



## Future of trail clouded by new legal argument

This December, when King County attorneys appeal a hearing examiner's decision on the East Lake Sammamish trail, they will bring up a new argument. They will say that, in this case, the city's wetland protection rules are superseded by federal law, effectively neutralizing the city's sensitive areas ordinance.

This argument, to be made in Snohomish Superior Court, marks a shift in the county's legal strategy as they battle homeowners opposed to the county's trail design. Prior to a lengthy appeal before Hearing Examiner John Galt in April, the county never raised the federal preemption issue.

The county wants its 11-mile recreational trail to strictly follow an old Burlington Northern rail bed. In April

2002, the city granted a permit for that route.

Homeowners appealed the city permit, saying the city's ordinance should have required the county to consider alternative routes with less environmental impact. When Galt found in favor of the homeowners on that issue, the county appealed his decision to Superior Court.

"We issued the rail bed permit to the county because we thought our ordinance would allow it," City Manager Ben Yazici said. "When the hearing examiner came to a different conclusion, it looks like the county decided the solution was to erase our ordinance."

*See Trail - page 3*

## Evergreen Ford donates Expedition

Members of the City Council happily accepted a donated Ford Expedition at their Sept. 16 meeting.

The new vehicle was delivered to the city just outside council chambers by Dan Rowe, owner of Evergreen Ford, and his wife Gay.

The Issaquah dealership's gift will be used by Police Explorers and other city youth programs in Sammamish.

"This is a great demonstration of community spirit," City Manager Ben Yazici said. "Our entire community will benefit from this gift to our youth."



*Pictured (from left to right): Deputy-Mayor Ron Haworth, Skyline High council representatives Lindsey Bull and Amber Hargraves, Councilmember Jack Barry, Eastlake High council representative Alex Anne Madison, Councilmember Troy Romero, Councilmember Kathy Huckabay, Mayor Ken Kilroy, Gay Rowe, Councilmember Don Gerend, Dan Rowe, and Councilmember Michele Petitti.*

## Comprehensive Plan Adopted

After three years of hard work by resident volunteers on the Planning Advisory Board (PAB), the City Council adopted the first Sammamish Comprehensive Plan on Sept. 16.

The 300 page document, produced by the PAB with the help of consultants and city staff, will serve as a blueprint for the city's development over the next 20 years.

*See Comp Plan - page 6*

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Mayor Ken Kilroy

At incorporation in 1999, our community placed parks and ball fields at or near the top of our civic priority list. In 2003, after purchasing 274 acres of potential parkland and refurbishing existing facilities, the city remains committed to the fulfillment of this community goal.

But the broad consensus fueling this commitment has also generated conflict. When the city chose a location along 212<sup>th</sup> Avenue for its first, brand new park – Ebright Creek Park – a number of residents in that neighborhood objected.

This pattern – support for a general goal mixed with concern over specific locations – is understandable. It's a pattern most cities are well acquainted with. Parks and ball fields do, indeed, increase traffic and noise levels in quiet neighborhoods.

But a couple of misunderstandings have developed in recent months over potential alternatives to new parks inside Sammamish.

The first is the idea that school ball fields would be available if the city would simply sign interlocal agreements with the Issaquah and Lake Washington school districts.

That's not the case. The school fields are already booked for use during times when our youngsters need baseball and soccer space. There would be no tangible increase in usage if the city entered into agreements with the school districts.

Others have suggested that we spare individual neighborhoods by building a sports complex in Section 36, a square-mile of open space on the eastern border of the city.

That makes some sense. We could build numerous fields in one spot, concentrating traffic and noise away from residential areas. But there's a problem with that option as well. Section 36 belongs to King County.

As a city, we have offered to partner with the county on construction of a sports and active recreation complex in Section 36. So far, the county has declined our offer.

We need parks and ball fields now. If we wait, the children in our community will be off to college before they get an adequate park system.

But even if Section 36 was an option, it wouldn't solve all our problems. Sammamish is a large city geographically. Residents want neighborhood parks. Driving beyond the city limits to find a slide, a teeter-totter or a ball field isn't what they had in mind when they voted to become a city in 1999.

Retrofitting a developed community with parks is a challenge. Much of the buildable land has already been taken. All specific locations will have environmental and social impacts that need to be taken into account.

But it's clear from community surveys that residents want us to continue our vigorous pursuit of parks and ball fields. That we will do.

It will require patience, a balanced perspective and a spirit of compromise from all of us – residents, city staff and City Council members alike. But we will get the job done.

## City budget wins another award

City Finance Director Lyman Howard received a state-wide Distinguished Budget Presentation Award in Spokane last month.

