



City Council Meeting Minutes Archive

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SEATAC CITY COUNCIL REGULAR MEETING MINUTES

January 8, 2008
6:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Outgoing Mayor Fisher at 6:01 p.m.

ROLL CALL: Mayor Ralph Shape, Deputy Mayor Gene Fisher, Councilmembers Anthony (Tony) Anderson, Chris Wythe, Terry Anderson, Joe Brennan, and Mia Gregerson.

FLAG CEREMONY: Boy Scouts of America SeaTac Fire Explorers Post No. 24 performed the Flag Ceremony and led the Council, audience and staff in the Pledge of Allegiance.

ADMINISTRATIVE STAFF: City Manager Craig Ward, Senior Assistant City Attorney Mark Johnsen, City Clerk Kristina Gregg, Finance Director Mike McCarty, Human Services Coordinator Colleen Brandt-Schluter, Planning Director Steve Butler, Principal Planner Jack Dodge, Senior Planner Al Torrico, Assistant Parks and Recreation Director Ellis, Fire Chief Bob Meyer and Chief of Police Services Jim Graddon.

PUBLIC COMMENTS: Earl Gipson expressed concerns about flooding as a result of a neighbor filling a wetland and runoff from a City project contributing to drainage issues on his property. He requested the City place a moratorium on development or construction in the area between 51st and 53rd Avenues South.

PRESENTATIONS:

•Public swearing in of Gene Fisher, Terry Anderson, Ralph Shape and Mia Gregerson as newly elected/re-elected Councilmembers (CMs) effective January 1, 2008

Judge Paul Codd administered the Oaths of Office to the newly elected/re-elected CMs effective January 1, 2008 through December 31, 2011. The newly elected/re-elected CMs signed their Oaths of Office.

•Election of Deputy Mayor (DM) and Mayor to serve through 2009

Outgoing Mayor Fisher declared the nominations open for DM.

CM Brennan nominated CM A. Anderson as DM for the City of SeaTac.

CM Shape nominated CM Fisher as DM for the City of SeaTac.

With no further nominations, Outgoing Mayor Fisher declared the nominations closed.

UPON A ROLL CALL VOTE, COUNCILMEMBER FISHER WAS ELECTED DEPUTY MAYOR OF THE CITY OF SEATAC THROUGH DECEMBER 31, 2009, WITH A. ANDERSON, WYTHE, FISHER AND SHAPE VOTING FOR FISHER AND T. ANDERSON, BRENNAN AND GREGERSON VOTING FOR T. ANDERSON.

DM Fisher declared the nominations open for Mayor.

DM Fisher nominated CM Shape as Mayor for the City of SeaTac.

With no further nominations, Outgoing Mayor Fisher declared the nominations closed.

UPON A ROLL CALL VOTE, COUNCILMEMBER SHAPE WAS UNANIMOUSLY ELECTED MAYOR OF THE CITY OF SEATAC THROUGH DECEMBER 31, 2009.

DM Fisher turned the Mayor's gavel over to newly elected Mayor Shape.

•Plaque to Outgoing Mayor Gene Fisher

Mayor Shape presented Outgoing Mayor Fisher with a plaque for his term as Mayor.

•Public swearing in of Elizabeth Cordi-Bejarano as the newly Appointed Municipal Court Judge effective January 1, 2008

Judge Paul Codd administered the Oath of Office to the newly appointed Municipal Court Judge effective January 1, 2008.

•Catholic Community Services (CCS)

Human Services (HS) Coordinator Brandt-Schluter introduced Family Support Services Emergency Assistance Program Coordinator Heather Nash-Randolph.

PRESENTATIONS (Continued):

CCS (Continued): Ms. Nash-Randolph read the CCS and the Emergency Assistance Support Program Missions. The Emergency Assistance Support Program helps families with eviction and move-in assistance, utility bills, food, transportation and other basic needs.

Services are provided to very low-income families with children, seniors and disabled persons throughout South King County (KC). She detailed the demographics of those assisted in 2006.

Ms. Nash-Randolph stated the goal is to meet emergency needs in a timely and efficient way and improve the stability and self-sufficiency of the clients.

The Emergency Assistance Support Program collaborates with the following organizations: municipal, county, and State governments, parishes and churches, Solid Ground, Kent Food Bank, Emergency Feeding Program, Multi-service Center, YWCA, WVEE and St. Vincent DePaul.

She detailed a SeaTac citizen client's story.

•Federal Lobbyist Selection

Assistant City Manager Rogers stated in the 2008 City Budget, Council authorized \$125,000 for payment for a Federal Lobbyist for SeaTac. At the December Administration & Finance (A&F) Committee Meeting, two options were presented as to how to approach selection of a Federal Lobbyist: (1) hire someone as soon as possible; and (2) more time intensive process allowing for a greater outreach for candidates.

The A&F Committee directed staff to pursue option 1. Four candidates were selected for interviews which were held December 28, and January 3 and 4. The interview panel consisted of then Mayor Gene Fisher, CM A. Anderson, City Manager Ward, Ms. Rogers, and PW Director Schroeder. Other input was received from State Lobbyist Joe Daniels. Each candidate was given a tour by either the Parks & Recreation Director (P&R) or Assistant P&R Director.

A contract will be brought before Council for approval at the January 22 Regular Council Meeting (RCM). In addition, a Special Council Meeting (SCM) is anticipated for January 22 at 5 p.m. for Council to meet the firm and begin discussions.

Strategies 360 is recommended for the following reasons: (1) strong connection with the Washington delegation from Congress; (2) demonstration of many past successes at getting funds for their clients, including other cities; (3) local office in Seattle; and (4) strength in assisting cities in obtaining Federal Grants.

DM Fisher stated the interviews were enlightening. He stated the right firm has been chosen.

CM A. Anderson commended Ms. Rogers and Mr. Daniels for their efforts in this process. The decision to recommend Strategies 360 was unanimous.

Added Comments:

Mayor Shape welcomed CM Gregerson to the Council.

CM T. Anderson welcomed CM Gregerson and congratulated Julia Patterson (who was in attendance) who was elected as Chair of the KC Council.

DISCUSSION ITEM:

•Summary of \$5,000 - \$25,000 Purchase Requests for the period ended January 4, 2008

City Manager Craig Ward reviewed the following requests:

<u>Item Description</u>	<u>Department</u>	<u>Original Budget</u>	<u>Amended Budget</u>	<u>Estimate</u>
Association of Washington Cities (AWC) 2008 Service Fee	Non-Departmental	\$16,573	\$16,573	\$16,566
Puget Sound Clean Air Agency 2008 Assessment	Non-Departmental	\$14,227	\$14,227	\$14,227
Suburban Cities Association (SCA) 2008 Dues Assessment	Non-Departmental	\$13,270	\$13,270	\$13,532
		will absorb within existing budget		
City of Des Moines 2008 Mt. Rainier Pool Contribution	City Manager	\$17,718	\$17,718	\$17,718

DISCUSSION ITEM (Continued):

Summary of \$5,000 - \$25,000 Purchase Requests for the period ended January 4, 2008 (Continued):

<u>Item Description</u>	<u>Department</u>	<u>Original Budget</u>	<u>Amended Budget</u>	<u>Estimate</u>
Southwest King County Chamber (SWKCC) Chamber 2008 Contract	City Manager	\$5,000 \$15,000	\$5,000 \$15,000	\$5,000 \$15,000
State Lobbyist Services	City Manager	\$16,000	\$16,000	\$16,000
AutoCAD 2008 Upgrade (2008 Funded Decision Card)	Finance & Systems	\$1,395 \$7,305	\$1,395 \$7,305	\$1,395 \$7,305

Council consensus: Referred to the 01/08/08 RCM Consent Agenda

AGENDA BILL PRESENTATIONS:

Agenda Bill #2839 – A Motion authorizing Final Acceptance of the SeaTac Community Center (STCC) Neighborhood Park Project

Summary: The contract for the project was awarded to Buckley Nursery, Inc. on March 27, 2007. The City Council approved the budget of \$660,637, and the total expenditure for this project was \$647,559.42. Change orders on this project were held to a minimum with a re-alignment of a sidewalk, re-alignment of the climber boulder, adding an Americans with Disability Act (ADA) ramp and replacing a portion of a broken sidewalk near the basketball court, revising the tunnel of vines, and furnishing and installing a seating wall in the Sensory Garden. Acceptance will complete all contractors' obligations with the City to complete the remaining construction requirements on this project.

The work was completed within the established budget that the City Council approved. Final acceptance will have no fiscal impact beyond payment of retainage as budgeted.

Assistant Parks and Recreation (P&R) Director Ellis reviewed the above summary. He also showed pictures of the completed project.

CM Wythe commented on the good work done by staff to provide activities for children. The budget did go over due to concrete prices, however Mr. Ellis was able to obtain a \$350,000 grant from KC.

Council consensus: Referred to the 01/08/08 RCM Consent Agenda

Agenda Bill #2882 – An Ordinance authorizing the purchase of real property located at 3261 South 152nd Street, authorizing the City Manager to execute documents necessary to effectuate the purchase, and amending the City's 2008 Annual Budget

Summary: The City Council adopted the South 154th Street Station Area Action Plan on December 12, 2006. Included in the plan were Action Steps that potentially could be accomplished in whole, or in part through acquisition of this property. The applicable action steps shown in the plan as either short or medium term priorities are:

- PI- 4--Improve streetscape along South 152nd Street.
- PI-9--Encourage the redevelopment of the southwest corner of South 152nd Street and International Boulevard (IB).
- PI-11--Construct a public access garage or enter into a public private partnership to provide public parking spaces in a private parking garage.
- RC-2--Facilitate the construction of public parks and open spaces.

Staff believes that acquiring this property serves many potential purposes as envisioned in the South 154th Street Station Area Action Plan, including potential use as right-of-way (ROW) for street improvements, for public plaza, park or open space, or for public parking to enhance and encourage redevelopment of the light rail station area consistent with the Plan.

City staff became aware that this property was on the market for sale in fall 2007. Working through a real estate agent, the City pursued acquisition from the willing seller, Kashor, LLC. Negotiations were completed on December 22, 2007 through the agent according to the terms in the Residential Real Estate Purchase and Sale Agreement dated November 19, 2007. The terms of the Agreement provide that the City will acquire the property for \$285,000 and that the City will pay up to \$12,000 towards the seller's closing costs.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #2882 (Continued): Since the City pursued acquisition of this property through a real estate agent without disclosing that the City was the purchaser, the City Manager will need to execute documents transferring the rights to the property from the agent to the City. In addition, the City Manager will be authorized to sign any other documents necessary to effectuate the purchase of this property.

The appraisal for the property was completed and received by the City on January 2, 2008. The property was inspected by City staff on January 3, 2008. The Level 1 Environmental Site Assessment is anticipated to be completed by January 8, 2008, and will be provided to Council at that time. The property is currently occupied by a tenant whose lease was set to expire on January 31, 2008. The seller has given notice to the tenant that the lease will not be renewed and that the tenant should vacate by January 31, 2008. Closing of this transaction must be on or before January 31, 2008.

City staff will evaluate options and come back to the Council at a later date with a recommendation on whether to seek a residential or commercial tenant or whether to begin plans to demolish the structure.

In addition, this Ordinance amends the City's 2008 Annual Budget in order to pay for this property. Specifically, this Ordinance transfers \$300,000 from the Municipal Capital Improvements Fund (Fund 301) to the Municipal Facilities Capital Improvement Plan (CIP) Fund (Fund 306). Then, payment for the costs of acquiring the property will be paid for through Fund 306.

Costs to acquire the property required at closing include:

- Purchase price: \$285,000
- Contribution to seller's closing costs: \$12,000
- Estimated Buyer's customary closing costs: \$1,000

Other costs associated with this property acquisition include:

- Appraisal: \$400
- Level 1 Environmental Site Assessment: \$1,600 (estimated)

Therefore, the total cost to acquire this property will be approximately \$300,000, and will be paid for by the City's Municipal Facilities CIP Fund (Fund 306).

Future decision to lease the property could result in revenue from the property, whereas a future decision to demolish the structure on the property would result in additional costs. The need for additional amendments to the budget for future decisions will be evaluated at that time.

Assistant City Manager Rogers reviewed the above summary.

DM Fisher requested this item be placed on New Business.

Council consensus: Referred to the 01/08/08 RCM New Business

Agenda Bill #2887 – A Motion authorizing the City Manager to enter into a contract with AHBL, in an amount not to exceed \$60,000, to update the City's Shoreline Master Program (SMP)

Summary: Staff solicited a request for proposals (RFP) to update the SMP and interviewed three firms. After the interviews, staff determined that AHBL is best suited to perform the work.

Under the Shoreline Management Act, the City of SeaTac must adopt a SMP based on State guidelines but tailored to SeaTac's specific needs. SeaTac is currently using King County's (KCs) SMP which was adopted when the City incorporated in 1990. This document is no longer consistent with the Washington State Department of Ecology's (DOE) shoreline guidelines, as adopted on December 17, 2003, and needs to be updated. The City's SMP needs to be adopted by December 2009. To assist the City in updating its SMP the DOE awarded the City a \$60,000 grant.

The final details of the contract are still being negotiated. The value of the contract will not exceed \$60,000. However, the cost will be covered through a \$60,000 grant from the Washington State DOE. Thus, there will be no net cost to the City.

Principal Planner Dodge reviewed the above summary.

Council consensus: Referred to the 01/08/08 RCM Consent Agenda

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #2866 – An Ordinance adding a new Section 15.10.488 to the SeaTac Municipal Code (SMC) and amending Section 15.15.130 of the SMC, related to Shared Parking Between Nonprofit Organizations

Summary: This Ordinance would allow parking for the general public between nonprofit uses for up to 360 days. The amendments would also provide a definition for “primary use.”

In many cases, nonprofit uses (for example, schools, religious facilities, and governmental agencies) are located next to each other. The SMC currently allows the shared parking between nonprofit uses, provided that the shared parking only applies to employees. Shared parking for the general public (such as patrons of the nonprofit use) is not allowed under the SMC.

This Ordinance amends the SMC to allow the following: shared public parking on a temporary basis for up to 360 days; and clarifies that if an existing parking lot needs to be expanded to accommodate the shared parking, the property owner would need to meet all permit requirements (including Conditional Use Permit [CUP] and Environmental Review).

Staff has found that some nonprofit organizations in the single-family zones, at times, require additional parking for the patrons (the public) of the nonprofit organization, either for limited times or for special events. Examples include a religious service, a sporting event (in the case of a school), or a charity drive. This has often resulted in the parking of additional vehicles in the neighborhoods, resulting in neighborhood complaints. In instances where nonprofit organizations are located adjacent to each other, these parking overflow situations can be alleviated by allowing the shared parking of the public by the nonprofit organizations.

Under current code provisions, such events would not be feasible due to the restriction of shared parking to employees only. The proposed code amendments would provide greater flexibility for nonprofit organizations to share parking.

Principal Planner Dodge reviewed the above summary.

CM T. Anderson and DM Fisher both stated their concerns with this agenda bill and that they would both be voting no.

DM Fisher requested this item be placed on new business.

Council consensus: Referred to the 01/08/08 RCM New Business

Agenda Bill #2867 – An Ordinance amending the City’s Zoning Code regarding the use of existing school, religious, and City-owned facilities in the Park Zone or Residential Zones

Summary: Schools, City-owned facilities, and existing religious facilities in the park and single-family zones have a variety of different land uses on a regular basis. These uses range from Day Cares, Sports-affiliated groups (such as Little League softball/baseball), religious organizations, pre-schools, or other nonprofit uses (such as Boy Scouts or Girl Scouts). Current Zoning Code requirements require that these uses apply for a major CUP, which involves a \$4,000 application fee and requires a public hearing before the City’s Hearing Examiner (HE). The HE would then make a decision to approve or deny the CUP.

This Ordinance establishes a three-tier system, where, based upon the size of the group and potential impact on the park or single-family neighborhood, certain uses would be allowed within an existing school facility, existing City-owned neighborhood community center, or existing religious facility through either a major CUP (which requires a formal Public Hearing (PH), and is approved by the HE), a minor CUP (which is administratively approved), or is permitted outright.

The purpose of the major CUP process is to review and evaluate the relative impacts of a land use within a specific Zoning classification which may or may not, be compatible with the permitted uses within the Zoning Classification. Each CUP is reviewed based on seven criteria. Impacts that may be reviewed (but are not limited to) include: traffic impacts, noise impacts, hours of operation, adequate parking for the use, adequate property to support the use, and adequate public facilities.

All new schools and religious facilities are allowed in the single-family zones only through the major CUP process. Generally, existing schools and religious facilities have already undergone the CUP review process and have mitigated their impacts on the neighborhoods.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #2867 (Continued): The uses outlined above, which would be permitted outright, would have to apply for a "Site Plan Type I Review" permit. The purpose of the permit is to track the number of uses allowed in a facility to insure that the cumulative impacts of the uses (two or more) do not impact the neighborhood. Generally, this permit would require payment of a \$400.00 fee. However, the PC has recommended that this fee not be charged for those uses permitted to locate into an existing school, community center, or religious facility. Therefore, staff has incorporated this recommendation in this Ordinance.

Principal Planner Dodge reviewed the above summary.

CM Wythe stated the Land Use & Parks (LUP) Committee reviewed this item. The concern was to alleviate the economic burden on small groups.

Mr. Dodge detailed the permitted use thresholds.

DM Fisher stated the City has a community center that can be rented without permits.

Council discussion ensued as to the Glacier School site. Mr. Dodge when a site is being utilized, vandalism is lessened.

CM A. Anderson stated there is a church with 12 people in attendance utilizing the facility. Under the current code, they would have to pay \$4,000. This Ordinance is a reasonable resolution.

CM Wythe stated this issue is about allowing small groups to get together without applying for a major CUP.

Council consensus: Referred to the 01/08/08 RCM Consent Agenda

CONSENT AGENDA:

- **Approval of claims vouchers** (check nos. 78471 – 78712) in the amount of \$3,277,295.23 for the period ended December 31, 2007.
- **Approval of payroll vouchers** (check nos. 46395 - 46427) in the amount of \$160,356.18 for the period ended December 15, 2007.
- **Approval of payroll electronic fund transfers** (check nos. 53389 – 53566) in the amount of \$303,825.59 for the period ended December 15, 2007.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$58,645.30 for the period ended December 15, 2007.
- **Approval of payroll vouchers** (check nos. 46428 - 46467) in the amount of \$387,425.90 for the period ended December 31, 2007.
- **Approval of payroll electronic fund transfers** (check nos. 53567–53570) in the amount of \$297,840.82 for the period ended December 31, 2007.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$58,020.86 for the period ended December 31, 2007.
- **Summary of \$5,000 - \$25,000 Purchase Requests** for the period ended January 4, 2008.

Approval of Council Meeting Minutes:

- **Council Budget Workshop 1** held September 24, 2007.
- **Administration and Finance Committee Meeting** held December 11, 2007.
- **Public Safety and Justice Committee Meeting** held December 11, 2007.
- **Land Use and Public Safety Committee Meeting** held December 13, 2007.

Agenda Items reviewed under Agenda Bill Presentations recommended for placement on this Consent Agenda.

Agenda Bill #2839; Motion authorizing Final Acceptance of the SeaTac Community Center (STCC) Neighborhood Park Project

Agenda Bill #2887; Motion authorizing the City Manager to enter into a contract with AHBL, in an amount not to exceed \$60,000, to update the City's Shoreline Master Program (SMP)

Agenda Bill #2867; Ordinance #08-1001 amending the City's Zoning Code regarding the use of existing school, religious, and City-owned facilities in the Park Zone or Residential Zones

MOVED BY BRENNAN, SECONDED BY FISHER TO ACCEPT THE CONSENT AGENDA AS PRESENTED.*

CONSENT AGENDA (Continued):

PUBLIC COMMENTS (related to the Consent Agenda): There were no public comments.

*MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENTS (related to the following Unfinished and New Business): There were no public comments.

UNFINISHED BUSINESS: There were no unfinished business items.

NEW BUSINESS:

Agenda Bill #2882; Ordinance #08-1002 authorizing the purchase of real property located at 3261 South 152nd Street, authorizing the City Manager to execute documents necessary to effectuate the purchase, and amending the City's 2008 Annual Budget

MOVED BY BRENNAN, SECONDED BY FISHER TO ADOPT ORDINANCE #08-1002.

MOTION FAILED UNANIMOUSLY.

Agenda Bill #2866; Ordinance adding a new Section 15.10.488 to the SeaTac Municipal Code (SMC) and amending Section 15.15.130 of the SMC, related to Shared Parking Between Nonprofit Organizations

MOVED BY WYTHE, SECONDED BY GREGERSON TO PASS AGENDA BILL #2866.*

CM Wythe stated the LUP Committee reviewed this agenda bill. He cited an example of a school and church that are adjacently located. The school uses the parking lot during the week days, and the church uses it in the evenings and weekends. This has been done for years until it was realized recently that it is being done illegally. It is an efficient use of property. He stated he is not in favor of more and more parking lots to make this legal. The LUP Committee was in full support of approving this item.

CM A. Anderson clarified that this Ordinance allows shared parking but does not require it.

CM Gregerson stated she supports this issue. The citizens should be able to feel the City is flexible and willing to work with them.

Council discussion ensued as to the use of City property.

City Manager Ward clarified that this Ordinance does not allow anyone to park on City owned property. It allows the City to enter into an agreement with a non-profit organization to park on City property.

Council discussion ensued as to the Riverton Property purchased by the City.

DM Fisher stated the Mosque continues to park there even after overgrowing the property. The City has tried to work with the Mosque, but they have not been cooperating. Instead of telling the Mosque they have overgrown the property, the City is attempting to change the law to allow them to continue to park on the property.

CM Wythe stated this Ordinance addresses many issues throughout the City. It seems wrong to stop this because some CM's have issues with one situation within the City.

CM Brennan stated this bill is designed for this particular issue. The City has worked with the Mosque and they are in violation of many laws. The City presents plans to the Mosque to become compliant, which are agreed to, but then they do not live up to the agreement. He stated he will not vote for this agenda bill until the Mosque shows some respect for the City's laws.

*DM Fisher requested this item be continued to the January 22, 2008 RCM.

CITY MANAGER'S COMMENTS: City Manager Ward had the following items of business: (1) Chamber Lunch Friday at 11 at Marriott Hotel; (2) Council Retreat will be held Saturday, January 12, 9 a.m. in the City Hall Council Chambers; (3) demolition of Riverton School site will begin next week; and (4) City Hall will be closed January 21 for the Martin Luther King, Jr. Day.

COUNCIL COMMENTS:

CM A. Anderson stated Ms. Rogers assembled a great group of Federal Lobbyist candidates to interview. Not only will Strategies 360 give SeaTac access to more of the funds in Washington, DC, but they will allow SeaTac to raise its profile in Washington, DC.

COUNCIL COMMENTS (Continued):

Council stated their appreciation for DM Fisher's term as Mayor and congratulated Mayor Shape for being elected Mayor.

CM Brennan congratulated Mr. Ellis for the beautiful job on the STCC Neighborhood Park. He stated the garden does not have a name. He requested the A&F Committee be given the task to develop a policy for naming City facilities and would like to propose that the new Sensory Garden be named for Bill Bowlin who contributed countless hours to the formation of the City.

CM Gregerson had the following items: (1) stated she took the oath tonight to listen and learn about what the citizens want. She hopes to gap the bridge between the community and the Council; (2) SeaTac Activity Room at Bow Lake Elementary will have a ceremony on January 24 at 5 p.m.; and (3) Community Emergency Response Team (CERT) program will begin meeting again in March.

Mayor Shape had the following items: (1) the trees on South 188th Street are being replaced and the sidewalk repaired; and (2) he attended the City of Tukwila's 100th celebration kick-off this morning. He congratulated the City of Tukwila for 100 years.

EXECUTIVE SESSION: There was no Executive Session.

ADJOURNMENT:

MOVED BY WYTHER, SECONDED BY BRENNAN TO ADJOURN THE REGULAR COUNCIL MEETING AT 7:44 P.M.

MOTION CARRIED UNANIMOUSLY.

Ralph Shape, Mayor

Kristina Gregg, City Clerk

RECEPTION:

A reception immediately followed the Regular Council Meeting to honor the newly elected/re-elected officials.

SEATAC CITY COUNCIL SPECIAL MEETING MINUTES

January 8, 2008
5:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Special Meeting was called to order by Mayor Fisher at 5:02 p.m.

COUNCIL PRESENT: Mayor Gene Fisher, Deputy Mayor Ralph Shape, Councilmembers Anthony (Tony) Anderson, Chris Wythe, Terry Anderson, Joe Brennan and Mia Gregerson (Ms. Gregerson was in attendance, but not yet sworn in).

ADMINISTRATIVE STAFF: City Manager Craig Ward, Senior Assistant City Attorney Mark Johnsen, and City Clerk Kristina Gregg.

RECESSED: Mayor Fisher recessed the Special Council Meeting to an Executive Session on Property Acquisition and Lease, and Litigation at 5:03 p.m.

EXECUTIVE SESSION: Property Acquisition and Lease / Litigation (45 minutes) (RCW 42.30.110[1][b] and [i])

City Clerk Gregg announced Council requested an additional 5 minutes.

RECONVENED: Mayor Fisher reconvened the Special Council Meeting at 5:56 p.m.

ADJOURNMENT:

MOVED BY T. ANDERSON, SECONDED BY SHAPE TO ADJOURN THE SPECIAL MEETING OF THE SEATAC CITY COUNCIL AT 5:56 P.M.

MOTION CARRIED UNANIMOUSLY.

Gene Fisher, Mayor

Kristina Gregg, City Clerk

SEATAC CITY COUNCIL REGULAR MEETING MINUTES

January 22, 2008
6:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Shape at 6:04 p.m.

ROLL CALL: Mayor Ralph Shape, Deputy Mayor Gene Fisher, Councilmembers Chris Wythe, Anthony (Tony) Anderson, Joe Brennan, and Mia Gregerson. Excused Absence: Councilmember Terry Anderson.

FLAG SALUTE: Building Official Gary Schenk led the Council, audience and staff in the Pledge of Allegiance.

ADMINISTRATIVE STAFF: City Manager Craig Ward, Senior Assistant City Attorney Mark Johnsen, City Clerk Kristina Gregg, Assistant City Manager Tina Rogers, Economic Development Manager Todd Cutts, Human Services Coordinator Colleen Brandt-Schluter, City Engineer Tom Gut, Building Official Gary Schenk, Neighborhood Coordinator Trudy Olson, Planning Director Steve Butler, Principal Planner Jack Dodge, Fire Chief Bob Meyer and Chief of Police Services Jim Graddon.

PUBLIC COMMENTS:

Pam Fernald, member of the Neighbors Without Borders Committee, had the following questions: (1) What initiated the need for the amendment to the Zoning Code for shared parking?; (2) How will enforcement of the code be handled?; (3) Who is allowed to park on City property?; (4) Is there a form available to request the ability to park on City property?; (5) Is there additional liability to the City when non-profits are allowed to park on City property, such as slip and fall claims?; (6) Have parking issues from the facility at South 150th Street and 30th Avenue South spilled over into Tukwila?; (7) Deputy Mayor (DM) Fisher was threatened about the parking situation. Is there a danger in the neighborhood?; (8) How will the City mitigate parking problems in the neighborhood and in Tukwila too?; (9) What is the legal occupancy for the mosque?; (10) Is there a problem with shared parking between Lutheran Services and Chinook Middle School?; and (11) The code requires that if shared parking is allowed, there must be adequate pedestrian connections or van or shuttle services, compatibility with adjacent land uses, and minimizing off-site impacts. Has this been addressed at the South 150th Street and 30th Avenue South facility?

Mary Koontz, Tukwila citizen, member of Neighbors Without Borders Committee, had the following questions: (1) What is the reason for the change? Is it just for the mosque?; (2) Are there other problem areas because of shared parking?; (3) What will be the future of the mosque on South 150th Street when the new mosque is built in Tukwila?; (4) What will happen when the Riverton school is torn down and the Fire Station is built, will the mosque be allowed to continue using the City property for parking?; (5) Are there unforeseen consequences of this code amendment?; and (6) Is there a temporary fix rather than a permanent code amendment that could address the problem?

PRESENTATIONS:

●Crisis Clinic

2-1-1 Director Susan Gemmel reviewed Crisis Clinic mission, primary programs, and 2007 projections and actual outcome. The three primary programs are: (1) 24-hour crisis line, (2) 2-1-1 Community Information Line (CIL), and (3) Teen Link. All three programs utilize Tele-Interpreter Services and have access to over 150 languages.

Upon a question posed by Councilmember (CM) A. Anderson, Ms. Gemmel stated if anyone is interested in helping, they can visit the website www.crisisclinic.org or call 206.461.3210.

●Farmers Market Update for 2008

Building Official Gary Schenk stated the proposal is to have a Farmers Market June 8 – September 7, Sundays, at Angle Lake Park with a four hour market, two hour set-up and one hour take down.

Neighborhood Coordinator Olson briefed on the feasibility of the program, its purpose and its benefits. The benefits to the consumer include access to locally grown farm-fresh produce, meet and talk directly to farmers, access to the freshest quality seasonal items, and educational opportunity to learn directly from farmers – how grown, where grown, best time to purchase.

The benefits to the farmer include capability to sell directly to consumers, small farmer's best prospect to profit from their land and efforts, opportunity to meet and know their customers – gaining direct feedback, ability to bring farm information to public, and potential to introduce new products.

The benefits to the community include: access to fresh, nutritious foods, promote nutrition education, wholesome eating habits, and better food preparation, as well as boosting the community's economy.

PRESENTATIONS (Continued):

Farmers Market Update for 2008 (Continued): Both Angle Lake Park and Valley Ridge Park meet the necessary requirements for a market, including being located along a main road with good traffic volume, visually attractive public destination place, offers a family friendly environment, and weekend parking available.

The estimated costs for 14 weeks on weekends include: staffing - \$5,712, marketing - \$3,450, yearly fees – \$265, entertainment - \$4,928 for an estimated total - \$14,355.

CM Wythe stated this came before the Land Use and Parks (LUP) Committee. SeaTac needs to move forward to create a sense of community. The only difficulty with Angle Lake is it is not pedestrian friendly.

Upon questions posed by CM A. Anderson, Mrs. Olson stated it is difficult to get vendors to agree to participate in a market that is not for sure going to happen. Vendors do seem to want to come to the area. There would be more competition from other markets if it was held on Saturday. The impacts to the park have been discussed with P&R Director Ledbetter; it would be in same location food vendors use during the International Festival.

Mayor Shape requested options for the days for the Farmers' Market be brought forward at the next Council Meeting as part of an agenda bill. Mr. Ward clarified that this has not been budgeted so a budget amendment would be required.

SUSPENSION OF THE RULES:

MOVED BY A. ANDERSON, SECONDED BY BRENNAN TO SUSPEND THE RULES TO BRING FORWARD THE PUBLIC HEARING AND COUNCIL ACTION RELATED TO AGENDA BILL NO. 2892.

MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARING (PH):

•Vacation of a Portion of the Right-of-Way (ROW) of South 158th Street, West of International Boulevard (IB)

Mayor Shape opened the PH at 6:49 p.m.

City Engineer Gut reviewed the agenda bill summary below.

Mayor Shape closed the PH at 6:53 p.m.

NEW BUSINESS:

Agenda Bill #2892; Ordinance #08-1003 to vacate a portion of South 158th Street lying westerly of International Boulevard (IB)

Summary: This Ordinance vacates a portion of South 158th Street lying westerly of the West margin of IB and easterly of the West line of Section 22, Township 23 N, Range 4 East, W.M. as requested by petition of the abutting property owners, Port of Seattle (POS).

The POS is planning to construct a rental car facility on the properties adjacent to the right-of-way (ROW) and will incorporate the proposed vacated ROW into their project.

The procedures for vacating a public ROW are defined in the Revised Code of Washington (RCW), Chapter 35.79. A PH is to be held to consider the merits of the application to vacate the ROW in question. The date of the PH was set by Resolution 07-021 passed by the City Council on November 27, 2007. All utilities serving this area were given notice of the vacation request. To date no utility has responded with a request for an easement.

The vacation is conditioned on the applicants paying the appraised value of six hundred forty seven thousand dollars (\$647,000).

MOVED BY BRENNAN, SECONDED BY WYTHE TO ADOPT ORDINANCE #08-1003.

MOTION CARRIED UNANIMOUSLY.

DISCUSSION ITEM:

•Summary of \$5,000 - \$25,000 Purchase Requests for the period ended January 18, 2008

City Manager Ward reviewed the purchases request:

<u>Item Description</u>	<u>Department</u>	<u>Original Budget</u>	<u>Amended Budget</u>	<u>Estimate</u>
Contract extension for storm drain cleaning contract	PW	\$90,000	\$90,000	\$24,000

Council consensus: Referred to the 01/22/08 RCM Consent Agenda

AGENDA BILL PRESENTATIONS:

Agenda Bill #2888 – A Motion authorizing the City Manager to sign an Interlocal Cooperation Agreement (ICA) for the Regional Affordable Housing Program (RAHP)

Summary: This Motion allows the City of SeaTac to participate in an Interlocal Agreement (ILA) in which King County (KC) would administer a regional fund to support the affordable housing initiative in KC.

Substitute House Bill (SHB) 2060 created a surcharge on the document recording fee to support affordable housing projects at the state and local level. KC is allowed to keep 5% of this surcharge to cover the cost of collection and administration. Of the remainder, 40% is remitted to the State and 60% is retained by KC for use in the Housing Opportunity Fund. These dollars are allocated to affordable income housing projects pursuant to the ILA between KC and Suburban Cities.

SeaTac's participation in the planning process for the RAHP dollars, through the ILA, allows a staff person to be appointed to participate in the Interjurisdictional Advisory Group (IAG) and gives SeaTac the opportunity to influence the use of county, state and federal dollars for affordable housing and community development purposes. Human Services Coordinator Colleen Brandt-Schluter has served in this capacity, reviewing projects from the South KC subregion and working with the County Housing and Community Development staff to make funding recommendations to the Interjurisdictional Joint Recommendations Committee (JRC). The IAG reviews not only RAHP dollars, but the federal Community Development Block Grant (CDBG) Funds. It is those CDBG funds which SeaTac applies to annually to run the Minor Home Repair program.

Adoption of the proposed Motion would have no fiscal impact to the City.

Human Services Coordinator Brandt-Schluter reviewed the above summary.

Upon a question posed by DM Fisher, Mrs. Brandt-Schluter stated all SKC cities are being asked to partake.

Council consensus: Referred to the 01/22/08 RCM Consent Agenda

Agenda Bill #2889 – An Ordinance authorizing an Intergovernmental Agreement with Central Puget Sound Regional Transit Authority (RTA) for construction of the City's Utility Conversion Project and amending the 2008 Budget

Summary: Sound Transit has a project for its transit station frontage improvements including utility conversion along IB and between the SR 518 bridge and 350 feet south of South 152nd Street. There would be a gap of overhead utilities between the sections improved by Sound Transit and Tukwila. Sound Transit has offered to include the gap section in Sound Transit's contract at the City's expense. Council previously authorized an agreement to provide for the design and preparation of plans to be included in Sound Transit's contract documents. The work includes trenching, duct and vault installation and restoration. Sound Transit has bid the project and is preparing to award a construction contract to SCI Infrastructure, Inc. The City's portion of bid was reviewed and found to be competitively priced.

An agreement is necessary to formalize the responsibilities between Sound Transit and the City. Sound Transit would include the work in their construction contract and provide inspection while the City would be responsible for costs. The work is anticipated to occur this year.

The installation of new underground cables, wiring connections and removing the overhead power system would be performed by Seattle City Light. However, it would be the City's responsibility to pay for that work. A separate agreement with Seattle City Light is currently being negotiated. An additional budget amendment for the Seattle City Light agreement will be included when that item is presented to Council for action at a later date.

The amount of the agreement is not to exceed \$741,711 without prior approval. The authorized amount, including a contingency of \$74,171, would be \$815,882. The agreement would be funded by the 307 Transportation Capital Improvement Program, BARS # 307.000.11.595.30.63.149, which has a current balance of \$500,000. The remaining \$315,882 would be funded by a budget amendment included in this Ordinance.

City Engineer Gut reviewed the above summary.

CM Wythe stated the T&PW Committee reviewed this item and recommended it for approval.

Council consensus: Referred to the 01/22/08 RCM Consent Agenda

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #2866 – An Ordinance adding a new Section 15.10.488 to the SeaTac Municipal Code (SMC) and amending Section 15.15.130 of the SMC, related to Shared Parking Between Nonprofit Organizations

Summary: In many cases, nonprofit uses (for example, schools, religious facilities, and governmental agencies) are located next to each other. The SMC currently allows the shared parking between nonprofit uses, provided that the shared parking only applies to employees. Shared parking for the general public (such as patrons of the nonprofit use) is not allowed under the SMC.

This Ordinance amends the SMC to allow the following:

- Shared public parking on a temporary basis for up to 360 days.
- Clarifies that if an existing parking lot needs to be expanded to accommodate the shared parking, the property owner would need to meet all permit requirements (including Conditional Use Permit [CUP] and Environmental Review).

Staff has found that some nonprofit organizations in the single-family zones, at times, require additional parking for the patrons (the public), either for limited times or for special events. Examples include a religious service, a sporting event (in the case of a school), or a charity drive. This has often resulted in the parking of additional vehicles in the neighborhoods, resulting in neighborhood complaints. In instances where nonprofit organizations are located adjacent to each other, these parking overflow situations can be alleviated by allowing the shared parking of the public by the nonprofit organizations.

Under current code provisions, such events would not be feasible due to the restriction of shared parking to employees only. The proposed code amendments would provide greater flexibility for nonprofit organizations to share parking.

Planning Director Butler reviewed the above summary.

DM Fisher stated he truly wants the City to negotiate with the mosque. When the City bought the Riverton Heights property in July 2007, Council requested the City Manager negotiate with the mosque. He has tried diligently, but with no results.

MOVED BY FISHER, SECONDED BY BRENNAN TO POSTPONE AGENDA BILL #2866 UNTIL THE FEBRUARY 26, 2008 RCM.*

Council discussion ensued as to whether postponing this item will be lucrative for the City and whether the City should postpone an item just for one issue, the mosque.

Mr. Ward clarified that all this code amendment does is allow a non-profit to park on City parking, subject to a use agreement, which will still be negotiated.

DM Fisher stated if the Lutheran Community Services and the adjacent church both own their property, there should be no reason to stop them from sharing property. If the mosque wanted to share property with an adjacent church, the City should have no issue with it, but they want to park on the taxpayers' property.

Mayor Shape questioned whether this is a dangerous neighborhood. Chief of Police Services Graddon stated that the general call counts have not gone up other than in regards to parking.

CM Wythe stated the LUP Committee reviewed this issue with the understanding the premise was that non-profits could agree to share parking. It enhances freedom for non-profits to work together better. It should not be the City's decision to restrict parking for all just because of one site.

***UPON A ROLL CALL VOTE, THE MOTION FAILED WITH WYTHER, A. ANDERSON, SHAPE AND GREGERSON VOTING NO AND FISHER AND BRENNAN VOTING YES.**

Council consensus: Referred to the 01/22/08 RCM Unfinished Business

Agenda Bill #2891 – An Ordinance authorizing the purchase of real property located at 3120 South 176th Street, authorizing the City Manager to execute documents necessary to effectuate the purchase, and amending the City's 2008 Annual Budget

Summary: This Ordinance authorizes the purchase of real property identified as tax parcel 2823049185, located at 3120 South 176th Street in SeaTac, Washington, authorizes the City Manager to execute any documents necessary to effectuate the purchase, and amends the City's 2008 Annual Budget.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #2891 (Continued): The City Council adopted the SeaTac/Airport Station Area Action Plan on December 12, 2006. Included in the plan were Action Steps that potentially could be accomplished in whole, or in part through acquisition of this property. The applicable action steps shown in the plan as either short or medium term priorities are:

- PI-5 Provide for street-level public parks, plazas and open spaces throughout station area
- PI-6 Consider construction of a public parking structure to support new land uses
- PI-7 Work proactively with the development/business community to provide public amenities
- PP-5 Residential housing opportunities

City staff became aware that this property was on the market for sale in the fall of 2007, and working through a commercial real estate broker pursued acquisition from the willing seller, the Estate of Kenneth A. Williams. Negotiations were completed through the broker according to the terms shown on the Commercial and Investment Real Estate Purchase and Sale Agreement dated December 12, 2007. The terms of the Agreement provide that the City will acquire the property for \$849,900.

Since the City pursued acquisition of this property through a real estate agent without disclosing that the City was the purchaser, the City Manager will need to execute documents transferring the rights to the property from the agent to the City. In addition, the City Manager will be authorized to sign any other documents necessary to effectuate the purchase of this property.

Estimated costs to acquire the property total \$865,125 and include:

- Purchase price: \$ 849,900
- Estimated closing costs: \$3,000
- Due diligence costs: \$12,225 (appraisal, survey, phase II environmental)

The appraisal was completed on December 10, 2007. The Phase II Environmental Site Assessment is anticipated to be completed by January 18, 2008, and will be provided to Council on January 22, 2008. The ALTA survey is anticipated to provide information on encroachments and easements by January 18, 2008, and this information will also be provided to the Council on January 22, 2008. The complete survey is expected by February 3, 2008. Closing of this transaction must be on or before February 20, 2008.

The acquisition will be funded from the 306 Municipal facilities CIP Fund if the 2008 Annual City Budget is amended as proposed in the Ordinance.

Costs to acquire the property required at closing include:

- Purchase price: \$849,000
- Buyer's customary closing costs: \$3,000 (estimated)

Other costs associated with this property acquisition include:

- Appraisal, Level II Environmental Site Assessment, and ALTA survey: \$12,225

Therefore, the total cost to acquire this property will be approximately \$865,125, and will be paid for by the City's Municipal Facilities CIP Fund (Fund 306) through the BARS account listed above.

Economic Development (ED) Manager Cutts reviewed the above summary.

Council discussion ensued as to the pros and cons of purchasing this property.

Mayor Shape requested staff work to reclaim the ability to use all the land within the boundaries of the parcel.

Council consensus: Referred to the 01/22/08 RCM Consent Agenda

Agenda Bill #2884 – A Motion authorizing the City Manager to execute a Contract with Strategies 360 (S360) to provide Federal Relations Services

Summary: This Motion authorizes the City Manager to execute a contract with S360 to provide federal relations services to the City to identify an annual federal legislative agenda and to implement a strategy to secure federal funding on City's priority projects through appropriations, and to raise the City's profile with the Washington Congressional delegation to level the playing field for future consideration.

The City of SeaTac has been represented by a contract lobbyist in Olympia for several years and has found the representation to be useful in favorably influencing the outcome when actions being considered in the state

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #2884 (Continued): legislature could affect the City. This representation has also assisted in obtaining funding from the State for City projects, such as the Seike Garden relocation and the Sunnysdale Plaza memorial reconstruction. The City of SeaTac has not previously been represented by a lobbyist in Washington D.C. to assist in similar ways on federal legislation and federal funding. Neighboring cities have found representation by federal lobbyists to be beneficial in obtaining legislative advantage and providing significant amounts of federal funding for projects, similar to those planned in the City of SeaTac. The City's ambitious Capital Improvement Programs and the significant public investments needed to implement the light rail Station Area Action Plans will require enhanced support through state and federal funding.

With the approval of the 2008 annual budget, the City Council approved \$125,000 in funding for a federal lobbyist to assist the City in obtaining federal funding and to represent the City on legislative actions that could impact the City. During December and January a selection process was conducted that included interviews of four firms by an interview panel consisting of former Mayor Gene Fisher, Councilmember Tony Anderson, the City Manager, the Assistant City Manager and the Public Works Director.

S360 was selected as the firm most qualified and well suited to provide the range of services that the City needed. The proposed motion would authorize the City Manager to execute a contract, for a monthly retainer of \$8,500 plus preapproved travel expenses not to exceed \$5,000 per year. For this monthly retainer, they will provide the Scope of Work and services outlined in the contract. For additional fees, they will subcontract for preparation of federal grant applications, if requested by the City.

The budgeted line item is \$125,000. The proposed contract would not exceed \$98,500 for services from February through December, unless authorization for additional grant preparation services by subcontract are authorized either by administrative authority or future Council approval if in excess of \$5000 per project.

Assistant City Manager Rogers reviewed the above summary.

Council consensus: Referred to the 01/22/08 RCM Consent Agenda

Agenda Bill #2890 – A Motion authorizing the City Manager to sign the First Amendment to an Interlocal Agreement (ILA) for legal services for the City's appeal of the National Pollution Discharge Elimination Standards (NPDES) Phase II Municipal Stormwater Permit

Summary: On January 17, 2007, the Department of Ecology (DOE) issued the NPDES Phase II Municipal Stormwater Permit, in which the City will be required to comply. Of primary concern was that the language in the permit was very "open-ended" in that terms were not well defined, and are impossible to achieve. Some of the specific issues of concern include:

- The permit requires that the City "reduce the discharge of pollutants to the maximum extent practicable (MEP)." However, there is no definition as to what MEP means. As written, the permit requires the City to control all pollutants discharged in the stormwater system. However, the City does not have control over what a third party places into our stormwater system. It is impossible for the City to monitor all discharges into our catch basins as we have no control over third parties.
- The permit requires that the City engage in public education and outreach that achieves "measurable improvements in the target audience's understanding of the problem and what they can do to solve it." However, it is not defined as to what "measurable improvements" and "target audience" means. Thus, the City could do an excellent job of conducting outreach regarding stormwater pollution, but it would not be able to meet the standard if the outreach does not improve behavior. Thus, the standard is not tied to what the City does or does not do but rather the behavior of others.
- The permit requires that certain non-stormwater discharges are prohibited, including discharges from potable water sources (including fire hydrant system flushing), and discharges from lawn watering and other irrigation runoff. As written, runoff from activities including car washing would also be prohibited.

It is believed that municipalities would be subject to third-party lawsuits (which will be very expensive to defend) for non-compliance if the permit remains as written. This means that third-parties (presumably individuals, but also organizations) could sue the City for violation of the permit conditions. By way of a recent example, the City of Vancouver spent in excess of \$500,000 defending a third-party lawsuit. As a result, municipalities believed that it would be better to challenge the permit with the hopes of making the conditions better defined.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #2890 (Continued): In February, 2007, the City Council passed a motion authorizing the City to join a Coalition of municipalities to pursue an appeal of the permit, and to enter an ILA for legal services. After a budget was established for pursuing the issues stated above, 33 cities decided to join the Coalition, which resulted in an initial contribution of \$8,333.33 per City for litigation costs.

To date, the Coalition is still appealing the issues listed above. However, in addition to the Coalition pursuing an appeal of the permit, other entities have appealed the permit as well. While the cities have asserted in general that the permit conditions are too strenuous, these other entities (Puget Soundkeeper's Alliance and People for Puget Sound, collectively referred to as "PSA") have asserted that the permit is not stringent enough. Specifically, PSA asserts that the low impact development (LID) techniques should be *required* in the permit so that there is a "zero surface runoff" standard for development. This would entail developing sites so that there all surface water infiltrates into the site. According to the PW Department, this standard would be extremely difficult, if not impossible, to meet. If such a standard could be met, the cost would be astronomical and likely would stifle development.

As a result, the Coalition has decided that in addition to the original appeal, the cities should also expend resources to oppose the issues being asserted by PSA. Therefore, the Coalition asked for additional funding for this endeavor. On November 6, 2007, the City Council authorized the expenditure of an additional \$20,000 of funding for the appeal. This proposed Motion authorizes the City Manager to sign an amendment to the ILA for legal services to address the additional funding. In addition, three municipalities (Buckley, Ellensburg, and Kennewick) have withdrawn from the coalition, and the proposed amendment reflects the withdrawal of the Cities.

Authorizing the City Manager to sign the First Amendment to the legal services ILA will have no direct fiscal impact. The City Council has already authorized funding of an additional \$20,000 for the NPDES appeal.

Senior Assistant City Attorney Johnsen reviewed the above summary.

CM Wythe requested this item be moved to New Business.

Council consensus: Referred to the 01/22/08 RCM New Business

CONSENT AGENDA:

- **Approval of payroll vouchers** (check nos. 46468 - 46501) in the amount of \$170,752.81 for the period ended January 15, 2008.
- **Approval of payroll electronic fund transfers** (check nos. 53751 – 53926) in the amount of \$305,273.97 for the period ended January 15, 2008.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$58,548.25 for the period ended January 15, 2008.
- **Summary of \$5,000 - \$25,000 Purchase Requests** for the period ended January 18, 2008.

Approval of Council Meeting Minutes:

- **Special Council Meeting** held January 8, 2008.
- **Regular Council Meeting** held January 8, 2008.
- **Council Retreat** held January 12, 2008.

Agenda Items reviewed under Agenda Bill Presentations recommended for placement on this Consent Agenda.

Agenda Bill #2888; Motion authorizing the City Manager to sign an Interlocal Cooperation Agreement for the Regional Affordable Housing Program

Agenda Bill #2889; Ordinance #08-1004 authorizing an Intergovernmental Agreement with Central Puget Sound Regional Transit Authority for construction of the City's Utility Conversion Project and amending the 2008 Budget

Agenda Bill #2891; Ordinance #08-1005 authorizing the purchase of real property located at 3120 South 176th Street, authorizing the City Manager to execute documents necessary to effectuate the purchase, and amending the City's 2008 Annual Budget

Agenda Bill #2884; Motion authorizing the City Manager to execute a Contract with Strategies 360 to provide Federal Relations Services

CONSENT AGENDA (Continued):

MOVED BY BRENNAN, SECONDED BY FISHER TO ACCEPT THE CONSENT AGENDA AS PRESENTED.*

PUBLIC COMMENTS (related to the Consent Agenda): There were no public comments.

*MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENTS (related to the following Unfinished and New Business): There were no public comments.

UNFINISHED BUSINESS:

Agenda Bill #2866; Ordinance #08-1006 adding a new Section 15.10.488 to the SeaTac Municipal Code (SMC) and amending Section 15.15.130 of the SMC, related to Shared Parking Between Nonprofit Organizations

MOVED BY WYTHE, SECONDED BY GREGERSON TO ADOPT ORDINANCE #08-1006.

UPON A ROLL CALL VOTE, THE MOTION CARRIED WITH WYTHE, A. ANDERSON, SHAPE, AND GREGERSON VOTING YES AND FISHER AND BRENNAN VOTING NO.

NEW BUSINESS:

Agenda Bill #2890 – A Motion authorizing the City Manager to sign the First Amendment to an Interlocal Agreement (ILA) for legal services for the City’s appeal of the National Pollution Discharge Elimination Standards (NPDES) Phase II Municipal Stormwater Permit

MOVED BY FISHER, SECONDED BY A. ANDERSON TO PASS AGENDA BILL #2890.

MOTION CARRIED WITH WYTHE VOTING NO.

CITY MANAGER'S COMMENTS: City Manager Ward had the following items: (1) Thursday, January 24 – 5:30 p.m. Bow Lake Elementary School Dedication of the SeaTac Activity Room, and (2) Wednesday, January 30 – public meeting on rezone options for the South 154th Street Station Area.

COUNCIL COMMENTS:

DM Fisher requested citizens keep a record of the decisions made by the Council in order to better vote during the next election. He also urged citizens to utilize the feedback form on the City’s website to let the Council and staff know how they are doing.

CM Gregerson stated she reviewed the new SeaTac Report and it looks great.

Mayor Shape had the following items: (1) requested Council review the letterhead samples and let Executive Assistant Lesa Ellis know your preference; (2) last Saturday, the Cash in Trash Out group did some clean up at Sunset Park. They deserve to be acknowledged. City staff also assisted and need to be acknowledged; and (3) some Councilmembers attended a Somali community meeting on Saturday to listen to their concerns.

EXECUTIVE SESSION: There was no Executive Session.

ADJOURN:

MOVED BY BRENNAN, SECONDED BY FISHER TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 8:08 P.M.

MOTION CARRIED UNANIMOUSLY.

Ralph Shape, Mayor

Kristina Gregg, City Clerk

SEATAC CITY COUNCIL REGULAR MEETING MINUTES

February 12, 2008
6:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Shape at 6:02 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Deputy Mayor Gene Fisher, Councilmembers Chris Wythe, Anthony (Tony) Anderson, Joe Brennan, and Mia Gregerson. Excused Absence: Councilmember Terry Anderson.

FLAG SALUTE: John Thompson, SeaTac citizen, led the Council, audience and staff in the Pledge of Allegiance.

ADMINISTRATIVE STAFF: City Manager Craig Ward, Senior Assistant City Attorney Mark Johnsen, City Clerk Kristina Gregg, Assistant City Manager (ACM) Tina Rogers, Economic Development (ED) Manager Todd Cutts, Human Services (HS) Coordinator Colleen Brandt-Schluter, Public Works (PW) Director Dale Schroeder, Building Official Gary Schenk, Neighborhood Coordinator Trudy Olson, Parks & Recreation (P&R) Director Kit Ledbetter, Recreation Services Coordinator Marlon Olson, Facilities Director Pat Patterson, Planning Director Steve Butler, Principal Planner Jack Dodge, Fire Chief Bob Meyer, Assistant Fire Chief Brian Wiwel, and Police Administrative Captain Annette Louie.

PUBLIC COMMENTS:

Mohamed Hassan stated the Somali community held a meeting on January 19 at SeaTac City Hall where they shared their collaboration agendas with officials from SeaTac and Tukwila. He thanked Council and staff for attending the meeting. Also, on February 2, 2008, the Somali community held a litter clean up along Military Road South from south of South 144th Street to South 152nd Street. The group will continue with litter clean up in this area the first Saturday of every month.

PRESENTATIONS:

●2008 Youth Art Contest Winners

Recreation Services Coordinator Olson presented the 2008 Youth Art Contest Winners and Honorable Mentions: Winners - (1) Jensen Edwards, Tyee High School; (2) Eben Corliss, Seattle Christian School; and (3) Rebecca Shelton, Seattle Christian School; and Honorable Mentions – (1) Andrew Dragovich, Seattle Christian School; (2) Melissa Collier, Seattle Christian School; and (3) Sara Tripoli, Seattle Christian School.

●Lutheran Community Services (LCS)

Human Services Coordinator Brandt-Schluter introduced LCS Program Coordinator Lorena Sepin.

Ms. Sepin reviewed the LCS mission. She detailed some of the activities the LCS provides: back to school resource fair; summer youth worship; keeping the community clean; compost classes; and tax preparation. Currently, 1,466 people are being served at the center.

Ms. Sepin explained how the funds from SeaTac are being spent: (1) she was hired to support the Latino community; and (2) to create the garden with students from Chinook Middle School. Ms. Sepin introduced Claudia and Doris who spoke about how the center impacted their life in a positive way.

Ms. Sepin thanked the City for the funding provided to the LCS.

●Economic Development (ED) Market Materials

ED Manager Cutts introduced HadleyGreenCreates Account Manager Nat Jungerberg.

Mr. Jungerberg stated the development of the City's ED brand was completed, and three ads will be circulated to help enhance the image of the City of SeaTac. At the end of each ad there will be a call to action – visit www.everywherespossible.com. The website is set to launch in March 2008.

Mr. Cutts stated the website is meant to help developers and businesses make an informed decision about the City of SeaTac. This includes land decisions and community information and statistics.

Mr. Jungerberg stated along with print advertisement, there are other ways to keep developers and businesses informed: (1) email blasts to the commercial real estate community to entice developers; (2) stationery; and (3) capacity folder – mirror piece to website that can be handed out.

He reviewed recent accomplishments, including developed a press kit, drafted and disseminated press releases, developed and reviewed communication brief with Mr. Cutts for interview with KCPQ, developed comprehensive media lists for targeted outreach, followed up with future story ideas from City staff, provided ongoing general media relations counsel, and conducted a public relations workshop.

SUSPENSION OF THE RULES:

MOVED BY BRENNAN, SECONDED BY A. ANDERSON TO SUSPEND THE RULES TO BRING FORWARD THE PUBLIC HEARING ON THE DEVELOPMENT AGREEMENT WITH K&S.

MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARING (PH):

•Proposed Development Agreement (DA) with K&S – Planning

Mayor Shape opened the PH at 6:41 p.m.

Planning Director Butler reviewed the purpose of this presentation: to highlight the major issues staff and K&S have not been able to reach agreement during negotiations that have occurred since the October 2007 Regular Council Meeting (RCM) and to receive guidance from the City Council on those issues.

As part of the DA, staff is trying to encourage high quality development, ensure consistency with the Station Area Plan, establish minimum standards, and provide predictability and clarity for the developer.

Mr. Butler reviewed major concessions made by both sides.

The City has agreed to the following:

- No State Environmental Protection Agency (SEPA) mitigation measures to be applied to the site, for future development of up to 860 housing units. This action reserves the existing road capacity for the site for up to 10+ years.
- Use the Interim Standards, with some specific Final Standards requirements.
- Once adopted by the City, the Multi-Family Tax Credit Program would apply to the project.
- Pedestrian-only walkway on the eastern portion of the east/west internal street.

K&S has agreed to the following:

- Abandon the commercial park-n-fly garage.
- Build an internal street network.
- Provide a 40-foot roadway width along the north section of Tower 1 site.
- Construct a Starbucks store.

Mr. Butler and PW Director Schroeder reviewed the outstanding issues: (1) credit towards Transportation Mitigation Fees, through dedication of internal roads vs. waiver of Transportation Mitigation Fees, and (2) even with the City agreeing to use Interim Standards as the basic regulations, K&S has questions regarding which specific Final Standard requirements should be applied to the site, such as transparency, types of storefront uses, minimum depth of storefront space.

K&S Principal Gerry Kingen stated after five years, a lot of money has been put into this project. The goal all along has been to create something with value for the long term. He stated that it continues to come back to the fact that the City does not feel that K&S's concessions are enough. K&S wants to get to a place of closure where everyone has a chance to win. Each month it costs another \$100,000 to keep this project going.

K&S Attorney Mike Murphy stated marketing is great as long as the product can be delivered. K&S is here to deliver the product. Council intervention is needed to make this happen. A couple of months ago, K&S went before the Land Use & Parks (LUP) Committee and the City Council with only a few minor items to be addressed. That got derailed by a series of new demands and changes to the document. Some of the demands could be detrimental to the project.

Mr. Murphy reviewed the site plan and major changes to the project as it evolved. He detailed the concessions as K&S sees them:

- (1) If K&S were to come in with a building permit for this site today and the City said they wanted K&S to build the roadway, that would be a violation of the United States Constitution and the City would have to pay K&S \$5 million. K&S is providing that to the City for a small credit back of \$1 million.
- (2) There are not many concessions given by the City. In regards to SEPA measures, the only concession there is the impact fees because there are no other SEPA impacts.
- (3) The notion that use of Interim Standards is a concession by the City is a false argument. The Final Standards were not adopted until December 2007. This process has been going on for two years. The Interim Standards have been used since the beginning. The Final Standards are very different from the Interim Standards. Many sections would alter the deal that has been worked on for the past two years. If the standards are changed this deep in negotiations, closure can not be achieved.

PH (Continued):

Proposed DA with K&S (Continued): Mr. Murphy briefed on what K&S feels the remaining issues are:

- (1) Does K&S get the credit for the cost of internal improvements against the impact fees?
- (2) Why does K&S object to transparency requirements? Mr. Murphy stated K&S does not object. They are in the Interim Standards and were already agreed to and then changed midstream. The degree of regulation that changed between the Interim and Final Standards is dramatic enough that it would cut out many store front uses that are transparent and open.
- (3) Depth of retail – Mr. Murphy stated they are not talking about 20 feet of retail throughout the project, but only in a small area. There is a serious design problem that if that space gets pushed back to 30 feet they will need to redesign the garage and go down another level which will cost an additional \$3 million.

Collier’s International Senior Vice President Mike Ewing stated with the price of retail, not everybody can afford to have a back office or storage space and would prefer to have 20 feet depth of retail space.

Roger Kaute (*spelling unkown*), representing nearby neighbors most affected by this project, stated they are supportive of a number of points made by Mr. Butler. The primary concern is the potential of 860 housing areas given the current traffic concerns. The traffic situation needs to be addressed. The internal road does nothing to address the traffic. He stated he agrees that the City should not change the rules, however, K&S came to the City knowing the rules were not finalized. He urged Council to consider how to get a win-win situation. The area needs to be improved and K&S has the vision, but the infrastructure is needed to support the development.

Councilmember (CM) Brennan stated he wants to see this development completed. Over the years, the City has heard the same issue from developers, standards are changed. The City needs to come to a conclusion. He stated he feels the City and K&S are close to an agreement and the plans are beautiful.

Deputy Mayor (DM) Fisher stated the following: (1) it is not the developer that should be producing the infrastructure, it is the government. SeaTac is doing that by meeting with Legislators to try and get money. A different solution off of SR 518 is needed. That has got to change, but that does not stop the development; (2) he does not have an issue with the 20 foot retail space. The City required K&S to widen the road which took away the extra 10 feet of space; and (3) he is worried about the drive through because fire trucks can not get through.

Mr. Butler stated that whatever K&S designs will need to meet Building and Fire Code standards.

CM A. Anderson recused himself from this discussion.

Upon a question posed by CM Gregerson, Mr. Kingen stated when the project is ready, Starbucks is ready.

Council discussion ensued as to issues staff needs direction on: (1) impact fees – these fees need to be paid in order to develop the necessary surrounding roads; (2) extreme tenant restrictions – this is negotiable; (3) design of commercial retail space – this is negotiable; and (4) development regulations – the City does not have to completely use the Final Standards.

Mr. Murphy stated that one of the agreements reached with staff was that K&S will agree to the substantially wider roadway, to construct expensive pedestrian amenities, and to instead of giving their share of the 32nd Avenue South access, giving enough so the City has full access in exchange for dollar for dollar credit for improvements.

Mayor Shape continued the PH to the February 26 RCM at 8:41p.m.

