
  - Public Works Standards (to be adopted 2016)
  - Beaver Lake Management Plan
  - Bike Trails and Pathways Plan
  - East Lake Sammamish Basin Plan
  - Inglewood Sub-basin Plan
  - Parks Recreation and Open Space Plan (PROS Plan)
  - Sammamish Comprehensive Plan
  - Stormwater Comprehensive Plan (to be adopted 2016)
  - Thompson Sub-basin Plan
  - Town Center Basin Plan
2. LID Integration Summary Memorandum. AHBL staff will prepare a memorandum summarizing the findings found in the Gap/Opportunity Analysis and identifying various areas of opportunity for addressing the Permit goals. The Summary Memorandum will be written in a manner that succinctly summarizes the strategy for moving forward to address the NPDES Permit requirements in a way that can be presented to the Planning Commission and City Council for use in authorizing staff to begin the process of preparing draft amendment language.
  3. Research of approaches that other communities use to deal with similar issues. AHBL staff will specifically examine how other neighboring cities, other western Washington Phase II Permittees, and potentially cities elsewhere have addressed the issues identified as gaps or opportunities within the City of Sammamish's codes and enforceable standards. The research will be summarized in a memorandum and incorporated as appropriate into LID Integration Summary Memorandum.
  4. Develop draft Sammamish-appropriate amendments for integrating LID principles into the City's codes and standards. AHBL staff will prepare Sammamish-appropriate proposals (amended and/or new language, drawings, illustrations, etc.) to integrate LID into the City's codes and standards. This scope of work includes three drafts of the proposed amendments.
  5. Develop final Sammamish-appropriate amendments for integrating LID principles into the City's codes and standards. Based on comments from City staff, AHBL staff will amend the draft amendments described in Task 4.4, above, for use during adoption phase services with the Planning Commission and City Council.

## Exhibit 1

6. Staff Report. AHBL staff will prepare two staff reports for use during the adoption phase. A first staff report will be provided to City staff for use during the Planning Commission's review and consideration of the amendment package. The second staff report will be a revision to the first staff report and summarize the findings and recommendations from the Planning Commission for use during the City Council review and consideration of the amendment package.
7. Review by Other Agencies. AHBL staff will assemble the amendment package for distribution during State Department of Commerce review and SEPA environmental review. This work will include the preparation of a SEPA environmental checklist and the non-project supplemental attachment for the proposed amendments to the City's codes and standards and transmittal of the SEPA documents and amendment package to the City for distribution by the City to interested resource agencies. Work under this item also includes assembly and transmittal of the amendment package to the Department of Commerce for its 60-day review under the Growth Management Act.
8. Planning Commission Meeting Preparation. AHBL staff will prepare for up to four meetings/hearings with the City's Planning Commission to solicit comment and recommendation on the amendment package. Work under this task will include the preparation of materials (e.g., PowerPoint, boards, etc.) necessary to support the consideration of the amendment package by the Planning Commission and subsequent adoption phase meetings with the City Council.
9. City Council Meeting Preparation. AHBL staff will prepare for up to four meetings/hearings with the Sammamish City Council to solicit comment and seek adoption of the amendment package.

### Assumptions:

- The City will make available to the consultant its codes, policies, and enforceable standards in native electronic file format.
- The City and AHBL will agree on the other municipalities to be surveyed in Task 4.3.
- Final draft materials will be prepared with two rounds of review by appropriate City staff.
- An Environmental Impact Statement will not be required as a result of this proposal.
- Publication of the SEPA determination and distribution of it to interested agencies will be performed by the City.

### Deliverables:

- 3.1 Gap/Opportunity Analysis
- 3.2 LID Integration Summary Memorandum
- 3.3 Short memo describing the nature by which nearby communities, other western Washington Phase II Permittees, or other communities have addressed the gaps and opportunities identified within the City of Sammamish's codes and standards. This memo will include comparative tables as appropriate.

## Exhibit 1

- 3.4 Three drafts of underlined and stricken code language of recommended amendments to the City of Sammamish's codes, policies, and enforceable standards.
- 3.5 Final underlined and stricken code language of recommended amendments to the City of Sammamish's codes, policies, and enforceable standards.
- 3.6 Single or multiple bookmarked PDF files of the proposed amendments for transmittal during SEPA environmental review and the Commerce Department's 60-day review.
- 3.7 Preparation of one SEPA environmental checklist and the non-project supplemental attachment for the proposed amendments to the City's codes and standards. The scope includes one revision.
- 3.8 Transmittal of the amendment package to the Department of Commerce. Evidence of receipt by Commerce will be furnished to the City.
- 3.9 Single or multiple bookmarked PDF files of the proposed amendments for use during the consideration of the materials by the City's Planning Commission and Council.
- 3.10 Preparation of staff report for use during the consideration of the amendment package by the City's Planning Commission. Work under this item will include the preparation and transmittal of a draft document for City staff review prior to the preparation of a final document for use during the Planning Commission's review and consideration of the amendment package.
- 3.11 Preparation of an amended staff report for presentation to the City Council that reflects the record from the Planning Commission and any changes that resulted from the its consideration of the amendment package. Work under this item will include the preparation and transmittal of a draft document for City staff review prior to the preparation of a final document for use during the City Council's review and consideration of the amendment package.

### Task 4: Surface Water Design Manual Amendments

1. Gap/Opportunity Analysis. Prepare a "gap" or "opportunity" analysis that will examine Sammamish Municipal Code Title 13 (Surface Water Management). The "gap" or "opportunity" analysis will identify the development controls and enforceable mechanisms within Title 13 that should be amended to satisfy the Permit.
2. Aesthetic Design Recommendations. AHBL staff will prepare guidance that addresses the design objectives of open stormwater facilities to improve the aesthetics and encourage passive recreational use of stormwater facilities. The design recommendations included within this item will be integrated into the Sammamish Addendum to the 2016 KCSWDM and other Municipal Code titles as necessary. Limited conceptual design and graphics are included in the budget.

## Exhibit 1

3. Develop draft Sammamish-appropriate amendments to Title 13 SMC. AHBL staff will prepare Sammamish-appropriate proposals to integrate LID into Sammamish Municipal Code Title 13 (Surface Water Management). This scope of work includes three drafts of the proposed amendments.
4. Develop final Sammamish-appropriate amendments to Title 13 SMC. Based on comments from City staff, AHBL staff will amend the draft amendments described in Task 4.3, above, for use during adoption phase services with the Planning Commission and City Council.
5. 2016 KCSWDM Review. Review the 2016 King County Surface Water Design Manual and advise the City staff of new requirements and discuss City-specific addendums.
6. Sammamish Addendum to the 2016 KCSWDM. Assist City staff with an update to the City of Sammamish Addendum to address the 2016 King County Surface Water Design Manual.
7. Planning Commission Meeting Preparation. AHBL staff will prepare for up to two meetings/hearings with the City's Planning Commission to solicit comment and recommendation on Sammamish Municipal Code Title 13, Sammamish Addendum to the 2016 KCSWDM, and the 2016 KCSWDM. Work under this task will include the preparation of materials (e.g., PowerPoint, boards, etc.) necessary to support the consideration of these materials by the Planning Commission.
8. City Council Meeting Preparation. AHBL staff will prepare for up to two meetings/hearings with the Sammamish City Council to solicit comment and seek adoption of the amendment package.

### Assumptions:

- The City will make available to the consultant its codes, policies, and enforceable standards in native electronic file format.
- Final draft materials will be prepared with two rounds of review by appropriate City staff.

### Deliverables:

- 4.1 Gap/Opportunity Analysis of Sammamish Municipal Code Title 13 (Surface Water Management).
- 4.2 Preparation of draft technical memorandum describing aesthetic and multi-use design recommendations for specific stormwater facilities.
- 4.3 Preparation of a final technical memorandum describing aesthetic and multi-use design recommendations for specific stormwater facilities for incorporation into the Sammamish Addendum to the 2016 KCSWDM.
- 4.4 Draft underlined and stricken code language for recommended amendments to Title 13 SMC.

## Exhibit 1

- 4.5 Final underlined and stricken code language for recommended amendments to Title 13 SMC.
- 4.6 Preparation of a draft Sammamish Addendum to the 2016 KCSWDM.
- 4.7 Preparation of a final Sammamish Addendum to the 2016 KCSWDM.
- 4.8 Technical Stakeholder Committee meeting materials (e.g., PowerPoint presentations, boards, meeting summaries, etc.) to support the TSC's technical review of Title 13 and the Sammamish Addendum to the 2016 KCSWDM.
- 4.9 Planning Commission meeting materials (e.g., PowerPoint presentations, boards, meeting summaries, etc.) to support the TSC's technical review of Title 13 and the Sammamish Addendum to the 2016 KCSWDM.
- 4.10 City Council meeting materials (e.g., PowerPoint presentations, boards, meeting summaries, etc.) to support the TSC's technical review of Title 13 and the Sammamish Addendum to the 2016 KCSWDM.

### Task 5: Document the LID Integration Process

1. March 2017 Quarterly Report. AHBL staff will document how the amendments to the City of Sammamish's codes, policies, and standards satisfy the requirements in the NPDES Phase II Municipal Stormwater Permit, specifically Permit conditions S5.C.4.f.i. and ii. The summary document will be an attachment to the City's 2016 Compliance Report and submitted to Ecology as part of the City's NPDES Annual Report by the March 31, 2017 Permit deadline.

Per the Permit (condition S5.C.4.f.ii.), "...This summary shall include, at a minimum, a list of the participants (job title, brief job description, and department represented), the codes, rules, standards, and other enforceable documents reviewed, and the revisions made to those documents which incorporate and require LID principles and LID BMPs. The summary shall include existing requirements for LID principles and LID BMPs in development-related codes. In preparation for developing the summary, AHBL will document existing and revised policy and code amendments per Ecology "Toolkit" spreadsheet that supplements the *Integrating LID into Local Codes: A Guidebook for Local Governments*.

#### Task Deliverables:

- 5.1 Preparation of a draft summary document describing the process by which the City of Sammamish addressed the requirements in Permit Condition S5.C.4.f. The draft summary document will be prepared in accordance with Permit Condition S5.C.4.ii.
- 5.2 Preparation of a final summary document describing the process by which the City of Sammamish addressed the requirements in Permit Condition S5.C.4.f. The summary document will be prepared in accordance with Permit Condition S5.C.4.ii.

## Exhibit 1

- 5.3 Completion of the draft Ecology Toolkit matrix based on the results of the Opportunity Analyses and final adoption of amended codes and standards.
- 5.4 Completion of the final Ecology Toolkit matrix based on the results of the Opportunity Analyses and final adoption of amended codes and standards.

### Task 6: Reimbursable Expenses

1. Reimbursable Expenses. Mileage and reprographics will be billed on a time and expense basis not to exceed the amount identified on Attachment A – Budget.

### Task 7: Management Reserve

This task is to provide budget for additional services that are either not known or decided on at this time by the Project Manager during the course of this project. Written direction from the City of Sammamish shall be required in order to expend any of the budget in this task. Potential services may include but not be limited to:

1. Prepare an LID 101 PowerPoint Presentation. AHBL staff will prepare an LID 101 PowerPoint presentation that will summarize the LID integration requirements under the Permit and can be used for a variety of purposes.
2. Outreach bulletins. Preparation of three outreach and educational bulletins featuring graphics and other visual elements to make them accessible to the target audiences. The following bulletins have been preliminarily identified as a part of this scope of work:
  - Homeowner bulletin related to maintenance practices for common residential LID practices
  - Developers/Engineers related to amendments to the Sammamish Addendum to the KCSWDM
  - Process bulleting related to changes to the City's land use related codes and standards related to LID as well as changes for timing of when a soils investigation will be necessary
3. On-site training. Preparation for and facilitation of one, 2-hour hands-on training session. One training session is to be geared toward the City's planning and engineering staff and will include hands-on exercises and case studies. AHBL staff will work with the City Project Manager to establish the curricula.

#### Assumptions:

- City staff will provide logistical support for the Trainings by reserving the room and any necessary audio visual resources that are necessary to support the training.

## Exhibit 1

- City staff will aid in identifying the specific content desired for the bulletins.

## Exhibit 1

### Task Deliverable(s):

- 7.1 LID 101 PowerPoint presentation
- 7.2 Three bulletins of which each is formatted as a two-sided, 8.5" x 11", full-color high resolution document delivered on a CD.
- 7.3 Materials to be included within the training folders for the City participants participating in the training. A copy of all material will also be delivered in native format on a CD.
- 7.4 Participation and facilitation of one, 2-hour training at Sammamish City Hall.

Exhibit 1

BUDGET	Planning Staff		Civil Engineering Staff			Total Labor Hours	Total Labor Costs
	Wayne Carlson (Planning Principal)	Brittany Port (Project Planner)	Doreen Gavin (Civil Principal)	Senior Civil Engineer	Graphics Technician		
Hourly Billing Rates	\$215	\$156	\$215	\$165	\$110		
<b>Task Descriptions</b>							
<b>Task 1: Project Management</b>							
1. Weekly conference calls with City staff	24	4	4	0	0	32	\$6,644
2. Develop and maintain project schedule	1	4	0	0	0	5	\$839
3. Monthly project summaries and invoicing	2	0	2	0	0	4	\$860
4. Project Kick-Off Meeting	4	4	4	0	0	12	\$2,344
5. Open Houses	12	12	12	0	0	36	\$7,032
6. Technical Stakeholder Committee Meetings	6	12	8	0	0	26	\$4,882
7. Planning Commission Meetings/Hearings	16	16	12	0	0	44	\$8,516
8. City Council Meetings/Hearings	16	16	12	0	0	44	\$8,516
<b>Task 1: Subtotal</b>	<b>81</b>	<b>68</b>	<b>54</b>	<b>0</b>	<b>0</b>	<b>203</b>	<b>\$39,633</b>
<b>Task 2: Public Outreach</b>							
1. Technical Stakeholder Committee Formation and Outreach	2	2	2	0	0	6	\$1,172
2. Technical Stakeholder Committee Meeting Preparation	4	8	4	4	0	20	\$3,628
<b>Task 2: Subtotal</b>	<b>6</b>	<b>10</b>	<b>6</b>	<b>4</b>	<b>0</b>	<b>26</b>	<b>\$4,800</b>
<b>Task 3: Low Impact Development Code Revisions</b>							
1. Gap/Opportunity Analysis	6	40	0	0	0	46	\$7,530
2. LID Integration Summary Memorandum	1	8	0	0	0	9	\$1,463
3. Research of other communities approaches	2	12	0	0	0	14	\$2,302
4. Develop draft Sammamish-appropriate amendments	24	60	0	0	0	84	\$14,520
5. Develop final Sammamish-appropriate amendments	12	30	0	0	0	42	\$7,260
6. Staff Report	2	12	2	0	0	16	\$2,732
7. Review by Other Agencies	2	12	0	0	0	14	\$2,302
8. Planning Commission Meeting Preparation	8	8	0	0	0	16	\$2,968
9. City Council Meeting Preparation	8	8	0	0	0	16	\$2,968
<b>Task 3: Subtotal</b>	<b>65</b>	<b>190</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>257</b>	<b>\$44,045</b>
<b>Task 4: Surface Water Design Manual Amendments</b>							
1. Gap/Opportunity Analysis	2	2	2	8		14	\$2,492
2. Aesthetic Design Recommendations	2		8	24	16	50	\$7,870
3. Develop draft Sammamish-appropriate amendments to Title 13 SMC	2	16	4			22	\$3,786
4. Develop final Sammamish-appropriate amendments to Title 13 SMC	1	8	2			11	\$1,893
5. 2016 KCSWDM Review			4	24		28	\$4,820
6. Sammamish Addendum to the 2016 KCSWDM			8	20		28	\$5,020
7. Planning Commission Meeting Preparation			8			8	\$1,720
8. City Council Meeting Preparation			8			8	\$1,720
<b>Task 4: Subtotal</b>	<b>7</b>	<b>26</b>	<b>44</b>	<b>76</b>	<b>16</b>	<b>169</b>	<b>\$29,321</b>
<b>Task 5: Document the LID Integration Process</b>							
1. March 2017 Quarterly Report	2	8	0	0	0	10	\$1,678
<b>Task 5: Subtotal</b>	<b>2</b>	<b>8</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>10</b>	<b>\$1,678</b>
<b>Task 6: Reimbursable Expenses</b>							
<b>Task 6: Subtotal</b>							<b>\$250</b>
<b>GRAND TOTAL (LESS OPTIONAL TASK 7)</b>	<b>161</b>	<b>302</b>	<b>106</b>	<b>80</b>	<b>16</b>	<b>665</b>	<b>\$119,477</b>
<b>Task 7: Management Reserve (Optional)</b>							
1. LID 101 PowerPoint presentation	1	1				2	\$371
2. Outreach bulletins	6	60	2	0	0	68	\$11,080
3. On-site training	12	12	12	0	0	36	\$7,032
<b>Task 7: Subtotal</b>	<b>19</b>	<b>73</b>	<b>14</b>	<b>0</b>	<b>0</b>	<b>106</b>	<b>\$18,483</b>



*REQUEST FOR CONSULTANT PAYMENT*

To: City of Sammamish  
 801 228<sup>th</sup> Avenue SE  
 Sammamish, WA 98075  
 Phone: (425) 295-0500  
 FAX: (425) 295-0600

Invoice Number: \_\_\_\_\_ Date of Invoice: \_\_\_\_\_

Consultant: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Email Address: \_\_\_\_\_

Contract Period: \_\_\_\_\_ Reporting Period: \_\_\_\_\_

Amount requested this invoice: \$ \_\_\_\_\_

Specific Program: \_\_\_\_\_

\_\_\_\_\_  
 Authorized signature

**ATTACH ITEMIZED DESCRIPTION OF SERVICES PROVIDED**

***For Department Use Only***

Total contract amount	
Previous payments	
Current request	
Balance remaining	

Authorization to Consultant: \$
Account Number:
Date:

Approved for Payment by: \_\_\_\_\_ Date: \_\_\_\_\_

***Finance Dept.***

Check # \_\_\_\_\_ Check Date: \_\_\_\_\_

EXHIBIT C



*TAX IDENTIFICATION NUMBER*

In order for you to receive payment from the City of Sammamish, you must have either a Tax Identification Number or a Social Security Number. The Internal Revenue Service Code requires a Form 1099 for payments to every person or organization other than a corporation for services performed in the course of trade or business. Further, the law requires the City to withhold 20% on reportable amounts paid to unincorporated persons who have not supplied us with their correct Tax Identification Number or Social Security Number.

Please complete the following information request form and return it to the City of Sammamish prior to or along with the submittal of the first billing invoice.

Please check the appropriate category:

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Corporation           | <input type="checkbox"/> Partnership     | <input type="checkbox"/> Government Consultant |
| <input type="checkbox"/> Individual/Proprietor | <input type="checkbox"/> Other (explain) |  |

TIN No.: \_\_\_\_\_

Social Security No.: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Business Name: \_\_\_\_\_

Business Address: \_\_\_\_\_

Business Phone: \_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Authorized Signature (Required)



**Meeting Date:** July 19, 2016

**Date Submitted:** 7/12/2016

**Originating Department:** City Manager

**Clearances:**

- |  |  |  |
|--|--|--|
| <input checked="" type="checkbox"/> Attorney     | <input type="checkbox"/> Community Development | <input type="checkbox"/> Public Safety |
| <input type="checkbox"/> Admin Services          | <input type="checkbox"/> Finance & IT          | <input type="checkbox"/> Public Works  |
| <input checked="" type="checkbox"/> City Manager | <input type="checkbox"/> Parks & Recreation    |  |

**Subject:** Emergency Management Consulting Services

**Action Required:** Authorizing a contract with Gail Harris of GCH Disaster Solutions for emergency management consulting services.

**Exhibits:** 1. Contract and Scope of Work

**Budget:** Contract expenditures for the remainder of 2016 will be funded by the General Fund operating contingency. Appropriation for the remaining costs will be part of the 2017-18 budget.

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**Summary Statement:**

This is a contract with Gail Harris, GCH Disaster Solutions, to provide emergency management consulting services to the City. The scope of work for this contract includes rewriting the *Comprehensive Emergency Management Plan*, updating the emergency management ordinance, developing a two-year work plan, providing staff training, assisting with the recruitment of an Emergency Manager and preparing a final assessment. The goal of this contract is to work toward bringing the City's emergency management program into compliance with State and Federal laws and to ensure the City is prepared to respond in the event of an emergency.

**Background:**

In April, 2016, the City entered into a contract with Gail Harris to complete a gap analysis of the City's emergency management program and plans. The analysis revealed that the City is not in compliance with many of the State and Federal laws governing the emergency management requirements for local jurisdictions. Additional resources are needed, until an Emergency Manager can be hired, to continue working towards achieving compliance in all areas. Gail Harris has offered to continue providing her services in the interim to address the deficiencies identified in the gap analysis.

The draft *Emergency Management Gap Analysis Report* was presented to the Public Safety Committee on June 22, 2016. The committee recommends proceeding with this additional consulting contract and identified this as one of the highest priorities for the City.

**Financial Impact:**

The total contract amount is not to exceed \$25,000, billed at an hourly fee of \$60.00 per hour.