This latest recognition, from the Washington Finance Officers Association, came at the group's annual conference. The award recognizes "budget documents which are complete, clear and understandable by the elected officials and general public without sacrificing the need for solid financial planning."

Earlier this year, Howard received a similar award from the Government Finance Officers' Association of the United States and Canada. Both awards recognized budget documents covering the 2003-2004 time period.

*City Finance Director Lyman Howard, left, accepts award from John Payne, President of the Washington Finance Officers' Association.*



Q  
&  
A

With City Manager, Ben Yazici

## New trail argument:

**Q:** As the legal battle continues between the county and the trailside homeowners, the city's sensitive areas ordinance has become a big issue.

Tell us about the ordinance.

**A:** When we incorporated in 1999, we adopted the existing King County code on an interim basis until we could create our own. Our sensitive areas ordinance is similar to King County's.

**Q:** But there are some differences?

**A:** Yes. Our ordinance, as it affects wetlands and streams, increased the buffer from 100 to 150 feet in some cases. But that had no effect on the trail issue.

What probably did have an impact was our decision not to adopt the county's "administrative rules." These are rules that help county officials interpret their own ordinances. In the case of the trail, their rules relax the ordinance. Our interpretation is more strict.

**Q:** Does that stricter interpretation apply just to the trail, or the whole city?

**A:** The whole city. We used the stricter interpretation to guide our design of Ebright Creek Park and the Sammamish Commons, for example.

**Q:** If there's nothing exceptional about the city's ordinance, how did it become the centerpiece of the county's argument?

**A:** The legal disagreement between the county and the homeowners has become a bit of a chess match. Our little ordinance has become a pawn.

**Q:** Does it feel like the city is being dragged into someone else's fight?

**A:** Yes. The county and the homeowners have a significant disagreement over the trail route. Their legal standoff is what stands in the way of a completed trail. It's unfortunate we're being drawn into it.

The city knows the great majority of residents want this trail constructed. We've hosted two informal meetings

between county officials and homeowners in an effort to encourage mediation. The last thing the city wants is more litigation.

**Q:** How is all this going to play out?

**A:** It's hard to say. If the county loses in court, we hope they'll come to the table and enter into mediation with a neutral third party.

This is such a complex issue, I think a mediator would have a much better chance of arriving at a win-win solution than two sets of attorneys.

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*“we believe in the spirit and substance of our sensitive areas ordinance”*

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**Q:** And if the county wins?

**A:** We'll stand by our commitment to appropriate environmental protection along the trail. We believe in the spirit and substance of our sensitive areas ordinance – and we'll do whatever it takes to protect our streams and wetlands.

## TRAIL - continued from page 1

Yazici says the city has tried to remain neutral during the legal disagreement between the county and the homeowners. But he's concerned the county's latest legal maneuver could reduce environmental protection along the trail.

“When we issued our permit for the rail bed, we attached some significant environmental protection measures – based on our interpretation,” Yazici said. “We believe in our ordinance. We imposed the same conditions when we designed Ebright Creek Park and the Sammamish Commons.

“We feel an obligation to defend our ordinance. We don't want a legal maneuver to negate our ability to regulate environmental issues inside our city.”

The county's new legal gambit mirrors a suit filed recently in federal court by Friends of the East Lake Sammamish Trail – a regional group that supports the rail bed route. That suit alleges the city's sensitive areas ordinance is being used by homeowners to “frustrate” construction of a trail that should rightfully be governed by federal “rails to trails” legislation.

Yazici says the new argument raises some obvious and awkward questions.

“If federal law preempts local law, why did the county spend so much time and money arguing over the interpretation of our local ordinance?”

“Why did they even apply for our local permit – and the same permits in Issaquah and Redmond?”

“Like most residents in Sammamish, we want to see a trail built. I'm not sure how this new argument is going to advance that cause.”

**(Please see Q & A with City Manager Ben Yazici on this page for more information about the new trail argument.)**

# Park Project Updates



*Kids have a swinging time at East Sammamish Park.*

## **Ebright Creek Park:**

The city's proposed 12-acre park remains under appeal by residents who say, among other things, that the park will produce too much noise and traffic. A date for the appeal is expected to be set soon by the hearing examiner in charge of the case.

Parks and Recreation Manager Jeff Watling says the appeal will touch on some important community issues.

"Community surveys show broad support for new parks and ball fields," Watling said. "But along with the many benefits, a new park also brings some change — like the typical suburban noise associated with parks.

"Maybe this appeal will help bring those trade-offs to light."

The proposed park, scheduled to begin construction this year, features paths, picnic facilities, children's play areas and a combination baseball/soccer field for youth.