DISCUSSION ITEM:

•Summary of \$5,000 - \$25,000 Purchase Requests for the period ended February 8, 2008

City Manager Ward presented the purchase requests:

<u>Item Description</u>	<u>Department</u>	<u>Original Budget</u>	<u>Amended Budget</u>	<u>Estimate</u>
Parcel Data Improvement Joint Project with King County (KC) Department of Assessments (2008 Funded Decision Card)	Finance and Systems	\$40,000	\$40,000	\$20,000
AutoCAD 2008 Upgrade (2008 Funded Decision Card)	Finance and Systems	\$1,395	\$1,395	\$1,395
		\$7,305	\$7,305	\$9,920
		\$8,700	\$8,700	\$11,315
will absorb with savings in other line items				

DISCUSSION ITEM (Continued):

Summary of \$5,000 - \$25,000 Purchase Requests for the period ended February 8, 2008 (Continued):

<u>Item Description</u>	<u>Department</u>	<u>Original Budget</u>	<u>Amended Budget</u>	<u>Estimate</u>
Portable Sports Field Fencing for three fields	P&R	\$0	\$16,265	\$16,265
30 American Liberty Elm Trees for the Westside Trail Project	PW	\$820,875	\$820,875	\$9,965
Station Area Level II Assessment – Dollar Development Site (In-depth market and financial analysis of this site)	City Manager’s Office	\$15,000	\$15,000	\$15,000

Council consensus: Referred to the 02/12/08 RCM Consent Agenda

AGENDA BILL PRESENTATIONS:

Agenda Bill #2898 – An Ordinance approving a farmers market at Angle Lake Park and amending the 2008 Annual Budget

Summary: In 2007, staff researched the feasibility of a SeaTac farmers market that would operate during the summer months. Information regarding potential sites, cost estimates to set up and operate the market, and a list of market coordinator guidelines was presented at the October 23, 2007 Transportation & Public Works (T&PW) Committee Meeting and the November 6, 2007 Administration & Finance (A&F) Committee Meeting. The cost estimate for a farmers market to take place on Sundays from June 15 – September 14, 2008 is \$14,355.

A farmers market in SeaTac would bring together families, neighbors, visitors, and regional food producers and vendors to create a positive social environment. It will enhance the community’s quality of life by serving SeaTac’s culturally and economically diverse population by increasing access to items directly from the farm, offering seasonally fresh diverse produce that is nutritious. Consumers will benefit by meeting and talking to farmers and learning more about how food is grown, where it is grown, when it is grown, and why. A SeaTac farmers market has the ability to become a community gathering place where families, friends and visitors may purchase nutritional foods for meals, and support regional farmers and vendors.

Funding for this expenditure was not provided for in the 2008 Budget. The \$14,355 expenditure to operate a farmers market for 2008 will be funded in the General Fund if the 2008 Annual Budget is amended as proposed.

Building Official Schenk reviewed the above summary.

Council consensus: Referred to the 02/12/08 RCM Consent Agenda

This item was removed from the agenda during the meeting:

Agenda Bill #2899 – A Motion authorizing the purchase of replacement pickup truck and declaring a 1992 Ford Pickup Truck surplus

Agenda Bill #2901 – A Motion authorizing the City Manager to execute a Contract to employ a Landscape Architect for the Valley Ridge Park (VRP) Interactive Water Feature

Summary: A Request for Qualifications (RFQ) was sent out in December and interviews with the top two firms were scheduled for January 30. Hewitt Landscape Architects dropped out of the interviews so Murase Associates was the only firm interviewed. The evaluation team of P&R Director Ledbetter, Assistant P&R Director Ellis, Parks Operations Supervisor Chouinard and CM Brennan selected Murase Associates to complete the VRP Interactive Water Feature design. The landscape architecture design fees for Murase Associates is not to exceed \$34,500.

The 2008 Budget has \$225,000 to pay for all of the project costs.

P&R Director Ledbetter reviewed the above summary.

Principal Designer Scott Murase briefed on projects completed by Murase Associates.

Council consensus: Referred to the 02/12/08 RCM Consent Agenda

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #2902 – A Motion accepting the low bidder for Site Work, Concrete, and Fueling Station Installation for Fire Station 46, and authorizing the City Manager to execute the Contracts with the low bidders

Summary: The City previously requested bids for the sitework and on-site concrete in October 2007. In October, the sitework consisted of using pervious concrete in lieu of a retention vault. After opening and reviewing the bids, the apparent low bidders would have resulted in a cost of \$963,965, which was \$521,463 over budget. Therefore, staff received direction at the T&PW Committee Meeting to redesign the sitework to reduce the cost. Staff redesigned the sitework to reduce the amount of pervious concrete and also created an option to use regular concrete and a retention vault because this option may result in significant cost savings.

After the sitework was redesigned the City advertised for bids on January 8, 2008. These bids included the sitework that was redesigned, and two additional items that were also ready to be bid at the same time. Therefore, the four sub-parts that were bid at the time were: sitework, on-site concrete, off-site concrete, and installation of a fueling station. The sitework and site concrete was advertised with two options. The first option was the use of pervious concrete with related sitework, and the second option was the use of a retention vault with related sitework. The installation of the fueling station and off-site concrete is the same regardless of whether the City chooses option #1 or #2 listed below. The low bids are as follows:

Option #1 (Pervious Concrete and necessary sitework)

<u>Project</u>	<u>Apparent Low Bidder</u>	<u>Bid</u>
Pervious Concrete	Pervious Concrete Inc.	\$174,800
Pervious Sitework	Construct Co.	\$654,000
Total		\$828,800

Option #2 (Retention Vault Design and necessary sitework)

<u>Project</u>	<u>Apparent Low Bidder</u>	<u>Bid</u>
Regular Concrete	McDonald & Co.	\$81,702
Concrete Sitework	Marine Vacuum Services	\$523,787
Total		\$605,489

Fuel Station Installation

<u>Project</u>	<u>Apparent Low Bidder</u>	<u>Bid</u>
Fuel Station	McDonald & Co.	\$174,609

Off Site Concrete

<u>Project</u>	<u>Apparent Low Bidder</u>	<u>Bid</u>
Off Site Concrete	GenCon Pacific	\$41,056

A lifecycle cost analysis over a 30 year period was conducted to estimate the cost savings of choosing option #1 instead of #2. Staff has determined that the pervious concrete design has a cost savings of \$96,855.46 over the course of 30 years, despite the higher upfront costs.

It is recommended that the City Council accept the low bidders for the sitework, on-site concrete, off-site concrete, and fuel station. Staff is not recommending whether option #1 (pervious concrete) or option #2 (retention vault) should be chosen of the sitework and on-site concrete.

The total budget for construction of Fire Station 46 is \$4,488,036, which was based upon March, 2007 cost estimates to construct the station. The following demonstrates how the low bid for each project relates to the March, 2007 cost estimate:

<u>Project</u>	<u>Low Bid Amount</u>	<u>Cost Estimate</u>	<u>Difference</u>
Sitework with concrete (option #1)	\$828,800	\$442,502	\$386,298
Sitework with concrete (option #2)	\$605,489	\$442,502	\$162,987
Fueling Station	\$174,609	\$24,640	\$149,969
Off-Site Concrete	\$41,056	\$55,720	(\$14,665)

It should be noted that staff was given direction to redesign the fuel station that would accommodate the needs of the entire City and not just the Fire Station. Therefore, the bid amount is substantially higher than the cost estimate. In addition, despite staff's attempt to redesign the sitework to reduce the cost, the low bid amounts are still higher than the cost estimate.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #2902 (Continued): Therefore, the cost of option #1, plus the fuel station and off-site concrete will total \$1,044,465, which is \$521,602 over budget. If option #2 is selected, plus the fuel station and off-site concrete, the total cost will be \$821,154, which is \$298,018 over budget.

Facilities Director Patterson reviewed the above summary.

Mr. Clark explained the benefits of building green and the costs related to both options.

DM Fisher stated the A&F Committee reviewed this item and recommended option #1.

CM A. Anderson stated the Public Safety & Justice (PS&J) Committee also reviewed this item and recommended option #1.

Council consensus: Referred to the 02/12/08 RCM Consent Agenda with Option #1

Agenda Bill #2779 – A Resolution authorizing the replacement of Fire Station 45 and authorizing the selection process for an Architect for the design phase of Fire Station 45

Summary: In 2005, the City Council authorized a seismic evaluation of the City fire stations. This evaluation, which was completed by MLA Engineering, provided the opinion that the City fire stations are not structurally sound and in danger of significant damage or collapse in the event of a major earthquake.

A new Fire Station 46 is currently under construction. It is anticipated that construction on Station 46 will be completed early 2009. It would be preferable to have the design phase of Station 45 completed by early 2009 as well.

There is \$325,000 allocated in the 2008 Budget for design of Station 45.

Facilities Director Patterson reviewed the above summary.

Mr. Ward clarified this Resolution authorizes the City to request the qualifications. Staff will then come back and request Council authorize a contract with the most qualified architect.

DM Fisher stated the City is currently conducting a Fire Study. He requested this item be postponed for eight to ten weeks until the Fire Study has been completed.

CM A. Anderson stated he doubts the study will recommend moving the station, however, if they do, it makes no sense to move forward now. He questioned if this item should be postponed until May.

Council consensus: Referred to the 02/12/08 RCM New Business

Agenda Bill #2904 – A Motion authorizing the City Manager to execute a Contract with HadleyGreenCreates to execute the Marketing Action Plan for 2008

Summary: This Motion facilitates the execution of the marketing action plan that HadleyGreenCreates developed in conjunction with the City's ED brand concept. The comprehensive marketing effort will target the recruitment of business, development and new investment into the community and has been endorsed by the Hotel/Motel (H/M) Tax Advisory Committee. The following components are included in the 2008 scope of services: \$48,000 Public Relations, \$37,500 Print Advertising, \$6,500 Trade Show Table Top Display, and \$2,000 Photography and Miscellaneous Items for a total cost of \$94,000.

ED Manager Cutts reviewed the above summary.

DM Fisher stated the A&F Committee reviewed this item and recommended it for approval.

CM Brennan stated the H/M Tax Advisory Committee is in agreement with this item.

Council consensus: Referred to the 02/12/08 RCM Consent Agenda

Agenda Bill #2905 – An Ordinance authorizing the City Manager to execute a Contract with Gardner Johnson, LLC to execute a Residential Market Study for 2008, and amending the City's 2008 Annual Budget

Summary: This Ordinance authorizes the City Manager to execute a contract with Gardner Johnson, LLC in order to evaluate the feasibility of redevelopment of two light rail station areas located adjacent to the proposed SeaTac/Airport Station stop and the South 154th Street light rail stop. In addition, this Ordinance amends the City's 2008 annual budget.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #2905 (Continued): This Ordinance facilitates the market analysis study that Gardner Johnson, LLC will conduct to evaluate the market support for residential development at the subject property. Specific objectives include market demand projections and development recommendations. Objectives will require a completion of the following steps:

- Understanding the property
- Outline of economic trends and conditions
- Evaluation of condominium development opportunities
- Evaluation of apartment development opportunities
- Residential Demand Program

In 2008, \$20,200 will be spent to further efforts in accordance with this agreement.

ED Manager Cutts reviewed the above summary.

DM Fisher stated the A&F Committee reviewed this item and recommended it for approval.

Council consensus: Referred to the 02/12/08 RCM Consent Agenda

Agenda Bill #2897 – A Resolution endorsing the Goals of the Ten-Year Plan to End Homelessness

Summary: This Resolution endorses the goals of “A Roof Over Every Bed in KC: Our Community’s Ten-Year Plan to End Homelessness,” and states the City’s intent to work with government and community partners, faith and civic groups, philanthropies, the business community, non-profit housing and service providers, and others to implement this plan over the next ten years and to keep the principles of the plan in mind as the City makes governmental decisions.

In 2005, responding to a growing need to focus resources on solving homelessness in KC, county and local governments, non-profit housing and service providers, funders and state agency staff met and resolved to end homelessness. Their efforts resulted in the creation of the KC Plan to End Homelessness, *A Roof Over Every Bed in KC*, providing a framework for countywide community action directed at preventing and ending homelessness.

With this Resolution, the City endorses the goals of “A Roof Over Every Bed in KC: Our Community’s Ten-Year Plan to End Homelessness,” and states its intent to work with government and community partners, faith and civic groups, philanthropies, the business community, non-profit housing and service providers, and others to implement this plan over the next ten years and to keep the principles of the plan in mind as we make our individual governmental decisions.

ACM Rogers reviewed the above summary.

Council consensus: Referred to the 02/12/08 RCM Consent Agenda

CONSENT AGENDA:

- **Approval of claims vouchers** (check nos. 78713 – 78986) in the amount of \$723,466.31 for the period ended January 22, 2008.
- **Approval of claims vouchers** (check nos. 78987 – 79102) in the amount of \$535,692.03 for the period ended January 29, 2008.
- **Approval of payroll vouchers** (check nos. 46502 - 46537) in the amount of \$369,537.27 for the period ended January 31, 2008.
- **Approval of payroll electronic fund transfers** (check nos. 53927 – 54111) in the amount of \$321,066.53 for the period ended January 31, 2008.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$61,742.06 for the period ended January 31, 2008.
- **Summary of \$5,000 - \$25,000 Purchase Requests** for the period ended February 8, 2008.

Approval of Council Meeting Minutes:

- **Transportation and Public Works Committee Meeting** held January 22, 2008.
- **Regular Council Meeting** held January 22, 2008.

Agenda Items reviewed under Agenda Bill Presentations recommended for placement on this Consent Agenda.

Agenda Bill #2898; Ordinance #08-1007 approving a farmers market at Angle Lake Park and amending the 2008 Annual Budget

CONSENT AGENDA (Continued):

Agenda Bill #2901; Motion authorizing the City Manager to execute a Contract to employ a Landscape Architect for the Valley Ridge Park Interactive Water Feature

Agenda Bill #2902; Motion accepting the low bidder for Site Work, Concrete, and Fueling Station Installation for Fire Station 46, and authorizing the City Manager to execute the Contracts with the low bidders

Agenda Bill #2904; Motion authorizing the City Manager to execute a Contract with HadleyGreenCreates to execute the Marketing Action Plan for 2008

Agenda Bill #2905; Ordinance #08-1008 authorizing the City Manager to execute a Contract with Gardner Johnson, LLC to execute a Residential market Study for 2008, and amending the City's 2008 Annual Budget

Agenda Bill #2897; Resolution #08-001 endorsing the Goals of the Ten-Year Plan to End Homelessness

MOVED BY WYTHE, SECONDED BY A. ANDERSON TO ACCEPT THE CONSENT AGENDA AS PRESENTED.*

PUBLIC COMMENTS (related to the Consent Agenda): There were no public comments.

*MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENTS (related to the following Unfinished and New Business): There were no public comments.

UNFINISHED BUSINESS: There were no unfinished business items.

NEW BUSINESS:

Agenda Bill #2779; Resolution authorizing the replacement of Fire Station 45 and authorizing the selection process for an Architect for the design phase of Fire Station 45

Mayor Shape requested this item be delayed to the February 22, 2008 RCM.

CITY MANAGER'S COMMENTS: City Manager Ward had the following items of business: (1) City Hall and Community Center will be closed Monday, February 18 for Presidents' Day; and (2) Riverton School is being demolished this week.

COUNCIL COMMENTS:

DM Fisher stated his condolences to the Mayor and Council in Kirkland, Missouri that were shot during a Council Meeting. He stated he recently sent an email to the staff that if an incident like that occurred here, it would be hard to explain with a security system not being used during all Council Meetings.

CM Gregerson stated the Chinook Middle School Parent Ambassador Group is having an event called "Gang and Violence Prevention", February 13 at 6:00 p.m. She encouraged citizens to participate.

EXECUTIVE SESSION: There was no executive session.

ADJOURNED:

MOVED BY BRENNAN, SECONDED BY WYTHE TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 9:41 P.M.

MOTION CARRIED UNANIMOUSLY.

Ralph Shape, Mayor

Kristina Gregg, City Clerk

City of SeaTac

Regular Council Meeting Minutes

February 26, 2008
6:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Shape at 6:13 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Deputy Mayor Gene Fisher, Councilmembers Chris Wythe, Terry Anderson, Anthony (Tony) Anderson, Joe Brennan, and Mia Gregerson.

FLAG SALUTE: Assistant City Manager (ACM) Tina Rogers led the Council, audience and staff in the Pledge of Allegiance.

ADMINISTRATIVE STAFF: City Manager Craig Ward, City Attorney Mary Mirante Bartolo, Senior Assistant City Attorney Mark Johnsen, City Clerk Kristina Gregg, ACM Tina Rogers, Public Works (PW) Director Dale Schroeder, Facilities Director Pat Patterson, Planning Director Steve Butler, Principal Planner Jack Dodge, Fire Chief Bob Meyer, Assistant Fire Chief Brian Wiwel, and Police Administrative Captain Annette Louie.

MOMENT OF SILENCE:

Mayor Shape requested a moment of silence for the passing of PW Civil Engineer Hans Knudsen. Mr. Knudsen worked with the City of SeaTac for over 10 years and will be greatly missed.

PUBLIC COMMENTS: There were no public comments.

PRESENTATIONS:

•Suburban Cities Association (SCA)

SCA Executive Director Karen Goroski presented Councilmember (CM) T. Anderson with an engraved clock in appreciation for her term on the Board of Directors.

Ms. Goroski stated SCA focuses its energy on Regional Organization and Governance, Education, Public Policy Leadership, and Public Benefit. She reviewed the organization chart and stated the SCA makes 121 appointments to 25 different boards and committees in the region. She encouraged the Council to become more involved.

Ms. Goroski reviewed the process for creating SCA Public Policy Positions which begins in October with a Call for Nominations and ends with the SCA Board adopting policy positions and providing direction for SCA appointees to regional boards and committees.

Ms. Goroski briefed the Council on the following upcoming events and encouraged the Council to attend:

- March 5 - a one hour study session on the subarea boundary issue, open to all SCA members, followed by the Public Issues Committee (PIC) meeting
- March 26 - networking dinner – The Ever “Green” State from Environment to the Economy with Governor Christine Gregoire
- March 29 - Connecting with the Youth of our Cities Conference

CM T. Anderson requested the City sponsor five SeaTac students to attend the SCA Youth Conference.

•King County (KC) Council Goals and Priorities

KC Council Chair Julia Patterson distributed a map of the KC Council Districts. She stated that she would not be discussing the KC Council Goals and Priorities tonight as planned, but a topic that she has been developing a great passion for.

She presented the following statistics:

- A child living in South KC (SKC), particularly in SeaTac, Tukwila, and Burien neighborhoods is twice as likely to drop out of school than those living in East KC (EKC).
- A worker making between \$15,000 and \$25,000 a year is ten times less likely to have health insurance than those making \$50,000 or more.
- A youth of color is six times more likely than a white youth to spend time in jail.
- Tyee High School has the highest percentage of Hispanic kids in KC and is one of the most diverse high schools.
- A southeast Seattle and KC resident is four times more likely to die from diabetes than someone living on Mercer Island.

PRESENTATIONS (Continued):

KC Council Goals and Priorities (Continued):

- 10,000 families in SKC live below the poverty line. In EKC, there are 3,000.
- More than one out of every three households with kids in SKC is headed by a single parent.
- SKC has more than twice the number of public school students enrolled in free and reduced lunch programs than Seattle and three times as many as EKC and North KC (NKC) combined.
- SKC has the highest level of uninsured citizens.
- Tyee High School has the highest percentage of kids who have never been to a primary care doctor.

KC is looking at an initiative to discover and implement new approaches to deal with these realities.

She stated one problem is the way in which money is being distributed from the Hotel/Motel (H/M) Tax for arts and culture. She provided a listing of the arts and heritage funding by district since 1990 with District 5 (SeaTac) receiving the lowest amount of \$1.6 million with \$31 million going to District 4. The For Culture Board makes the decisions of how the money is distributed. The board stated the reason SKC is being underinvested in is that there is no infrastructure to invest in.

She stated the cities (SeaTac, Tukwila, Normandy Park, Burien, and Des Moines) need to aggressively pursue that money by speaking out together; ignoring the jurisdictional boundaries.

SKC has a disproportionately high percentage of low-income housing. Transportation becomes relevant because residents are commuting the longest distances to get to their jobs due to the imbalance of home prices and where jobs are located.

She stated she will be presenting these same facts around SKC. An effective method to collaborate across city lines to speak out about this issue to County and State representatives needs to be developed.

She stated she wants to create a forum whereby cities can jointly tackle these issues. She will be hosting a Town Hall Meeting at the Kent Senior Center in March to inform the public of disparities that exist, and then she will find a way to have leaders come together to develop a plan.

CM Brennan stated SeaTac incorporated because so much money was going out of this area and the citizens wanted to keep it here. He questioned why there is no County Health Department Clinic in SeaTac when there is such a high need for it.

CM T. Anderson stated for 16 years bus service has been requested. Still, there is no transportation across the valley, and citizens in Burien can not reach the kidney center in SeaTac.

Mrs. Patterson stated she has expressed her position as a member of the KC Council but now is the time to stop talking about how unfair it is and to get organized and come up with a plan to unify voices to make a change as a larger group. The problems go across city boundaries and government jurisdictions.

•Civil Service Commission Appointment of Donna M. Thomas

City Manager Ward read and presented the Certificate of Appointment to Donna Thomas and thanked her for her service.

•Council consideration of Mayoral Re-appointment of Richard Forschler to the Human Services Advisory Committee, Re-appointment of Jacqueline Krutz and Appointment of Cheryl Forbes to the Library Advisory Committee, Re-appointments of Rick Lucas and Tom Dantzler to the Planning Commission, and Re-appointment of Alice Belenski to the Senior Citizen Advisory Committee

Mayor Shape stated his selection of citizens for appointments/re-appointments to various advisory committees.

Council consensus: Referred to the 03/11/08 Regular Council Meeting (RCM) for Confirmation of Appointments/Re-appointments.

SUSPENSION OF THE RULES:

MOVED BY BRENNAN, SECONDED BY FISHER TO SUSPEND THE RULES TO BRING FORWARD THE PUBLIC HEARING (CONTINUED FROM THE FEBRUARY 12, 2008 REGULAR COUNCIL MEETING) AND COUNCIL ACTION RELATED TO AGENDA BILL #2896.

MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARING (PH):

●Proposed Development Agreement (DA) with K&S – Planning / Legal

Mayor Shape continued the PH at 7:06 p.m.

CM A. Anderson stated he was abstaining from this issue.

Senior Assistant City Attorney Johnsen stated that a revised DA has been distributed to the Council. The language in paragraph 5C has been clarified.

K&S Attorney Mike Murphy stated SeaTac staff and K&S have reached an agreement and asks that Council approve the agreement in order to move forward.

Mr. Johnsen stated staff has worked closely with K&S to get this issue resolved. There were four issues that have been resolved: (1) depth of commercial space, (2) transparency issues; (3) uses; and (4) transportation impact fees. In addition, there were also a couple of questions that were raised at the last PH: (1) Starbucks – the City has received copies of correspondence from Starbucks to K&S that indicates Starbucks is still planning on going forward with their building at South 154th Street and International Boulevard (IB), which is a key part of this development; and (2) Fire safety issues – one change in the DA is that all Fire and Building Codes will be met.

Planning Director Butler reviewed concessions made by the City and K&S between the last Council meeting and this meeting: City - (1) Types of Storefront Uses - some non-pedestrian oriented uses are allowed; (2) Transparency - 65% vs. 75% in Final Standards; (3) Minimum Depth of Storefront Spaces - 20 foot depth allowed for Residential Tower One's frontage along North/South connector; and (4) agreeing that International Building Code (IBC) or International Fire Code (IFC) standards will not require windows or other penetrations as design features for Tower One parking structure's western wall. K&S agreed to pay transportation mitigation fees – half upon building permit issuance and half upon certificate of occupancy issuance.

City Manager Ward stated this issue has been presented to the Land Use & Parks (LUP) Committee and the Planning Commission (PC) five times each and to the City Council four times. Staff recommends Council approve this DA.

Mr. Butler stated the PC was supportive of the DA and made a motion to that affect.

PC Member Roxie Chapin agreed that the PC recommended passage of the DA.

Mayor Shape closed the PH at 7:18 p.m.

NEW BUSINESS:

Agenda Bill #2896; Resolution #08-002 authorizing a Development Agreement (DA) with K&S Developments

Summary: The City of SeaTac and K&S Developments, LLC propose to enter into a DA that will allow for future development of the SeaTac Center site located at South 154th Street and IB. The proposed DA allows K&S to construct two residential towers, consisting of 850 residential units with ground floor retail/commercial space and associated vehicle parking. In addition, the DA provides that two way vehicular access and pedestrian amenities will be created between South 152nd and 154th Streets (North South Connector), a pedestrian corridor created between IB and the North South Connector, and setbacks to create a potential vehicular access between the North South Connector should access become available through the Post Office property to 32nd Avenue South. A Starbucks Store will also be constructed on the corner of South 154th Street and IB.

In order to provide flexibility, to permit creativity of design, style, and technique, and to provide for phased development and code provisions that deviate from current code, DAs may be entered into, by and between the City and property owners or developers pursuant to Revised Code of Washington (RCW) 36.70B.170 through .210 and SeaTac Municipal Code (SMC) 15.05.057, provided that the terms of any such DA shall be generally consistent with the purposes and standards of the Comprehensive Plan (CP) and development regulations in existence. This DA is in the best interests of K&S and of the public and will provide demonstrable public benefit.

MOVED BY T. ANDERSON, SECONDED BY BRENNAN TO PASS RESOLUTION #08-002.

MOTION CARRIED UNANIMOUSLY.

DISCUSSION ITEM:

•Summary of \$5,000 - \$25,000 Purchase Requests for the period ended February 22, 2008

City Manager Ward reviewed the following requests:

<u>Item Description</u>	<u>Department</u>	<u>Original Budget</u>	<u>Amended Budget</u>	<u>Estimate</u>
NAVTEQ Roads Data for Geographic Information System (GIS)	Finance & Systems	\$0	\$0	\$4,574
		\$0	\$0	\$4,573
		will absorb within existing budget		
Video on Demand	City Manager's Office	\$0	\$0	\$817
		\$0	\$0	\$7,569
		will absorb within existing budget		
Washington State Public Disclosure Commission (PDC) Civil Penalty	Non-Departmental	\$0	\$0	\$1,000
		will absorb within existing budget		

Council consensus: Referred to the 02/26/08 RCM Consent Agenda

AGENDA BILL PRESENTATIONS:

Agenda Bill #2912 – A Motion authorizing the City Manager to sign a contract with the Operations and Maintenance (O&M) Coordinator on behalf of the Des Moines Creek Basin Committee (DMCBC)

Summary: A contract for the position of O&M Coordinator is funded through the DMCBC. This position will begin in March of 2008 with a 3-year contract, to expire in February of 2011. The contract allows for an extension, if needed. Since SeaTac is acting as treasurer for the committee, all financial commitments, including contracts, are formalized by SeaTac on behalf of the committee.

SeaTac, per the DMCBC Interlocal Agreement (ILA), contracts on behalf of the DMCBC any contractual services that cannot be provided by in-house personnel. All of the Services performed, both contractual and in-house, are reimbursed by the Basin budget funds. The O&M Coordinator is responsible to contract and track all O&M costs, permitting and reporting activities needed in the Basin. The DMCBC has budgeted \$50,000 per year to fill the position. At this time, the DMCBC has recommended the O&M Coordinator position be filled and is recommending Don Monaghan to fill the position.

The position is budgeted and fully funded per the Des Moines Creek Basin ILA. The City of SeaTac's share of this budget is 41% per the ILA, or \$73,800 per year. The Port of Seattle (POS) contributes 41% (\$73,800) and the City of Des Moines contributes 18% (\$32,400). There are funds in the ILA budget to carry the O&M contract and necessary maintenance activities through the recommended time.

PW Director Schroeder reviewed the above summary.

Upon a question posed by CM T. Anderson, Mr. Schroeder clarified that Mr. Monaghan has been under contract as the Construction Coordinator, however that is concluding now.

Council consensus: Referred to the 02/26/08 RCM Consent Agenda

Agenda Bill #2899 – A Motion authorizing the purchase of replacement pickup truck and declaring a 1992 Ford Pickup surplus

Summary: This Motion authorizes the purchase of a 2008 Ford F-250 pickup truck to replace an existing 1992 pickup truck, currently used by the City Fire Department, and includes the surplus of the existing truck. This purchase is included in the City Capital Improvement Plan (CIP) and the 2008 budget.

The 1992 Ford F-250 Pickup (Apparatus 14) is beyond its expected life. The Fire Department has a 10-year replacement cycle as identified in the CIP. The actual replacement for this existing vehicle will be 16 years. The truck is used as a mobile fuel depot for fire engines at stations without pumps, as well as fire apparatus operating at emergency scenes for extended periods of time, and refuels generators operating during power failures. It is also used to pick up contaminated emergency medical equipment from hospitals and return it for decontamination.

At the February 12, 2008 joint Administration & Finance (A&F) and Public Safety & Justice (PS&J) Committee Meeting, Staff was directed to have a mechanic inspect the existing pickup to determine whether it needed significant repairs. Staff had the pickup inspected and it was determined that the pickup will need approximately \$8,218 in repairs and maintenance in order to continue to be serviceable to the Fire Department. Based upon this

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #2899 (Continued): information, the Fire Department still recommends that a new pickup truck be purchased. This purchase includes the lights, siren, Opticom, bed liner, mobile fuel tank and pump, and tools. This new vehicle will be purchased utilizing the Washington State contract award process, as authorized in SMC 3.30.360. This allows the City to purchase the vehicle at substantial savings and eliminates the formal bid process.

The vehicle and related equipment has been authorized in the 2008 budget. A total of \$36,292 is budgeted for this purchase. The estimated cost of the vehicle, including taxes is \$24,669.37. The related lights, siren, markings, refueling system, tools, and equipment, to be installed in the vehicle, will be purchased within the remaining \$11,622.63.

Fire Chief Meyer reviewed the above summary.

Council consensus: Referred to the 02/26/08 RCM Consent Agenda

Agenda Bill #2900 – A Motion authorizing the City Manager to enter into a contract with Pierce Manufacturing, Inc. for purchase of a Triple Combination Pumper

Summary: The Fire Department is in need of a replacement pumper, as a first line suppression apparatus at Fire Station 45. The Fire Department determined what specifications of the replacement pumper would best meet the needs of the City. After extensive research, it was determined that the apparatus from Pierce Manufacturing, Inc. best meets the needs of the City. In addition to being the only manufacturer that could match the City's existing gauges, switches, controls and compartment layout, the Pierce apparatus has several features that are not available from any other known manufacturer. These features greatly reduce training hours and confusion when a driver switches from apparatus to apparatus, improves the safety of the firefighters and reduces maintenance costs.

The City has received a bid from Pierce Manufacturing, Inc. based on the City's specifications in the amount of \$573,196, not including sales tax. Pierce Manufacturing, Inc. is a respected and qualified manufacturer of fire apparatus, and is the largest manufacturer of fire apparatus in the U.S.

The pumper will replace City Apparatus 101, a 1987 Pierce Lance Pumper, which is included as a trade in. This replacement is included in the Council approved City CIP, and the Fire Departments Apparatus Replacement Plan.

The breakdown of \$629,861 is as follows: a base price of \$573,196 plus estimated sales tax of \$52,734.03, and auxiliary equipment of \$3,930.97.

Assistant Fire Chief Wiwel reviewed the above summary.

Council consensus: Referred to the 02/26/08 RCM Consent Agenda

Agenda Bill #2913 – An Ordinance authorizing the City Manager to enter into an Interlocal Agreement (ILA) with King County (KC) Fire District 37 for fire apparatus maintenance and amending the City's 2008 Annual Budget

Summary: The Fire Department has for numerous years used a variety of vendors to perform fire apparatus maintenance. The quality of workmanship has become very undependable. Numerous times vehicles were not repaired correctly and had to be taken out of service for long periods of time, or multiple times, as the vendors tried to fix the issues. The cost, due to long travel times to the vendor, the amount of time the vehicle was out of service, and the requirement to move apparatus in and out of service multiple times, was not acceptable. The Department looked into other options for fire apparatus maintenance and contracting with Fire District 37 is the best option to alleviate the above-listed problems.

The City will pay Fire District 37 \$80,000 per year for labor, plus the cost of parts, fluids, and materials. Currently, the City's 2008 Budget appropriated \$91,221 and therefore this Ordinance amends the City's 2008 Budget to increase general fund expenditures by \$31,000 to cover the increased cost.

Assistant Fire Chief Wiwel reviewed the above summary.

Upon a question posed by DM Fisher, Mr. Wiwel stated that the cost to the City is a fixed \$80,000 per year.

CM A. Anderson stated that CM Gregerson and he talked with the City of Auburn about their ILA with Fire District 37 and they are extremely happy with the services.

Council consensus: Referred to the 02/26/08 RCM Consent Agenda

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #2895 – A Motion authorizing the City Manager to enter into a Memorandum of Understanding (MOU) with the American Red Cross for use of the Public Works (PW) Maintenance Shop Facility to store Disaster Relief Supplies

Summary: The City was approached by the American Red Cross of King and Kitsap Counties to inquire if they could store a 24'X36' storage shed for disaster relief supplies at the City's PW Maintenance Shop. The shed would contain supplies to outfit a shelter, such as the Community Center. The City of Tukwila has asked SeaTac to partner in this endeavor, as they have limited locations for shelters due to liquefaction in the valley, and the majority of their residential population lives up on the hill. There is no cost to SeaTac for any construction of the shed and the City would be permitted to use the supplies if SeaTac declared a local emergency that did not impact KC, where the Red Cross may require the supplies. Since the maintenance shop is located on POS property, the City will contact the POS for permission and assist the American Red Cross with permitting.

Fire Chief Meyer reviewed the above summary. This was reviewed by A&F, PS&J and Transportation & Public Works (T&PW) Committees.

CM T. Anderson requested the Red Cross building be painted white instead of red as shown in the pictures.

Council consensus: Referred to the 02/26/08 RCM Consent Agenda

Agenda Bill #2907 – A Motion authorizing the City Manager to enter into a contract with Scott Webster for Fire Department plan reviewing services

Summary: Currently the Fire Department does not have a staff person qualified to review and approve plans for building, fire suppression and detection equipment. Previous Fire Inspector Scott Webster left the City for promotional employment. The vacancy left no member of the Fire Prevention staff qualified to perform plan review for fire detection, suppression systems and building plans. This Motion authorizes the City Manager to enter into a contract with former employee Scott Webster to provide plan review for the City until a new fire inspector is hired. The recruitment process has started to find a permanent replacement Fire Inspector II. This contract will only be in effect until the new employee starts with the City.

The proposed contract states that plan review will be conducted at the rate of \$75 per hour. However, there is no negative impact to the 2008 Budget as there is a savings in salaries due to the resignation of the former employee.

Fire Chief Meyer reviewed the above summary.

Council consensus: Referred to the 02/26/08 RCM Consent Agenda

Agenda Bill #2911 – A Motion authorizing the City Manager to amend the lease agreement with Mortgage Brokers Inc. (aka Elliott Bay Mortgage) to add 210 square feet (sf)

Summary: Elliot Bay Mortgage is expanding into an interior space adjacent to their existing space. Because of its location the rent on this space will start at \$15.50 per sf per year with \$.50 per sf increases per year over the course of the existing four-year lease.

Fiscal Impact:

Accumulated rent for 3 years, 1 month	\$13,816.25
Tenant improvements	<u>\$ 2,000.00</u>
Total	\$11,816.25

Facilities Director Patterson reviewed the above summary.

Council consensus: Referred to the 02/26/08 RCM Consent Agenda

Agenda Bill #2779 – A Resolution authorizing the replacement of Fire Station 45 and authorizing the selection process for an Architect for the design phase of Fire Station 45

Summary: In 2005, the City Council authorized a seismic evaluation of the City fire stations. This evaluation, which was completed by MLA Engineering, provided the opinion that the City fire stations are not structurally sound and are in danger of significant damage or collapse in the event of a major earthquake.

A new Fire Station 46 is currently under construction. It is anticipated that construction on Station 46 will be completed early 2009. It would be preferable to have the design phase of Station 45 completed by early 2009 as well.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #2779 (Continued): There is \$325,000 allocated in the 2008 Budget for design of Station 45.

Facilities Director Patterson reviewed the above summary. This was brought before Council at the February 12 RCM and continued to this meeting.

CM A. Anderson stated that the discussion at the last RCM was that since the City has hired a consultant to conduct a fire study, this item was delayed to have the opportunity to speak with the consultant as to his thoughts on this issue. CM A. Anderson did speak with the consultant. It was his recommendation that Council hold off until after the first report is given to the Oversight Committee which will be in May.

Council consensus: Referred to the 02/26/08 RCM Unfinished Business

Agenda Bill #2906 – An Ordinance amending Sections 15.10.067, 15.10.074 and 15.12.050 of the SeaTac Municipal Code (SMC), and adding Sections 15.10.670.3 and 15.10.670.5 to the SMC, related to Automobile Repair, Automotive Service Centers, and Vehicles

Summary: Automobile Repair Shops and Automotive Service Centers are permitted or conditional uses in the commercial zones. Recently staff has received questions regarding the type of vehicles that can be serviced at an Automobile Repair Shop or an Automotive Service Center. Potential business owners have indicated that in their opinion, Automotive Service Centers included the servicing of heavy trucks (such as semi-truck) or buses. Such an interpretation could allow the servicing of heavy trucks or buses adjacent to single-family residential areas (such as the Neighborhood Business [NB] zones, which are adjacent to single-family residential zones). While staff disagrees with this interpretation, staff determined that the Code should be amended to clarify the type of vehicles that could be repaired or serviced at these businesses.

This Ordinance:

1. Amends the definitions for “Automotive Repair” and “Automotive Service Center” to clarify that these uses apply only to the repair or service of small vehicles.
2. Amends Use #95 in SMC 15.12.050 by changing the use from “Motor Freight Repair” to “Large Vehicle Repair.” This use would continue to be permitted only in the industrial zone.
3. Adopts new definitions for “Large Vehicle” and “Small Vehicle” which would be defined as follows:
 - Small Vehicle: Are vehicles of 16,000 gross pounds weight or less.
 - Large Vehicle: Are vehicles of more than 16,000 gross pounds weight.

These changes would clarify the type of vehicles that could be repaired or serviced.

Principal Planner Dodge reviewed the above summary.

CM Wythe stated automotive repair should be permitted in commercial zones, but at a certain point, that automotive repair shop becomes an industrial use when you have semi-trucks parked all over or large vehicles that require heavy equipment to service them. The LUP Committee recommended this item for approval.

Upon a question posed by Mayor Shape, Mr. Dodge clarified staff’s intent was to still allow some large vehicles in commercial zones, but not overly large vehicles like large busses or semi trucks.

Council consensus: Referred to the 02/26/08 RCM Consent Agenda

CONSENT AGENDA:

- **Approval of claims vouchers** (check nos. 79103 – 79401) in the amount of \$2,393,131.64 for the period ended February 20, 2008.
- **Approval of payroll vouchers** (check nos. 46538 - 46567) in the amount of \$170,129.54 for the period ended February 15, 2008.
- **Approval of payroll electronic fund transfers** (check nos. 54112 – 54290) in the amount of \$322,758.47 for the period February 15, 2008.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$62,022.79 for the period ended February 15, 2008.
- **Summary of \$5,000 - \$25,000 Purchase Requests** for the period ended February 22, 2008.

CONSENT AGENDA (Continued):

Agenda Items reviewed under Agenda Bill Presentations recommended for placement on this Consent Agenda.

Agenda Bill #2912; Motion authorizing the City Manager to sign a contract with the Operations and Maintenance Coordinator on behalf of the Des Moines Creek Basin Committee

Agenda Bill #2899; Motion authorizing the purchase of replacement pickup truck and declaring a 1992 Ford Pickup surplus

Agenda Bill #2900; Motion authorizing the City Manager to enter into a contract with Pierce Manufacturing, Inc. for purchase of a Triple Combination Pumper

Agenda Bill #2913; Ordinance #08-1009 authorizing the City Manager to enter into an Interlocal Agreement with King County Fire District 37 for fire apparatus maintenance and amending the City's 2008 Annual Budget

Agenda Bill #2895; Motion authorizing the City Manager to enter into a Memorandum of Understanding with the American Red Cross for use of the Public Works Maintenance Shop Facility to store Disaster Relief Supplies

Agenda Bill #2907; Motion authorizing the City Manager to enter into a contract with Scott Webster for Fire Department plan reviewing services

Agenda Bill #2911; Motion authorizing the City Manager to amend the lease agreement with Mortgage Brokers Inc. (aka Elliott Bay Mortgage) to add 210 square feet

Agenda Bill #2906; Ordinance #08-1010 amending Sections 15.10.067, 15.10.074 and 15.12.050 of the SeaTac Municipal Code, and adding Sections 15.10.670.3 and 15.10.670.5 to the SeaTac Municipal Code, related to Automobile Repair, Automotive Service Centers, and Vehicles

MOVED BY T. ANDERSON, SECONDED BY WYTHE TO ACCEPT THE CONSENT AGENDA AS PRESENTED.*

PUBLIC COMMENTS (related to the Consent Agenda): There were no public comments.

*MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENTS (related to the following Unfinished and New Business): There were no public comments.

UNFINISHED BUSINESS:

Agenda Bill #2779 – A Resolution authorizing the replacement of Fire Station 45 and authorizing the selection process for an Architect for the design phase of Fire Station 45

MOVED BY A. ANDERSON, SECONDED BY GREGERSON TO POSTPONE AGENDA BILL #2779 TO THE MAY 27, 2008 REGULAR COUNCIL MEETING.*

CM Brennan stated he objects to letting other people dictate how the City's fire services are run.

DM Fisher stated the Council knows this station needs to be replaced, but it is not known if it needs to be bigger or have an additional bay on it. That is why this item needs to be postponed.

*MOTION CARRIED WITH BRENNAN VOTING NO.

NEW BUSINESS: There were no new business items.

CITY MANAGER'S COMMENTS: City Manager Ward had the following items of business: (1) Hans Knudsen's service is scheduled for 11 a.m. on Saturday, March 1; (2) February 27 there will be an open house at 6:30 p.m. with a presentation on South 154th Street Station Area at 7 p.m.; (3) February 28 - Special LUP Meeting; (4) March 5 – Sound Shake 2008 region wide earthquake drill; (5) March 7 – 13 – first Entertainment District Tour, accompanied with National League of Cities (NLC) conference; and (6) demolition of Riverton Heights Elementary School has been completed.

COUNCIL COMMENTS: CM T. Anderson thanked everyone for the flowers, cards, and calls received after her fall.

COUNCIL COMMENTS (Continued): CM Brennan had the following items: (1) stated the City needs to take to heart what KC Council Chair Patterson said tonight. The State will not help unless the cities come together. The government needs to be involved. He stated if Mrs. Patterson leads this effort, he would like to join; and (2) At the H/M Tax meeting last week, statistics on H/M money received in the City were presented. In 2006, the City received almost \$1 million. In 2007, the City received \$1.2 million. The mood at the H/M Tax Committee Meetings is upbeat. The hotels and businesses like what the City is doing with the Entertainment District.

CM Gregerson thanked KC Chair Patterson and SCA Executive Director Goroski for their passion and dedication. She stated she is committed to help create change and find a way to have better representation for SKC. She stated that there will be a fundraiser at Chinook on February 29 to raise funds for students to go to Washington D.C. She encouraged the Council and citizens to attend.

Mayor Shape thanked staff and public for attending the Council meeting. He stated that there will still be four Councilmembers at the March 11 Council Meeting so there will still be a meeting.

RECESSED: Mayor Shape recessed the Regular Council Meeting to an Executive Session on Land Acquisition at 8:22 p.m.

EXECUTIVE SESSION: Land Acquisition (10 minutes) (RCW 42.30.110[1][b])

RECONVENED: Mayor Shape reconvened the Regular Council Meeting at 8:36 p.m.

ADJOURNED:

MOVED BY FISHER, SECONDED BY BRENNAN TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 8:36 P.M.

MOTION CARRIED UNANIMOUSLY.

Ralph Shape, Mayor

Kristina Gregg, City Clerk

City of SeaTac

Regular Council Meeting Minutes

March 11, 2008
6:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Shape at 6:02 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Councilmembers Chris Wythe, Terry Anderson, and Joe Brennan.

Excused Absences: Deputy Mayor Gene Fisher, Councilmembers Anthony (Tony) Anderson, and Mia Gregerson.

FLAG SALUTE: Colleen Brandt-Schluter led the Council, audience and staff in the Pledge of Allegiance.

ADMINISTRATIVE STAFF: Assistant City Manager (ACM) Tina Rogers, City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, Senior Assistant City Attorney Mark Johnsen, Public Works (PW) Director Dale Schroeder, Facilities Director Pat Patterson, Finance Director Mike McCarty, Human Resources (HR) Director Steve Mahaffey, Parks & Recreation (P&R) Director Kit Ledbetter, Senior Planner Mike Scarey, Associate Planner Dennis Hartwick, Fire Chief Bob Meyer, and Chief of Police Services.

PUBLIC COMMENTS: There were no public comments.

PRESENTATIONS:

● **Council confirmation of Mayoral Re-appointment of Richard Forschler to the Human Services Advisory Committee, Re-appointment of Jacqueline Krutz and Appointment of Cheryl Forbes to the Library Advisory Committee, Re-appointments of Rick Lucas and Tom Dantzler to the Planning Commission (PC), and Re-appointment of Alice Belenski to the Senior Citizen Advisory Committee**

MOVED BY T. ANDERSON, SECONDED BY BRENNAN TO CONFIRM THE RE-APPOINTMENT OF RICHARD FORSCHLER TO THE HUMAN SERVICES ADVISORY COMMITTEE, RE-APPOINTMENT OF JACQUELINE KRUTZ AND APPOINTMENT OF CHERYL FORBES TO THE LIBRARY ADVISORY COMMITTEE, RE-APPOINTMENTS OF RICK LUCAS AND TOM DANTZLER TO THE PLANNING COMMISSION, AND RE-APPOINTMENT OF ALICE BELENSKI TO THE SENIOR CITIZEN ADVISORY COMMITTEE.

MOTION CARRIED UNANIMOUSLY.

Mayor Shape read and presented the certificates of re-appointment / appointment to Richard Forschler and Cheryl Forbes. Jacqueline Krutz, Rick Lucas, Tom Dantzler, and Alice Belenski were not in attendance. Their certificates will be mailed to them.

● **Council consideration of Mayoral Appointment of Mel McDonald to the Planning Commission (PC)**

Mayor Shape stated his selection of Mel McDonald for appointment to the PC.

Council consensus: Referred to the 03/25/08 RCM for Confirmation of Appointment.

● **Library Advisory Committee Annual Update for 2006 and 2007**

Valley View Librarian Bruce Greeley presented the annual reports. He stated the numbers for checking out library books and for attendance at programs are down for 2007 from 2006 mostly due to the Military Road construction project. The library provides free tutors for students four nights a week from 4 – 8 p.m., public computers, and programs for kids including a summer reading program.

Councilmember (CM) T. Anderson questioned about the parking. Mr. Greeley stated parking is still an issue. Several years ago a bond passed for the entire library system. As part of that bond, Valley View Library will receive a larger parking capacity.

Mr. Greeley also stated that a different site and a bigger library have been proposed.

Mayor Shape questioned the length of time that the library bond covers and when a new bond will be considered. Mr. Greeley stated he did not have the details at this time.

● **Family Resource Center regarding the Chinook Middle School Student Ambassadors Program and the 2008 Neighborhood Grant ‘The Village at Angle Lake Garden Improvement and Education Project’**

Family Resource Center Program Manager Claudia Dickinson introduced Angle Lake Court residents Norma Knott and Margaret Gulling. Ms. Dickinson stated they are ready to get the garden up and running. Last week the

PRESENTATIONS (Continued):

Family Resource Center (Continued): Chinook Middle School students visited the center, and a compost bin was started. She explained that this proposal includes creating raised beds and building a shed for the tools. The AmeriCorps members will be assisting the seniors and students with building the beds.

Ms. Knott stated the garden was a success last year and everyone wants to continue it and make it bigger this year. They enjoyed the Master Gardener who came on March 5 and explained how to make a compost bin.

Ms. Gulling thanked the Council for their support. All of the seniors benefited from the garden last year and are looking forward to a successful year again.

CM Brennan stated that last year approximately 70 pounds of produce was donated to food banks. He stated he hopes this is another successful year.

CM T. Anderson expressed concern about the safety for pedestrians crossing South 188th Street in the vicinity of the Village at Angle Lake. She suggested the City review pedestrian crossing enhancements.

Upon a question posed by Mayor Shape, Ms. Rogers stated there is an application for continued funding through the Neighborhood Community Grant for 2008.

● National Pollutant Discharge Elimination System (NPDES) Phase II Draft Stormwater Management Program (SWMP) Document Review

PW Director Schroeder stated in February 2007, SeaTac, along with other Washington State entities, were required by the Department of Ecology (DOE) to get a Water Quality Permit commonly referred to as the NPDES permit. It is a five-year phased permit. One main requirement is for all cities to develop a SWMP. SeaTac hired Parametrix to assist in that role and to evaluate staffing levels and resources to carry out the five-year plan. Mr. Schroeder introduced Parametrix Senior Scientist Linda Logan and Senior Engineer Sheri Lott.

Ms. Logan stated this is a Federal permit established under the Clean Water Act. In Washington State, this permit is overseen and implemented by the DOE. The permit was effective in February 2007 and expires in February 2012. The goal is to protect the quality of streams, creeks, and lakes in the vicinity of the City from the impacts of stormwater.

She stated the program has five key components: (1) Public Education and Outreach, (2) Public Involvement and Participation, (3) Illicit Discharge Detection and Elimination, (4) Control Runoff from New Development, Redevelopment and Construction Sites, and (5) Pollution Prevention and Operation and Maintenance.

The SWMP components must be fully developed and implemented by August 2011. However, there are a number of specific requirements that have to be met between now and August 2011, phased over the course of the permit. In addition, a primary component of the permit is to develop a SWMP due March 31, 2008, along with the first annual report.

The SWMP Document must be posted on the City website, needs to be accessible, create mechanism to receive comments, and can be updated annually.

Ms. Logan stated the key items to consider are: (1) build upon existing activities, (2) manage the program, (3) available resources, (4) develop awareness/training, (5) tracking/documentation, (6) annual reporting, (7) commitments, and (8) third party law suits.

Upon a question posed by CM Wythe, Mr. Schroeder explained that the law states if the City finds the source and can identify the polluter, that individual or corporation will be responsible. If the polluter can not be identified, it will depend on the nature and extent of pollution as to who will pay the fines.

Ms. Logan clarified that if the source is identified to be a historical contamination, that will fall outside the NPDES regulations.

Mayor Shape questioned if the August 15, 2009 deadline is flexible. Ms. Logan stated the DOE is still working on the penalties for not meeting deadlines. If the City has a legitimate reason for not meeting a deadline, there may be an avenue for the City to discuss it with the DOE. The concerns may be the third party lawsuits that may occur if the City does not meet the deadlines.

PRESENTATIONS (Continued):

NPDES Phase II Draft SWMP Document Review (Continued): Mr. Schroeder stated the contract with Parametrix was to develop initial documents and assess adequacy of staffing and resources to carry out the permit for the next five years. He stated he is confident most areas can be met. Some of the requirements are already being met by the City. The biggest challenge will be documentation.

DISCUSSION ITEM:

•Summary of \$5,000 - \$25,000 Purchase Requests for the period ended March 7, 2008

ACM Rogers reviewed the purchase requests:

<u>Item Description</u>	<u>Department</u>	<u>Original Budget</u>	<u>Amended Budget</u>	<u>Estimate</u>
Yard Debris Collection Event – Spring 2008	PW	\$23,500	\$23,500	\$23,500
Consultant for specialty review – three party agreement between the City, Polygon Northwest and NW Land and Water	Planning	\$19,800	\$19,800	\$19,800

Council consensus: Referred to the 03/11/08 RCM Consent Agenda

AGENDA BILL PRESENTATIONS:

Agenda Bill #2916 – A Resolution amending the Bylaws of the SeaTac Planning Commission (PC)

Summary: The PC Bylaws were last approved by the Council on June 13, 2006 (Resolution #06-013). Currently, the PC meets the first and third Monday of each month. This amendment changes the meeting date of the PC to the second and fourth Monday. The PC recommended this change due to scheduling reasons.

Senior Assistant City Attorney Johnsen reviewed the above summary.

CM T. Anderson stated the Administration & Finance (A&F) Committee reviewed and recommended this item for approval.

Council consensus: Referred to the 03/11/08 RCM Consent Agenda

Agenda Bill #2917 – An Ordinance authorizing the purchase of Long Term Care (LTC) Insurance for LEOFF 1 Retired Fire Fighters (FF) and amending the 2008 Annual Budget

Summary: The City is responsible for the medical care of its retired FFs hired under the LEOFF 1 retirement system (FFs who were hired before October 1, 1977). This responsibility includes nursing home care that may be needed later in life by these retirees. The City proposes to purchase LTC insurance for the four retired SeaTac FF who are eligible to be considered for this insurance. This insurance policy through MetLife Insurance Company will insure the City for a substantial part of the potential cost of providing LTC should it be required by the LEOFF 1 retirees in the future. The City will also absorb some of the risk of providing LTC for its LEOFF 1 retirees because the insurance policies do not cover all potential expenses associated with LTC. Purchasing the MetLife insurance LTC policy is a cost effective method for the City to mitigate the potential high cost of providing this care in the future.

The cost of purchasing LTC insurance is approximately \$6,672 per year. The cost of providing this insurance beginning April 1, 2008 is approximately \$5,004 for the year 2008. Based on actuarial life expectancy tables, the City anticipates it will purchase this insurance for approximately 17 years.

HR Director Mahaffey reviewed the above summary.

CM T. Anderson stated the A&F Committee reviewed and recommended this item for approval.

Council consensus: Referred to the 03/11/08 RCM Consent Agenda

Agenda Bill #2918 – A Motion approving the low bidder for Plumbing, HVAC, Electrical and rejecting foundation Concrete bids for New Fire Station 46

Summary: Advertisements for bids were posted in the Seattle Times the weeks of February 13 and 20. The bid opening was held Tuesday, March 18. The City received four plumbing bids, five HVAC bids, one electrical bid, and one foundation concrete bid.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #2918 (Continued): The low bids are tabulated below:

Category	Low Bidder	Bid Amount	Budget Amount
Plumbing	PacWest Mechanical	\$345,000	\$337,000
HVAC	Emerald Aire, Inc	\$341,530	\$292,500
Electrical	Superior Electric	\$539,500	\$725,000
Foundation Concrete	GenCon Pacific	\$698,535	\$260,000

It was discovered upon further investigation that more foundation concrete bids would have been received, but contractors were unable to get accurate rebar quotes. If the foundation concrete bid is rejected, the project is \$128,470 under budget for these work items. With approval of this agenda bill and the approved contract amount for green sitework, the project is approximately \$393,132 over budget to date.

Facilities Director Patterson reviewed the above summary.

Council consensus: Referred to the 03/11/08 RCM Consent Agenda

Agenda Bill #2910 – An Ordinance amending the 2008 Annual City Budget for 2007 Carryovers

Summary: Each year, the Council receives requests to carry over appropriations from the prior year's budget that were not completed due to a variety of reasons. Some carryovers are legally required due to a contractual obligation or grant funding requirement. Following is a detailed explanation of each carryover request:

General Fund #001

- \$60,000 for professional services to complete the SeaTac/Tukwila Fire Protection Study approved by budget amendment in 2007, but no expenses incurred last year. An intergovernmental revenue carryover of \$30,000 from the City of Tukwila for half the cost of the study also applies.
- \$5,000 for the purchase of third-party videos to be aired on SeaTV.
- \$11,000 to be used for production of custom videos scheduled but not completed in 2007.
- \$11,000 for professional services to complete the consultant work assisting the Human Services Advisory Committee by providing additional training in Results and Strategies.
- \$24,000 for professional services provided by Suncorp Valuations. This work is required because infrastructure assets (roads, bridges, etc.) must be reported in the City's 2007 Annual Financial Report to comply with new reporting requirements. Workload issues with selected vendor finishing valuation services for other cities delayed start of work at SeaTac.
- \$4,940 for professional services from ESRI, the City's Geographic Information System (GIS) software provider, for a project begun but not completed in 2007.
- \$1,000 for Employee Training Programs in the Finance and Systems Department GIS budget for 2007 training not completed. This money would be used to complete highly needed training in 2008 for City staff using GIS.
- \$25,000 to be used as needed for outside legal assistance for various legal issues.
- \$2,000 for additional services as needed for professional services related to City-wide safety and risk issues.
- \$5,000 for Employee Training Programs in the HR Department budget for customer service training not completed in 2007. This money will be used to complete highly needed training in 2008 for City departments.
- \$71,496 for Criminal Justice Area #1-3 and Auto Theft Initiative funds as required, or return the funds to the State.
- \$2,158 to fund 2008 training course costs for the City's Crime Prevention Officer.
- \$19,146 to fund various capital equipment expenditures partially funded by federal government Justice Assistance Grants.
- \$1,075 for a foam nozzle attachment ordered in 2007 but not delivered to the Fire Department until 2008.
- \$5,920 to complete installation of the Monet arches in the Botanical Garden budgeted in the 2007 Budget.
- \$5,430 to fund supplemental Station Area/Zoning Code consultant assistance.
- \$14,275 to be used for additional Permit Plan software training and consultation.

Hotel/Motel (H/M) Tax Fund #107

- \$25,340 to fund ongoing work with Heartland and Mithun on redevelopment coordination with station area property owners.
- \$28,608 for the remaining work to be completed by HadleyGreenCreates in the first quarter of 2008.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #2910 (Continued):

H/M Tax Fund #107 (Continued):

- \$7,500 to provide additional funding support for the 2008 cooperative marketing effort.
- \$36,500 to assist in the public art component at the Commuter Access Point (CAP).

Facility Repair and Replacement Fund #110

- \$1,344 for park benches at McMicken Heights Park.
- \$1,639 for curb painting at Valley Ridge Park not completed in 2007.

Municipal Capital Improvement Plan (CIP) Fund #301

- \$1,763 to fund office furniture for the Management Intern position.
- \$53,312 to be added to funding provided in the 2008 and 2009 Budgets to replace the existing permitting software the City is currently using.
- \$27,342 to complete the Sunset Park Building improvements.
- \$11,770 to install security cameras at the Japanese Garden.
- \$72,938 to install a concert band shell over the stage at Angle Lake Park.
- \$119,256 to pay the retainage being held by the City to the contractor on the Valley Ridge Park (VRP) Sport Field Project, and soccer fencing.
- \$25,446 to pay the retainage being held by the City to the contractor on the SeaTac Community Center Neighborhood Park Project.
- \$19,389 for portable sport fencing at VRP and \$2,889 to purchase security cameras for the Japanese Garden.

Fire Equipment Reserve Fund #303

- \$498,357 to pay the remaining balance due on the purchase of the Support Truck replacement (\$298,357) and the prepayment of a Pumper replacement (\$200,000).
- \$14,335 to purchase a rescue tool.

Municipal Facilities CIP #306

- \$235,154 to complete demolition of the Riverton School and hydro seed the site.
- \$4,753,313 to purchase City Center Property.

Transportation CIP Fund #307

- \$1,097,844 to pay for design and construction costs associated with this project.
- \$500,000 to complete the Military Road South/South 176th to 188th Streets Improvement Project.
- \$148,601 to be used for costs incurred on the North SeaTac Arterials project in 2008.
- \$386,158 to be used for expenditures related to the Airport Station Area Phase 1 Street Improvements project.

Surface Water Management (SWM) Construction Fund #406

- \$50,000 to contract for an Operations and Maintenance (O&M) Coordinator to track all O&M costs, permitting and reporting activities on behalf of the Des Moines Creek Basin Committee (DMCBC). This item was approved at the February 26, 2008 Council Meeting and was inadvertently excluded in the appropriations request for Fund #406 in the 2008 Adopted Budget. The SeaTac, Des Moines and the Port of Seattle (POS) have committed to proportionate shares of O&M costs in the Des Moines Creek Basin Interlocal Agreement (ILA).
- \$56,200 to fund anticipated under-budgeted expenditures in 2008 for O&M costs in the Des Moines Creek Basin. The Cities of SeaTac and Des Moines and the POS have committed to proportionate shares of O&M costs in the Des Moines Creek Basin ILA.

This Ordinance increases the appropriations in the applicable funds, but will have no effect on year-end fund balance for 2008. These expenditures were anticipated to occur in 2007, and the January 1, 2008 General Fund balance projections were reduced accordingly. Therefore, these amendments simply allow the expenditures to occur in the current fiscal year instead of 2007.

Finance Director McCarty reviewed the above summary.

CM T. Anderson stated the A&F Committee reviewed and recommended this item for approval.

Council consensus: Referred to the 03/11/08 RCM Consent Agenda

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #2915 – A Motion authorizing the City Manager to enter into a contract with BHC Consultants, in an amount not to exceed \$90,000, to update the City’s Zoning Code

Summary: Staff solicited Requests for Proposal (RFP) to update the Zoning Code, and received proposals from PMC and BHC Consultants. After reviewing the proposals, staff believed that PMC would not be able to provide the City the best service, as they are located out of state. Therefore, Staff only interviewed BHC Consultants. After the interview, staff determined that BHC Consultants is qualified to perform the Scope of Work as demonstrated by the quality of their written proposal and oral presentation, qualifications and balance of their team, their proposed approach to the project, and references for similar work with other cities.

The Zoning Code has not undergone a thorough evaluation for internal and external consistency with adopted plans, policies, and goals since 1992. Instead, the Zoning Code has been amended in an incremental manner, often without consistent structure and format, thereby reducing its functionality. In addition, the Zoning Code has sections addressing design standards in the Station Areas, the City Center, and multi-family developments, which need to be reviewed to ensure they work together effectively. The City Council appropriated \$40,000 in the 2008 Budget for the Zoning Code Update. To assist the City in this endeavor, the Washington State Department of Community, Trade, and Economic Development (CTED) awarded the City a \$50,000 grant. The final details of the contract are still being negotiated, but it has been determined that the contract amount will not exceed \$90,000 to complete the proposed Scope of Work.

Senior Planner Scarey and Associate Planner Hartwick reviewed the above summary.

CM T. Anderson stated the A&F Committee reviewed and recommended this item for approval.