This work was not included in the 2015-16 budget. Contract expenditures for the remainder of 2016 will be funded by the General Fund operating contingency. Appropriation for the remaining costs will be part of the 2017-18 budget.

**Recommended Motion:**

Move to authorize the City Manager to execute a contract with Gail Harris, GCH Disaster Solutions, in an amount not to exceed \$25,000.

## Exhibit 1

### CITY OF SAMMAMISH AGREEMENT FOR SERVICES

Consultant: Gail Harris, GCH Disaster Solutions

This Agreement is entered into by and between the City of Sammamish, Washington, a municipal corporation, hereinafter referred to as the "City," and Gail Harris, GCH Disaster Solutions, hereinafter referred to as the "Consultant."

WHEREAS, the City desires to have certain services performed for its citizens; and

WHEREAS, the City has selected the Consultant to perform such services pursuant to certain terms and conditions;

NOW, THEREFORE, in consideration of the mutual benefits and conditions set forth below, the parties hereto agree as follows:

1. **Scope of Services to be Performed by Consultant.** The Consultant shall perform those services described in Exhibit "A" of this agreement. In performing such services, the Consultant shall comply with all federal, state, and local laws and regulations applicable to the performance of such services. The Consultant shall perform services diligently and completely and in accordance with professional standards of conduct and performance.

2. **Compensation and Method of Payment.** The Consultant shall submit invoices for work performed using the form set forth in Exhibit "B".

The City shall pay Consultant:

[Check applicable method of payment]

According to the rates set forth in Exhibit "C".

A sum not to exceed \$25,000

Other (describe): An hourly fee of \$60.00 per hour and a not-to-exceed amount of \$25,000

The Consultant shall complete and return to the City Exhibit "C," Taxpayer Identification Number, prior to or along with the first invoice submittal. The City shall pay the Consultant for services rendered within ten days after City Council approval.

3. **Duration of Agreement.** This Agreement shall be in full force and effect for a period commencing upon execution and ending December 31, 2017, unless sooner terminated under the provisions of the Agreement. Time is of the essence of this Agreement in each and all of its provisions in which performance is required.

4. **Ownership and Use of Documents.** Any records, files, documents, drawings, specifications, data or information, regardless of form or format, and all other materials produced by the Consultant in connection with the services provided to the City, shall be the property of the City whether the project for which they were created is executed or not.

5. **Independent Contractor.** The Consultant and the City agree that the Consultant is an independent contractor with respect to the services provided pursuant to this Agreement. The Consultant will solely be responsible for its acts and for the acts of its agents, employees, subconsultants, or representatives during the performance of this Agreement. Nothing in this Agreement shall be considered to create the relationship of employer and employee between the parties hereto.

6. **Indemnification.** Consultant shall defend, indemnify and hold the City, its officers, officials, employees and volunteers harmless from any and all claims, injuries, damages, losses or suits including attorney fees, arising out of or resulting from the acts, errors or omissions of the Consultant in performance of this Agreement, except for injuries and damages caused by the sole negligence of the City. Should a court of competent jurisdiction determine that this Agreement is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily

## Exhibit 1

injury to persons or damages to property caused by or resulting from the concurrent negligence of the Consultant and the City, its officers, officials, employees, and volunteers, the Consultant's liability, including the duty and cost to defend, hereunder shall be only to the extent of the Consultant's negligence. It is further specifically and expressly understood that the indemnification provided herein constitutes the Consultant's waiver of immunity under Industrial Insurance, Title 51 RCW, solely for the purposes of this indemnification. This waiver has been mutually negotiated by the parties. The provisions of this section shall survive the expiration or termination of this Agreement.

Furthermore, should subcontracting be agreed to by the parties, the Consultant shall cause each and every Subcontractor to provide insurance coverage that complies with all applicable requirements of the Consultant-provided insurance as set forth herein, except the Consultant shall have sole responsibility for determining the limits of coverage required to be obtained by Subcontractors. The Consultant shall ensure that the City is an additional insured on each and every Subcontractor's Commercial General liability insurance policy using an endorsement at least as broad as the Insurance Services Office Additional Insured endorsement CG 20 38 04 13.

### **7. Insurance.**

**A.** The Consultant shall procure and maintain for the duration of the Agreement, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work hereunder by the Consultant, its agents, representatives, or employees.

**B.** Should a court of competent jurisdiction determine that this Agreement is subject to RCW 4.24.115, then, in the event of liability for damages arising out of such services, or bodily injury to persons or damages to property, caused by or resulting from the concurrent negligence of the Consultant and the City, its officers, officials, employees, and volunteers, the Consultant's liability hereunder shall be only to the extent of the Consultant's negligence.

### **Minimum Scope of Insurance**

Consultant shall obtain insurance of the types described below:

1. Automobile Liability insurance covering all owned, non-owned, hired and leased vehicles. Coverage shall be written on Insurance Services Office (ISO) form CA 00 01 or a substitute form providing equivalent liability coverage. If necessary, the policy shall be endorsed to provide contractual liability coverage.
2. Commercial General Liability insurance shall be written on ISO occurrence form CG 00 01 and shall cover liability arising from premises, operations, independent contractors and personal injury and advertising injury. The City shall be named as an additional insured under the Contractor's Commercial General Liability insurance policy with respect to the work performed for the City.
3. Workers' Compensation coverage as required by the Industrial Insurance laws of the State of Washington.
4. Professional Liability insurance appropriate to the Consultant's profession.

### **Minimum Amounts of Insurance**

Consultant shall maintain the following insurance limits:

1. Automobile Liability insurance with a minimum combined single limit for bodily injury and property damage of \$1,000,000 per accident.
2. Commercial General Liability insurance shall be written with limits no less than \$1,000,000 each occurrence, \$2,000,000 general aggregate.
3. Professional Liability insurance shall be written with limits no less than \$1,000,000 per claim and \$1,000,000 policy aggregate limit.

### **Other Insurance Provisions**

The insurance policies are to contain, or be endorsed to contain, the following provisions for Automobile Liability, Professional Liability and Commercial General Liability insurance:

## Exhibit 1

1. The Consultant's insurance shall not be cancelled by either party except after thirty (30) days prior written notice has been given to the City

### **Verification of Coverage**

Consultant shall furnish the City with original certificates and a copy of the amendatory endorsements, including but not necessarily limited to the additional insured endorsement, evidencing the insurance requirements of the Consultant before commencement of the work.

### **8. Record Keeping and Reporting.**

**A.** The Consultant shall maintain accounts and records, including personnel, property, financial, and programmatic records, which sufficiently and properly reflect all direct and indirect costs of any nature expended and services performed pursuant to this Agreement. The Consultant shall also maintain such other records as may be deemed necessary by the City to ensure proper accounting of all funds contributed by the City to the performance of this Agreement.

**B.** The foregoing records shall be maintained for a period of seven years after termination of this Agreement unless permission to destroy them is granted by the Office of the Archivist in accordance with RCW Chapter 40.14 and by the City.

**9. Audits and Inspections.** The records and documents with respect to all matters covered by this Agreement shall be subject at all times to inspection, review, or audit by the City during the performance of this Agreement.

### **10. Termination.**

**A.** This City reserves the right to terminate or suspend this Agreement at any time, with or without cause, upon seven (7) days prior written notice. In the event of termination or suspension, all finished or unfinished documents, data, studies, worksheets, models, reports or other materials prepared by the Consultant pursuant to this Agreement shall promptly be submitted to the City

**B.** In the event this Agreement is terminated or suspended, the Consultant shall be entitled to payment for all services performed and reimbursable expenses incurred to the date of termination.

**C.** This Agreement may be cancelled immediately if the Consultant's insurance coverage is canceled for any reason, or if the Consultant is unable to perform the services called for by this Agreement.

**D.** The Consultant reserves the right to terminate this Agreement with not less than fourteen days written notice, or in the event that outstanding invoices are not paid within sixty days.

**E.** This provision shall not prevent the City from seeking any legal remedies it may otherwise have for the violation or nonperformance of any provisions of this Agreement.

**11. Discrimination Prohibited.** The Consultant shall not discriminate against any employee, applicant for employment, or any person seeking the services of the Consultant under this Agreement, on the basis of race, color, religion, creed, sex, age, national origin, marital status, or presence of any sensory, mental, or physical handicap.

**12. Assignment and Subcontract.** The Consultant shall not assign or subcontract any portion of the services contemplated by this Agreement without the prior written consent of the City.

**13. Conflict of Interest.** The City insists on the highest level of professional ethics from its consultants. Consultant warrants that it has performed a due diligence conflicts check, and that there are no professional conflicts with the City. Consultant warrants that none of its officers, agents or employees is now working on a project for any entity engaged in litigation with the City. Consultant will not disclose any information obtained through the course of their work for the City to any third party, without written consent of the "City". It is the Consultant's duty and obligation to constantly update its due diligence with respect to conflicts, and not the City's obligation to inquire as to potential conflicts. This provision shall survive termination of this Agreement.

Exhibit 2

14. **Confidentiality.** All information regarding the City obtained by the Consultant in performance of this Agreement shall be considered confidential. Breach of confidentiality by the Consultant shall be grounds for immediate termination.

15. **Non-appropriation of funds.** If sufficient funds are not appropriated or allocated for payment under this Agreement for any future fiscal period, the City will so notify the Consultant and shall not be obligated to make payments for services or amounts incurred after the end of the current fiscal period. This Agreement will terminate upon the completion of all remaining services for which funds are allocated. No penalty or expense shall accrue to the City in the event that the terms of the provision are effectuated.

16. **Entire Agreement.** This Agreement contains the entire agreement between the parties, and no other agreements, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or bind either of the parties. Either party may request changes to the Agreement. Changes which are mutually agreed upon shall be incorporated by written amendments to this Agreement.

17. **Notices.** Notices to the City of Sammamish shall be sent to the following address:

City of Sammamish  
Attn: Deputy City Manager  
801 228<sup>th</sup> Avenue SE  
Sammamish, WA 98075  
Phone number: (425) 295-0500

Notices to the Consultant shall be sent to the following address:

Gail Harris  
7727B Island View Ct.  
Mukilteo, WA 98275  
Phone Number: (425) 890-0253

18. **Applicable Law; Venue; Attorneys' Fees.** This Agreement shall be governed by and construed in accordance with the laws of the State of Washington. In the event any suit, arbitration, or other proceeding is instituted to enforce any term of this Agreement, the parties specifically understand and agree that venue shall be exclusively in King County, Washington. The prevailing party in any such action shall be entitled to its attorneys' fees and costs of suit, which shall be fixed by the judge hearing the case and such fee, shall be included in the judgment.

The Consultant will be required to obtain a City of Sammamish business license prior to performing any services and maintain the business license in good standing throughout the term of its agreement with the City. A city business license application can be found at: <http://www.bls.dor.wa.gov/cities/sammamish.aspx>."

19. **Severability.** Any provision or part of this Agreement held to be void or unenforceable under any law or regulation shall be deemed stricken and all remaining provisions shall continue to be valid and binding upon the City and the Consultant, who agree that the Agreement shall be reformed to replace such stricken provision or part with a valid and enforceable provision that comes as close as reasonably possible to expressing the intent of the stricken provision.

CITY OF SAMMAMISH, WASHINGTON

CONSULTANT

By: \_\_\_\_\_

By: Gail C Harris

Print Name: \_\_\_\_\_

Print Name: GAIL C HARRIS

Title: \_\_\_\_\_

Title: Site Propriator

Date: \_\_\_\_\_

Date: 7/13/14

Attest/Authenticated:

Approved As To Form:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
City Attorney

## Exhibit 1

### EXHIBIT A SCOPE OF SERVICES

Work to be completed by the consultant includes the following:

1. Re-write the City's *Comprehensive Emergency Management Plan (CEMP)* to ensure consistency, coordination, and compliance with the State of Washington and Federal mandates. Task to be completed by April 2017.
2. Research and prepare an updated comprehensive ordinance establishing the legal authority for development and maintenance of the City's emergency management function. Prepare supporting material for inclusion in the presentation to the City Council. Task to be completed by December 2016.
3. Facilitate and lead an emergency management training program for all permanent City employees to include ICS 100, ICS 200 and ICS 700. Task includes approximately four (4) separate training sessions to be completed by December 2016.
4. Develop a job description for the Emergency Management position, to include a salary comparison and recommendation. Task to be completed by August 2016. Provide assistance with position recruitment. Date of completion of this task is contingent on City Council authorization of the new position, which will be included as part of the 2017-18 biennial budget process.
5. Develop a two-year emergency management work plan identifying specific tasks for completion and deadlines. Identify recommended funding needs associated with the work plan for inclusion in the biennial budget process. Task to be completed by September 2016.
6. Attend Public Safety Committee Meetings and City Council meetings to present and report on the work described herein. A total of six (6) meetings is estimated for this work.
7. Provide administrative support by coordinating with the State and King County to access EMPG Funds, become a signature to the *King County Regional Coordination Framework for Disasters and Planned Events for Public and Private Organizations* and assist with the City having their own annex to the *King County Hazard Mitigation Plan*. Tasks to be completed by May 2017.
8. Prepare a final assessment, after development of the program elements identified above, in the context of what is required for compliance with Washington State law, Chapter 38.52 RCW, associated Washington Administrative Codes and Federal requirements. Task to be completed by May 2017.



REQUEST FOR CONSULTANT PAYMENT

To: City of Sammamish
801 228th Avenue SE
Sammamish, WA 98075
Phone: (425) 295-0500
FAX: (425) 295-0600

Invoice Number: \_\_\_\_\_ Date of Invoice: \_\_\_\_\_

Consultant: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Email Address: \_\_\_\_\_

Contract Period: \_\_\_\_\_ Reporting Period: \_\_\_\_\_

Amount requested this invoice: \$ \_\_\_\_\_

Specific Program: \_\_\_\_\_

\_\_\_\_\_  
Authorized signature

ATTACH ITEMIZED DESCRIPTION OF SERVICES PROVIDED

For Department Use Only

Table with 2 columns: Description, Amount. Rows include Total contract amount, Previous payments, Current request, Balance remaining.

Authorization to Consultant: \$ \_\_\_\_\_
Account Number: \_\_\_\_\_
Date: \_\_\_\_\_

Approved for Payment by: \_\_\_\_\_ Date: \_\_\_\_\_

Finance Dept.
Check # \_\_\_\_\_ Check Date: \_\_\_\_\_

EXHIBIT C



*TAX IDENTIFICATION NUMBER*

In order for you to receive payment from the City of Sammamish, you must have either a Tax Identification Number or a Social Security Number. The Internal Revenue Service Code requires a Form 1099 for payments to every person or organization other than a corporation for services performed in the course of trade or business. Further, the law requires the City to withhold 20% on reportable amounts paid to unincorporated persons who have not supplied us with their correct Tax Identification Number or Social Security Number.

Please complete the following information request form and return it to the City of Sammamish prior to or along with the submittal of the first billing invoice.

Please check the appropriate category:

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Corporation           | <input type="checkbox"/> Partnership     | <input type="checkbox"/> Government Consultant |
| <input type="checkbox"/> Individual/Proprietor | <input type="checkbox"/> Other (explain) |  |

TIN No.: \_\_\_\_\_

Social Security No.: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Business Name: \_\_\_\_\_

Business Address: \_\_\_\_\_

Business Phone: \_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Authorized Signature (Required)



Exhibit 2

14. **Confidentiality.** All information regarding the City obtained by the Consultant in performance of this Agreement shall be considered confidential. Breach of confidentiality by the Consultant shall be grounds for immediate termination.

15. **Non-appropriation of funds.** If sufficient funds are not appropriated or allocated for payment under this Agreement for any future fiscal period, the City will so notify the Consultant and shall not be obligated to make payments for services or amounts incurred after the end of the current fiscal period. This Agreement will terminate upon the completion of all remaining services for which funds are allocated. No penalty or expense shall accrue to the City in the event that the terms of the provision are effectuated.

16. **Entire Agreement.** This Agreement contains the entire agreement between the parties, and no other agreements, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or bind either of the parties. Either party may request changes to the Agreement. Changes which are mutually agreed upon shall be incorporated by written amendments to this Agreement.

17. **Notices.** Notices to the City of Sammamish shall be sent to the following address:

City of Sammamish  
Attn: Deputy City Manager  
801 228<sup>th</sup> Avenue SE  
Sammamish, WA 98075  
Phone number: (425) 295-0500

Notices to the Consultant shall be sent to the following address:

Gail Harris  
7727B Island View Ct.  
Mukilteo, WA 98275  
Phone Number: (425) 890-0253

18. **Applicable Law; Venue; Attorneys' Fees.** This Agreement shall be governed by and construed in accordance with the laws of the State of Washington. In the event any suit, arbitration, or other proceeding is instituted to enforce any term of this Agreement, the parties specifically understand and agree that venue shall be exclusively in King County, Washington. The prevailing party in any such action shall be entitled to its attorneys' fees and costs of suit, which shall be fixed by the judge hearing the case and such fee, shall be included in the judgment.

The Consultant will be required to obtain a City of Sammamish business license prior to performing any services and maintain the business license in good standing throughout the term of its agreement with the City. A city business license application can be found at: <http://www.bls.dor.wa.gov/cities/sammamish.aspx>."

19. **Severability.** Any provision or part of this Agreement held to be void or unenforceable under any law or regulation shall be deemed stricken and all remaining provisions shall continue to be valid and binding upon the City and the Consultant, who agree that the Agreement shall be reformed to replace such stricken provision or part with a valid and enforceable provision that comes as close as reasonably possible to expressing the intent of the stricken provision.

CITY OF SAMMAMISH, WASHINGTON

CONSULTANT

By: \_\_\_\_\_

By: Gail C Harris

Print Name: \_\_\_\_\_

Print Name: GAIL C HARRIS

Title: \_\_\_\_\_

Title: Site Propriator

Date: \_\_\_\_\_

Date: 7/13/14

Attest/Authenticated:

Approved As To Form:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
City Attorney





**Meeting Date:** July 19, 2016

**Date Submitted:** 7/15/2016

**Originating Department:** Community Development

**Clearances:**

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Attorney                | <input checked="" type="checkbox"/> Community Development | <input type="checkbox"/> Public Safety |
| <input type="checkbox"/> Admin Services          | <input checked="" type="checkbox"/> Finance & IT          | <input type="checkbox"/> Public Works  |
| <input checked="" type="checkbox"/> City Manager | <input type="checkbox"/> Parks & Recreation               |  |

**Subject:** Piedmont Directional Signs

**Action Required:** Authorize the City Manager to sign a Supplemental Agreement

**Exhibits:** 1. Supplemental Agreement #7

**Budget:** \$8,000.00 from Community Development General Fund

**Summary Statement:**

The City contracts for installation of required public notice signs for development applications. Applicants reimburse the City for this expense. This Supplemental Agreement will increase the existing Piedmont Directional Signs 2007 contract (as supplemented annually from 2008 onwards) from \$50,000 to \$58,000 and maintain the contract term of December 31, 2016 to cover installation of public notice boards as required.

**Background:**

This Supplemental Agreement will increase the existing Piedmont Directional Signs (Piedmont) contract to \$58,000. The reasons for this proposed increase are twofold:

- 1) A recent review of Department of Community Development (DCD) contracts discovered a 2008 bookkeeping error responsible for \$4,730 which was correctly paid to Piedmont for services rendered yet was never recorded against the contracted budget amount. Now properly calculated, the contract's budget has been currently exceeded by \$3,720 since 2008. The Interim Finance Director has requested the unrecorded \$4,730 be reconciled in this Supplemental Agreement. This contract will be closed at its expiration on December 31, 2016 and a new contract will be negotiated as opposed to issuing a supplemental agreement.
- 2) The number of required public notice sign placements has increased beyond the \$12,000 estimate for the 2015-2016 biennial term. 2015 expenditures for Piedmont totaled \$6,475. For 2016 thus far, \$4,115 has been charged against the contract and an equal amount is expected for the second half of the year.

The requested increase is needed to retroactively adjust for the 2008 bookkeeping error and continue to provide on-call services through the remainder of 2016.

**Recommended Motion:**

Authorize the City Manager to sign the contract amendment.



## SUPPLEMENTAL AGREEMENT

Amendment Number: # 7	Date: 7/12/2016
Project: Public Notice Sign Installation	City Project number:
Consultant: Piedmont Directional Signs	Contract Number: C2007-121

The City of Sammamish desires to amend the agreement with Piedmont Directional Signs for the installation of public notice signs. All provisions in the basic agreement remain in effect except as modified by this agreement.

The changes to this agreement are described as follows:

- Increase existing contract from \$50,000.00 to \$58,000.00

PAYMENT shall be amended in accordance with the consultant fee determination attached and as summarized as follows:

Original Contract Amount:	Current Contract Amount	Net Change This Amendment	Estimated Contract Total After Change
<b>\$14,000.00</b>	<b>\$50,000.00</b>	<b>\$8,000.00</b>	<b>\$58,000.00</b>
<div style="display: flex; justify-content: space-between; border-top: 1px solid black; margin-top: 10px;"> <span>_____</span> <span>_____</span> </div>		<div style="display: flex; justify-content: space-between; border-top: 1px solid black; margin-top: 10px;"> <span>_____</span> <span>_____</span> </div>	
Piedmont Directional Signs	Date	City of Sammamish	Date

## Exhibit 1



**Meeting Date:** July 19, 2016

**Date Submitted:** 7/13/2016

**Originating Department:** Public Works

**Clearances:**

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Attorney       | <input type="checkbox"/> Community Development | <input type="checkbox"/> Public Safety           |
| <input type="checkbox"/> Admin Services | <input type="checkbox"/> Finance & IT          | <input checked="" type="checkbox"/> Public Works |
| <input type="checkbox"/> City Manager   | <input type="checkbox"/> Parks & Recreation    |  |

**Subject:** 212<sup>th</sup> Avenue SE Non-Motorized Improvements

**Action Required:** Authorize the City Manager to award and execute a construction contract for the 212<sup>th</sup> Avenue SE Non-motorized Improvements.