A creek viewing platform, wetland boardwalk, parking lot and restroom are also part of the design.

## **Pine Lake Park:**

After a busy summer, Pine Lake Park is ready for some much needed work this late fall and winter. Improvements scheduled for the park include a new multi-use sports field, basketball court, loop trail, climbing wall and parking lot.

Another significant portion of the project, the installation of a new storm water system in the park, will not be a "visible" improvement, but is an essential part of the project and will serve as a real environmental benefit to both the park and the lake.

The construction bid is scheduled to be awarded for the Phase I improvements in early November. Residents can look forward to an improved and safer Pine Lake Park next spring!

## **Sammamish Commons:**

Design is underway on the 30-acre park. After reviewing a wealth of public feedback, a preferred concept was identified by the Parks Commission and the City Council. This multi-use park will feature a mix of active and passive opportunities. A sports field, picnic shelters, trails, viewing platforms, play areas, open meadows and a children's water play area are all elements of this dynamic park and central gathering space.

The City Council also approved a location along 228<sup>th</sup> Avenue, within the Sammamish Commons, for a skate park. Construction is scheduled to begin on this park in 2004.

## **Trails, Bikeways and Paths Plan:**

The Trails, Bikeways and Paths Master Plan is continuing to make progress. Information has been gathered through a series of public workshops and meetings around the city.

Based on that feedback, a draft map of proposed routes is being prepared by city staff and the Parks Commission. These routes will provide pedestrian connectivity and recreational opportunities throughout the city.

A list of criteria that will be used to prioritize projects is also being developed. The City Council will be given a progress report on the plan later this fall. The Master Plan is scheduled to be completed by spring of next year.



*Soccer practice at East Sammamish Park*

# Public Works Update



*A first layer of pavement is already in use as 228th Avenue nears completion just north of SE Eighth Street."*

**228<sup>th</sup> Avenue:** The remaining curb, gutter and sidewalk on the west side of 228<sup>th</sup> Avenue near NE Eighth Street is being removed. The new curb, gutter and sidewalk is expected to be in place by mid-November.

Driveways into the shopping centers will remain open except for temporary

Village shopping center will remain open.

For information about the work along 228<sup>th</sup>, please call Shahram Pourazari, the city's project manager, at 425-836-7909.

**Roundabout/Issaquah-Pine Lake Road:** Construction, originally slated for

closures required for driveway reconstruction.

The two south-bound lanes of 228<sup>th</sup> Avenue between NE Fourth Street and NE Eighth Street are closed. All traffic is being diverted to the two lanes on the eastern side of 228<sup>th</sup>. The lane closures and rerouting of traffic in this section will last into November. Access to the Inglewood

this summer, is now scheduled to begin in the summer of 2004. Completion is expected in September 2004.

**SE 24<sup>th</sup> Street sidewalk:** This sidewalk, which runs from 238<sup>th</sup> Avenue SE to 244<sup>th</sup> Avenue SE, is scheduled to begin construction in mid-October. Completion is expected by the end of November.

**Park and Ride:** Sound Transit is doing the final design work for the new Park and Ride at 228<sup>th</sup> Avenue SE and Issaquah-Pine Lake Road.

**244<sup>th</sup> Avenue NE between NE Eighth Street and SE Eighth Street:** The city will shortly be moving forward into the preliminary design and environmental documentation phase of this project.



**Sanitary Sewer:** Installation on NE 4<sup>th</sup> Street between 208<sup>th</sup> Avenue SE and 212<sup>th</sup> Avenue SE is scheduled to continue through December.

## Sammamish Police fight "skimming"

It's not new, but Sammamish Detective Bill Albright says "skimming" has victimized a growing number of city residents this year.

It's the art of stealing your credit card information while leaving the card firmly in your possession. Albright shakes his head at how easy it is to obtain the necessary criminal tools.

"You can get it all on Ebay," Albright said, referring to the magnetic card readers the crooks use. "For some reason, someone devised a portable version."

Typically, skimmers "slim-jim" their way into an unattended vehicle, scan credit and debit cards, and leave no indication they've stolen anything.

It's only later, after they've transferred the information onto a fake credit card of their own, and sent an account balance into the stratosphere, that victims realize something is wrong.



COMP PLAN - continued from page 1

The comprehensive plan addresses land use, transportation, housing, parks, utilities, the environment and other important issues.

The plan, which can be amended annually, directs limited new commercial

and mixed-use development into three areas along 228<sup>th</sup> Avenue – the QFC shopping center, the Safeway shopping center and the area near the new City Hall site.