Council consensus: Referred to the 03/11/08 RCM Consent Agenda

Agenda Bill #2908 – A Motion authorizing the City Manager to execute a contract with Murase Associates for the Sunnydale Plaza Program Study

Summary: A RFP was sent out in December and interviews with the two firms Susan Black and Associates and Murase Associates were conducted February 14. The evaluation team of SeaTac P&R Director Ledbetter, Des Moines Parks Director Patrice Thorell, King County (KC) Historic Preservation Coordinator Julie Kohler, and Burien City CM Rose Clark selected Murase Associates to complete the project. The Sunnydale Plaza program study fees for Murase Associates is not to exceed \$22,000. The fees for the construction design will be brought back to Council for approval after the study is completed in approximately six to twelve months. This project is funded by the Washington State Department of CTED. Council accepted the State Grant on November 6, 2007.

The 2008 Budget has \$197,500 to pay for the program study and construction design costs.

P&R Director Kit Ledbetter reviewed the above summary.

CM T. Anderson stated the A&F Committee reviewed and recommended this item for approval.

Council consensus: Referred to the 03/11/08 RCM Consent Agenda

Agenda Bill #2919 – A Motion authorizing final acceptance of the hazardous materials removal and demolition of the Riverton Heights School

Summary: On November 27, 2007, Council approved R.W. Rhine Inc. as the low bidder for the hazardous materials removal and demolition of the school buildings for an amount not to exceed \$234,515.06. The engineer’s estimate for the cost of this work was \$300,000. The total construction cost for work completed by R.W. Rhine including one change order is \$214,201.94. The project was complete as of February 25, 2008.

	APPROVED AMOUNT	FINAL COST
Construction Contract	\$203,926.14	\$203,926.14
Contingency (15%)	\$30,588.92	\$10,275.80
Total	\$234,515.06	\$214,201.94

The project budget has approximately \$235,225 for hazardous materials removal and demolition of the Riverton Heights Elementary School buildings.

P&R Director Ledbetter reviewed the above summary.

Council consensus: Referred to the 03/11/08 RCM Consent Agenda

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #2920 – An Ordinance authorizing the purchase of real property located at 3261 South 152nd Street, authorizing the City Manager to execute documents to effectuate the purchase, and amending the 2008 Annual Budget

Summary: Council adopted the South 154th Street Station Area Action Plan on December 12, 2006. Included in the plan were Action Steps that potentially could be accomplished in whole, or in part through acquisition of this property. The applicable action steps shown in the plan as either short or medium term priorities are:

- PI- 4--Improve streetscape along South 152nd Street.
- PI-9--Encourage the redevelopment of the southwest corner of South 152nd Street and International Boulevard (IB).
- PI-11--Construct a public access garage or enter into a public private partnership to provide public parking spaces in a private parking garage.
- RC- 2--Facilitate the construction of public parks and open spaces.

Staff believes that acquiring this property serves many potential purposes as envisioned in the South 154th Street Station Area Action Plan, including potential use as right-of-way (ROW) for street improvements, for public plaza, park or open space, or for public parking to enhance and encourage redevelopment of the Light Rail Station Area consistent with the Plan.

City staff became aware that this property was on the market for sale in fall, 2007. Working through a real estate agent, the City pursued acquisition from the seller, Kashor, LLC. City Council did not adopt Ordinance #08-1002 (Agenda Bill #2882) because the property appraisal was lower than the offered price. Since that time, the seller subsequently approached the City's real estate agent expressing willingness to sell at the appraised value of \$270,000. The terms of the agreement provide that the City will acquire the property for \$270,000. The City has until March 27 to obtain City Council approval of the purchase. In the event that does not occur, the agreement will be terminated. If approved by City Council, the purchase must close on or before April 16, 2008.

The appraisal for the property was completed on January 2, 2008. The property was inspected by City staff on January 3 and the Level 1 Environmental Site Assessment was completed on January 7. The property is currently occupied by a tenant. The seller is obligated to give notice to the tenant to vacate on or before April 16, 2008.

City staff will evaluate options and come back to the Council at a later date with a recommendation on whether to seek a residential or commercial tenant or whether to begin plans to demolish the structure.

In addition, this Ordinance amends the City's 2008 Annual Budget in order to pay for this property. Specifically, this Ordinance transfers \$276,000 from the Municipal Capital Improvements Fund (Fund 301) to the Municipal Facilities Capital Improvements Plan (CIP) Fund (Fund 306). Then, payment for the costs of acquiring the property will be paid for through Fund 306.

The acquisition will be funded from the 306 Municipal Facilities CIP Fund if the 2008 Annual City Budget is amended as proposed in the Ordinance.

Costs to acquire the property required at closing are estimated to total \$271,500 and include:

- Purchase price: \$270,000
- Estimated Buyer's customary closing costs: \$1,500 (estimated)

Other costs associated with this property acquisition include:

- Appraisal: \$400 (completed)
- Level 1 Environmental Site Assessment: \$1,600 (completed)
- Boundary survey \$2,500 (estimated)

Future decision to lease the property could result in revenue from the property, whereas a future decision to demolish the structure on the property would result in additional cost. The need for additional amendments to the budget for future decisions will be evaluated at that time.

ACM Rogers reviewed the above summary.

CM T. Anderson stated the A&F Committee reviewed and recommended this item for approval.

Council consensus: Referred to the 03/11/08 RCM Consent Agenda

CONSENT AGENDA:

- **Approval of claims vouchers** (check nos. 79402 – 79591) in the amount of \$363,721.89 for the period ended March 5, 2008.
- **Approval of payroll vouchers** (check nos. 46568 - 46602) in the amount of \$364,649.58 for the period ended February 29, 2008.
- **Approval of payroll electronic fund transfers** (check nos. 54291 – 54473) in the amount of \$318,212.63 for the period February 29, 2008.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$62,706.88 for the period ended February 29, 2008.
- **Summary of \$5,000 - \$25,000 Purchase Requests** for the period ended March 7, 2008.

Approval of Council Meeting Minutes:

- **Regular Council Meeting** held December 11, 2007.
- **Administration & Finance Committee Meeting** held February 12, 2008.
- **Public Safety & Justice Committee Meeting** held February 12, 2008.
- **Transportation & Public Works Committee Meeting** held February 26, 2008.
- **Regular Council Meeting** held February 26, 2008.

Agenda Items reviewed under Agenda Bill Presentations recommended for placement on this Consent Agenda.

Agenda Bill #2916; Resolution #08-003 amending the Bylaws of the SeaTac Planning Commission

Agenda Bill #2917; Ordinance #08-1011 authorizing the purchase of Long Term Care Insurance for LEOFF 1 Retired Fire Fighters and amending the 2008 Annual Budget

Agenda Bill #2918; Motion approving the low bidder for Plumbing, HVAC, Electrical and rejecting foundation Concrete bids for New Fire Station 46

Agenda Bill #2910; Ordinance #08-1012 amending the 2008 Annual City Budget for 2007 Carryovers

Agenda Bill #2915; Motion authorizing the City Manager to enter into a contract with BHC Consultants, in an amount not to exceed \$90,000, to update the City's Zoning Code

Agenda Bill #2908; Motion authorizing the City Manager to execute a contract with Murase Associates for the Sunnydale Plaza Program Study

Agenda Bill #2919; Motion authorizing final acceptance of the hazardous materials removal and demolition of the Riverton Heights School

Agenda Bill #2920; Ordinance #08-1013 authorizing the purchase of real property located at 3261 South 152nd Street, authorizing the City Manager to execute documents to effectuate the purchase, and amending the 2008 Annual Budget

MOVED BY T. ANDERSON, SECONDED BY BRENNAN TO ACCEPT THE CONSENT AGENDA AS PRESENTED.*

PUBLIC COMMENTS (related to the Consent Agenda): There were no public comments.

*MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENTS (related to the following Unfinished and New Business): There were no public comments.

UNFINISHED BUSINESS: There were no unfinished business items.

NEW BUSINESS: There were no new business items.

CITY MANAGER'S COMMENTS: ACM Rogers had the following items: (1) Suburban Cities Association (SCA) Youth Conference is scheduled for March 29 at the Mercer Island Community Center. Staff is currently working with the Tyee Educational Campus to identify one or two high school students from each of the three high schools to attend. The P&R Department will provide staff to attend and provide transportation.; (2) March 13 Public Meeting to be held with 12th Avenue South residents to consider alternatives on addressing roadway issues; (3) April 12 from 9 a.m. to 3 p.m. - Special Recycling Collection Event and Food drive; and (4) April 26 from 9 a.m. to 3 p.m. - Yard Debris Collection Event and sale of rain barrels (9 a.m. – noon or until sold out).

COUNCIL COMMENTS:

CM Wythe requested Chief of Police Services Graddon detail the police activity that occurred earlier in the day. Chief Graddon stated witnesses saw 5 to 6 juveniles breaking into a residence in the area of South 146th Street and 30th Avenue South. Officers arrived and arrested two suspects running from the home. The suspects dropped firearms on the ground. Since it was reported that other suspects were still in the house with weapons, the KC Sheriff's Office SWAT team was at the scene to evacuate neighbors and conduct a search of the burglarized residence. Detectives are working to identify the other suspects for additional arrests and the filing of criminal charges.

The Code Red emergency notification was utilized to contact the neighbors within a one-mile radius of the incident to stay in their homes unless directed to evacuate by the police.

CM Wythe stated he received a Code Red call today related to the police activity. That service is appreciated; however, he questioned how these calls are made. He stated this is the 2nd Code Red call in the last couple of weeks due to the Emergency Earthquake Drill conducted by the City on March 5. He stated it made him stop and think about being prepared in the event of an emergency. It is important that everyone be prepared.

EXECUTIVE SESSION: There was no Executive Session.

ADJOURNED:

MOVED BY WYTHE, SECONDED BY BRENNAN TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 7:18 P.M.

MOTION CARRIED UNANIMOUSLY.

Ralph Shape, Mayor

Kristina Gregg, City Clerk

City of SeaTac

Regular Council Meeting Minutes

March 25, 2008
6:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Shape at 6:02 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Deputy Mayor Gene Fisher, Councilmembers Chris Wythe, Terry Anderson, Anthony (Tony) Anderson, and Mia Gregerson. Excused absence: Councilmember Joe Brennan.

FLAG SALUTE: Wendy Morgan, SeaTac citizen and incoming Chair of the SeaTac Highline Botanical Garden Board of Directors, led the Council, audience and staff in the Pledge of Allegiance.

ADMINISTRATIVE STAFF: City Manager Craig Ward, City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, Senior Assistant City Attorney Mark Johnsen, Assistant City Manager (ACM) Tina Rogers, Planning Director Steve Butler, Principal Planner Jack Dodge, Assistant Parks & Recreation (P&R) Director Lawrence Ellis, Public Works (PW) Director Dale Schroeder, Fire Chief Bob Meyer, and Chief of Police Services Jim Graddon.

PUBLIC COMMENTS: There were no public comments.

PRESENTATIONS:

● **Council Confirmation of Mayoral Appointment of Mel McDonald to the Planning Commission (PC)**

MOVED BY T. ANDERSON, SECONDED BY A. ANDERSON TO CONFIRM THE APPOINTMENT OF MEL MCDONALD TO THE PLANNING COMMISSION.

MOTION CARRIED UNANIMOUSLY.

Mayor Shape read the certificate and presented it to Mr. McDonald.

● **SeaTac Highline Botanical Garden**

SeaTac Highline Botanical Garden Board of Directors outgoing Chair Pearl McElharan thanked Council for their support. She introduced Master Planner Greg Butler and incoming Chair Wendy Morgan. She stated the garden has two components: (1) rescued gardens - Elda Behm's Paradise, and Seike Japanese Gardens; and (2) specialty gardens - King County (KC) Iris Society, Puget Sound Daylily Club, and Seattle and Valley Rose Societies.

Ms. McElharan reviewed pictures detailing the transformation of the garden.

She detailed the types of events that occur in the garden: guided tours, weddings, Seattle Rose Society Spring Pruning Event, Puget Sound Daylily Club "Divide and Conquer" Event, and the Plant Sale.

Ms. McElharan explained "The Seike Garden: An American Story" is a video detailing the moving and making of the Seike Garden. The video was shown at City Hall earlier this year. Councilmember (CM) T. Anderson stated she is still getting requests to see the video. Ms. McElharan stated they will provide more opportunities to view it.

August 17, 2008 the Highline Botanical Garden will host its 2nd Annual Ice Cream Social, with Ciscoe.

Mr. G. Butler detailed the proposed future plans which include: rose garden seat walls; Natural Yard Care Garden; Children's Garden; P-Patch; Puget Sound Fuchsia Society; and Mediterranean Garden Society. He thanked the City for its support over the years and for the great project managers provided through the City.

Mayor Shape stated he was impressed with the production of the Seike Garden movie and is proud of the garden.

● **2007 Governor's Smart Communities Award to the City of SeaTac for the Station Area Action Plans**

Planning Director S. Butler announced SeaTac received this award for the South 154th Street and SeaTac/Airport Light Rail Station Areas. This award was in the Smart Vision category. SeaTac received one of only six awards given. The official ceremony was held in October 2007 in Olympia with Deputy Mayor (DM) Fisher (as Mayor) and CM T. Anderson attending. Mr. Butler presented the award to Mayor Shape.

● **American Planning Association (APA) – Washington Chapter's Honorable Mention Award to the City of SeaTac for the Station Area Action Plans**

APA Washington Chapter Vice President Scott Greenberg stated that for 22 years the APA and the Planning Association of Washington have jointly honored outstanding contributions to the field of planning in Washington. This Honorable Mention Award is for the Physical Plans category for the South 154th Street and SeaTac/Airport Station Area Action Plans. He presented the award to Mr. S. Butler and Mayor Shape.

PRESENTATIONS (Continued):

●Legislative Session Report

Lobbyist Joe Daniels reviewed the 2008 Legislative Report, summarizing the following items:

- Infrastructure Funding- Since this was during a supplemental budget cycle, many of the decisions relating to long term infrastructure funding will be made next year. Several elements within the supplemental capital budget (House Bill [HB] 2765) relate to this effort: (1) \$10 million from the PW Assistance Account for a pilot program to provide grants to local governments to “demonstrate options for the most efficient use of the State’s investment in local infrastructure by funding more projects at an accelerated rate.”; (2) Infrastructure Investment Systems are created, which would require the Office of Financial Management (OFM), in consultation with the Legislature and stakeholders, to develop an infrastructure implementation plan. The Jobs Development Fund (JDF) no longer exists.
- SeaTac’s Light Rail Station Area Development - SeaTac supports any legislation that encourages or assists the development of its station areas, including funding for location of State facilities and grant programs targeting Transit Oriented Development (TOD). Again, because this was during a supplemental budget cycle, most of the significant legislative and budgetary elements will be forthcoming in 2009.
- Transportation Funding – The supplemental transportation budget provides for \$7.5 billion for the biennium and makes emergency adjustments to reflect the recent natural disasters (i.e. flooding in southwest Washington, extraordinary snowfall in the passes, etc. However, funding may become available, as soon as next session, for projects already in the works.) For the SR 509 project, \$9.704 million was received to close all of the right-of-way (ROW) in progress and \$4.589 million was received for project engineering.
- Eminent Domain – Senate Bill (SB) 2920, an Attorney General request, called for a pamphlet explaining eminent domain procedures to be sent by the Attorney General to affected property owners. Second Engrossed Substitute House Bill (2ESHB) 2016, which could have restricted the powers of eminent domain by public and private jurisdictions from invoking eminent domain solely for the purposes of increasing tax revenue and Economic Development (ED), died.
- Taped Executive Sessions – This bill had powerful sponsorship and support from the Majority Leader in the House, the Attorney General, and the State Auditor. Most all public agency associations opposed the bill and were able to stop it.
- Lodging Tax Administration – bills which earmark lodging taxes countywide for arts and heritage programs: (1) HB 3054 died; (2) SB 6638 passed, however, the sections affecting the lodging tax expires. He stated he worked with Senator Keiser to develop amendments and strategies to assure SeaTac would be able to secure future funding from this important source. An amendment was drafted to address the 2% "State shared" Hotel/Motel (H/M) Tax which is credited against the State portion of the sales tax; (3) SB 6833 gave all 2% of the tax generated in the County to arts/heritage from the time the Kingdome bonds are paid off until the end of 2015. The Kingdome bonds are expected to be paid off sometime in 2014. The bill also gives 37.5% of this H/M tax to the arts/heritage after 2021, which is when Qwest field is paid off. The amendment would allow SeaTac to keep 1% of the 2%, or half of the tax generated in SeaTac during the above mentioned periods of time; and (4) HB 3081 was introduced late in the session and contained many of the provisions of HB 3054 & SB 6638, but failed to get enough support to advance. This issue will return next session.
- Port Bills – Many of the original bills, which would have severely restricted the Port of Seattle’s (POS) ability to lobby, collect property taxes, and exercise routine functions of government died. Second Substitute House Bill (2SHB) 3274 passed, which required the POS to reform some of its internal contracting and communications functions. In addition, the POS and Highline Water District (HWD) settled an old dispute over service territory which was the subject of HB 3031 and potentially affected service to the rental car facility. Following the approval of an interlocal agreement (ILA) by both commissions, HB 3031 died in Rules.
- Wrongful death – The Association of Washington Cities (AWC) and other local governments opposed 2ESHB 1873, which expands the pool of beneficiaries allowed damages under the state’s wrongful death and survivor statutes. The bill passed the House 59-34 and was amended in the Senate Ways & Means Committee to provide a limited exemption for local government on joint and several liability and an age 26 threshold. The House refused to concur and the bill was sent back to the Senate during the final days of the session. In the end, time ran out and the bill died.

CM A. Anderson questioned if there was something the City should be doing prior to the next session to assist with the lodging tax. Mr. Daniels suggested meeting with Senator Keiser.

SUSPENSION OF THE RULES:

MOVED BY T. ANDERSON, SECONDED BY FISHER TO SUSPEND THE RULES TO BRING FORWARD THE PUBLIC HEARING AND COUNCIL ACTION RELATED TO AGENDA BILL #2925.

MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARING (PH):

•Amending an existing Development Agreement (DA) between the City of SeaTac and International Boulevard (IB), LLC for Master Park Lot A – Legal

Mayor Shape opened the PH at 6:49 p.m.

Master Park Managing Partner Roger McCracken and Senior Assistant City Attorney Johnsen reviewed Agenda Bill #2925 summary below.

CM T. Anderson stated the Administration & Finance (A&F) Committee reviewed this item and recommended it for approval.

Upon a question posed by Mayor Shape, Mr. Johnsen stated the Open Space definition includes 10 types of Open Space.

Mayor Shape closed the PH at 6:57 p.m.

NEW BUSINESS:

Agenda Bill #2925; Resolution #08-004 authorizing the City Manager to execute Amendment No. 1 to a Development Agreement (DA) with International Boulevard (IB), LLC

Summary: In August, 2005, the City entered into a DA with Master Park, which addresses development at the Master Park Lot A property. As part of the public benefit for the DA, Master Park agreed to dedicate property located along the Bow Lake shoreline for a pedestrian walkway, and certain portions of the Bow Lake lakebed. The DA contained a legal description for the property that would be dedicated to the City, and a map of the dedicated area.

Master Park is currently processing the dedication, and they discovered an error in the legal description and the map of the dedicated area. Master Park has requested that the legal description and map listed in the DA as Exhibit E-1 be replaced with a corrected legal description. If this Resolution is passed, the City will not receive approximately 1,800 square feet (sf) of land of what was originally stated in the DA. Master Park has agreed that when their project is developed, this property will be reserved as open space, and this stipulation is also reflected in the proposed amendment.

MOVED BY A. ANDERSON, SECONDED BY FISHER TO PASS RESOLUTION #08-004.

MOTION CARRIED UNANIMOUSLY.

DISCUSSION ITEM:

•Summary of \$5,000 - \$25,000 Purchase Requests for the period ended March 21, 2008

City Manager Ward reviewed the following requests:

<u>Item Description</u>	<u>Department</u>	<u>Original Budget</u>	<u>Amended Budget</u>	<u>Estimate</u>
Two Jaws of Life High Performance Combi Rescue Tools (2008 Funded Decision Card)	Fire	\$26,000	\$26,000	\$24,714
Angle Lake Water Quality Monitoring	PW	\$7,500	\$7,500	\$7,400
Contract to Videotape City Council Meetings	City Manager's Office (CMO)	\$23,000	\$23,000	\$18,000

Council consensus: Referred to 03/25/08 RCM Consent Agenda

AGENDA BILL PRESENTATIONS:

Agenda Bill #2921 – A Motion rejecting bid for the construction of the Angle Lake Performing Stage Cover Project

Summary: Calls for bid were sent out February 19, 2008 and bids were opened March 4, 2008. The City received only one bid for the project even though several contractors requested plans and bid documents. The submitted bid was considerably higher than the cost estimate, and staff is recommending the City Council reject the bid so the

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #2921 (Continued): project can be re-evaluated. Below is a summary of the bid:

	Total with Sales Tax	Cost Estimate
Talakai Construction	\$272,226.00	\$110,000.00

Assistant P&R Director Ellis reviewed the above summary.

CM T. Anderson stated the A&F Committee reviewed this item and recommended it for approval.

Upon a question posed by CM Wythe, Mr. Ellis stated this cost includes the cover, construction, and labor.

CM A. Anderson questioned why the bid was so high. Mr. Ellis stated the foundation drove up the cost. Staff will re-evaluate and consider downsizing the foundation, although this might slightly alter the design.

Council consensus: Referred to 03/25/08 RCM Consent Agenda

Agenda Bill #2924 – A Motion authorizing the City Manager to execute an Interlocal Agreement (ILA) with the Miller/Walker Creek Basin Stewardship Consortium

Summary: The Cities of SeaTac, Burien and Normandy Park, along with the POS, KC, and the Washington State Department of Transportation (WSDOT), have worked together to produce the Miller/Walker Creek Basin Plan. The plan includes implementation of a Stewardship program, including public education and outreach, consistent with National Pollutant Discharge Elimination System (NPDES) requirements. The agreement commits the City to its cost share (based on SeaTac's percentage of the drainage basin) toward this effort in 2008 and 2009. KC will provide the services per the scope of work, with Dennis Clark, Miller/Walker Creek Basin Steward, as the Project Manager. Education/outreach programs are a requirement of the NPDES Phase 2 permit; this agreement helps to fulfill that requirement.

The 2008 budget for work in the Miller Creek Basin is \$5,000. SeaTac's share of the services for the 2-year period 2008-2009 is \$2,386.00.

PW Director Schroeder introduced Miller/Walker Basin Steward Dennis Clark. Mr. Schroeder and Mr. Clark reviewed the above summary.

Mr. Clark detailed the Miller/Walker Creek Basin area. He stated the focus needs to be on addressing issues, improving habitat, and eliminating invasive weeds. More people are needed to work on this basin. He stated that as Steward, it is his job to get the people to help.

He detailed the 2007 basin stewardship services beginning with the draft basin plan focusing on stewardship and monitoring. A Technical Services Agreement with KC and the partners was entered into and paid for jointly by the partners based on their percentage of the drainage basin. SeaTac's portion for 2007 was \$359. That money paid for the following: organized Volunteer Stewardship Project high up in basin at South 144th Way, and started a partnership with the Washington State Veterans Conservation Corp (VCC).

Complimenting the ground work are efforts to inform and educate students and adults by focusing people on the resources, problems, and solutions. This is accomplished through presentations, working one-on-one with people in the community, basin photo tours, stream blog, stewardship tips, and links from City websites.

Mr. Clark detailed the 2008 - 2009 ILA Scope of Services.

CM Wythe stated there is more the City can do so the problem is less burdensome in the future.

Council consensus: Referred to 03/25/08 RCM Consent Agenda

Agenda Bill#2928 – An Ordinance amending Section 15.35.950 of the SeaTac Municipal Code (SMC) related to the Parking Bonus Incentive Program in the City Center

Summary: This Ordinance amends the Parking Bonus Incentive Program in the City Center by increasing the square footage of retail/commercial, service, or residential space required to receive an additional parking stall from 25 sf to 250 sf. This Ordinance also adds a separate H/M use incentive of 0.5 parking stalls per H/M unit.

Staff recently discovered that the current formula for the Parking Bonus Incentive Program in the City Center is overly generous and could result in parking structures of immense proportions. For example, under the current Zoning Code, a mixed use development with 87,500 sf of hotel (250 units) and 290,000 sf of residential, office, and retail would receive 15,400 bonus parking spaces. This Ordinance modifies the bonus requirements so that

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill#2928 (Continued): they are at a more reasonable level. As a result, under this Ordinance, the same development would receive only 1,585 bonus parking spaces.

The PC has recommended that a moratorium or other suitable vehicle for preventing use of the bonus incentive program be enacted until the PC has an opportunity to prepare a better alternative. Staff believes, however, that the proposed code amendments would bring the City's parking bonus provisions to a more sensible level and that enactment of this Ordinance would reduce or eliminate the need for a moratorium. Also, this Ordinance can be viewed as an interim measure, since additional review and discussion about incentives will occur as part of the City's Major Zoning Code Update project (which is currently underway).

Planning Director S. Butler and Principal Planner Dodge reviewed the above summary.

Council discussion ensued regarding the PC recommendation versus staff's recommendation. Council felt it was important to allow the PC more time to review this issue but that a moratorium may not be the best means for that.

Mr. S. Butler stated that there are no DA's in the works now, but something needs to be done to prevent development being submitted under the current provisions.

PC Member Rick Forschler summarized the PC concerns and recommendation: felt some urgency in stopping this loophole; did not feel a moratorium was the only suitable approach; and not comfortable with 250 sf suggestion.

Council discussion ensued as to implementing a moratorium.

City Manager Ward clarified that this Ordinance is the fastest way to impose a change as an alternative to a moratorium.

Ms. Mirante Bartolo stated the Council could pass the Ordinance as is and amend at a later date or they could amend the Ordinance tonight to include a sunset clause.

Upon a question posed by Mr. Ward, Mr. S. Butler stated that 120 days would be a reasonable amount of time to sunset the Ordinance.

Council consensus: Referred to 03/25/08 RCM New Business

CONSENT AGENDA:

- **Approval of claims vouchers** (check nos. 79592 – 79791) in the amount of \$506,624.50 for the period ended March 20, 2008.
- **Approval of payroll vouchers** (check nos. 46603 - 46632) in the amount of \$166,685.50 for the period ended March 15, 2008.
- **Approval of payroll electronic fund transfers** (check nos. 54474 – 54648) in the amount of \$318,167.52 for the period March 15, 2008.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$61,350.41 for the period ended March 15, 2008.
- **Summary of \$5,000 - \$25,000 Purchase Requests** for the period ended March 21, 2008.

Approval of Council Meeting Minutes:

- **Regular Council Meeting** held November 27, 2007.
- **Land Use & Parks Committee Meeting** held February 28, 2008.
- **Regular Council Meeting** held March 11, 2008.

Agenda Items reviewed under Agenda Bill Presentations recommended for placement on this Consent Agenda.

Agenda Bill #2921; Motion rejecting bid for the construction of the Angle Lake Performing Stage Cover Project

Agenda Bill #2924; Motion authorizing the City Manager to execute an Interlocal Agreement with the Miller/Walker Creek Basin Stewardship Consortium

MOVED BY T. ANDERSON, SECONDED BY FISHER TO ACCEPT THE CONSENT AGENDA AS PRESENTED.*

PUBLIC COMMENTS (related to the Consent Agenda): There were no public comments.

*MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENTS (related to the following Unfinished and New Business): There were no public comments.

UNFINISHED BUSINESS: There were no unfinished business items.

NEW BUSINESS:

Agenda Bill#2928; Ordinance #08-1014 amending Section 15.35.950 of the SeaTac Municipal Code related to the Parking Bonus Incentive Program in the City Center

MOVED BY T. ANDERSON, SECONDED BY A. ANDERSON TO PASS ORDINANCE NO. 08-1014.*

MOVED BY FISHER, SECONDED BY T. ANDERSON TO AMEND THE SECTION 4 OF THE ORDINANCE TO INCLUDE "...AND SHALL EXPIRE 120 DAYS AFTER THE EFFECTIVE DATE."

MOTION CARRIED UNANIMOUSLY.

*ORIGINAL MOTION AS AMENDED CARRIED UNANIMOUSLY.

CITY MANAGER'S COMMENTS: City Manager Ward had the following items: (1) the Seattle Southside Forum, which will promote the ED opportunities of the Highline region, is scheduled to meet March 26 at 8 a.m.; (2) Special Land Use & Parks (LUP) Committee Meeting scheduled for March 27; and (3) Station Area Plans have earned a third honor, the Vision 2020 award.

COUNCIL COMMENTS: DM Fisher, CM A. Anderson, and CM Gregerson commented on the successful Entertainment District Tour and complimented staff for their efforts in arranging it.

CM Gregerson also stated there will be a work party at the Grandview Park on Saturday, March 29 from nine to noon.

Mayor Shape had the following items: (1) CM Brennan is in the hospital; and (2) the Council Retreat will be held May 31 and June 1 at the Museum of Flight. He requested Council's thoughts regarding using former CM Don DeHan as the facilitator. Council discussion ensued and the Council consensus was to not utilize his services. Mayor Shape requested Council consider what topics they would like to discuss at the retreat and notify Executive Assistant Lesa Ellis.

EXECUTIVE SESSION: There was no Executive Session.

ADJOURNMENT:

MOVED BY WYTHE, SECONDED BY FISHER TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 8:06 P.M.

MOTION CARRIED UNANIMOUSLY.

Ralph Shape, Mayor

Kristina Gregg, City Clerk

City of SeaTac

Regular Council Meeting Minutes

April 8, 2008
6:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Meeting was called to order by Mayor Ralph Shape at 6:02 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Deputy Mayor Gene Fisher, Councilmembers Chris Wythe, Terry Anderson, Joe Brennan (*left at 6:15 p.m.*), and Mia Gregerson. Excused Absence: Anthony (Tony) Anderson.

FLAG SALUTE: Southwest King County Chamber (SWKCC) of Commerce Board of Directors Member Paul Barden led the Council, audience and staff in the Pledge of Allegiance.

ADMINISTRATIVE STAFF: City Manager Craig Ward, City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, Assistant City Manager (ACM) Tina Rogers, Assistant City Attorney Julia Yoon, Human Services (HS) Coordinator Colleen Brandt-Schluter, Finance Director Mike McCarty, City Engineer Tom Gut, Facilities Director Pat Patterson, Fire Chief Bob Meyer, and Chief of Police Services Jim Graddon.

PUBLIC COMMENTS: There were no public comments.

PRESENTATIONS:

•Introduction of new Employees: Municipal Court Office Technician Coral Garcia, and Parks Operations Worker Tom Atkins

City Manager Ward introduced the above new employees.

•King County Sexual Assault Resource Center (KCSARC)

KCSARC Executive Director MaryEllen Stone thanked Council for their support. SeaTac's financial contribution is a great leverage with the other suburban cities in South King County (SKC). In 2007, KCSARC contracted with the City to provide services to sexual assault victims and their families to 25 individuals; 38 were served. Ms. Stone gave statistics of sexual assault victims.

All services provided by KCSARC are available in English and Spanish. The KCSARC vision is to alleviate, as much as possible, the trauma of sexual assault for victims and their families. As an agency, they want to eliminate sexual assault and to ensure the freedom to live without fear.

KCSARC runs a 24-hour resource line. Individuals call that line, but more people are using the website. More people are going online to find resources. KCSARC is looking at a major initiative to see how they can make their services more accessible to people using new communication technology.

Councilmember (CM) Brennan left at this point of the meeting.

•2007 Annual Southwest King County Chamber (SWKCC) of Commerce Report

SWKCC of Commerce President and CEO Nancy Damon introduced Mr. Barden.

Ms. Damon reviewed Chamber achievements and milestones, including: created a new website, created a dining guide, and established a new monthly e-newsletter and a weekly bulletin.

In 2008, the Chamber will: publish the 2008 version of the dining guide; create a home owners guide; continue participation in regional transportation issues; watch regional projects and issues; strengthen the Chamber through increased memberships and member promotions; and introduce a medical insurance program to Chamber members.

Ms. Damon thanked Council for partnering with the Chamber.

•Seattle Southside Visitors' Services (SSVS) Update

SSVS Program Director and President of the Washington Association of Convention and Visitor Bureaus Katherine Kertzman stated SSVS is an interlocal agreement (ILA) with the Cities of SeaTac, Tukwila, Kent, and Des Moines, and Burien (once they build their new hotel). The lodging taxes collected are restricted dollars used for tourism promotion and that is how SSVS is funded 100%.

Ms. Kertzman reviewed events conducted by SSVS.

Governor Chris Gregoire has placed a high priority on tourism development for the State because it is one of the number one economic development (ED) industries for the State. The Governor is creating a new tourism commission and investing additional dollars in advertising and marketing for the State Tourism Program. The SSVS relationship is very strong with the Washington State Office of Tourism.

PRESENTATIONS (Continued):

SSVS Update (Continued): Ms. Kertzman reviewed SSVS's 2007 successes and industry indicators and travel trends affecting Seattle Southside. SSVS is creating travel packages, and offers Seattle Southside Express Shuttle.

She also reviewed 2008 major initiatives, including: creating a new Sports Facility Guide, moving more towards online advertising, and continuing sports focus.

The near future includes: Westfield Shopping Center completion, SeaTac Entertainment District planning and visioning, Kent Events Center opening, and the Des Moines Tall Ships Festival.

Upon a question posed by Mayor Shape, Ms. Kertzman stated when the City reaches a hotel occupancy rate of 80%, builders will start wanting to build more hotels in area. SeaTac is close to that percentage.

DISCUSSION ITEM:

•Summary of \$5,000 - \$25,000 Purchase Requests for the period ended April 4, 2008

City Manager Ward reviewed the following purchase requests.

<u>Item Description</u>	<u>Department</u>	<u>Original Budget</u>	<u>Amended Budget</u>	<u>Estimate</u>
Wildland Fire Fighting Coats	Fire	\$9,000	\$9,000	\$8,578
Incident Command Status Boards	Fire	\$9,880	\$9,880	\$7,459
Nextel Phones and Accessories	Police	\$15,000	\$15,000	\$11,978
Consulting Arborist Services with Polygon Northwest	Planning	\$8,970	\$8,970	\$8,970
Consulting Wetland Biologist Services with YMCA	Planning	\$5,666	\$5,666	\$5,666

Council consensus: Referred to the 04/08/08 RCM Consent Agenda

AGENDA BILL PRESENTATIONS:

Agenda Bill #2923 – A Motion authorizing 2008 Computer Hardware replacement and declaring replaced equipment as surplus, allowing for its disposal

Summary: In the City's Six-Year Capital Improvement Plan (CIP), computer hardware is projected for replacement every four years. The 2008 Annual City Budget provides for scheduled replacement of 28 computers and monitors (estimated at \$24,767), as well as three Panasonic Toughbook notebook computers (estimated at \$13,200). Approval is requested to authorize purchase of equipment based on quotes obtained, as needed, throughout the year.

Computers purchased in 2008 will have the following minimum specifications: Intel Core 2 Duo E8500 3.16GHz processor, 2GB RAM, 160 GB hard drive, 16X DVD+/-RW drive, Windows XP Professional. The computers will have a three-year on-site warranty.

This Motion also declares the replaced equipment as surplus, allowing for its disposal. As previously directed by the City Council, surplus property would be disposed of in the following priority order: (1) Sale by government auction; (2) Donated to service agencies serving the citizens of SeaTac; (3) Donated to other service agencies; and (4) Donated to a refurbishing or recycling center.

Finance Director McCarty reviewed the above summary, detailing the Panasonic Toughbook notebook computer characteristics.

DM Fisher stated the Administration & Finance (A&F) Committee reviewed this item and recommended it for approval.

Council consensus: Referred to the 04/08/08 RCM Consent Agenda

Agenda Bill #2926 – An Ordinance adding Section 9.05.110 and repealing Section 19.15.040 of the SeaTac Municipal Code (SMC) related to parking in fire lanes

Summary: The amendment:

1. Increases the monetary penalty to \$250 for illegally stopping or parking in a fire lane and clarifies that each day such violation continues constitutes a separate offense.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #2926 (Continued):

2. Authorizes police to issue an infraction to the registered owner whenever a vehicle is found already parked in a designated fire lane. Consistent with State law, the proposed change holds the registered owner responsible for violations when the vehicle is found parked, standing or stopped in the fire lane without an operator.
3. Authorizes police to immediately impound vehicles illegally parked in a designated fire lane. This Ordinance does not affect the existing Fire Code and the Fire Department's authority to enforce fire lane violations. This Ordinance only changes the Police Department's enforcement of fire lane violations.
4. Codifies the "parking in fire lanes" Ordinance within the same chapter as other parking provisions under Chapter 9.05. Under the current code, the provision addressing parking in fire lanes is located within Chapter 9.15 which is titled "Miscellaneous Driving Regulations."

Under the current code, police may only issue a \$50 parking infraction when they observe a person parking a vehicle in the fire lane. Staff has found that the current penalty does not act as a sufficient deterrent to prevent the obstruction and blocking of fire lanes. This Ordinance allows for increased enforcement of fire lanes.

Chief of Police Services Graddon reviewed the above summary.

Upon a question posed by CM T. Anderson, Chief Graddon clarified that the vehicle would be impounded according to the standard established process. It is not a forfeiture of the vehicle. The car would be cited, impounded and towed. The owner of the vehicle has a right to a hearing if they wish to challenge the impound.

Upon a question posed by City Manager Ward, Assistant City Attorney Yoon stated that by statute, proper signage must be in place for 24-hours before tickets may be issued.

Council consensus: Referred to the 04/08/08 RCM Consent Agenda

Agenda Bill #2929 – A Motion approving the low bidder for foundation concrete, steel erection and fire sprinkler for new Fire Station 46

Summary: Advertisements for bids were posted in the Seattle Times the weeks of March 10 and 17. The bid opening was held Monday, March 24. The low bid tabulation for the selected categories are as follows:

	Bid Amount	Budget Amount
Foundation Concrete: Quality Construction and Concrete	\$447,305.78	\$260,000
Steel Erection: No bids		\$50,000
Fire Sprinkler: Reliance Fire Protection	\$115,910.00	\$67,000

Bids were also received for partitions and drywall, masonry, and roofing and siding. Only one legitimate bid was received in each category. The bid packages will be modified for these categories and sent out for re-bid. With the addition of the two recommended bids above, the project at this time is \$629,348 over budget, with the approved Green sitework and fuel system being \$521,602 of that amount.

Since no bids were received for steel erection, staff is allowed to enter into negotiations with a steel erector of the City's choice. The Council is asked to reject the bids for partitions and drywall, masonry, and roofing and siding.

The 2008 Budget for new Fire Station 46 has \$4,488,036 for construction of the new fire station.

Facilities Director Patterson reviewed the above summary.

DM Fisher stated the A&F Committee reviewed Agenda Bills #2929 and #2935 and recommended them for approval.

CM Wythe questioned how much over budget this project is estimated to be. Mr. Patterson stated the bids are coming in higher than originally estimated. The approved budget amount is \$5.1 million. It is assumed that a budget amendment will need to be approved in 2009 for additional funds as the project is estimated to be \$6.2 million. Half of the over budget costs are attributed to the approved green work.

Mr. Patterson stated the price of steel has increased from 20 to 60 cents a pound in 18 months and is increasing 1.5% per week.

Council consensus: Referred to the 04/08/08 RCM Consent Agenda

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #2935 – A Motion approving the low bidder for rebidding of fuel system for Fire Station 46

Summary: The Council approved the contractor for the fueling system in the amount of \$174,609 on February 12, 2008. Subsequently the contractor dropped out. Rather than take a much higher second bidder, it was prudent to go back out for new bids. Advertisements for bids were posted in the Seattle Times the weeks of March 21 and March 31. The bid opening was held Monday, April 7. The City received 3 bids which are tabulated below.

Joe Hall Construction Inc.	\$194,473
ESE Corporation	\$209,485
Construct Co. Inc.	\$162,234

Construct Co. is the site work contractor currently working on the project. Their bid is \$12,375 less than the original approved fuel system contract.

The 2008 Budget for new Fire Station 46 has \$4,488,036 for construction of the new fire station.

Facilities Director Patterson reviewed the above summary.

Council consensus: Referred to the 04/08/08 RCM Consent Agenda

Agenda Bill #2933 – A Motion authorizing the City Manager to execute a Consultant Agreement with PACE Engineers, Inc. for the Sunrise View Bypass Pipeline Project

Summary: The Sunrise View Bypass Pipeline project area is bounded by South 170th Street to the north, the SeaTac/Tukwila City limits to the east, the north boundary of King County (KC) parcel number 262304-9013 to the south, and 51st Avenue South to the west. Staff is requesting approval of a contract with a consultant who will provide professional services including a comprehensive drainage study, preliminary engineering, and life cycle cost analysis to determine three options that bypasses upstream runoff from the Sunrise View Addition area. After recommending a preferred option, the consultant shall prepare a technical information report, plans, specifications, and cost estimate for construction of the selected bypass system. Additional consultant services provided for this project include surveying, property and/or easement acquisition, State Environmental Protection Agency (SEPA) permit processing, and limited construction administration.

A Request for Qualifications (RFQ) was advertised in February 2008. The following firms submitted proposals: PACE Engineers, Inc., INCA Engineers, Inc., Gray & Osborne, Inc., and LeRoy Surveyors and Engineers, Inc. City staff reviewed all four proposals and selected PACE Engineers, Inc. as the best qualified firm due to their experience on projects involving complex drainage issues and dealing with government agencies in the area. Staff then negotiated the scope and fees with PACE Engineers, Inc. The scope of work includes hydrologic analysis, topographic surveying, preliminary design of three alternatives, facilitating public involvement through an open house and newsletters, geotechnical evaluation, environmental evaluation, acquiring a SEPA determination and associated permits, and right-of-way acquisition or easement, if necessary.

The City seeks to evaluate three possible solutions to select a preferred design that meets the City's drainage needs, while protecting the residents of the Sunrise View Addition from potential flooding due to upstream storm water runoff.

The value of the agreement is \$300,019. The cost of the project will be paid from the Surface Water Management (SWM) Construction Fund (406) which has a current budget balance of \$400,000 for this line item. The budget will be adjusted accordingly in the 2009 budget cycle.

City Engineer Gut reviewed the above summary.

DM Fisher stated this item was reviewed by the A&F Committee and was recommended for approval.

Mayor Shape stated the Transportation & Public Works (T&PW) Committee also reviewed this item and recommended it for approval.

Council consensus: Referred to the 04/08/08 RCM Consent Agenda

Agenda Bill #2934 – A Resolution imposing a moratorium on the issuance of Building, Grading, and Drainage Permits for the construction of structures or improvements that will result in the creation of any new impervious surface on properties located within the Sunrise View Drainage Area

Summary: The moratorium would be in effect until October 1, 2008, unless the City Council opts to extend the moratorium for additional time.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #2934 (Continued): Revised Code of Washington (RCW) 35A.63.220 and RCW 36.70A.390 permit the City Council to adopt a moratorium relating to development regulations, subject to a public hearing (PH) within 60 days of the date of adoption of any such moratorium, and further subject to findings of fact justifying the moratorium at either the time of adoption or following conclusion of the PH. Per state law, a moratorium can only be in effect for no longer than six months, unless extended by Council action.

Staff has received requests that the City impose a moratorium on the issuance of permits in the Sunrise View Drainage Area. The existing drainage conveyance system cannot handle the runoff from winter storms, which results in private property damage. Continued development without a properly designed and constructed drainage system will exacerbate the damage. The moratorium will provide the City time to properly design and construct an adequate drainage system in the area. Upon completion, the system will better protect the impacted properties.

This issue was discussed at a Special Land Use & Parks (LUP) Committee Meeting February 28, 2008, in which 54 citizens from the greater basin area attended. Based on the input received at this meeting, along with staff research of the drainage problems in the Sunrise View area, this Resolution was drafted for Council consideration.

The moratorium will prevent the issuance of any new Building, Grading, and Drainage permits that are applied for after the passage of this Resolution, which affects 45 parcels. This Resolution still allows for the issuance of permits applied for prior to the passage of this Resolution. Furthermore, this Resolution allows staff to accept permit applications for processing, so applications can still be processed during the moratorium (although once review is complete, permits could not be issued until the moratorium is lifted). Finally, the moratorium only affects permit applications that create new impervious surfaces.

To ensure that no new impervious surface is created in the impacted area, it is recommended that the City Council take the following approach regarding development in the Sunrise View Drainage Area.

1. Impose a temporary moratorium until October 1, 2008 in the impacted area of the Sunrise View Drainage Area to allow staff to work with a consultant to create options that will address the drainage issues in this area.
2. Hold a PH no later than 60 days after passage of this Resolution, and enter findings of fact justifying the moratorium.
3. Once staff and the consultant have formulated options to address the drainage issues in the impacted area, including a preferred alternative, the City Council should consider adopting one of the proposed recommendations, which would include the expenditure funds for the construction of a bypass pipeline.

City Engineer Gut reviewed the above summary.

CM Wythe stated Council should support this Resolution. The area is devastated and the City needs to do what it can. The area has development potential.

Upon a question posed by CM Gregerson, Mr. Gut stated there are no construction permits in process in this area.

Mayor Shape stated that the City will need to extend this moratorium a couple of times because the bypass will not be completed for 18 months.

Upon a question posed by CM Wythe, Mr. Gut stated courtesy letters referencing tonight's meeting were sent out last Friday to those homes in the moratorium area and those citizens who attended the LUP meeting. Letters will be sent to the same people notifying them of the PH.

Council consensus: Referred to the 04/08/08 RCM Consent Agenda

Agenda Bill #2936 – A Motion authorizing the purchase of four Thermal Imaging Cameras

Summary: The Fire Department staff has been researching, testing and evaluating thermal imaging cameras. Thermal imaging cameras are devices used to search for victims in a fire and for locating hidden fires behind walls and ceilings. The cameras work on the principle of "seeing" a heat signature with infrared technology.

Department personnel have attended training classes and tested different types of cameras in test and live fire situations. Based on the department's research, the MSA brand Evolution 5200 has been determined to best meet the needs of the City. MSA is a leader in firefighting and rescue technology.

These cameras will replace the existing thermal imaging cameras that are at the end of their service life, outdated and obsolete. As these are emergency rescue equipment used in life saving emergencies, they must be totally reliable. All four must be replaced at the same time for continuity.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #2936 (Continued): This replacement is included in the Council approved CIP, the Fire Department's Equipment Replacement Plan, and the 2008 Budget. The purchase is being made utilizing the Washington State Homeland Security Contract. This brand is only available through SeaWestern Firefighting Equipment.

The cost will be approximately \$45,406.13 to the Fire Apparatus and Equipment Replacement Fund.

Fire Chief Meyer reviewed the above summary.

DM Fisher stated the A&F Committee reviewed this item and recommended it for approval. He questioned the life expectancy and warranty of the cameras. Chief Meyer stated the life expectancy can change daily due to technology, but the cameras are warranted for two years. The Fire Department has a six-year replacement plan.

Council consensus: Referred to the 04/08/08 RCM Consent Agenda

Agenda Bill #2931 – A Resolution amending Resolution No. 06-019, changing the meeting times of the Transportation and Public Works (T&PW) and the Public Safety and Justice (PS&J) Council Committees

Summary: By Resolution No. 06-019, the City Council established the schedule and start times for the meetings of Council Committees. T&PW is currently scheduled to start at 3:00 p.m. on the fourth Tuesday of each month. This Resolution changes the start time of T&PW from 3:00 p.m. to 4:00 p.m. Additionally, PS&J is currently scheduled to start at 4:00 p.m. on the second Tuesday of each month. This Resolution changes the start time of PS&J from 4:00 p.m. to 3:30 p.m.

City Attorney Mirante Bartolo reviewed the above summary.

Council consensus: Referred to the 04/08/08 RCM Consent Agenda

CONSENT AGENDA:

- **Approval of claims vouchers** (check nos. 79792 – 79924) in the amount of \$599,967.26 for the period ended April 4, 2008.
- **Approval of payroll vouchers** (check nos. 46633 - 46668) in the amount of \$402,989.60 for the period ended March 31, 2008.
- **Approval of payroll electronic fund transfers** (check nos. 54649 – 54830) in the amount of \$317,283.79 for the period ended March 31, 2008.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$60,788.94 for the period ended March 31, 2008.
- **Summary of \$5,000 - \$25,000 Purchase Requests** for the period ended April 4, 2008.

Approval of Council Meeting Minutes:

- **Council Workshop** held January 22, 2008.
- **Council Workshop** held February 26, 2008.
- **Administration & Finance Committee Meeting** held March 11, 2008.
- **Public Safety & Justice Committee Meeting** held March 25, 2008.
- **Transportation & Public Works Committee Meeting** held March 25, 2008.
- **Regular Council Meeting** held March 25, 2008.

Agenda Items reviewed under Agenda Bill Presentations recommended for placement on this Consent Agenda.

Agenda Bill #2923; Motion authorizing 2008 Computer Hardware replacement and declaring Replaced equipment as surplus, allowing for its disposal

Agenda Bill #2926; Ordinance #08-1015 adding Section 9.05.110 and repealing Section 19.15.040 of the SeaTac Municipal Code related to parking in fire lanes

Agenda Bill #2929; Motion approving the low bidder for foundation concrete, steel erection and fire sprinkler for new Fire Station 46

Agenda Bill #2935; Motion approving the low bidder for rebidding of fuel system for Fire Station 46

Agenda Bill #2933; Motion authorizing the City Manager to execute a Consultant Agreement with PACE Engineers, Inc. for the Sunrise View Bypass Pipeline Project

CONSENT AGENDA (Continued):

Agenda Bill #2934; Resolution #08-005 imposing a moratorium on the issuance of Building, Grading, and Drainage Permits for the construction of structures or improvements that will result in the creation of any new impervious surface on properties located within the Sunrise View Drainage Area

Agenda Bill #2936; Motion authorizing the purchase of four Thermal Imaging Cameras

Agenda Bill #2931; Resolution #08-006 amending Resolution No. 06-019, changing the meeting times of the Transportation and Public Works and the Public Safety and Justice Council Committees

MOVED BY T. ANDERSON, SECONDED BY GREGERSON TO ACCEPT THE CONSENT AGENDA AS PRESENTED.*

PUBLIC COMMENTS (related to the Consent Agenda): There were no public comments.

*MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENTS (related to the following Unfinished and New Business): There were no public comments.

UNFINISHED BUSINESS: There were no unfinished business items.

NEW BUSINESS: There were no new business items.

CITY MANAGER'S COMMENTS: City Manager Ward had the following items: (1) April 10 LUP meeting has been cancelled; and (2) he will be out of the office Wednesday, April 16 through Friday, April 18 and possibly a few other days to care for his wife after surgery.

COUNCIL COMMENTS: CM Gregerson had the following items: (1) April 12 – Special Recycling Collection Event - 9 a.m. to 3 p.m. at the Tyee High School Parking Lot; (2) April 26 - Yard Debris Collection Event – 9 a.m. – 3 p.m. at the Tyee High School Parking Lot; and (3) Food Drive for Highline Area Food Bank sponsored by SeaTac Domestic Violence Task Force – to be collected during both recycling events.

Upon a request from Mayor Shape, City Manager Ward stated the City received favorable comments from a citizen regarding the Military Road Project. The citizen was complimentary of the City as a whole and the PW staff involved in the project.

EXECUTIVE SESSION: There was no Executive Session.

ADJOURNMENT:

MOVED BY T. ANDERSON, SECONDED BY WYTHE TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 7:28 P.M.

MOTION CARRIED UNANIMOUSLY.

Ralph Shape, Mayor

Kristina Gregg, City Clerk

City of SeaTac

Regular Council Meeting Minutes

April 22, 2008
6:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Shape at 6:05 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Deputy Mayor (DM) Gene Fisher, Councilmembers (CMs) Chris Wythe, Terry Anderson, Anthony (Tony) Anderson, and Mia Gregerson. Excused Absence: CM Joe Brennan.

FLAG SALUTE: Mr. Richard Forschler, SeaTac citizen, led the Council, audience and staff in the Pledge of Allegiance.

ADMINISTRATIVE STAFF: City Manager Craig Ward, City Attorney Mary Mirante Bartolo, Senior Assistant City Attorney Mark Johnsen, Deputy City Clerk (DCC) Marcia Rugg, Assistant City Manager (ACM) Tina Rogers, Planning Director Steve Butler, Finance Director Mike McCarty, Facilities Director Pat Patterson, Assistant Fire Chief Brian Wiwel, and Chief of Police Services Jim Graddon.

PUBLIC COMMENTS:

Jacob Johnson, works with LaRouche Political Action Committee (LPAC). He addressed the nation's economic crisis causing foreclosures, and bank failures. LPAC developed legislation in 2007 called the Homeowner and Bank Protection Act (HBPA) to accomplish the following: (1) congress would establish a Federal agency to freeze home mortgages with adjusting interest rates; (2) put a moratorium on foreclosures; and (3) state governors would take on administrative tasks to legislate HBPA. They have addressed about 80 – 100 different city councils around the United States and three state legislatures have supported this legislation.

Earl Gipson requested the Council consider adopting code revisions that would allow public comments at the Planning Commission (PC) and public Hearing Examiner meetings. He suggested revised language for the code.

Larry Holm, board representative of South Highline Little League, requested the City support funding to resurface the final sports field at Valley Ridge (VRP) and to consider providing a concession stand and more restrooms. It would increase rents by outside teams coming into this area. He also requested an official posting for field reservations at VRP to be on-site which would eliminate any conflicts about times and locations.

Mayor Shape thanked the South Highline Little League for the recently received plaque for the City.

Anthony Guerrero, full time organizer for LPAC, stated he is advocating internal sovereignty, which is one of the main reasons to support the HBPA. He requested Council's support for a new global economic system or financial architecture.

PRESENTATION:

●Proclamation for Municipal Clerks Week

Mayor Shape read the proclamation.

DISCUSSION ITEM:

●Summary of \$5,000 - \$25,000 Purchase Requests for the period ended April 18, 2008

City Manager Ward reviewed the following purchase requests:

<u>Item Description</u>	<u>Department</u>	<u>Original Budget</u>	<u>Amended Budget</u>	<u>Estimate</u>
Custom Video Production	City Manager's Office (CMO)	\$5,500	\$16,500	\$16,000
Fire Hose Conversion	Fire	\$12,000	\$12,000	\$9,769
VRP Soccer Screen Netting	Parks & Recreation (P&R)	\$35,000	\$35,000	\$17,266

Council consensus: Referred to the 04/22/08 RCM Consent Agenda

AGENDA BILL PRESENTATIONS:

Agenda Bill #2930 – A Resolution amending and revising the City of SeaTac Travel Policies, Regulations and Procedures

Summary: The current Travel Policies, Regulations and Procedures were adopted in 1994 and subsequently amended in 1999, 2003 and 2005. The purpose of this agenda is to identify and provide guidelines regarding the City's travel policies and to further delineate those valid business expenses for which public officials and

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #2930 (Continued): employees of the City may qualify for payments or reimbursements. This policy applies to all City employees and appointed and elected public officials.

The following are the recommended changes:

Meal allowance: increase the maximum daily meal allowance in connection with City-related travel from \$51.00 to \$64.00. In addition, increase breakfast (\$14.00), lunch (\$20.00) and dinner (\$30.00) single meal rates for meetings and seminars, where the meal is not provided as part of the meeting or seminar cost, are specified in the policy. All these suggested allowance amounts correspond with rates recommended by the State Administrative and Accounting Manual issued by the Office of Financial Management (OFM). The existing policy provides that if meal costs exceed the maximum amounts, a satisfactory explanation (conference held in a large metropolitan area where meal costs are more expensive, etc) shall be provided with detailed receipts.

Lodging: increase the maximum per night lodging rate allowance for three population-size based areas categorized in the policy. The existing policy's maximum lodging rates are out of date and don't reflect the current average cost per night for lodging when traveling on City-related business. The suggested allowance amounts correspond with rates recommended by the U.S. General Services Administration. The existing policy recognizes that lodging expenses might exceed the maximum lodging rates in large metropolitan areas. The maximum lodging rates also don't apply where lodging is tied to a specific hotel in connection with a meeting, seminar or convention.

Mileage allowance: decrease the minimum one-way distance requirement for City-related business lodging from the current seventy 70 miles to 45 miles. This change is primarily being recommended to include Olympia, where workshops and conferences are regularly attended that includes a dinner reception the night before and/or an early morning start, necessitating an overnight stay in Olympia. This recommended change would ensure compliance in these situations with the City's travel policy.

Allowable tips: include additional tips and gratuities on City-related business expenses such as taxi and airport shuttle drivers, and airport luggage skycaps. Currently, the existing travel policy provides a maximum 20% tip or gratuity for meals and allows tips or gratuities in connection with lodging expenses (bellhops, hotel maids, etc), but not for the other services noted above. This recommended change would ensure compliance with the City's travel policy.

Rental car expenses: the current policy provides that motor vehicle rentals related to official City business are reimbursable, although car rentals don't occur very often. This recommended change adds language clarifying the financial appropriateness of motor vehicle rentals in lieu of other modes of transportation (taxis, airport shuttles, subways, etc.), and addresses liability and insurance issues on rental cars used for City-related business.

Combined personal and business-related airfare: clarify that the employee/official is responsible for paying the increase in airfare necessary to accommodate the personal part of the flight. The City will only pay the lowest available advance purchase coach class roundtrip airfare between Sea-Tac Airport and the City-related business destination(s). This proposed change wasn't included in the presentation on City travel policy recommended changes at the April 8, 2008 Administration and Finance (A&F) Committee Meeting, but has been included in this Resolution because it is the City's current practice for combined personal and business travel airfare situations. Finance Director McCarty reviewed the above agenda bill summary.

Upon a questions posed by CM T. Anderson, Mr. McCarty stated the City's employees and officials are insured for property damage and liability insurance. Mr. McCarty stated mileage reimbursement is adjusted annually, but has been adjusted semi-annually and will be increased in 2008.

DM Fisher stated this item was recommended for approval at the Administration and Finance (A&F) Committee and these expenses should be evaluated during the annual budget process.

Council consensus: Referred to the 04/22/08 RCM Consent Agenda

Agenda Bill #2927 – A Motion authorizing the City Manager to enter into a lease agreement with the Young Women's Christian Association (YWCA) and the South King Council of Human Services (SKCHS) for space on the second floor of City Hall

Summary: The City was approached by both groups interested in leasing space for the administration of their services. The YWCA has agreed to lease 3,265 square feet (sf) and the SKCHS has agreed to lease 708 sf. Both terms are for three years with two, 2-year renewal options. There will be some minor tenant improvements to make the spaces usable by both parties. The leases for the YWCA and SKCHS are substantially similar.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #2927 (Continued): The total amount of rent expected for the three year term is \$204,658.50. Utilities and custodial service is expected to cost \$63,568.00 over the three year period. Tenant improvements should not exceed \$10,000.00. The net gain in three years would be \$131,090.50.

Facilities Director Patterson reviewed the above agenda bill summary.

Upon a question posed by CM T. Anderson, Mr. Patterson stated the new tenants are entitled to about eight parking spaces and will be encouraged to park on the side areas of City Hall.

Upon a question posed by DM Fisher, Mr. Patterson stated the rates are averages, with a slight reduction in rent in one small area, but in return the City is not doing many tenant improvements.

Council consensus: Referred to the 04/22/08 RCM Consent Agenda

Agenda Bill #2939 – A Motion approving low bidder for steel supply, metal deck supply, and open web joist supply for the new Fire Station 46

Summary: Advertisements for bids were posted in the Seattle Times the weeks of April 13 and 20. The bid opening was held Monday April 21. The City received 4 bids. The low bids are tabulated below:

Steel Supply:		Open Web Joist & Metal Decking Supply:	
Totem Steel Inc.	\$343,055.00	ProSteel Inc.	\$112,172.00
Kipper & Sons	\$605,300.00	Powers Steel Group	\$202,177.00

The 2008 Budget for Fire Station 46 has \$4,488,036 for construction of the new fire station.

Facilities Director Patterson reviewed the above agenda bill summary.

Council consensus: Referred to the 04/22/08 RCM Consent Agenda

Agenda Bill #2937 – A Resolution directing staff to prepare a proposal to remove the Potential Annexation Area (PAA) from the City's Comprehensive Plan (CP) and providing direction to City Council and staff regarding participation in regional meetings and mediation sessions regarding the PAA issue

Summary: Since the City adopted the PAA as part of the 2007 CP, the cities of Seattle and Burien have continued negotiations regarding the future governance of the North Highline Unincorporated Area (North Highline). The City of Burien is considering three options for annexing a portion of North Highline. These options are different from Burien's earlier proposal, which identified virtually all of North Highline, in that all three go only as far north as South 112th Street., in general, and also avoid major overlaps with SeaTac's PAA.

King County (KC) Executive Ron Sims has invited the four cities with PAAs that include parts of North Highline (SeaTac, Burien, Seattle, and Tukwila) to enter into mediation to resolve the annexation issues. Staff is seeking Council direction on the question of the City's involvement in such a mediation program. One reason in favor of SeaTac participating in the mediation sessions is that the City would have the opportunity to provide input into the annexation discussions and confirm that potential fiscal and level of service impacts to SeaTac residents that would be adequately addressed by either Burien or Seattle. If the City Council believes that either Burien or Seattle would appropriately deal with SeaTac's concerns, however, then there might not be a need for the City's participation in the proposed mediation.

Based on a Land Use and Parks (LUP) Committee recommendation, this Resolution directs staff to prepare a CP amendment proposal, whereby the City would consider removing the PAA. This does not obligate the City Council to decide the PAA issue at this time. Rather, this merely starts the process to remove the PAA during the annual CP amendment process, which will be acted upon by the Council in late 2008. This proposed Resolution also provides two options for the City's participation in a mediation process with the other three cities, as suggested by the KC Executive.

Mr. Butler reviewed the above agenda bill summary.

Council discussion ensued as to their opposition to PAA and Alternative B for reasons of subsidizing the area and lack of residential support, police and fire costs.