**Exhibits:** Vicinity Map

**Budget:** \$650,000 in the 2015-2016 Transportation Capital Improvement Fund

**Summary Statement:** This construction contract will improve 212<sup>th</sup> Avenue SE with a sidewalk on the west side and widened shoulders for bicyclists on both sides. The project limits are SE 24<sup>th</sup> Street to the existing sidewalk at the Crossings at Pine Lake development, a distance of 650-feet.

Project plans are complete, and have been through the State Environmental Policy Act (SEPA) process. Because there will be wetland impacts, an Army Corps of Engineers (ACOE) permit is also required and was applied for concurrently with the SEPA application. Staff anticipates that approval may be received by early August, which would allow a construction contract to be bid and awarded. Awarding a construction contract by August would allow necessary mitigation work along Pine Lake Creek to be completed by the September 30<sup>th</sup> fish window deadline required by WA State Department of Fish and Wildlife. Since Council will be on August recess, staff is requesting authorization in advance of bidding to award and execute a construction contract.

**Background:** This project is included in the 2015-2020 Six Year Transportation Improvement Program. The design includes construction of pedestrian and bike accommodations immediately adjacent to wetlands along the road. This project fills a gap between previously constructed improvements. These include a gravel trail constructed by City crews between SE 24<sup>th</sup> Street and SE 32<sup>nd</sup>, and full half-street improvements to the north constructed by the Crossings at Pine Lake subdivision, completed in 2010 and 2007, respectively. Eliminating this existing non-motorized gap will expand the safe walking route for students of Creekside Elementary School, and provide a widened shoulder for bicyclists on both sides.

Council authorized a design contract with David Evans and Associates, Inc. on May 5, 2015. The original proposed scope only included improvements to the west side of the road in order to reduce wetland

impacts and costs. However, Council directed staff to add road widening to the east side to accommodate bicyclists on a widened shoulder. Wetlands border the improvements on both sides of the road, so the design seeks to mitigate wetland impacts through wetland enhancement in the right-of-way and on adjacent private property along Pine Lake Creek.

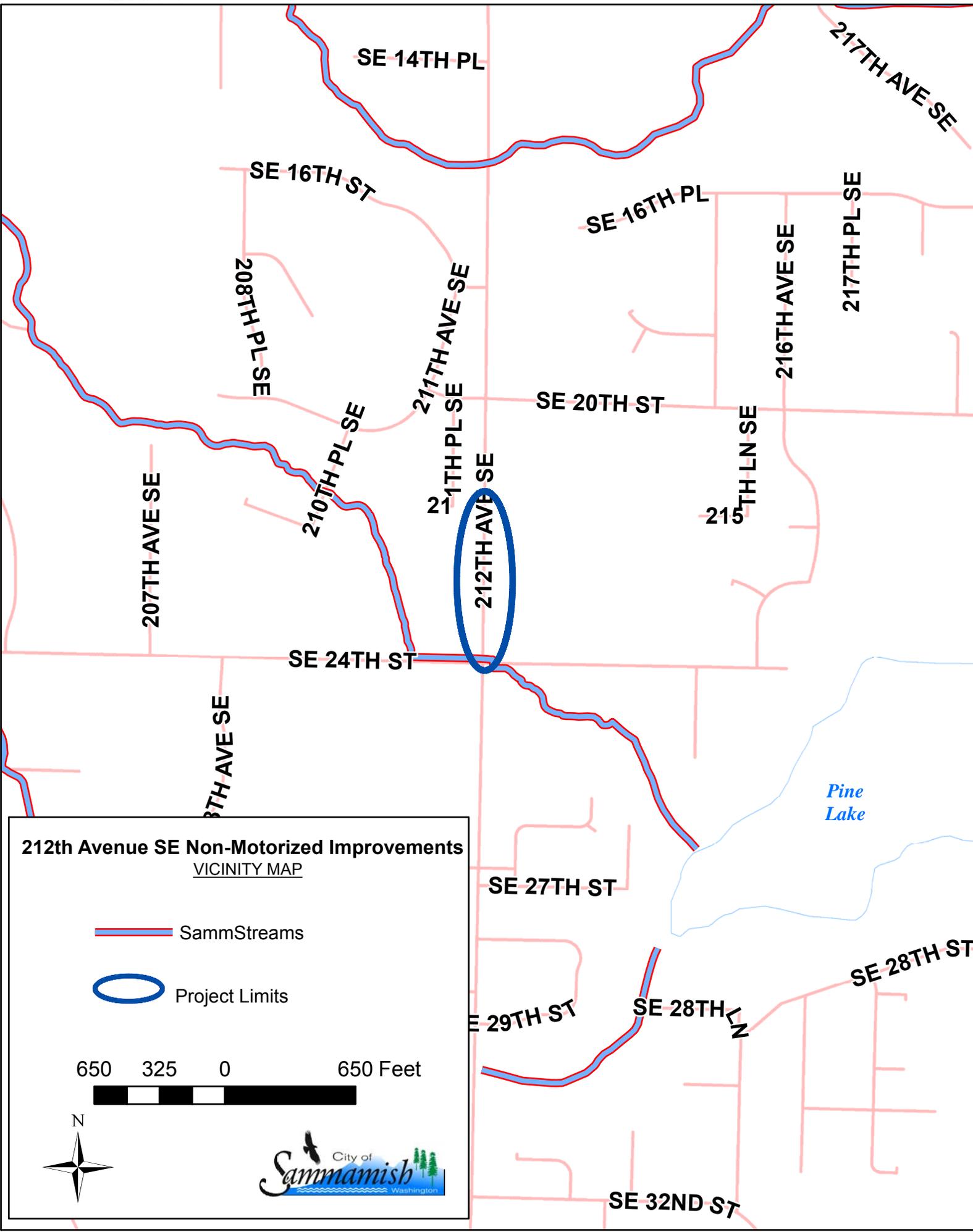
**Financial Impact:** The Transportation Capital Improvement Fund includes \$650,000 for this project, which is sufficient for the construction cost estimate. However, the City’s engineering consultant has reported a recent spike in bid prices. Staff recommends authorizing a contingency funding supplement that incorporates a bid contingency of 15%. This funding supplement would be paid from available Transportation Capital Fund reserves. The project costs include \$20,000 for construction engineering, which would be used in the event that unforeseen conditions must be addressed in the plans.

212th Ave SE Non-Motorized	Total Project Costs
Preliminary Design and Alternatives	\$54,602
Design Contract	\$117,710
Construction Estimate	\$416,085 <sup>1</sup>
Construction Contingency (10%)	\$41,600 <sup>2</sup>
Construction Engineering	\$20,000 <sup>3</sup>
<b>TOTAL ESTIMATED PROJECT COST:</b>	<b>\$649,997</b>
Transportation Capital Fund	\$650,000
Bid Contingency Supplement (15%)	\$62,000 <sup>1</sup>

**Recommended Motion:** Construction bids for this project are expected to be received and opened during the City Council’s August recess. In order to get this project work underway as quickly as possible so that wetland mitigation along Pine Lake Creek may be completed by the permitted fish window deadline of September 30<sup>th</sup>, staff recommends that Council move to authorize the City Manager to:

1. Award and execute a construction contract with the lowest responsive, responsible bidder for construction of the 212<sup>th</sup> Avenue SE Non-Motorized Improvements up to an amount of the construction cost estimate plus a bid contingency of up to \$62,000 from available Transportation Capital Improvement Fund Reserves ( $\$416,085^1 + \$62,000^1 = \underline{\$478,085}$ ); and
2. Administer a 10% construction contingency (\$41,600) for the construction contract<sup>2</sup>; and
3. Execute a supplement to the David Evans and Associates, Inc. design contract in an amount not to exceed \$20,000 for construction engineering support<sup>3</sup>.

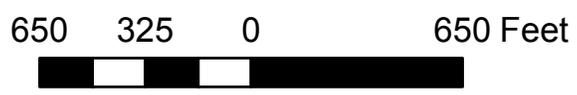
**TOTAL recommended construction use amount: \$539,685**



**212th Avenue SE Non-Motorized Improvements**  
VICINITY MAP

 SammStreams

 Project Limits







**Meeting Date:** July 19, 2016

**Date Submitted:** July 12, 2016

**Originating Department:** City Manager

**Clearances:**

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Attorney                | <input type="checkbox"/> Community Development         | <input type="checkbox"/> Public Safety           |
| <input type="checkbox"/> Admin Services          | <input type="checkbox"/> Finance & IT                  | <input checked="" type="checkbox"/> Public Works |
| <input checked="" type="checkbox"/> City Manager | <input checked="" type="checkbox"/> Parks & Recreation |  |

**Subject:** Installation of Phase I of an Access Control System at the Maintenance and Operations Center

**Action Required:** Authorize the City Manager to award and execute a contract for the installation of the first phase of an access control system at the Maintenance and Operations Center.

**Exhibits:** None

**Budget:** This item was not budgeted in 2015-16 and will be funded by the General Fund operating contingency.

**Summary Statement:**

This authorization is for the installation of the first phase of an access control system (electronic card readers to replace the use of keys) in select locations at the Maintenance and Operations Center (MOC). This project was intended to be funded in the 2017-18 budget, but due to a recent security issue at the MOC, staff are recommending the work be expedited to ensure the safety of the employees and to improve security at the facility.

The system to be installed at the MOC is the same system installed at City Hall in 2012 and will be managed using the same control system, which is housed at City Hall. Staff have obtained a preliminary quote to complete this project and will be working with the vendor to finalize the scope of work and the contract. Authorization to perform this work is being requested now, to allow the equipment to be purchased during the August recess and installed shortly thereafter.

**Background:**

The installation of a new access control system, also known as a security card system, will greatly improve security at the MOC. The first phase of installation will include 6 doors and the sliding gate that provides access to the maintenance yard. A future second phase, likely to be proposed for inclusion in the 2017-18 budget, will include key card access at the elevator.

The security card system will replace the building keys. The cards are programmable, allowing access to be customized based on individual needs. Cards can also be deactivated when lost, saving the expense

and trouble of re-keying the facility. The access control system will be managed and monitored by select staff at City Hall.

**Financial Impact:**

The preliminary project cost estimate is \$24,900, inclusive of WSST. The scope of work is still being reviewed by staff, thus the authorization request for the installation is for a not-to-exceed amount of \$30,000.

This work was not included in the 2015-16 budget and will be funded by the General Fund operating contingency.

**Recommended Motion:**

Move to authorize the City Manager to award and execute a contract for the installation of an access control system at the MOC in an amount not-to-exceed \$30,000.



# PROCLAMATION

## HONORING WOMEN'S EQUALITY DAY

**WHEREAS**, On August 26, 1920 the 19<sup>th</sup> Amendment to the United States Constitution was certified, securing for women the fundamental right to vote—a major victory for women's rights and gender equality; and

**WHEREAS**, On the anniversary of this historic civil rights milestone, we honor the character and perseverance of America's women and all those who work to make the same rights and opportunities possible for our sons and daughters; and

**WHEREAS**, We celebrate the progress that has been made toward securing women's full participation in our democracy and renew our commitment to securing equal rights, freedoms, and opportunities for all women, and

**WHEREAS**, When women are given the opportunity to succeed they do—from classrooms to boardrooms, and in the ranks of our Armed Forces, women are succeeding like never before; and

**WHEREAS**, Women's contributions are growing our economy and advancing our communities throughout our nation, and when women and girls are free to pursue their own measure of happiness in all aspects of their lives, they strengthen our families, enrich our communities and better our country.

**WHEREAS**, Despite many advances, persistent gender inequality remains pervasive throughout much of our country and women continue to suffer the consequences of unequal pay; and

**WHEREAS**, Women are nearly half our workforce, and are increasingly the primary breadwinner for families; and

**WHEREAS**, The City of Sammamish is committed in upholding its policy of providing equal pay for women performing the same jobs as their male counterparts as well as granting family leave and workplace flexibility; and

**WHEREAS**, the City of Sammamish urges its citizens to recognize the full value of women's skills and their significant contributions serving the Sammamish community as employees, volunteers, business owners, and community leaders.

**NOW, THEREFORE**, the Sammamish City Council hereby proclaims **Friday, August 26, 2016**,

## WOMEN'S EQUALITY DAY

And calls upon Sammamish residents to recognize and celebrate the achievements of women and promote gender equality of our city on this 19<sup>th</sup> day of July, 2016.

---

Donald J. Gerend, Mayor



*COUNCIL*  *MINUTES*

**Regular Meeting**

**June 21, 2016**

Deputy Mayor Ramiro Valderrama called the regular meeting of the Sammamish City Council to order at 6:00 pm.

**Executive Session** – Potential Litigation pursuant to RCW 42.30.110(1)(i)

Council recessed to an executive session at 6:01 pm and returned at 6:30 pm with no action.

**Councilmembers present:**

Deputy Mayor Ramiro Valderrama  
Councilmember Tom Hornish  
Councilmember Kathy Huckabay  
Councilmember Bob Keller  
Councilmember Christie Malchow  
Councilmember Tom Odell

Excused: Mayor Don Gerend absent due to City business.

**MOTION:** Councilmember Hornish moved to excuse Mayor Gerend from the June 21, 2016 regular meeting. Councilmember Huckabay seconded. Motion was approved unanimously 6-0.

**Staff present:**

Lyman Howard, City Manager  
Jessi Bon, Deputy City Manager  
Steve Leniszewski, Public Works Director  
John Cunningham, Contract Public Works Director  
Jeff Thomas, Community Development Director  
Beth Goldberg, Director of Administrative Services  
Cheryl Paston, Deputy Director of Public Works  
Andrew Zagars, City Engineer  
Chris Gianini, Deputy Finance Director  
Tim Larson, Communications Manager  
Mike Kenyon, City Attorney  
Lita Hachey, Deputy City Clerk

**Roll Call/Pledge of Allegiance**

Roll was called. Councilmember Odell led the pledge.

## **Approval of Agenda**

**MOTION:** Councilmember Huckabay moved to approve the Agenda and the Consent Agenda. Councilmember Malchow seconded. Motion carried unanimously 6-0.

## **Presentations/Proclamations**

### **Eastside Fire & Rescue Lifesaver Award Presentation**

Eastside Fire & Rescue Chief Jeff Clark presented the Lifesaver award to Officer Bill Muncy, who on April 27, 2016, used an automatic external defibrillator (AED) to save the patient's life. Officers Lee, Grant & Hill were also present in support of Officer Muncy.

King County Sherriff's Office, Administrative Sergeant Frances Carlson presented a recognition award for life saving to Officer Bill Muncy.

### **Court Services**

Beth Goldberg, Director of Administrative Services gave a staff presentation regarding the court services and showed a PowerPoint presentation (*available on the City's website at [www.sammamish.us](http://www.sammamish.us)*)

**MOTION:** Councilmember Hornish moved to direct staff to continue service with existing King County services. Councilmember Odell seconded. Motion carried unanimously 6-0.

Ms. Goldberg also gave an update on the subsidy of court costs. The costs had been steadily increasing due to a large amount of traffic infractions being dismissed. Changes were made on how tickets were written and funding provided to have a prosecutor present at contested hearings, resulting in a drop in the dismissal rate and an eighty-four percent drop in the subsidy of court costs.

### **Student Liaison Report - None**

### **Public Comment**

David Kyle, 22786 277<sup>th</sup> Place, Maple Valley WA, representative from Trout Unlimited, spoke regarding the preservation, protection and restoration of the water fisheries and their watersheds. He looks forward to working with the Kokanee Working Group in the future to save the Kokanee in Lake Sammamish and surrounding areas.

Rogaciano, 18666 Redmond Way, Redmond, decided not to comment

Sharon Steinbis, 24933 SE 14<sup>th</sup> St, spoke about the growth in Sammamish and she feels more control is needed. She gave her advice on the mainta of stormwater ponds in Sammamish.

Robyn Scola, 24207 SE 40<sup>th</sup> St, spoke about the trees that came down in the Conner-Jarvis subdivision. She does not like the clear-cutting and would like to see more parks and open space.

Karen Moran, 20705 SE 3<sup>rd</sup> St, spoke regarding SE 4<sup>th</sup> Street improvements. She feels that the information provided on the Sammamish website is misleading to the public. She suggested putting the three design choices on the website so citizens can see ahead of time what staff is proposing.

Eric Sievers, 4714 227<sup>th</sup> Place SE, spoke regarding the SE 48<sup>th</sup> area growth and development.

Sinsmith Kothari, 23988 SE 8<sup>th</sup> Place, no longer present at the meeting.

Sean Smith, 1605 218<sup>th</sup> Court SE, spoke about developing a communications strategy in Sammamish. Data resources should be opened up and information be available in the preplanning stages to the public. Socrata is a good source for data cloud storage. He also spoke about managing growth in Sammamish.

Dick Craig, 4726 227<sup>th</sup> Place SE, member of the Highland Park Board of Directors, complimented the City for a mattress removal on SE 48<sup>th</sup> Street, improvements made to the entry way and a new traffic signal that was installed. He suggested City staff check the traffic lights and left-hand turn lane wait times.

Jim Stanton, 22533 SE 47<sup>th</sup> Place, spoke regarding the Transportation Improvement Plan. *(Submitted written comments available upon request to the City Clerk, [manderson@sammamish.us](mailto:manderson@sammamish.us))*

Richard Star, 22507 SE 47<sup>th</sup> Place, spoke about the Transportation Improvement Plan. *(Submitted a written comments available upon request to the City Clerk, [manderson@sammamish.us](mailto:manderson@sammamish.us))*

Christie Reiss, 22513 SE 47<sup>th</sup> Place, spoke regarding the proposed Issaquah Pine Lake Road improvements and the Transportation Improvement Plan.

Pauline Cantor, 627 208<sup>th</sup> Ave SE, member of Sammamish Friends (SF), spoke regarding the protection of sensitive slopes, the Sammamish trail systems, parks and wildlife habitat. She stated that SF recently participated in the local middle and high schools Sustainability Summits.

Karen Moran, 20705 SE 3<sup>rd</sup> St, clarified that Sammamish Plateau Water does not have the authority to make decisions involving the City of Sammamish right of ways.

Council requested a five minute recess at 7:37 pm

### **Consent Agenda**

**Approval:** Claims For Period Ending June 21, 2016 In The Amount Of \$2,238,724.82 For Check No. 44562 Through 44714

**Agreement:** Microsoft Enterprise renewal

**Agreement:** Printer/Copier Lease/Pacific Office Automation

**Amendment:** Traffic and Engineering Service/David Evans & Associates

**Contract:** Fence Replacement/Industrial Solutions

**Contract:** City Newsletter & Recreation Guide Publication/Consolidated Press

**Approval:** Minutes for May 24, 2016 Joint Meeting with Planning Commission

### **Public Hearing**

Jessi Bon, Deputy City Manager, gave a staff update on Transportation Improvement Plan (TIP), the Capital Improvement Plans (CIP) for Stormwater and Parks for 2017-2022 and showed a PowerPoint presentation. (available on the City's website at [www.sammamish.us](http://www.sammamish.us))

Public Hearing opened at 8:00 pm and closed at 8:01 pm.

**Resolution:** Adopting An Updated Six-Year Transportation Improvement Plan (TIP) For 2017-2022

**MOTION:** Councilmember Odell moved to approve the resolution adopting the Updated Six-Year Transportation Improvement Plan for 2017-2022 as amended. Councilmember Huckabay seconded. Motion carried unanimously 6-0 (R2016-687).

**AMENDMENT:** Councilmember Odell moved to amend the funding for Project TR18 and Project TR42 of the TIP to adjust the \$150,000 allocated for each project from 2019 to 2018. Councilmember Malchow seconded. Motion carried unanimously 6-0.

Public Hearing opened at 8:17 pm and closed at 8:21 pm.

Jill Loveland, 25710 SE 32<sup>nd</sup> Place, is concerned about the barricade on Belvedere Way being opened up as shown in the TIP. She also questioned the assessment of their neighborhood, which has no improvements and is currently a cut-through street. She indicated that Duthie Hill Road could use some signs indicating the end of the school zones.

Sean Smith, 10296 205<sup>th</sup> Ave NE, spoke regarding the stormwater projects and approves of the changes that are being made.

**Resolution:** Adopting A Six-Year Stormwater Capital Improvement Plan (CIP) For 2017-2022.

**MOTION:** Councilmember Huckabay moved to approve the resolution Adopting A Six-Year Stormwater Capital Improvement Plan For 2017-2022. Councilmember Odell seconded. Motion carried unanimously 6-0 (R2016-688).

Public Hearings opened at 8:21 pm and closed at 8:22 pm with no additional comments.