That site, near Skyline High School at the intersection of 228<sup>th</sup> Avenue and SE 8<sup>th</sup> Street, will undergo some addi-

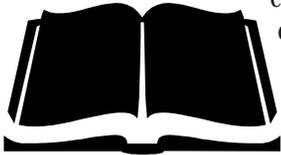
tional subarea planning in the months to come.

Copies of the new comprehensive plan are available at City Hall, 486 228<sup>th</sup> Ave. NE; the Sammamish Library, 825 228<sup>th</sup> Ave. NE; and on the city's website: [www.ci.sammamish.wa.us](http://www.ci.sammamish.wa.us).

## Municipal Code almost ready

The City Council conducted its first reading of the Sammamish Municipal Code at its regular Sept. 16 City Council meeting.

The municipal code is a codification of all of the city's existing ordinances into one document, edited for clarity and to eliminate conflicts and inconsistencies. The second reading and public hearing will occur at the Oct. 7 regular council meeting.



Among other benefits, the codification is expected to make it easier for Sammamish residents to find code information.

The proposed code, and the table of edits, is already on line at [www.ci.sammamish.wa.us](http://www.ci.sammamish.wa.us). It's also available for review at City Hall, 486 228<sup>th</sup> Ave. NE, and the Sammamish Library, 825 228<sup>th</sup> Ave. NE.



## Your help would be grate!

It's leaf season again. If you see leaves on a storm grate, you could really help the city maintenance team by sweeping the leaves off!

The city needs to keep more than 6,000 catch basins clear, so every little bit helps. If you see a spot where the water isn't draining properly, please call 425-836-7925.

## Neighborhood Helps with sidewalk repairs



City maintenance crews will begin sidewalk repairs in the Timberline Community Club neighborhood this month after getting a big helping hand from residents.

Glenn Akramoff, the city's infrastructure maintenance manager, reports the neighborhood did its own sidewalk and curb assessment, sparing the city a lot of work.

"They saved us a lot of time, effort and resources," Akramoff said. "Now we can use those resources to actually fix the problem."

The neighbors broke their assessment into three priority levels: immediate trip or fall hazards, breaks that could deteriorate into trip or fall hazards, and defects that pose no immediate risk.

If other neighborhoods or homeowners' associations would like to organize their own sidewalk and curb assessment, Akramoff says he will be glad to provide appropriate guidance.

Akramoff can be reached at 425-837-4633.

# Summer Nights at the Park end on a high note



## CITY HALL CALENDAR

### Monday, October 6

- Neighborhood Connections 6:30 pm  
*Fire Station 82, 1812 - 228<sup>th</sup> Ave. NE*

### Tuesday, October 7

- Public Works Committee, 5:30 pm  
*Sammamish City Hall, 486 - 228<sup>th</sup> Ave. NE*
- Community Dvmnt. Committee, 6:00 pm  
*Sammamish Plateau Water & Sewer Dist.*
- Regular City Council Meeting, 7:30 pm  
*Sammamish Plateau Water & Sewer Dist.*

### Tuesday, October 9

- Planning Commission, 7:00 pm  
*Sammamish Plateau Water & Sewer Dist.*

### Wednesday, October 15

- Arts Commission, 7:00 pm  
*Bellewood, 3710 Providence Point Drive SE*

### Tuesday, October 21

- Finance Committee, 5:00 pm  
*Sammamish City Hall, 486 - 228<sup>th</sup> Ave. NE*
- Regular City Council Meeting, 7:30 pm  
*Sammamish Plateau Water & Sewer Dist.*

### Thursday, October 23

- Sammamish Youth Board, 6:00 pm  
*Sammamish Library, 825 - 228<sup>th</sup> Ave. NE*

### Monday, October 27

- Parks & Rec Commission, 6:30 pm  
*Sammamish Plateau Water & Sewer Dist.*

### Tuesday, October 28

- Public Safety Committee, 6:00 pm  
*Sammamish City Hall, 486 - 228<sup>th</sup> Ave. NE*
- City Council Study Session, 7:30 pm  
*Sammamish Plateau Water & Sewer Dist.*

*Sammamish Plateau Water & Sewer Dist.  
offices are located at 1510 - 228<sup>th</sup> Avenue SE*

### Tuesday, November 4

- Public Works Committee, 5:30 pm  
*Sammamish City Hall, 486 - 228<sup>th</sup> Ave. NE*
- Community Dvmnt. Committee, 6:00 pm  
*Sammamish Plateau Water & Sewer Dist.*
- Regular City Council Meeting, 7:30 pm  
*Sammamish Plateau Water & Sewer Dist.*