Mayor Shape stated the Resolution is to prepare a proposal that it be removed during the normal process and would not take affect until October or November 2008, so the City can be a part of the mediation process and track the progress.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #2937 (Continued): Upon a question posed by Mayor Shape, Mr. Butler stated there was not much discussion or opinion on this issue by the PC. A fourth option from Burien shows them taking all of the southern part of the North Highline area, including SeaTac's PAA. Mr. Butler stated that if the City stays involved in the mediation and discussion process, it would give the City a seat at the table or leaning towards Alternate A. If the City votes on Alternative A, it would direct City staff to move forward to pull the PAA out of the CP.

Mr. Butler stated the staff completed an analysis on the PAA and found that it would not impact Public Works (PW) and P&R departments regarding the level of service or financially. For police, it would be beneficial for Burien to take over annexing. For fire, there may be some advantage for Seattle to annex. In both cases, it does not give SeaTac any clear choice at this time.

Mr. Ward stated the police services would not be affected, but the precinct overhead costs, including SeaTac, Burien and the unincorporated area, would increase significantly.

Council consensus: Referred to the 04/22/08 RCM Consent Agenda with Alternative B

Agenda Bill #2938 – A Motion directing the City Manager to pursue one of two options for short term use of the property at 3261 South 152nd Street

Summary: This proposed Motion has two options: (1) to lease the house as a single family residence; (2) and demolish the house, secure and maintain the site.

On March 11, 2008, the City Council adopted Ordinance No. 08-1013, which authorized the purchase of real property located at 3261 South 152nd Street for implementation of the South 154th Street Station Area Action Plan. The property is a 5,454 sf lot, zoned Community Business in the Urban Center (CB-C), with an 870 sf two bedroom, one bath house. The property was purchased for future uses consistent with the Station Area Plan including potential uses such as: right-of-way (ROW) for street improvements, public plaza, park or open space, or for public parking to enhance and encourage redevelopment of the light rail station area consistent with the plan. It is unlikely that construction of any of these future uses will take place immediately.

With the approval of the property purchase, the Council requested staff to bring back options for actions related to potential short term uses for the property for Council direction. Staff estimates that short term use of the property could be for the next two to five years before construction of a permanent use as part of the Station Area Plan is begun. The purchase of the property is scheduled to close on or before April 18, 2008 pending confirmation that the tenant has moved from the house.

Option 1 – Rent as a residence: The house is in good condition for rental needing little, if any, additional work. Monthly rental would be approximately \$900. This option has the following benefits: it would generate approximately \$6,000 in 2008 revenue and \$10,800 per year thereafter; the occupied house would be more likely to be maintained; and a housing unit in the station area would not be eliminated. The drawbacks to this option include: City Facilities Department would have some added work to manage the rental; the risk of the tenant becoming a problem or breaking the lease; and landlord liability. This option would require future Council approval of the rental lease. There would be one-time costs estimated at \$2,100 and a possible annual increase in insurance premiums of \$200. This would not require a 2008 budget amendment.

Option 2 – Demolish house and secure site: This would require the following estimated one-time costs: \$13,000 to conduct an asbestos survey and demolish the house; \$3,000 to abate the asbestos if found; and \$6,000 to fence portions of the perimeter, sign the property for no trespass and block the driveway access. Ongoing maintenance costs are estimated to be \$750 annually to mow the vegetation, remove litter and graffiti. This option has the following benefits: it would potentially be less work for City Facilities Department than option 1 and there would be no landlord liability. The drawbacks to this option include: ongoing maintenance work for P&R and Facilities staff; no income to offset costs; vacant property can attract litter, graffiti, and unpleasant aesthetics of chain link fencing; and it eliminates a housing unit in the station area. This option would require future Council approval of a demolition contract and budget amendment.

Demolishing the house is always an option that can be pursued at a future time if the cost of maintaining the house in rentable condition exceeds the benefit of the rental revenue. It would have one-time cost estimated at \$22,000 in 2008 and ongoing annual maintenance costs estimated at \$750. A 2008 budget amendment would be required.

A third option to remodel the property for commercial use and lease the remodeled property was considered. Staff does not recommend this option because it is not cost effective.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #2938 (Continued): ACM Rogers reviewed the pros and cons of each option of the property.

DM Fisher stated his recommendation of using the lot as open space and potential liability risk for renters.

Mayor Shape expressed his opinion after viewing the inside of the house and noted its good condition for rental.

Upon a question by CM Wythe, ACM Rogers stated that the house could be used commercially, but would require costly expenditures and would need to meet ADA requirements and handicapped parking. Social service agencies have not been addressed for using this property as a residential use.

CM T. Anderson suggested it be used as a rental for a City employee.

City Manager Ward restated the goal of establishing the property for the station area for eventual redevelopment.

Upon a question from CM Gregerson, ACM Rogers stated that there is not an exact timeline for widening South 152nd Street. It would be part of the 2009 capital budget discussion.

CM A. Anderson stated he approves renting the house.

Council consensus: Referred to the 04/22/08 New Business

CONSENT AGENDA:

- **Approval of claims vouchers** (check nos. 79925 - 80115) in the amount of \$973,111.50 for the period ended April 18, 2008.
- **Approval of payroll vouchers** (check nos. 46669 - 46697) in the amount of \$165,228.55 for the period ended April 15, 2008.
- **Approval of payroll electronic fund transfers** (check nos. 54831 – 55005) in the amount of \$306,460.96 for the period ended April 15, 2008.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$59,064.07 for the period ended April 15, 2008.
- **Summary of \$5,000 - \$25,000 Purchase Requests** for the period ended April 18, 2008.

Approval of Council Meeting Minutes:

- **Council Retreat** held May 18 – 20, 2007.
- **Regular Council Meeting** held June 12, 2007.
- **Regular Council Meeting** held June 26, 2007.
- **Regular Council Meeting** held February 12, 2008.
- **Land Use & Parks Committee Meeting** held March 27, 2008.
- **Administration & Finance Committee Meeting** held April 8, 2008.
- **Regular Council Meeting** held April 8, 2008.

Agenda Items reviewed under Agenda Bill Presentations recommended for placement on this Consent Agenda.

Agenda Bill #2930; Resolution #08-007 amending and revising the City of SeaTac Travel Policies, Regulations and Procedures

Agenda Bill #2927; Motion authorizing the City Manager to enter into a lease agreement with the YWCA and the South King Council of Human Services for space on the second floor of City Hall

Agenda Bill #2939; Motion approving low bidder for steel supply, metal deck supply, and open web joist supply for the new Fire Station 46

Agenda Bill #2937; Resolution #08-008 directing staff to prepare a proposal to remove the Potential Annexation Area from the City's Comprehensive Plan and providing direction to City Council and staff regarding participation in regional meetings and mediation sessions regarding the Potential Annexation Area issue

MOVED BY T. ANDERSON, SECONDED BY WYTHE TO ACCEPT THE CONSENT AGENDA AS PRESENTED.*

PUBLIC COMMENTS: There was no public comments.

*MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENTS: There was no public comments.

UNFINISHED BUSINESS: There was no unfinished business.

NEW BUSINESS:

Agenda Bill # 2938; Motion directing the City Manager to pursue one of two options for short term use of the property at 3261 South 152nd Street

MOVED BY WYTHE, SECONDED BY T. ANDERSON TO PASS AGENDA BILL #2938 WITH OPTION 1.

UPON A ROLL CALL VOTE, THE MOTION CARRIED WITH WYTHE, T. ANDERSON, SHAPE, AND GREGERSON VOTING YES AND FISHER AND A. ANDERSON VOTING NO.

CITY MANAGER'S COMMENTS: City Manager Ward had the following items: (1) LUP Committee Meeting was rescheduled from April 10 to April 23 at 4:30 p.m.; (2) April 30 – May 2, Mr. Ward with CM T. Anderson will be attending the Coalition for Community School National Forum in Portland to find better ways to work with the local school district to accomplish joint purposes; and (3) ACM Rogers submitted her resignation, effective May 12, 2008 and took a position with KC. He expressed his gratitude for all her hard work at the City.

COUNCIL COMMENTS:

DM Fisher met with state lobbyists, senators and legislatures while attending the National League of Cities (NLC) in Washington DC.

CM Wythe thanked the volunteers who contributed cleaning up North SeaTac Park and Miller Creek on Earth Day.

CM T. Anderson stated while touring cities in southern California, she and other Council and staff gained a great amount of knowledge and ideas for the City's entertainment center. She also visited Chehalis to see some of the reconstituted homes from the damage in the December 2007 flood and noted how the mud damaged so many homes beyond repair.

CM A. Anderson discussed his trip to Paris with his family.

CM Gregerson stated the Tyee High School juniors and seniors are compiling clothing to support the Hefer International, a worldwide foundation to help third world countries and families purchase farm animals. She also acknowledged Starfire in their kick-off this weekend at the VRP fields.

Mayor Shape reminded the Council to review the draft agenda for the retreat. Economic Development (ED) Manager Cutts is taking orders for the new ED t-shirts. When Bow Lake Elementary School had their grand opening, it was mentioned by one of the teachers that they needed trash cans along the street. Mr. Ledbetter followed up and purchased four garbage cans for the school. The school children created several drawings in thanking the City for them.

EXECUTIVE SESSION: There was no Executive Session.

ADJOURNMENT:

MOVED BY SHAPE, SECONDED BY T. ANDERSON TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 7:44 P.M.

MOTION CARRIED UNANIMOUSLY.

Ralph Shape, Mayor

Marcia Rugg, Deputy City Clerk

City of SeaTac

Special Council Meeting Minutes

April 22, 2008
5:30 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Special Meeting was called to order by Mayor Shape at 5:31 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Deputy Mayor (DM) Gene Fisher, Councilmembers (CMs) Chris Wythe, Terry Anderson, Anthony (Tony) Anderson, and Mia Gregerson. Excused Absent: CM Joe Brennan

ADMINISTRATIVE STAFF: City Attorney Mary Mirante Bartolo, Senior Assistant City Attorney Mark Johnsen and Deputy City Clerk (DCC) Marcia Rugg.

RECESSED: Mayor Shape recessed the Special Council Meeting to an Executive Session on Potential Litigation, Acquisition of Property and Personnel Issues at 5:33 p.m.

EXECUTIVE SESSION: Potential Litigation, Acquisition of Real Estate and Personnel Issues (30 minutes)
(RCW 42.30.110[1][i], [b] and [g])

RECONVENED: Mayor Fisher reconvened the Special Council Meeting at 6:00 p.m.

ADJOURNMENT:

MOVED BY WYTHER, SECONDED BY SHAPE TO ADJOURN THE SPECIAL MEETING OF THE SEATAC CITY COUNCIL AT 6:03 P.M.

MOTION CARRIED UNANIMOUSLY.

Ralph Shape, Mayor

Marcia Rugg, Deputy City Clerk

City of SeaTac

Regular Council Meeting Minutes

May 13, 2008
6:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Deputy Mayor Fisher at 6:07 p.m.

COUNCIL PRESENT: Deputy Mayor (DM) Gene Fisher, Councilmembers (CMs) Chris Wythe, Terry Anderson, Anthony (Tony) Anderson, and Mia Gregerson. Excused Absences: Mayor Ralph Shape and CM Joe Brennan.

FLAG SALUTE: Citizen Pam Fernald, led the Council, audience and staff in the Pledge of Allegiance.

ADMINISTRATIVE STAFF: City Manager Craig Ward, City Attorney Mary Mirante Bartolo, Senior Assistant City Attorney Mark Johnsen, City Clerk Kristina Gregg, Public Works (PW) Director Dale Schroeder, Finance Director Mike McCarty, Economic Development (ED) Manager Todd Cutts, Facilities Director Pat Patterson, Human Services (HS) Coordinator Colleen Brandt-Schluter, Fire Chief Bob Meyer, and Chief of Police Services Jim Graddon.

PUBLIC COMMENTS:

Richard Pedersen stated that he serves as the Bishop of the SeaTac Ward of the Church of Jesus Christ of Latter-day Saints representing approximately 250 Mormon households in the area. He invited the Council and their spouses to attend the 70th anniversary party on May 31, commemorating the 70th Anniversary of the establishment of the Seattle Washington Stake.

PRESENTATION:

•Domestic Abuse Women's Network (DAWN)

DAWN Executive Director Lee Drechel thanked the Council for funding services for battered women in SeaTac. She stated DAWN's mission is to end domestic violence by empowering survivors and fostering communities where abuse is not tolerated.

SeaTac's funding went towards confidential emergency shelter and housing services, 24 hour Domestic Violence (DV) crisis line, and starting up the Latino Outreach and Community Advocacy.

She detailed the how the money was spent, how many women and children were helped, and the impacts for the three areas SeaTac's funding was provided for.

She stated DV is a crime that affects 30% of all women. Without support from communities like SeaTac, they'd continue to be locked in a cycle.

CM T. Anderson stated she used to be on the DAWN Board. She questioned whether the language barrier and customs barrier with the women from the Middle East was ever solved. Ms. Drechel stated DAWN has more bilingual staff, and DAWN has more dollars available to hire interpreters by phone and in person. DAWN has dealt with the cultural barrier by having a Cultural Competency Plan with one goal being increasing training for the board, staff and volunteers.

SUSPENSION OF THE RULES:

MOVED BY T. ANDERSON, SECONDED BY A. ANDERSON TO SUSPEND THE RULES TO BRING FORWARD THE PUBLIC HEARING AND COUNCIL ACTION RELATED TO AGENDA BILL NO. 2947.

MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARING (PH):

•Adoption of findings of fact to justify a moratorium on the issuance of Building, Grading, and Drainage Permits for the construction of structures and improvements that will result in the creation of new impervious surface on properties located within the Sunrise View Drainage Area

DM Fisher opened the PH at 6:21 P.M.

PW Director Schroeder reviewed Agenda Bill #2947 summary below.

The area included is bounded on the north by South 170th Street, on the west by 51st Avenue South, on the east by the City limits, and on the south by King County (KC) parcel #262304-9013. The area includes 46 properties.

The same night Council approved the moratorium, Council approved a design contract for drainage work in the moratorium area which would address flooding during a heavy rainfall event.

PH (Continued):

Moratorium on properties located within the Sunrise View Drainage Area (Continued):

He summarized the findings of fact:

1. The moratorium is in response to concerns by residents in the area due to localized flooding during heavy rainfall.
2. The City is currently in the process of addressing the issues contributing to flooding in the area.
3. Creation of additional impervious surface in the impacted area will add to the problem until the capital project is completed.
4. A moratorium on issuance of permits that create an increased impervious surface is necessary.
5. During the duration of the moratorium, the City will develop plans to address flooding conditions and alleviate them.
6. The City has conducted public meetings to discuss the moratorium with residents in the greater drainage basin.
7. The moratorium is appropriate because it benefits public health, safety and welfare of the City and its citizens.

Discussion ensued as to the size of the moratorium area. Mr. Schroeder stated staff considered the entire drainage basin, however, that encompassed 400+ properties. The moratorium was limited to the area immediately impacted by the flooding activity.

Byron Billingsley stated he was originally for the moratorium, but he does not support it now. He questioned why the moratorium is being placed under the lake and not in the area that supplies the water. He stated he personally has some drainage and grading that he would like to complete on his property. There is a Sequoia tree on his property that has affected his drainage and he would like to fix it this year. Also, partially because of actions SeaTac has done as far as placing burms on his neighbor's property, water is running onto his property. He questioned what this moratorium will really accomplish.

Upon a question posed by DM Fisher, Mr. Schroeder stated Mr. Billingsley would be able to work on his property to correct the drainage issue as long as he is not creating additional impervious area.

Earl Gipson stated he is for the moratorium; however, he would have preferred a larger area be included.

DM Fisher closed the PH at 6:36 p.m.

NEW BUSINESS:

Agenda Bill #2947; Resolution #08-009 adopting findings of fact in support of the moratorium on the issuance of Building, Grading, and Drainage Permits for the construction of structures or improvements that will result in the creation of any new impervious surface on properties located within the Sunrise View Drainage Area as adopted by Resolution #08-005

Summary: Resolution #08-005 established a moratorium on the issuance of Building, Grading, and Drainage Permits for the construction of structures or improvements that will result in the creation of any new impervious surface on properties located within the Sunrise View Drainage Area. As required by State law, a PH must be held within 60 days and findings of fact must be adopted justifying the moratorium.

Staff received requests that the City impose a moratorium on the issuance of permits in the Sunrise View Drainage Area. The existing drainage conveyance system cannot handle the runoff from winter storms, which results in private property damage in the area. Continued development without a properly designed and constructed drainage system will exacerbate the damage. The moratorium provides the City time to properly design and construct an adequate drainage system in the area. Upon completion, the system will better protect the impacted properties.

The moratorium still allows for the issuance of permits applied for prior to the adoption of the Resolution (regardless of whether new impervious surface is created). Furthermore, the moratorium allows staff to accept permit applications for processing, so applications can still be processed during the moratorium (although once review is complete, permits could not be issued until the moratorium is lifted). Finally, the moratorium only affects permit applications that create an increase in impervious surfaces.

NEW BUSINESS (Continued):

Agenda Bill #2947; Resolution #08-009 (Continued): The moratorium will be in effect until October 1, 2008, as State law only allows a moratorium to be in effect for 180 days, unless extended by Council action. If the Council deems it appropriate to extend the moratorium, further Council action will need to be taken prior to that date.

Upon a question posed by CM A. Anderson, Mr. Schroeder stated the staff anticipates the drainage design to be completed by the end of 2008 and the project to be completed by mid 2009.

MOVED BY T. ANDERSON, SECONDED BY A. ANDERSON TO PASS RESOLUTION #08-009.

MOTION CARRIED UNANIMOUSLY.

DISCUSSION ITEM:

•Summary of \$5,000 - \$25,000 Purchase Requests for the period ended May 9, 2008

City Manager Ward reviewed the following purchase requests:

<u>Item Description</u>	<u>Department</u>	<u>Original Budget</u>	<u>Amended Budget</u>	<u>Estimate</u>
FlexPass Commute Trip Reduction (CTR) Benefit	PW	\$10,000	\$10,000	\$8,056
Reinvesting in Youth Initiative (2008 Funded Decision Card)	Non-Departmental	\$5,000	\$5,000	\$5,000
Angle Lake Fireworks Show	Parks & Recreation (P&R)	\$3,000	\$3,000	\$8,000
		**will absorb within existing budget		
Curbing at SeaTac Community Center (STCC)	P&R	\$0	\$0	\$5,720
		**will absorb within existing budget		
Radar Traffic Trailer (2008 Funded Decision Card)	Police	\$11,000	\$11,000	\$10,512
Two pairs of Soccer Goals and Nets for North SeaTac Park (NSTP)	P&R	\$8,064	\$8,064	\$5,192

Council consensus: Referred to the 05/13/08 RCM Consent Agenda

AGENDA BILL PRESENTATIONS:

Agenda Bill #2941 – An Ordinance amending the 2008 Annual City Budget for a correction to the 2007 carryovers

Summary: Ordinance #08-1012, adopted on March 11, 2008, amended the 2008 Annual City Budget and carried over appropriations included in the 2007 Budget that were not completed in 2007. One item, the South 188th Street sidewalk repair project, was inadvertently left off the list of carryovers. The remaining amount that should have been carried over to complete this work is \$241,098. This budget amendment is necessary to increase the 2008 appropriation in this line item to provide the necessary appropriation authority in the 2008 Budget for this work.

This Ordinance will increase the appropriations in Arterial Street Fund #102, but will have no effect on the year-end fund balance for 2008. This expenditure was anticipated to occur late in 2007, and the January 1, 2008 fund balance projections were reduced accordingly. Therefore, this amendment simply allows this expenditure to occur in the current fiscal year instead of 2007.

Finance Director McCarty reviewed the above summary.

Council consensus: Referred to the 05/13/08 RCM Consent Agenda

Agenda Bill #2943 – A Motion approving the low bidder for Partitions and Drywall for Fire Station 46

Summary: This Motion approves the low bidder for the partitions and drywall portion of the work for Fire Station 46 and allows the City Manager to enter into a contract to perform the work.

Advertisements for bids were posted in the Seattle Times the weeks of March 10 and 17. The City received only one bid for this category of work and considered putting it back out for bid. Two other contractors were consulted regarding the pricing which led to the conclusion that the one bid received was reasonable. After several

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #2943 (Continued): discussions with the low bidder, it was determined that an additional \$50,000 could be saved through value engineering. The low bidder is D. L. Henricksen, who was the low bidder for both the Senior Center and SeaTac City Hall. Historically they have performed well and have a good reputation with the City. Their bid proposal is \$651,579 without the value engineering savings. The 2008 Budget for new Fire Station 46 has \$4,488,036 for construction of the new fire station.

Facilities Director Patterson reviewed the above summary.

Council consensus: Referred to the 05/13/08 RCM Consent Agenda

Agenda Bill #2922 – An Ordinance amending Chapter 3.80 of the SeaTac Municipal Code (SMC) related to the Lodging Tax Advisory Committee

Summary: This Ordinance codifies provisions of Resolution #97-021 related to the Hotel/Motel (H/M) Tax Advisory Committee, changes the committee from an ad hoc committee to a standing committee, and provides for procedures for appointing members to the committee.

The H/M Tax Advisory Committee is an ad hoc committee that was created by the City Council under Resolution #97-021. Since that time, the committee meets on a regular basis rather than on an ad hoc basis. Therefore, Staff and the H/M Committee seek to change the Committee to a more formal, standing advisory committee. Therefore, the proposed Ordinance changes the H/M Tax Committee from an ad hoc to standing committee.

Second, Resolution #97-021 does not set forth regular terms for committee membership, does not provide for a set number of members, and does not provide for longer term appointment (since the committee was created as an ad hoc committee). This Ordinance states that committee membership is appointive by the Mayor, subject to confirmation by the Council for three-year terms. This Ordinance also sets the number of committee members at nine. State law provides that half of the committee must represent businesses located within the City required to collect the H/M Tax and half of the committee must represent persons involved in activities authorized to be funded by revenue received from the H/M Tax. Furthermore, State Law provides that the Chair must be a member of the City Council.

This Ordinance also states that the Mayor shall initially appoint members to the committee for staggered terms of one to three years. Finally, this Ordinance states that it is the intent of the Council that the Mayor appoint individuals that currently serve on the committee to the extent possible.

ED Manager Cutts reviewed the above summary.

Discussion ensued regarding the appointments and whether they are subject to Council approval. Council felt that if the Mayor was going to be the appointer, then he should be a part of the discussion. Since Mayor Shape was absent from this meeting, CM A. Anderson requested postponing this item to the May 27 Regular Council Meeting (RCM).

Council consensus: Referred to the 05/27/08 RCM New Business

Agenda Bill #2944 – A Resolution confirming the appointment of Stephen K. Causseaux, Jr. by the City Manager as the City Hearing Examiner (HE), providing for appointment of a HE Prop-Tem, and authorizing the City Manager to enter into contracts for HE services

Summary: This Resolution confirms the appointment by the City Manager of Stephen K. Causseaux, Jr. as the City HE for a two-year term pursuant to Ordinance. In addition, this Resolution provides that the HE is authorized to appoint a HE Pro-Tem as needed. Finally, this Resolution authorizes the City Manager to enter into contracts for HE services.

Ordinance No. 90-1045 established the HE system, which is now codified at Chapter 1.20 of the SMC. Section 1.20.030 provides for appointment by the City Manager, subject to confirmation by the Council, of the HE, to serve for a two-year term. Additionally, Section 1.20.060 provides for appointment by the City Manager, subject to confirmation by the Council, of the HE Pro-Tem.

Stephen K. Causseaux, Jr. was appointed as the City's HE in November, 2004, and he has done an excellent job serving the City in that capacity. The City Manager wishes to reappoint Mr. Causseaux as the City's HE for another term, and this Resolution confirms that appointment for calendar years 2008 and 2009.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #2944 (Continued): Second, this Resolution provides that the HE be authorized to appoint a HE Pro-Tem when necessary due to scheduling conflicts or conflicts of interest. Previously, the City Council appointed Donald Largen as HE Pro-Tem. However, Mr. Largen informed the City that he no longer wishes to serve in that capacity due to other career obligations. Staff will commence the process for selection of a HE Pro-Tem, but until that process is complete, it is recommended that the HE be authorized to appoint a HE Pro-Tem when needed. Once that process is completed, the appointment of a HE Pro-Tem will be brought forward for Council confirmation. While it is not possible to determine how many times the services of a HE Pro-Tem will be required, a Pro-Tem Examiner has only been needed one time since 2005.

Finally, this Resolution authorizes the City Manager to enter into contracts for HE Services with Mr. Causseaux and any Pro-Tem HEs.

Senior Assistant City Attorney Johnsen reviewed the above summary.

Council consensus: Referred to the 05/13/08 RCM Consent Agenda

Agenda Bill #2940 – A Resolution authorizing the City Manager to join the ICLEI - Local Governments for Sustainability (ICLEI) on behalf of the City

Summary: ICLEI is a membership association of local governments committed to advancing climate projection and sustainable development. ICLEI provides training, carries out research and pilot projects, and offers technical services and consultancy. In addition, software tools and training packages are available to assist with achieving sustainable development goals.

By joining ICLEI, the City of SeaTac will pay annual dues, report results annually, participate in membership activities, and promote the overarching vision of ICLEI to advance climate protection and sustainable development. The annual membership dues cost \$600, and dues in 2008 would be pro-rated. As a participant, the City of SeaTac will undertake the Cities for Climate Protection Campaign's five milestones to reduce both greenhouse gas and air pollution emissions throughout the community: (1) conduct a greenhouse gas emissions inventory; (2) establish a greenhouse gas emissions reduction target; (3) develop an action plan which when implemented will meet the local greenhouse gas reduction target; (4) implement the action plan; and (5) monitor and report progress.

The City's Waste Reduction/Recycling (WR/R) Grant can cover the annual membership cost of \$600 in 2008. The actual membership amount for 2008 will be pro-rated based on the payment date.

PW Director Schroeder detailed SeaTac's carbon footprint and the affects of global warming around the world. He also reviewed the above summary.

Mr. Schroeder stated the commitments are voluntary. The City will start with the items that we have control over before enacting legislation for others.

Council consensus: Referred to the 05/13/08 RCM Consent Agenda

CONSENT AGENDA:

- **Approval of claims vouchers** (check nos. 80116 - 80297) in the amount of \$503,769.15 for the period ended May 5, 2008.
- **Approval of payroll vouchers** (check nos. 46698 - 46734) in the amount of \$366,802.50 for the period ended April 30, 2008.
- **Approval of payroll electronic fund transfers** (check nos. 55006 – 55185) in the amount of \$321,637.72 for the period ended April 30, 2008.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$62,738.49 for the period ended April 30, 2008.
- **Summary of \$5,000 - \$25,000 Purchase Requests** for the period ended May 9, 2008.

Approval of Council Meeting Minutes:

- **Regular Council Meeting** held September 25, 2007.
- **Transportation & Public Works Committee Meeting** held April 22, 2008.
- **Special Council Meeting** held April 22, 2008.
- **Regular Council Meeting** held April 22, 2008.

CONSENT AGENDA (Continued):

Agenda Items reviewed under Agenda Bill Presentations recommended for placement on this Consent Agenda:

Agenda Bill #2941; Ordinance #08-1016 amending the 2008 Annual City Budget for a correction to the 2007 carryovers

Agenda Bill #2943; Motion approving the low bidder for Partitions and Drywall for Fire Station

Agenda Bill #2944; Resolution #08-010 confirming the appointment of Stephen K. Causseaux, Jr. by the City Manager as the City Hearing Examiner, providing for appointment of a Hearing Examiner Prop-Tem, and authorizing the City Manager to enter into contracts for Hearing Examiner services

Agenda Bill #2940; Resolution #08-011 authorizing the City Manager to join the ICLEI - Local Governments for Sustainability on behalf of the City

MOVED BY A. ANDERSON, SECONDED BY T. ANDERSON TO ACCEPT THE CONSENT AGENDA AS PRESENTED.*

PUBLIC COMMENTS (related to the Consent Agenda): There were no public comments.

*MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENTS (related to the following Unfinished and New Business): There were no public comments.

UNFINISHED BUSINESS: There was no unfinished business.

NEW BUSINESS: There was no new business.

CITY MANAGER'S COMMENTS: City Manager Ward had the following items of business: (1) May 15 at 9 a.m. - Public Disclosure Commission (PDC) Training; (2) May 22 – 24 – 3rd Entertainment District Tour; (3) May 26 – City facilities closed for Memorial Day Holiday; and (4) ED Manager Todd Cutts has been promoted to Assistant City Manager (ACM).

COUNCIL COMMENTS:

CMs Gregerson and T. Anderson stated they attended the Coalition for Community Schools National Forum 2008 in Portland, Oregon at the beginning of May. They both felt it was a great conference.

CM Wythe thanked the Highline School District (HSD) “Big Picture” small school for hosting a community meeting regarding criminal activity in the neighborhoods.

DM Fisher stated he is on the Regional Public Law, Safety and Justice Committee. At the last meeting, the KC Director of Finance was the speaker. KC has approximately a \$20 million deficit. For every \$.10 the fuel price is raised, it costs KC \$1 million a year. KC expects to cut positions, and some of those will be in the Police Department.

EXECUTIVE SESSION: There was no Executive Session.

ADJOURNMENT:

MOVED BY T. ANDERSON, SECONDED BY WYTHE TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 7:21 P.M.

MOTION CARRIED UNANIMOUSLY.

Gene Fisher, Deputy Mayor

Kristina Gregg, City Clerk

City of SeaTac

Council Workshop

Minutes Synopsis

May 13, 2008
5:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Special Meeting was called to order by Deputy Mayor Fisher at 5:04 p.m.

COUNCIL PRESENT: Deputy Mayor (DM) Gene Fisher, Councilmembers (CMs) Chris Wythe, Terry Anderson, Anthony (Tony) Anderson and Mia Gregerson. Excused Absence: Mayor Ralph Shape and CM Joe Brennan.

PRESENTATION:

•Multi-family Residential Market Study for Light Rail Station Areas

Economic Development (ED) Manager Todd Cutts stated the purpose of this presentation was to give Council a summary of the Multi-family Residential Market Study that staff has been working on with the consultant, Gardner Johnson. Gardner Johnson is focusing on the two station areas. As a result, staff hopes to get a better understanding internally of what the City's options are and use the study as a tool when talking with developers to help them become more interested in SeaTac's market.

Senior Principal Mathew Gardner introduced Senior Analyst Sterling Hamilton.

Mr. Hamilton summarized the regional economy. The Seattle Metropolitan Area Employment Growth has increased through 2007 and is projected to continue to increase, but at a slower pace. There is nothing to warrant recessionary fears. Unemployment in this region is 3.8% compared to the United States rate of 5.1%.

The light rail is the underlining principal for supply and demand for the entire study.

He noted that the population has not increased within the City, as it has in the rest of the region; however, per capita income has followed regional trends.

He summarized the single-family home prices for SeaTac, detailing the sales of single family homes from 2000 through 2007. The median price in SeaTac is \$300,000. This is an incredible value compared to the region as a whole. The median price is one of the key indicators for future potential of the light rail station areas.

He detailed the SeaTac median condo prices from 2000 – 2007, including conversions. Currently the median price is \$150,000. This is very comparable to surrounding areas.

He reviewed the five-year rental rate averages for South King County (SKC). SeaTac is currently number 13 at \$681. That is affordable rent for this area. He explained that there may be a demand for higher rental rates, but the apartment stock is quite dated. He detailed the SeaTac rental percentage of stock by decade built.

He reviewed the spatial analysis market areas for three station areas: (1) Mt. Baker; (2) Othello; and (3) SeaTac. He included the apartment usage, median single-family housing values, and existing rental housing stock.

Mr. Hamilton stated the following are key conclusions from the study:

- SeaTac is value oriented (a place where rent is not going to crush your budget and single-family homes are still affordable).
- Current housing prices and existing stock limit development potential for urban condominiums.
- SeaTac's rental market is underserved.
- A sense of place is important for creating urban fabric and increasing development potential through planning and policy, including multi-family tax exemptions among other measures.

The key is to make SeaTac the most inviting place for the highest quality development. The way to do that is through policy measures. Gardner Johnson is recommending the following for apartment dwelling: implement the multi-family tax credit, and allow developers to come in knowing that because of the light rail, they will achieve a higher rental rate than they could have before. Through that policy and the ability for developers to capitalize on a market that has not had new construction for awhile, SeaTac will be an attractive place for rental development.

Discussion ensued regarding the following: (1) How does the City get the infrastructure, schools, and other services to go along with the additional 300 – 400 units; (2) SeaTac's vacancy rate. Mr. Hamilton stated SeaTac's rate is 3.8% (medium ground). Nearly 50% of planned developments are failing so there will be more demand for new apartments and will be more desirable to those wanting transportation and value. Mr. Gardener stated 5%

PRESENTATION (Continued):

Multi-family Residential Market Study for Light Rail Station Areas (Continued): vacancy is considered stabilized; and (3) desirability and need for rental units versus owned housing. Mr. Gardner stated the ability to mix rental and ownership is usually frowned upon by owners because they feel renters don't care about their property. It could occur if a separate building is built; however, the development community will make that decision themselves.

Mr. Gardner stated SeaTac has an opportunity to be a destination for development. From the development standpoint, one thing alone is important – the ability to mitigate risk as much as possible. Building anything is risky and expensive. The more you can mitigate the risk, the better.

ED Manager Cutts stated the City needs to actively court developers and explain incentives.

ADJOURNMENT:

Deputy Mayor Fisher adjourned the Council Workshop at 5:56 p.m.

City of SeaTac

Regular Council Meeting Minutes

May 27, 2008
6:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Shape at 6:13 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Deputy Mayor (DM) Gene Fisher, Councilmembers (CMs) Chris Wythe, Terry Anderson, Anthony (Tony) Anderson, Joe Brennan and Mia Gregerson.

FLAG SALUTE: CM Joe Brennan led the Council, audience and staff in the Pledge of Allegiance.

ADMINISTRATIVE STAFF: City Manager Craig Ward, City Attorney Mary Mirante Bartolo, Senior Assistant City Attorney Mark Johnsen, Assistant City Manager (ACM) Todd Cutts, Deputy City Clerk Marcia Rugg, City Engineer Tom Gut, Director Pat Patterson, Parks and Recreation (P&R) Director Kit Ledbetter, Fire Chief Bob Meyer, and Chief of Police Services Jim Graddon.

PUBLIC COMMENTS:

Steve Pinto, SeaTac resident, asked the following questions regarding Local Improvement District (LID): (1) what constitutes a LID; (2) how it is initiated; (3) what affect does it have on property owners and City taxpayers; and (4) can it be enforced upon them if one has already started or been proposed and how it is financed and taxpayers pay for it. Mr. Pinto also inquired if Traditions at Angle Lake was originally to be divided off into 20 homes, with four in the back, two on the lake, and one upfront. It appears that it has a studio apartment above a garage and questioned whether it was legal having an occupied area above a garage unless it was actually attached to a house. Mr. Pinto thought the original plan was there could not be a studio apartment above a garage.

Rick Forschler, SeaTac resident, encouraged the Planning Commission (PC) to find some time to give the PC to describe what has been done over the past eight months regarding tree retention. There are a lot of reasons for the PC proposal, and addresses the concerns directly about clear cutting property. He stated there were a variety of reasons to support the PC recommendations over the staff recommendations.

PRESENTATIONS:

•Federal Legislative update

Senior Vice President of Federal Relations for Strategies 360 Tylynn Gordon updated the progress of Strategies 360. A retreat has been set for September 16. It is their goal to review the Council's priorities and projects in order to determine funding, grant requests to strategize the authorization of the transportation bill for 2009. This year's earmarks are the South 154th Street project. Senator Murray will present her listing in June and will then go into conference committee to put a budget into place. Due to the election this year and with last year's battle with the President, it is an understanding that members of Congress will have a continuing Resolution to complete the budget this year. The final budget will probably go into effect February or March 2009. The election process will definitely disrupt the process.

Upon a question posed by CM A. Anderson, Ms. Gordon will request Senator Murray to tour the South 154th Street Station Area.

DM Fisher concurred with Ms. Gordon that if Mr. McCain gets elected and is against the 154th Street project, it could in affect strip out the earmarks.

•Valley Ridge Park (VRP) Interactive Water Feature

Murase Associates Landscape Architect Liz Taylor presented various reiterations and images of the Interactive Water Feature for VRP. In the first plans, only linear sculptural water features were incorporated. Other designs presented incorporated the use of stone, water, lawn, and concrete. More playful forms can also be incorporated with or without using the existing play area. Ms. Taylor presented two different plans detailed by various stone forms, water features and special rubber surfacing. Ms. Taylor presented the costs including the water mechanical system, stone boulders, rubber surfacing and concrete.

P&R Director Ledbetter stated the City had the initial cost of \$225,000, minus the cost for design of approximately \$23,000 and tax. For construction the total is \$175,000. Another \$200,000 is needed to finish the project for a total of \$425,000.

CM A. Anderson stated his concern of a rubber surface near a skateboard area. Ms. Taylor will investigate a test of a rubber surface with skateboard use.

PRESENTATIONS (Continued):

VRP Interactive Water Feature (Continued):

CM T. Anderson inquired about the liability issues without adult supervision. The water park in Vancouver has not had any problems in this area and does not feel it would need to be staffed.

Upon a question posed by CM Brennan, Mr. Ledbetter stated illumination could be considered for night viewing. The project needs to go out for bid in December to ensure better costs.

CM T. Anderson inquired about the plumbing. Mr. Ledbetter stated it is cheaper to construct it all at once rather than at two different times.

Upon a question posed by CM A. Anderson, Ms. Taylor stated the controls will be in a chase area between the restrooms and can easily be maintained by staff.

●Ad Hoc Sidewalk Advisory Committee Recommendations

City Engineer Gut discussed the AD Hoc Sidewalk Committee background and recommendations. There are seven committee members who are present tonight: Larry Ellis, Kaija Lietuvicis, Jay Holman, John Thompson, Dick Jordan, LW Abel and Roger Bigmeyer.

Mr. Gut stated the City originally had 5.5 miles of sidewalks before incorporation. Since incorporation, the City has built 17.3 miles. Presently needed are about 15 miles of arterials and 40 miles of local streets which do not have sidewalks. The average rate for sidewalks is about \$300 per foot (ft) for both sides which is approximately \$63 million dollars. The City's current funding level for sidewalks is \$400,000 per year or about 150 years to complete. Two years ago, the Transportation Improvement Project (TIP) discussed a strategy to focus on the local streets, and maintain the Arterial Improvement Plan (AIP) which provides a safe and efficient arterial network.

Mr. Gut discussed the sidewalk priorities and approach: (1) community based; (2) legislative based; and (3) the best of both. The ad hoc committee was created December 2006. The committee's goals were to represent a community based element to help create a sidewalk program to review funding and maintenance issues, prioritize the need for sidewalks in different areas. The committee detailed potential funding sources and how each of the following would be sustainable and equitable from low to high: (1) low - from grants and new taxes; (2) medium - levy bond and street utility; and (3) high - require sidewalks or money from all developments, general fund annual surplus, and Real Estate Excise Tax (REET) 1 & 2. They looked at a 20 year priority program and developed a rating system. It is heavily weighted to schools (K-12), walking to public parks, community centers, senior centers, libraries, neighborhood commercial business areas, public buildings, churches and filling in gaps in the sidewalk network. This rating system created a map indicating the highest concentration of sidewalk segments.

Each committee member took a portion of the City and did extensive field work by observing and assessing the need for sidewalks in all of these locations. The final recommendation would be a 20 year program, \$1.5 million annually to construct about 12.5 miles of sidewalks on both sides of the street or about 1/3 of the remaining local streets without sidewalks. This would supplement the arterial street program.

Mr. Gut displayed how the sidewalks would appear every 5 years. In 2013 there would be an added 7.6 miles; 2018 - 3.5 miles; 2023 - 4.2 miles; and 2028 - 11.6 miles. The next steps would involve prioritizing City-wide capital projects, provide funding and implementing an annual program.

CM T. Anderson praised the committee's work.

Upon a question by DM Fisher, Mr. Gut described the benefits of doing sidewalks on both sides of a street.

CM A. Anderson stated that during his campaign for office, many residents voiced an opinion of wanting sidewalks and he will bring this issue to the Council Retreat. He also would like the sidewalk schedule to be accelerated in shorter year plans.

Mr. Gut stated that in order to use an accelerated plan, it would require outside funding sources and may compete with other capital projects. Grant funding is only good for TIP improvements, but not on the local street level.

DM Fisher stated he is in favor of a sidewalk on one side of a street versus both sides.

Upon a question by Mr. Ward, Mr. Gut concurred that sidewalk construction includes stormwater components and gutters.

AGENDA BILL PRESENTATIONS:

Agenda Bill #2954 – A Motion establishing an ad hoc Citizen Advisory Committee for the Shoreline Master Program (SMP) update and appointing its members

Summary: As part of the mandated SMP update, an ad hoc committee is proposed to be created to develop recommendations for Council consideration regarding policies and regulations. Pursuant to Section 3 (B) of the City Council Administrative Procedures, the Mayor or a majority of the City Council may establish such ad hoc committee.

Angle Lake is considered a “water of the State” and is subject to the State Shoreline Management Act (SMA). A main component of the Act requires that all cities adopt a SMP. Recent changes to the State’s Shoreline Management Act require that SeaTac adopt its own SMP by December 2009. The City’s SMP will provide policies and regulations on how development will be guided along its shorelines, which is defined in the Act as any area within 200 ft of the shoreline. The City received a grant for \$60,000 from the Department of Ecology (DOE) to assist in the preparation of the new SMP for Angle Lake.

A major component of this SMP update is to form a Citizens Advisory Committee (CAC). The CAC will include a CM, a PC member, and seven citizens who reside along Angle Lake. The role of the CAC will be to provide input and guidance in the formulation of draft policies and potential changes to regulations for the new SMP. The CAC will be operational until December 2009. CM Wythe will be the City Council’s representative and Roxie Chapin will represent the PC.

The following residents have volunteered and are recommended to also serve on the committee: Bruce Lindquist, Patti Austin, Barbara Anderson, Mike Borfitz, Cameron Moorehead, Judy Williams, and Dave Patton.

There are no direct expenses anticipated related to establishing the temporary committee. Existing staff resources will be necessary to coordinate the committee’s progress.

There are no other practical alternatives that are consistent with state law regarding public involvement when updating the SMP.

Principal Planner Dodge reviewed the above summary and stated the committee was established to assist with this process. The first two tentative meetings are June 18, and July 24, 2008.

CM Gregerson questioned how the committee was established. Mr. Dodge explained the committee was open to all residents in SeaTac and those who live around the 200 ft regulatory zone on Angle Lake and within where the policy would be in effect.

Council consensus: Referred to the 05/27/08 RCM Consent Agenda

Agenda Bill #2779 – A Resolution authorizing the replacement of Fire Station 45 and authorizing the selection process for an Architect for the design phase of Fire Station 45

Summary: This Resolution authorizes the replacement of Fire Station 45 at the property located east of the current fire station.

In 2005, the City Council authorized a seismic evaluation of the City fire stations. This evaluation, which was completed by MLA Engineering, provided the opinion that the City fire stations are not structurally sound and is in danger of significant damage or collapse in the event of a major earthquake.

A new Fire Station 46 is currently under construction. It is anticipated that construction on Station 46 will be completed early 2009. It would be preferable to have the design phase of Station 45 completed by early 2009 as well.

Facilities Director Patterson reviewed the above summary.

DM Fisher stated his reasons for not supporting this agenda bill and supporting another fire study committee for recommendations.

Upon a question by Mayor Shape, Mr. Patterson stated the selection process for an architect is done by submitting proposals and a group of people to analyze them, and then select the top three or four proceeded by an interview. The final decision is usually based on experience.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #2799 (Continued):

Mr. Ward stated that State law requires qualifications from architects and then select one that best meets the City's needs. With that firm, a cost proposal would be negotiated.

Upon a question posed by DM Fisher, Mr. Patterson explained the differences of a design/build contractor and architect.

CM A. Anderson stated his opinions of why he supports this agenda bill.

Council consensus: Referred to the 05/27/08 RCM Consent Agenda

Agenda Bill #2952 – A Motion authorizing the City Manager to execute an Interlocal Bidding/Purchasing Agreement between San Juan County and the City of SeaTac

Summary: This agreement will facilitate the upcoming purchase of a Freightliner hook-lift dump truck with accessories. The purchase of this truck and accessories was approved in the 2008 budget process.

City Engineer Gut reviewed the above summary.

CM T. Anderson stated this Agenda Bill was recommended by the Transportation and Public Works (T&PW) Committee.

Council consensus: Referred to the 05/27/08 RCM Consent Agenda

Agenda Bill #2953 – A Motion authorizing Final Acceptance of the 2007 Pedestrian Improvement Project (PIP)

Summary: The 2007 PIP was substantially completed on March 3, 2008. Staff is recommending final acceptance and closeout of the project.

On December 11, 2007, City Council awarded the 2007 PIP contract to Precision Earthworks, Inc. for a contract amount of \$214,675.00 plus a 10% contingency of \$21,467.50 for a total project budget of \$236,142.50. Work began this past January and reached substantial completion by March 3, 2008. The project included sidewalk removal and replacement, tree removal and replacement, and associated landscaping work at the following locations:

- A. South 188th Street – 39th Avenue South to 42nd Avenue South (both sides of South 188th Street).
- B. International Boulevard (IB) – At South 180th Street intersection (north and south sides of intersection).

The actual costs of the project were lower than the contract amount. Final acceptance establishes the beginning of the 45 day lien period as required by state law.

FISCAL IMPACT:

	BID AMOUNT	FINAL COST
Construction Contract	\$214,675.00	\$213,497.05
Contingency (10%)	\$21,467.50	\$0.00
Total	\$236,142.50	\$213,497.05

City Engineer Gut reviewed the above summary.

CM T. Anderson stated this Agenda Bill was recommended by the T&PW Committee.

Council consensus: Referred to the 05/27/08 RCM Consent Agenda

Agenda Bill #2949 – A Motion authorizing the City Manager to execute a Consultant Agreement with Reid Middleton, Inc. for the South 154th Street Improvements

Summary: The South 154th Street Improvements project is identified in the City's Transportation Improvement Program (TIP). The project limits extend from 24th Avenue South to 32nd Avenue South. Staff is requesting approval to contract with a consultant who will provide project development services including preparation of detailed plans, specifications and estimates required to bid and construct the project.

A Request for Qualifications (RFQ) was advertised in February 2008. The following firms were interviewed in April: Reid Middleton, Inc., and CTS Engineers, Inc. Reid Middleton, Inc. was selected as the best qualified firm due to their experience on similar projects and their understanding of the coordination necessary with the Washington State Department of Transportation (WSDOT) and Seattle City Light. Staff then negotiated the scope and fees with Reid Middleton. The scope of work includes survey, design, cost estimating, right-of-way (ROW)

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #2949 (Continued):

acquisition, public involvement, utility coordination, street lighting, environmental documentation, and design of the underground electrical distribution system. The WSDOT standard consultant services agreement form required by the Local Agency Guidelines manual will be used.

The amount paid is not to exceed over \$600,000. The City has a Transportation Improvement Board (TIB) grant in the amount of \$2,371,800. About \$201,000 is designated for the design portion. The remainder, of \$400,000 is to be paid from the Transportation Capital Improvement Plan (CIP) Fund (307).

City Engineer Gut reviewed the above summary.

CM T. Anderson stated this Agenda Bill was recommended by the T&PW Committee.

CM A. Anderson questioned the map in regards to the area. Mr. Gut stated Sound Transit improvements extend east to Southcenter Boulevard to I-5 which means it will be connected with curbside gutters, sidewalks and bike lanes. Sound Transit is providing funding for part of this area.

Council consensus: Referred to the 05/27/08 RCM Consent Agenda

Agenda Bill #2881 – A Motion authorizing the City Manager to enter into a contract with Everson’s EconoVac for the 2008 Storm Drain Cleaning Contract

Summary: Informal bids for this project were opened on Thursday, May 15, 2008. Four bids were received. This is a one-year contract with a provision that allows for a one-year extension. The scope of work is to clean catch basins and drainage lines in the City ROW. This also includes an extension of the contract prices to commercial property owners who sign up to have their systems cleaned by the City’s contractor.

It is recommended that City Council authorize the City Manager to enter into a contract with Everson’s EconoVac in an amount not to exceed \$90,000 for the 2008 Storm Drain Cleaning Project. Future annual extensions will be subject to future budget appropriations and satisfactory performance.

City Engineer Gut reviewed the above summary.

CM T. Anderson stated this Agenda Bill was recommended by the T&PW Committee.

Council consensus: Referred to the 05/27/08 RCM Consent Agenda

Agenda Bill #2922 – An Ordinance amending Chapter 3.80 of the SeaTac Municipal Code (SMC) related to the Lodging Tax Advisory Committee

Summary: This Ordinance codifies provisions of Resolution 97-021 related to the Hotel-Motel (H/M) Tax Advisory Committee, changes the Committee from an ad hoc committee to a standing committee, and provides for procedures for appointing members to the committee.

The H/M Tax Advisory Committee is an ad hoc committee that was created by the City Council under Resolution 97-021. Since that time, the committee meets on a regular basis rather than on an ad hoc basis. Therefore, staff and the H/M Committee seek to change the Committee to a more formal, standing advisory committee.

Resolution 97-021 does not set forth regular terms for committee membership, does not provide for a set number of members, and does not provide for longer term appointment. The proposed Ordinance states that committee membership is appointive by the Mayor, subject to confirmation by the Council for three year terms. This Ordinance also sets the number of committee members at nine. State law provides that half of the committee must represent businesses located within the City required to collect the H/M Tax and half of the committee must represent persons involved in activities authorized to be funded by revenue received from the H/M Tax. State law also provides that the Chair must be a member of the City Council. It is the intentions of the Council that the Mayor appoints individuals that are currently serving on the Committee.

Upon a question posed by Mayor Shape, ACM Cutts stated the chair must lead the committee and fifty percent of the members must be from businesses collecting a lodging tax from a hotel and the other fifty percent must be eligible to receive funding from the lodging tax lodging tax as required by State law.

ACM Cutts reviewed the above summary.

Council consensus: Referred to the 05/27/08 RCM Consent Agenda

CONSENT AGENDA:

- **Approval of claims vouchers** (check nos. 80298 - 80512) in the amount of \$404,638.70 for the period ended May 20, 2008.
- **Approval of payroll vouchers** (check nos. 46735 - 46770) in the amount of \$176,218.19 for the period ended May 15, 2008.
- **Approval of payroll electronic fund transfers** (check nos. 55186 – 55362) in the amount of \$320,472.92 for the period ended May 15, 2008.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$63,202.01 for the period ended May 15, 2008.

Approval of Council Meeting Minutes:

- **Study Session** held June 19, 2001.
- **Study Session** held October 1, 2002.
- **Study Session** held November 5, 2002.
- **Study Session** held November 19, 2002.
- **Study Session** held January 7, 2003.
- **Study Session** held January 21, 2003.
- **Study Session** held February 4, 2003.
- **Study Session** held February 18, 2003.
- **Study Session** held March 4, 2003.
- **Study Session** held April 15, 2003.
- **Study Session** held February 17, 2004.
- **Study Session** held May 25, 2004.
- **Study Session** held November 23, 2004.
- **Special Study Session** held April 19, 2005.
- **Study Session** held April 26, 2005.
- **Special Study Session** held May 10, 2005.
- **Study Session** held June 14, 2005.
- **Special Study Session** held October 11, 2005.
- **Special Study Session** held November 8, 2005.
- **Special Study Session** held November 22, 2005.
- **Study Session** held January 10, 2006.
- **Special Study Session** held January 24, 2006.
- **Study Session** held March 28, 2006.
- **Study Session** held April 25, 2006.
- **Council Budget Workshop 4** held October 20, 2006.
- **Special Council Meeting** held November 14, 2006.
- **Administration and Finance Committee Meeting** held May 13, 2008.

Agenda Items reviewed under Agenda Bill Presentation recommended for placement is on the Consent Agenda:

Agenda Bill #2954; Motion establishing an ad hoc Citizen Advisory Committee for the Shoreline Master Program update and appointing its members

Agenda Bill #2779; Resolution #08-012 authorizing the replacement of Fire Station 45 and authorizing the selection process for an Architect for the design phase of Fire Station 45

Agenda Bill #2952; Motion authorizing the City Manager to execute an Interlocal Bidding/Purchasing Agreement between San Juan County and the City of SeaTac

Agenda Bill #2953; Motion authorizing Final Acceptance of the 2007 Pedestrian Improvement

Agenda Bill #2949; Motion authorizing the City Manager to execute a Consultant Agreement with Reid Middleton, Inc. for the South 154th Street Improvements

Agenda Bill #2881; Motion authorizing the City Manager to enter into a contract with Everson's EconoVac for the 2008 Storm Drain Cleaning Contract

CONSENT AGENDA (Continued):

Agenda Bill #2922; Ordinance #08-1017 amending Chapter 3.80 of the SeaTac Municipal Code (SMC) related to the Lodging Tax Advisory Committee

MOVED BY WYTHE, SECONDED BY T. ANDERSON TO ACCEPT THE CONSENT AGENDA AS PRESENTED.*

PUBLIC COMMENTS (related to the Consent Agenda): There were no public comments.

*MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENTS: There was no public comments.

UNFINISHED BUSINESS: There was no unfinished business items.

NEW BUSINESS: There was no new business items.

CITY MANAGER'S COMMENTS: CM Ward had the following items of business: (1) Council Retreat, Saturday, June 1 at 9 a.m. and will continue at noon on June 2; (2) requested open discussion on the previous Entertainment District Tour and the final tour of four is scheduled on June 5 to Denver and Kansas City; and (3) the final paving on Military Road Improvement Project should occur June 2 through June 6.

COUNCIL COMMENTS: CMs expressed their gratitude that CM Brennan has returned.

CM T. Anderson congratulated ACM Cutts for his promotion.

CM A. Anderson stated his tour experience was positive.

CM Brennan stated his thank you for his visitors and well wishes during his sickness.

CM Gregerson stated the Citizens Police Academy last class is June 4.

Mayor Shape had the following items: (1) re-emphasized the retreat for the upcoming weekend, Saturday and Sunday at the Museum of Flight. He recommended that Council bring their ideas regarding goals, priorities, and suggested projects; (2) The Entertainment District Tour was beneficial to provide ideas for development for the City of SeaTac; and (3) Sound Transit is having an Open House May 28, 2008 to discuss their future plans are for the future.

EXECUTIVE SESSION: There was no Executive Session.

ADJOURNMENT:

MOVED BY T. ANDERSON, SECONDED BY FISHER TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 7:53 P.M.

MOTION CARRIED UNANIMOUSLY.

Ralph Shape, Mayor

Marcia Rugg, Deputy City Clerk

City of SeaTac

Council Workshop Minutes Synopsis

May 27, 2008
5:00 PM

City Hall
Council Chambers

CALL TO ORDER: The City of SeaTac City Council Special Meeting was called to order by Mayor Shape at 5:08 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Deputy Mayor (DM) Gene Fisher, Councilmembers (CMs) Chris Wythe, Terry Anderson, Anthony (Tony) Anderson, Joe Brennan and Mia Gregerson.

PRESENTATION:

•Zoning Code Amendments Regarding Tree Retention

Planning Director Steve Butler stated the Council had been briefed several months ago by the Planning Commission (PC) and Land Use & Parks (LUP) Committee. There are different views regarding tree retention. This presentation includes a brief background, review of the issues, staff recommendations, and PC and citizen's builder recommendations.

Senior Planner John Schelling presented an overview of the City's existing tree retention regulations, discussed the two recommendations from staff and PC; then compared and contrasted the two different recommendations. Mr. Schelling defined the City's existing code of "Significant Tree" which is an existing healthy tree when measured four feet (ft) above grade and has a minimum diameter of eight inches (in) for evergreen trees; 12 in for deciduous trees. There are several exemptions from the City's retention code: (1) developed single family property; (2) areas where there is an access point; (3) trees within 15 ft of an existing or proposed structure; and (4) subdivisions and short plats. The retention requirements for significant trees are: 1) they must be retained in the perimeter landscape areas; (2) 12% of the significant trees on the site interior shall be retained; and (3) no clearing of a site is permitted until approval of a tree retention and landscape plan. These all apply to the properties that are not exempt.

Mr. Schelling presented several examples of short plat developments prior to subdivision and after subdivision.

Mr. Schelling reviewed the current issues of the tree retention code: (1) the zoning code allows developed single-family properties to be mass cleared before a land use application submitted, allowing developers to remove all of the trees; (2) owners of new homes that are developed as part of a subdivision remove protected trees due to lack of clarity in the zoning code; (3) trees to be retained in a subdivision are removed during construction due to no building envelopes required to show the location of protected trees on the final plat; (4) trees located outside of developable areas do not have to be retained; and unhealthy trees have been retained due to not having an arborist to evaluate the health of the trees prior to retention.

Mr. Schelling presented the staff recommendations in terms of dealing with some of these issues: (1) close loopholes to prevent mass clearing of developed single-family lots before application is submitted; (2) provide a reasonable amount of additional tree retention by requiring trees along the perimeter of a site to be retained in addition to only 12% of the interior trees. Perimeter trees would not need to be retained if located where utilities or a house would be located; (3) vacant property cannot be cleared until a development application is submitted; (4) trees protected as part of a subdivision cannot be removed; (5) provide incentives to encourage additional retention of significant trees; (6) consult an arborist; (7) revise the definition of "Significant Tree"; (8) provide exemptions to agricultural users; and (9) removal of trees around utility substations and overhead transmission lines provided the utilities replants the area.

The PC recommendations are as follows: (1) continue to allow mass clearing of any vacant or developed single-family lot; (2) require a minimum of three trees to be planted or retained on all single-family residential lots; (3) provide grandfathering of existing single-family residential lots that do not have three trees; (4) require grandfathered property to plant additional trees in compliance when a building permit is issued for exterior expansions; (5) provide incentives to foster retention of significant trees rather than remove existing trees and replace them with smaller trees; (6) to prevent retention of unhealthy trees used for an incentive, provide a tree health assessment by the City's consulting arborist; and (7) exempt agricultural crops uses and certain trees from tree retention requirements.

Council action is tentatively scheduled for the June 10 Regular Council Meeting (RCM).

PRESENTATION (Continued):

Zoning Code Amendments Regarding Tree Retention (Continued):

Upon a question by CM T. Anderson, Mr. Schelling stated the PC recommends a preferred planting list which is not part of the code, but staff could offer to owners to refer to. This would restrict changing the code dependent upon the type of tree. The PC has also recommended the size would meet the City's current landscape standard.

CM Wythe inquired whether the staff has an incentive to bring the number of perimeter trees to a higher percent on a single-family lot. Mr. Schelling stated the City proposes 15%, rather than 12%, a 10% variation to the standard either by setback or height. If an owner chooses 30% of the significant trees on the property, then the owner could get a 20% reduction or variation in the standard whether it was a setback or increased building height. The City chose 20% as it is currently the maximum allowed as an administrative variance.

CM Gregerson questioned who makes the decision of moving a house on a lot in order to retain a tree. Mr. Schelling stated the variables could involve the configuration of a lot and the building envelope. Homes can be placed in the rear of the property rather than in the front where the trees are located.

CM Gregerson inquired about the 15% retention of a whole property even if the property is divided up into four lots and whether it was a better option to have 15% of each parcel. Mr. Butler stated the staff is trying to retain existing trees rather than planting smaller trees.

CM Brennan expressed his opinion of government making decisions on an owner's private property and the question of enforcing these codes. Mr. Butler stated the issue of code enforcement is limited and would require a separate proposal.

Upon a question posed by CM Wythe, Mr. Schelling stated a property owner could remove one eight in. tree and replace it with two four in. trees without any required mitigation. The code allows the City Manager or designee to outline the mitigation when trees are supposed to be retained. This is used on a caliper basis. It is more equitable in terms of what rate exchange is by removing a significantly large tree and what the City gets in return in allowing this to happen. Staff has always used a caliper to measure the diameter of a small tree. If a larger tree is cut down, the City has used a ratio of one to one. For example, retaining another 30 in. tree to replace the one that was removed or replanting 30 in. of new trees somewhere else on the property. If the tree was removed illegally, then a greater penalty would be enforced. The staff proposed to incorporate this into the code to clarify the property owner. No mitigation is required if the interior or perimeter tree is removed due to a need for utilities or access.

Mr. Schelling described the ratio of removing trees on a two to one caliper. This would be for protected trees when a property owner removes it without any permit.

CM A. Anderson stated that staff recommendations are more restrictive, but questions whether the Council would want to have the larger trees removed and replaced with a greater number of smaller trees. It also raises the question of allowing a property owner to remove a large tree and pick out any type of replacement trees. Mr. Schelling stated that the owner must meet landscape standards. Mr. Butler stated the City tries to work with the home owner.

Mayor Shape stated that the PC requires three trees be planted or retained on all single-family lots. Mr. Schelling stated to administer this code; the City would request on the site plan the location of any trees on the property. If they were deficient, they would need as a condition of their permit approval, to plant the required number of trees. They would be grandfathered in until they took the action that the PC recommended to lose that grandfather status such as doing some type of material expansion of the structure or impervious surface. The staff is trying to close the loophole that exists by applying it to the larger properties that are developed.

Upon a question posed by CM T. Anderson, Mr. Schelling stated a homeowner can remove a large tree if the lot could not be subdivided. If the property is less than 14,440 sq ft, owners would be free to remove any or all of the trees.

DM Fisher stated the PC has come up with a good plan other than allowing developers to clear cut. He stated the PC wants to allow developers for mass cutting before development, but it has evolved into other areas. The alternative of the PC is reasonable other than the clear cutting.

PRESENTATION (Continued):

Zoning Code Amendments Regarding Tree Retention (Continued):

Mayor Shape questioned the Council on the following issues: (1) mass clearing of properties prior to development; (2) allowing developers and property owners to retain a reasonable number of existing larger trees; and 3) whether larger trees should be removed and replaced with a greater number of smaller trees throughout the City. Council agreed on one and two, but could not agree on issue three.

Mr. Butler suggested staff would bring these requirements back for further discussion.

CM Wythe stated there is a policy discrepancy between the staff and PC recommendations.

Mr. Butler stated the PC would probably want to state their viewpoints. There may be another avenue to present both sides. Further discussions will be presented to the City Manager and the Mayor for guidance to proceed.