Written comments were submitted by the homeowners of the Tamarack neighborhood. *(comments are available upon request to the City Clerk, [manderson@sammamish.us](mailto:manderson@sammamish.us))*

**Resolution:** Adopting A Six-Year Parks Capital Improvement Plan For 2017-2022

**MOTION:** Councilmember Malchow moved to approve the resolution Adopting A Six-Year Parks Capital Improvement Plan For 2017-2022. Councilmember Huckabay seconded. Motion carried unanimously 6-0 (R2016-688).

Public Hearings opened at 8:22 pm and closed at 8:22 pm with no comments.

### Questions and Discussions

#### **TIP**

Councilmember Tom Odell requested that the Issaquah Pine Lake Road improvements be on the agenda for Joint meeting with the City of Issaquah.

Councilmember Keller commented on TR-05, NE Sahalee Way and stated it is a priority commuter route that needs to be looked at and ST-3 allocated a Park & Ride in the north-end. TR-C,D,E,F all reference sidewalks, safety and street lighting and he is glad they are all addressed.

Councilmember Malchow spoke about the Issaquah Pine Lake Road (IPLR). She noted that it has been sitting a long time on the TIP and needs to be on our radar. She would like an update about the pathway for the SE 24<sup>th</sup> St improvements west of 212<sup>th</sup> Ave SE. John Cunningham addressed this issue and stated that the pathway has been scheduled for this year. A gravel pathway is an extension of the current path and will run from 204<sup>th</sup> to 200<sup>th</sup>.

Councilmember Huckabay questioned what work should be get done first, the IPLR or the Issaquah Fall City Road. Do we still have the ability to decide which project goes first? City Manager Howard stated we can still have the discussion with the City of Issaquah.

#### **Stormwater CIP**

Deputy Mayor Valderrama questioned if the fish passage upstream will be looked at before they proceed.

Councilmember Hornish asked about the stormwater in the Comp Plan, the planning commission policy and the stormwater rates.

Councilmember Odell spoke about the fish culvert issue. He stated there are other grant opportunities available for the other culverts that are not reflected in the budget. He suggested having a Tamarack A and Tamarack B on the stormwater plan.

Councilmember Huckabay would like further discussion about all the sloped areas and not just Tamarack. All sloped areas need to be discussed and have protection.

Councilmember Keller is concerned about the precedence setting with the Tamarack subdivision and that the Finance Committee will be reviewing alternatives.

### **Parks CIP**

Councilmember Malchow asked about the Community Garden (PKC). She would like to know what the demand is in the current community garden. Deputy City Manager Jessi Bon stated that currently there are more than thirty (30) people on the waiting list.

Councilmember Keller asked about PK45 and PK42, both related to Evans Creek Preserve. The intent is to increase access to the school and for safety. PK42 takes away amenities like a shelter and playground. He would like to know if there was any discussion with the City of Redmond on this being a cooperative project.

Councilmember Odell said that many Sammamish children attend Alcott school. There is currently a stop light at the school intersection. Ms. Bon stated that the crosswalk will be difficult to locate due to a site-distance issue and more study is needed.

Mr. Odell also addressed the Town Center Parks Project (PKB). The City may wish to expand or enhance a developers proposal and the additional City funds will assist with any enhancement.

City Council directed City Manager Lyman Howard to have a discussion on safety issues at the Public Works Standards study session on June 28, 2016.

**Unfinished Business** - None

**New Business** - None

### **Council Reports/Council Committee Reports**

Councilmember Bob Keller reported on the June 9 Eastside Fire and Rescue (EF&R) board meeting and special meeting. He discussed the Cascadia Rising event and asked for direction from Deputy Public Works Director Cheryl Paston with a report on the METRO and alternative services. He attended a Sound Cities Association (SCA) Public Issues Committee (PIC) meeting was on June 8. He discussed that Puget Sound Regional Council (PSRC) sent a conditional certification to North Bend on their Comp Plan. This conditional certification will limit their growth and employment.

Councilmember Christie Malchow reported on Intelligent Traffic System (ITS) and the comments received on the ITS. Many comments complained about the wait times at the left turn lanes. ITS will be addressed at a future meeting. Ms. Malchow would like a communications strategy implemented for the City of Sammamish and to have the Council make decisions on what can be done. The Communications Committee will meet on June 29 at

10:30 am at City Hall.

**MOTION:** Councilmember Malchow moved to direct the City Manager to initiate a communication strategy for the City of Sammamish. Councilmember Valderrama seconded. Motion carried unanimously 6-0.

City Manager Lyman Howard will get back to Council within the next month with a scope of work for a Communication Strategy Plan.

Councilmember Kathy Huckabay reported on the June 15, 2016 Regional Transit Committee. *(Committee report is available upon request to the City Clerk, [manderson@sammamish.us](mailto:manderson@sammamish.us) )* She will be attending an EF&R Finance Committee tomorrow.

Councilmember Tom Hornish will attend the budget meeting tomorrow on the EF&R alternative. During the Cascadia Rising event, he was unable to communicate with anyone using the ham radio system at the fire station he was at. He stated it was a good lesson learned in preparedness and communication. He attended a peaceful protest on the Conner-Jarvis development along Issaquah Pine Lake Road to listen to the citizens' concerns. Direction was given to City Manager Howard to have staff check and confirm that all permits were issued properly.

Councilmember Tom Odell reported on Transportation Committee meeting on June 15. Meetings will be scheduled every month on the first Friday and third Wednesday at 9:30 am. in the Executive Briefing Room 111 at City Hall. He also reported on the Eastside Transportation Partnership meeting.

Deputy Mayor Ramiro Valderrama reported on the Sound Transit 3(ST3) projects. He stated there will be a Public Safety Committee tomorrow at 10:30 am. with an update on Cascadia Rising.

### **City Manager's Report**

City Manager Lyman Howard discussed the following:

- He has not been any response from METRO or Sound Transit regarding the letter sent to them from Council.
- A Town Hall meeting on "Growth" has been proposed for Thursday, July 21 at 7 pm. in the Council Chambers.
- A Joint meeting with the City of Issaquah is proposed on September 20, 2016. It will have an early start with dinner provided. The meeting will be in the Sammamish Council Chambers.

Meeting adjourned at 9:41 pm

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Lita Hachey, Deputy City Clerk

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Ramiro Valderrama, Deputy Mayor



# STUDY SESSION NOTES

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## Special Study Session June 28, 2016

Mayor opened the study session of the Sammamish City Council at 6:30 p.m.

### **Public Comment**

*This is an opportunity for the public to address the Council. Three-minutes limit per person or 5 minutes if representing the official position of a recognized community organization.*

Ryan Lipson, 22303 SE 18<sup>th</sup> Court, spoke about the building codes and the character of neighborhoods. He is concerned about development in Sammamish and what can be done to limit the growth.

Mary Wictor, 408 208<sup>th</sup> Avenue NE, spoke regarding the Public Works standards and how items are addressed relating to work on private roads.

Scott Fletcher, 23208 SE 16<sup>th</sup> Place, spoke regarding the SE 16<sup>th</sup> Street barricade and the process the City has in place for future development. He feels that public comment does nothing to change the proposals in Public Works.

Trinh Ho, 21127 SE 28<sup>th</sup> Place, spoke regarding the tree cutting at the Conner-Jarvis development and the future of Sammamish.

Pat Leong, 23307 SE 16<sup>th</sup> Place, spoke regarding the sign on the barricade on SE 16 stating will a future extension.

Jeff Wedeking, 1717 223<sup>rd</sup> Ave SE, commented about the future vision for development in Sammamish. The community should have the authority to make the decisions for change.

### **Topics**

Public Works Standards Discussion

Director of Public Works Steve Leniszewski and City Engineer Andrew Zagars presented a summary on the Public Works Standards. ( *presentation is available on the Sammamish website at [www.sammamish.us](http://www.sammamish.us)* )

**Adjournment**

10:25 pm



*COUNCIL*  *MINUTES*

**Regular Meeting**  
**JULY 5, 2016**

Mayor Don Gerend called the regular meeting of the Sammamish City Council to order at 6:00 pm.

**Councilmembers present:**

Mayor Don Gerend  
Deputy Mayor Ramiro Valderrama  
Councilmember Tom Hornish  
Councilmember Kathy Huckabay  
Councilmember Bob Keller  
Councilmember Christie Malchow  
Councilmember Tom Odell

**Staff present:**

Lyman Howard, City Manager  
Jessi Bon, Deputy City Manager  
Steve Leniszewski, Public Works Director  
Jeff Thomas, Community Development Director  
David Pyle, Deputy Director Community Development  
Mike Sugg, Management Analyst  
Mike Kenyon, City Attorney  
Melonie Anderson, City Clerk

**Executive Session** – Potential Litigation pursuant to RCW 42.30.110(1)(i)

Council retired to Executive Session and returned at 6:30 pm. They took the following actions, which are listed in the City Manager’s Report.

**Roll Call/Pledge of Allegiance**

Roll was called. Councilmember Huckabay led the pledge.

**Approval of Agenda**

Councilmember Huckabay asked to remove Item #3: Contract: Transportation Comprehensive Plan Update/Transportation Solutions, Inc. and Item #4: Contract: Consulting Arborist Services/Tree Solutions from the Consent Agenda. They will be placed before Public Hearings.

**MOTION:** Deputy Mayor Valderrama moved to approve the agenda as amended. Councilmember Malchow seconded. Motion carried unanimously 7-0.

**Public Comment**

Jeffrey Weems, 941 206<sup>th</sup> Place NE, showed a PowerPoint presentation regarding the tightlining requirements in the Inglewood Hill area (*Presentation available upon request of the City Clerk at manderson@sammamish.us*).

Kim Bolan, 900 206<sup>th</sup> Place NE, spoke regarding the tightline issues in the Inglewood Hill area. He requested that Council direct staff to look at changing the regulations.

Mike Grady, 23001 SE 41<sup>st</sup> Place, gave a PowerPoint presentation regarding the Connor Jarvis subdivision (*Presentation available upon request of the City Clerk at manderson@sammamish.us*).

Jennifer Kim, 4001 239<sup>th</sup> Place SE, encouraged the Council to provide interactive GIS mapping of current developments (City of Redmond used as an example). She feels the comment period for development is too short and should be changed to 60 days or more.

Brenda Simms, 23410 SE 31<sup>st</sup> Street, is concerned about the development and growth happening in the city and the lack of additional infrastructure improvements. Improvements should happen at the same time as development.

Karen Moran, 20705 SE 3<sup>rd</sup> Way, spoke regarding the SE 4<sup>th</sup> Street Open House and the design of the road.

Stacy Peters, 2040 240<sup>th</sup> Avenue SE, spoke regarding the growth happening in the city, specifically the Connor Jarvis development. She would like to have emails regarding the project publicly available. She also suggested having a representative of the Kempton Downs neighborhood when the Department of Ecology visits the site.

Wally Pereyra, 148 East Lake Sammamish Parkway, spoke regarding the Zackuse Creek culvert. He thanked Council for prioritizing the project.

Vawn Greasry, 927 206<sup>th</sup> Place NE, expressed the same concerns as previous speakers regarding the restrictions on Inglewood Hill Road.

Mary Victor, 408 208<sup>th</sup> Avenue NE, showed a Powerpoint presentation regarding the similarities between the Inglewood drainage issues and Tamarack drainage issues (*presentation available upon request of the City Clerk at manderson@sammamish.us*.)

**Consent Agenda**

Payroll for period ending June 15, 2016 for pay date June 20, 2016 in the amount of \$ 388,754.45

**Approval:** Claims For Period Ending July 5, 2016 In The Amount Of \$1,418,431.93 For Check No. 44715 Through 44807

**Grant:** Zackuse Creek Fish Passage/King County

**Approval:** Minutes for the Joint Meeting with Planning Commission Special Meeting on June 7, 2016

**Approval:** Notes for the Study Session on June 14, 2016

MOTION Councilmember Odell moved to approve the Consent Agenda. Councilmember Malchow seconded. Motion carried unanimously 7-0.

Council recessed from 7:34 pm to 7:46 pm

**Contract:** Consulting Arborist Services/Tree Solutions

Deputy City Manager Jessi Bon gave the staff report. The arborist will support both Parks and Public Works.

MOTION: Councilmember Odell moved to authorize the City Manager to execute a contract in an amount not to exceed \$100,000 with Tree Solutions, Inc. for on-call consulting arborist professional services. Councilmember Keller seconded. Motion carried unanimously 7-0.

**Grant:** Zackuse Creek Fish Passage/King County

Public Works Director Steve Leniszewski gave the staff report. He answered some questions regarding the alignment of the culvert.

MOTION: Councilmember Odell moved Authorize the City Manager to execute Water Quality Improvement Project Grant Agreement in order to receive \$157,400 in grant funding from King County Waterworks Grant Program. Councilmember Hornish seconded. Motion carried unanimously 7-0.

### **Public Hearing**

**Ordinance:** First Reading: Amending Section 21A.55.030 Of The Sammamish Municipal Code Relating To Wireless Communication Facilities; Providing For Severability; And Establishing An Effective Date

Community Development Director Jeff Thomas, Deputy Director David Pyle, Management Analyst Mike Sugg and Planning Commission Chair Frank Blau gave a PowerPoint presentation (*available on the City's website at [www.sammamish.us](http://www.sammamish.us)*).

Public Hearing opened at 8:08 and closed with no public comment.

**Ordinance:** First Reading: Amending Sections 19A.12.020, 19A.16.045, 20.05.030, 20.05.035, 20.05.100 21A.95.070, And 21A.100.060 Of The Sammamish Municipal Code Relating To Permitting Procedures; Providing For Severability; And Establishing An Effective Date

Mr. Thomas and staff gave a PowerPoint presentation (available on the City's website at [www.sammamish.us](http://www.sammamish.us)). He explained that because these are procedural regulation changes, the Planning Commission did not make a formal recommendation but did submit some proposed amendments. They addressed three areas: Amend SMC20.05.030(1) to include a pre-application meeting if located within the critical area and buffers. Amend SMC 20.05.030 and 035 to add a requirement that a knowledgeable representative of the developer attend the neighborhood meeting. Also to add the requirement of a second meeting if the project does not proceed within 180 days.

Councilmember Keller expressed concern that there are no requirements on how the neighborhood meetings are being documented.

Public Hearing opened at 8:39 pm.

**Public Comment**

Mary Wictor, Spoke previously, feels the code should have a definition of “critical drainage area or basin”.

Public Hearing was closed at 8:44 pm.

Councilmember Malchow would like to see the 500 foot mailing radius expanded. She feels there needs to be a follow-up to citizen concerns that are expressed at the neighborhood meetings.

Councilmember Hornish suggested adding an amendment to the ordinance that requires proof the developer owns the property being developed.

Councilmember Odell suggested adding electronic notification of the neighborhood meetings.

Councilmember Keller suggested that the requirements for neighborhood meetings might vary depending on the size of the proposed development.

Councilmember Malchow would like to have additional notification on a completed application if no development occurs for a long period of time, and the surrounding area has changed.

Mayor Gerend thinks a definition of critical area or basin should be added.

**Unfinished Business** - None

**New Business**

**Ordinance:** First Reading: Relating To The Deferral Of Impact Fees; Adding A New Sammamish Municipal Code Chapter 14a.25 Entitled Impact Fee Deferral; Amending Sections 14a.15.020 And 14a.20.020 And Chapter 21a.105 Of The Sammamish Municipal Code; Providing For Severability; And Establishing An Effective Date

Mr. Thomas and Mr. Sugg showed a PowerPoint presentation (available on the City’s website at [www.sammamish.us](http://www.sammamish.us)). This is the first reading of the ordinance. No action is being recommended at this time.

Councilmember Odell questioned whether a builder might just keep changing to a different LLC to sidestep the 20 parcel limitation per year.

**Council Reports/Committee Reports**

Councilmember Huckabay reported on the Eastside Fire & Rescue meeting. She met with the Sustainability Ambassadors.

Councilmember Odell reported on the SE 4<sup>th</sup> Street Open House. The second Open House for the Issaquah-Pine Lake Road project will take place on July 13 (*See the City's website for additional information at [www.sammamish.us](http://www.sammamish.us)*).

Councilmember Keller reported on the Sound Cities Association meeting. He would like to see a Metro Task Force comprised of councilmembers, to work on alternative bus services.

MOTION: Deputy Mayor Valderrama moved to extend the meeting to 10:45 pm. Motion carried unanimously 7-0.

Deputy Mayor Valderrama reported on Cascadia Rising. He also thinks that there should be a new city-wide drainage and traffic review.

Councilmember Malchow reported on the Communications Committee meeting.

Mayor Gerend reported the Association of Washington Cities is taking comments on the Growth Management Act - What is being done right and what is going wrong. This information will be given to state legislators to help shape upcoming legislation.

### **City Manager Report**

City Manager Lyman Howard reported on the SE 16<sup>th</sup> Place Barricade signs.

MOTION: Councilmember Malchow moved to have the City Manager direct staff to remove the "Future Road Extension" sign on the barricade at SE 16<sup>th</sup> Place. Deputy Mayor Valderrama seconded. Motion carried unanimously 7-0.

MOTION: Councilmember Huckabay moved to authorize the City Attorney and City Manager to initiate litigation to obtain property rights for public right of way use, as previously identified in documents recorded with the King County Recorder's Office, for 223<sup>rd</sup> Avenue SE at SE 32<sup>nd</sup> Street. Councilmember Hornish seconded. Motion carried unanimously 7-0.

MOTION: Councilmember Odell moved to authorize the City Manager to provide written notice to King County that the City of Sammamish is terminating the Interlocal agreement between King County and the City of Sammamish relating to processing of building and land use applications for the East Lake Sammamish Trail and Gill Estates. Deputy Mayor Valderrama seconded. Motion carried unanimously 7-0.

Meeting adjourned at 10:39 pm

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Melonie Anderson, City Clerk

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Donald J. Gerend, Mayor





**Meeting Date:** July 19, 2016

**Date Submitted:** 7/13/2016

**Originating Department:** Community Development

**Clearances:**

- |  |   |   |
|--|---|---|
| <input checked="" type="checkbox"/> Attorney     | <input checked="" type="checkbox"/> Community Development | <input type="checkbox"/> Parks & Recreation |
| <input type="checkbox"/> Admin Services          | <input type="checkbox"/> Eastside Fire and Rescue         | <input type="checkbox"/> Police             |
| <input checked="" type="checkbox"/> City Manager | <input type="checkbox"/> Finance & IT                     | <input type="checkbox"/> Public Works       |

**Subject:** An Ordinance to amend the SMC, Chapters 19A.12, 19A.16, 20.05, 21A.95 and 21A.100 related to process and procedure regulations

**Action Required:** Second Ordinance Reading

- Exhibits:**
1. Ordinance with attachments (same as July 5)
  2. Redline version of draft process and procedure amendments (same as July 5)
  3. City Council and Planning Commission suggested changes to draft amendments (new for July 19)

**Budget:** N/A

**Summary Statement:** An ordinance adopting amendments to various process and procedure sections of the Sammamish Municipal Code (SMC), Chapters 19A.12, 19A.16, 20.05, 21A.95 and 21A.100 with the intent to improve and clarify these sections.

Please refer to Exhibit 2 for a redline version of the draft amendments proposed by staff. Note that neither Exhibit 1 nor Exhibit 2 incorporate the suggested changes proposed by City Council or the Planning Commission.

Exhibit 3 takes the City Council and Planning Commission suggested changes from the July 5 meeting and incorporates them into the staff proposed draft amendments. City Council direction is needed regarding which of the items in Exhibit 3 should be incorporated into the final ordinance.

**Background:**

1. Overview of Changes

The proposed amendments include the following topics:

- Neighborhood meetings
- Pre-application meetings
- Land use application review, timing and expiration

These amendments are intended to improve public noticing, replace outdated provisions, streamline permit and land use processing, and to generally increase the clarity and predictability of the Code.

2. Noticing Distance and Time Requirements

During their meeting on July 5, 2016, City Council directed staff to research the noticing distances and noticing time periods required by other Washington cities for neighborhood meetings and notices of application. Staff have compiled the following two tables for comparison with the requirements of the Sammamish Municipal Code.