### Wednesday, November 5

- Basin Planning Public Meeting, 7:00 pm  
Inglewood Subbasin (George Davis Creek)  
*Beaver Lake Lodge, 25201 SE 24<sup>th</sup>*

### Thursday, November 6

- Planning Commission, 7:30 pm  
*Sammamish Plateau Water & Sewer Dist.*

### Tuesday, November 11

- City Council Study Session, 7:30 pm  
(if necessary)  
*Sammamish Plateau Water & Sewer Dist.*

### Tuesday, November 18

- Finance Committee, 6:00 pm  
*Sammamish City Hall, 486 - 228<sup>th</sup> Ave. NE*
- Regular City Council Meeting, 7:30 pm  
*Sammamish Plateau Water & Sewer Dist.*

### Wednesday, November 19

- Arts Commission, 7:00 pm  
*Bellewood, 3710 Providence Point Drive SE*

### Thursday, November 20

- Sammamish Youth Board, 6:00 pm  
*Sammamish Library, 825 - 228<sup>th</sup> Ave. NE*

### Monday, November 24

- Parks & Rec Commission, 6:30 pm  
*Sammamish Library, 825 - 228<sup>th</sup> Ave. NE*

### Tuesday, November 25

- City Council Study Session, 7:30 pm  
*Sammamish Plateau Water & Sewer Dist.*

The Sammamish Symphony, conducted by Joseph Scott, played to a large crowd on the final evening of summer entertainment at Pine Lake Park.

The Aug. 28 concert ended another successful run of Thursday night concerts and special events sponsored by the city and the Bank of America.

In addition to seven music concerts, the free entertainment series also offered two nights of Shakespeare and two outdoor movie nights.

The accompanying pictures of the Aug. 28 concert were contributed by Sammamish resident Vali Eberhardt.

### Do you want to get a marriage license?

Marriage Licenses can be obtained from the King County Community Service Center located next door to Sammamish City Hall, 486 228<sup>th</sup> Avenue NE. The Service Center is open every Thursday from 12:00 pm and 7:00 pm.

King County has several other Community Service Centers located around the eastside that are open on different days. For a complete listing you can check the county website at <http://www.metrokc.gov/lars/marriage/location.htm>

For more information, please call (206) 296-4021.

# SAMMAMISH CITY COUNCIL HIGHLIGHTS



Ken Kilroy  
Mayor



Ron Haworth  
Deputy Mayor



Jack Barry  
Councilmember



Don Gerend  
Councilmember



Kathleen Huckabay  
Councilmember



Michele Petitti  
Councilmember



Troy Romero  
Councilmember

**JULY** was devoted primarily to study of the proposed Comprehensive Plan. The Council held two study sessions and a Public Hearing to receive input on the plan.

The 2004-2006 Transportation Improvement Plan was approved. This planning document sets forth the projects to be considered in the next six years. Every city is required to have such a plan in place.

Council approved the formation of the city's first Art Commission. The commission is comprised of seven members. At the July 22 Council meeting the following people were appointed to serve:

- Karen Mathews 4 Year Term
- Pamela Rembold 4 Year Term
- Kathleen Redmer 4 Year Term
- Daphne Robinson 4 Year Term
- Kevin Hinckley 2 Year Term

Two positions remain to be appointed. If you are interested in serving on this commission or would like more information, contact Melonie Anderson at (425) 836-7904.

A contract was awarded to the firm of MacLeod Rekord to provide construction documents and management for the development of the lower Sammamish Commons park.

**AUGUST:** No meetings

On **SEPTEMBER 16**, Council adopted the city's first Comprehensive Plan.

It also approved the mitigation impact fees for the Issaquah School District, as set by King County. These fees are collected on all new construction for the School District to help fund improvements necessary to accommodate increased enroled caused by such construction.

In an effort to make the ordinances of the city more accessible, the city is in the process of codifying its ordinances. Once done, these existing ordinances will comprise the Sammamish Municipal Code. The Council heard a first reading of the code and will consider adoption after a public hearing to be held on Oct. 7.

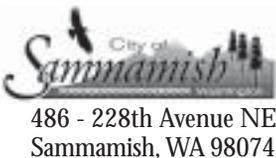
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Ben Yazici.....City Manager  
Pete Butkus.....Admin. Services Director/ACM\*  
John Cunningham.....Public Works Director/ACM\*  
Ray Gilmore....Community Development Director  
Lyman Howard.....Financial Services Director  
Jeff Watling.....Parks & Recreation Manager  
Tim Larson.....Communications Manager  
Bruce Disend.....City Attorney  
Melonie Anderson.....City Clerk  
Richard Baranzini.....Police Chief  
John Murphy.....Fire Chief

\* Assistant City Manager



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