ADJOURNMENT:

Mayor Shape adjourned the Council Workshop at 6:09 p.m.

City of SeaTac

Regular Council Meeting Minutes

June 10, 2008
6:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Shape at 6:04 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Deputy Mayor (DM) Gene Fisher, Councilmembers (CMs) Chris Wythe, Terry Anderson, and Mia Gregerson. Excused Absences: CMs Anthony (Tony) Anderson and Joe Brennan.

FLAG SALUTE: Steve Beck, Star Fire Owner/Vice President of Operations, led the Council, audience and staff in the Pledge of Allegiance.

ADMINISTRATIVE STAFF: City Manager Craig Ward, City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, Assistant City Manager (ACM) Todd Cutts, Public Works (PW) Director Dale Schroeder, Finance Director Mike McCarty, Human Resources (HR) Director Steve Mahaffey, Human Services (HS) Coordinator Colleen Brandt-Schluter, Assistant Fire Chief Brian Wiwel, and Chief of Police Services Jim Graddon.

PUBLIC COMMENTS: Steve Pinto had the following questions: (1) at the May 27 Regular Council Meeting (RCM), an agenda bill related to an Ad Hoc Sidewalk Committee was presented and approved. He questioned whether City Engineer Tom Gut is the leading proponent of this agenda bill and committee. He stated he would like to talk with Mr. Gut; (2) he questioned whether the City can install sidewalks and retroactively activate a local improvement district to require pertinent property owners to pay for improvements; and (3) regarding the tree retention, he questioned if the City can regulate the trees that are impacting an adjacent property.

PRESENTATION:

● **YWCA (Young Women’s Christian Association)**

YWCA South King County (SKC) Regional Director June Wiley thanked the City for money they receive for Transitional Housing and Emergency Housing Programs. She stated the YWCA mission is to advance the quality of life for women of all ages, races and faiths and their families. The YWCA’s vision is to create a community where every family has safe and adequate housing, every adult has the opportunity to be self sufficient, all children and youth can develop the personal qualities and competencies that they will need for a successful adulthood, and all members of our community can live in piece and dignity and free from violence.

In 2007, YWCA served five families (contracted to serve four families). All five families moved on to permanent housing. In 2008, no families have been served yet because of the housing crunch. It has been a challenge for all of the housing programs as there is an incredible lack of space across the county.

In 2007, the emergency shelter turned away 60 SeaTac residents. Already this year, 107 have been turned away. This speaks to how the economy is impacting the services.

Upon questions posed by the Council, Ms. Wiley stated the following: (1) when a resident is turned away, the YWCA works with them to find other services. While more money is always helpful, prevention is key; (2) the YWCA has an employment program service to assist with finding work; and (3) the turn away rate is a good example of the needs in SeaTac.

DISCUSSION ITEM:

● **Summary of \$5,000 - \$25,000 Purchase Requests for the period ended June 6, 2008**

City Manager Ward reviewed the following requests:

<u>Item Description</u>	<u>Department</u>	<u>Original Budget</u>	<u>Amended Budget</u>	<u>Estimate</u>
Angle Lake Water Lily Treatment	Parks & Recreation (P&R)	\$8,000	\$8,000	\$11,059
		will absorb within existing budget		
Membership in the Cascade Agenda Cities Program	Non-Departmental	\$0	\$0	\$5,000
		will absorb within existing budget		
Services of Highline Small Business Development Center (SBDC)	City Manager's Office (CMO)	\$10,000	\$10,000	\$10,000

DISCUSSION ITEM (Continued):

Summary of \$5,000 - \$25,000 Purchase Requests for the period ended June 6, 2008 (Continued):

Mr. Ward stated the Administration & Finance (A&F) Committee requested the membership in the Cascade Agenda Cities Program be removed until it is presented to the full Council for discussion.

Council consensus: Referred to the 06/10/08 RCM Consent Agenda with removal of the membership in the Cascade Agenda Cities Program

AGENDA BILL PRESENTATIONS:

Agenda Bill #2958 – A Motion approving the low bidders for Steel Erection, Masonry and Roofing/Metal Wall Siding for New Fire Station 46

Summary: This Motion requests approval of the lowest responsive bids for the selected items and allows the City Manager to enter into contracts to perform the work.

Advertisements for bids were posted in the Seattle Times the weeks of April 28 and May 6. The bid opening was held Thursday, May 15. The bid tabulations for the selected categories are as follows:

Masonry:	Budget Amount (\$158,000.00)	Bid Amount
Arndt Masonry		\$117,391.00
Keystone Masonry		\$168,700.00
Ward's Masonry		\$142,105.00
R&D Masonry		\$139,800.00
Ingroup LTD		\$124,795.00
Dibella CMC		\$158,076.25

Metal Roofing/Siding:	Budget Amount (\$302,000)	
Kenco Construction		\$596,326.00
Advanced Metal Systems		\$431,800.00
Meyer Bros. Roofing		\$698,000.00
Architectural Sheet Metal		\$510,398.00

Steel Erection:	Budget Amount (125,000.00)	
Evergreen Erectors		\$142,800.00
Kipper & Sons		\$151,700.00
American Steel Erectors		\$162,480.00

The lowest bidder for Metal Roofing/Wall Siding is Advanced Metal Systems. However, their bid was rejected as non-responsive since they did not bid the entire category. Architectural Sheet Metal was the lowest responsive bidder for that item.

The 2008 Budget for new Fire Station 46 has \$4,488,036 for construction of the new fire station.

Facilities Director Patterson reviewed the above summary.

DM Fisher stated the A&F Committee recommended this item for approval.

Council consensus: Referred to the 06/10/08 RCM Consent Agenda

Agenda Bill #2950 – A Motion authorizing the City Manager to enter into a contract with Archer Construction, Inc. for construction of the Westside Trail Project, South 134th Street to South 156th Street

Summary: The Westside Trail Project was advertised for bids May 7, 2008. The bid opening was held on May 30, with five bids received. The Engineer's estimate was \$1,573,010. Archer Construction, Inc. submitted the low bid at \$1,398,710. Staff has checked references for Archer Construction Inc. and found them to be positive.

The Westside Trail project consists of clearing and grubbing, excavation and grading, paving of approximately 6,950 lineal feet of new 10-foot (ft.) wide shared use trail, striping and pavement markings, drainage improvements, erosion control, retaining walls, fencing, and improvements to the World War I Memorial including planting 24 disease resistant, hybrid, American Elm Trees.

It is recommended that Council authorize the City Manager to execute a contract with Archer Construction, Inc. in the amount of \$1,398,710 and authorize a 10% contingency of \$139,871 for a total contract budget of \$1,538,581.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #2950 (Continued): The total construction cost, including construction contract, contingency, material testing, and inspection overtime, is \$1,400,813. The project is to be funded by a Federal Aid Grant and City funds (parking tax). The project cost and funding breakdown are as follows:

<u>Expenditure Estimate:</u>		<u>Revenue Estimate:</u>	
Construction Contract	\$ 1,398,710	Federal Aid Grant	\$ 737,000
Contingency (10%)	\$ 139,871	City Fund 307 (Parking Tax)	<u>\$ 826,581</u>
Materials Testing	\$ 15,000	Total	\$1,563,581
Inspection Overtime	<u>\$ 10,000</u>		
Total	\$ 1,563,581		

Public Works (PW) Director Schroeder reviewed the above summary.

DM Fisher stated the A&F Committee recommended this item for approval.

Council consensus: Referred to the 06/10/08 RCM Consent Agenda

Agenda Bill #2959 – An Ordinance amending the 2008 Annual City Budget for corrections to the 2007 carryovers

Summary: Ordinance #08-1012, adopted on March 11, 2008, amended the 2008 Budget and carried over appropriations included in the 2007 Budget that were not completed in 2007. Ordinance #08-1016, adopted May 13, amended the 2008 Budget to correct the South 188th Street sidewalk repair project that was inadvertently left off the list of carryovers. Three additional items detailed below have been identified as also having been inadvertently left off the list of carryovers. This budget amendment is necessary to increase the 2008 amount in the appropriate line items to provide the necessary appropriation authority in the 2008 Budget for these items.

The three proposed corrections are as follows:

1. Professional Services in Transit Planning Fund #106. This request is to carry over the remaining \$84,923 from the 2007 Budget to pay for services by Heartland, LLC, in working with the City to reach out to property owners adjacent to both light rail stations in order to achieve the redevelopment objectives of the Station Area Action Plan. Heartland LLC has engaged in site analysis and financial modeling as part of this contract.
2. Fire Grant Equipment in General Fund #001. This request is to carry over the remaining \$9,732 from the 2007 Budget to pay for completion of the MobileRMS modification and update work that Asentus Consulting Groups, Ltd. was under contract for.
3. City Hall Historical Displays in Hotel/Motel (H/M) Tax Fund #107. This request is to carry over the remaining \$3,232 from the 2007 Budget to pay the Highline Historical Society (HHS) for the 2008 historical presentations in the display cases outside the City Hall Council Chambers. Only \$1,768 of the \$5,000 appropriated in the 2007 Budget was actually spent last year, and no funding was included in the 2008 Budget for these displays.

This Ordinance increases the appropriations in the General Fund #001 by \$9,732, the Transit Planning Fund #106 by \$84,923, and the H/M Tax Fund #107 by \$3,232, for a total budget increase of \$97,887 for the three funds, but will have no effect on the year-end fund balance for 2008. These expenditures were included in the calculation of the January 1, 2008, fund balance projections when the 2008 Budget was being developed. Therefore, this amendment simply allows these expenditures to occur in the current fiscal year instead of 2007.

Finance Director McCarty reviewed the above summary.

DM Fisher stated the A&F Committee recommended this item for approval.

CM T. Anderson recused herself from voting on this item due to her position as the HHS President.

Council consensus: Referred to the 06/10/08 RCM Consent Agenda

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #2960 – An Ordinance amending the 2008 Annual City Budget for miscellaneous items

Summary: This Ordinance increases expenditures to provide additional 2008 appropriation authority in the HR and Planning Department budgets in the General Fund. The two items included in this amendment are as follows:

1. The Planning Department provided a request to the Position Vacancy Review Board (PVRB) to fill their vacant part-time (PT) Permit Technician 1 position on a full-time (FT) basis instead of PT due to increasing

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #2960 (Continued): workload and to provide additional coverage of the permit counter. The PVRB recommendation was reviewed by the A&F Committee, which concurred with this request, subject to a budget amendment to increase appropriations in the Planning Department's budget to cover this increase in salary and benefits. The total estimated additional cost for the remainder of 2008 is \$11,590.

2. The HR Department has experienced a high number of employee selection processes during the first five months of 2008, and is already close to depleting their entire 2008 advertising budget. This is partially due to some very expensive ads that ran in the Seattle Times this year. With concurrence from the City Manager, the HR Department is requesting an additional \$20,000 appropriation to their budget for employment advertising.

This Ordinance provides additional appropriation authority in the General Fund in the amount of \$31,590.

Finance Director McCarty reviewed the above summary.

DM Fisher stated the A&F Committee recommended this item for approval. However, the committee discussed having the HR department review options about combining advertising with other cities in order to share costs. Mr. Mahaffey was requested to develop a plan.

Council consensus: Referred to the 06/10/08 RCM Consent Agenda

Agenda Bill #2961 – An Ordinance establishing a new Light Rail Station Areas Capital Improvement Program (CIP) Fund (Fund #308)

Summary: The City has included light rail station area capital needs in its Citywide CIP. A Light Rail Station Areas CIP Fund will allow for the segregation of revenue and expenditures related to the two light rail station areas from other capital projects in the City. The potential magnitude of the revenues and expenditures associated with this work justifies the creation of a separate City fund to track and record these transactions. Two distinct cost centers within this new fund will separately track the revenues and expenditures for each of the two defined light rail station areas, identified as the South 154th Street and the South 176th Street Station Areas. State law requires the City Council to adopt an Ordinance to create a new City fund.

Finance Director McCarty reviewed the above summary.

DM Fisher stated the A&F Committee recommended this item for approval.

Upon a question posed by CM Wythe, Mr. McCarty stated staff is preparing a plan to review new revenue sources to pay for improvements as built or as a source to pay off bonds used to pay for improvements. This will be reviewed during the 2009 budget process.

Council consensus: Referred to the 06/10/08 RCM Consent Agenda

Agenda Bill #2963 – A Resolution stating the intention to designate the South 154th Street Station Area and SeaTac/Airport Station Area as Residential Targeted Areas for the purpose of a multi-family housing tax exemption Ordinance, and fixing the date and time for a Public Hearing (PH) and Council action for the designation

Summary: Staff is in the process of bringing forward a proposed multi-family housing tax exemption Ordinance for Council consideration. When this Ordinance is presented in July, staff will propose that any multi-family housing tax exemption apply to development of residential units in the South 154th Street and SeaTac/Airport Station Areas. However, before such an Ordinance can be considered by the City Council, State law requires that the area in which the tax exemption would apply (referred to as the "residential targeted area") be designated by the governing body. Furthermore, State law requires that the City Council state its intent to designate a residential targeted area by Resolution and conduct a PH prior to such designation.

Pursuant to State law, the following criteria must be met before designating an area as a residential targeted area:

- (a) The area must be within an urban center, as determined by the governing authority;
- (b) The area must lack, as determined by the governing authority, sufficient available, desirable, and convenient residential housing, including affordable housing, to meet the needs of the public who would be likely to live in the urban center, if the affordable, desirable, attractive, and livable places to live were available; and
- (c) The providing of additional housing opportunity, including affordable housing in the area, as determined by the governing authority, will assist in achieving one or more of the stated purposes of the multi-family tax exemption law.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #2963 (Continued): Staff believes that the City should encourage housing in the two station areas, as there is insufficient housing in these two areas. Further, it is believed that providing a tax exemption in these areas will help facilitate growth in the station areas, which is one of the goals of the Station Area Action Plans.

Passage of this Resolution does not bind the Council to adopt a multi-family housing tax exemption Ordinance. Rather, this Resolution simply designates the Council's intent to specify the area in which the tax exemption would apply should the Council decide to adopt such an Ordinance. A PH, as required by law, would be set for the July 8, 2008 Regular Council Meeting (RCM) at 6 p.m., and staff will request that the City Council designate the two station areas as residential targeted areas at that time. Furthermore, staff will also present a proposed multi-family tax exemption Ordinance on July 8 for Council consideration.

ACM Cutts reviewed the above summary.

CM Wythe stated the Land Use & Parks (LUP) Committee recommended this item for approval.

DM Fisher stated the A&F Committee recommended this item for approval.

Council consensus: Referred to the 06/10/08 RCM Consent Agenda

CONSENT AGENDA:

- **Approval of claims vouchers** (check nos. 80513 - 80693) in the amount of \$1,378,113.84 for the period ended June 5, 2008.
- **Approval of payroll vouchers** (check nos. 46771 - 46810) in the amount of \$362,720.35 for the period ended May 31, 2008.
- **Approval of payroll electronic fund transfers** (check nos. 55363 - 55543) in the amount of \$321,720.08 for the period ended May 31, 2008.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$63,005.67 for the period ended May 31, 2008.
- **Summary of \$5,000 - \$25,000 Purchase Requests** for the period ended June 6, 2008.

Approval of Council Meeting Minutes:

- **Land Use & Parks Committee Meeting** held April 23, 2008.
- **Public Safety & Justice Committee Meeting** held May 13, 2008.
- **Transportation and Public Works Committee Meeting** held May 27, 2008.

Agenda Items reviewed under Agenda Bill Presentations recommended for placement on this Consent Agenda:

Agenda Bill #2958; Motion approving the low bidders for Steel Erection, Masonry and Roofing/Metal Wall Siding for New Fire Station 46

Agenda Bill #2950; Motion authorizing the City Manager to enter into a contract with Archer Construction, Inc. for construction of the Westside Trail Project, South 134th Street to South 156th Street

Agenda Bill #2959; Ordinance #08-1018 amending the 2008 Annual City Budget for corrections to the 2007 carryovers

Agenda Bill #2960; Ordinance #08-1019 amending the 2008 Annual City Budget for miscellaneous items

Agenda Bill #2961; Ordinance #08-1020 establishing a new Light Rail Station Areas Capital Improvement Program Fund

Agenda Bill #2963; Resolution #08-013 stating the intention to designate the South 154th Street Station Area and SeaTac/Airport Station Area as Residential Targeted Areas for the purpose of a multi-family housing tax exemption Ordinance, and fixing the date and time for a Public Hearing and Council action for the designation

MOVED BY T. ANDERSON, SECONDED BY FISHER TO ACCEPT THE CONSENT AGENDA AS PRESENTED.*

CONSENT AGENDA (Continued):

PUBLIC COMMENTS (related to the Consent Agenda): Earl Gipson, regarding Agenda Bill #2963, questioned the duration proposed for the tax exemption.

Mr. Cutts explained that it would be development specific. If it is a market rate project, it would be eight years of tax exemption. If it has an affordable component, 20% or more affordable units, it would be a 12 year tax exemption. A presentation will be made at the July 8 RCM.

*MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENTS (related to the following Unfinished and New Business): There were no public comments.

UNFINISHED BUSINESS: There was no unfinished business.

NEW BUSINESS: There was no new business.

CITY MANAGER'S COMMENTS: City Manager Ward had the following comments: (1) June 11 - open house at the SeaTac Community Center regarding the rezoning of areas around the South 154th Street Station Area; (2) June 15 – 11 a.m., Farmer’s Market at Angle Lake Park; (3) June 10 Public Safety & Justice (PS&J) Committee meeting was rescheduled to June 24 at 3 p.m.; (4) June 27 – International Festival; (5) the Military Road paving has been delayed due to the weather; and (6) fire investigators determined the fire at the Angle Lake School to be arson. CM T. Anderson acknowledged all of the surrounding departments that responded to the fire.

COUNCIL COMMENTS:

DM Fisher expressed disappointment that the June 24 Council Workshop regarding tree retention is scheduled prior to the RCM and won't be videotaped. He further indicated that the Planning Commission (PC) is a sounding board to the citizens. He stated there are times when the PC and staff disagree and the Council tends to choose the staff's side because the PC isn't given the time to state their case. He stated an agenda bill will be brought to the next A&F Committee meeting that will allow the PC to have equal time to state their issues during the RCM any time there is disagreement between staff and the PC. DM Fisher expressed concern that the Council is asked to make policy decisions without all of the facts.

CM Gregerson stated she participated in the American Cancer Society Relay for Life June 7. There was a great turnout. CM T. Anderson, Mayor Shape and she also participated in the fourth Entertainment District Tour, which included Kansas City and Denver.

Mayor Shape had the following items: (1) the November 11 RCM was previously changed to a Special Council Meeting (SCM) on November 10 due to the Veterans' Day Holiday and some of the CMs will be attending the National League of Cities (NLC) Conference beginning November 12. Some of the CMs attending the NLC conference have requested the November 10 meeting be changed to November 4 to allow time before the conference to visit an additional entertainment district. Council concurred to move the meeting to November 4; (2) he attended the Hainan Airlines inaugural flight to Beijing June 9 where he spoke with representatives from the Seattle Chinese Chamber of Commerce about a sister City. He requested the Council consider it. The chamber wants to meet with the Council; and (3) clarified that the last staff report regarding tree retention was also held prior to the RCM and was not videotaped.

EXECUTIVE SESSION: There was no Executive Session.

ADJOURNMENT:

MOVED BY WYTHE, SECONDED BY FISHER TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 6:53 P.M.

MOTION CARRIED UNANIMOUSLY.

Ralph Shape, Mayor

Kristina Gregg, City Clerk

City of SeaTac

Regular Council Meeting Minutes

June 24, 2008
6:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Shape at 6:28 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Deputy Mayor (DM) Gene Fisher, Councilmembers (CMs) Chris Wythe, Terry Anderson, Anthony (Tony) Anderson, and Mia Gregerson. Excused Absence: CM Joe Brennan.

FLAG SALUTE: Chief of Police Services Jim Graddon led the Council, audience and staff in the Pledge of Allegiance.

ADMINISTRATIVE STAFF: City Manager Craig Ward, City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, Assistant City Manager (ACM) Todd Cutts, Assistant City Attorney Mark Johnsen, City Engineer Tom Gut, Planning Director Steve Butler, Facilities Director Pat Patterson, Senior Planner Mike Scarey, Associate Planner Kate Kaehny, Associate Planner Dennis Hartwick, Assistant Parks & Recreation (P&R) Director Lawrence Ellis, Human Services (HS) Coordinator Colleen Brandt-Schluter, Fire Chief Bob Meyer, and Chief of Police Services Jim Graddon.

PUBLIC COMMENTS: The following citizens spoke in opposition to the proposed Tree Retention Zoning Code Amendments that were presented at the June 24 Council Workshop: Earl Gipson, Byron Billingsley, Orvel Gilbertson, Jason Billingsley, Terry Donlin, Ben Newton, John Thompson, Vern Moak, Kathleen Brave, Larry Brittz, and Bell Schumacher. They felt the proposed changes were too restrictive and took away their rights as homeowners.

PRESENTATIONS:

● **Introduction of new employees: Senior Engineering Technician Mike Bryan, and Recreation Attendant Michele Chardon-Rees**

City Manager Ward introduced the new employees.

● **City Manager re-appointment of Dick Jordan to the Civil Service Commission**

City Manager Ward read and presented the Certificate of Re-appointment to Dick Jordan and thanked him for his continued service on this commission and to the City.

● **Multi-Service Center**

Multi-Service Center Housing Program Director Manuela Ginnett detailed some of the services provided by the Multi-Serve Center: clothing bank in Federal Way, employment assistance, and energy assistance. Money from the City funds the housing program, providing homeless services through shelter and transitional housing. All new dollars focus on permanent supportive housing.

● **Amending the Zoning Code with regard to design standards for Townhouse and Multi-family development**

Associate Planner Kaehny stated staff is proposing updating the townhouse development standards to ensure high quality townhouse development in the extended South 154th Street rezone area and citywide. Townhouse development is also permitted in the Urban Medium Density (UM), Urban High Density (UH), Community Business (CB), Community Business within the Urban Center (CB-C), Aviation Business Center (ABC), Office/Commercial Medium (O/CM), Office/Commercial/Mixed Use (O/C/MU) and Townhouse (T) zones citywide.

The goals of this amendment are to create a sense of community and a safe, family-friendly environment. Ms. Kaehny exemplified good and bad townhouse developments.

The following lessons can be learned from the examples:

- Require new townhouse development to have - (1) strong street presence and orientation for front units, (2) building design that enhances the streetscape, (3) vehicular access primarily from rear, (4) sufficient streets and sidewalks for vehicular and pedestrian access, (5) high quality private and common open space, and (6) adequate off street parking.
- Avoid mistakes made in other areas – (1) auto-dominated design, (2) units facing away from the street, (3) tall fences facing the street, (4) poor pedestrian access, (5) too many units on small lots, and (6) small, unusable open space.

PRESENTATIONS (Continued):

Amending the Zoning Code with regard to design standards for Townhouse and Multi-family development (Continued): Associate Planner Hartwick reviewed issues addressed in the townhouse standards update proposal:

- Minimum site size: 18,000 square feet (sf)
- Minimum frontage: 180 linear feet (lf*) (*existing code requirement*)
- Units allowed in and out of station area on 18,000 sf development site: Station Area: 8-9 units; Extended Station Area: 6-7 units; and rest of City: 5-6 units
- Building design: orientation to street, bulk, dimensional standards, articulation, etc.
- Minimum setbacks: some reductions
- Maximum setbacks: possible increases
- Alleys: minimum width: 20 feet (ft)
- Auto courts: minimum width, building to building 30 ft
- Private roads: Right-of-way (ROW) width: 52 ft; 10 ft travel lane in each direction; 8 ft parking; and 8 ft sidewalks
- Parking: different standards for inside and outside the station area; and visitor parking
- Landscape buffers: depends on Comprehensive Plan (CP) designation of adjacent property (whether single-family or multi-family)
- Open Space: common and private yard and open space requirements still under consideration.

Discussion ensued as to the 20 ft alley width. Mr. Hartwick stated that is a KC Road Standards requirement.

Planning Director Butler reviewed the next steps: June 30 - PC briefing, July 8 - City Council public hearing (PH) on rezones and additional City Council review of draft standards if needed, July 14 - PC open house / PH on townhouse code amendments, and July 22 – Council action on rezones and townhouse code amendments.

•Review of 2008 Preliminary Docket of Comprehensive Plan (CP) Amendments

Planning Director Butler stated the CP amendment process is open to the public, and occurs in two stages (Preliminary and Final Docket).

Senior Planner Scarey summarized the amendments on the Preliminary Docket: 7 map amendments and 10 text amendments. He detailed the five Land Use Plan map amendments (three proposed by residents, one proposed by the Port of Seattle [POS] and one proposed by the City).

Mr. Butler reviewed the proposed schedule: June 30 - PC recommendation for Final Docket; July 8 - staff recommendation and Council to establish the Final Docket; October 27 – PH; November 10 – PC recommendation of CP amendments; October and November – Council review; and November 25 – Council action.

SUSPENSION OF THE RULES:

MOVED BY A. ANDERSON, SECONDED BY WYTHE TO SUSPEND THE RULES TO BRING FORWARD THE PUBLIC HEARING AND COUNCIL ACTION RELATED TO AGENDA BILL #2957.

MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARING (PH):

•Adopting the Ten-Year Transportation Improvement Program (TIP) for 2009-2018

Mayor Shape opened the PH at 7:50 p.m.

City Engineer Gut stated the objectives of the TIP are to identify transportation improvement projects, plan and coordinate internally and externally, and comply with State law. The adoption process included review by the Transportation & Public Works (T&PW) Committee and the PC prior to tonight's PH and Council action.

Mr. Gut reviewed the projects included in 2009 and 2010.

Discussion ensued regarding the 20-year sidewalk plan. Upon a question posed by Mayor Fisher, Mr. Gut stated the Sidewalk Ad Hoc Committee felt the key to the sidewalks is having them connect to something (i.e., store, school, or library). In one block there was a good argument for placing the sidewalk on the south side and the next block would have a good argument for placing it on the north side. This would become disjointed. The next step is staff talking with the public about the committee's recommendations. The sidewalk plan and the map will be included in the next SeaTac Report.

PH (Continued):

Adopting the Ten-Year TIP for 2009-2018 (Continued): CM A. Anderson questioned how staff decided on which projects would be included in 2009 versus 2010. Mr. Gut stated it depended on the City's resources. The projects that will receive grant funds tended to take priority.

Sidewalk Ad Hoc Committee Members John Thompson and Lawrence Ellis answered questions from the Council as to how the committee decided on their recommendations. The committee members drove around portions of the City to find the areas with the highest impact of people driving. This confirmed the need for sidewalks to be placed on both sides of the street.

City Manager Ward clarified that this TIP is a statement of intent. Approving the TIP does not require the City to do the projects.

Mayor Shape closed the PH at 8:15 p.m.

NEW BUSINESS:

Agenda Bill #2957; Resolution #08-014 adopting the Ten-Year Transportation Improvement Program (TIP) for 2009-2018

Summary: Annually, the City is required to review its TIP. This review is to include a PH and formal adoption of the program by the City Council.

State law (Revised Code of Washington [RCW] 35.77.010) requires the City to adopt a minimum Six-Year TIP to include arterial street construction. Also, the Growth Management Act (GMA), Chapter 36.70A RCW, similarly requires City adoption of a comprehensive TIP to include a section that lists planned arterial street construction. At this time, the funding distribution and scheduling of projects beyond the first two years is tentative.

There are a number of sources for financing TIP projects including local tax and mitigation fee, State gas tax and grants and Federal grants. Adoption of the TIP does not obligate the City to expend any money.

MOVED BY T. ANDERSON, SECONDED BY GREGERSON TO PASS RESOLUTION #08-014.

MOTION CARRIED UNANIMOUSLY.

DISCUSSION ITEM:

•Summary of \$5,000 - \$25,000 Purchase Requests for the period ended June 20, 2008

City Manager Ward reviewed the following purchase requests:

<u>Item Description</u>	<u>Department</u>	<u>Original Budget</u>	<u>Amended Budget</u>	<u>Estimate</u>
Mosquito Larvicide Application	Public Works (PW)	\$15,000	\$15,000	\$7,250
	P&R	\$1,800	\$1,800	\$1,800
Highline Historical Society (HHS) 2008 Program Support	Non-Departmental	\$5,000	\$5,000	\$5,000
Third Party Contract for Proposed / Potential Costello Development	Planning	\$5,500	\$5,500	\$5,500

CM T. Anderson requested the HHS item be moved to New Business.

Council consensus: Referred to the 06/24/08 RCM Consent Agenda with removal of the HHS item.

AGENDA BILL PRESENTATIONS:

Agenda Bill #2969 – An Ordinance amending Chapter 11.30 of the SeaTac Municipal Code (SMC) related to Commute Trip Reduction (CTR), and adopting the City of SeaTac CTR Plan

Summary: In 2006, the Washington State Legislature passed the CTR Efficiency Act, which requires local governments in those counties experiencing the greatest automobile-related air pollution and traffic congestion to develop and implement plans to reduce drive alone trips and vehicle miles traveled. The CTR Efficiency Act builds upon the successful 1991 CTR law that requires major employers to implement trip reduction programs.

Jurisdictions are required to develop new CTR plans and establish program goals and targets for their urban growth areas. Under the new law, jurisdictions have more flexibility in setting goals for their major employers and developing a plan that is tailored to meet the City's individual needs. CTR goals are required to adopt a minimum target of 10% Single Occupancy Vehicle rate reduction and 13% Vehicle Miles Traveled reduction by 2011.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #2969 (Continued): CTR plans are intended to be consistent with a jurisdiction's existing CP, and jurisdictions may identify areas of their CP to change so that the plan is more supportive of CTR. Jurisdictions also have the opportunity to designate an area as a Growth and Transportation Efficiency Center (GTEC).

The CTR Plan is a collection of goals and policies, facility and service improvements, and marketing strategies that support reducing drive alone trips and vehicle miles traveled by 2011. It also describes requirements for major employers, documents the public involvement process, presents a sustainable financing plan, and lays out the implementation structure for the CTR program. On February 1, 2008, the City of SeaTac CTR Plan was unanimously approved by the CTR Board.

City Engineer Gut and Washington State Department of Transportation (WSDOT) Public Transportation Division CTR Manager Kathy Johnston reviewed the above summary. Ms. Johnston explained the purpose of the CTR law.

CM Wythe stated he would like to see more coordination with METRO bus service.

Mr. Gut stated that in approximately 2006, there was a sales tax increase for METRO. One of the programs that increase funded was the Rapid Ride Program. The Pacific Highway corridor from South 154th to 320th Streets will be the first rapid ride corridor to come online. This is a good example of coordination with METRO.

Upon a question posed by CM Gregerson, Ms. Johnston stated the City may have everything in place to designate a GTEC, but it may not have been formalized yet.

Mayor Shape stated the CTR Plan has goals established for 2011. He questioned if those goals will be met. Ms. Johnston stated that some jurisdictions feel the goals are too aggressive, but they are open to being more aggressive if additional funding is provided.

Council consensus: Referred to the 06/24/08 RCM Consent Agenda

Agenda Bill #2971 – A Motion approving the low bidder for sealcoating and striping of City Hall parking lot

Summary: Requests for bids were solicited by way of the Municipal Research and Services Center (MRSC) small works roster. Seven responses were received. Low bidder is Evergreen Asphalt at \$16,450 for the base bid with asphalt repair at \$36 per square yard (sy) and crack filling at \$.85 per lf. Estimated cost for asphalt repair and crack filling is \$10,000. Total cost for the project is estimated at \$28,830 with tax.

The repair and replacement budget line item for this project is \$25,214.

Facilities Director Patterson reviewed the above summary.

Council consensus: Referred to the 06/24/08 RCM Consent Agenda

Agenda Bill #2964 – A Resolution authorizing the City Manager to apply for a Recreation and Conservation Office Grant for the Angle Lake Park Fishing Dock renovation project

Summary: This Resolution authorizes staff to apply for a Recreation Conservation Office (Formerly IAC) grant which will assist in funding the reconfiguration design and construction of the fishing dock at Angle Lake Park. This matching grant will become a part of the Capital Improvement Plan (CIP) in 2009.

The fishing dock is currently in sub-par condition. It also currently requires a lot of maintenance and repairs, which makes it unusable at times. In 2001, Moffatt and Nichol Engineer Company in Seattle prepared a concept design and cost estimate to repair the dock, and they recommended that the dock be replaced in 5-10 years. Some of their recommendations to improve the dock are: total replacement of the existing floats, increase the ramp from the current 84 sf to 200 sf to make it more ADA accessible, install new railings on the dock with handrails, and replace the guide piles. The fishing dock is a very popular amenity that serves City residents and surrounding communities daily. This increases the volume of people utilizing the park and the lake.

Applying for the grant has no fiscal impact. However, this is a matching grant and staff will request the requisite matching funds during the 2009 budget process. If the City is awarded funding, and if the City Council appropriates the matching funding in the 2009 budget, the construction will start in 2009.

Assistant P&R Director Ellis reviewed the above summary.

Upon a question posed by CM Wythe, Mr. Ellis stated the estimated cost for renovating the dock is \$450,000. \$245,000 is being requested in the matching grant application.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #2964 (Continued): DM Fisher stated the Administration & Finance (A&F) Committee recommended this item for approval.

Council consensus: Referred to the 06/24/08 RCM Consent Agenda

CONSENT AGENDA:

- **Approval of claims vouchers** (check nos. 80694 - 80937) in the amount of \$838,422.56 for the period ended June 20, 2008.
- **Approval of payroll vouchers** (check nos. 46811 - 46844) in the amount of \$170,021.19 for the period ended June 15, 2008.
- **Approval of payroll electronic fund transfers** (check nos. 55544 - 55723) in the amount of \$318,657.33 for the period ended June 15, 2008.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$61,637.81 for the period ended June 15, 2008.
- **Summary of \$5,000 - \$25,000 Purchase Requests** for the period ended June 20, 2008.

Approval of Council Meeting Minutes:

- **Land Use and Parks Committee Meeting** held May 8, 2008.
- **Council Workshop** held May 13, 2008.
- **Regular Council Meeting** held May 13, 2008.
- **Council Retreat** held May 31 and June 1, 2008.
- **Administration and Finance Committee Meeting** held June 10, 2008.
- **Regular Council Meeting** held June 10, 2008.

Agenda Items reviewed under Agenda Bill Presentations recommended for placement on this Consent Agenda:

Agenda Bill #2969; Ordinance #08-1021 amending Chapter 11.30 of the SeaTac Municipal Code related to Commute Trip Reduction, and adopting the City of SeaTac Commute Trip Reduction Plan

Agenda Bill #2971; Motion approving the low bidder for sealcoating and striping of City Hall parking lot

Agenda Bill #2964; Resolution #08-015 authorizing the City Manager to apply for a Recreation and Conservation Office Grant for the Angle Lake Park Fishing Dock renovation project

MOVED BY FISHER, SECONDED BY WYTHE TO ACCEPT THE CONSENT AGENDA AS PRESENTED.*

PUBLIC COMMENTS (related to the Consent Agenda): There were no public comments.

*MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENTS (related to the following Unfinished and New Business): There were no public comments.

UNFINISHED BUSINESS: There was no unfinished business.

NEW BUSINESS:

\$5,000 - \$25,000 purchase request for the Highline Historical Society (HHS) 2008 Program Support - \$5,000

MOVED BY WYTHE, SECONDED BY A. ANDERSON TO APPROVE THE \$5,000 - \$25,000 PURCHASE REQUEST FOR THE HIGHLINE HISTORICAL SOCIETY 2008 PROGRAM SUPPORT IN THE AMOUNT OF \$5,000.*

CM T. Anderson recused herself from voting on this item due to her position as the HHS Board President.

*MOTION CARRIED UNANIMOUSLY.

CITY MANAGER'S COMMENTS: City Manager Ward had the following items: (1) June 27 – International Festival begins at 11 a.m., (2) the Military Road paving has been completed, (3) July 4 – City facilities will be closed for the 4th of July holiday; and (4) reminded everyone that private fireworks are banned and the fireworks show at Angle Lake will begin around dusk.

COUNCIL COMMENTS: CM T. Anderson stated she attended a luncheon today where contributors to the HS field were acknowledged. She provided information for the Council to review in regards to HS.

COUNCIL COMMENTS (Continued): Mayor Shape had the following items: (1) Mr. Patterson requested two CMs volunteer to be on the Fire Station Design and Architect Selection Committee. CMs T. Anderson and A. Anderson agreed to represent the Council; (2) SeaTac was awarded the WellCity Award at the Association of Washington Cities (AWC) Conference; and (3) a letter was distributed to the Council addressed to the Sound Transit Board urging them to consider expanding the ST2 package from the proposed 12 years to 15-16 years. He requested Council's thoughts on whether to send the letter. Council concurred to not send the letter.

EXECUTIVE SESSION: There was no Executive Session.

ADJOURNMENT:

MOVED BY A. ANDERSON, SECONDED BY T. ANDERSON TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 8:50 P.M.

MOTION CARRIED UNANIMOUSLY.

Ralph Shape, Mayor

Kristina Gregg, City Clerk

City of SeaTac

Council Workshop Minutes Synopsis

June 24, 2008
5:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Workshop was called to order by Mayor Shape at 5:09 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Deputy Mayor (DM) Gene Fisher, Councilmembers (CMs) Chris Wythe, Terry Anderson, Anthony (Tony) Anderson, and Mia Gregerson. Excused Absence: CM Joe Brennan.

PRESENTATION:

•Zoning Code Amendments regarding Tree Retention

Planning Commission (PC) Members Richard Forschler and Roxie Chapin explained issues they felt were not included in the May 27 presentation. Mr. Forschler detailed the current definition and the new recommendations from the Planning Department and the PC. The existing regulations require 12% of trees be retained. The PC recommendation ultimate result is 9 trees where staff's recommendation is 5.

Mr. Forschler showed a diagram of a property with various size trees and their drip lines and how many trees would need to be retained under the Planning Department. Buildings can't be built within the drip line because it will disturb the root system.

He reviewed the mitigation ratios which are that if a protected tree is removed, it has to be replaced on a caliper basis. He stated this is an unreasonable expectation that is causing people to remove trees before applying for a short plat.

Staff recommendation makes having large trees a liability, instead of an asset. It potentially creates a new "loophole" motivating owners of large lots to remove trees before they grow to become significant trees. It also creates a potential liability for injury or damage caused by the protected trees, and interferes with the rights of property owners to control their own property.

He reviewed the differences between the staff and PC recommendations.

CM Wythe questioned if an owner has a lot large enough to build a 50 by 60 foot house, is the City going to prevent them from building a house of that size on the lot because a significant tree lies in the middle of it or because the drip line protrudes into it.

Planning Director Steve Butler stated if there are no other options for placing the house on the lot, the tree can be removed and replaced without mitigation. If there are other options for placement of the house, but the owner still wants to remove the tree, the regulations allow it, but there is a penalty because they have to mitigate two to one.

Mr. Butler stated the difference between the PC and staff recommendations is that the PC feels if a developer wants to remove a tree, they can. Staff wants a system that encourages developers to maintain trees.

Ms. Chapin stated it comes back to penalties and devaluing property because of a tree.

Mr. Butler clarified that for most residential properties, these regulations will not apply. The staff recommendation only applies to properties big enough to be short platted. The PC recommendation applies to all single-family residences.

Ms. Chapin stated if the normal lot size ever changes, that it would change the subdivided rules. The City needs to also consider what might happen in the future. The PC would like to retrain trees, but don't want to have citizens held hostage to their land and their property devalued because of trees.

DM Fisher stated his agreement with Ms. Chapin. The government function is to protect citizens' rights. He questioned why the City would want to slow development. The City is not protecting the citizens' rights by telling them they can't cut trees.

Mr. Butler owners are now cutting trees ahead of time. Staff is trying to keep that from happening and have incentives for retaining trees.

Senior Planner John Schelling stated staff is proposing minor variations to the existing code. Using examples of SeaTac properties he showed the following:

- It is possible to retain trees and develop quality single-family residences.
- It is possible to develop a single-family house in or near the dripline of a tree.
- Trees can be retained on parcels where grade changes occur.

PRESENTATION (Continued):

Zoning Code Amendments regarding Tree Retention (Continued):

Mr. Butler stated staff used these examples to show that staff is not against development or building. Staff is trying to promote a win/win situation where good size houses can be built on good size lots and still retain trees. The staff recommendation allows for some deviation when that can't be done.

Ms. Chapin stated there may be properties where there may not be any perimeter trees and only trees in the middle of the lot. The owner is then left to mitigate and replace the trees at a caliper that the City decides. This is taking away the rights of the citizens to be able to decide what they want to do with their property.

Council discussion ensued as to the recommendations.

Mayor Shape questioned if other cities have more restrictive tree retention rules than SeaTac. Mr. Schelling stated there are several, including Redmond, Bellevue, Kirkland, and Bothell. Staff will provide the Council with a chart where SeaTac has been compared to other cities. SeaTac tends to fall more in the middle or closer to the bottom of the list in terms of tree retention requirements. Mayor Shape requested the rules from other cities.

Mr. Forschler stated the PC recommendation respects the citizens' rights to choose and provides for more trees at less cost to the City. The land owner is the best judge for their property.

DM Fisher stated trees are valuable. Most people will not cut trees unless there is a good reason.

Mayor Shape stated no decision would be made tonight. This presentation was only to gather facts.

ADJOURNMENT:

Mayor Shape adjourned the Council Workshop at 6:13 p.m.

City of SeaTac

Regular Council Meeting Minutes

July 8, 2008
6:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Shape at 6:11 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Deputy Mayor (DM) Gene Fisher, Councilmembers (CMs) Chris Wythe, Terry Anderson, Anthony (Tony) Anderson, CM Joe Brennan and Mia Gregerson.

FLAG SALUTE: Associate Planner Kate Kaehny led the Council, audience and staff in the Pledge of Allegiance.

ADMINISTRATIVE STAFF: City Manager Craig Ward, City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, Assistant City Manager (ACM) Todd Cutts, Assistant City Attorney Mark Johnsen, Planning Director Steve Butler, Principal Planner Jack Dodge, Senior Planner Mike Scarey, Associate Planner Kate Kaehny, Associate Planner Dennis Hartwick, Public Works (PW) Director Dale Schroeder, Human Services (HS) Coordinator Colleen Brandt-Schluter, Assistant Fire Chief Brian Wiwel, and Police Captain Annette Louie.

PUBLIC COMMENTS: Earl Gipson spoke regarding the subdivision code presentation. He stated this code affects the same people that the tree retention affects and it takes the citizens property rights and gives it to the discretion of the Planning Department. He questioned what the hurry is to pass these changes.

Pam Fernald, on behalf of Cindy Gailey, provided copies of a news piece on land use limits. She stated that citizens will not give part of their property to the City or County without receiving fair market price.

Pam Fernald clarified that the Community Meeting regarding the Parks, Recreation and Open Space Plan for 2008-2015 scheduled for July 9 at 7 p.m. will be held at SeaTac City Hall, not at the SeaTac Community Center as stated in the paper.

Larry Tannenbaum urged Council to do what is fair for everybody regarding tree retention.

Rick Forschler, Planning Commission (PC) member, stated it is a privilege to serve on the PC and work with staff. Even though staff and the PC may disagree at times, there is still a lot of respect. He stated the PC does appreciate being allowed to voice their opinions.

Timothy Wilson spoke in opposition to the proposed tree retention. He stated his concern that increased property taxes will force him out of his home. He urged Council to consider this in 10 years or longer instead of now.

PRESENTATIONS:

•Council Consideration of Mayoral appointment of John Glover to the Library Advisory Committee

Mayor Shape stated his selection of John Glover for Council consideration.

Council consensus: Referred to the 07/22/08 RCM for Confirmation

•Senior Services

Senior Services Executive Director Denise Klein stated Senior Services is a 40-year old multi-purpose agency whose purpose is to promote the mental, physical and social well being of older adults. The funding from SeaTac totals \$14,500 and is targeted to three programs: (1) \$10,000 - Meals-on-Wheels Program; (2) \$2,000 - Community Dining; and (3) \$2,500 - Transportation Program. About 750 SeaTac residents benefit from all of the programs. She detailed the programs and the number of residents served. Some of the programs are struggling due to the rise in gas prices.

Mayor Shape stated that the 8,374 miles driven to transport SeaTac seniors to their medical appointments are done driven by volunteer drivers. He encouraged people to volunteer.

•Cascade Land Conservancy's (CLC) Cascade Agenda Cities Program and the benefits of membership to the City of SeaTac

Planning Director Butler stated the Land Use & Parks (LUP) Committee previously heard a presentation by CLC Project Manager Jeff Aken and expressed interested in the City becoming a member. This was then presented to the Administration & Finance (A&F) Committee and they requested that Mr. Aken present to the entire Council.

Mr. Aken explained that the Cascade Agenda Cities Program enlists the regions' cities to improve the livability of neighborhoods, making them complete, compact and connected, and spectacular enough for people to choose to live there, saving the region's natural and working lands from poorly planned development. The goals of the program are to (1) manage growth fairly and responsibly, (2) make the most of new housing, and (3) construct

PRESENTATIONS (Continued):

CLC Cascade Agenda Cities Program (Continued): strategic public investments that support quality growth and economic prosperity. The program looks out 100 years to see how cities can grow to protect landscape (forests, farms, acres of parks, natural areas and shoreline) and enhance communities.

Seven cities are currently in the program. There are two ways to join: (1) Member Cities pass a Resolution and designate a primary staff contact; and (2) Leadership Cities pass a Resolution, designate a staff contact, create an inter-departmental team, conduct a self-assessment of livability, identify opportunities and implement improvement strategies, participate in a learning network with other cities, and pay \$5,000 annual membership fee.

He detailed the benefits for the City of SeaTac.

Council discussion ensued as to the membership levels and the benefits. Council discussed joining as a Member City as there is no annual membership fee.

●Amending the Zoning Code with regard to design standards for Townhouse and Multi-family development

Associate Planner Hartwick explained the need for these standards: (1) the current regulations do not adequately address townhouse and duplex development; and (2) the upcoming extended South 154th Street Station Area Rezone. The adoption process/schedule is as follows:

- Rezone Timeline – City Council Public Hearing (PH) tonight, City Council action at the July 22 Regular Council Meeting (RCM), and effective date set for August 15.
- Townhouse Update Timeline – PC PH July 14, City Council action at the July 22 RCM, and effective date set for August 15.

The goals for the standards are to create a sense of community and a safe, family-friendly environment. He reviewed examples of good and bad developments.

He detailed the existing and proposed requirements for Dimensional Standards, Site Design, Open Space, and On-site parking.

Upon a question posed by DM Fisher, Mr. Hartwick stated that the current code allows a maximum of two spaces in the station area. What is proposed to increase is the visitor parking which is not addressed in the current code. The proposed code requires .25 parking spaces per unit.

CM Gregerson requested examples for open space and parking so Council can better understand what is proposed.

Mr. Butler clarified these will be interim standards. To make sure the standards are good, staff will need more time. The interim standards provide the time. A tour of developments in nearby cities is tentatively scheduled for Saturday, July 12. Two CMs have indicated their interest in attending.

●Amending Section 15.35.950 of the SeaTac Municipal Code (SMC) regarding Parking Bonus incentives in the City Center

Associate Planner Kaehny stated the original intent of the Parking Bonus Program was to help implement the vision of the Station Area Plan to create a vibrant new urban neighborhood and a true City Center, and to ensure that the Parking Bonus Program encourages the type and scale of development that fits this vision.

She provided the following background for the Parking Bonus Program:

- Within the City Center, a commercial parking lot is limited to 300 parking spaces unless the Parking Bonus Incentive Program is utilized.
- The original bonus was one parking space for every 25 square feet (SF) of retail/commercial, service, or residential space in addition to the required ground floor retail/commercial or service space.
- Earlier this year, concerns were raised that the Incentive Program, in combination with the 300 parking space base, was overly generous.
- On March 25, 2008, the City Council approved an Ordinance that changed the bonus ratio in the Incentive Program to:
 - 1 parking space for every 250 SF of retail/commercial, service, or residential space in addition to the required ground floor retail/commercial or service space; and
 - .5 parking spaces for every hotel/motel unit in addition to the required ground floor retail/commercial or service space.
 - This Ordinance included a 120 day sunset clause, with an end date of August 3, 2008.

PRESENTATIONS (Continued):

Amending Section 15.35.950 of the SMC regarding Parking Bonus incentives in the City Center (Continued):

- The economic development consulting firm Heartland, LLC was hired to analyze the Incentive Program to determine if the bonus ration provides the right amount of incentive.

Ms. Kaehny stated the proposed code change is one additional parking stall will be awarded for each 250 SF of retail/commercial, service, hotel/motel or residential space, in addition to the minimum ground floor retail/commercial or service space required under SMC 15.35.620, included on the same site as part of a mixed-use development at the time of construction.

The LUP Committee will be briefed on this topic at their July 10 meeting. The PC will hold an open house and PH July 14. Council action is scheduled for the July 22 RCM.

Upon a question posed by CM Brennan, Mr. Butler stated there hasn't been any comprehensive feedback yet from the commercial community, but the two commercial representatives on the PC, along with the rest of the PC members, requested the incentive be reduced even more.

Heartland, LLC Project Manager Matt Anderson stated Heartland, LLC prepared two analysis of which they would be summarizing tonight: (1) as an extension of their work in the South 176th Street and South 154th Street Station Areas – a look at how the bonus incentives would work; and (2) look at some cursory numbers that were provided by a Park 'n Fly (PNF) developer recently.

Heartland, LLC Project Manager Ross Beckley reviewed the contract scope of work, and the methodology used in determining their recommendation.

Mr. Beckley reviewed the key findings and recommendations. He stated the most affective zoning and development incentives typically have a long term view. Even though the incentive is not particularly successful for office and apartment buildings given the current market conditions, it is appropriate to continue to include those in the bonus incentive program so that as conditions change over time, it is a tool available to the developers.

Mr. Butler stated staff has heard from one commercial PNF developer (Dollar Development) that they don't like the proposal.

Mr. Anderson reviewed the Dollar Development Analysis and compared its outcome with the Heartland Development Analysis.

Attorney Mike Murphy, on behalf of James and Doris Cassan and Dollar Development, presented their key assumptions to the feasibility analysis. They feel that the code the City adopted in March is correct. He stated he believes there are errors in the retail scenario presented by Heartland, LLC. SeaTac has a built-in demand for parking. PNF provides a back bone for the developments the City wants to bring in.

Mr. Murphy presented the differences between the two analyses, and the assumptions from Heartland, LLC that he feels do not make sense.

Council discussion ensued as to Heartland, LLC and Mr. Murphy meeting to discuss differences. Mr. Butler stated he will schedule the meeting.

Low Enterprises Director Chip Marshall stated Low Enterprises is moving into building mixed-use developments. They have been talking with the Cassan's about doing a mixed-use development. They believe in the vision that SeaTac can ultimately be transformed and create a dynamic center. Low Enterprises has been contacted by five cities in the last month with plans for City Centers. He stated SeaTac's advantages are Light Rail, good Planning staff and good vision. The disadvantages are that the image of SeaTac is not the best and when looking at comparables, SeaTac trends toward the bottom. Transit alone is not enough. Need more incentives, and not just parking. Without incentives, developers will go to other areas. He stated parking has sort of built SeaTac. Instead of desensitizing parking, he feels SeaTac should use it.

Mr. Anderson clarified that the City has not asked Heartland, LLC to look into more than parking incentives at this point. Heartland, LLC is not suggesting the Parking Bonus Program would be the extent of what will be needed to create the entertainment district.

Mr. Forschler stated the PC has reviewed this many times. He previously suggested Mr. Murphy meet with staff to try and get the numbers to match.

PRESENTATIONS (Continued):

Amending Section 15.35.950 of the SMC regarding Parking Bonus incentives in the City Center (Continued):

PC Member Roxie Chapin stated there is so much information, but not enough time to analyze the conflicting information being presented. She is not sure everyone is receiving all of the information needed to make a good decision for the City.

Mr. Butler explained that if the Council wants more time to review this, the Council would need to extend the August 3 sunset provision. He recommended continuing with the interim approach.

Mayor Shape requested a new sunset date be developed.

PUBLIC COMMENTS (Continued): Mr. Wilson stated Planning Director Butler and Associate Planner Hartwick's ideas related to the rezone of properties within the extended station area are outstanding, but they are too soon. He urged Council to not rush this item through.

PRESENTATIONS (Continued):

● Adopting a New Subdivision Code

Planning Director Butler suggested postponing this presentation.

Council postponed this presentation to a future meeting.

SUSPENSION OF THE RULES:

MOVED BY BRENNAN, SECONDED BY A. ANDERSON TO SUSPEND THE RULES TO BRING FORWARD THE PUBLIC HEARING RELATED TO AMENDING THE ZONING MAP FOR CERTAIN PROPERTIES IN THE EXTENDED SOUTH 154TH STREET STATION AREA AND THE PUBLIC HEARING AND COUNCIL ACTION RELATED TO AGENDA BILL #2962.

MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARINGS (PH):

● Amending the zoning map for certain properties in the extended South 154th Street Station – Planning

Mayor Shape opened the PH at 8:31 p.m.

DM Fisher recused himself from this issue.

Senior Planner Scarey stated the Station Area Plan was adopted in December 2006, making certain areas eligible for rezones. Three community meetings were held. The outcomes were that the community supported the City-initiated rezone process and townhouse standards update, effective at time of rezones. An open house regarding the townhouse standards and the rezones will be held Monday, July 14. A PC PH on the townhouse standards will be held July 14. Council action on the townhouse standards and rezones is scheduled for the July 22 RCM.

Council discussion ensued as to the affect of this rezone on property taxes. Mr. Butler stated this question comes up every time during a rezone. He clarified that this will only affect vacant or sub-dividable properties.

Roger Kadeg stated he requested his email to Council be included in the public record for this PH. He is concerned that the townhouse vision will not bring in high end rent but low-income occupants. He urged the Council to reconsider this item.

Mayor Shape closed the PH at 8:56 p.m.

● Authorizing multi-family tax exemption within designated station areas – City Manager

Mayor Shape opened the PH at 8:56 p.m.

ACM Cutts reviewed the summary below for Agenda Bill #2962. He stated that staff and developers seem to be in agreement that this is one of the tools that could help incentivize development.

He presented a real life case study and reviewed conclusions.

CM T. Anderson explained that the smallest allowable development is 20 units.

CM A. Anderson clarified that this would allow a developer, but not require them, to use this exemption.

PH (Continued):

Authorizing multi-family tax exemption within designated station areas (Continued): Mr. Gipson stated he noticed that the incentives are greater for the higher density (UR-900) and that they can go out to 12 years. He questioned the definition of affordable housing and if it means low-income, whether the City wants to give these tax breaks around the station area.

Mr. Kadege requested his email to Council be included in the public record for this PH. He stated he has documented the fact that the demographic has changed in this area to complete absentee ownership and residents of low-income, primarily refugees. The last thing the City needs to do is incentivize more low-income housing. He stated his disagreement with this incentive.

Mr. Cutts clarified that if a developer chose to go affordable with the 12-year rate, only 20% of the units are required to be affordable housing. At \$1.75 SF, rent would be \$1,400/month. The occupants would need to make approximately \$50,000 a year.

CM Gregerson stated developments usually improve sidewalks and amenities. People will want to work here and live here. The positives need to be visualized.

Mayor Shape closed the PH at 9:19 p.m.

NEW BUSINESS:

Agenda Bill #2962; Ordinance #08-1022 creating a new Chapter 3.85 of the SeaTac Municipal Code (SMC), related to a multi-family property tax exemption

Summary: At a Special Council Meeting (SCM) on May 27, economists from consultant Gardner Johnson provided a presentation regarding the feasibility of multi-family residential construction within both station areas. The presentation and subsequent final study highlighted the fact that the development of new multi-family product in SeaTac is challenging. Gardner Johnson recommended that the City adopt the multi-family tax exemption to assist in making this development more feasible within the station areas. The program serves to assist developers in building multi-family housing that may not be otherwise financially feasible.

The multi-family tax exemption, sanctioned by the State of Washington, has been a tool available to municipalities with populations over 30,000 for a number of years. Effective July 22, 2007, the State began allowing cities in King County (KC) with a population of at least 5,000 to offer the exemption. The property tax exemption may only be applied to the residential portion of the value of the new construction and to the increased value of a rehabilitated building. The exemption does not cover the underlying value of the land or non-housing improvements.

Multi-unit housing developments may be eligible for the following tax exemptions:

- 1) Housing developments that do not include a designated percentage of units for affordable housing will be eligible for a tax exemption of eight successive years.
- 2) Housing development with at least 20% of the units for rent or sale as affordable housing will be eligible for a tax exemption of 12 successive years.

The State has granted municipalities flexibility in implementing the following:

- Location within the City (must be within urban center boundaries)-Staff recommends that the exemption be extended only within the station area boundaries.
 - The City is focusing on incentivizing residential development within the station areas.
 - Station areas often have inflated land values due to their proximity to the airport, making the economics of residential development more difficult.
- Condo vs. Apartment-Staff is recommending extending the exemption to both condominiums and apartments.
 - Owner occupied units bring buyers interested in protecting their investment.
 - Limiting the exemption to condos may preclude any residential developments due to regional market factors, lack of a proven market, and the fact that the exemption does not benefit the developer in condo developments (outside of marketing purposes).
 - Strong apartment developers/managers can ensure compliance and cleanliness, while it is more difficult enforcing this in condo owners.

NEW BUSINESS (Continued):

Agenda Bill #2962; Ordinance #08-1022 (Continued):

- New vs. Rehabilitated Buildings-Staff recommends limiting the exemption to new buildings.
 - In order to earn the exemption, rehabilitated buildings must be vacant for 12 months continuously. Staff is not aware of any such buildings in either station area.
 - A major impetus for implementing this program is to stimulate new, mixed-use development within our station areas.
- Minimum number of units (state law requires at least 4 unit developments)-Staff recommends the exemption be offered only to developments of 20 units or more.
 - A goal in the station areas is to create a dense residential environment to maximize access to light rail.
- Affordable vs. Market Rate Developments-Staff recommends extending the exemption to both affordable and market rate projects.
 - By state law, “affordable” projects require only 20% of the units to be affordable.
 - Market rate developers assist in creating higher median household incomes, which in turn assist in recruitment of retail to the station areas.

The fiscal impact of the multi-family tax exemption relates to revenue forgone by the City during the term of the tax exemption (8 or 12 years) on the residential improvement as opposed to direct expenditures by the City. It is worth noting that the premise behind the tax exemption is to compel multi-family development in locations they would not otherwise be feasible. As presented by Gardner Johnson, the City’s station areas are such locations. Theoretically, if the tax exemption was not in place, no multi-family residential would be developed, therefore, no new tax revenue would be forgone. Further, after the term of the exemption, the City would collect full property taxes on a subject development.

MOVED BY WYTHER, SECONDED BY GREGERSON TO ADOPT ORDINANCE #08-1022.

UPON A ROLL CALL VOTE, THE MOTION PASSED WITH WYTHER, A. ANDERSON, GREGERSON, AND SHAPE VOTING YES, T. ANDERSON AND BRENNAN VOTING NO, AND FISHER ABSTAINING.

DISCUSSION ITEM:

•Summary of \$5,000 - \$25,000 Purchase Requests for the period ended July 3, 2008

City Manager Ward reviewed the purchase requests:

<u>Item Description</u>	<u>Department</u>	<u>Original Budget</u>	<u>Amended Budget</u>	<u>Estimate</u>
ESRI Additional Licenses (2008 Budget Decision Card)	Finance & Systems	\$7,000	\$7,000	\$9,981
		will absorb within existing budget		
Southwest King County Economic Development Initiative (SKCEDI) Business Attraction Program	City Manager's Office (CMO)	\$0	\$7,500	\$7,500

Council consensus: Referred to the 07/08/08 RCM Consent Agenda

AGENDA BILL PRESENTATIONS:

Agenda Bill #2974 – A Resolution amending Resolution No. 06-012 and the City Council Administrative Procedures

Summary: On August 11, 1992, the City Council approved and authorized the City Council Administrative Procedures in connection with the orderly handling of business before the Council and processing of items during Council meetings. Throughout the years, the Administrative Procedures have been amended. The most recent amendment occurred on April 25, 2006 through the passage of Resolution No. 06-012.

Currently, Section 5, subsection (9) of the Administrative Procedures outlines the procedures to be followed for agenda bill presentations at Council meetings. This Resolution changes the format for agendas for Council meetings as to agenda bill presentations in order to give the PC, or its designee, an opportunity to express its viewpoint during the presentation when its recommendation differs from Staff recommendation. The current practice has been that the PC, or its designee, will speak during the public comment period or by an invitation from the Mayor.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #2974 (Continued): The purpose of this proposed change is twofold: (1) it allows the PC, or its designee, to offer input while in the context of the staff presentation; and (2) it provides the Council with all the information necessary to make an informed decision.

DM Fisher reviewed the above summary.

He stated many issues were heard tonight that need full information from both sides. The City is mandated by law to have a PC to advise the Council on issues the Council does not have time to do. The PC members live in the City and are affected by the laws. Most staff do not live in the City and yet are given all the tools and time needed. The A&F Committee did not agree with this bill.

Mayor Shape stated this is already being done. The PC is always invited to present their case. If this is changed for the PC, it needs to be changed for all of the City's committees.

CM A. Anderson requested this item be postponed to the July 22 RCM.

Council consensus: Referred to the 07/22/08 RCM

Agenda Bill #2970 – A Motion authorizing the City Manager to enter into a contract with Western Asphalt, Inc. for construction of Bid Schedules A, B, C, D, E, and F for the 2008 Annual Overlay Project and to authorize a 10% contract contingency

Summary: This project was advertised from June 12 - 26, 2008 to solicit bids. The bid opening took place at 3:15 PM on June 26 and seven bids were received. The Engineer's opinion of probable construction cost was \$366,346.50. Western Asphalt, Inc. submitted the low bid at \$282,302.53.