<b>(1) NEIGHBORHOOD MEETINGS</b>		
<b>Jurisdiction</b>	<b>Noticing Distance</b>	<b># Days of Notice Before Meeting</b>
<b>Sammamish</b>	500 feet or 20 property owners, whichever greater.	10 days
<b>King County (Unincorporated)</b>	500 feet or 20 property owners, whichever greater.	14 days
<b>Issaquah</b>	300 feet	10 days
<b>Redmond</b>	500 feet or 20 property owners, whichever greater.	21 days
<b>Shoreline</b>	500 feet	10 to 14 days
<b>Renton</b>	300 feet	10 days
<b>Edmonds</b>	300 feet	14 days

<b>(2) NOTICE OF APPLICATION</b>		
<b>Jurisdiction</b>	<b>Noticing Distance</b>	<b>Comment Period</b>
<b>Washington State</b>	RCW 58.17.090 requires mailing to 300 feet for public hearing notices for preliminary plats.	RCW 36.70b.110; “... not less than fourteen nor more than thirty days following the date of notice of application...”
<b>Sammamish</b>	500 feet or 20 property owners, whichever greater.	21 days minimum
<b>King County (Unincorporated)</b>	500 feet or 20 property owners, whichever greater.	21 days minimum
<b>Issaquah</b>	300 feet	14 days minimum.
<b>Redmond</b>	500 feet or 20 property owners, whichever greater.	21 days minimum
<b>Shoreline</b>	500 feet	Between 14 to 30 days
<b>Renton</b>	300 feet	14 days
<b>Edmonds</b>	300 feet	15 days minimum

### 3. Critical Drainage Areas

During public comment on July 5, a comment was made that “there is nothing in Sammamish defined to be a critical drainage area or basin.” The commenter also noted that the term is defined in the Code, but not specifically for the City of Sammamish. This comment was in reference to SMC 20.05.030 which requires the applicant to hold a preapplication conference for Type 1 decisions when the property is in a critical drainage basin. Staff looked into this comment and determined the following:

- Page 11 of the Sammamish Surface Water Design Manual Addendum states, “Critical drainage areas are defined in SMC 21A.15.255 and are regulated in SMC 21A.50.355 Lake management areas – Special District overlay.”
  - SMC 21A.15.255 defines the term as follows, ““Critical drainage area” means an area that has been formally determined by the King County surface water management department to require more restrictive regulation than countywide standards afford in order to mitigate severe flooding, drainage, erosion, or sedimentation problems that result from the cumulative impacts of development and urbanization.”
  - SMC 21A.50.355(3) states that “The Beaver Lake watershed as generally identified in the Beaver Lake management plan . . . is hereby designated a critical drainage area.”

As the Beaver Lake watershed is currently designated a critical drainage area, staff recommends that this provision be maintained in the preapplication conference section (SMC 20.05.030). Additionally, staff recommends that the term used in the preapplication section be changed from “critical drainage basin” to “critical drainage area” for consistency with the use of the term elsewhere in the Code. This proposed change can be found under item number 12 in Exhibit 3. Identifying additional critical drainage areas and amending the definition for greater specificity to Sammamish are possible future work items for Public Works.

#### **Financial Impact:**

There is no financial impact directly associated with adoption of this ordinance.

#### **Recommended Motion:**

Move to approve the ordinance, included as Exhibit 1, to amend Chapters 19A.12, 19A.16, 20.05, 21A.95 and 21A.100 of the Sammamish Municipal Code as detailed in Attachments A through G and as further amended by the approval of items in Exhibit 3 by the City Council.



**CITY OF SAMMAMISH  
WASHINGTON**

**ORDINANCE NO. O2016-**

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**AN ORDINANCE OF THE CITY OF SAMMAMISH,  
WASHINGTON, AMENDING SECTIONS 19A.12.020,  
19A.16.045, 20.05.030, 20.05.035, 20.05.100 21A.95.070, AND  
21A.100.060 OF THE SAMMAMISH MUNICIPAL CODE  
RELATING TO PERMITTING PROCEDURES; PROVIDING  
FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE  
DATE**

WHEREAS, the City evaluated the provisions in the Sammamish Municipal Code relating to permitting procedures and identified recommended improvements (the “Proposed Amendments”); and

WHEREAS, on May 5, 2016, and June 16, 2016, the Proposed Amendments were presented to the Planning Commission for courtesy review, and the Planning Commission recommended that the Proposed Amendments be presented to the City Council for formal review; and

WHEREAS, in accordance with WAC 365-195-620, on June 20, 2016, the City submitted a Notice of Intent to Adopt Amendments to the Washington State Department of Commerce for expedited review; and

WHEREAS, an environmental review of the proposed amendments has been conducted in accordance with the requirements of the State Environmental Policy Act (“SEPA”), and a SEPA threshold determination of non-significance was issued on June 24, 2016, and sent to state agencies and interested parties; and

WHEREAS, after providing 30 days’ public notice, the City Council held a public hearing on the Proposed Amendments on July 5, 2016; and

WHEREAS, the City Council finds that the Proposed Amendments are reasonable and necessary in order to improve public noticing, replace outdated provisions, streamline permit and land use processing, and to generally increase the clarity and predictability of the code;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAMMAMISH,  
WASHINGTON, DO ORDAIN AS FOLLOWS:**

**Section 1. SMC 19A.12.020, Preliminary approval of short subdivisions and subdivisions – Filing of final plat or final short plat, Amended.** Sammamish Municipal Code Section 19A.12.020, *Preliminary approval of short subdivisions and subdivisions – Filing of final*

Exhibit 1

*plat or final short plat*, is hereby amended as set forth in **Attachment A**, which is incorporated herein by this reference.

**Section 2. SMC 19A.16.045, Final plat and final short plat review procedures, Amended.** Sammamish Municipal Code Section 19A.16.045, *Final plat and final short plat review procedures*, is hereby amended as set forth in **Attachment B**, which is incorporated herein by this reference.

**Section 3. SMC 20.05.030, Preapplication conferences, Amended.** Sammamish Municipal Code Section 20.05.030, *Preapplication conferences*, is hereby amended as set forth in **Attachment C**, which is incorporated herein by this reference.

**Section 4. SMC 20.05.035, Neighborhood meetings, Amended.** Sammamish Municipal Code Section 20.05.035, *Neighborhood meetings*, is hereby amended as set forth in **Attachment D**, which is incorporated herein by this reference.

**Section 5. SMC 20.05.100, Permit issuance, Amended.** Sammamish Municipal Code Section 20.05.100, *Permit issuance*, is hereby amended as set forth in **Attachment E**, which is incorporated herein by this reference.

**Section 6. SMC 21A.95.070, Limitation of permit approval, Repealed and Readopted.** Sammamish Municipal Code Section 21A.95.070, *Limitation of permit approval*, is hereby repealed, and a new Section 21A.95.070, *Project phasing – Limitation of permit approval*, is hereby adopted as set forth in **Attachment F**, which is incorporated herein by this reference.

**Section 7. SMC 21A.100.060, Director review – Decision and interpretation final unless appealed, Amended.** Sammamish Municipal Code Section 21A.100.060, *Director review – Decision and interpretation final unless appealed*, is hereby amended as set forth in **Attachment G**, which is incorporated herein by this reference.

**Section 8. Severability.** Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

**Section 9. Effective Date.** This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

**ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE \_\_\_ DAY OF JULY, 2016.**

CITY OF SAMMAMISH

Exhibit 1

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Mayor Donald J. Gerend

ATTEST/AUTHENTICATED:

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Melonie Anderson, City Clerk

Approved as to form:

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Michael R. Kenyon, City Attorney

Filed with the City Clerk:

First Reading:

Passed by the City Council:

Date of Publication:

Effective Date:

**ATTACHMENT A:  
Amended SMC 19A.12.020**

**19A.12.020 Preliminary approval of subdivisions and short subdivisions – Filing of final plat or final short plat.**

(1) Preliminary subdivision approval shall be effective for the period of time set forth in RCW 58.17.140, as currently enacted or as may be subsequently amended, and preliminary short subdivision approval shall be effective for the same period of time as a subdivision approval. If any condition is not satisfied and/or the final plat or final short plat is not recorded within the approval period identified herein, the subdivision or short subdivision shall be null and void. If all conditions have been satisfied and all required documents have been submitted within the approval period, the department may grant a single extension of up to 90 days for the processing and recording of the final documents.

(2) Preliminary subdivision or short subdivision approval shall be considered the basis upon which the applicant may proceed toward development of the subdivision or short subdivision and preparation of the final plat or short plat subject to all the conditions of the preliminary approval.

(3) If the final plat is being developed in divisions, and final plats for all of the divisions have not been recorded within the time limits provided in this section, preliminary subdivision approval for all unrecorded divisions shall become void. The preliminary subdivision for any unrecorded divisions must again be submitted to the department with a new application, subject to the fees and regulations applicable at the time of submittal.

**ATTACHMENT B:  
Amended SMC 19A.16.045**

**19A.16.045 Final plat and final short plat review procedures.**

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(1) Upon the City's inspection and determination that the site improvements required by SMC [19A.16.040](#) have been substantially completed pursuant to the approved plans, a final plat or final short plat shall be surveyed by a land surveyor and submitted to the department for review and approval. Substantial completion of site improvements, for purposes of final plat or final short plat submittal, shall mean street and lot rough grading has been completed and water, sewer, stormwater, and natural gas utilities have been installed.

(2) All final plats and final short plats shall demonstrate conformance to the conditions of preliminary approval in a compliance matrix, as well as Chapter 58.17 RCW and Chapter 332-130 WAC.

(3) Plat certificates or owner's duplicate certificates for land registered pursuant to Chapter 65.12 RCW shall be provided to the department prior to recording. Supplemental plat certificates shall be provided to the department if the final plat or final short plat is not recorded within 30 days of the original certificate or supplemental certificate date.

(4) All applicable processing fees specified by City fee resolution, applicable mitigation and impact fee amounts, and any civil penalty assessed pursuant to SMC Title [23](#) against a site being reviewed under this section shall be paid, and all required financial guarantees posted prior to recording.

(5) Prior to recording, all site improvements required by SMC 19A.16.040 shall be complete and approved by the City. Applicable performance bonds and written final approval from the applicable water/sewer district and health department shall be obtained, if required.

(6) A copy of protective deed covenants shall accompany the final plat or short plat, if applicable.

(7) Upon approval by the department, the City council shall consider the final plat at a public meeting to confirm the conformance of the final plat to the conditions of preliminary approval imposed by the hearing examiner. Upon approval, the final plat or short plat shall be recorded with the county records and elections division.

**ATTACHMENT C:  
Amended SMC 20.05.030**

**20.05.030 Feasibility Conference – Preapplication conferences.**

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(1) Prior to filing a permit application for a Type 1 decision, the applicant shall contact the department to schedule a preapplication conference that shall be held prior to filing the application if:

(a) the property will have 5,000 square feet or greater of development site or right-of-way improvements;

(b) the property is in a critical drainage basin; or

(c) the property has a wetland, steep slope, landslide hazard, or erosion hazard;

Provided, that the provisions of this subsection shall not apply to a single-family residence and its accessory buildings located on a site without environmentally critical areas or to other structures where all work is in an existing building and no parking is required or added.

(2) Prior to filing a permit application requiring a Type 2, 3 or 4 decision, the applicant shall contact the department to schedule a preapplication conference that shall be held prior to filing the application, except as provided herein. The purpose of the preapplication conference is to review and discuss the application requirements with the applicant and provide comments on the development proposal. The preapplication conference shall be scheduled by the department, at the request of an applicant, and shall be held in a timely manner, within 30 days from the date of the applicant's request. The director may waive the requirement for a preapplication conference if it is determined to be unnecessary for review of an application. Nothing in this section shall be interpreted to require more than one preapplication conference or to prohibit the applicant from filing an application if the department is unable to schedule a preapplication conference within 30 days following the applicant's request.

(3) Information presented at or required as a result of the preapplication conference shall be valid for a period of 180 days following the preapplication conference. An applicant wishing to submit a permit application more than 180 days following the preapplication conference for that permit must schedule and participate in another preapplication conference prior to submitting the permit application, however, the director may waive this requirement for de minimus deviations or if it is determined to be unnecessary for review of an application.

(4) Prior to scheduling a preapplication conference under this subsection (1) through (3) of this section, the applicant shall confer with the department in an informal feasibility discussion. The provisions of subsections (1)

## Exhibit 1

through (3) of this section apply only to the preapplication conference scheduled subsequent to a feasibility discussion.

(5) At or subsequent to a preapplication conference, the department may issue a preliminary determination that a proposed development is not permissible under applicable City policies or regulatory enactments. In that event, the applicant shall have the option to appeal the preliminary determination to the hearing examiner in the manner provided for a Type 2 permit, as an alternative to proceeding with a complete application. Mailed and published notice of the appeal shall be provided for as in SMC 20.05.060(7) and (8).

**ATTACHMENT D:  
Amended SMC 20.05.035**

**20.05.035 Neighborhood meetings.**

---

(1) The applicant for a subdivision, short subdivision, or conditional use permit shall conduct and attend a neighborhood meeting within the City limits to discuss the proposed development after the preapplication conference but prior to submission of the development proposal to the City, at a date and time which shall not be unreasonable. The purpose of the meeting shall be to receive neighborhood input and suggestions prior to submission of the application. Such a public meeting is not a mediation, and any party who participates in such a meeting may still request mediation in accordance with SMC [20.20.060](#) and the provisions of the City land use mediation program.

(2) At least 21 days prior to the neighborhood meeting, the applicant shall give notice of the date, time, and location of the meeting to the community development director and to all persons who would be entitled to receive notice of the proposed plat application, short subdivision application or conditional use permit application under the requirements of the Sammamish Municipal Code.

(3) The notice shall be on a form provided by the community development director and shall briefly describe the proposal and its location and shall include the name, address, and telephone number of the applicant or a representative of the applicant who may be contacted for additional information about the proposal. Notice to the community development director shall include a list of the persons and addresses notified of the neighborhood meeting.

(4) Complete applications shall be received by the City within 120 days of the neighborhood meeting. If an application is not submitted in this time frame, or if the materials submitted with the application do not substantially conform to the materials provided at the meeting, the applicant shall be required to hold a new neighborhood meeting.

**ATTACHMENT E:  
Amended SMC 20.05.100**

**20.05.100 Permit issuance.**

---

(1) Final decisions by the City on all permits and approvals subject to the procedures of this chapter should be issued within 120 days from the date the applicant is notified by the department pursuant to this chapter that the application is complete; provided, that the following shorter time periods should apply for the type of land use permit indicated:

New residential building permits	90 days
Residential remodels	40 days
Residential appurtenances, such as decks and garages	15 days
Residential appurtenances that require substantial site review	40 days
SEPA exempt clearing and grading	45 days
SEPA clearing and grading	90 days
Health department review (for projects pending a final department review and/or permit)	40 days

The following periods shall be excluded from this 120-day period:

- (a) Any period of time during which the applicant has been requested by the department, hearing examiner or council to correct plans, perform required studies or provide additional information, including road variances and variances required under Chapter 9.04 KCC as adopted by Chapter [15.05](#) SMC. The period shall be calculated from the date of notice to the applicant of the need for additional information (“request for revision”) until either the City advises the applicant that the additional information satisfies the City’s request or 14 days after the date the information has been provided, whichever is the earlier date. If the City determines that the correction, study, or other information submitted by the applicant is insufficient, it

## Exhibit 1

shall notify the applicant of the deficiencies, and the procedures of this section shall apply as if a new request for revision had been made.

(i) The department shall set a reasonable deadline for submittal by the applicant of corrections, studies, or other information in response to a request for revision, and shall provide written notification of the deadline to the applicant. The deadline may not exceed 90 days from the date of the request for revision; provided, that an extension of such deadline may be granted upon written request by the applicant providing satisfactory justification for an extension or upon the applicant's agreement to and compliance with an approved schedule with specific target dates for submitting the full revisions, corrections or other information requested.

(ii) Applications may be canceled for inactivity if an applicant fails to provide, by such deadline, an adequate response substantively addressing code requirements identified in the written request for revision.

(iii) When granting a request for a deadline extension, the department shall give consideration to the number of days between receipt by the department of a written request for a deadline extension and the mailing to the applicant of the department's decision regarding that request.

(b) The period of time, as set forth in SMC [20.15.060](#), during which an environmental impact statement is being prepared following a determination of significance pursuant to Chapter [43.21C](#) RCW.

(c) A period of no more than 90 days for an open record appeal hearing by the hearing examiner on a Type 2 land use decision, and no more than 60 days for a closed record appeal by the county council on a Type 3 land use decision appealable to the county council, except when the parties to an appeal agree to extend these time periods.

(d) Any period of time during which an applicant fails to post the property, if required by this chapter, following the date notice is required until an affidavit of posting is provided to the department by the applicant.

(e) Any time extension mutually agreed upon by the applicant and the department.

(2) The time limits established in this section shall not apply if a proposed development:

(a) Requires an amendment to the comprehensive plan or a development regulation, or modification or waiver of a development regulation as part of a demonstration project;

## Exhibit 1

(b) Requires approval of a new fully contained community as provided in RCW [36.70A.350](#), master planned resort as provided in RCW [36.70A.360](#), or the siting of an essential public facility as provided for RCW [36.70A.200](#); or

(c) Is substantially revised by the applicant, when such revisions will result in a substantial change in a project's review requirements, as determined by the department, in which case the time period shall start from the date at which the revised project application is determined to be complete.

(3) If the department is unable to issue its final decision within the time limits established by this section, it shall provide written notice of this fact to the project applicant. The notice shall include a statement of reasons why the time limits have not been met and an estimated date for issuance of the notice of final decision.

**ATTACHMENT F:  
New SMC 21A.95.070**

**21A.95.070 Project phasing – Limitation of permit approval.**

(1) A commercial site development permit may be approved with project phasing and other project-specific conditions to mitigate impacts on the environment or on public facilities and services including transportation, utilities, drainage, police and fire protection, schools, and parks. Project phasing shall mean a phasing plan designed to address impacts on the environment or on public facilities and services as those impacts become relevant in the project.

(2) A commercial site development permit approved with a phasing plan shall be null and void if the applicant fails to meet the conditions and time schedules specified in the approved phasing plan.

(3) A commercial site development permit approved without a phasing plan shall be null and void if the applicant fails to file a complete building permit application(s) for all buildings within three years of the approval date, or by a date specified by the director, and fails to have all valid building permits issued within four years of the commercial site development permit approval date.

**ATTACHMENT G:  
Amended SMC 21A.100.060**

**21A.100.060 Director review – Decision and interpretation final unless appealed.**

(1) The decision of the director shall be final unless the applicant or an aggrieved party files an appeal to the hearing examiner pursuant to SMC [20.10.080](#).

(2) The interpretation of the director shall be final except for any appeal allowed as follows:

(a) If the director determines that a code interpretation is necessary for review of a specific development proposal that is currently before the department, and the development project is subject to an administrative appeal, any appeal of the code interpretation shall be consolidated with and is subject to the same appeal process as the underlying development project. If the director determines that a code interpretation request relates to a code enforcement action, any appeal of the code interpretation shall be consolidated with and is subject to the same appeal process as the code enforcement action. If the city of Sammamish hearing examiner makes the city's final decision with regard to the underlying permit, other approval type or code enforcement action regarding which the interpretation was requested, the hearing examiner's decision constitutes the city's final decision on the code interpretation request. If the city council, acting as a quasi-judicial body, makes the city's final decision with regard to the underlying permit or other approval type regarding which the interpretation was requested, the city council's decision constitutes the city's final decision on the code interpretation request.

(b) If the director issues a code interpretation that is not associated with one of the items described in subsection (2)(a) of this section, the interpretation may be appealed to the hearing examiner within 21 days of the date the notice of the interpretation is provided.

(3) The hearing examiner shall review and make decisions based upon information contained in the written appeal and the record.

(4) The hearing examiner's decision may affirm, modify, or reverse the decision of the director.

(5) As provided by SMC [20.10.240](#)(1) and (2):

(a) The hearing examiner shall render a decision within 10 days of the closing of hearing; and

(b) The decision shall be final unless appealed under the provisions of SMC [20.10.250](#)(1).

## Exhibit 1

(6) Establishment of any use or activity authorized pursuant to a conditional use permit, reasonable use exception, or variance shall occur within two years of the effective date of the decision for such permit or variance; provided, that for schools this period shall be five years. This period may be extended for up to 180 days by the director if the applicant has submitted the applications necessary to establish the use or activity and has provided written justification for the extension.

(7) For the purpose of this section, "establishment" shall occur upon the issuance of all local permit(s) for on-site improvements needed to begin the authorized use or activity; provided, that the conditions or improvements required by such permits are completed within the timeframes of said permits.

(8) Once a use, activity or improvement allowed by a conditional use permit or variance has been established, it may continue as long as all conditions of permit issuance remain satisfied.

## Exhibit 2

### Exhibit 2 – Redline Version of Draft Procedural Code Amendments

Sammamish Municipal Code (SMC):

- **19A.12.020 – Preliminary approval of short subdivisions and subdivisions – Filing of final plat or final short plat.**
  - Revise for clarity.
- **19A.16.045 - Final plat and final short plat review procedures.**
  - Adjust threshold for submittal of an application for final plat/short plat.
- **20.05.030 – Preapplication conferences.**
  - Require conferences for single family homes on sites with environmentally critical areas.
  - Clarify language related to “shelf life” of pre-application meetings.
  - Distinguish between feasibility and project pre-application meetings.
- **20.05.035 – Neighborhood meetings.**
  - Require meetings within city limits and require applicant to attend meeting.
  - Require meeting materials to be the same as application.
  - Amend time periods for noticing and application submittal.
- **20.05.100 – Permit issuance.**
  - Add time period for application response.
- **21A.95.070 – Limitation of permit approval.**
  - Revise language for clarity.
- **21A.100.060 – Director review – Decision and interpretation final unless appealed.**
  - Amend shelf life of conditional use permits, reasonable use exceptions, and variances.

“Normal Text” is existing code language

“~~Strikethrough Text~~” is existing language that will be deleted

“Underline Text” is code language that will be added

“...” indicates that there is additional existing code language that has been omitted

## Exhibit 2

### **19A.12.020 Preliminary approval of ~~short~~ subdivisions and short subdivisions – Filing of final plat or final short plat.**

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(1) Preliminary ~~subdivision and short~~ subdivision approval shall be effective for the period of time set forth in RCW 58.17.140, as currently enacted or as may be subsequently amended, and preliminary short subdivision approval shall be effective for the same period of time as a subdivision approval. ~~a period of 60 months. Preliminary subdivision approval shall be effective for a period of 84 months for any plats receiving preliminary approval between January 1, 2004, and December 31, 2014, and for 60 months thereafter.~~ If any condition is not satisfied and/or the final plat or final short plat is not recorded within the approval period identified herein, the subdivision or short subdivision shall be null and void. If all conditions have been satisfied and all required documents have been submitted within the approval period, the department may grant a single extension of up to 90 days ~~to obtain additional information or for the processing and recording of the final documents.~~

(2) Preliminary subdivision or short subdivision approval shall be considered the basis upon which the applicant may proceed toward development of the ~~short~~ subdivision or short subdivision and preparation of the final ~~short~~ plat or short plat subject to all the conditions of the preliminary approval.

(3) If the final plat is being developed in divisions, and final plats for all of the divisions have not been recorded within the time limits provided in this section, preliminary subdivision approval for all unrecorded divisions shall become void. The preliminary subdivision for any unrecorded divisions must again be submitted to the department with a new application, subject to the fees and regulations applicable at the time of submittal.

## Exhibit 2

### **19A.16.045 Final plat and final short plat review procedures.**

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(1) Upon ~~the City's inspection and determination that substantial completion of~~ the site improvements required by SMC [19A.16.040](#) ~~have been substantially completed pursuant to the approved plans~~, a final plat or final short plat shall be surveyed by a land surveyor and submitted to the department for review and approval. Substantial completion of site improvements, for purposes of final plat or final short plat submittal, shall mean street and lot rough grading has been completed and water, sewer, stormwater, and natural gas utilities have been installed.

(2) All final plats and final short plats shall demonstrate conformance to the conditions of preliminary approval in a compliance matrix, as well as Chapter 58.17 RCW and Chapter 332-130 WAC.

(3) Plat certificates or owner's duplicate certificates for land registered pursuant to Chapter 65.12 RCW shall be provided to the department prior to recording. Supplemental plat certificates shall be provided to the department if the final plat or final short plat is not recorded within 30 days of the original certificate or supplemental certificate date.

(4) All applicable processing fees specified by City fee resolution, applicable mitigation and impact fee amounts, and any civil penalty assessed pursuant to SMC Title [23](#) against a site being reviewed under this section shall be paid, and all required financial guarantees posted prior to recording.

(5) Prior to recording, all ~~required~~ site improvements required by SMC 19A.16.040 shall be complete and approved by the City. Applicable performance bonds and written final approval from the applicable water/sewer district and health department shall be obtained, if required.

(6) A copy of protective deed covenants shall accompany the final plat or short plat, if applicable.

(7) Upon approval by the department, the City council shall consider the final plat at a public meeting to confirm the conformance of the final plat to the conditions of preliminary approval imposed by the hearing examiner. Upon approval, the final plat or short plat shall be recorded with the county records and elections division.

## Exhibit 2

### **20.05.030 Feasibility Conference – Preapplication conferences.**

(1) Prior to filing a permit application for a Type 1 decision, the applicant shall contact the department to schedule a preapplication conference that shall be held prior to filing the application if:

(a) the property will have 5,000 square feet or greater of development site or right-of-way improvements;

(b), the property is in a critical drainage basin; or

(c) the property has a wetland, steep slope, landslide hazard, or erosion hazard.

~~Exempt from this requirement are~~ Provided, that the provisions of this subsection shall not apply to (a) A single-family residence and its accessory buildings located on a site without environmentally critical areas; (b) O or to other structures where all work is in an existing building and no parking is required or added.

(2) Prior to filing a permit application requiring a Type 2, 3 or 4 decision, the applicant shall contact the department to schedule a preapplication conference that shall be held prior to filing the application, except as provided herein. The purpose of the preapplication conference is to review and discuss the application requirements with the applicant and provide comments on the development proposal. The preapplication conference shall be scheduled by the department, at the request of an applicant, and shall be held in a timely manner, within 30 days from the date of the applicant's request. The director may waive the requirement for a preapplication conference if it is determined to be unnecessary for review of an application. Nothing in this section shall be interpreted to require more than one preapplication conference or to prohibit the applicant from filing an application if the department is unable to schedule a preapplication conference within 30 days following the applicant's request.

(3) Information presented at or required as a result of the preapplication conference shall be valid for a period of 180 days following the preapplication conference. An applicant wishing to submit a permit application more than 180 days following a the preapplication conference for the same that permit application shall be required to must schedule and participate in another preapplication conference prior to submitting the permit application, however, the director may waive this requirement for de minimus deviations or if it is determined to be unnecessary for review of an application.

(4) Prior to scheduling a preapplication conference under this subsection (1) through (3) of this section, the applicant shall confer with the department in an informal feasibility discussion. The provisions of subsections (1) through (3) of this section apply only to the preapplication conference scheduled subsequent to a feasibility discussion.

## Exhibit 2

(35) At or subsequent to a preapplication conference, the department may issue a preliminary determination that a proposed development is not permissible under applicable City policies or regulatory enactments. In that event, the applicant shall have the option to appeal the preliminary determination to the hearing examiner in the manner provided for a Type 2 permit, as an alternative to proceeding with a complete application. Mailed and published notice of the appeal shall be provided for as in SMC [20.05.060](#)(7) and (8).

## Exhibit 2

### **20.05.035 Neighborhood meetings.**

---

(1) The applicant for a subdivision, short subdivision, or conditional use permit shall conduct and attend a neighborhood meeting within the City limits to discuss the proposed development after the preapplication conference but prior to submission of the development proposal to the City, at a date and time which shall not be unreasonable. The purpose of the meeting shall be to receive neighborhood input and suggestions prior to submission of the application. Such a public meeting is not a mediation, and any party who participates in such a meeting may still request mediation in accordance with SMC [20.20.060](#) and the provisions of the City land use mediation program.

(2) At least ~~40~~21 days prior to the neighborhood meeting, the applicant shall give notice of the date, time, and location of the meeting to the community development director and to all persons who would be entitled to receive notice of the proposed plat application, short subdivision application or conditional use permit application under the requirements of the Sammamish Municipal Code.

(3) The notice shall be on a form provided by the community development director and shall briefly describe the proposal and its location and shall include the name, address, and telephone number of the applicant or a representative of the applicant who may be contacted for additional information about the proposal. Notice to the community development director shall include a list of the persons and addresses notified of the neighborhood meeting.

(4) Complete applications shall be received by the City within 120 days of the neighborhood meeting. If an application is not submitted in this time frame, or if the materials submitted with the application do not substantially conform to the materials provided at the meeting, the applicant shall be required to hold a new neighborhood meeting.

## Exhibit 2

### **20.05.100 Permit issuance.**

---

(1) Final decisions by the City on all permits and approvals subject to the procedures of this chapter should be issued within 120 days from the date the applicant is notified by the department pursuant to this chapter that the application is complete; provided, that the following shorter time periods should apply for the type of land use permit indicated:

New residential building permits	90 days
Residential remodels	40 days
Residential appurtenances, such as decks and garages	15 days
Residential appurtenances that require substantial site review	40 days
SEPA exempt clearing and grading	45 days
SEPA clearing and grading	90 days
Health department review (for projects pending a final department review and/or permit)	40 days

The following periods shall be excluded from this 120-day period:

(a) Any period of time during which the applicant has been requested by the department, hearing examiner or council to correct plans, perform required studies or provide additional information, including road variances and variances required under Chapter 9.04 KCC as adopted by Chapter [15.05](#) SMC. The period shall be calculated from the date of notice to the applicant of the need for additional information ("request for revision") until either the City advises the applicant that the additional information satisfies the City's request or 14 days after the date the information has been provided, whichever is the earlier date. If the City determines that the correction, study, or other information submitted by the applicant is insufficient, it shall notify the applicant of the deficiencies, and the procedures of this section shall apply as if a new request for ~~information~~ revision had been made.

## Exhibit 2

(i) The department shall set a reasonable deadline for ~~the~~ submittal by the applicant of corrections, studies, or other information ~~when requested in response to a request for revision~~, and shall provide written notification of the deadline to the applicant. The deadline may not exceed 90 days from the date of the request for revision; provided, that ~~An~~ extension of such deadline may be granted upon ~~submittal by an applicant of a written request by the applicant~~ providing satisfactory justification of for an extension or upon the applicant's agreement to and compliance with an approved schedule with specific target dates for submitting the full revisions, corrections or other information requested.

(ii) ~~Failure by the applicant to meet such deadline shall be cause for the department to cancel/deny the application~~ Applications may be canceled for inactivity if an applicant fails to provide, by such deadline, an adequate response substantively addressing code requirements identified in the written request for revision.

(iii) When granting a request for a deadline extension, the department shall give consideration to the number of days between receipt by the department of a written request for a deadline extension and the mailing to the applicant of the department's decision regarding that request.

(b) The period of time, as set forth in SMC [20.15.060](#), during which an environmental impact statement is being prepared following a determination of significance pursuant to Chapter [43.21C](#) RCW.

(c) A period of no more than 90 days for an open record appeal hearing by the hearing examiner on a Type 2 land use decision, and no more than 60 days for a closed record appeal by the county council on a Type 3 land use decision appealable to the county council, except when the parties to an appeal agree to extend these time periods.

(d) Any period of time during which an applicant fails to post the property, if required by this chapter, following the date notice is required until an affidavit of posting is provided to the department by the applicant.

(e) Any time extension mutually agreed upon by the applicant and the department.

(2) The time limits established in this section shall not apply if a proposed development:

(a) Requires an amendment to the comprehensive plan or a development regulation, or modification or waiver of a development regulation as part of a demonstration project;

## Exhibit 2

(b) Requires approval of a new fully contained community as provided in RCW [36.70A.350](#), master planned resort as provided in RCW [36.70A.360](#), or the siting of an essential public facility as provided for RCW [36.70A.200](#); or

(c) Is substantially revised by the applicant, when such revisions will result in a substantial change in a project's review requirements, as determined by the department, in which case the time period shall start from the date at which the revised project application is determined to be complete.

(3) If the department is unable to issue its final decision within the time limits established by this section, it shall provide written notice of this fact to the project applicant. The notice shall include a statement of reasons why the time limits have not been met and an estimated date for issuance of the notice of final decision.

## Exhibit 2

### **21A.95.070 Project phasing – Limitation of permit approval.**

~~(1) A commercial site development permit approved without a phasing plan shall be null and void if the applicant fails to file a complete building permit application(s) for all buildings within three years of the approval date, or by a date specified by the director, and fails to have all valid building permits issued within four years of the commercial site development permit approval date; or~~

(1) A commercial site development permit may be approved with project phasing and other project-specific conditions to mitigate impacts on the environment or on public facilities and services including transportation, utilities, drainage, police and fire protection, schools, and parks. Project phasing shall mean a phasing plan designed to address impacts on the environment or on public facilities and services as those impacts become relevant in the project.

(2) A commercial site development permit approved with a phasing plan shall be null and void if the applicant fails to meet the conditions and time schedules specified in the approved phasing plan.

(3) A commercial site development permit approved without a phasing plan shall be null and void if the applicant fails to file a complete building permit application(s) for all buildings within three years of the approval date, or by a date specified by the director, and fails to have all valid building permits issued within four years of the commercial site development permit approval date.

## Exhibit 2

### **21A.100.060 Director review – Decision and interpretation final unless appealed.**

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(1) The decision of the director shall be final unless the applicant or an aggrieved party files an appeal to the hearing examiner pursuant to SMC [20.10.080](#).

(2) The interpretation of the director shall be final except for any appeal allowed as follows:

(a) If the director determines that a code interpretation is necessary for review of a specific development proposal that is currently before the department, and the development project is subject to an administrative appeal, any appeal of the code interpretation shall be consolidated with and is subject to the same appeal process as the underlying development project. If the director determines that a code interpretation request relates to a code enforcement action, any appeal of the code interpretation shall be consolidated with and is subject to the same appeal process as the code enforcement action. If the city of Sammamish hearing examiner makes the city's final decision with regard to the underlying permit, other approval type or code enforcement action regarding which the interpretation was requested, the hearing examiner's decision constitutes the city's final decision on the code interpretation request. If the city council, acting as a quasi-judicial body, makes the city's final decision with regard to the underlying permit or other approval type regarding which the interpretation was requested, the city council's decision constitutes the city's final decision on the code interpretation request.

(b) If the director issues a code interpretation that is not associated with one of the items described in subsection (2)(a) of this section, the interpretation may be appealed to the hearing examiner within 21 days of the date the notice of the interpretation is provided.

(3) The hearing examiner shall review and make decisions based upon information contained in the written appeal and the record.

(4) The hearing examiner's decision may affirm, modify, or reverse the decision of the director.

(5) As provided by SMC [20.10.240](#)(1) and (2):

(a) The hearing examiner shall render a decision within 10 days of the closing of hearing; and

(b) The decision shall be final unless appealed under the provisions of SMC [20.10.250](#)(1).

## Exhibit 2

(6) Establishment of any use or activity authorized pursuant to a conditional use permit, reasonable use exception, or variance shall occur within ~~four~~two years of the effective date of the decision for such permit or variance; provided, that for schools this period shall be five years. This period may be extended for ~~one additional year~~up to 180 days by the director if the applicant has submitted the applications necessary to establish the use or activity and has provided written justification for the extension.

(7) For the purpose of this section, "establishment" shall occur upon the issuance of all local permit(s) for on-site improvements needed to begin the authorized use or activity; provided, that the conditions or improvements required by such permits are completed within the timeframes of said permits.

(8) Once a use, activity or improvement allowed by a conditional use permit or variance has been established, it may continue as long as all conditions of permit issuance ~~are met~~remain satisfied.

# Exhibit 3

## Exhibit 3 – City Council and Planning Commission Suggested Changes to Draft Procedural Code Amendments

- **Highlighted** track changes represent the amendments made to address City Council comments from their July 5, 2016 meeting.
- Non-highlighted track changes represent the original amendments proposed by staff.

#	Code Section	Commenter	Suggested Change to Staff Draft	Proposed Code Language
1.a.	20.05.030 - Entire Section	Legal	Staff note: Legal has restructured 20.05.030 for clarity and added a purpose section for feasibility conferences (all highlighted in yellow). The restructuring incorporates Frank Blau's and Larry Crandall's suggested changes (highlighted in blue).	<p><b>20.05.030 Feasibility Conference – Preapplication conferences.</b></p> <p>(1) Prior to the filing of any permit application, applicants shall contact the department for a feasibility conference and shall subsequently request a preapplication conference with the department as provided by subsections (2) and (3) of this section.</p> <p>(a) Feasibility conference. The purpose of the feasibility conference is to discuss the general scope of the proposed project prior to the preapplication conference. The feasibility conference may be an informal conversation between the department and the applicant.</p> <p>(b) Preapplication conference. The purpose of the preapplication conference is to review and discuss the application requirements with the applicant and provide comments on the development proposal. The preapplication conference shall be scheduled by the department, at the request of an applicant, and shall be held in a timely manner, within 30 days from the date of the applicant's request. The director may waive the requirement for a preapplication conference if it is determined to be unnecessary for review of an application. Except as provided in subsection (5) herein, Nothing in this section shall be interpreted to require more than one preapplication conference or to prohibit the applicant from filing an application if the department is unable to schedule a preapplication conference within 30 days following the applicant's request. The provisions of subsections (2) through (5) of this section apply only to the preapplication conference and not to the feasibility conference.</p> <p>(2) The applicant shall contact the department to schedule a preapplication conference prior to filing a permit application for a Type 1 decision involving any of the following: the applicant shall contact the department to schedule a preapplication conference that shall be held prior to filing the application if</p> <p>(a) the property that will have 5,000 square feet or greater of development site or right-of-way improvements; or</p> <p>(b) the property is in a critical drainage basin; or</p> <p>(c) the property that has a wetland, steep slope, landslide hazard, or erosion hazard; or</p> <p>(d) single-family residences and accessory buildings impacting critical areas and/or their buffers;</p>
1.b.	20.05.030(2)	Frank Blau	Clarify to say that single family projects <b>impacting</b> critical areas <b>and/or their buffers</b> must hold a preapplication conference.	

Exhibit 3

<p>1.c.</p>	<p>20.05.030(3)</p>	<p>Larry Crandall</p>	<p>Clarify that a second meeting may be required if an applicant doesn't meet the 180-day deadline to submit their application following the conference (see subsection 5).</p>	<p><del>Exempt from this requirement are</del> Provided, that the provisions of this subsection shall not apply to (a) A single-family residence and its accessory buildings located on a site without environmentally critical areas; (b) Other structures where all work is in an existing building and no parking is required or added..</p> <p><del>(23) Prior to filing a permit application requiring a Type 2, 3 or 4 decision, the applicant shall contact the department to schedule a preapplication conference that shall be held prior to filing the application, except as provided in subsection (1)(b) herein. The purpose of the preapplication conference is to review and discuss the application requirements with the applicant and provide comments on the development proposal. The preapplication conference shall be scheduled by the department, at the request of an applicant, and shall be held in a timely manner, within 30 days from the date of the applicant's request. The director may waive the requirement for a preapplication conference if it is determined to be unnecessary for review of an application. Nothing in this section shall be interpreted to require more than one preapplication conference or to prohibit the applicant from filing an application if the department is unable to schedule a preapplication conference within 30 days following the applicant's request.</del></p> <p><del>(4) For the purposes of this section, "applicant" means the person(s) with representative or executory authority to speak for and answer questions about the property or project on behalf of the applicant as defined in SMC 19A.04.030.</del></p> <p><del>(5) Information presented at or required as a result of the preapplication conference shall be valid for a period of 180 days following the preapplication conference. An applicant wishing to submit a permit application more than 180 days following at the preapplication conference for the same that permit application shall be required to must schedule and participate in another preapplication conference prior to submitting the permit application, however, the director may waive this requirement for de minimus deviations or if it is determined to be unnecessary for review of an application.</del></p> <p><del>(36) At or subsequent to a preapplication conference, the department may issue a preliminary determination that a proposed development is not permissible under applicable City policies or regulatory enactments. In that event, the applicant shall have the option to appeal the preliminary determination to the hearing examiner in the manner provided for a Type 2 permit, as an alternative to proceeding with a complete application. Mailed and published notice of the appeal shall be provided for as in SMC 20.05.060(7) and (8).</del></p>
<p>1.d.</p>	<p>20.05.030(4)</p>	<p>Frank Blau</p>	<p>For preapplication conferences - Clarify that the "applicant" is the person with signing authority, or the authority to speak and answer questions about the proposed project (i.e. somebody who's accountable for what they say).</p>	<p><del>(4) For the purposes of this section, "applicant" means the person(s) with representative or executory authority to speak for and answer questions about the property or project on behalf of the applicant as defined in SMC 19A.04.030.</del></p> <p><del>(5) Information presented at or required as a result of the preapplication conference shall be valid for a period of 180 days following the preapplication conference. An applicant wishing to submit a permit application more than 180 days following at the preapplication conference for the same that permit application shall be required to must schedule and participate in another preapplication conference prior to submitting the permit application, however, the director may waive this requirement for de minimus deviations or if it is determined to be unnecessary for review of an application.</del></p> <p><del>(36) At or subsequent to a preapplication conference, the department may issue a preliminary determination that a proposed development is not permissible under applicable City policies or regulatory enactments. In that event, the applicant shall have the option to appeal the preliminary determination to the hearing examiner in the manner provided for a Type 2 permit, as an alternative to proceeding with a complete application. Mailed and published notice of the appeal shall be provided for as in SMC 20.05.060(7) and (8).</del></p>
<p>2.</p>	<p>20.05.035</p>	<p>Frank Blau</p>	<p>For neighborhood meetings - Clarify that the "applicant" is the person with signing authority, or the authority to speak and answer questions about the proposed project (i.e. somebody who's accountable for what they say).</p>	<p><b>20.05.035 Neighborhood meetings.</b></p> <p>(1) The applicant for a subdivision, short subdivision, or conditional use permit shall conduct and attend a neighborhood meeting within the City limits to discuss the proposed development after the preapplication conference but prior to submission of the development proposal to the City, at a date and time which shall not be unreasonable. The purpose of the meeting shall be to receive neighborhood input and suggestions prior to submission of the application. Such a public meeting is not a mediation, and any party who participates in such a meeting may still request mediation in accordance with SMC 20.20.060 and the provisions of the City land use mediation program. For the purposes of this subsection, "applicant" means the person(s) with</p>

Exhibit 3

				representative or executory authority to speak for and answer questions about the property or project on behalf of the applicant as defined in SMC 19A.04.030.
3.	20.05.060(7)	Christie Malchow Kathy Huckabay	Amend the mailing notice radius for neighborhood meetings, notices of application, and notices of decision from 500 feet to X feet. <i>(1000ft shown as placeholder)</i>  <i>Staff note: Please refer to the agenda bill for research on the distances used by surrounding jurisdictions. This proposed change amends the Notice of Application section, which was not previously proposed for amendment by staff. The Neighborhood Meetings and Notice of Decision section incorporate the noticing requirements of the Notice of Application section by reference. So, any changes made to mailing distances in the Notice of Application section will automatically apply to the other two.</i>	<b>20.05.060 Notice of application.</b>  (7) Mailed notice for a proposal shall be sent by the department within 14 days after the department's determination of completeness:  (a) By first class mail to owners of record of property in an area within <del>500-1,000</del> feet of the site, provided such area shall be expanded as necessary to send mailed notices to at least 20 different property owners;
4.	20.05.035	Christie Malchow Tom Odell	Consider requiring that a City staff member attend neighborhood meetings.	<b>20.05.035 Neighborhood meetings.</b>  (1) The applicant for a subdivision, short subdivision, or conditional use permit shall <u>conduct and attend</u> a neighborhood meeting <u>within the City limits</u> to discuss the proposed development <u>after the preapplication conference but prior to submission of the development proposal to the City, at a date and time which shall not be unreasonable approved by the City. At least one City staff member shall attend the neighborhood meeting.</u> The purpose of the meeting shall be to receive neighborhood input and suggestions prior to submission of the application. Such a public meeting is not a mediation, and any party who participates in such a meeting may still request mediation in accordance with SMC 20.20.060 <u>and the provisions of the City land use mediation program.</u>
5.	20.05.100	Tom Hornish	Add an ownership provision to the code.	<b>20.05.100 Permit issuance.</b>  <u>(3) Permits or approvals subject to the procedures of this chapter may be denied if the applicant is unable to present satisfactory proof of ownership of the property or development site.</u>  <del>(34)</del> If the department is unable to issue its final decision within the time limits established by this section, it shall provide written notice of this fact to the project applicant. The notice shall include a statement of reasons why the time limits have not been met and an estimated date for issuance of the notice of final decision.