This contract is for services related to pavement planing, asphalt overlay, and pavement markings of approximately 3,891 lineal feet (lf) of City streets. This contract will provide work at the following locations: (A) South 200th Street – 13th to 18th Avenues South; (B) 28th Avenue South – 28th Avenue South to South 200th Street; (C) 35th Avenue South/South 202nd Street – South 200th Street to 32nd Avenue South; (D) South 201st Street – 35th Avenue South to End of Cul-de-Sac (Additive); (E) South 202nd Street – 35th Avenue South to End of Cul-de-Sac (Additive); and (F) Utility Adjustments - All Streets listed in Bid Schedules A through E (Additive).

Award of Bid Schedules D - F were contingent on whether their expenditures can be paid for from the total funding available for this project. The total expenditures for all schedules are within the available funding.

The project expenditures will be as follows:

OVERLAY CONTRACT	\$282,302.53
CONTINGENCY (10%)	\$28,230.25
MATERIALS TESTING SERVICES (ESTIMATE)	\$5,000.00
TOTAL PROJECT BUDGET	\$315,532.78

This project will be funded as follows:

#102.000.11.542.30.48.060 Street Overlays	\$300,000.00
Transfer of savings from other line items in #102 (Arterial Street fund)	\$15,532.78
TOTAL FUNDING AVAILABLE	\$315,532.78

PW Director Schroeder reviewed the above summary.

Council consensus: Referred to the 07/08/08 RCM Consent Agenda

Agenda Bill #2967 – A Motion authorizing the City Manager to enter into a contract with Lakeridge Paving Co., LLC for the 2008 Square Cut Patching Project

Summary: The bids for this project were opened on Monday, June 23, 2008. Two bids were received. In the normal course of maintaining the City's paved streets, it is necessary to repair localized pavement failures in order to preserve the overall integrity of the roadway surface. Some of these repairs can be large in size and/or be located on heavily traveled roadways requiring equipment and/or a crew size that is not available in house. In these instances, it is more efficient and economical to have the repairs performed by a properly equipped and staffed organization. This is an annual contract, the first of which was awarded in 1993. The PW Maintenance Division prepared construction specifications and used the public bidding process for the 2008 Square Cut

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #2967 (Continued): Patching Project Contract. This is a one-year contract with a provision that allows for annual extensions for up to a maximum of four additional years.

It is recommended that the City Council authorize the City Manager to enter into a contract with Lakeridge Paving Co., LLC in an amount not to exceed \$65,000 for the 2008 Square Cut Patching Project and annual extensions subject to future budget appropriations and satisfactory performance. Funds available to perform this work total \$65,000 and are budgeted in BARS No: 102.000.11.543.30.48.001.

PW Director Schroeder reviewed the above summary.

Council consensus: Referred to the 07/08/08 RCM Consent Agenda

Agenda Bill #2973 – An Ordinance amending Section 15.12.060, allowing Laundromats in the Community Business (CB) and Community Business – Urban Center (CB-C) zones and Section 15.35.140 of the SeaTac Municipal Code (SMC) related to the number of parking spaces permitted in public/private parking lots within the City Center when associated with other non-parking land uses

Summary: This Ordinance amends the following:

1. The use chart under SMC 15.12.060 is amended to allow Laundromats in the CB and CB-C zones.
2. Clarifies the “Government/Office, Business Uses Chart” for the City Center that the number of parking spaces permitted in public/private parking lots when associated with other non-parking land uses is 300. This has always been the City’s policy, but it is not clearly stated in the Code.

A potential business owner recently inquired about locating a Laundromat in the CB and CB-C zones, which is currently not an allowed use. Upon further review of the permitted uses within the CB and CB-C zones, which included a comparison of Laundromats relative to the permitted uses in these zones, it is staff’s opinion that Laundromats should be a permitted use. For example, Laundromats are similar and sometimes affiliated with dry cleaning operations. Dry cleaning operations are permitted uses in the CB and CB-C zones.

Staff recently discovered that the footnote for public/private parking lots that are associated with other non-parking land uses does not indicate that the maximum number of base parking bonus spaces is 300. The footnote for public/private parking lot PNF stand-alone structures, however, does state that the maximum number of base parking bonus spaces is 300. This discrepancy could lead one to assume that there is no maximum for public/private parking lots that are associated with non-parking land uses. The 300 base parking bonus space maximum for any type of public/private parking lot within the City Center has always been the policy, but is not clearly stated in Code. Staff believes the proposed change will prevent any confusion on this matter.

On June 30, 2008, the PC, after conducting a PH, recommended approval of the proposed changes.

Planning Director Butler and Principal Planner Dodge reviewed the above summary.

CM Wythe clarified that 300 parking stalls is already in the code. This is a housekeeping item.

Council consensus: Referred to the 07/08/08 RCM Consent Agenda

Agenda Bill #2972 – A Motion authorizing the City Manager to execute an amendment to a contract for the Redevelopment Coordination Program with Heartland, LLC

Summary: On July 24, 2007, Council approved a contract and scope of services for the Redevelopment Coordination Program with the consulting team of Heartland, LLC and Mithun. Over the last year, work has been completed by City staff and the consultant team in order to realize the vision of both the South 154th Street and SeaTac/Airport Station Area Plans and consequently add amenities for residents, employees and visitors in SeaTac. During that time, both parties have worked with private property owners to assure that redevelopment in accordance with the Station Area Action Plan creates more value for the owner than maintaining the existing use of the property. To understand highest and best use, site analysis and financial modeling have been completed.

Included in the contract under Task 2 was \$10,000 for Heartland, LLC to assist in ongoing property owner negotiations as needed. While staff engaged the consultant in other items under Task 2, the consultant was not tasked with property owner negotiations. However, staff has now determined that the consultant’s assistance is needed in ongoing negotiations with Dollar Development, a property owner within the station area.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #2972 (Continued): Therefore, staff proposes that an amendment to the existing contract be completed, which will only involve amending the scope of services. The revised scope of services outlines additional detail under Task 2 in regards to the proposed negotiating assistance, including: interests and motivations, deal development, and deal refinement and drafting.

The proposed contract amendment will not increase the value of the contract. Rather, the tasks are being reorganized to fit within the existing contract amount. As part of the original contract, Council approved the expenditure of \$87,500 for tasks 1-4. These tasks have been nearly completed. This contract also stipulated that commencement of a task 5 site analysis, not to exceed \$15,000 per property, would need to be approved on a property by property basis by Council. The contract allocated a total of \$120,000 for Task 5, and only one such analysis has been approved to date. Staff now believes that the potential for a task 5 analysis does not exist on four out of the originally conceived eight properties. Therefore, it is proposed that the contract be amended to reallocate the money that was to be originally used for these four properties towards the ongoing negotiations with Dollar Development. This allows the use of a maximum of \$60,000 for assistance in the ongoing negotiations as called out in the revised scope. Should these negotiations require more City funds, Council will be provided with an update on negotiations and asked to approve this additional allocation.

ACM Cutts reviewed the above summary.

DM Fisher stated the A&F Committee recommended this item for approval.

Council consensus: Referred to the 07/08/08 RCM Consent Agenda

Agenda Bill #2976 – A Resolution expressing appreciation for 272nd street as a potential light rail southerly terminus point for an “ST2” package – and urging Sound Transit to bring Light Rail Transit (LRT) at least to that point

Summary: As Sound Transit considers placing the “ST2” package on the ballot in November 2008, they are working to determine which transit extensions should be voted upon. Sound Transit has identified a targeted set of regional transit expansions that would be delivered between 2009 and 2020. With the region’s population projected to increase by 30% by 2030, the package attempts to respond to the highest priority needs by funding light rail, commuter rail and regional express bus service expansions around the region that will provide the greatest and most immediate public benefits.

The “ST2” package currently being considered allows construction of the South 200th Street Station in the City of SeaTac (with a .4% increase in sales tax) and potentially a station at Highline Community College (HCC) (with a .5% increase in sales tax). This Resolution seeks to broaden these expansions to not only include South 200th Street and HCC, but also South 272nd Street in Federal Way.

The fiscal impact is regional, consisting of an increase in sales tax.

Mayor Shape reviewed the above summary.

Council consensus: Referred to the 07/08/08 RCM Consent Agenda

CONSENT AGENDA:

- **Approval of payroll vouchers** (check nos. 46845 – 46892) in the amount of \$421,175.61 for the period ended June 30, 2008.
- **Approval of payroll electronic fund transfers** (check nos. 55724 - 55917) in the amount of \$333,200.40 for the period ended June 30, 2008.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$66,337.54 for the period ended June 30, 2008.
- **Summary of \$5,000 - \$25,000 Purchase Requests** for the period ended July 3, 2008.

Approval of Council Meeting Minutes:

- **Regular Council Meeting** held May 27, 2008.
- **Public Safety and Justice Committee Meeting** held June 24, 2008.
- **Transportation and Public Works Committee Meeting** held June 24, 2008.
- **Regular Council Meeting** held June 24, 2008.

CONSENT AGENDA (Continued):

Agenda Items reviewed under Agenda Bill Presentations recommended for placement on this Consent Agenda:

Agenda Bill #2970; Motion authorizing the City Manager to enter into a contract with Western Asphalt, Inc. for construction of Bid Schedules A, B, C, D, E, and F for the 2008 Annual Overlay Project and to authorize a 10% contract contingency

Agenda Bill #2967; Motion authorizing the City Manager to enter into a contract with Lakeridge Paving Co., LLC for the 2008 Square Cut Patching Project

Agenda Bill #2973; Ordinance #08-1023 amending Section 15.12.060, allowing Laundromats in the CB and CB-C zones and Section 15.35.140 of the SeaTac Municipal Code related to the number of parking spaces permitted in public/private parking lots within the City Center when associated with other non-parking land uses

Agenda Bill #2972; Motion authorizing the City Manager to execute an amendment to a contract for the Redevelopment Coordination Program with Heartland, LLC

Agenda Bill #2976; Resolution #08-016 expressing appreciation for 272nd street as a potential light rail southerly terminus point for an "ST2" package – and urging Sound Transit to bring Light Rail Transit at least to that point

MOVED BY WYTHE, SECONDED BY T. ANDERSON TO ACCEPT THE CONSENT AGENDA AS PRESENTED.*

PUBLIC COMMENTS (related to the Consent Agenda): There were no public comments.

*MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENTS (related to the following Unfinished and New Business): There were no public comments.

UNFINISHED BUSINESS: There was no unfinished business.

NEW BUSINESS: There was no new business.

CITY MANAGER'S COMMENTS: City Manager Ward had the following items: (1) 45 calls related to fireworks were received July 3 - 5. This is fewer than average and no injuries were reported; and (2) SeaTac Times misprinted the July 7 community meeting information. It will be held at City Hall as earlier stated.

COUNCIL COMMENTS: CM A. Anderson stated a crash exercise will be conducted at the Sea-Tac Airport and they are looking for volunteers.

CM Brennan stated CM T. Anderson and he are founders of the City and in the beginning discussed the future of this community. Look at what has been done and where the City is headed. This City is going to progress and needs to be prepared for it.

CM Gregerson stated there was a fire in Burien and five families have been displaced. Sterling Bank in Burien has started a fire fund to assist those families. Also, there will be a car wash fundraiser for the Steve Cox Memorial Fund at the White Center Eagles.

Mayor Shape requested City Manager Ward give an update on the Farmers Market.

Mr. Ward stated the Farmers Market vendors generated a proposal to move from Angle Lake as it isn't profitable for the vendors. There will be an experimental change of location to City Hall in order to be more visible.

EXECUTIVE SESSION: There was no Executive Session.

ADJOURNMENT:

MOVED BY T. ANDERSON, SECONDED BY A. ANDERSON TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 10:01 P.M.

MOTION CARRIED UNANIMOUSLY.

City of SeaTac

Special Council Meeting Minutes

July 8, 2008
5:30 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Special Meeting was called to order by Mayor Shape at 5:31 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Deputy Mayor (DM) Gene Fisher, Councilmembers (CMs) Chris Wythe (arrived during the Executive Session), Terry Anderson, Anthony (Tony) Anderson, Joe Brennan (arrived during the Executive Session), and Mia Gregerson.

ADMINISTRATIVE STAFF: City Manager Craig Ward, City Attorney Mary Mirante Bartolo, Senior Assistant City Attorney Mark Johnsen and City Clerk Kristina Gregg.

RECESSED: Mayor Shape recessed the Special Council Meeting to an Executive Session on Litigation / Potential Litigation at 5:31 p.m.

EXECUTIVE SESSION: Litigation / Potential Litigation (20 minutes) (RCW 42.30.110[1][i])

City Clerk Gregg announced Council requested an additional 18 minutes.

RECONVENED: Mayor Shape reconvened the Special Council Meeting at 6:10 p.m.

ADJOURNMENT:

MOVED BY T. ANDERSON, SECONDED BY A. ANDERSON TO ADJOURN THE SPECIAL MEETING OF THE SEATAC CITY COUNCIL AT 6:11 P.M.

MOTION CARRIED UNANIMOUSLY.

Ralph Shape, Mayor

Kristina Gregg, City Clerk

City of SeaTac

Regular Council Meeting Minutes

July 22, 2008
6:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Shape at 6:06 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Deputy Mayor (DM) Gene Fisher, Councilmembers (CMs) Chris Wythe, Terry Anderson, Anthony (Tony) Anderson, and Mia Gregerson. Excused Absence: CM Joe Brennan.

FLAG SALUTE: City Manager Craig Ward led the Council, audience and staff in the Pledge of Allegiance.

ADMINISTRATIVE STAFF: City Manager Craig Ward, City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, Assistant City Manager (ACM) Todd Cutts, Planning Director Steve Butler, Principal Planner Jack Dodge, Senior Planner Mike Scarey, Associate Planner Kate Kaehny, City Engineer Tom Gut, Human Services (HS) Coordinator Colleen Brandt-Schluter, Fire Chief Bob Meyer, and Chief of Police Services Jim Graddon.

PUBLIC COMMENTS: Timothy Wilson spoke in opposition to Agenda Bill #2948, urging Council to not take action on this item. He stated his concern that increased property taxes will force him out of his home.

Maruthai Shanmusam stated he submitted a proposal for land development on Des Moines Memorial Drive (Map Amendment #A-2). The City must plan for future growth and needs to provide the best place to live.

Heather Bornhorst spoke regarding Map Amendment #A-2, that would change the designation of three properties from residential low density to residential medium density. She stated her concern is that this change is not compatible with the surrounding neighborhood area. She urged the Council to not pass this item.

Cheryl Costello, also representing a neighbor, stated they have submitted a proposal (Map Amendment #A-4) to rezone the two lots behind their single-family homes to medium density in order to provide affordable housing. They are also proposing to build green buildings.

Georganna Ragsdale stated her opposition to multi-family rezoning on Map Amendment #A-2. This would increase traffic and density. It would also affect pricing of homes and the roads are not adequate. She urged Council to not pass this item.

Earl Gipson requested that residents be notified of the proposed change to the Subdivision Code as per Revised Code of Washington (RCW) 58.17.275.

Stephen Andrey and Stewart Battle requested Council adopt the Homeowners and Bank Protection Act of 2007.

Sam Pace, Housing Specialist with Seattle King County (KC) Association of Realtors, spoke regarding Agenda Bill #2979 stating he is supportive of the Planning Commission (PC) recommendations. He also stated due to the difficult real estate market, the PC recommendation makes it easier for families to conserve resources.

Steve Pinto had the following questions: (1) Due to being unable to attend the last Land Use & Parks (LUP) Committee meeting, he wanted to know if his "hedge should be treated as a fence" proposal had been tabled; and (2) wanted to know the status of the Olympic Pipeline.

Bo Lindstrom spoke regarding Agenda Bill #2984 stating the current zoning only permits residential use, but the impact from I-5 noise and pollution makes such a use impossible. He wants to build a 100-unit surface parking. He requested that if Council decides to vote no for his application (Map Amendment #A-3), that they provide other land use alternatives for his property

PRESENTATIONS:

●Council confirmation of Mayoral appointment of John Glover to the Library Advisory Committee

MOVED BY T. ANDERSON, SECONDED BY GREGERSON TO CONFIRM THE MAYORAL APPOINTMENT OF JOHN GLOVER TO THE LIBRARY ADVISORY COMMITTEE.

MOTION CARRIED UNANIMOUSLY.

Mayor Shape read and presented the certificate of appointment to Mr. Glover.

●Council consideration of Mayoral appointment of Cheryl Forbes to the Human Services (HS) Advisory Committee

Mayor Shape stated his selection of Cheryl Forbes as a member to the HS Advisory Committee.

Council consensus: Referred to the 08/12/08 RCM for Confirmation

DISCUSSION ITEM:

•Summary of \$5,000 - \$25,000 Purchase Requests for the period ended July 18, 2008

City Manager Ward reviewed the purchase requests:

<u>Item Description</u>	<u>Department</u>	<u>Original Budget</u>	<u>Amended Budget</u>	<u>Estimate</u>
Level II Assessment – Holiday Inn owned property	City Manager's Office (CMO)	\$15,000	\$15,000	\$15,000
Parts to repair Fire Apparatus #115 – 1997 Pierce Pumper	Fire	\$83,136	\$83,136	\$6,722
Budget amount is 2008 total for Fire vehicle repair and maintenance				
YMCA Property-Surveying (Boundary dispute)	Public Works (PW)	\$0	\$12,000	\$12,000
will absorb within existing budget				

Council consensus: Referred to the 07/22/08 RCM Consent Agenda

AGENDA BILL PRESENTATIONS:

Agenda Bill #2974 – A Resolution amending Resolution No. 06-012 and the City Council Administrative Procedures

Summary: On August 11, 1992, the City Council approved and authorized the City Council Administrative Procedures in connection with the orderly handling of business before the Council and processing of items during Council meetings. Throughout the years, the Administrative Procedures have been amended. The most recent amendment occurred on April 25, 2006 through the passage of Resolution No. 06-012.

Currently, Section 5, subsection (9) outlines the procedures to be followed for agenda bill presentations at Council meetings. This Resolution changes the format for agendas for Council meetings as to agenda bill presentations in order to give the PC, or its designee, an opportunity to express its viewpoint during the presentation when its recommendation differs from staff recommendation. The current practice has been that the PC, or its designee, will speak during the public comment period or by an invitation from the Mayor.

DM Fisher reviewed the above agenda bill summary.

CM T. Anderson requested this item be placed on Unfinished Business.

Council consensus: Referred to the 07/22/08 RCM Unfinished Business

Agenda Bill #2977 – A Motion authorizing the City Manager to execute an Interlocal Agreement (ILA) with King County (KC) to participate in the Community Development Block Grant (CDBG) Consortium and HOME Investment Partnerships Program (HOME) Consortium

Summary: The proposed ILA renews the combined CDBG and HOME Consortia Agreement including updates for the years 2009-2011. In order to compete for and receive Federal CDBG funds, the City must continue to participate in a formalized ILA with KC. The Joint Recommendations Committee (JRC) serves as the advisory body that reviews the recommended allocations of Federal Housing and Community Development funds. The proposed ILA is substantially similar to the 2006-2008 agreement, other than some minor technical amendments regarding the make-up of the JRC and to comply with Federal Housing and Urban Development requirements. However these technical changes will have no impact on the City of SeaTac as a continuing participant in the regular CDBG/HOME Consortia.

There is no direct fiscal impact. However, approval of this Motion permits the City to participate in CDBG programs that provide services to the City's low and moderate-income residents. The City would also be permitted to make application for funds to address the needs of its residents.

HS Coordinator Brandt-Schluter reviewed the above agenda bill summary.

CM T. Anderson recused herself from this item.

Council consensus: Referred to the 07/22/08 RCM Consent Agenda

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #2975 – A Motion authorizing the City Manager to execute a Consultant Agreement with David Evans and Associates, Inc. for the South 192nd Street and 37th Avenue South Sidewalk Improvements

Summary: The South 192nd Street and 37th Avenue South Sidewalk Improvements project is identified in the City's Transportation Improvement Program (TIP). The project limits extend on South 192nd Street from 33rd to 37th Avenues South and on 37th Avenue South from South 188th to 192nd Streets. Staff is requesting approval to contract with a consultant who will provide project development services including preparation of detailed plans, specifications and estimates required to bid and construct the project.

A statement of qualifications was requested from four consultants selected from the Municipal Research and Services Center (MSRC) Consultant Roster in June 2008. The following firms submitted statements of qualifications: David Evans and Associates, CTS Engineers, Inc., KPFF Consulting Engineers, and Skillings Connolly. David Evans and Associates, Inc. was selected as the best qualified firm due to their recent experience on similar projects and their ability to meet the schedule. Staff then negotiated the scope and fees with David Evans and Associates. The scope of work includes survey, design, cost estimating, possible right-of-way (ROW) acquisition, public involvement, and utility coordination.

The amount paid is not to exceed \$298,718 unless authorized by the City. The Transportation Capital Improvement Plan (CIP) Fund (307) has a current budget balance of \$250,000 for this line item. The budget will be adjusted accordingly in the 2009 budget cycle.

City Engineer Gut reviewed the above agenda bill summary.

Upon a question posed by CM A. Anderson, Mr. Gut stated that the YMCA will be paying \$191,000 towards this project.

CM T. Anderson stated the Transportation & Public Works (T&PW) Committee reviewed this item and asked that it be brought forward. However, her concern is that 37th Avenue South is very short and does not receive the amount of traffic that some of the roads in McMicken Heights do. She requested that staff take another look at some of the roads in McMicken Heights.

Council consensus: Referred to the 07/22/08 RCM Consent Agenda

Agenda Bill #2955 – An Ordinance adding a new Chapter 15.39 to the SeaTac Municipal Code (SMC) regarding design standards for townhouse and duplex developments, and repealing Sections 15.19.700 and 15.19.710 of the SMC

Summary: Under current Code, townhouses built outside of the Townhouse Zone and duplex developments of two or more duplexes in any zone are regulated by SMC 15.19, Design Standards for Multi-Family Housing. The Multi-Family Standards, however, are targeted toward apartment and condominium buildings and do not adequately address the different nature of townhouse and duplex housing types. The need for updated townhouse and duplex standards has become more urgent with the upcoming Extended South 154th Street Station Area Rezone. A significant area around the new light rail station will be up-zoned and thus able to develop townhouses and duplexes. To ensure quality development in this highly visible area, the City needs updated design regulations for townhouses and duplexes.

This Ordinance creates a new chapter 15.39, with provisional standards for all townhouse and duplex development throughout the City. The new chapter addresses dimensional requirements (15.39.100), site design (15.39.200), building design (15.39.300), open space (15.39.400), landscaping (15.39.500) and parking (15.39.600). The purpose of the new standards is to create developments that are aesthetically pleasing and enhance the public realm, have a strong street presence, are pedestrian-oriented, provide ample open space, and provide sufficient parking. This Ordinance also repeals SMC 15.19.700 and 15.19.710, as these Code sections are no longer needed. It should be noted that deleting SMC 15.19.700 does not remove the zoning classification of Townhouse; rather, it deletes a section in Chapter 15.19 pertaining to developments in the Townhouse Zone.

A Public Hearing (PH) was held by the SeaTac PC on July 14, 2008, with an open house preceding it. The PC voted to recommend that the City Council adopt the new standards. Staff has also given several presentations to the City Council and Council Committees about the Standards for Townhouse and Duplex Development.

Planning Director Butler reviewed the above agenda bill summary. He clarified that these are temporary standards. The goals of the standards are to create a sense of community and a safe, family-friendly environment.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #2955 (Continued): CM T. Anderson stated Council and staff toured some townhouse/duplex developments. She stated she supports these standards as long as they are as good, if not better, than the ones they toured.

CM Fisher recused himself from this item.

Council consensus: Referred to the 07/22/08 RCM Consent Agenda

Agenda Bill #2948 – An Ordinance amending the zoning map for certain properties in the “Extended South 154th Street Station Area”

Summary: This Ordinance amends the Official Zoning Map for some properties in the Extended South 154th Street Station Area consistent with the South 154th Street Station Area Action Plan, and the associated Land Use Plan Map amendments, both of which the Council adopted on December 12, 2006.

The presence of light rail transit (LRT) stations is expected to create demand for services and building/development types that support higher office, commercial, and residential densities, and increase pedestrian activity. Anticipating this demand and the increased development potential for services and facilities near the Tukwila International Boulevard (IB) light rail station that could benefit SeaTac residents and businesses, the City staff adopted the South 154th Street Station Area Action Plan.

At the same time, the City identified amendments to the CP’s Land Use Plan Map that would make the CP consistent with the South 154th Street Station Area Action Plan. Those CP map amendments established Potential Zones for those areas, allowing for higher residential densities and other land uses consistent with the Station Area Plan. The proposed rezone action would rezone those properties consistent with the Station Area Plan and the adopted CP amendments.

The City held three community meetings to discuss the proposed zoning changes with property owners and other community members in January, February, and June of this year. The outcome of these meetings was that a large majority of the attendees supported the proposed City-initiated rezone approach. The SeaTac PC recommended adoption of the proposed rezones at their June 30, 2008 meeting.

Planning Director Butler reviewed the above agenda bill summary.

CM Fisher recused himself from this item.

CM Gregerson questioned whether the City of Tukwila is rezoning their portion of the station area. Mr. Butler stated that they are not at this point because they are currently focusing on other areas of the City. However, it is his understanding that over the next few years they will focus on their section of the Station Area.

CM Wythe stated this issue has been discussed many times by the LUP Committee and there has been outreach to the residents. During the three community meetings held, a vast majority of the citizens were for this change. He stated he has sympathy for those citizens’ comments against this rezone; however, the citizens at the public meetings considered this a done deal and therefore did not speak to Council again. He stated he can’t abandon those people because he is feeling political pressure. He stated he supports this item.

CM A. Anderson stated his agreement with CM Wythe’s comments.

PC Member Richard Forschler stated the PC discussed this item several times and he attended the community meetings. The PC did not hear any opposition. There appears to be good community support for it. The PC recommended approving it. Since then, there have been some comments regarding higher property taxes and he can’t speak to those comments.

CM T. Anderson requested this item go back to the PC for further review of the potential tax increases.

Council consensus: Referred to the 07/22/08 RCM New Business

Agenda Bill #2894 – A Motion accepting for further consideration the 2008 Final Docket of Proposed Comprehensive Plan (CP) Amendments

Summary: The City of SeaTac procedures for amending the CP provide for consideration of proposed amendments for the 2008 calendar year in two stages. The first stage, the Preliminary Docket, requires that all proposed amendments be evaluated according to the following criteria:

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #2894 (Continued):

1. The proposal is consistent with requirements of the Growth Management Act (GMA) and Countywide Planning Policies (CPP);
2. The proposal was not proposed in either of the previous two calendar years unless:
 - a. Conditions have changed substantially in the immediate areas, or
 - b. The proposal was eliminated in the previous year due to incomplete information, or was withdrawn by the applicant prior to final Council action; and
3. Is not in conflict with an adopted CP Policy; is not redundant with, or duplicative of, an adopted CP Policy; or is not clearly out of character with the goals of the adopted CP.

In addition to the above criteria, proposed map changes are evaluated against the following additional criteria:

1. The proposal is or can be adequately served by sewer, water and roads; and
2. The site affected is physically suited for anticipated development, and
3. The proposal will not create pressure to change the designations of other properties unless in the interest of the neighborhood, city and region.

Proposals that do not satisfy these criteria are not recommended to be included in the second stage, the Final Docket, as potential 2008 amendments to the CP. Conversely, all proposed amendments that satisfy these criteria are recommended to be included in the Final Docket. The Final Docket amendments will undergo environmental (SEPA) review and are subject to public notice procedures, and will be considered in a PH to be held by the PC, tentatively scheduled for October 27, 2008. The City Council is tentatively scheduled to act upon the Final Docket on November 25, 2008. The City Council may elect not to adopt any of the Final Docket proposals at that stage of the process.

PC and staff concur in their recommendations about all of the proposed amendments. Those recommendations are shown for each proposal in the Preliminary Docket Staff Report, and are as follows:

- Map Amendments #A-1 and #A-5 be forwarded to the Final Docket;
- Map Amendments #A-2, #A-3 and #A-4 not be forwarded to the Final Docket;
- All informational map amendments be forwarded to the Final Docket;
- All text amendments be forwarded to the Final Docket, with the exception of Text Amendment #10, amending the Fire Services Level of Service. This decision was reached after consulting with Fire Chief Meyer.

Planning Director Butler reviewed the above agenda bill summary.

Council discussion ensued as to the recommendations:

- Map Amendment #A-1 and #A-5 - Council consensus was in support of the recommendations to forward them to the Final Docket. Mr. Butler clarified that moving Map Amendment #A-1 forward will most likely result in removing the Potential Annexation Area (PAA) from the CP.
- Map Amendments #A-2 and #A-3 – Council consensus was in support of the recommendations to not forward them to the Final Docket.
- Map Amendment #A-4 - CM Wythe and CM T. Anderson requested Map Amendment #A-4 move forward to the Final Docket.

Council consensus: Referred to the 07/22/08 RCM New Business

Agenda Bill #2979 – An Ordinance amending Section 15.16.088 of the SeaTac Municipal Code (SMC) regarding Real Estate Signs

Summary: Recently, staff has received comments from real estate agents that the City's off-premises real estate sign code was too restrictive. Comments indicated that not enough signage was allowed to adequately direct a potential home buyer to an open house. Real estate agents indicated this was particularly true if the house for sale was located on a private access easement. Staff reviewed the existing code and the codes of adjacent cities to determine if changes were warranted. Based upon the review, the following code changes are proposed:

- The number of A-frame/board signs are increased from three to four.
- The height of the off-premises A-frame/board sign is increased from two feet to three feet.
- A-frame/board signs can be displayed during any day of the week provided a broker/agent was on-site (current code only allowed signs on weekends).
- Off-premises real estate directional arrows signs would be allowed at any time a house is up for sale (current code does not allow directional arrow signs).

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #2979 (Continued):

- Up to four directional arrow signs would be allowed (current code does not allow directional arrow signs).
- The directional arrow signs would be limited to three feet in height with a sign face of not more than one and one-half square feet (sq ft) per side.

The PC conducted a PH on June 30, 2008. Testimony from real estate agents indicated that they supported the proposed code provisions with the exception that six off-premises real estate A-frame/board signs should be allowed rather than the four signs proposed by staff. The real estate agents indicated that potential home buyers come from many directions and that the six A-frame/board signs would help buyers find the homes for sale. While staff understands this concern, the real estate agents proposal would result in doubling the number of A-frame/board signs from three to six. In order to prevent a proliferation of off-site signage in the City (which the Sign Code is intended to prevent), staff believes that an increase in A-frame/board signs from three to four is more reasonable. Furthermore, this Ordinance allows up to four directional arrow signs (which are not currently allowed by code), increases the height of A-frame/board signs to provide better visibility, and increases the number of days A-frame/board signs could be displayed. This means that up to eight signs would be allowed (four A-frame/board and up to four directional signs) to direct potential buyers to a property for sale.

Staff recommends that this Ordinance be adopted. However, the PC recommends that this Ordinance be amended to allow up to six off-premises A-frame/board signs (rather than four signs recommended by staff).

Planning Director Butler stated there is disagreement between PC and staff on this item.

Principal Planner Dodge reviewed the above agenda bill summary.

PC Member Roxie Chapin explained the reason for the PC recommendation differing from staff's recommendation is that there are many hidden roads in the City and the extra signs would help potential buyers find the homes.

Council discussion ensued regarding the number of signs and when they are allowed to be posted. Mayor Shape clarified that currently only three signs are allowed.

Mr. Forschler clarified that the difference in the recommendations was four versus six A-frame signs.

Council consensus: Referred to the 07/22/08 RCM Consent Agenda

Agenda Bill #2980 – An Ordinance amending Section 15.35.310 of the SeaTac Municipal Code (SMC) related to setbacks in the Community Business, Urban Center (CB-C) zone in the City Center

Summary: The proposed code change would allow zero side and rear yard building setbacks for new development in the CB-C zone within the City Center area.

Under SMC 15.13.010, zero side and rear yard building setbacks are allowed in the City Center in the CB-C zone. However, this setback is currently superseded by the landscape standards under Chapter 15.14 of the SMC. The proposed code amendment under SMC 15.35.310 would make it clear that the side and rear yard setbacks allowed in the CB-C zone in the City Center would supersede the landscape standards of SMC 15.14, except where the property abuts a single-family or other type of residential zone.

The PC held a PH July 14, 2008 and recommended approval of the proposed changes, as presented by staff.

Principal Planner Dodge reviewed the above agenda bill summary.

CM Wythe stated the LUP Committee recommended this item for approval.

Council consensus: Referred to the 07/22/08 RCM Consent Agenda

Agenda Bill #2978 – An Ordinance reenacting Section 15.35.950 of the SeaTac Municipal Code (SMC) regarding Parking Bonus Incentives in the City Center, and establishing a sunset date

Summary: Ordinance #08-1014 amended Section 15.35.950 by changing the requirements of the Parking Bonus Incentives in the City Center. That Ordinance also had a provision that repealed the amendments created by the Ordinance 120 days after the effective date. At the time, it was thought that 120 days would be enough time for the PC to further study the issue. The Ordinance became effective April 5, 2008, and thus the amendments will be repealed on August 3, 2008.

Since that Ordinance was adopted, objections have been raised by one property owner regarding the amended incentives. In addition, the PC indicated that they wanted some additional time to study the issue. Therefore, it is

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #2978 (Continued): appropriate to reenact the previous amendments and establish a new sunset date.

This Ordinance reenacts, and therefore extends, the parking bonus incentive amendments previously enacted by Ordinance #08-1014 through February 1, 2009. This should allow ample time for the PC to study the issue, as well as give staff time to work with property owners to address their concerns.

Planning Director Butler reviewed the above agenda bill summary. He stated this issue was discussed at the July 8 Regular Council Meeting (RCM). At that meeting, the Council directed staff to set up a meeting with Dollar Development. The meeting has been scheduled for next week.

Council consensus: Referred to the 07/22/08 RCM Consent Agenda

CONSENT AGENDA:

- **Approval of claims vouchers** (check nos. 80938 - 81065) in the amount of \$3,539,497.80 for the period ended July 9, 2008.
- **Approval of payroll vouchers** (check nos. 46893 – 46939) in the amount of \$191,417.04 for the period ended July 15, 2008.
- **Approval of payroll electronic fund transfers** (check nos. 55918 - 56102) in the amount of \$323,649.02 for the period ended July 15, 2008.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$63,230.70 for the period ended July 15, 2008.
- **Summary of \$5,000 - \$25,000 Purchase Requests** for the period ended July 18, 2008.

Approval of Council Meeting Minutes:

- **Land Use and Parks Committee Meeting** held June 12, 2008.
- **Administration and Finance Committee Meeting** held July 8, 2008.
- **Land Use and Parks Committee Meeting** held July 10, 2008.

Agenda Items reviewed under Agenda Bill Presentations recommended for placement on this Consent Agenda:

Agenda Bill #2977; Motion authorizing the City Manager to execute an Interlocal Agreement with King County to participate in the Community Development Block Grant Consortium and HOME Investment Partnerships Program Consortium

Agenda Bill #2975; Motion authorizing the City Manager to execute a Consultant Agreement with David Evans and Associates, Inc. for the South 192nd Street and 37th Avenue South Sidewalk Improvements

Agenda Bill #2955; Ordinance #08-1024 adding a new Chapter 15.39 to the SeaTac Municipal Code regarding design standards for townhouse and duplex developments, and repealing Sections 15.19.700 and 15.19.710 of the SeaTac Municipal Code

Agenda Bill #2979; Ordinance #08-1025 amending Section 15.16.088 of the SeaTac Municipal Code regarding Real Estate Signs

Agenda Bill #2980; Ordinance #08-1026 amending Section 15.35.310 of the SeaTac Municipal Code related to setbacks in the Community Business, Urban Center (CB-C) zone in the City Center

Agenda Bill #2978; Ordinance #08-1027 reenacting Section 15.35.950 of the SeaTac Municipal Code regarding Parking Bonus Incentives in the City Center, and establishing a sunset date

MOVED BY T. ANDERSON, SECONDED BY FISHER TO ACCEPT THE CONSENT AGENDA AS PRESENTED.*

PUBLIC COMMENTS (related to the Consent Agenda): Mr. Pinto stated he heard that some airlines have made an offer to Snohomish County to consider making Paine Field a regional airport. Snohomish County has agreed. Sea-Tac Airport is the City's biggest source of income, and this will affect the City SeaTac.

Mr. Wilson stated it is as difficult to sell undeveloped land as developed land. He stated the figures he presented tonight are real, as is the likelihood that he will get taxed out of his home. He stated he received signatures from residents requesting Council to not move forward at this time with Agenda Bill #2948. (*No petition was filed.*)

*MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENTS (related to Unfinished and New Business): Mr. Gipson, regarding Agenda Bill #2974, stated he does not understand the debate. He supports the PC having equal time.

Jagtar Saroya clarified that his request for a rezone (Map Amendment #A-4) is only to change from low- to medium-density. There is enough room for the two single-family homes and an access for the medium-density zone.

UNFINISHED BUSINESS:

Agenda Bill #2974; Resolution #08-017 amending Resolution No. 06-012 and the City Council Administrative Procedures

MOVED BY WYTHE, SECONDED BY T. ANDERSON TO PASS RESOLUTION #08-017.*

CM A. Anderson stated he understands that the invitation has always been there for committees to come forward. If Council can agree to extend this invitation to all committees to give their positions, no rule should need to be in place to make it happen.

Mayor Shape stated he felt the PC had an equal right like everyone else. He doesn't feel there is a need to put it in the rules because that's the way it's always been done. He stated the Council needs to be fair and include all committees. Also, the Resolution states the PC can only give input when their position opposes the staff's recommendation. Anytime any committee is involved, they should have an opportunity to speak.

MOVED BY SHAPE, SECONDED BY T. ANDERSON TO AMEND SECTION 5(9)(b) TO READ AS FOLLOWS: "THE CITY MANAGER OR DESIGNEE WILL GIVE A PRESENTATION. WHEN STAFF GIVES A PRESENTATION WHICH INCLUDES A RECOMMENDATION FROM A CITY COMMISSION OR ADVISORY COMMITTEE, THEN THAT COMMISSION OR ADVISORY COMMITTEE, OR A DESIGNEE, SHALL BE GIVEN AN OPPORTUNITY TO EXPRESS ITS VIEWPOINT DURING THIS PRESENTATION."**

Council discussion ensued as to whether all committees need to be included.

**UPON A ROLL CALL VOTE, MOTION CARRIED UNANIMOUSLY.

*UPON A ROLL CALL VOTE, ORIGINAL MOTION CARRIED UNANIMOUSLY, AS AMENDED.

NEW BUSINESS:

Agenda Bill #2948; Ordinance amending the zoning map for certain properties in the "Extended South 154th Street Station Area"

MOVED BY WYTHE, SECONDED BY GREGERSON TO PASS AGENDA BILL #2948.*

Upon a question posed by CM Gregerson, Mr. Butler clarified that this would affect any property that can be short platted.

CM T. Anderson stated she would only agree to this is a provision was made to not increase property taxes until owners are permitted to subdivide. Mr. Ward stated that his opinion that the City does not control taxing process, the KC Assessor does. The City can change the zoning, but not how it affects assessments and taxes.

CM T. Anderson requested this item be referred to the PC.

Council discussion ensued as to the directions for the PC. The PC is to revisit the issue of taxes and how the owners will be affected.

Mr. Butler stated this will be discussed at the July 28 PC Meeting and then brought back to the August 12 RCM.

Agenda Bill #2894; Motion accepting for further consideration the 2008 Final Docket of Proposed Comprehensive Plan (CP) Amendments

MOVED BY WYTHE, SECONDED BY T. ANDERSON TO PASS AGENDA BILL #2894.*

MOVED BY GREGERSON, SECONDED BY WYTHE TO INCLUDE MAP AMENDMENT #A-4.

MOTION CARRIED UNANIMOUSLY.

*ORIGINAL MOTION CARRIED UNANIMOUSLY, AS AMENDED.

CITY MANAGER'S COMMENTS: City Manager Ward had the following items: (1) passing of Elda Behm. Her paradise garden was donated to the City and the Highline Botanical Garden was built around it; (2) July 23 at 6:30 p.m. in the SeaTac City Hall Council Chambers will be a meeting regarding the Shoreline Master Plan update; and (3) August 5 is National Night Out.

COUNCIL COMMENTS: CM T. Anderson stated that the Mayor of Enumclaw sent her brochures regarding the Highland Games this weekend. She stated if anyone was interested, she'd give them a brochure.

CM A. Anderson stated he recently saw one of the Code Enforcement Officers on his own time detagging bus stops and also saw three seniors walking through McMicken Heights picking up trash. He stated these people should be commended.

CM Gregerson requested that the Council consider re-forming the Ad Hoc Sidewalk Advisory Committee and that staff get a better understanding of cost savings associated with building sidewalks on both sides of the street as opposed to one side of the street.

Mayor Shape congratulated City Clerk Gregg for her achieving the Master Municipal Clerk (MMC) designation from the International Institute of Municipal Clerks (IIMC).

EXECUTIVE SESSION: There was no Executive Session.

ADJOURNMENT:

MOVED BY T. ANDERSON, SECONDED BY A. ANDERSON TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 8:46 P.M.

MOTION CARRIED UNANIMOUSLY.

Ralph Shape, Mayor

Kristina Gregg, City Clerk

City of SeaTac

Special Meeting Minutes

July 22, 2008
5:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Special Meeting was called to order by Mayor Shape at 5:05 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Deputy Mayor (DM) Gene Fisher, Councilmembers (CMs) Chris Wythe (arrived during the Executive Session), Terry Anderson, Anthony (Tony) Anderson, and Mia Gregerson. Excused Absence: CM Joe Brennan.

ADMINISTRATIVE STAFF: City Manager Craig Ward, City Attorney Mary Mirante Bartolo, and City Clerk Kristina Gregg.

RECESSED: Mayor Shape recessed the Special Council Meeting to an Executive Session on Personnel Issues at 5:05 p.m.

EXECUTIVE SESSION: Personnel Issues (60 minutes) (RCW 42.30.110[1][g])

RECONVENED: Mayor Shape reconvened the Special Council Meeting at 6:06 p.m.

ADJOURNMENT:

MOVED BY T. ANDERSON, SECONDED BY A. ANDERSON TO ADJOURN THE SPECIAL MEETING OF THE SEATAC CITY COUNCIL AT 6:06 P.M.

MOTION CARRIED UNANIMOUSLY.

Ralph Shape, Mayor

Kristina Gregg, City Clerk

City of SeaTac

Regular Council Meeting Minutes

August 12, 2008
6:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Shape at 6:03 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Councilmembers (CMs) Terry Anderson, Anthony (Tony) Anderson, Joe Brennan and Mia Gregerson. Excused Absences: Deputy Mayor (DM) Gene Fisher, and CM Chris Wythe.

FLAG SALUTE: Resident John Thompson led the Council, audience and staff in the Pledge of Allegiance.

ADMINISTRATIVE STAFF: City Manager Craig Ward, City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, Senior Assistant City Attorney Mark Johnsen, Assistant City Manager (ACM) Todd Cutts, Assistant Parks & Recreation (P&R) Director Lawrence Ellis, Finance Director Mike McCarty, Accounting Technician Leslie Stevenson, Program Manager Soraya Lowry, Planning Director Steve Butler, Human Services (HS) Coordinator Colleen Brandt-Schluter, Management Intern Kellie Stickney, Planning Permit Technician I Kelly Ecklund, Public Works (PW) Director Dale Schroeder, City Engineer Tom Gut, PW Inspector Scott Douglas, Assistant Fire Chief Brian Wiwel, and Chief of Police Services Jim Graddon.

PUBLIC COMMENTS: Darlene Thompson stated Hanky Panky band member Jack Danner passed away. A memorial service is scheduled for Monday, August 18 from 1 - 3 p.m. at the SeaTac Community Center (STCC).

Cheryl Forbes stated she is happy with the Military Road Improvements. She lives near the new light and it allows her children to cross the street safely. She also stated that she is the new Library Advisory Committee Chair. She questioned if there was anything the Council would like the committee to do or to know.

Earl Gipson thanked PW Director Schroeder and the PW Department for their work over the years.

PRESENTATIONS:

●Key to the City to retiring Public Works (PW) Director Dale Schroeder

The Council and City Manager Ward thanked Mr. Schroeder for his service to the City stating he will be missed.

Mayor Shape presented the Key to the City to retiring Mr. Schroeder.

Mr. Schroeder thanked the Council for their support to the PW Department.

●Introduction of new employees: Management Intern Kellie Stickney, Planning Permit Technician I Kelly Ecklund, Accounting Technician Leslie Stevenson and Public Works (PW) Inspector Scott Douglas

City Manager Ward introduced the new employees.

●Council confirmation of Mayoral appointment of Cheryl Forbes to the Human Services Advisory Committee MOVED BY A. ANDERSON, SECONDED BY T. ANDERSON TO CONFIRM THE MAYORAL APPOINTMENT OF CHERYL FORBES TO THE HUMAN SERVICES ADVISORY COMMITTEE.

MOTION CARRIED UNANIMOUSLY.

Mayor Shape read and presented the certificate of appointment to Ms. Forbes.

Mayor Shape announced that the Library Advisory Committee has a vacancy. Anyone interested should contact the City Clerk.

●Highline Historical Society (HHS) Update

HHS Director Cindy Upthegrove gave an update on the HHS museum. She thanked Council for their support. The HHS has almost 500 members. Approximately 20% of the members are from SeaTac. She detailed some of the programs the HHS has had over the years. She introduced the Heritage Museum Architect Tim Rohleder.

Mr. Rohleder stated the museum site is at the corner of South 152nd Street and Ambaum. He detailed the proposed building.

CM T. Anderson stated the HHS has held events at SeaTac City Hall. She stated her appreciation for what the City has done for the HHS.

Upon a question posed by CM A. Anderson, Mr. Rohleder stated the way the items are currently stored takes up more space than it needs to. The storage space will be 1,800 square feet (SF). A compact storage system is also being proposed for the future to allow for more space.

PRESENTATIONS (Continued):

HHS Update (Continued): Upon a question posed by CM T. Anderson, Ms. Upthegrove stated the HHS was given memorabilia from the local schools but haven't collected much since the late 70's. They are in need of items (i.e., letter jackets, t-shirts, hats, textbooks, and report cards) from Tyee and Mt. Rainier High Schools specifically.

Mayor Shape questioned the timeline for building the museum. Mr. Rohleder stated that construction is planned to start in March 2010.

•Commercial recycling programs in SeaTac

Corporate Recycling Services Consultant Eirik O'Neal discussed how landfills work. The waste from SeaTac goes to the Bow Lake Transfer Station and then to the Cedar Hills Regional Landfill which will reach capacity in eight to ten years.

The mission for KC's waste reduction and recycling (WR/R) program is to divert as much material as possible from being disposed in landfills.

Corporate Recycling Services has been contracted by SeaTac to provide WR/R outreach to other businesses to help divert as much as possible.

He detailed what is being done in SeaTac:

Dave's Diner and Brews - Commercial food waste recycling was started in December 2007. (Since January 2008, participating business have diverted approximately 40 tons of food waste and food packaging from landfill. The restaurants will realize an annual cost reduction of \$1,000.)

Doubletree Hotel – originally paid to have cooking oil recycled at a cost of \$480 annually. Now they are paid \$.25 a gallon to have it made into biodiesel.

Commercial Bakery – currently sends 700 pounds a week of dough to landfill. Corporate Recycling Services is working with a recycler to implement a solution that would divert this material to re-use as animal feed at no cost.

Mr. O'Neal stated that Dave's Diner and Brews, Hilton Seattle Airport and Conference Center, Port of Seattle (POS) – Sea-Tac Airport, and the Seattle Airport Marriott were the SeaTac businesses awarded as winners of the best workplaces in recycling.

CM T. Anderson requested literature on what can be recycled in residences.

Upon a question posed by CM Brennan, Mr. O'Neal stated batteries and small electronic devices should be brought to the SeaTac collection event.

Mr. O'Neal stated that if everyone started to divert compostables, it could make the landfill last many more years.

•Community Schools Collaboration (CSC)

HS Coordinator Brandt-Schluter stated the HS Advisory Committee has looked to build partnerships with organizations that offer an infrastructure that helps SeaTac build capacity for the agencies SeaTac funds and their services and for residents to feel successful and healthy. One of the organizations is CSC. She introduced CSC Executive Director Deborah Salas and CSC SeaTac Director Laurie Bohm.

Ms. Salas gave an overview of the organization. CSC is currently going through a strategic planning process and is trying to realign to be more responsive to the children and families in the community. She stated CSC looks forward to learning how to partner with the City to bring services into SeaTac.

Ms. Bohm reviewed what has been accomplished between April and June 2008 and what is currently in the process. She stated CSC wants to connect with the community to realize the needs of the City.

•Sound Transit Briefing

Soraya Lowry introduced Government and Community Relations Specialist Andrew Schmidt.

Mr. Schmidt discussed Sound Transit successes and the Sound Transit 2 (ST2) package.

Many people are using transit due to increasing gas prices and all day traffic congestion. System-wide there was a 20% increase in riders. The Sounder had the largest rider increase in the Country with a 28% increase in the first quarter of 2008.

PRESENTATIONS (Continued):

Sound Transit Briefing (Continued): Mr. Schmidt detailed some of the 2008 milestones open for service, under construction and on the horizon. Link light rail service will begin between downtown Seattle and the Sea-Tac Airport in July 2009, covering 15.7 miles with 13 stations. 45,000 daily riders are expected by 2020.

Due to an expected 30% increase of population by 2030, gas prices over \$4/gallon, highway congestion throughout the day, existing services nearing capacity, and concern about the environment, there is an increased public interest in mass transit.

He detailed the ST2 proposal.

DISCUSSION ITEMS:

•Summary of \$5,000 - \$25,000 Purchase Requests for the period ended August 8, 2008

City Manager Ward reviewed the following requests:

<u>Item Description</u>	<u>Department</u>	<u>Original Budget</u>	<u>Amended Budget</u>	<u>Estimate</u>
Sister Communities, All Nations Cup 2008 Sponsorship	City Manager's Office (CMO)	\$5,000	\$5,000	\$5,000
Portable Restroom Rentals	P&R	\$5,854	\$5,854	\$8,260
City Hall Display Case Renewal	CMO	\$0	\$3,232	\$3,232
		\$0	\$0	\$1,768
		\$0	\$3,232	\$5,000

****will absorb within existing budget****

Council consensus: Referred to the 08/12/08 RCM Consent Agenda

•Summary of Lease of City Facility \$5,000 or Greater for the period ended August 11, 2008

City Manager Ward reviewed the following lease:

<u>Facility</u>	<u>Description</u>	<u>Amount</u>
3261 South 152 nd Street	Residential Lease for property located at 3261 South 152 nd Street. The City Council passed a Motion on April 22, 2008, directing staff to rent the home on this property (AB #2938). This agenda bill also stated that the City Council would need to approve the lease.	\$8,400 (One Year Lease)

Also, SMC 3.30.055 requires all leases or rentals of City facilities in excess of \$5,000 to receive approval of the City Council.

Council consensus: Referred to the 08/12/08 RCM Consent Agenda

•Summary of Donations \$500 or Greater for the period ended August 8, 2008

City Manager Ward reviewed the following donation:

<u>Donor Name</u>	<u>Description</u>	<u>Amount</u>
SeaTac Rotary	Memorial Park Bench for Angle Lake Park to honor Carol Simpier for her volunteer work on the City's International Festival	\$1,200 (Estimated)

Council consensus: Referred to the 08/12/08 RCM Consent Agenda

AGENDA BILL PRESENTATIONS:

Agenda Bill #2984 – A Motion authorizing the City Manager to enter into an Interlocal Agreement (ILA) with the Highline School District (HSD) for the Madrona Elementary School walking path, authorizing the entry into a contract with Green Effect for the construction of the path, and authorizing acceptance of grant funding from King County (KC)

Summary: The City and the HSD have worked on a proposed project that will create a walking path at Madrona Elementary School. As part of this proposed project, the City has been able to secure \$10,000 in grant funding from KC as well as a \$5,000 donation from SeaTac Rotary. If this project is constructed, the City and the HSD will need an ILA to outline the responsibilities of both the City and the HSD with regard to the walking path.

The Assistant P&R Director and the HSD Project Manager have been working on the details of this proposed agreement, which is very similar to previous ILAs with the HSD. This proposed agreement will be in effect until

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #2984 (Continued): July 1, 2033. The primary purpose of this agreement is the following:

- Allow the City to install a walking path located on school property.
- Allow the City and members of the public to use the walking path at times that do not conflict with the HSD's exclusive use of the walking path during regular school hours.
- Provide that the HSD undertake certain maintenance of the walking path and thereby facilitate its ongoing recreational use by the City.
- Provide that the City will reimburse the HSD for 25% of the cost to repair the walking path due to acts of vandalism.

The City solicited bids for construction of the path, and the City received five bids. After review of the bids, Green Effects was the low bidder, in the amount of \$21,791.28 (includes sales tax).

The funding from KC was secured by the assistance of KC CM Julia Patterson. The City has also received a letter from SeaTac Rotary indicating their intent to donate \$5,000 towards the cost of the walking path. When that donation is received, the City Council will be asked to formally accept that donation.

In order to get the walking path built before the school year, the City will fund construction of the project, which will be offset by the funding from KC and the SeaTac Rotary. In addition, the HSD is seeking additional funding from the Highline Schools Foundation. Should that additional funding request be successful, that money will be used to cover the amount paid for by the City. If this project is approved, a budget amendment to increase appropriations in the P&R Department's 2008 budget for the full cost of the project (\$21,791.28) will be necessary. This budget amendment would be presented for Council action at the September 9, 2008, Regular Council Meeting (RCM).

Assistant P&R Director Ellis reviewed the above summary.

CM T. Anderson stated the Administration & Finance (A&F) Committee recommended this for approval.

Mayor Shape clarified that it was discussed at the A&F meeting to strike section 9.7, not 5.2.5 as presented tonight.

Council consensus: Referred to the 08/12/08 RCM Consent Agenda with paragraph 9.7 stricken

Assistant P&R Director Ellis recognized Rotary Member Paul Cook and HS Coordinator Brandt-Schluter who worked towards getting money for this project.

Agenda Bill #2981 – A Motion authorizing approval to purchase a mobile emergency generator

Summary: KC, through a grant, is in the process of installing an automatic transfer switch at the STCC. A mobile generator capable of servicing the STCC is available at a discount rate through KC. The cost for this generator with trailer and tank is \$66,646.69 including tax. This price includes training, tools, and one-year servicing and warranty.

Assistant Fire Chief Wiwel reviewed the above summary.

CM A. Anderson stated the Public Safety & Justice (PS&J) Committee reviewed this item with a split vote.

Council discussion ensued as to the budget for this purchase. Mr. McCarty clarified that a decision card was included in the 2008 budget for two larger generators which were not approved. There was discussion earlier in the year about purchasing or leasing one. Mr. Ward stated this size of generator will be more than adequate based on the analysis, but the City does not have a comparable cost.

Mr. McCarty clarified that a budget amendment will be brought to Council in September for this item.

CM A. Anderson requested a list of comparables be brought to the next PS&J Committee meeting.

Council consensus: Referred to the 08/12/08 RCM Consent Agenda

Agenda Bill #2965 – A Motion authorizing the City Manager to enter into an agreement between Highline School District (HSD) and the City of SeaTac for a School Resource Officer (SRO)

Summary: This proposed agreement would continue the HSD's contribution of \$50,000 to offset a portion of the annual cost for a SRO at the Tyee Educational Complex and Chinook Middle School for the 2008-2009 school year. The HSD has provided partial funding at this level for the 2006-2007 and 2007-2008 school years.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #2965 (Continued): The agreement has been reviewed by and is acceptable to Chief of Police Services Graddon, who is the City's designated contact person for the agreement.

The agreement documents indemnification, the employment status of the officer, how a replacement would be selected, the work schedule and duties of the SRO and the facilities to be provided by the HSD. It requires payment of the full \$50,000 upon invoice in 2008. It is consistent with and documents current practices regarding the SRO at Tyee Educational Complex and Chinook Middle School. This agreement does not commit to any additional staffing or enhancement of services at the schools. The term of the agreement is through June 30, 2009, and provides for termination of the contract within 60 days by written notice of either party. In the event of early termination, the City would return to the HSD \$5,000 (1/10 of \$50,000) for each full month remaining in the 2008-2009 school year.

The City's 2008 annual budget was approved with the City bearing the full cost (\$139,049) of an SRO for the 2008 fiscal year. This agreement would result in an unanticipated \$50,000 in additional revenue to the general fund.

Finance Director McCarty reviewed the above summary.

CM A. Anderson stated the PS&J Committee recommended this item for approval.

Council consensus: Referred to the 08/12/08 RCM Consent Agenda

Agenda Bill #2982 – A Motion authorizing the City Manager to sign the Second Amendment to an Interlocal Agreement (ILA) for legal services for the City's appeal of the National Pollution Discharge Elimination Standards (NPDES) Phase II Municipal Stormwater Permit, and appropriation of additional funding for the appeal

Summary: The City of SeaTac, along with a coalition of 29 other cities, is currently involved in the appeal of the Department of Ecology's NPDES Phase II Municipal Stormwater Permit. In February, 2007, the City Council carried a Motion authorizing the City to join a coalition of municipalities to pursue an appeal of the permit, and to enter an ILA for legal services. At that time, SeaTac's contribution for legal services was \$8,333.33.

In addition to the Coalition pursuing an appeal of the permit, other entities have appealed the permit as well. These other entities (Puget Soundkeeper's Alliance and People for Puget Sound, collectively referred to as "PSA") have asserted that the permit is not stringent enough. Specifically, PSA asserts that the low impact development (LID) techniques should be *required* in the permit so that there is a "zero surface runoff" standard for development. This would entail developing sites so that all surface water infiltrates into the site. However, this standard would be extremely difficult, if not impossible to meet. If such a standard could be met, the cost would be astronomical and could make some property undevelopable. This could result in a constitutional taking claim requiring compensation. The coalition is not opposed to LID, and believes that it should be encouraged rather than required. But if LID is required, the coalition believes that the State should indemnify the cities should they be sued as part of a constitutional takings lawsuit.

In addition, PSA also seeks to require immediate water quality monitoring, rather than allow the cities to strategically develop a program with implementation at a later date. While immediate water quality monitoring seems reasonable, the coalition members believe that cities should be able to develop their programs first so it can be determined what should be monitored and what goals should be accomplished by monitoring.

As a result, the coalition has decided that in addition to the original appeal, the cities should also expend resources to oppose the issues being asserted by PSA. Therefore, the coalition asked for additional funding for this endeavor. On November 6, 2007, the City Council authorized the expenditure of an additional \$20,000 of funding for the appeal, and the City Council subsequently authorized the City Manager to sign the first amendment to the ILA for legal services. While all coalition members hoped that the additional funding requested in November, 2007 would be sufficient, this was not the case. The issues being raised in the appeal have taken more time than anticipated, and in order to complete this appeal, including addressing the issues being raised by PSA, the coalition is seeking additional funding from its members.

SeaTac is being asked to contribute an additional \$6,000, which is derived from a formula based on the City's population. If approved, the total contribution by the City would equal \$34,333.33. By comparison, some cities have contributed over \$35,000 to date, and some of these same cities are being asked to contribute an additional \$25,000 at this time. Currently, all but three coalition members (including SeaTac) have approved additional funding to finish the appeal, and no cities have decided to withdraw from the coalition.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #2982 (Continued): Senior Assistant City Attorney Johnsen reviewed the above summary.

CM T. Anderson stated the A&F Committee recommended this item for approval.

Council consensus: Referred to the 08/12/08 RCM Consent Agenda

CONSENT AGENDA:

- **Approval of claims vouchers** (check nos. 81066 – 81303) in the amount of \$1,270,277.71 for the period ended July 22, 2008.
- **Approval of claims vouchers** (check nos. 81304 – 81526) in the amount of \$1,510,323.41 for the period ended August 7, 2008.
- **Approval of payroll vouchers** (check nos. 46940 – 46990) in the amount of \$388,562.60 for the period ended July 31, 2008.
- **Approval of payroll electronic fund transfers** (check nos. 56103 - 56294) in the amount of \$334,370.95 for the period ended July 31, 2008.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$65,005.03 for the period ended July 31, 2008.
- **Summary of \$5,000 - \$25,000 Purchase Requests** for the period ended August 8, 2008.
- **Summary of Lease of City Facility \$5,000 or Greater** for the period ended August 11, 2008.
- **Summary of Donations \$500 or Greater** for the period ended August 11, 2008.

Approval of Council Meeting Minutes:

- **Council Workshop** held May 27, 2008.
- **Council Workshop** held June 24, 2008.
- **Special Council Meeting** held July 8, 2008.
- **Regular Council Meeting** held July 8, 2008.
- **Transportation and Public Works Committee Meeting** held July 22, 2008.
- **Special Council Meeting** held July 22, 2008.
- **Regular Council Meeting** held July 22, 2008.

Agenda Items reviewed under Agenda Bill Presentations recommended for placement on this Consent Agenda:

Agenda Bill #2984; Motion authorizing the City Manager to enter into an Interlocal Agreement with the Highline School District for the Madrona Elementary School walking path, authorizing the entry into a contract with Green Effect for the construction of the path, and authorizing acceptance of grant funding from King County

Agenda Bill #2981; Motion authorizing approval to purchase a mobile emergency generator

Agenda Bill #2965; Motion authorizing the City Manager to enter into an agreement between Highline School District and the City of SeaTac for a School Resource Officer

Agenda Bill #2982; Motion authorizing the City Manager to sign the Second Amendment to an Interlocal Agreement for legal services for the City's appeal of the National Pollution Discharge Elimination Standards Phase II Municipal Stormwater Permit, and appropriation of additional funding for the appeal

MOVED BY BRENNAN, SECONDED BY GREGERSON TO ACCEPT THE CONSENT AGENDA AS PRESENTED.*

PUBLIC COMMENTS (related to the Consent Agenda): There were no public comments.

*MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENTS (related to the following Unfinished and New Business): There were no comments.

UNFINISHED BUSINESS: There was no unfinished business.

NEW BUSINESS: There was no new business.