Exhibit 3

6.	20.05.030(1)	Christie Malchow Tom Hornish	Clarify the "5,000 square foot" provision in the preapplication section.	<p><b>20.05.030 Feasibility Conference – Preapplication conferences.</b></p> <p>(1) Prior to filing a permit application for a Type 1 decision, the applicant shall contact the department to schedule a preapplication conference that shall be held prior to filing the application if:</p> <p>(a) the property will have 5,000 square feet or greater of development <del>site and</del> or right-of-way improvements;</p>
7.	20.05.035	Tom Odell	<p>The 21 day noticing period may be not be long enough (e.g. for people who travel for a living).</p> <p><i>Staff comment: Please refer to the agenda bill for staff research on the noticing time periods for surrounding jurisdictions. Council direction is needed if a different noticing period is desired.</i></p>	<p><b>20.05.035 Neighborhood meetings.</b></p> <p>(2) At least <del>40-21</del> days prior to the neighborhood meeting, the applicant shall give notice of the date, time, and location of the meeting to the community development director and to all persons who would be entitled to receive notice of the proposed plat application, short subdivision application or conditional use permit application under the requirements of the Sammamish Municipal Code.</p>
8.a.	20.05.035	Bob Keller Kathy Huckabay Ramiro Valderrama Frank Blau	Add a requirement that the applicant provide the City and meeting attendees with documentation from the neighborhood meeting.	<p><b>20.05.035 Neighborhood meetings.</b></p> <p><u>(4) Within 30 days following the neighborhood meeting, the applicant shall provide to the Community Development Director, and to all attendees who signed in at the meeting, documentation of the meeting as follows:</u></p> <p>(a) <u>The date, time, and location of the meeting;</u></p> <p>(b) <u>Contact information for all persons representing the applicant at the meeting;</u></p> <p>(c) <u>A summary of comments provided for the meeting attendees by the applicant prior to or during the meeting;</u></p> <p>(d) <u>A summary of comments received from meeting attendees or other persons prior to or during the meeting; and</u></p> <p>(e) <u>Copies of documents submitted or presented at the meeting.</u></p>
8.b.	20.05.035	Legal	We can't use "shall" with a passive verb like "be received." Change to "must."	<p><del>(4-5)</del> Complete applications <del>shall</del> <b>must</b> be received by the City within 120 days of the neighborhood meeting. <u>If an application is not submitted in this time frame, or if the materials submitted with the application do not substantially conform to the materials provided at the meeting, the applicant shall be required to hold a new neighborhood meeting.</u></p>

Exhibit 3

9.	20.05.035	Bob Keller	Clarify the neighborhood meeting purpose section.	<p><b>20.05.035 Neighborhood meetings.</b></p> <p>(1) The applicant for a subdivision, short subdivision, or conditional use permit shall conduct <u>and attend</u> a neighborhood meeting <u>within the City limits</u> to discuss the proposed development <u>after the preapplication conference but prior to submission of the development proposal to the City, at a date and time which shall not be unreasonable.</u> The purpose of the meeting shall be to receive neighborhood input and suggestions prior to submission of the application, <u>and an opportunity for the applicant to amend the proposal to address neighborhood feedback as appropriate.</u> Such a public meeting is not a mediation, and any party who participates in such a meeting may still request mediation in accordance with SMC <a href="#">20.20.060</a> and the <u>provisions</u> of the City land use mediation program.</p>
10.	20.05.060	Christie Malchow Kathy Huckabay	<p>Add an extended noticing requirement for projects occurring at the top of a hill due to impacts felt further downhill than 500 feet.</p> <p><i>Staff comment: Council direction needed on an appropriate distance.</i></p>	<p><b>20.05.060 Notice of application.</b></p> <p>(7) Mailed notice for a proposal shall be sent by the department within 14 days after the department's determination of completeness:</p> <p>(a) By first class mail to owners of record of property in an area within 500 feet of the site, <u>or within 2,000 feet of the site if the site lies within an erosion hazards near sensitive water bodies overlay;</u> provided, <u>that</u> such area shall be expanded as necessary to send mailed notices to at least 20 different property owners;</p>
11.	20.05.100	Christie Malchow Ramiro Valderrama	<p>Add a re-notification requirement if an application is dormant to let the public know what is happening.</p> <p>Example:</p> <ul style="list-style-type: none"> <li>• Applicant submits application.</li> <li>• Notice of application is sent out.</li> <li>• For some reason the application is on hold.</li> <li>• If the public doesn't hear about what's going on after X amount of time, there is a trigger that re-notifies the project to let the public know what is happening.</li> </ul>	<p><b>20.05.100 Permit issuance.</b></p> <p>(3) If the department is unable to issue its final decision within the time limits established by this section, it shall provide written notice of this fact to the project applicant. The notice shall include a statement of reasons why the time limits have not been met and an estimated date for issuance of the notice of final decision. <u>Within fourteen (14) days of the date of such notice, a copy of the notice shall be provided to the public in the manner set forth in SMC 20.05.060(5).</u></p>

Exhibit 3

12.	20.05.030	Staff	Change "critical drainage basin" to "critical drainage area" for consistency with the rest of the SMC.	<p><b><u>20.05.030 Feasibility Conference – Preapplication conferences.</u></b></p> <p>(1) Prior to filing a permit application for a Type 1 decision, the applicant shall contact the department to schedule a preapplication conference that shall be held prior to filing the application if:</p> <ul style="list-style-type: none"> <li>(a) the property will have 5,000 square feet or greater of development site or right-of-way improvements;</li> <li>(b) the property is in a critical drainage <del>basin</del> <b>area</b>; or</li> <li>(c) the property has a wetland, steep slope, landslide hazard, or erosion hazard;</li> </ul> <p><del>Exempt from this requirement are</del> <u>Provided, that the provisions of this subsection shall not apply to (a) A single-family residence and its accessory buildings located on a site without environmentally critical areas; (b) or to other structures where all work is in an existing building and no parking is required or added.</u></p>
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# City Council Agenda Bill

**Meeting Date:** July 19, 2016

Date Submitted: 7/13/2016

**Originating Department:** Public Works**Clearances:**

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Attorney                | <input type="checkbox"/> Community Development | <input type="checkbox"/> Public Safety           |
| <input type="checkbox"/> Admin Services          | <input type="checkbox"/> Finance & IT          | <input checked="" type="checkbox"/> Public Works |
| <input checked="" type="checkbox"/> City Manager | <input type="checkbox"/> Parks & Recreation    |  |

**Subject:** Design Guidance for SE 4<sup>th</sup> St Improvements from 218<sup>th</sup> Ave SE to 228<sup>th</sup> Ave SE**Action Required:** Adoption of Resolution**Exhibits:** 1. Resolution

**Budget:** SE 4<sup>th</sup> Street TIP Project Estimated Cost: \$15,462,768  
(Cost matches draft 2017-2022 TIP)

**Summary Statement:** Staff is requesting a resolution from City Council to move forward with SE 4<sup>th</sup> Street design.

**Background:** The adopted Town Center plan assumes that the City would have to invest in capital facilities for the Town Center to spur and assist development. SE 4<sup>th</sup> Street is a concurrency project listed on the City's Six-Year Transportation Improvement Plan and is an integral piece of the Town Center Plan.

In September 2015, the engineering firm, Perteet Inc., was hired by the City to assist with designing SE 4<sup>th</sup> St to begin construction in 2016. An accelerated project schedule was established with the assumption that this project had been publicly vetted and design guidelines established through the Comprehensive Plan and Town Center Plan.

In January 2016 the preliminary design was presented to the public and results of the meeting were presented to City Council in February 2016. Since then staff has worked with the Transportation Committee to develop and analyze alternative designs and hold a public meeting to get additional public input.

Staff is requesting the City Council adopt a summary statement setting the guidelines for the project which will allow design to continue in order to be ready for construction in late spring of 2017.

**Financial Impact:** The SE 4<sup>th</sup> Street improvement project is a concurrency project. Cost to construct elements of the project that are consistent with requirements for an arterial collector road

(current SE 4<sup>th</sup> Street classification) and are reimbursable to the City through traffic impact fees paid by new development.

The anticipated cost for this project, based on analysis for the Six Year Transportation Improvement Program, is \$15,462,768 (this includes preliminary right-of-way costs to build a two lane road with a median or center turn lane, construction engineering, and construction costs). In addition to impact fees, the City applied for and was awarded a grant from the Washington State Transportation Improvement Board (TIB) for \$4,000,000 to construct SE 4<sup>th</sup> Street from 218<sup>th</sup> Avenue SE to 228<sup>th</sup> Avenue SE.

**Recommended Motion:**

Adopt Resolution 2016-XXX establishing design guidance for the SE 4<sup>th</sup> St Improvement Project.

**CITY OF SAMMAMISH  
WASHINGTON  
RESOLUTION NO. R2016-\_\_\_**

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**A RESOLUTION OF THE CITY OF SAMMAMISH,  
WASHINGTON, PROVIDING DESIGN GUIDANCE FOR SE 4<sup>TH</sup>  
ST IMPROVEMENT PROJECT FROM 218<sup>TH</sup> AVE SE TO 228<sup>TH</sup>  
AVE SE**

WHEREAS, Sammamish adopted a vision statement public participation process for the Sammamish Town Center in 2006; and

WHEREAS, Sammamish analyzed alternative Town Center Plans and adopted a preferred alternative 2007; and

WHEREAS, Sammamish adopted the Town Center Plan in 2008 and implemented regulations in 2010 to guide new development and create a central gathering place; and

WHEREAS, the adopted Town Center Plan listed SE 4<sup>th</sup> St improvements as an action item to be led by the Public Works Department; and

WHEREAS, SE 4<sup>th</sup> St from 218<sup>th</sup> Ave SE to 228<sup>th</sup> Ave SE is a concurrency project listed in the City of Sammamish Comprehensive Plan; and

WHEREAS, the SE 4<sup>th</sup> Street project was included in the Six Year (2015-2020) Transportation Improvement Plan; and

WHEREAS, Sammamish hired Perteet Inc. in September, 2015 to design and prepare for construction the SE 4<sup>th</sup> St Improvement project; and

WHEREAS; Sammamish applied for and was awarded a four million dollar grant from the Transportation Improvement Board in November, 2015 to begin constructing the SE 4<sup>th</sup> St improvements in 2016 and could lose the grant if construction is delayed beyond May of 2017; and

WHEREAS, the project design team has established a conceptual design and presented the design to City Council, to the Transportation Committee and to the public; and

WHEREAS, the City Council, the Transportation Committee and the project design team have considered the public input and made revisions to the conceptual design based on public feedback and engineering judgement; and

WHEREAS, it remains valuable to the City to move forward with the SE 4<sup>th</sup> St improvement project as the Town Center begins to develop.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAMMAMISH, WASHINGTON, DOES RESOLVE AS FOLLOWS:**

Section 1. Project Design.

The project design is based on the following four primary goals supported by both the City's Comprehensive Plan and the Town Center Plan:

1. Construct a multi-modal roadway to accommodate vehicles, pedestrians and bicyclists.
2. Improve safety for vehicles, pedestrians and bicyclists.
3. Improve traffic flow and provide traffic calming measures by providing raised medians and roundabouts at selected locations.
4. Provide water and sanitary sewer for the development in the Town Center to connect to.

The design corridor, from 218<sup>th</sup> Ave SE to 228<sup>th</sup> Ave SE consists of three typical roadway types and three intersection types. These cross sections and intersections vary in type and are intended to reflect multiple plan goals and accommodate current and future needs. The proposed right-of-way will generally be 72 foot wide. Right-of-way needs will vary at intersections to accommodate intersection types and auxiliary turn lanes.

Section 1 roadway is from – 218<sup>th</sup> Ave to 222<sup>nd</sup> Ave SE. This section is west of the Town Center and consists of sidewalks (6 foot on the north side and 8 foot on the south side), planter strips, and bike lanes on each side; and one travel lane in each direction. A center two-way-left-turn-lane will be constructed to optimize corridor accessibility. Where possible, median planter islands will be installed to add “green” character to the road and provide visual separation of the vehicular travel zones. The location of the median islands will be determined during design coordination with the residents along the corridor to insure that driveway access is not impeded by median islands. As the area builds out and driveways are removed due to redevelopment or consolidated it is intended that the redevelopment will provide the construction of the center median relative to their properties in areas where it does not exist.

Section 2 roadway is from 222<sup>nd</sup> Ave SE to 225<sup>th</sup> Ave SE. This section will have 8 foot sidewalks, planter strips/furniture zone, bike lanes on each side, and one travel lane in each direction. A raised planter center median will be installed between the travel lanes. Median cross overs large enough (approximately fifty feet) to accommodate emergency access and maintenance operations will be installed in the medians.

Section 3 roadway section is from 225<sup>th</sup> Ave SE to 228<sup>th</sup> Ave SE. The north half of this portion is already being constructed by development. The City's project will complete this section for the south half of the road. This section will have 8 foot sidewalks, planter strips/furniture zone, bike lanes on each side, and one travel lane in each direction. A center two-way-left-turn-lane will be constructed to optimize corridor accessibility. These improvements are expected to fit into a seventy-two foot (72') right-of-way (ROW). An additional twelve foot (12') ROW, eighty-four foot total, will be need to be obtained for an eastbound right turn lane at 228<sup>th</sup> Ave SE.

Exhibit 1

Section 2. Additional Design Study. The project includes a dedicated right turn lane from SE 4<sup>th</sup> onto 228<sup>th</sup> Avenue NE. The project will provide for further engineering review and the potential need of additional right-of-way for an additional westbound lane for the project at the intersection.

Section 3. Town Center Coordination. The City is designing SE 4<sup>th</sup> St to meet the adopted Town Center Plan goals and the general configuration of the adopted preferred alternative plan and current City standards. If during the design phase of this roadway project additional Town Center development is applied for along SE 4<sup>th</sup> Street, the final design will be coordinated with the private developer. The City will work with the development community to the best of its abilities during design to make sure the overall project provides necessary improvements within the corridor.

Section 4. Effective Date. This resolution shall take effect immediately upon signing.

**PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 19th DAY OF JULY 2016.**

CITY OF SAMMAMISH

\_\_\_\_\_  
Mayor Donald J. Gerend

ATTEST/AUTHENTICATED:

\_\_\_\_\_  
Melonie Anderson, City Clerk

Approved as to form:

\_\_\_\_\_  
Michael R Kenyon, City Attorney

Filed with the City Clerk: July 13, 2016

Passed by the City Council:

Resolution No.: R2016-\_\_\_\_





## Technical Memorandum – Draft

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505 Fifth Avenue S., Suite 300, Seattle, WA 98104 | P 206.436.0515 | F 425.339.6018

To: Sammamish City Council Transportation Committee

From: Jim Grueber, PE  
Peter De Boldt, PE

Date: July 11, 2016

Re: Response to Transportation Committee Request of 7/1/2016 for SE 4<sup>th</sup> St

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### Summary

At the Transportation Committee meeting of July 1, 2016, the Committee requested that staff respond to the following six specific elements of the SE 4<sup>th</sup> Street:

- Resident's ability to make left turns
- Engineer's recommendation to achieve safety
- Continuity of "Green Character"
- No ridiculously small medians
- Commitment to long-term look as property use changes
- Stormwater Impacts

In addition to the six (6) topics captured on the whiteboard during the meeting, the Committee has also asked for how long it would take a vehicle to travel through the SE 4<sup>th</sup> Street corridor for different configurations. A summary of results of that analysis is underway, and will be provided at the Committee meeting on July 11<sup>th</sup>. Preliminary results are that the maximum difference between concepts is less than 3 minute travel time to go from 218<sup>th</sup> to 228<sup>th</sup> (the quickest being thru a series of 4 roundabouts, and the slowest with signals instead of roundabouts at 222<sup>nd</sup>, 224<sup>th</sup>, and 225<sup>th</sup>).

Responses to each of the six topics requested on July 1<sup>st</sup> begins on the next page.



## Technical Memorandum

505 Fifth Avenue S., Suite 300, Seattle, WA 98104 | P 206.436.0515 | F 425.339.6018

### Resident's ability to make left turns –

A summary of the total number of driveways throughout the corridor today is summarized in the table below.

Segment	North Side	South Side	Total
218 <sup>th</sup> to 222 <sup>nd</sup>	5	7	12
222 <sup>nd</sup> to 224 <sup>th</sup>	1	2	3
224 <sup>th</sup> to 225 <sup>th</sup>	2	2	4
225 <sup>th</sup> to 228 <sup>th</sup>	2*	4	6
<b>Total</b>	<b>10</b>	<b>15</b>	<b>25</b>

\* Proposed by TRF.

The June 22, 2016 Open House corridor concepts of a landscaped median, for the segment between 222nd and 225<sup>th</sup>, would have vehicles exiting and entering driveways do so with right turns in-and-out. The proposed roundabouts at 222nd, 224<sup>th</sup>, and 225<sup>th</sup>, would accommodate those who today have the option to turn left into-and-out of the driveways. As this area redevelops in the next few years, most of the existing driveways in this segment would be removed.

Today there are a total of twelve (12) driveways on SE 4th Street between 218th Avenue SE and 222nd. There are five (5) parcels in this segment of SE 4th that do not currently have driveways on SE 4th. Of those five (5) parcels, two (2) parcels have access off of side streets, two (2) parcels are jointly owned by Homeowner's Associations and do not require driveways, and one (1) is a vacant lot. The two-way left-turn option, developed for the project Open House on June 22, 2016, allowed left-turn access into and out of all of these driveways. The hybrid option, developed for the project Open House on June 22, 2016, placed landscaped medians so that all of the existing driveways would also be able to make left-turns into and out of their driveways.



## Technical Memorandum

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505 Fifth Avenue S., Suite 300, Seattle, WA 98104 | P 206.436.0515 | F 425.339.6018

### **Engineer's recommendation to achieve safety –**

Important considerations (in our Engineer's recommendation to achieve safety) are design elements that are consistent with the desired speed limit of 25-mph in the corridor, and elements to reduce the potential for collisions. The anticipated vehicular traffic volumes in 2035 for the SE 4th corridor are based on the assumption that the City is fully built out to current zoning by then. Under this assumption, vehicular volumes on SE 4th would range from about 13,000 per day in the segment between 218th Ave and 222nd, up to 17,700 per day in the segment between 225th and 228th. The following is a summary of the main design elements and recommendations.

**Sidewalks** – A specific model has not been developed by the City to project pedestrian or bicycle volumes. However, based on studies conducted by the University of Washington, the portion of SE 4th Street within the Town Center area would be projected to have 150 to 230 pedestrians per hour. With this volume of pedestrians, an unobstructed sidewalk width of 10-feet is desirable if the goal is to have pedestrians occasionally adjust their path to avoid conflict with others. An 8-foot width would accommodate the same volume of pedestrians who would frequently adjust their path to avoid conflicts with others.

**Bicycle Lanes** – For bicyclists traveling the 25-mph roadway, sufficient space is desirable to separate them from the vehicular traffic and pedestrians. The NACTO Urban Bikeway Design Guide has 6-feet as a desirable width for bike lanes against a curb. At roundabouts the bicycle lanes are terminated. Bicyclists are provided the option to exit the road and travel on the sidewalk through the intersection as a pedestrian, or merge into the vehicle lane and travel through the intersection as a vehicle. This is the current preferred design method.

**Intersections** – Single-lane roundabouts have been shown to decrease collision frequency compared to stop controlled intersections. A study by Persaud et al. from 2001 showed that, in urban environments, changing from a stop-controlled intersection to a single-lane roundabout reduced the total number of collisions by 72%. The reduction was even larger for the number of injury collisions, which was reduced by 88% after the traffic control change.

**Median/Turn Lane** – Installing a continuous raised median between intersections has proven to reduce collision likelihood between intersections and reduce driver stress. A



## Technical Memorandum

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505 Fifth Avenue S., Suite 300, Seattle, WA 98104 | P 206.436.0515 | F 425.339.6018

study by Elvik, R. and Vaa, T. from 2004 found that serious injury or minor injury collisions decreased by 22% after a raised median was installed in an urban area.

To meet the project goals of meeting traffic concurrency requirements, access management, supporting Town Center goals, and maintaining a 25-mph corridor safe for all users, our professional engineering recommendation is:

**From 228<sup>th</sup> Ave SE to 225<sup>th</sup> Ave SE:** Construct sidewalks, planter strips, and bike lanes on each side. Construct a lane in each direction, with a center turn lane. Construct a right-turn only lane for the eastbound approach to the 228<sup>th</sup> intersection. If more detailed operation analysis of the SE 4<sup>th</sup>/228<sup>th</sup> intersection indicates in the future would require an additional westbound lane on SE 4<sup>th</sup>, acquire right-of-way to construct the lane in the future when funding is available to reconstruct the SE 4<sup>th</sup>/228<sup>th</sup> intersection.

**From 225<sup>th</sup> Ave SE to 222<sup>nd</sup> Ave SE:** Construct roundabouts at 225<sup>th</sup>, 224<sup>th</sup>, and 222<sup>nd</sup> that provide capacity to address the anticipated traffic volumes, and better traffic operations than stop sign or signal alternatives. Construct sidewalks, planter strips, and bike lanes on each side. Construct a lane in each direction, with a center median. Construct a raised mid-block crossing at the “Green Spine”, and eliminate crosswalks at the 224<sup>th</sup> and 225<sup>th</sup> roundabouts that would normally be closest to the mid-block crossing.

**From 222<sup>nd</sup> Ave SE to 218<sup>th</sup> Ave SE:** Construct a roundabout at 218<sup>th</sup> Ave SE that provides capacity to address the anticipated traffic volumes, and better traffic operations than stop sign or signal alternatives. Have stop sign control on the northern leg of the 218<sup>th</sup> Place SE intersection. Construct sidewalks, planter strips, and bike lanes on each side. Construct a lane in each direction. One of the goals we have heard is to maintain access to existing driveways, either a full length two-way left-turn lane, or an option that constructs landscaped median islands can accomplish this goal. It is our opinion that neither option is significantly better than the other in terms of operational characteristics. The full-length two-way left-turn lane provides maximum flexibility vehicles moving around parked or stalled vehicles, though it increases potential for higher undesirable speeds. The inclusion of some landscaped medians would give the visual appearance of a narrower street to encourage desirable speeds, however there is little opportunity to install these, so the benefit of a narrower looking street is not as strong as a full median would provide. If a decision is made to install continuous medians through this portion of roadway, we recommend that a roundabout



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be installed at 218<sup>th</sup> PI SE to accommodate u-turn movements necessary for driveway accessibility.

### Continuity of “Green Character” –

Creating a green, pedestrian friendly character for the SE 4th Street corridor is a goal of the Comprehensive Plan and Town Center Plan. This was to be achieved with planter strips on both sides of SE 4th Street, and the use of a landscaped median. As more detailed designs were developed, and input received from Council and the public, concerns arose over the ability of cars to get around service or stalled vehicles in the roadway, and the restrictions a median would create for existing residents in the corridor to turn left into and out of their driveways. One solution was to have a two-way left-turn lane in the segment outside of the core Town Center area (i.e. between 218th Avenue SE and 222nd Avenue SE). This approach does detract from the green corridor concept. A hybrid option that would allow left-turns into and out of all existing driveways while constructing medians in about 25% of the corridor between 218th Avenue SE and 222nd Avenue SE would help in maintaining the green character for the corridor.

### No ridiculously small medians –

The shortest median in the hybrid option from the project Open House of June 22, 2016 is 28-feet. The City of Kirkland has several smaller landscaped medians in NE 68th Street, between I-405 and 108th Avenue NE (Houghton area). The smallest of the medians Kirkland has constructed is about 25-



feet long and supports one tree.

*Figure 1 - 25-foot median in NE 68th St, Kirkland.*



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Another local example of smaller islands (30-ft) are on 228<sup>th</sup> Avenue SE near SE 27<sup>th</sup> Court. Short medians do not eliminate the potential for left-turn collisions, and vegetation needs to be carefully selected for these environments.

### **Commitment to long-term look as property use changes –**

As properties in the SE 4th Corridor redevelop and the number of driveways decrease, construction of a median throughout the 218<sup>th</sup> Avenue SE to 222<sup>nd</sup> Avenue SE segment of SE 4<sup>th</sup> could be added later. These islands would be installed by the developers, but impacts to the motoring public would be greater. If a full-length median is constructed, than another roundabout is recommended between 218<sup>th</sup> Avenue SE and 222<sup>nd</sup> Ave SE intersections so that anyone who would be blocked by the median from making a left-turn would have to travel no more than 800-feet from a roundabout to go in the direction that a left-turn would normally offer (adding at most 50-seconds to their trip). The median should include cross-over zones for emergency vehicles at approximately 300-foot intervals.

The currently proposed concepts for SE 4th Street are sufficient to accommodate the projected traffic volumes through build-out of the City's current zoning. The intersection of SE 4th Street and 228th Avenue SE will experience congestion that exceeds the City's level-of-service as build-out is reached. To address this, an additional left-turn from northbound on 228th Avenue SE to westbound on SE 4th Street might be necessary. Additional detailed analysis will be conducted by the end of July of the appropriate treatment for the intersection. If the additional left-turn lane turns out to be the best solution, an additional westbound lane on SE 4th Street would be necessary. The City should consider requiring dedication of additional right-of-way in the segment of SE 4th Street, between 228th Avenue SE and 225th Avenue SE, dependent on the results of the detailed intersection analysis of SE 4th Street and 228th Avenue SE.

### **Stormwater –**

Implementing a full two-way left-turn lane between 218th Ave SE and 222nd Ave SE would result in the need to treat and detain an additional 12,000 square feet of impervious area. It would not change the general approach anticipated in the 30% design concept of a landscaped median in this segment. The same areas and approaches to handling the treatment and detention would be used for the two-way



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left-turn option with larger sized facilities. Detailed design of the detention and water quality facilities has not been done, but at most the additional cost would be \$120,000.

### Summary Comparison of Main Project Elements

	Benefit	Disadvantage
<b>8 Foot Sidewalk (Within Town Center)</b>	Fits within proposed right-of-way. Allows developers to add sidewalk width later if needed.	
<b>Landscaped Median</b>	Separates traffic for safety, reduces stormwater runoff, helps keep speeds down	Restricts access to right-turns. Makes it difficult to get around stopped vehicles.
<b>Two-Way Left-Turn Lane</b>	Provides access to adjoining properties. Does separate turning vehicles from thru traffic.	No reduction to conflicts between turning vehicles compared to a segment with landscaped median. Encourages higher speeds. More stormwater detention and treatment required.
<b>Stop Sign Controls – adds about 8–12 seconds of delay if no one is stopped ahead.</b>	Familiar to most users. Least cost solution (if traffic volumes warrant)	Not as efficient for traffic flow as other traffic control options.
<b>Roundabouts – adds about 3–6 seconds of delay if no one is stopped ahead</b>	Reduced number and severity of collisions. Provides good traffic operations on SE 4 <sup>th</sup> .	Takes slightly more ROW than a stop signed controlled or signalized intersection.
<b>Signals – adds 0–50 seconds of delay, depending on cycle phase.</b>	Familiar to most users. Takes less ROW than a roundabout. Can provide generally good traffic operations on SE 4 <sup>th</sup> . Developers tend to prefer signals because drivers look around at stores when stopped at traffic lights.	Generally not as efficient as a roundabout for SE 4 <sup>th</sup> volumes. More costly to maintain than roundabout. Would have more delay for corridor travel than a roundabout. Increases vehicle conflict points.

### Travel times for Different Configurations –

A variety of different intersection configuration options have been considered for the SE 4th Street project. A summary of the travel times for the different options during the PM Peak hour is summarized on the next page:



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## PM Peak Hour Travel Time Comparisons for SE 4<sup>th</sup> Street

Description	Travel time from 218th Ave SE to 228th Ave SE (minutes)	Illustration
Existing conditions in 2016	Eastbound = 2.0	
	Westbound = 1.6	
PM peak hour in 2035 - Roundabouts @ 218th Ave SE, 218th Pl SE, 222nd Ave SE, 224th Ave SE and 225th Ave SE; signal @ 228th Ave SE.	Eastbound = 2.5	
	Westbound = 1.9	
PM peak hour in 2035 - Roundabouts @ 218th Ave SE, 222nd Ave SE, 224th Ave SE, and 225th Ave SE; stop @ 218th Pl SE (north leg only); signal @ 228th Ave SE.	Eastbound = 2.3	
	Westbound = 1.8	
PM peak hour in 2035 - Stop sign control @ 218th Ave SE, 218th Pl SE (north leg only), and 222nd Ave SE; roundabouts at 224th Ave SE and 225th Ave SE; signal @ 228th Ave SE.	Eastbound = 4.4	
	Westbound = 4.4	
PM peak hour in 2035 - Stop sign control @ 218th Ave SE, 218th Pl SE (north leg only), and 222nd Ave SE; signals @ 224th Ave SE, 225th Ave SE, and 228th Ave SE.	Eastbound = 4.0	
	Westbound = 4.8	
PM peak hour in 2035 - Stop sign control @ 218th Ave SE and 218th Pl SE; signals @ 222nd Ave SE, 224th Ave SE, 225th Ave SE, and 228th Ave SE.	Eastbound = 3.7	
	Westbound = 3.9	

The travel times summarized above are for the PM peak hour for vehicles to travel from 218<sup>th</sup> Avenue SE to 228<sup>th</sup> Avenue SE, including the time to pass through the intersection at each end. The eastbound travel times are generally higher because of the time to get thru the signal at 228<sup>th</sup> Avenue SE. During non-peak hours, travel times would be less.



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For each stop sign added to the corridor would add about 8–12 seconds. the table on the next page summarizes those travel times.

## Off-Peak Hour Travel Time Comparisons for SE 4<sup>th</sup> Street

Description	Travel time from 218th Ave SE to 228th Ave SE (minutes)	Illustration
Existing conditions in 2016	Eastbound = 1.8	
	Westbound = 1.5	
Off-peak hour in 2035 - Roundabouts @ 218th Ave SE, 218th Pl SE, 222nd Ave SE, 224th Ave SE and 225th Ave SE; signal @ 228th Ave SE.	Eastbound = 2.0	
	Westbound = 1.6	
Off-peak hour in 2035 - Roundabouts @ 218th Ave SE, 222nd Ave SE, 224th Ave SE, and 225th Ave SE; stop @ 218th Pl SE (north leg only); signal @ 228th Ave SE.	Eastbound = 1.9	
	Westbound = 1.5	
Off-peak hour in 2035 - Stop sign control @ 218th Ave SE, 218th Pl SE (north leg only), and 222nd Ave SE; roundabouts at 224th Ave SE and 225th Ave SE; signal @ 228th Ave SE.	Eastbound = 2.2	
	Westbound = 1.9	
Off-peak hour in 2035 - Stop sign control @ 218th Ave SE, 218th Pl SE (north leg only), and 222nd Ave SE; signals @ 224th Ave SE, 225th Ave SE, and 228th Ave SE.	Eastbound = 2.7	
	Westbound = 2.2	
Off-peak hour in 2035 - Stop sign control @ 218th Ave SE and 218th Pl SE; signals @ 222nd Ave SE, 224th Ave SE, 225th Ave SE, and 228th Ave SE.	Eastbound = 2.6	
	Westbound = 2.1	



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### **Additional Reading –**

An excellent website that provides additional information and benefits on the value of medians and other safe street elements can be found here:

[https://depts.washington.edu/hhwb/Thm\\_SafeStreets.html](https://depts.washington.edu/hhwb/Thm_SafeStreets.html)

The Federal Highway Administration (FHWA) sponsors a website for Context Sensitive Design that responds too many of the other elements touched upon in this memorandum in additional depth. The website can be found here:

<http://contextsensitivesolutions.org/>

Understanding Flexibility in Transportation Design – Washington:

<http://www.wsdot.wa.gov/publications/fulltext/design/CSD/UnderstandingFlexibility.pdf>

## Exhibit 3

SE 4<sup>th</sup> Public Meeting: Verbal comments provided from attendee's (June 22, 2016)

### Design Specific Comments/Questions:

- Desire for a barrier or large landscaping rocks at the western edge of the 218<sup>th</sup> Ave mini roundabout to prevent westbound vehicles on 4<sup>th</sup> from running through the intersection and into resident's yard.
- Desire to have flashing beacons (RRFB) at roundabout crosswalks (specifically 218<sup>th</sup> Ave).
- Driveway access for resident at the southeast corner of 4<sup>th</sup> and 218<sup>th</sup> Ave (where driveway along 218<sup>th</sup> is proposed to be removed).
- Concern over the south legs of both 224<sup>th</sup> and 225<sup>th</sup> roundabouts from a couple of perspectives:
  - Folks are not convinced of the necessity to have the "U" corridor when the park is already served by 222<sup>nd</sup>.
  - Property owners on the south side are reluctant because of the way it will split their properties.
- Several concerns with the green spine crossing:
  - Does the amount of pedestrians justify the crossing?
  - Mid-block crossing will constantly stop traffic and increase travel time through the corridor.
  - There should be some sort of pedestrian activated signal to increase safety.
  - There should be a pedestrian overpass through the green spine.
    - One person really liked the idea of using an overpass as a "gateway" or "landmark" feature with special art or designs.
- How will mailboxes in the corridor be configured?
- Concern that vegetation in the planting strips will overgrow and encroach on the sidewalk (picking the right plants and maintenance).
- Will folks in the corridor currently on septic systems be required to connect to the new sewer line?
- Is one option (center median or TWLTL) more cost-effective than another?
- How will construction/traffic control be phased? Will there be access to residents and thru traffic?
- Will there be significant regrading of the corridor?

### Global Comments/Questions:

- Why are we rushing to get to advertisement by early next year?
- Is there any intent for the city to upgrade another east-west connection in order to offset the delay that the new 4<sup>th</sup> St design will cause?
- 218<sup>th</sup> Ave requires upgrades as well.
- Why is the town center boundary where it is?
- The signal timing at 4<sup>th</sup> and 228<sup>th</sup> is off.
- What is going to be done with the intersection of 4<sup>th</sup> and 228<sup>th</sup>?
- Will there be compensation to residents (monetarily or via taxes) for the inconvenience of construction?

## Exhibit 3

### Preferences for design:

- Option 1 – Center Median: 10
- Option 2 – TWLTL: 27
- Option 3 – Hybrid: 15

Exhibit 4

SE 4th Street Open House - June 22, 2016		
Written Comments from Open House		
Name	Comment	Response
Haneen Ahmad	Please consider how construction will affect Cross Path Counseling (which has a partnership with the City) and is virtually the only place in Sammamish providing counseling services to our residents We already facing difficulties with the current construction	
Karen Berg	Travels to 228th via Louis Thompson to SE 8th to 218th Ave NE to SE 4th. SE 8th and 218th will be heavily impacted. Why aren't SE 8th and 218th being improved?	
Teddy Braun	The area sees heavy school bus traffic. I do not believe the size of these roundabouts are big enough to accommodate these busses. Busses will have to drive over them and cars experience some physical damage as well. Please take into account the functionality of these roundabouts before any action is taken. Intended use and actual use are different	
Beata Baker	The planting strips are a ridiculous concept; they do not serve enough of a constructive purpose to warrant their cost and maintenance. The video in the presentation showing the "Rush Hour 2035" was not indicative of traffic now in 2016. You need to use more of a realistic algorithm	
Cliff Cantor	Garbage trucks go up and down both sides of SE 4th. Traffic manages to continue to flow by veering around these trucks. With a median, this may be impossible. I don't know the width of a garbage truck compared to the lanes. If it is impossible to get around these trucks, even the best laid plans will turn into a traffic jam Among the options, did the City consider a 4-lane option? Now is the cheapest time to build for the future SE 4th is the main E & W corridor. Most of the present traffic on SE 4th just want to get through. They don't want to be delayed by the town center. I think a 4 lane option should be considered I think it is shortsighted of the City to not regrade the big hill on SE 4th. The hill ices up during the winter, creating traffic problems. Please make sure the bike lane heading up the hill (West) from 228th is adjacent to the sidewalk and not sandwiched between traffic lanes. Reason: I have never seen a bicyclist successfully ride up the hill. I think having the bike lane adjacent to the sidewalk will be safer.	
Nicole Doud	9 of our cedar tress will be removed due to this project These provide us with a lot of privacy and block cars from hitting our house. We would like trees to be planted and also a privacy fence. Thank you	

Exhibit 4

SE 4th Street Open House - June 22, 2016		
Written Comments from Open House		
Name	Comment	Response
Wei Fu	<p>We need to look at the potential traffic jam at SE 4th St and SE 229th Ave when we look at designing SE 4th St. I do not believe these can be looked at separately</p> <p>We should have a traffic expert in the panel who makes the final decision. You should provide data and an estimate to support the decision</p> <p>Smooth traffic flow is one of the most important factors. Pedestrian safety is also one of the most important factors. I hope this won't impact the property value of those houses on 4th St</p>	
Travis Hare	<p>The driveway of our home is circular and has an opening onto 4th &amp; 218th. All three of these propositions eliminate our driveway on 218th.</p> <p>That will substantially affect our property's value and make it extremely difficult to maneuver our large trailer from our garage - especially with the median.</p> <p>With these changes, our carport will be right next to the sidewalk which will affect our vehicles' security</p>	
Ole Cert	<p>I need to have ingress and egress for large vehicles</p> <p>Option 1: Roundabout needs to be useable for turning</p> <p>Option 2: No curbs in the median of the road</p> <p>Option 3: Turn option from 222 to 218, no median curbs, etc.</p>	
Diane Leavitt	<p>I prefer the idea of fewer center island son the West segment of SE 4th. WE own two parcels on SE 4th just East of 218th Ave SE</p> <p>None of your drawings show our driveways; we have three of them, and they need to be factored into the street widening plan</p> <p>We cannot lose access to our property from SE 4th.</p> <p>Thank you</p>	
Bobbi Moles	<p>The layout is great!</p> <p>What about the traffic getting in and out of Sammamish?</p> <p>It takes an hour in the morning.</p>	
Karen Moran	<p>Where are the alternatives?</p> <p>3 roundabouts? Wasn't that directed by the transportation committee?</p> <p>[sic. Resident placed her sticker for three roundabouts on the page]</p>	
Joseph Meehan	<p>The roundabouts are too small. School busses have extreme difficulty at the intersection of NE 8th and 233rd Ave; they often jump off the road when making turns</p> <p>Given that the new ones will be the same size or smaller, I fail to see the new ones will be any better</p> <p>Beyond that, the medians are likely to impede emergency vehicles, which often need to make unusual turns to respond in the most timely fashion</p>	

Exhibit 4

SE 4th Street Open House - June 22, 2016		
Written Comments from Open House		
Name	Comment	Response
Rick Morgan	Concentrating on the SE 4th Town Center area without considering its impact on the surrounding area seems irresponsible Make the capacity of the other East and West corridors happen in advance of the town center impact	
Katherine Mattes	1. Pedestrian overpass and green corridor 2. [sic. Resident is concerned about roundabouts and cement] 3. PO boxes - replace, both sides 4. Retain trees as much as possible	
Heather Maier	Please consider the elevated pedestrian crossing in the green spine. Perhaps an elevated crossing would make it so vehicle traffic could flow more easily Please don't delay - move forward before there is more traffic and congestion to work around	
Randall Quinton	A nice, quality piece of roadway, but it is a dead end on 218th. It is half an hour that will pressure SE 8th, 218th	
Ramesh Seela	Leave the 3-way stop sign on the west end of SE 4th. These provide safety for residents and safety for pedestrians crossing the street The proposed roundabout could lead to high risk of traffic accidents Add pedestrian cross signal the intersection of SE 4th and 218th Ave SE Addition of pedestrian cross signals ensures safety of pedestrians	
Susan Zanner	I have no preference on the SE 4th St designs I think it's very important to consider the usability of 218th and SE 8th. Cars tend to travel much faster than the posted speed limits which produces a variety of safety issues for the community. Measures need to be taken to either make 218th and SE 8th safer for bikers and pedestrians OR to slow traffic down via speed bumps or something similar	
Matt Zanner	The traffic along 4th corridor and 218th to Big Rock, 8th is out of control Even speedbumps on 218th would be a huge improvement Thanks	
No Name	This road will never be able to accommodate 17000 vehicles per day	
No Name	Please consider mail boxes on both sides of the street. Having a center drive lane for turns would be the best	

Exhibit 4

# 2016

## PUBLIC WORKS STANDARDS

DRAFT

**Public Works Department**

City of Sammamish

801 228th Ave SE

Sammamish, WA 98075



# Discussion:

## Issaquah Fall City Road Project 30% Design Update