CITY MANAGER'S COMMENTS: City Manager Ward commented on the following items: (1) August 14 - Land Use & Parks (LUP) Committee meeting cancelled; (2) August 14 – 6:30 p.m., Sunrise View Bypass Open House; (3) August 17 - Celebration of life service for Carol Simpier, charter member of the SeaTac Rotary, to be held at the STCC at 2 p.m.; (4) August 23 – 3 p.m., concert at Valley Ridge Park (VRP) skate park for domestic violence (DV) awareness; (5) August 24 - Machinist Union march and function at Angle Lake Park; (6) August 26 - Council meeting cancelled; and (7) he will be taking vacation and attending a conference during the last two weeks of August.

COUNCIL COMMENTS:

CM A. Anderson had the following comments: (1) the SRO put on an event where at risk students trained dogs; (2) Mr. Freedman (Holocaust survivor), did a presentation at City Hall on August 10; and (3) National Night Out (NNO). He stated he feels all of these events shows that the City is interested in the community.

CM Gregerson commented on the following events: (1) August 17 - Ciscoe will be at the Highline SeaTac Botanical Garden from 1:30 – 3:30 p.m.; (2) August 22 - Lutheran Family Resource Center back to school drive; and (3) September – Community Emergency Response Team (CERT) program and Citizens Academy will begin again.

Mayor Shape stated the NNO was a success that received national and local press. He stated he visited eight locations. He thanked Crime Prevention Officer Doug Reynolds for organizing NNO and the Council and staff for participating.

EXECUTIVE SESSION: There was no Executive Session.

ADJOURNMENT:

MOVED BY T. ANDERSON, SECONDED BY A. ANDERSON TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 8:10 P.M.

MOTION CARRIED UNANIMOUSLY.

Ralph Shape, Mayor

Kristina Gregg, City Clerk

City of SeaTac

Special Meeting Minutes

August 12, 2008
5:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Special Meeting was called to order by Mayor Shape at 5:01 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Councilmembers (CMs) Terry Anderson, Anthony (Tony) Anderson, and Mia Gregerson. Excused Absence: Deputy Mayor (DM) Gene Fisher, and CMs Chris Wythe and Joe Brennan.

ADMINISTRATIVE STAFF: City Manager Craig Ward, City Attorney Mary Mirante Bartolo, and City Clerk Kristina Gregg.

RECESSED: Mayor Shape recessed the Special Council Meeting to an Executive Session on Personnel Issues at 5:02 p.m.

EXECUTIVE SESSION: Personnel Issues (60 minutes) (RCW 42.30.110[1][g])

RECONVENED: Mayor Shape reconvened the Special Council Meeting at 6:02 p.m.

ADJOURNMENT:

MOVED BY T. ANDERSON, SECONDED BY A. ANDERSON TO ADJOURN THE SPECIAL MEETING OF THE SEATAC CITY COUNCIL AT 6:03 P.M.

MOTION CARRIED UNANIMOUSLY.

Ralph Shape, Mayor

Kristina Gregg, City Clerk

City of SeaTac

Regular Council Meeting Minutes

September 9, 2008
6:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Shape at 6:20 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Deputy Mayor (DM) Gene Fisher (*left at 7:00 p.m.*), Councilmembers (CMs) Chris Wythe, Terry Anderson, Anthony (Tony) Anderson, Joe Brennan and Mia Gregerson.

FLAG SALUTE: CM Brennan led the Council, audience and staff in the Pledge of Allegiance.

ADMINISTRATIVE STAFF: City Manager Craig Ward, City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, Senior Assistant City Attorney Mark Johnsen, Assistant City Manager (ACM) Todd Cutts, Economic Development (ED) Manager Jeff Robinson, Finance Director Mike McCarty, Parks & Recreation (P&R) Director Kit Ledbetter, Facilities Director Pat Patterson, Human Services (HS) Coordinator Colleen Brandt-Schluter, Public Works (PW) Director Tom Gut, Fire Chief Bob Meyer, and Chief of Police Services Jim Graddon.

PUBLIC COMMENTS (at the beginning of the meeting):

Dawn Shoopman, SeaTac BMX Track Operator, invited everyone to attend the Jill Kintner Homecoming Saturday, September 27, 2008 at noon at the North SeaTac BMX Park. Ms. Kintner is the 2008 Beijing Olympic Women's BMX Racing Bronze Medalist. She is a SeaTac BMX Track alumni.

Diane Smith, on behalf of Edward Smith, Marilyn Sears, Polly McIntyre, and Jesus and Sally Mejia, requested the Council reconsider annexing a portion of the unincorporated area generally located east of 8th Avenue South, north of South 128th Street, west of Highway 99, and South of South 96th Street into SeaTac.

CM T. Anderson questioned whether the Hill Top Elementary School is included in this area. Ms. Smith stated yes. CM T. Anderson stated many of those students already live in SeaTac.

Allal Amrani stated he is half owner of a property discussed at the July 22 meeting considered for A Comprehensive Plan (CP) amendment, which was denied. He had the following comments: (1) he purchased the July 22 Council meeting DVD and feels that the \$20 cost for the average person, or a student who wants to learn about government, is too much; (2) in the past, he has offered his educational services for free because he wants to give back to the community, however, he has not had a response from City staff; and (3) requested Council reconsider his CP amendment.

PRESENTATIONS:

•Introduction of new employee: Economic Development (ED) Manager Jeff Robinson

City Manager Ward introduced Mr. Robinson.

•Council consideration of Mayoral appointment of members to the Hotel/Motel (H/M) Tax Advisory Committee

Mayor Shape stated his selection of Tom Dantzler and Carl Anderson to serve terms ending September 23, 2009, Roger McCracken and Jeff Hart to serve terms ending September 23, 2010, and Cathy Boysen-Heiberg, Nancy Damon, Jerry Stotler and Frank Welton to serve terms ending September 23, 2011.

Council consensus: Referred to the 09/23/08 RCM for Confirmation

•Somali Community Services Coalition

Executive Director Ahmed Jama described the services provided by this coalition. The funding from SeaTac enables the hiring of a part-time case worker to assist with the services.

Community Education Coordinator Mohamed Hassan thanked the Council for their support. He also thanked Police Chief Graddon and his department, for helping them develop a plan to reach out to business owners and police departments to come together and educate young men on how they can contribute to the community.

•Telephone Survey for the Parks, Recreation and Open Space Plan

P&R Director Ledbetter introduced Hebert Research Inc. President and CEO Jim Hebert.

Mr. Hebert briefed on his background. He detailed the results and statistics based on surveys from 200 SeaTac residents.

DM Fisher left the meeting at this point.

PRESENTATIONS (Continued):

Telephone Survey for the Parks, Recreation and Open Space Plan (Continued):

- The top three parks used are: Angle Lake Park, Valley Ridge Park, and McMicken Heights Park.
- Activities considered important were swings or big toy and picnic shelters.
- Fliers and park brochures are the best approach for getting information to the SeaTac residents.

Mr. Hebert reviewed the survey conclusions:

- parks and recreational facilities are assets
- investing in community parks is an investment (within walking distance, proximity and just being able to see a park are major real estate considerations)
- parks add to the quality of life and are important to residents, employees and businesses
- walk-about community concepts are hot communities
- concept of mingling (parks are great at allowing different cultures to meet and talk)

Upon a question posed by CM T. Anderson in relation to security, Mr. Hebert stated there is a new concept called dark nights. This puts the lighting where it is needed without lighting up the sky. Surveillance cameras really work and the presence of police officers is a big deterrent.

Upon a question posed by Mayor Shape, Mr. Hebert stated the City needs to maintain the current level of parks and also expand the parks.

Mr. Ledbetter stated staff will present the completed Park and Open Space Plan to Council by the end of the year.

•Viaduct Replacement Program

Washington State Department of Transportation (WSDOT) Deputy Director Matt Preedy introduced King County Department of Transportation (KCDOT) Assistant Director Ron Posthuma and Seattle Department of Transportation (SDOT) Project Manager Bob Chandler. All three departments are working together to develop a solution. A lot of work is being done in advance of the 2012 replacement. He detailed some of the projects currently being worked on.

Mr. Posthuma emphasized the importance of the moving forward phase. He detailed the mitigation program (transit enhancements and other improvements to keep people and goods moving during SR 99 construction). The Governor, Seattle Mayor and King County (KC) Executive have directed that a solution be recommended by December 2008.

The three parties formed a Stakeholder Advisory Committee as a way to gather comments and ideas for potential central waterfront solutions. The committee is a group of 30 people representing various constituencies and community groups.

Mr. Chandler detailed the central waterfront scenarios to be evaluated: (1) Surface boulevard - demand management and low capital, (2) Surface boulevard - transit, (3) Alaskan Way/Western Avenue couplet, (4) four-lane elevated, (5) four-lane integrated elevated, (6) Four-lane bored tunnel, (7) Four-lane cut-and-cover tunnel, and (8) Four-lane lidded trench.

Mr. Chandler stated the group is currently evaluating the scenarios. The results will be presented in September, October, and November to evaluate how well the scenarios work together.

DISCUSSION ITEM:

•Summary of \$5,000 - \$25,000 Purchase Requests for the period ended September 5, 2008

City Manager Ward reviewed the following requests:

<u>Item Description</u>	<u>Department</u>	<u>Original Budget</u>	<u>Amended Budget</u>	<u>Estimate</u>
Yard Debris Collection Event – Fall 2008	PW	\$23,500	\$23,500	\$23,500
Three-party Wetland Biologist Consulting Contract	Planning	\$12,462	\$12,462	\$12,462
Fire Apparatus #118 Parts for Repair Work	Fire	\$83,136	\$83,136	\$6,681

****Budget amount is 2008 total for Fire vehicle repair and maintenance****

DISCUSSION ITEM:

Summary of \$5,000 - \$25,000 Purchase Requests for the period ended September 5, 2008 (Continued):

Museum of Flight (MOF) Student Field Trip Funding (2008 Budget Funded Decision Card)	Non- Department	\$5,000	\$5,000	\$6,700
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****will absorb within existing budget****

Council consensus: Referred to the 09/09/08 RCM Consent Agenda

AGENDA BILL PRESENTATIONS:

Agenda Bill #2987 – An Ordinance amending the 2008 Annual City Budget for miscellaneous items

Summary: This budget amendment Ordinance increases expenditures to provide additional 2008 appropriation authority in the P&R and Facilities budgets within the General Fund (Fund 001), and in the Municipal Capital Improvements Fund (Fund 301). Two increases in estimated revenue in the General Fund are also included in this budget amendment.

The four items included in this budget amendment are as follows:

1. The P&R Department requested and received Council approval to construct a walking path at Madrona Elementary School at the August 12, 2008, Regular Council Meeting (RCM). This budget amendment provides appropriation for the full cost of the project (\$21,792) in the P&R Department's 2008 budget. It also adds \$15,000 additional estimated revenue for 2008 in the General Fund for funding from KC (\$10,000) and the SeaTac Rotary (\$5,000) for the walking path project.
2. The Summary of Purchases Requests \$5,000-\$25,000 approved at the August 12, 2008, RCM included a \$5,000 estimated expenditure for the City Hall Display Case historical displays. \$3,232 of this amount was appropriated with a 2007 carryover in the H/M Tax Fund (Fund 107). This budget amendment appropriates the remaining \$1,768 balance in the Facilities Department's 2008 budget in the General Fund.
3. An agreement between the Highline School District (HSD) and the City of SeaTac was authorized at the August 12, 2008 RCM, providing \$50,000 funding from the HSD for the School Resource Officer (SRO) at the Tye Educational Complex and Chinook Middle School. The City's 2008 Annual Budget was approved with the City bearing the full cost of the SRO for the 2008 fiscal year, and this agreement provides an unanticipated \$50,000 additional revenue to the General Fund. This budget amendment adds this additional amount to estimated revenue for 2008 in the General Fund.
4. The purchase of a mobile emergency generator capable of servicing the SeaTac Community Center (STCC) was approved by Council at the August 12, 2008 RCM in the amount of \$66,647. This expenditure was not included in the adopted 2008 Annual Budget. This budget amendment appropriates \$66,647 in the 2008 budget for the Municipal Capital Improvements Fund (Fund 301) for this purchase.

Finance Director McCarty reviewed the above summary.

CM Gregerson stated it is important that the Council develop a vision/mission statement to be used as a tool in making decisions on how money is spent on capital projects. She also stated she feels the Council needs to be diligent about having bids challenged to ensure money is being spent wisely.

Council consensus: Referred to the 09/9/08 RCM Consent Agenda

Agenda Bill #2988 – An Ordinance creating a new Section 3.40.005 of the SeaTac Municipal Code (SMC) and amending Sections 3.40.100 and 3.40.104 of the SMC related to Petty Cash Funds

Summary: The City of SeaTac currently maintains three petty cash funds. The purpose of these funds is to provide an effective and efficient manner in which employees can be reimbursed for repetitive, small dollar item cash purchases. These three funds are maintained in the Finance Department, at the STCC, and at Fire Station #45, and each contain a \$300 balance. As petty cash is disbursed for appropriate expenditures, the custodian of each petty cash fund requests replenishment by submitting the appropriate forms and original receipts presented to them for petty cash reimbursements to the Finance Department as often as necessary to maintain the fund.

The balances of the Finance, Fire and STCC Petty Cash Funds have been \$300 each for many years. The \$300 amount is an adequate balance for the Fire Department Petty Cash Fund, but is no longer adequate to fully meet the ongoing needs of the Finance and STCC Petty Cash Funds. Staff recommends increasing the balance of these two funds to \$500. State law requires authorization by the governing body to create petty cash funds, as well as any subsequent increases or decreases in the imprest amount to those funds.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #2988 (Continued): In addition to the \$200 increase in the balance of the aforementioned two petty cash funds, staff also recommends increasing the maximum \$25 limit per reimbursement request in this manner to \$35. The current \$25 limit is outdated and lower than the maximum limit imposed by most cities in the area. Any employee reimbursement requests greater than \$35 will be processed and paid by reimbursement check through accounts payable in the same manner that requests greater than \$25 are done currently. Staff believes that it is appropriate to codify the maximum disbursement from the Petty Cash Funds, and thus a new Section 3.40.005 would be created.

This action has no financial impact on the City. It only re-categorizes the additional \$400 from the regular cash account in the General Fund to the two petty cash accounts included in this agenda bill.

Finance Director McCarty reviewed the above summary.

Upon a question posed by CM A. Anderson, Mr. McCarty stated these funds balance out every month.

Council consensus: Referred to the 09/09/08 RCM Consent Agenda

Agenda Bill #2983 – A Motion approving low bidder for window supplier, generator, and fire alarm system for Fire Station 46

Summary: Bids for windows for the new Fire Station 46 were solicited by advertisement in the Seattle Times the weeks of July 6 and 13. One bid was received from Classic Window Products in the amount of \$58,950. The estimate for windows is \$60,530. Bids for the generator were solicited also via the Seattle Times the weeks of August 7 and 13. Five bids were returned in response. Low bid from N C Power Systems is \$81,602.44. The estimate for the generator was \$65,000. Advertisement for the fire alarm bids were posted the weeks of May 12 and 19. Three bids were received. Absco Alarms was low bid at \$47,798.61 but was ruled non responsive for not including the conduit necessary for installation. The next lowest bidder was Superior Electric who is already under contract to do the electrical work. Their bid is \$51,600. Estimate for the fire alarm system was \$55,125. These prices do not include sales tax or contingency which are 9% and 10% respectively.

It is recommended that the City Council authorize the purchase of the windows from Classic Window Products, the generator from N C Power Systems, and accept Superior Electric as the lowest responsive bidder for the fire alarm system.

The 2008 Budget for New Fire Station 46 has \$4,488,036 for construction of the new fire station.

Facilities Director Patterson reviewed the above summary.

Council consensus: Referred to the 09/09/08 RCM Consent Agenda

CONSENT AGENDA:

- **Approval of claims vouchers** (check nos. 81527 – 81681) in the amount of \$1,545,139.60 for the period ended August 20, 2008.
- **Approval of claims vouchers** (check no. 81682) in the amount of \$80.00 for the period ended August 25, 2008.
- **Approval of claims vouchers** (check nos. 81683 – 81859) in the amount of \$986,703.98 for the period ended September 5, 2008.
- **Approval of payroll vouchers** (check nos. 46992 – 47038) in the amount of \$191,318.94 for the period ended August 15, 2008.
- **Approval of payroll electronic fund transfers** (check nos. 56295 - 56477) in the amount of \$326,015.22 for the period ended August 15, 2008.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$64,356.34 for the period ended August 15, 2008.
- **Approval of payroll vouchers** (check nos. 47039 – 47085) in the amount of \$385,903.38 for the period ended August 31, 2008.
- **Approval of payroll electronic fund transfers** (check nos. 56478 - 56668) in the amount of \$334,333.10 for the period ended August 31, 2008.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$69,309.39 for the period ended August 31, 2008.
- **Summary of \$5,000 - \$25,000 Purchase Requests** for the period ended September 5, 2008.

CONSENT AGENDA (Continued):

Approval of Council Meeting Minutes:

- **Administration and Finance Committee Meeting** held August 12, 2008.
- **Public Safety and Justice Committee Meeting** held August 12, 2008.
- **Special Council Meeting** held August 12, 2008.
- **Regular Council Meeting** held August 12, 2008.

Agenda Items reviewed under Agenda Bill Presentations recommended for placement on this Consent Agenda:

Agenda Bill #2987; Ordinance #08-1028 amending the 2008 Annual City Budget for miscellaneous items

Agenda Bill #2988; Ordinance #08-1029 creating a new Section 3.40.005 of the SeaTac Municipal Code and amending Sections 3.40.100 and 3.40.104 of the SeaTac Municipal Code related to Petty Cash Funds

Agenda Bill #2983; Motion approving low bidder for window supplier, generator, and fire alarm system for Fire Station 46

MOVED BY T. ANDERSON, SECONDED BY A. ANDERSON TO ACCEPT THE CONSENT AGENDA AS PRESENTED.*

PUBLIC COMMENTS (related to the Consent Agenda): There were no public comments.

*MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENTS (related to the following Unfinished and New Business): There were no public comments.

UNFINISHED BUSINESS: There was no unfinished business.

NEW BUSINESS: There was no new business.

CITY MANAGER'S COMMENTS: City Manager Ward commented on the following: (1) Deputy City Clerk Marcia Rugg has received her Certified Municipal Clerk (CMC) designation; (2) September 10 - Employee Appreciation Picnic; (3) September 10 – 4 p.m., YMCA site groundbreaking; (4) September 15 – 1 p.m., 15 year anniversary of the senior program; (5) September 17 – Mayor Shape and he will travel to Washington, D.C. to lobby regarding funding requests for 2009 and 2010. He will then continue to an International City Manager's Association conference, followed by a few vacation days; (6) September 22 – 12 noon, Budget Workshop 1; (7) September 27 – Homecoming for Jill Kintner; and (8) October 4 – 9 a.m., Budget Workshop 2.

COUNCIL COMMENTS:

CM Gregerson stated she volunteered with the Family Resource Center for the back to school fair which served 300+ families.

Mayor Shape stated he hopes to see everyone at the YMCA groundbreaking, and he congratulated the Police Department for their response to a serious incident that occurred within the City.

EXECUTIVE SESSION: There was no Executive Session.

ADJOURNMENT:

MOVED BY BRENNAN, SECONDED BY A. ANDERSON TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 8:21 P.M.

MOTION CARRIED UNANIMOUSLY.

Ralph Shape, Mayor

Kristina Gregg, City Clerk

City of SeaTac

Special Meeting Minutes

September 9, 2008
5:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Special Meeting was called to order by Mayor Shape at 5:05 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Deputy Mayor (DM) Gene Fisher, Councilmembers (CMs) Chris Wythe, Terry Anderson, Anthony (Tony) Anderson, Joe Brennan (*arrived during the Executive Session*), and Mia Gregerson.

ADMINISTRATIVE STAFF: City Manager Craig Ward, City Attorney Mary Mirante Bartolo, and City Clerk Kristina Gregg.

RECESSED: Mayor Shape recessed the Special Council Meeting to an Executive Session on Sale of Property and Personnel Issues at 5:05 p.m.

EXECUTIVE SESSION: **Sale of Property (30 minutes) (RCW 42.30.110[1][c])**
 Personnel Issues (30 minutes) (RCW 42.30.110[1][g])

City Clerk Gregg announced that Council extended the Executive Session for 15 more minutes.

RECONVENED: Mayor Shape reconvened the Special Council Meeting at 6:20 p.m.

ADJOURNMENT:

MOVED BY T. ANDERSON, SECONDED BY GREGERSON TO ADJOURN THE SPECIAL MEETING OF THE SEATAC CITY COUNCIL AT 6:20 P.M.

MOTION CARRIED UNANIMOUSLY.

Ralph Shape, Mayor

Kristina Gregg, City Clerk

City of SeaTac

Regular Council Meeting Minutes

September 23, 2008
6:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Shape at 6:05 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Deputy Mayor (DM) Gene Fisher, Councilmembers (CMs) Chris Wythe, Terry Anderson, Anthony (Tony) Anderson, and Mia Gregerson. Excused Absence: CM Joe Brennan.

FLAG SALUTE: CM Wythe led the Council, audience and staff in the Pledge of Allegiance.

ADMINISTRATIVE STAFF: Assistant City Manager (ACM) Todd Cutts, City Clerk Kristina Gregg, Senior Assistant City Attorney Mark Johnsen, Planning Director Steve Butler, Principal Planner Jack Dodge, Public Works (PW) Director Tom Gut, Fire Chief Bob Meyer, Assistant Fire Chief Brian Wiwel, and Police Captain Annette Louie.

PUBLIC COMMENTS: Joyce Docherty stated her support of a ban on pit-bulls and dangerous dogs in the SeaTac area, detailing an incident that happened in her neighborhood.

Earl Gipson spoke regarding Agenda Bill #2942. These new rules merit a Public Hearing (PH) because they affect all citizens. He also spoke regarding Agenda Bill #2994 stating with budget shortfalls, this should not be passed.

The following citizens detailed their reasons for opposing Agenda Bill #2995: Donna Thomas, Pam Fernald, Rick Forschler (as a citizen), and Scott Erdahl.

Veronica Simmons spoke regarding Agenda Bill #2993, asking Council to consider putting privacy slats in the fence that is proposed to be put in.

JB Freer detailed her reasons for opposing Agenda Bill #2993.

Michael Lamb, Three Marks Apartments Owner, in regards to Agenda Bill #3002 to be presented to Council at the October 14 Regular Council Meeting (RCM), stated he is hoping the rezone of his property will pass as he is ready to build two nine-unit complexes in addition to the apartments and his funding runs out in March 2009.

PRESENTATIONS:

● **Council confirmation of Mayoral appointment of members to the Hotel/Motel (H/M) Tax Advisory Committee**
MOVED BY T. ANDERSON, SECONDED BY GREGERSON TO CONFIRM THE MAYORAL APPOINTMENT OF TOM DANTZLER, CARL ANDERSON, ROGER MCCRACKEN, JEFF HART, CATHY BOYSEN-HEIBERG, NANCY DAMON, JERRY STOTLER, AND FRANK WELTON TO THE HOTEL/MOTEL TAX ADVISORY COMMITTEE.

MOTION CARRIED UNANIMOUSLY.

Mayor Shape read the certificate of appointment and presented Ms. Boysen-Heiberg, Ms. Damon, Mr. Stotler, and Mr. Welton with their certificates. Certificates will be mailed to Mr. Dantzler, Mr. Anderson, Mr. McCracken, and Mr. Hart.

● **Proclamation for the Seattle and King County (KC) Emergency Feeding Program**

Mayor Shape read the proclamation.

● **Comcast Service and High Definition Digital Conversion**

Government Affairs and Franchising Director Terry Davis discussed the February 17, 2009 digital conversion and what citizens need to do. Citizens already subscribing to cable or satellite don't need to make any changes. Citizens without cable or satellite have three options: (1) subscribe to cable or satellite, (2) purchase a new digital TV set, or (3) purchase a digital-to-analog converter via a Government Coupon Program (www.dtv2009.gov or 1-888-DTV-2009).

SUSPENSION OF THE RULES:

MOVED BY A. ANDERSON, SECONDED BY T. ANDERSON TO SUSPEND THE RULES TO BRING FORWARD THE PUBLIC HEARING AND COUNCIL ACTION RELATED TO AGENDA BILL #2992 AND PUBLIC COMMENTS AND COUNCIL ACTION RELATED TO AGENDA BILL #2997 AND AGENDA BILL #2998.

MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARING (PH):

●Adoption of findings of fact to justify a continuation of a moratorium on the issuance of Building, Grading and Drainage Permits for the construction of structures and improvements that will result in the creation of new impervious surface on properties located in the Sunrise View Drainage Area – Public Works

Mayor Shape opened the PH at 6:50 p.m.

PW Director Gut reviewed Agenda Bill #2992 summary below.

Earl Gipson stated he lives in the area affected by the moratorium and feels the moratorium should remain in affect as it is out of the City's control. He stated his appreciation of the PW Department.

Upon a question posed by CM Wythe, Mr. Gut stated the timeframe is dependent on the City's ability to work through the Washington State Department of Transportation (WSDOT) issues. He stated he hopes construction will begin early 2009 with completion by winter 2010.

Mr. Gut detailed the WSDOT issues.

Mayor Shape closed the PH at 6:59 p.m.

NEW BUSINESS:

Agenda Bill #2992; Resolution #08-018 continuing a moratorium on the issuance of Building, Grading and Drainage Permits for the construction of structures and improvements that will result in the creation of any new impervious surface on properties located in the Sunrise View Drainage Area and adoption of findings of fact

Summary: On April 8, 2008, Council passed Resolution #08-005, which established the moratorium. On May 13, 2008, Council held a PH and adopted findings of fact supporting the decision to impose the moratorium. The current moratorium is in effect until October 1, 2008, unless Council opts to extend the moratorium for additional time. Revised Code of Washington (RCW) 35A.63.220 and 36.70A.390 permit Council to adopt a moratorium relating to development regulations, subject to a PH. Per State law, a moratorium can only be in effect for no longer than six months, unless extended by Council action.

Since the current moratorium has been in effect, staff has been working on finding a solution to the drainage problems in the Sunrise View Drainage Area. Specifically, a consultant has completed an alternatives analysis of three possible solutions. The current preferred alternative consists of constructing a series of pipes to convey runoff from large storm events into a depression along the west side of I-5 and then into the WSDOT storm system. Currently, the City is coordinating with WSDOT to address concerns about possible impacts on their storm system from the proposed project.

Staff recommends continuing the moratorium for another six months while further progress is made on the drainage solution in this area. While it is possible to let the moratorium expire on October 1, 2008, the existing drainage conveyance system still cannot handle the runoff from winter storms, which results in private property damage. Continued development without a proper drainage system will exacerbate the damage.

If this Resolution is passed, the moratorium will continue to prevent the issuance of any new Building, Grading, and Drainage Permits, affecting 45 parcels. Furthermore, this Resolution allows staff to accept permit applications for processing, so applications can still be processed during the moratorium (although once review is complete, permits could not be issued until the moratorium is lifted). Finally, the proposed moratorium will only affect permit applications that create new impervious surfaces.

The next step for the Sunrise View Drainage project will be to reconcile the WSDOT issues before formally proceeding with final design of the recommended alternative. In addition, the project team will be submitting for the appropriate permits and coordinating with identified residents on obtaining storm drainage easements to construct a portion of the bypass pipeline. The start of construction is tentatively scheduled for spring of 2009, which is contingent on the permitting process.

CM Gregerson stated the Transportation & Public Works (T&PW) Committee recommended this item for approval.

MOVED BY T. ANDERSON, SECONDED BY GREGERSON TO PASS RESOLUTION #08-018.

MOTION CARRIED UNANIMOUSLY.

NEW BUSINESS (Continued):

Agenda Bill #2997; Resolution #08-019 expressing the City Council's opposition of Initiative 985 (I-985), to be presented to the electorate on November 4, 2008

Summary: I-985, related to transportation, will be presented to the electorate on November 4, 2008. In sum, it appears that the Initiative does the following:

- Carpool lanes would be open to all traffic at all times, except 6:00 to 9:00 a.m. and 3:00 to 6:00 p.m., Monday through Friday. In SeaTac, this primarily affects the carpool lane on International Boulevard (IB).
- Each City must synchronize traffic lights on heavily traveled arterials, which in SeaTac means Principal Arterials and Minor Arterials as set forth in the City's Comprehensive Plan (CP). However, the Initiative does not ensure that cities will receive reimbursement from the State for this cost. The City has many streets in which the City would be required to expend funds to synchronize traffic lights without any guarantee that reimbursement would occur, including IB, South 188th Street, Military Road South, South 154th Street, and Des Moines Memorial Drive (DMMD).
- Requires all revenue from automated red light traffic cameras to be paid to the "Reduce Traffic Congestion Account." No provision is made for cities to recoup their costs for the automated red light traffic camera program. It is estimated that this will cost the City approximately \$279,000 per year, in addition to any revenue the City receives from the program.
- In addition, I-985 creates a "Reduce Traffic Congestion Account" in the State Treasury, addresses issues related to tolls, increases funding for roadside assistance to be paid for from the "Reduce Traffic Congestion Account," takes 15% of the vehicle sales tax for vehicles and places that money in the "Reduce Traffic Congestion Account," and dedicates money for public art associated with a transportation related public works project to the "Reduce Traffic Congestion Account," and requires one-half of one percent of all State funded transportation-related public works projects appropriations to be added to the "Reduce Traffic Congestion Account."

This issue was discussed at the September 9, 2008 Administration & Finance (A&F) Committee meeting, and the Committee suggested that a Resolution in opposition to I-985 be brought forward to the full Council for consideration.

RCW 42.17.130 prohibits the use of City facilities to assist in promotion of or opposition to any ballot proposition. However, RCW 42.17.130(1) allows the Council to adopt a Resolution in support of or opposition to a ballot proposition if certain mandatory procedural steps are taken, including providing notice that the Council will discuss taking a collective position regarding the ballot measure, and providing an opportunity for public comment prior to Council action. Therefore, public comments have been solicited for the Council Meeting of September 23, 2008, by notice published on the September 23, 2008 City Council Agenda. In addition, notice was posted at various locations around the City and at City Hall, indicating that the City Council would be seeking comment on this issue.

Adoption of the Resolution will not have a fiscal impact to the City. However, I-985, if passed, will cost the City an estimated \$279,000 per year, as the City would be unable to use revenue from automated red light ticket cameras to pay for the cost of the program. In addition, the City would be required to expend funds to synchronize traffic lights, with no guarantee that the State would reimburse the City for these costs.

Senior Assistant City Attorney Johnsen reviewed the above agenda bill summary.

Council discussion ensued with Council encouraging everyone to vote "no" for I-985.

CM Gregerson stated she is a member of the Suburban Cities Association (SCA) Public Issues Committee (PIC) and the SCA is also opposing I-985.

PUBLIC COMMENTS (related to Agenda Bill #2997): Earl Gipson questioned if the City would save money by turning the red light cameras off if this initiative passes. Mr. Johnsen stated the City is currently in a contract for service to the cameras. The City will still be obligated for the remainder of the contract, even if the cameras are turned off. There is no current plan for installing additional cameras.

MOVED BY WYTHE, SECONDED BY T. ANDERSON TO PASS RESOLUTION #08-019.

MOTION CARRIED UNANIMOUSLY.

NEW BUSINESS (Continued):

Agenda Bill #2998; Resolution #08-020 expressing the City Council's support of Sound Transit Proposition #1 – Mass Transit Expansion, to be presented to the electorate on November 4, 2008

Summary: Sound Transit Proposition #1 - Mass Transit Expansion by Sound Transit, will be presented to the electorate on November 4, 2008. In sum, it appears that Proposition #1:

- Will add 36 miles of link light rail to the Link system that will serve Sea-Tac Airport by 2009 and the University of Washington (UW) by 2016. This includes expanding service from Sea-Tac Airport to Highline Community College (HCC) and Federal Way (FW) by 2023, including a new light rail station at South 200th Street.
- Increases Sounder Commuter train service by adding four new daily round trips between Tacoma and Seattle.
- Improves station access by funding to increase access to transit facilities. Projects will be tailored to meet the needs of each location and may include expanded parking; pedestrian improvements at or near stations; additional bus/transfer facilities for improved feeder service to stations; bicycle access and storage; and new and expanded drop-off areas to encourage ride-sharing.
- Expands regional express bus routes.
- Funds several studies of future expansion of light rail and bus rapid transit.
- To pay for the cost of Proposition #1, the sales tax would be increased by one-half of one percent. In addition, the existing Sound Move taxes would be continued (0.4% sales tax and 0.3% vehicle license tax).

This issue was discussed at the September 9, 2008 A&F Committee meeting, and the Committee suggested that a Resolution in support of Proposition #1 be brought forward to the full Council for consideration.

RCW 42.17.130 prohibits the use of City facilities to assist in promotion of or opposition to any ballot proposition. However, RCW 42.17.130(1) allows the Council to adopt a Resolution in support of or opposition to a ballot proposition if certain mandatory procedural steps are taken, including providing notice that the Council will discuss taking a collective position regarding the ballot measure, and providing an opportunity for public comment prior to Council action. Therefore, public comments have been solicited for the Council Meeting of September 23, 2008, by notice published on the September 23, 2008 City Council Agenda. In addition, notice was posted at various locations around the City and at City Hall, indicating that the City Council would be seeking comment on this issue.

Senior Assistant City Attorney Johnsen reviewed the above summary.

PUBLIC COMMENTS (related to Agenda Bill #2998): There were no public comments.

MOVED BY A. ANDERSON, SECONDED BY GREGERSON TO PASS RESOLUTION #08-020.

MOTION CARRIED UNANIMOUSLY.

DISCUSSION ITEM:

•Summary of \$5,000 - \$25,000 Purchase Requests for the period ended September 19, 2008

ACM Cutts reviewed the following requests:

<u>Item Description</u>	<u>Department</u>	<u>Original Budget</u>	<u>Amended Budget</u>	<u>Estimate</u>
KC Commute Trip Reduction (CTR) Services Contract	PW	\$22,750	\$22,750	\$20,000
Remove Diseased Elm Trees on DMMD	PW	\$30,000	\$30,000	\$23,762

Council consensus: Referred to the 09/23/08 RCM Consent Agenda

•Summary of Donations \$500 or Greater for the period ended September 19, 2008

ACM Cutts reviewed the following donation:

<u>Donor Name</u>	<u>Description</u>	<u>Amount</u>
KC	WWI Street Banners for DMMD	\$2,200 (Estimated)

Council consensus: Referred to the 09/23/08 RCM Consent Agenda

AGENDA BILL PRESENTATIONS:

Agenda Bill #2986 – A Motion authorizing Final Acceptance of the 2008 Annual Overlay Project

Summary: On July 8, 2008, Council awarded the 2008 Annual Overlay contract to Western Asphalt, Inc. Work began in late July and reached substantial completion on August 1, 2008. The project included road repair and overlay of approximately 3,891 lineal feet of arterial and residential streets throughout the City. The actual cost of the project was lower than the contract amount. Final acceptance establishes the beginning of the 45-day lien period as required by State law.

Original Construction Contract Amount	\$282,302.53
Final Construction Contract Payment	\$218,130.83

PW Director Gut reviewed the above summary.

Council consensus: Referred to the 09/23/08 RCM Consent Agenda

Agenda Bill #3000 – A Motion declaring a 1982 Ford/Hackney surplus and authorizing disposal

Summary: The City has replaced the Fire Department's Rescue/Light/Air Truck, Apparatus 114, a 1982 Ford/Hackney, with a new apparatus. The new apparatus has arrived and as such, the existing Apparatus 114 is no longer needed. Agenda Bill #2823 authorized the new apparatus, and stated that the existing truck would be surplus, but it did not specifically declare it surplus. The City will advertise for bids to dispose of Apparatus 114, and the proceeds will be placed in the 303 Fund.

Assistant Fire Chief Wiwel reviewed the above summary.

Council consensus: Referred to the 09/23/08 RCM Consent Agenda

Agenda Bill #2942 – A Motion confirming the Rules of Procedures for hearings conducted by the Hearing Examiner (HE)

Summary: The HE conducts hearings for various land use applications and hears appeals of administrative decisions as provided by the SeaTac Municipal Code (SMC). SMC 1.20.120 provides that the HE shall have the power to prescribe procedures for the conduct of the hearings, subject to confirmation of the Council. Approval of this Motion would confirm the Rules of Procedure for the HE.

It was recently discovered that the HE has not established formal rules of procedure. Rather, the procedures for hearings were set forth on a hearing by hearing basis. Although there have not been any problems conducting hearings in this fashion, it has been determined that having a formal set of Rules of Procedures would be beneficial. Specifically, this would allow applicants and appellants the opportunity to familiarize themselves with the rules and procedures prior to a hearing. Furthermore, having a set of universal rules, rather than establishing rules on a hearing by hearing basis, will ensure consistency from one party to the next.

The HE has reviewed and approved the rules. Thus, staff seeks Council confirmation of the rules.

Senior Assistant City Attorney Johnsen reviewed the above summary.

Council discussion ensued as to the HE process and exhibits allowed.

DM Fisher commended staff for bringing these rules forward. However, he stated he does not like some of the rules and would like to discuss it further with the A&F Committee. He detailed some of the rules he does not agree with. He stated these rules should have a PH as they affect all citizens. He requested this item be postponed to the next Council Meeting.

Council concurred to hold a PH at the 10/14/08 Regular Council Meeting (RCM).

Council consensus: Referred to the 10/14/08 RCM PH / New Business

Agenda Bill #2993 – A Motion authorizing the City Manager to enter into settlement agreements with Vincent Curulla and Andrew and Veronica Simmons to adverse possession claims

Summary: The City owns a 6.54 acre parcel that is currently being leased to the YMCA for development of the new YMCA facility. During the development review process, it was discovered that two neighboring parcels have encroached upon the City's property. The encroaching property owners assert that they have obtained title by adverse possession to the portion of the YMCA parcel that is subject to the encroachment. Through investigation, it was determined that these property owners appear to have valid adverse possession claims.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #2993 (Continued): Rather than litigate the adverse possession claims, staff received direction to try and resolve these adverse possession claims by negotiation. As a result, two settlement agreements have been negotiated that require Council approval. Both settlements resolve all potential adverse possessions claims between the parties and the City. In addition, both settlements state that the City will ensure that a fence will be installed on the property line to designate the new property boundary as part of the YMCA construction. This should eliminate the possibility of any future encroachments on City property with these property owners.

Curulla Settlement: As part of the Curulla settlement, the City will deed approximately 1,398 square feet (SF) of land to Curulla. In addition to installing the new boundary fence, the City has agreed to remove Mr. Curulla's existing fence, which will be accomplished as part of the YMCA grading. The City will also receive a temporary construction easement that will allow access to the Curulla property to remove the existing fence and construct a new boundary fence.

Simmons Settlement: As part of the Simmons settlement, the City will deed approximately 1,762 SF of land to the Simmons. The City will also receive a temporary construction easement that will allow access to the Simmons property to construct a new boundary fence.

The City surveyed the area in dispute, and legal descriptions have been drafted for the areas to be dedicated. Once the settlement agreements are executed, the City will convey the portion of the YMCA property through a deed. It is not anticipated that KC will require a formal boundary line adjustment, but the settlement agreement allows for that to occur if KC so requires.

The size of the YMCA parcel will be reduced, which in turn will reduce the value of the property. However, the reduction in property value is offset by saving the cost of litigating these adverse possession claims.

Senior Assistant City Attorney Johnsen reviewed the above summary.

Upon a question posed by Mayor Shape, Mr. Johnsen defined the adverse possession law. If a neighbor encroaches for more than a certain number of years, they can claim ownership to that property.

Mr. Johnsen stated that based on the assessment, if the City chose to litigate this issue, the City would most likely end up in the same or worse position due to the additional costs.

Mayor Shape stated that on the positive side, the City is gaining property that will now be taxed.

Council consensus: Referred to the 09/23/08 RCM Consent Agenda

Agenda Bill #2995 – A Motion to waive the five-acre minimum lot development standard for the Business Park (BP) zone to allow the Robbins Company development proposal

Summary: This Motion allows the development of Robbins Company warehouse project, located at 12833 20th Avenue South (or the old Boulevard Park Elementary School site), to submit development review-related applications for consideration by City staff.

The Robbins Company is proposing to construct three warehouse buildings, totaling approximately 42,000 SF on a 3.88 acre site. The property is located in the BP zone. Under SMC 15.13.111(E), the minimum lot size for new projects in the BP zone is five acres, but "projects of less than five acres may be approved by City Council after review and recommendation by the Planning Commission. Approval shall be based upon a determination that the project is consistent with the purpose of the zone."

Staff reviewed a concept plan of the proposed development and found it to be generally consistent with the standards for the BP zone. A full review for compliance with the design standards would be made upon submittal of a State Environmental Protection Agency (SEPA) /Building Permit application. With Council approval of the project, the applicant may then apply for building permit.

The Robbins Company proposal was reviewed by the PC at their September 22, 2008 meeting and they recommended approval.

Planning Director Butler stated the question for this item is whether the BPs minimum lot size of 5 acres should be reduced for the Robbins Company project on the former Boulevard Park School site. Staff and the PC are recommending approval of this minimum lot size reduction.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #2995 (Continued): PC Vice-Chair Rick Forschler stated there were four PC members present at the September 22 PC Meeting. Three members voted for this item and one voted against. He stated that all members believe the Robbins Company is a good company that would be an asset to any City. The only question related to the zoning is whether this type of business belongs in the BP zone.

Mayor Shape clarified that the PC found the proposal to be adequate.

Principal Planner Dodge reviewed the above summary and detailed the proposed development.

Council discussion ensued as to the use for the property and the type of business the Robbins Company conducts.

Mr. Forschler stated that the Robbins Company is basically a construction company. Construction is not a business allowed in the BP zone.

DM Fisher and CM T. Anderson stated their agreement that this particular business is an inappropriate use of the land.

Robbins and Company President Rod Robbins detailed the services his company provides. They don't construct buildings. 70 percent of the employees do ground stabilization. The Robbins Company has been located within residential neighborhoods for the last 50 years with no complaints. He stated the company is trying to stay local because many of the employees live in the area.

CM Wythe stated the Land Use & Parks (LUP) Committee unanimously decided to support this, however, after the discussions tonight, he stated he is less likely to support this item. He also feels that this particular business is an inappropriate use of the land.

CM A. Anderson and Mayor Shape stated their support.

Upon a question posed by CM Gregerson, Mr. Robbins stated the idea is that the new buildings will hold all of the necessary equipment and that the current crane will not be necessary. He also clarified that trucks will leave in morning and be gone all day. This will make the site quiet from approximately 9 a.m. – 3:30 p.m.

Upon a question posed by the Council, Mr. Johnsen stated that the code does not allow Council to impose conditions at this time. Council needs to either approve the reduction in minimum lot size or deny the request. He clarified that this project requires a SEPA, so the City when reviewing SEPA conditions would be able to address traffic, lighting, and noise issues.

Mr. Robbins stated that there is a time constraint as the extension on the option to purchase this property expires September 24 at 5 p.m. The Robbins Company needs to either commit to move forward or stop completely.

Council consensus: Referred to the 09/23/08 RCM New Business

Agenda Bill #2994 – A Motion approving the Third Amendment to the Employment Agreement between the City Manager and the City of SeaTac

Summary: Craig Ward has been the City Manager for the City of SeaTac since August 1, 2005. The City Council has decided to amend the City Manager's contract, by increasing the amount of sick leave cash out to 50% in the event that the City Council terminates the City Manager's employment. If the City Manager voluntarily terminates employment, the sick leave cash out would remain at 25%. All other provisions of the contract and previous amendments will remain the same.

Mayor Shape reviewed the above summary.

Council consensus: Referred to the 09/23/08 RCM Consent Agenda

CONSENT AGENDA:

- **Approval of claims vouchers** (check nos. 81860 – 82044) in the amount of \$1,238,806.75 for the period ended September 20, 2008.
- **Approval of payroll vouchers** (check nos. 47087 – 47127) in the amount of \$181,260.35 for the period ended September 15, 2008.
- **Approval of payroll electronic fund transfers** (check nos. 56669 - 56853) in the amount of \$315,070.03 for the period ended September 15, 2008.

CONSENT AGENDA (Continued):

- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$60,839.94 for the period ended September 15, 2008.
- **Summary of \$5,000 - \$25,000 Purchase Requests** for the period ended September 19, 2008.
- **Summary of Donations \$500 or Greater** for the period ended September 19, 2008.

Approval of Council Meeting Minutes:

- **Administration and Finance Committee Meeting** held September 9, 2008.
- **Public Safety and Justice Committee Meeting** held September 9, 2008.
- **Special Council Meeting** held September 9, 2008.
- **Regular Council Meeting** held September 9, 2008.

Agenda Items reviewed under Agenda Bill Presentations recommended for placement on this Consent Agenda:

Agenda Bill #2986; Motion authorizing Final Acceptance of the 2008 Annual Overlay Project

Agenda Bill #3000; Motion declaring a 1982 Ford/Hackney surplus and authorizing disposal

Agenda Bill #2993; Motion authorizing the City Manager to enter into settlement agreements with Vincent Curulla and Andrew and Veronica Simmons to adverse possession claims

Agenda Bill #2994; Motion approving the Third Amendment to the Employment Agreement between the City Manager and the City of SeaTac

MOVED BY T. ANDERSON, SECONDED BY GREGERSON TO ACCEPT THE CONSENT AGENDA AS PRESENTED.*

PUBLIC COMMENTS (related to the Consent Agenda): There were no public comments.

*MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENTS (related to the following Unfinished and New Business): Mr. Erdahl, regarding Agenda Bill #2995, stated that parks surround half of the property. He feels there is a better zone for this business.

Ms. Fernald asked Council to consider how their decision will affect the north SeaTac area. Approving Agenda Bill #2995 will bring a lot of bad feelings from the community and would negatively affect property values.

UNFINISHED BUSINESS: There was no unfinished business.

NEW BUSINESS:

Agenda Bill #2995; Motion to waive the five-acre minimum lot development standard for the Business Park (BP) zone to allow the Robbins Company development proposal

MOVED BY A. ANDERSON, SECONDED BY GREGERSON TO CARRY AGENDA BILL #2995.

UPON A ROLL CALL VOTE, THE MOTION FAILED WITH A TIE VOTE WITH A. ANDERSON, GREGERSON AND SHAPE VOTING YES AND FISHER, WYTHE, AND T. ANDERSON VOTING NO.

CITY MANAGER'S COMMENTS: ACM Cutts commented on the following: (1) September 12 - 20 volunteers from Microsoft worked in the SeaTac Botanical Garden; (2) September 23 – Evening Magazine featured Beijing BMX Bronze Medalist Jill Kintner being interviewed at the North SeaTac BMX Track. This episode will repeat on KONG TV and NW Cable News; (3) September 27 – North SeaTac BMX Park celebration of Ms. Kintner’s bronze medal; (4) September 24 – 7 – 8:30 p.m., Burien Community Center - first of three workshops devoted to discussing water quality monitoring at Miller and Walker Creeks, and water quantity and habitat quality. Interested parties should contact Miller Water Creek’s Basin Steward Dennis Clark at 206.296.1909; and (5) October 4 - annual Stepping Out Against Domestic Violence (DV) Walk-a-thon at the Starfire Sports Complex.

COUNCIL COMMENTS: CM A. Anderson stated he participated in the walk-a-thon last year and will do it again this year. He asked that the volunteers from Microsoft be thanked for their efforts.

CM Gregerson had the following comments: (1) there is a website related to opposing I-985 (www.no985.com); (2) Valley View Library is calling for volunteers for Talk Time, a comfortable atmosphere for new English speakers to participate and practice their English; and (3) commended staff for participating in the KC green bike project.

COUNCIL COMMENTS (Continued): Mayor Shape stated September 13, he welcomed Vice Premier of China Wan Quisham. Mayor Shape also just returned from Washington, DC with City Manager Ward where they visited Congressional offices to encourage possible investment by the Federal government in some of the City's projects.

EXECUTIVE SESSION: There was no Executive Session.

ADJOURNMENT:

MOVED BY T. ANDERSON, SECONDED BY FISHER TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 9:10 P.M.

MOTION CARRIED UNANIMOUSLY.

Ralph Shape, Mayor

Kristina Gregg, City Clerk

City of SeaTac

2009 Budget Workshop 2

Minutes Synopsis

October 4, 2008 (Saturday)
9:00 AM - 5:00 PM

City Hall
Council Chambers

COUNCIL PRESENT: Mayor Ralph Shape, Deputy Mayor (DM) Gene Fisher (*left at 2:13 p.m.*), Councilmembers (CMs) Chris Wythe, Terry Anderson, and Mia Gregerson. Excused Absences: CM Anthony (Tony) Anderson and Joe Brennan.

STAFF PRESENT: City Manager Craig Ward, Finance Director Mike McCarty, City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, Assistant City Manager (ACM) Todd Cutts, Planning Director Steve Butler, Parks & Recreation (P&R) Director Kit Ledbetter, and Fire Chief Bob Meyer.

GENERAL FUND UPDATE AND DISCUSSION: City Manager Ward stated the budget appears to be balanced, before decision cards. His recommended decision card priorities will be presented at the October 18 Budget Workshop along with the Capital Facilities program.

Finance Director McCarty presented a revised 2009 preliminary budget listing of General Fund revenue by source and expenditures by department with a current surplus of \$70,220, not including the \$1 million payment to YMCA that will come out of reserves. He detailed the changes, including the projected revenue increases of \$866,030 and expenditure decreases of \$457,809.

The current proposed budget does not take into account the possible passing of I-985, affecting red light camera revenues.

DEPARTMENT PRESENTATIONS:

Fire: City Manager Ward stated that the Public Safety & Justice (PS&J) Committee requested Emergency Preparedness Coordinator Karen Ferreira come to this workshop to discuss the proposed increase to the Regional Emergency Preparedness Coordinator (REPC) contract.

Ms. Ferreira detailed items worked on in the past year, in progress and completed, and the 2009 Regional Workplan. She also reviewed her expenses for 2007, the 2008 budget, and the preliminary 2009 budget. Ms. Ferreira is overdue a step increase from April 2008. The total cost to SeaTac will be \$33,500.

CM Gregerson requested a quarterly update be given to the PS&J Committee. She also questioned how the City can improve on the Map Your Neighborhoods (MYN) effort.

Ms. Ferreira stated that a DVD has been prepared that can be checked out. This may help in the smaller neighborhoods that want to be active.

Chief Meyer clarified that the MYN program is ongoing in the Bow Lake Mobile Home Park.

Mr. McCarty stated the budget was prepared using the total cost of \$33,000. The requested \$33,500 will reduce the surplus by \$500.

Chief Meyer reviewed the Fire Department budget requests, detailing increases/decreases.

Discussion ensued as to the Code Red service and related costs.

Mr. Ward and Chief Meyer reviewed overtime costs, which are very close to budget.

Chief Meyer reviewed the following decision cards:

- (1) Three Firefighters (FF) to staff an aid car - \$279,198 (consistent with ESCi Master Plan recommendation);
- (2) Public Educator - \$109,216 (consistent with ESCi Master Plan recommendation);
- (3) Fire Marshal - \$207,177 (consistent with ESCi Master Plan recommendation);
- (4) WebEOC Mapper Program - \$27,000;
- (5) Amateur Radios for Disaster Preparedness - \$10,000; and
- (6) Monitors for Training - \$6,000.

Discussion ensued regarding the decision cards.

DEPARTMENT PRESENTATIONS (Continued):

Planning: Planning Director Butler reviewed the Planning Department 2008 Accomplishments and 2009 Planned Programs.

Mr. Ward summarized the 2009 budget requests.

Mr. Butler reviewed the following decision cards:

- (1) Associate Planner Vacant Position - \$84,260;
- (2) Supplemental Environmental Impact Statement (SEIS) to allow for adoption of a State Environmental Protection Agency (SEPA) Categorical Exemption (or planned action) Ordinance - \$115,000;
- (3) Consulting Wetland Biologist - \$15,000;
- (4) Consulting Arborist - \$10,000; and
- (5) Sustainability Chapter in the Comprehensive Plan (CP) - \$80,000.

Council discussion ensued as to decision card item #2. Mr. Ward stated the reason for focusing on the station areas. It is a considerable investment just for the station areas.

Mr. Butler stated the development community likes the notion of SEPA exemptions for two reasons: (1) it shortens the development process; and (2) it avoids the appeal potential which slows the process down. SeaTac receives very few SEPA appeals.

CM Wythe stated the City could spend a lot of money to build for illusions. He requested this item be presented to the Land Use & Parks (LUP) Committee.

Mr. Ward stated the concern is that there are very different perceptions of what this will accomplish.

CM Gregerson requested clarification on the decision cards: Associate Planner - in 2008 staff requested an additional person. The 2009 request is to fill a vacant position, not add a position; Arborist Consultant – this request is only for property proposed to be short-platted. She requested details be included with both scenarios of single-family and short plat properties.

Parks & Recreation (P&R): P&R Director Ledbetter reviewed the P&R Department decision cards:

- (1) Senior Lunch Program Contingency - \$53,560;
- (2) Americans with Disabilities Act (ADA) Accessible Doors for front entrance to SeaTac Community Center - \$6,200;
- (3) Botanical Garden-Rose Garden Curbing - \$20,710;
- (4) Field Monitor Position for Valley Ridge Park (VRP) - \$23,342; and
- (5) New Eight Month Seasonal Position - \$18,031.

Mr. Ledbetter reviewed P&R revenues and net operating costs.

CM T. Anderson questioned about the 4th field at VRP. Mr. Ledbetter stated staff is proposing to complete that field in 2010. Mr. Ward stated that project is included in the Capital Improvement Program (CIP).

Council discussion ensued as to the following: (1) Band Shell Cover - \$300,000. The City currently has \$100,000. King County (KC) suggested the City request grants each year. Once the City has enough grant money, staff will come back to Council for approval, but it will take approximately three to four years; and (2) Splash Park – is included in the CIP and will be discussed at the October 18 Budget Workshop 3. The City currently has \$225,000, but is \$175,000 short.

Upon a question posed by CM Gregerson, Mr. Ledbetter stated that there were 3,800 billable hours for the VRP fields in 2008. The fields can accommodate about another 10 percent usage. Staff is also proposing charging the Highline School District (HSD) half-price for use of fields because they aren't helping with fields.

City Council: City Manager Ward reviewed the 2009 Budget Requests and a decision card for Citizen Advocate/Ombudsman - \$31,200.

Discussion ensued regarding the decision card. It was felt that this will allow citizens a place to go when they feel they haven't been treated fairly.

Mayor Shape requested Council consider imposing an out-of-state travel ban for Council. Departments are being asked to reduce their budgets and Council needs to show they are willing to do the same. Council discussion ensued

DEPARTMENT PRESENTATIONS (Continued):

City Council (Continued): with some CMs commenting that out-of-state travel is very beneficial. CM Gregerson suggested each CM be given an allotment of money for the year to spend on conferences as they see fit.

City Manager's Office: Mr. Ward reviewed the department decision cards:

- (1) Robotic Camera System for Council Chambers - \$40,000;
- (2) CIP Cost Estimating - \$50,000;
- (3) Visioning Process - \$37,500;
- (4) Southwest King County Economic Development Initiative (SKCEDI) Business Attraction Program Staffing - \$15,000; and
- (5) Human Services (HS) Reserve-carry forward - \$63,337.

Council discussion ensued regarding the decision cards. CM Gregerson stated #3 would allow the Council and staff to know what the City's priorities are.

DM Fisher stated his disagreement with hiring consultants to tell the City how to spend its money. Staff should be able to tell the Council how much money is needed.

ACM Cutts, commenting on #4, stated that if a grant is secured, there will be no need for this money to be included in the budget. Also, if more than one entity does not agree to fund this program, the money will not be needed.

Mr. Cutts stated the HS Advisory Committee is currently prioritizing where the money should be spent. However, they don't know how much money will be available. Council discussion ensued that if the money automatically rolls over, they wouldn't be under pressure to spend it. A suggestion was made to increase the percentage.

Finance & Systems: Finance Director McCarty reviewed the 2009 Budget Requests increases/decreases.

He reviewed the decision cards:

- (1) Server Virtualization Infrastructure - \$36,855;
- (2) Attached Network Storage - \$32,100;
- (3) Battery Backup Solution - \$43,875;

CM Fisher left at this point of the meeting.

- (4) Geographic Information System (GIS) Interns - \$34,040; and
- (5) Orthophotos - \$13,500.

Non-Departmental: Finance Director McCarty reviewed the budget requests.

CM Gregerson stated the Reinvesting In Youth (RIY) initiative is important and the City should continue to fund it, however, she feels they should be required to go through the HS process instead of asking for money from the General Fund.

Mr. Ward stated the RIY group is aware that they are at a disadvantage because they can't comply with the HS requirements. It is too late for them to go through the process this year. Discussion ensued on how best to fund the RIY. It was suggested that the City fund the group for 2009 and 2010, but require them to go through the HS process in 2010 for 2011 funding.

Discussion ensued as to the various charges.

Mr. McCarty stated that \$7.46 million is still owed for the Port Interlocal Agreement (ILA) Fund for Interfund Loan Principal. The Auditors want the loan paid back. Mr. McCarty suggested taking \$7.4 million out of the General Fund reserves to satisfy repaying the loan. The money would still be available to spend as needed. It takes Council action to move the money. Council requested this item be brought to the October 14 Administration & Finance (A&F) Committee meeting and the October 28 Regular Council Meeting (RCM) for action.

Mr. McCarty reviewed the City's memberships. Council requested the Enterprise Seattle group give a presentation to Council.

Council discussion ensued as to naming a building or park for CM Joe Brennan. Council concurred to review options.

DEPARTMENT PRESENTATIONS (Continued):

Building Management Fund #108: Finance Director McCarty reviewed the 2009 Budget Requests. This fund is used to receipt rent from the second floor of City Hall. One-third of the costs to maintain City Hall are transferred to the General Fund from this fund.

Discussion ensued as to whether the fund needs reserves. The reserves will be moved to the General Fund.

Facility Repair and Replacement Fund #110: Finance Director McCarty reviewed the 2009 Budget Requests. Money is transferred into this fund from the General Fund as repairs are needed. Mr. McCarty reviewed the 2009 Facility Repair and Replacement Schedule.

Debt Funds #201, 202, 203, 204 and 205: Finance Director McCarty reviewed the 2009 Budget Requests. These are ongoing debt funds:

- (1) City Hall Limited Tax Bond Fund #201 – \$426,490;
- (2) Transportation Tax Bond Fund #202 - \$862,403;
- (3) Hotel/Motel (H/M) Tax Bond Fund #203 - \$384,458;
- (4) Special Assessment (Local Improvement District [LID] #1) Debt Fund #204 - \$246,655; and
- (5) LID Guarantee Fund #205 - \$19,500 transfer to General Fund. This money was used to buy down the interest rate.

Budget Workshop 3 will be held Saturday, October 18, 2008, 9 a.m. – 5 p.m.

Council 2009 Budget Workshop 2 was closed at 3:48 p.m.

City of SeaTac

Regular Council Meeting Minutes

October 14, 2008
6:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Shape at 6:09 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Deputy Mayor (DM) Gene Fisher, Councilmembers (CMs) Chris Wythe, Terry Anderson, Anthony (Tony) Anderson, and Mia Gregerson. Excused Absence: CM Joe Brennan.

MOMENT OF SILENCE: Mayor Shape announced the passing of CM Joe Brennan and requested a moment of silence.

FLAG SALUTE: CM A. Anderson led the Council, audience and staff in the Pledge of Allegiance.

ADMINISTRATIVE STAFF: City Manager Craig Ward, City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, Assistant City Manager (ACM) Todd Cutts, Senior Assistant City Attorney Mark Johnsen, Principal Planner Jack Dodge, Associate Planner Kate Kaehny, Systems Administrator Bart Perman, Facilities Director Pat Patterson, Fire Chief Bob Meyer, Chief of Police Services Jim Graddon and Police Captain Annette Louie.

PUBLIC COMMENTS: Joyce Docherty spoke in support of a ban on pit bulls and dangerous dogs. She presented documentation at the September 23 Regular Council Meeting (RCM) supporting this. She presented additional information tonight. She questioned whether Animal Control was available 24/7.

John Thompson requested that SeaTac Code Enforcement send a letter of satisfaction once a resident/business has complied with requested action.

Rick Forschler, speaking as a citizen, spoke against Pawn Shops in the City.

PRESENTATIONS:

•Distinguished Service Award to SeaTac Police Officer Alex Paul

Chief of Police Services Graddon introduced Officer Alex Paul. Chief Graddon detailed the incident that Officer Paul responded to. Mayor Shape and Chief Graddon presented Officer Paul with the award.

•Council consideration of Mayoral re-appointments of Jon Ancell and Frederick Geraldson to the Senior Citizen Advisory Committee

Mayor Shape stated his selection of Jon Ancell and Frederick Geraldson for re-appointment to the Senior Citizen Advisory Committee.

Council consensus: Referred to the 10/28/08 RCM for Confirmation

•Institute for Family Development

Associate Director Shelley Leavitt stated their mission is to develop, evaluate and deliver cost effective solutions to some of the problems that children and families in the community are facing. Primarily the agency provides in-home family counseling and skill building parenting services to high-risk, low-income families.

Funding received from SeaTac allows them to provide the Parents and Children Together (PACT) program. She detailed the program. PACT is designed to strengthen and support low-income, high-risk families, who are not eligible for state-funded services, and who are falling through the cracks of the community service systems.

SUSPENSION OF THE RULES:

MOVED BY A. ANDERSON, SECONDED BY FISHER TO SUSPEND THE RULES TO BRING FORWARD THE PUBLIC HEARING AND COUNCIL ACTION RELATED TO AGENDA BILL #2942 AND PUBLIC COMMENT AND COUNCIL ACTION RELATED TO AGENDA BILL #2985.

MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARING (PH):

•Confirming the Rules of Procedures for hearings conducted by the Hearing Examiner (HE) – Legal

Mayor Shape opened the PH at 6:32 p.m.

Senior Assistant City Attorney Johnsen reviewed the summary below for Agenda Bill #2942.

Earl Gipson stated he supports the rules as presented tonight. He thanked DM Fisher and the Legal Department for allowing him to be a part of the process in reviewing the rules, and the Council for allowing tonight's PH.

Mayor Shape closed the PH at 6:34 p.m.

NEW BUSINESS:

Agenda Bill #2942; Motion confirming the Rules of Procedures for hearings conducted by the Hearing Examiner (HE)

Summary: The HE conducts hearings for various land use applications and hears appeals of administrative decisions as provided by the SeaTac Municipal Code (SMC). SMC 1.20.120 provides that the HE shall have the power to prescribe procedures for the conduct of the hearings, subject to confirmation of the Council.

It was recently discovered that the HE has not established formal rules of procedure. Rather, the procedures for hearings were set forth on a hearing by hearing basis. Although there have not been any problems conducting hearings in this fashion, it has been determined that having a formal set of Rules of Procedures would be beneficial. Specifically, this would allow applicants and appellants the opportunity to familiarize themselves with the rules and procedures prior to a hearing. Furthermore, having a set of universal rules, rather than establishing rules on a hearing by hearing basis, will ensure consistency from one party to the next.

This Motion previously came before the Council at the September 23, 2008 RCM. At that time, concerns were raised regarding the ability of the HE to rule on evidence at a pre-hearing conference. Those issues have been addressed, and revised rules prepared. In addition, other changes were made in response to comments received by staff after the September 23, 2008 RCM. The HE has reviewed and approved the modified rules. Staff seeks Council confirmation of the rules.

MOVED BY T. ANDERSON, SECONDED BY GREGERSON TO PASS AGENDA BILL #2942.*

DM Fisher stated the Administration & Finance (A&F) Committee recommended this item for approval.

*MOTION CARRIED UNANIMOUSLY.

NEW BUSINESS (Continued):

Agenda Bill #2985; Ordinance #08-1030 amending Section 15.12.060 of the SeaTac Municipal Code (SMC) and adding new Sections 15.10.456 and 15.12.110 to the SMC related to Pawn Shops

Summary: This amendment to the Zoning Code is to allow Pawn Shops as permitted uses within the Community Business (CB) zone, exclusive of the Station Areas and City Center, and Industrial (I) zone, subject to additional development standards.

Recently, staff received a code interpretation request by a potential business owner to determine if Pawn Shops were similar to other uses permitted within the CB zone and whether Pawn Shops are allowed within the City. Staff concluded that Pawn Shops are not a permitted use in the City. The City has recently been in contact with a potential business owner who would like to open a Pawn Shop and in order to allow Pawn Shops, the Zoning Code must be updated. The Department of Planning and Community Development believes that Pawn Shops should be a permitted use in the CB and I zones if certain development regulations and licensing requirements are imposed. Staff reviewed codes and studies related to Pawn Shops from other jurisdictions and consulted with the City of SeaTac Police Department on the matter.

Based upon this research, staff identified several additional development standards, which are reasonable and intended to prevent and/or deter perceived criminal activity associated with Pawn Shops. The standards include the following development and licensing requirements:

- Limited Hours of Operation.
- Location/Clustering Requirements.
- Restricting sale of firearms near schools.
- Restricting use of bars on windows.
- Requiring surveillance system approved by the City of SeaTac Police Department.
- Requiring electronic transmittal of pawn tickets to Police Department and electronic driver's license scanner.
- Requiring a criminal background check by the City of SeaTac Police Department for owners and employees of Pawn Shops.

The Planning Commission (PC) conducted a second PH on October 13, 2008 and voted three to one in favor of this change.

Principal Planner Dodge reviewed the agenda bill summary. PC recommended approval with a three to one vote.

NEW BUSINESS (Continued):

Agenda Bill #2985; Ordinance #08-1030 (Continued): PC Member Roxie Chapin stated some PC members felt a Pawn Shop was a good resource to easily get money. However, there was some concern about the crime issue.

Chief Graddon stated that research indicates that there is no data related to Pawn Shops and crime in that area. Many safeguards have been put in place to lower the risk of crime related to Pawn Shops.

CM Wythe stated the Land Use & Parks (LUP) Committee reviewed this issue with a split decision. He stated he feels this is a sign that the community is having difficulties. However, it is a legitimate business. He recommended the City use the 20,000 population and leave it to the Planning Department Director's discretion as to the color of the bars.

Council discussion ensued as to the Pawn Shop regulations.

DM Fisher and CM T. Anderson stated they would vote no with the regulations as they are written.

Mayor Shape stated he talked to neighbors that have no serious objections.

Upon a question posed by CM Gregerson, Chief Graddon stated the Police Department has gone a long way to mitigate any issues they might have with a Pawn Shop.

CM A. Anderson stated that even if there is no nexus between Pawn Shops and crime in the area, there is a perception of a nexus. He stated he would not support this.

PUBLIC COMMENTS (related to Agenda Bill #2985):

Holly Richter stated Pawn Shops are regulated more than Check Cashing businesses. It's the victims who frequent Pawn Shops, not criminals because proper identification, name and contact information are required. The reporting allows the victims to get their items back. Pawn Shops work cooperatively with the Police Department and are a sound economical choice for short term loans. She stated that bars on the doors and windows are not a sign of a bad neighborhood; just an insurance requirement.

Discussion ensued as to the 20,000 population requirement.

DM Fisher and CM A. Anderson requested this item be postponed for two weeks for more review.

DISCUSSION ITEM:

•Summary of \$5,000 - \$25,000 Purchase Requests for the period ended October 10, 2008

City Manager Ward reviewed the following requests:

<u>Item Description</u>	<u>Department</u>	<u>Original Budget</u>	<u>Amended Budget</u>	<u>Estimate</u>
National Fire Protection Assoc. (NFPA) Technician Level Rope Rescue Instruction	Fire	\$21,200	\$21,200	\$6,300
GeoCortex Essentials Software	Finance and Systems	\$18,440	\$18,440	\$17,985
Annual Traffic Count Services	Public Works (PW)	\$41,000	\$41,000	\$6,150

Council consensus: Referred to the 10/14/08 RCM Consent Agenda

AGENDA BILL PRESENTATIONS:

Agenda Bill #3002 – An Ordinance amending the zoning map for certain properties in the “Extended South 154th Street Station Area”

Summary: This Ordinance amends the Official Zoning Map for the properties identified as Phase 1 in the Extended South 154th Street Station Area, consistent with the South 154th Street Station Area Action Plan, and the Comprehensive Plan's (CPs) associated Land Use Plan Map amendments, both of which the Council adopted on December 12, 2006.

The presence of light rail transit (LRT) stations is expected to create demand for services and building/development types that support higher office, commercial, and residential densities, and increase pedestrian activity. Anticipating this demand and the increased development potential for services and facilities near the Tukwila International Boulevard (IB) light rail station that could benefit SeaTac residents and businesses, the City staff adopted the South 154th Street Station Area Action Plan.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3002 (Continued): At the same time, the City identified amendments to the CPs Land Use Plan Map that would make the CP consistent with the South 154th Street Station Area Action Plan. Those CP map amendments established “Potential Zones” for those areas, allowing for higher residential densities and other land uses consistent with the Station Area Plan. The proposed rezone action would rezone some of those properties, consistent with the Station Area Plan and the adopted CP amendments.

The City held three community meetings this year to discuss the proposed zoning changes with property owners and other community members. The outcome of these meetings was that a large majority of the attendees supported the proposed City-initiated rezone approach. The SeaTac PC recommended adoption of the proposed rezones at their June 30, 2008 meeting.

The Council reviewed this issue at the July 22 RCM, and remanded it back to the PC for further consideration. At the July 28 PC meeting, the PC reviewed the rezone proposal. After hearing comments from interested parties, the PC reaffirmed their earlier recommendation, on a 3 to 2 vote, to adopt the rezones as proposed.

At the September 23 RCM, a property owner who has applied for permits from the City to remodel an existing multi-family building in the Station Area, indicated that delaying the rezone of his property to November 25 would pose financial and scheduling difficulties for his project. In response, staff suggested that the Council act on the rezone proposal in two phases. Under this revised proposal, the Phase 1 rezone would apply to properties that are closest to the LRT station and are not zoned single-family. No concerns have been raised by the public about rezoning the Phase 1 properties.

The Phase 2 rezone would apply to the remaining properties in the rezone area, most of which are currently zoned single-family. These are the properties about which questions regarding property taxes have been raised. This rezone is scheduled for Council action on November 25, 2008.

Associate Planner Kaehny reviewed the agenda bill summary.

CM Wythe stated the LUP Committee recommended this for approval.

Council consensus: Referred to the 10/14/08 RCM Consent Agenda

Agenda Bill #3003 – A Motion authorizing the City Manager to execute a contract with Vision Internet Providers, Inc. for website redesign and hosting

Summary: In 2007, the City Council approved a budget request for \$50,000 for re-design and hosting of the City’s website. The City issued a Request for Proposals (RFP) for this project and received responses from twelve vendors. These responses were reviewed by members of the City’s Technology Committee. Based on completeness of response, vendor qualifications, experience in government website design, proposed implementation schedules and overall costs for the City, three of these vendors were selected as finalists for consideration. Each of these vendors were interviewed and given an opportunity to demonstrate their proposed solution and their content management software. Based on these presentations, Vision Internet was selected by the Technology Committee.

Based on Vision Internet’s response to the RFP, total project cost should be approximately \$50,000 which was the amount approved by Council for this project.

Systems Administrator Perman reviewed the agenda bill summary.

DM Fisher stated the A&F Committee recommended this for approval.

Council consensus: Referred to the 10/14/08 RCM Consent Agenda

Agenda Bill #3005 – A Motion authorizing the City Manager to execute a contract to employ an architect for the design of Fire Stations 45 and 47

Summary: This Motion authorizes a Contract with the architectural firm of TCA Architects for design of new Fire Stations 45 and 47, in an amount not to exceed \$190,000.

Request for Qualifications (RFQ) were sent out in June, 2008 with 12 returned responses. The top three were chosen for final interviews. The interview team of CMs A. Anderson and T. Anderson, Assistant Fire Chief Brian Wiwel, Fire Training Officer John Gallup, and Facilities Director Pat Patterson selected TCA Architects to perform the work.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3002 (Continued): The fees for services have been negotiated based on the Washington State Fees for Architectural Services.

The 2008 Budget for New Fire Station 45 has \$325,000 to pay for the architect fees and associated costs.

Facilities Director Patterson reviewed the agenda bill summary.

DM Fisher stated the A&F and Public Safety & Justice (PS&J) Committees recommended this for approval.

Council consensus: Referred to the 10/14/08 RCM Consent Agenda

Agenda Bill #3006 – A Motion authorizing the City Manager to enter into a contract with Commercial Sound and Video to provide the alerting system for Fire Station 46

Summary: Revised Code of Washington (RCW) 39.04.270 provides that cities may acquire telecommunications systems through a competitive negotiation process rather than competitive bidding. This process provides that the City advertise for proposals, provide procedures for technical evaluation of the proposals, and award the contract to the qualified bidder whose proposal is most advantageous to the municipality.

Proposals were solicited by the City and two responses were received. Proposals were received from First In/Westnet and Commercial Sound and Video. Each company was interviewed by the Architect of Record, Facilities and Fire. Staff determined that taking into consideration the needs of the City, Commercial Sound and Video was the most qualified firm to provide the alerting system. Furthermore, Commercial Sound and Video is a local company, and staff believes that it will be easier to address warranty and maintenance issues with a local vendor. In/Westnet is located in California and their cost estimate is \$198,393, while Commercial Sound and Video's cost estimate is \$112,517. The selection committee agreed that Commercial Sound and Video should provide the alerting system for Fire Station 46.

The cost estimate from Commercial Sound and Video is \$112,517, plus sales tax of \$10,126.53, and a 10% contingency is \$12,264.35 for a total of \$134,907.88. The budget estimate for station alerting is \$104,125, not including sales tax or contingency. The 2008 Budget for New Fire Station 46 has \$4,488,036 for construction of the new fire station.

Facilities Director Patterson reviewed the agenda bill summary.

CM A. Anderson stated the PS&J Committee recommended this for approval.

Council consensus: Referred to the 10/14/08 RCM Consent Agenda

CONSENT AGENDA:

- **Approval of claims vouchers** (check nos. 82045 – 82203) in the amount of \$738,318.59 for the period ended October 3, 2008.
- **Approval of payroll vouchers** (check nos. 47128 – 47170) in the amount of \$422,137.27 for the period ended September 30, 2008.
- **Approval of payroll electronic fund transfers** (check nos. 56854 - 57038) in the amount of \$314,719.39 for the period ended September 30, 2008.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$61,304.98 for the period ended September 30, 2008.
- **Summary of \$5,000 - \$25,000 Purchase Requests** for the period ended October 10, 2008.

Approval of Council Meeting Minutes:

- **Transportation and Public Works Committee Meeting** held September 23, 2008.
- **Regular Council Meeting** held September 23, 2008.
- **Council Budget Workshop 2** held October 4, 2008.

Agenda Items reviewed under Agenda Bill Presentations recommended for placement on this Consent Agenda:

Agenda Bill #3002; Ordinance #08-1030 amending the zoning map for certain properties in the “Extended South 154th Street Station Area”

Agenda Bill #3003; Motion authorizing the City Manager to execute a contract with Vision Internet Providers, Inc. for website redesign and hosting

CONSENT AGENDA (Continued):

Agenda Bill #3005; Motion authorizing the City Manager to execute a contract to employ an architect for the design of Fire Stations 45 and 47

Agenda Bill #3006; Motion authorizing the City Manager to enter into a contract with Commercial Sound and Video to provide the alerting system for Fire Station 46

MOVED BY T. ANDERSON, SECONDED BY GREGERSON TO ACCEPT THE CONSENT AGENDA AS PRESENTED.*

PUBLIC COMMENTS (related to the Consent Agenda): There were no public comments.

*MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENTS (related to the following Unfinished and New Business): There were no public comments.

UNFINISHED BUSINESS: There was no unfinished business.

NEW BUSINESS: There was no new business.

CITY MANAGER'S COMMENTS: City Manager Ward commented on the following items: (1) October 16 - LUP Committee meeting at 4:30 p.m.; and (2) October 28 – Special Council Meeting at 5 p.m. to present the Fire Study results.

COUNCIL COMMENTS: DM Fisher stated he addressed the Chinook Middle School Leadership Class on October 10. He requested that the City donate supplies to the class in order to help facilitate planned graffiti cleanup.

CM A. Anderson stated that CM Brennan loved this City. He stated he has seen a few examples of events that would have made CM Brennan proud: recycling event, employees riding green bikes, a Police Officer putting his life on the line, and the building of the YMCA.

CM Gregerson stated that although she's been on the Council for only a short time, she will miss CM Brennan.

Mayor Shape stated that on October 12, the City celebrated the completion of the Des Moines Creek Trail. He also stated that everyone will miss CM Brennan. The services are expected to occur on Saturday, October 18, but the details have yet to be finalized. The Council Budget Workshop 3 currently scheduled for the same day will be postponed.

EXECUTIVE SESSION: There was no Executive Session.

ADJOURNMENT:

MOVED BY WYTHE, SECONDED BY FISHER TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 7:34 P.M.

MOTION CARRIED UNANIMOUSLY.

Ralph Shape, Mayor

Kristina Gregg, City Clerk

City of SeaTac

Special Council Meeting Minutes

October 28, 2008
5:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Special Meeting was called to order by Mayor Shape at 5:05 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Deputy Mayor (DM) Gene Fisher, Councilmembers (CMs) Chris Wythe (*arrived at 5:55 p.m.*), Terry Anderson, Anthony (Tony) Anderson, and Mia Gregerson.

ADMINISTRATIVE STAFF: City Manager Craig Ward, City Attorney Mary Mirante Bartolo, Deputy City Clerk Marcia Rugg, Assistant City Manager (ACM) Todd Cutts, Senior Assistant City Attorney Mark Johnsen, Fire Chief Bob Meyer, Assistant Fire Chief Brian Wiwel and Training Officer John Gallup.

NEW BUSINESS:

Agenda Bill #2989; Motion accepting the completion of the Fire Study Report by Emergency Services Consulting Inc. (ESCi)

Summary: This Motion accepts the City of SeaTac Fire Department Master Plan and the Cooperative Services Study reports (collectively described herein as the "Fire Study Report") as complete, and upon confirmation of similar actions by the City of Tukwila, authorizes the City Manager to closeout the contract with ESCi as authorized by Agenda Bill #2841, and terminate the Interlocal Agreement (ILA) with the City of Tukwila to jointly pursue master planning for the two City Fire Departments to study the financial and service delivery feasibility of various cooperative service options as authorized by Agenda Bill #2840.

On October 9, 2007, the City Council authorized the execution of a contract with ESCi to prepare Master Plans for the fire departments of the Cities of SeaTac and Tukwila, make findings and recommendations on the financial and service delivery feasibility of the various partnership options with the City of Tukwila, and authorized an ILA with the City of Tukwila to jointly develop Master Plans for the fire departments of the cities of SeaTac and Tukwila and to study the financial and service delivery feasibility of various cooperative fire service options.

The governance structure for the study consisted of a Policy Committee and a Steering Committee to review the work and give direction to the study consultant and to manage the ILA. The Policy Committee gave policy direction on the study and makes recommendations to the city councils for consideration of future actions relating to the results of the study. The Policy Committee is comprised of two elected officials from each City (CMs Gregerson and A. Anderson), representatives from the firefighters unions from each City, and the Steering Committee members. The Steering Committee is composed of SeaTac City Manager, Tukwila City Administrator, and SeaTac and Tukwila Fire Chiefs.

Subsequently ESCi, with the support of staff of both fire departments and under the direction of the Policy and Steering Committees, conducted the research, prepared Master Plans for each City, and evaluated the operational and financial impacts of opportunities of jointly delivering emergency response services. The results and recommendations of these planning processes are included in the City of SeaTac Fire Department Master Plan and the Cooperative Services Study Reports. The City of Tukwila also received a Fire Department Master Plan, which is not included within this action, but is also proposed to be accepted by the City of Tukwila.

The project costs were \$59,397, half of which will be reimbursed by the City of Tukwila.

City Manager Ward reviewed the agenda bill summary. Mr. Ward introduced ESCi Vice President Bruce Caldwell and Consultant Martin Goughnour. ESCi summarized the master plan and how to explore the partnership with the City of Tukwila.

Mr. Caldwell reviewed the 3 phases of the proposed master plan: Phase 1- Fire Department Comprehensive Master Plan; Phase 2 - identifies the partnership efforts and potential service improvements; and Phase 3 - identifies critical issues, general partnering strategies, performance measure of opportunities for service delivery, fiscal analysis and financial outcomes of those identified options.

The scenarios developed will call a high of 7 engines, 2 trucks and 2 staff aid cars. He detailed Scenario A which involves travel time capability, service demand coverage, apparatus distribution and closest station workload analysis. He briefly reviewed the affects of a fire authority between SeaTac and Tukwila's staffing, organizational structure, wages and benefits, materials and supplies, costs of other services and intergovernmental services.

NEW BUSINESS (Continued):

Agenda Bill # 2989 (Continued):

Mr. Goughnour stated that in reviewing a fire authority as a new concept, it must be viewed in making everything equal, such as costing. A baseline budget must be developed and evaluated to ensure the actual costs for each of the items within the two fire departments. These involve materials, support services, and capital expenses. He reviewed a model by evaluating the current number of positions and the tax value between the two Cities.

Mr. Goughnour recommended setting up an organizational structure. This model must maintain the current level of services in both Cities without adding personnel. He reviewed the salaries and wages, materials and services, and intergovernmental services, such as dispatching services. There are significant differences in how the Cities report these services. In respects to internal charges, the savings or potential savings is most significant. A comparison summary detailed each City's budget, a combined budget, and a proposed budget reflecting the changes. With combined budgets and a combined budget for a single agency, the City of SeaTac's millage rate would increase approximately 33 percent and the City of Tukwila rate would decrease approximately 19 percent and be detrimental to both. Both Cities and their fire departments feel it is most important to provide good customer service and meet the public expectations. The policy makers within the two Cities could develop a plan to implement partnership opportunities and these opportunities exist for cost avoidance. The concept of implementing a fire authority is not feasible at this time, but may be in the near future.

Mr. Goughnour stated ESCi recommends the City of SeaTac move forward in establishing an oversight board to plan and manage the implementation of partnership opportunities. Within these opportunities, the following have the best chance of success and the best opportunity for cost avoidances: consolidation of fire stations number 47 at the City of SeaTac and 54 at the City of Tukwila, developing methods of staffing by utilizing joint support logistic service division, unified training system and the purchasing of uniform emergency apparatuses, and fire prevention services (fire code, new construction, public education, code compliance, fire cause determination).

Council discussion ensued regarding the need for a ladder truck and its uses between the two Cities.

CM A. Anderson stated his comments on the study. He was encouraged that the fire department is operating on a high level and the opportunity for cost avoidance, but is concerned how ESCi calculated the high number of 50,000 cars traveling through the City and the number may be skewed when counting freeway traffic. The hiring recommendation is too high and not a money saver.

Mr. Goughnour further explained the gap of 19 versus 33 percent in comparing the millage rate.

MOVED BY T. ANDERSON, SECONDED BY A. ANDERSON TO PASS AGENDA BILL #2989.

PUBLIC COMMENTS: There were no public comments.

MOTION CARRIED UNANIMOUSLY.

ADJOURNMENT:

MOVED BY T. ANDERSON, SECONDED BY GREGERSON TO ADJOURN THE SPECIAL MEETING OF THE SEATAC CITY COUNCIL AT 6:05 P.M.

MOTION CARRIED UNANIMOUSLY.

Ralph Shape, Mayor

Marcia Rugg, Deputy City Clerk

City of SeaTac

Special Council Meeting 1 Minutes

November 4, 2008
5:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Special Meeting was called to order by Mayor Shape at 5:02 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Councilmembers (CMs) Chris Wythe, Terry Anderson, and Anthony (Tony) Anderson. Excused absences: Deputy Mayor (DM) Gene Fisher, and CM Mia Gregerson.

ADMINISTRATIVE STAFF: City Manager Craig Ward, City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, Finance Director Mike McCarty, Human Resources Director Steve Mahaffey, and Public Works Maintenance Supervisor Sean Clark.

RECESSED: Mayor Shape recessed the Special Council Meeting to an Executive Session on Personnel Issues at 5:03 p.m.

EXECUTIVE SESSION: Personnel Issues (45 minutes) (RCW 42.30.110 [1][g])

City Clerk Gregg announced the Council requested an additional 10 minutes.

RECONVENED: Mayor Shape reconvened the Special Council Meeting at 5:59 p.m.

ADJOURNMENT:

MOVED BY A. ANDERSON, SECONDED BY WYTHE TO ADJOURN THE SPECIAL MEETING OF THE SEATAC CITY COUNCIL AT 6:00 P.M.

MOTION CARRIED UNANIMOUSLY.

Ralph Shape, Mayor

Kristina Gregg, City Clerk

City of SeaTac

Special Council Meeting 2 Minutes

November 4, 2008
6:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Special Meeting was called to order by Mayor Shape at 6:00 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Councilmembers (CMs) Chris Wythe, Terry Anderson, and Anthony (Tony) Anderson. Excused absences: Deputy Mayor (DM) Gene Fisher, and CM Mia Gregerson.

FLAG SALUTE: CM A. Anderson led the Council, audience and staff in the Pledge of Allegiance.

ADMINISTRATIVE STAFF: City Manager Craig Ward, City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, Assistant City Manager (ACM) Todd Cutts, Human Services (HS) Manager Colleen Brandt-Schluter, Public Works (PW) Director Tom Gut, Assistant Fire Chief Brian Wiwel, and Chief of Police Services Jim Graddon.

ANNOUNCEMENT: Mayor Shape announced that the City is accepting applications for Council appointment to Position No. 6, with a term through the November 2009 General Election certification period. Applications are available from the City Clerk's Office or online at www.ci.seatac.wa.us. Applications are due to the City Clerk's Office by 5 p.m. on Wednesday, November 19, 2008. Interviews will be held at a Special Council Meeting, date yet to be determined.

PUBLIC COMMENTS (at the beginning of the meeting): There were no public comments.

PRESENTATIONS:

●Key to the City to Betty Brennan

Mayor Shape presented the Key to the City to Ms. Brennan.

Ms. Brennan introduced family members in attendance, daughters Barbara Woo and Beverly Cito, and granddaughter Sydney Cito.

Mrs. Woo thanked the City for all of the support provided to her family during the last month and over the years.

●Council confirmation of Mayoral appointment of Harlan Feinstein to the Library Advisory Committee

MOVED BY T. ANDERSON, SECONDED BY A. ANDERSON TO CONFIRM THE MAYORAL APPOINTMENT OF HARLAN FEINSTEIN TO THE LIBRARY ADVISORY COMMITTEE.

MOTION CARRIED UNANIMOUSLY.

Mr. Feinstein was not in attendance. His certificate will be mailed to him.

●Council consideration of Mayoral Re-appointment of Cheryl Forbes to the Human Services (HS) Advisory Committee

Mayor Shape stated his selection of Ms. Forbes for re-appointment to the HS Advisory Committee.

Council consensus: Referred to the 11/25/08 RCM for Confirmation

●2008 Fine Art Exhibit Winners

Recreation Services Coordinator Olson introduced the purchase award winners: (1) Billie Andrew - "Earth and Moon" and "Sacred Green Grove", and (2) Tis Huberth - "Ancient Offerings".

Mayor Shape presented a certificate and monetary award to Ms. Andrew. Ms. Huberth was not in attendance.

●Veterans and Human Services Levy Update

HS Manager Brandt-Schluter stated the levy was passed in November 2005 to generate funding to help veterans, military personnel, and their families and other individuals in need across King County (KC) through a variety of housing and supportive services. This levy allocates approximately \$13.3 million annually for six years. Half of the funds are targeted for veterans and their families and half is dedicated to other KC residents in need of HS. The levy will remain in affect until 2011. She introduced KC Director's Office of Veterans and HS Levy Manager Sadikifu Akina-James.

Ms. Akina-James stated there are five strategies for spending the money each year: (1) enhancing access to services for veterans and their families; (2) ending homelessness through outreach, prevention, permanent supportive housing and employment; (3) increasing access to behavioral health services; (4) strengthening families at risk; and (5) increasing effectiveness of resource management and evaluation.

PRESENTATIONS (Continued):

Veterans and Human Services Levy Update (Continued): There are two citizen boards: Veterans Levy Oversight Board (VCLOB), and the Regional HS Levy Oversight Board (RHSLOB). She introduced VCLOB Chair Douglas Hoople, VCLOB District 5 Representative Orin Hadaller, and RHSLOB District 5 Representative Kathy Hadaller. The citizen boards make recommendations to the KC Council whether to renew the levy.

Discussion ensued regarding distribution of funds, mobile medical van and statistics about homelessness among veterans.

Mr. Hoople stated the levy is separate from the KC budget. He is enthusiastic about the work they are able to do and would like to see it go on.

Ms. Akina-James invited the Council to the 2nd Annual Washington State Military Kids and Families Summit, Friday, November 14 from 8 a.m. – 3:30 p.m. at the Greater Tacoma Convention and Trade Center.

DISCUSSION ITEM:

•Summary of \$5,000 - \$25,000 Purchase Requests for the period ended October 30, 2008

City Manager Ward reviewed the following requests:

<u>Item Description</u>	<u>Department</u>	<u>Original Budget</u>	<u>Amended Budget</u>	<u>Estimate</u>
Additional Environmental Sampling for CAP Property	City Manager's Office (CMO)	\$4,756,313	\$4,756,313	\$18,500
Budget amount is 2008 Budget amount for this property acquisition costs				
Station Area Economic Impact Analysis	CMO	\$10,000	\$10,000	\$10,000

Council consensus: Referred to the 11/04/08 SCM 2 Consent Agenda

AGENDA BILL PRESENTATIONS:

Agenda Bill #3015 – A Motion authorizing the City Manager to enter into contracts with the selected human services (HS) agencies for funding in 2009 and 2010

Summary: This Motion authorizes the City Manager to enter into contracts with selected HS agencies for funding programs totaling \$361,879. The Council's authorization is contingent upon approval of the 2009 General Fund budget allocating at least \$426,586 to HS programs.

Every two years the City of SeaTac solicits grant applications from HS agencies for funding from the City's General Fund. This year the City received 44 applications requesting a total of \$553,057. Based on the results and strategies the committee endorsed as funding criteria, the HS Advisory Committee recommended the funding package that maintains 2008 funding levels for 12 contracted agencies that are meeting their performance goals; increases funding for 15 contracted agencies that have demonstrated an increased demand for services and exceeded performance goals; and funds 8 new requests to fill a gap in services.

This recommendation is based on the proposed 2009 budget that shows \$370,211, which is 1.5% of the General Fund budget plus a carry forward of \$63,337 (2008 HS Reserve to be split equally for 2009 and 2010), allocated for HS programs. Funding to HS agencies at this level would leave \$40,000 in reserve for emerging needs identified in 2009 less the \$10,000 Parks and Recreation (P&R) Scholarship Program.

Contracts with agencies will cover the 2009 and 2010 calendar years with the condition that 2010 funding levels are contingent upon future Council actions allocating adequate funding in the 2010 City budget.

HS Manager Brandt-Schluter reviewed the agenda bill summary.

Upon a question posed by CM Wythe, Ms. Brandt-Schluter stated the placement of food banks is determined by zip code, not by municipality. SeaTac utilizes the services of two food banks, Highline Area Food Bank and Des Moines Area Food Bank. Tukwila Food Bank can also be utilized.

Council consensus: Referred to the 11/04/08 SCM 2 Consent Agenda

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #2999 – A Motion authorizing the City Manager to execute a Time and Material Construction Charge Agreement with Seattle City Light

Summary: This agreement identifies the scope and cost related to electrical wiring installation and removal of overhead system for the underground ground conversion on International Boulevard (IB) at South 152nd Street.

Sound Transit is constructing transit station frontage improvements, including utility conversion, along IB, between the SR518 bridge and 350 feet south of South 152nd Street. The City and Sound Transit have an agreement to complete the conduit and vault installation up to the City's boundary at South 152nd Street. Under that agreement, Sound Transit's contractor is installing conduits and vaults. Seattle City Light will install the new underground wiring and remove the overhead system.

An agreement is necessary to formalize the responsibilities between Seattle City Light and the City.

The estimated charge is \$474,520. The maximum payment, including a 10% contingency, would be \$521,972, without further Council authorization. The payment would be funded by the 307 Transportation Capital Improvement Program (CIP), which has a current balance of \$809,350.66.

PW Director Gut reviewed the agenda bill summary.

Council consensus: Referred to the 11/04/08 SCM 2 Consent Agenda

Agenda Bill #3011 – An Ordinance providing for highway access management, access permits and administrative process

Summary: This Ordinance brings the City into compliance with State statutes requiring cities to manage access on State routes that are City streets.

IB is designated as a State route, SR99. Managed access legislation was enacted in 1991 to address the portion of the state transportation system not established as limited access, such as SR99. Within municipal boundaries, access permitting is the responsibility of the city. State law further requires cities to adopt access standards that meet or exceed State standards. This Ordinance adopts the State standards without modification.

PW Director Gut reviewed the agenda bill summary.

Council consensus: Referred to the 11/04/08 SCM 2 Consent Agenda

Agenda Bill #3008 – An Ordinance authorizing repayment of the interfund loan for the purchase of City Hall, and amending the 2008 Annual City Budget to provide for the accounting transactions necessary to record the repayment of the interfund loan

Summary: This Ordinance authorizes the repayment of the 2001 interfund loan made to purchase the building that currently houses SeaTac City Hall, and amends the 2008 Annual City Budget to provide for the accounting transactions necessary to repay this interfund loan.

On September 11, 2001, Council passed Resolution #01-025, authorizing the Finance and Systems Director to make an interfund loan from the Port ILA Fund #105 to the Municipal Facilities CIP Fund #306 in the amount that was necessary to complete the purchase of the property commonly referred to as the Valley Ridge Corporate Center. The purpose of this property purchase was to obtain a building that would be used for SeaTac City Hall.

The loan was finalized on October 1, 2001, and the amount of the loan was \$9,893,115.49 from funds available in the Port ILA Fund. This loan was considered to be a temporary loan and would be repaid at an interest rate that would adjust monthly based on the net interest rate earned by the City for funds deposited in the Local Government Investment Pool. Payments of interest only were made for the period of October 1, 2001 through December 31, 2002, which amounted to approximately \$248,000. Principal payments of \$1,111,129.30 were made in 2003, along with interest in the amount of \$106,478.64. Payments of \$560,000 per year were made in the years 2004 through 2007, split between principal and interest based on the interest rate earned by the City for funds deposited in the Local Government Investment Pool. Payment of \$560,000 was appropriated in the 2008 Budget, and as of October 31, 2008, principal payments in the amount of \$255,000 will have been made, along with interest in the amount of approximately \$180,000.

The term of an interfund loan may continue over a period of more than one year, but must be "temporary" in the sense that no permanent diversion of the lending fund results from the failure to repay by the borrowing fund.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3008 (Continued): Generally, an interfund loan that continues longer than three years will be scrutinized for a permanent diversion of moneys. The Washington State Auditor's Office has questioned the City about this loan during the past few audits, and has inquired during the current audit as to the City's plan to repay this loan. This action will resolve this issue and remove the interfund loan from the City's 2008 Comprehensive Annual Financial Report (CAFR).

Since the borrowing fund, the Municipal Facilities Fund #306, has no regular source of revenue to repay this loan, the annual payments have been made from the General Fund. The remaining balance of \$7,460,391.81 at October 31, 2008, will be recorded as a transfer out of the General Fund #001, and a transfer into the Municipal Facilities Fund #306. This transaction will allow the interfund loan payable to be removed from the liabilities section of Fund #306's balance sheet. A transfer of this same amount of cash from Fund #306 to the Port ILA Fund #105 will complete the necessary transaction and remove the interfund loan receivable from the asset section of Fund #105's balance sheet. Although the \$7,460,391.81 amount will be contained in the fund balance of Fund #105 (instead of the General Fund) once this transaction is completed, its use is unrestricted and can be used for any purpose it could have been used for prior to this transaction to repay the interfund loan.

Finance Director McCarty reviewed the agenda bill summary.

Upon a question posed by CM Wythe, City Manager Ward clarified that the Port ILA fund was originally implemented for accounting convenience to track that fund separately.

CM A. Anderson stated the Public Safety & Justice (PS&J) Committee recommended this for approval.

Council consensus: Referred to the 11/04/08 SCM 2 Consent Agenda

Agenda Bill #3009 – A Resolution ordering the cancellation of outstanding municipal checks

Summary: This Resolution declares the list of outstanding municipal checks over one year as cancelled and the amounts returned to the respective funds they were originally drawn against.

The City has a number of stale dated checks that need to be cancelled. Revised Code of Washington (RCW) 39.56.040 requires that stale dated checks be cancelled by Resolution. The Finance Department has made every reasonable attempt to resolve these outstanding checks and has been successful in some cases. However, 37 checks still remain unresolved. The Finance Department regularly follows this process to have outstanding, stale dated checks declared cancelled by Resolution.

Once the City cancels these outstanding items, the amounts will be returned to the respective funds they were originally drawn against. The total amount of these cancelled checks is \$1,769.80.

Finance Director McCarty reviewed the agenda bill summary.

Mayor Shape state the Administration & Finance (A&F) Committee recommended this for approval.

Council consensus: Referred to the 11/04/08 SCM 2 Consent Agenda

CONSENT AGENDA:

●**Summary of \$5,000 - \$25,000 Purchase Requests** for the period ended October 30, 2008.

Approval of Council Meeting Minutes:

- Council Workshop** held October 14, 2008.
- Transportation and Public Works Committee Meeting** held October 28, 2008.

Agenda Items reviewed under Agenda Bill Presentations recommended for placement on this Consent Agenda:

Agenda Bill #3015; Motion authorizing the City Manager to enter into contracts with the selected human services agencies for funding in 2009 and 2010

Agenda Bill #2999; Motion authorizing the City Manager to execute a Time and Material Construction Charge Agreement with Seattle City Light

Agenda Bill #3011; Ordinance #08-1032 providing for highway access management, access permits and administrative process

CONSENT AGENDA (Continued):

Agenda Bill #3008; Ordinance #08-1033 authorizing repayment of the interfund loan for the purchase of City Hall, and amending the 2008 Annual City Budget to provide for the accounting transactions necessary to record the repayment of the interfund loan

Agenda Bill #3009; Resolution #08-021 ordering the cancellation of outstanding municipal checks

MOVED BY T. ANDERSON, SECONDED BY A. ANDERSON TO ACCEPT THE CONSENT AGENDA AS PRESENTED.*

PUBLIC COMMENTS (related to the Consent Agenda): There were no public comments.

*MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENTS (related to the following Unfinished and New Business): There were no public comments.

UNFINISHED BUSINESS: There was no unfinished business.

NEW BUSINESS: There was no new business.

CITY MANAGER'S COMMENTS: City Manager Ward commented on the following: (1) November 6, Station 45, 7 p.m. - Washington State Department of Transportation (WSDOT) will meet with people living near Mansions Hills, an area that WSDOT is buying out for SR 509 right-of-way (ROW), (2) November 7, 3:45 p.m. – Planning Department and Planning Commission (PC) are inviting Council and public to tour short plats private street standards, (3) November 11, Veteran’s day – City facilities will be closed and the Regular Council Meeting was rescheduled to November 4, (4) November 25 - next Regular Council Meeting, (5) November 13, City Hall, 6 p.m. – brown bag discussion on homelessness in SeaTac and Tukwila, (6) November 20, Station 45, 6 p.m. - public meeting regarding two level 3 sex offenders who have located in SeaTac, (7) the week of November 10 - he will be attending the National League of Cities (NLC) conference with a few CMs and ACM Cutts will be attending another conference. During this time when they are both away from the office, City Attorney Mirante Bartolo will be Acting City Manager, and (8) November 20 – Port of Seattle (POS) Third Runway Celebration.

COUNCIL COMMENTS: CM T. Anderson stated her appreciation of the Fire Department’s participation in CM Brennan’s service.

Mayor Shape thanked Finance Director McCarty and City Manager Ward for their effort on the 2009 Annual City Budget.

EXECUTIVE SESSION: There was no Executive Session.

ADJOURNMENT:

MOVED BY T. ANDERSON, SECONDED BY A. ANDERSON TO ADJOURN THE SPECIAL MEETING OF THE SEATAC CITY COUNCIL AT 7:04 P.M.

MOTION CARRIED UNANIMOUSLY.

Ralph Shape, Mayor

Kristina Gregg, City Clerk

City of SeaTac

Regular Council Meeting Minutes

November 25, 2008
6:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Shape at 6:12 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Deputy Mayor (DM) Gene Fisher, Councilmembers (CMs) Chris Wythe, Anthony (Tony) Anderson, and Mia Gregerson. Excused Absence: CM Terry Anderson.

FLAG SALUTE: CM Gregerson led the Council, audience and staff in the Pledge of Allegiance.

ADMINISTRATIVE STAFF: City Manager Craig Ward, City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, Assistant City Manager (ACM) Todd Cutts, Human Services (HS) Manager Colleen Brandt-Schluter, Finance Director Mike McCarty, Planning Director Steve Butler, Principal Planner Jack Dodge, Public Works (PW) Director Tom Gut, Assistant Parks and Recreation (P&R) Director Lawrence Ellis, Fire Chief Bob Meyer and Chief of Police Services Jim Graddon.

PUBLIC COMMENTS: Earl Gipson stated he has an issue with the Subdivision Code setting a policy to limit or discourage panhandle lots. Also, the code requests that the developers give rights to adjacent property owners to use their property, without compensation. These requirements are not helpful to property owners.

PRESENTATIONS:

•Council confirmation of Mayoral re-appointment of Cheryl Forbes to the Human Services (HS) Advisory Committee

MOVED BY WYTHE, SECONDED BY A. ANDERSON TO CONFIRM THE MAYORAL RE-APPOINTMENT OF CHERYL FORBES TO THE HUMAN SERVICES ADVISORY COMMITTEE.

MOTION CARRIED UNANIMOUSLY.

Ms. Forbes was not in attendance. Her certificate will be mailed to her.

•New Futures Update

Executive Director Karma Kreizenbeck detailed 2008 accomplishments and programs and projects they are currently working on. New Futures partners with families to create communities where children thrive. The integrated, culturally relevant programs in low-income apartment complexes build skills, foster connectedness, and promote strengths.

SUSPENSION OF THE RULES:

MOVED BY A. ANDERSON, SECONDED BY GREGERSON TO SUSPEND THE RULES TO BRING FORWARD COUNCIL CONSIDERATION OF THE COUNCIL CANDIDATES FOR INTERVIEWS.

MOTION CARRIED UNANIMOUSLY.

NEW BUSINESS:

A Motion to consider the Council candidates for interviews

MOVED BY FISHER, SECONDED BY GREGERSON TO CONSIDER THE FOLLOWING COUNCIL CANDIDATES FOR INTERVIEWS: VICTORIA LOCKWOOD, NANCY JEROMINSKI, JONATHAN STANDRIDGE, PAMELA FERNALD, GARY ALAN ERFORD, RICK FORSCHLER, MICHAEL KOVACS, FLORIAN PURGANAN, TERRY ROCHELLE, MICHAEL SIEFKES, BARRY LADENBURG, STEVEN O'BRIEN, AND LINDA SANDERS.

MOTION CARRIED UNANIMOUSLY.

PRESENTATIONS (Continued):

•Scheduling of interviews for Council Position No. 6 at the December 2, 2008 Special Council Meeting (SCM)

City Clerk Gregg and City Attorney Mirante Bartolo drew the interview times in the order the applications were submitted. The interview times are as follows: Rick Forschler - 4:10 p.m., Jonathan Standridge - 4:30 p.m., Gary Alan Erford - 4:50 p.m., Florian Purganan - 5:10 p.m., Michael Kovacs - 5:30 p.m., Steven O'Brien - 6:10 p.m., Pamela Fernald - 6:30 p.m., Nancy Jerominski - 6:50 p.m., Terry Rochelle - 7:10 p.m., Michael Siefkes - 7:50 p.m., Barry Ladenburg - 8:10 p.m., Linda Sanders - 8:30 p.m., and Victoria Lockwood - 8:50 p.m.

Mayor Shape detailed the interview process.

PRESENTATIONS (Continued):

●Proposed new Subdivision Code

Planning Director Butler stated the Planning Commission (PC) discussed this topic at length and conducted a Public Hearing (PH). They will be making a recommendation at their next meeting.

Mr. Butler stated the proposed Subdivision Code sets up the procedures the City will use to comply with Revised Code of Washington (RCW) 58.17. He briefed the Council on the background of the proposed Subdivision Code.

Principal Planner Dodge summarized the proposed code related to the following: Side-by-Side Short Plats – Developed at the Same Time, Side-by-Side Short Plats – Developed at Separate Times, Screening of Adjacent Property (six foot [FT] fence), Short Plat(s) Upgraded to Long Subdivisions, Lot Line Adjustments, Panhandle Lots, Open Space in New Subdivisions, Street Trees in New Long Subdivisions, Binding Site Plans, and Landscape Buffer between new Subdivisions and Commercial/Industrial Property.

Mr. Dodge stated the tentative review schedule is for the PC to make a recommendation at their December 8 meeting and then for Council action at the December 9 Regular Council Meeting (RCM).

Mr. Dodge and Mr. Butler detailed changes made to the draft subdivision code based on input.

PC Member Rick Forschler stated that the PC proposed some changes that are not in the proposal, so there will most likely be a difference of opinion between the staff and PC recommendations.

Upon a question posed by CM Wythe, Mr. Forschler stated one area of contention is road widths. The PC considers narrow roads to be the best option because they would have less impervious surface, and wider roads tend to divide a community and encourages more traffic.

Mr. Butler detailed a short plat road. The PC voted on a 15 FT road width. Fire Chief Meyer stated the requirements are 20 feet (FT) wide unobstructed. A 15 FT wide road would be accepted with 2.5 FT on each side of rocks and gravel that will hold the weight of a fire truck.

Upon a question posed by CM A. Anderson, Mr. Dodge stated that what is being proposed is within industry standards.

Council discussion ensued regarding fencing, trees, and long subdivision vs. short plat.

Mayor Shape stated that Council will not be ready to take action in December. This should be reviewed by the Land Use & Parks (LUP) Committee again.

CM Wythe requested the December 8 PC recommendation be available to the LUP Committee at their December 11 meeting.

SUSPENSION OF THE RULES:

MOVED BY A. ANDERSON, SECONDED BY GREGERSON TO SUSPEND THE RULES TO BRING FORWARD THE PUBLIC HEARING AND COUNCIL ACTION RELATED TO AGENDA BILL #2990.

MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARING (PH):

●Establishing the 2009 Annual City Budget – Finance

Mayor Shape opened the PH at 7:10 p.m.

Finance Director McCarty reviewed the summary for Agenda Bill #2990.

CM A. Anderson stated he is pleased with the enhanced sidewalk program, which Mr. McCarty detailed.

Upon a question posed by CM A. Anderson regarding streamlined sales tax, Mr. McCarty stated that the third month figures received were approximately \$370,000 over the same amount last year. This figure is higher than estimated because conservative estimates were used for the budget.

Earl Gipson stated his disagreement with spending the money for an Associate Planner Position Decision Card - \$84,000. He encouraged the Council to remove this position from the budget.

Mayor Shape closed the PH at 7:37 p.m.

NEW BUSINESS:

Agenda Bill #2990; Ordinance #08-1034 establishing the 2009 Annual City Budget

Summary: The City Council and staff have been working on preparation of the 2009 Annual Budget since July. Four Council budget workshops have been conducted and the 2009 Preliminary Budget document, detailing funding recommendations for the 2009 Annual City Budget, has been filed with the SeaTac City Clerk.

The 2009 Preliminary Budget documents the decisions made by the City Council in its detailed budget review during the fall of 2008, presenting the City's resources as well as its programs and priorities in allocating those resources. These programs are necessary to protect the community's physical security and enhance the quality of life for all its citizens. It is designed to enhance the level of City services that support a healthy, secure, safe and livable community, while at the same time protecting the fiscal integrity of the City.

SeaTac's 2009 Budget was developed in the challenging climate of balancing ever increasing costs with slowing or declining revenue sources. Despite the economic downturn across the nation and in parts of our region, SeaTac is in a better position than many other municipalities. Years of fiscal restraint, a lean and efficient workforce, and targeting the most pressing needs has positioned the City well. While the City's finances appear relatively strong for the immediate future, current national and regional conditions underscore the need to closely watch our local economy and make adjustments as necessary to ensure that SeaTac maintains its economic health and continues to provide a supportive environment for both its residents and its businesses.

The 2009 Budget maintains current service levels, incurs no layoffs, and continues the City's commitment to address HS needs by allocating 1.5% of General Fund expenditures for HS programs. Staffing additions in the General Fund include a Rule 9 Intern position in the Legal Department, an Intern position in the PW Department, and a Field Monitor position in the P&R Department. Appropriation is also provided to contract for enhanced services from King County (KC) Animal Control for a part-time animal control officer assigned to the City. Two additional positions, a Water Quality Program Manager and a Water Quality Technician, will be provided in the Surface Water Management (SWM) Fund. These two positions are necessary to provide the City with the staff essential to implement the National Pollutant Discharge Elimination System (NPDES) Permit requirements.

The 2009 Budget provides the first year of a six-year Citywide Capital Improvement Program (CIP) that integrates projects in the two new light rail station areas with existing projects. Projects funded are based on evaluation criteria that include maximizing direct benefits to residents and positioning the City for redevelopment opportunities. Supported by existing reserves and revenue sources, projects totaling \$59.7 million are included in the 2009-2014 CIP, of which \$9.6 million is included in the 2009 Budget. 2009 capital expenditures include completion of Station 46 construction, a recreation water spray park at Valley Ridge Park (VRP), transportation and pedestrian improvements, SWM projects, property acquisitions, and equipment and vehicle replacements.

SeaTac's 2009 Budget provides operating and capital budgets that are in keeping with the City's goal of delivering the highest level of city services possible while making necessary strategic investments for the future. The City's management team continues to be committed to improving customer service, the efficiency of operations, and the quality of services provided. The 2009 Budget reflects these philosophies along with the strategic direction from the City Council, and creates a sound expenditure plan for the year.

The proposed budget for 2009 provides for total City revenues of \$56,127,080 and expenditures totaling \$60,207,570, resulting in projected fund balances at December 31, 2009, in the amount of \$59,363,929.

MOVED BY WYTHE, SECONDED BY FISHER TO ADOPT ORDINANCE #08-1034.*

DM Fisher commended City Manager Ward and Finance Director McCarty for their work on preparing the budget, however, he stated he will be voting against the proposed budget because it isn't balanced.

CM Wythe, CM A. Anderson, CM Gregerson, and Mayor Shape stated their disagreement with DM Fisher's comments. They recommended the Council support this budget.

*MOTION CARRIED WITH FISHER VOTING NO AND WYTHE, A. ANDERSON, GREGERSON, AND SHAPE VOTING YES.

DISCUSSION ITEM:

•Summary of \$5,000 - \$25,000 Purchase Requests for the period ended November 21, 2008

City Manager Ward reviewed the requests:

<u>Item Description</u>	<u>Department</u>	<u>Original Budget</u>	<u>Amended Budget</u>	<u>Estimate</u>
Contract Attorney for Prosecution Services	Legal	\$80,000	\$80,000	\$24,500
Museum of Flight 2008 Funding	City Manager's Office (CMO)	\$25,000	\$25,000	\$25,000
SeaTac Community Center Kitchen Air Conditioner	Facilities	\$12,000	\$12,000	\$9,479
Pavement Rating Data Collection Services	PW	\$25,000	\$25,000	\$25,000
Wetland Maintenance	Planning	\$6,190	\$6,190	\$6,190

Council consensus: Referred to the 11/25/08 RCM Consent Agenda

AGENDA BILL PRESENTATIONS:

Agenda Bill #2991 – An Ordinance tentatively establishing the 2009 ad valorem property tax levy

Summary: Initiative 747, approved by the voters on November 6, 2001, limited annual property tax increases to the lower of 1% or inflation, defined by the implicit price deflator (IPD). The IPD limit factor for 2009 is 1.010%, resulting in all regular property tax levies being limited to an increase of 1% over the previous year, excluding new construction and state-assessed property valuation increases. On November 8, 2007, the Washington State Supreme Court ruled that Initiative 747 was unconstitutional. In a special legislative session held on November 29, 2007, the 1% property tax increase limitation was reinstated by the Legislature. The 2009 Budget is based on a property tax revenue estimate in conformance with the 1% increase limit.

As of November 18, the KC Assessor's Office has not certified assessed valuations, nor will they provide an exact date for this information to be released. However, a tax levy amount must be filed with the KC Assessor and KC Council by November 28, and staff plans to submit an estimated amount which represents the Assessor's estimate of the maximum statutory levy for 2009. Staff recommend that this levy Ordinance be adopted, which levies that amount - \$15,865,166 - for 2009, due to the fact that later revisions can only reduce, not increase, the tax levy amount. The City Council will be required to revise the tax levy amount downward at the December 9, 2008 Council Meeting, once certified assessed valuations are received.

This Ordinance provides for a 2009 tax levy of \$15,865,166. The resulting levy rate cannot be determined until assessed valuations are certified. In 2008, the tax levy rate is \$2.44.

Finance Director McCarty reviewed the agenda bill summary.

DM Fisher stated his disagreement with taking more money from citizens who may already be in a bad financial situation. He stated he would not vote for a tax raise.

Upon a question posed by Mayor Shape, Mr. McCarty stated that removing this tax on a \$250,000 home only reduces taxes by \$5.75 a year. Mayor Shape stated that in the meantime, the City has 10% increases in medical and other costs. If the City chooses to not take this tax in 2009, the money can't be recouped.

Mr. McCarty clarified that if this tax is not approved in the 2009 budget, the 2010 levy rate would be based on 2008 amounts.

CM Wythe stated it would be irresponsible of the Council to give up the 1% that won't be available to provide services to the needy.

Council consensus: Referred to the 11/25/08 RCM New Business

AGENDA BILL PRESENTATIONS:

Agenda Bill #3016 – A Motion authorizing the City Manager to accept \$5,000 awarded from King County’s (KC) 4Culture 2008 Arts Cultural Facilities Grant

Summary: This Motion authorizes the City Manager to accept \$5,000 awarded from KC’s 4Culture 2008 Arts Cultural Facility Grant program. The monies for this grant come from the KC Lodging Taxes.

The City was awarded \$5,000 to purchase a tri-height mobile folding stage to enhance the art and musical performances. The stages will be transported to off-site venues for dance performances, theatre groups, musical events and other programs that may require a stage. This tri-height stage requires minimal effort to set up which results in less staff time and labor costs. The stage will be stored at the maintenance facility.

The majority of art projects ranged from \$2,000 to \$20,000 and 28 out of the 34 applications submitted were funded. The City requested \$5,780 but was awarded \$5,000.

Assistant P&R Director Lawrence Ellis reviewed the agenda bill summary.

Council consensus: Referred to the 11/25/08 RCM Consent Agenda

Agenda Bill #3013 – A Resolution fixing the date and time for a Public Hearing (PH) on a petition by the Port of Seattle (POS) to vacate streets within the area known as North SeaTac Park (NSTP)

Summary: This Resolution fixes a PH date of January 13, 2009 for Council action on vacation of the rights-of-way (ROW) within NSTP. The vacation is as requested by petition signed by 100% of the property owners abutting the ROW.

The POS is seeking this street vacation to consolidate parcels of land in accordance with the terms of the City of SeaTac and POS 2005 Interlocal Agreement (ILA-2).

The procedures for vacating a public ROW are defined in the RCW, Chapter 35.79. A PH is to be held to consider the merits of the application to vacate the ROW in question. The date of the PH is set by a Resolution passed by the City Council. The date of the PH must not be more than sixty days, nor less than twenty days, after the date of passage of the Resolution setting the date for the PH. The date of January 13, 2009, has been selected as the regularly scheduled City Council meeting that meets the criteria.

PW Director Gut reviewed the agenda bill summary.

Council consensus: Referred to the 11/25/08 RCM Consent Agenda

Agenda Bill #3018 – An Ordinance amending Sections 15.19.610, 15.19.020, 15.19.630, 15.19.640, and 15.19.650 of the SeaTac Municipal Code (SMC) and adding new Sections 15.19.660 and 15.19.670 to the SMC related to Multi-family Density and Height Bonuses

Summary: The proposed amendments will provide additional density incentives and new height incentives for multi-family development that would be beneficial to the City. Incentives would be provided in the following areas: Senior Housing, A Mixture of Unit /Sizes, Condominium/Owner-Occupied Housing, Underground Parking, Outdoor Recreation/Open Space, and Architectural Design.

Earlier this year, Polygon NW proposed new code changes to allow additional multi-family density incentives and new height incentives for multi-family projects. Staff made substantial changes to the original proposal, to ensure the Ordinance’s application to all multi-family properties. The new density bonuses may be combined with the density bonuses allowed under SMC 15.24, but the total density increase could not exceed more than 30% of the base units allowed on the property. The total height incentive could not be greater than 15 FT above the allowed height in the underlying zoning classification. It should be noted that some incentives provide a larger density and height bonus than others (for example, a project that triggers the “owner-occupied” incentive would receive a larger bonus than a project that utilizes the additional “architectural design” incentive).

The purpose of the Ordinance is to provide the ability to increase density and height in a multi-family development in exchange for a benefit to the City. The changes are summarized below:

Senior Housing (15.19.620)

Density Bonus: A 20% increase in the allowed number of units shall be permitted when a minimum of 35% of the units within the project are reserved as senior citizen assisted dwellings as defined by SMC 15.10.220.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3018 (Continued):

Height Bonus: A ten FT increase in the maximum allowed when a minimum of 35% of the units within the project are reserved for senior citizen assisted dwellings as defined by SMC 15.10.220.

Mixture of Unit Sizes (15.19.630)

Density Bonus: A 10% increase in units with a mixture of unit sizes in a development with at least 35% two bedroom or larger units.

Height Bonus: A five FT increase in the allowed height shall be permitted with a mixture of unit sizes in a development with at least 35% two bedroom or larger units.

Condominium/Owner-Occupied Housing (15.19.640)

Density Bonus: A 30% increase in the number of units if home ownership maintained.

Height Bonus: A fifteen FT increase in the allowed building height if home ownership maintained.

Underground Parking (15.19.650)

Density Bonus: A 10% increase in the number of units where a minimum of 75% of the parking is placed underground.

Height Bonus: A five FT increase in building height shall where a minimum of 25% of the parking is placed underground.

Outdoor Recreation/Open Space (15.19.660)(New Section)

Density Bonus: A 10% increase in the allowed number of units with a 15% in additional recreation and/or open space is provided.

Height Bonus: A five FT increase in building height when at least 15% additional recreation and/or open space is provided.

Architectural Design (15.19.670)(New Section)

Density Bonus: A 10% increase in units when additional building design is provided.

Height Bonus: A five FT increase in building height when additional building design is provided.

The enhanced design elements shall consist of the following:

1. Incorporate all five methods of articulation identified in 15.19.220 A. (vs. 3 of 5)
2. Utilize all four methods of window treatment identified in 15.19.220 C. (vs. 2 of 4)
3. Incorporate three or more roof line variations identified in 15.19.220 E. (vs. 2 of 5)

The PC held a PH regarding the above changes on November 10, 2008. The PC unanimously recommends approval of the proposed changes to the density incentives and adoption of the new height incentives.

Planning Director Butler and Principal Planner Dodge reviewed the agenda bill summary.

CM Wythe stated the LUP Committee recommended this for approval.

Council consensus: Referred to the 11/25/08 RCM Consent Agenda

Agenda Bill #3001 – An Ordinance adopting the 2008 Final Docket of Comprehensive Plan (CP) Amendments

Summary: The 2008 amendments are proposals from staff and the public, both to the text of the CP document and to the CP Land Use Map and informational maps.

State law allows cities to amend local CPs one time annually. By Resolution #97-001, the City Council authorized the Department of Planning and Community Development to implement procedures for amending the CP, which provide for consideration of proposed amendments for the 2008 calendar year in two stages. The recommended amendments were evaluated according to the preliminary and final docket criteria.

The City's procedures for amending the CP include completion of environmental review (State Environmental Protection Agency ([SEPA]), review by the City Attorney, and consideration of public testimony by the PC in a PH.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3001 (Continued): SEPA review (SEP08-00008) of the proposed CP amendments was completed on October 27, 2008, with the appeal period expiring on November 6, 2008. No appeals were filed. The proposed amendments reflect consideration of public comments received at PH's held before the PC. The PC made its recommendation about the proposed amendments on November 10, concurring with the staff recommendation on all amendment proposals, with one difference:

Text Amendment #9 (Updating the Capital Facilities Plan):

PC recommendation: Adopt, as long as adoption of the Capital Facilities Element would not require any additional taxes.

Staff recommendation: Adopt.

The Council and LUP Committee have also received several briefings related to the 2008 CP amendments.

Senior Planner Scarey reviewed the agenda bill summary.

Council consensus: Referred to the 11/25/08 RCM Consent Agenda

Agenda Bill #3021 – A Motion authorizing the City Manager to execute a contract with King County Emergency Medical Services (KCEMS) agency for provision of Basic Life Support (BLS) Services by the City of SeaTac

Summary: For numerous years, the City and KCEMS have entered into a contract that provides that the City Fire Department provide BLS services to residents and citizens of the City of SeaTac. The contract period shall commence on January 1, 2009 and expire on December 31, 2013. Additionally, this contract identifies the scope of services the Fire Department will provide as a BLS agency. This scope is identical to previous years.

The City will receive \$357,902.00 in funding for 2009. The funding levels for 2010 – 2013 have not yet been determined.

Fire Chief Meyer reviewed the agenda bill summary.

Council consensus: Referred to the 11/25/08 RCM Consent Agenda

CONSENT AGENDA:

- **Approval of claims vouchers** (check nos. 82482 – 82679) in the amount of \$1,563,019.92 for the period ended November 7, 2008.
- **Approval of payroll vouchers** (check nos. 47208 – 47250) in the amount of \$383,023.30 for the period ended October 31, 2008.
- **Approval of payroll electronic fund transfers** (check nos. 57219 - 57403) in the amount of \$330,650.77 for the period ended October 31, 2008.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$65,050.31 for the period ended October 31, 2008.
- **Approval of payroll vouchers** (check nos. 47251 – 47286) in the amount of \$177,985.30 for the period ended November 15, 2008.
- **Approval of payroll electronic fund transfers** (check nos. 57404 - 57587) in the amount of \$327,218.72 for the period ended November 15, 2008.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$62,295.71 for the period ended November 15, 2008.
- **Summary of \$5,000 - \$25,000 Purchase Requests** for the period ended November 21, 2008.

Approval of Council Meeting Minutes:

- **Land Use and Parks Committee Meeting** held October 16, 2008.
- **Council Budget Workshop 3** held October 21, 2008.
- **Council Budget Workshop 4** held November 3, 2008.
- **Public Safety and Justice Committee Meeting** held November 4, 2008.
- **Special Council Meeting 1** held November 4, 2008.
- **Special Council Meeting 2** held November 4, 2008.

CONSENT AGENDA (Continued):

Agenda Items reviewed under Agenda Bill Presentations recommended for placement on this Consent Agenda:

Agenda Bill #3016; Motion authorizing the City Manager to accept \$5,000 awarded from King County's 4Culture 2008 Arts Cultural Facilities Grant

Agenda Bill #3013; Resolution #08-022 fixing the date and time for a Public Hearing on a petition by the Port of Seattle to vacate streets within the area known as North SeaTac Park

Agenda Bill #3018; Ordinance #08-1035 amending Sections 15.19.610, 15.19.020, 15.19.630, 15.19.640, and 15.19.650 of the SeaTac Municipal Code and adding new Sections 15.19.660 and 15.19.670 to the SeaTac Municipal Code related to Multi-family Density and Height Bonuses

Agenda Bill #3001; Ordinance #08-1036 adopting the 2008 Final Docket of Comprehensive Plan Amendments

Agenda Bill #3021; Motion authorizing the City Manager to execute a contract with King County Emergency Medical Services agency for provision of Basic Life Support Services by the City of SeaTac

MOVED BY A. ANDERSON, SECONDED BY GREGERSON TO ACCEPT THE CONSENT AGENDA AS PRESENTED.*

PUBLIC COMMENTS (related to the Consent Agenda): There were no public comments.

*COUNCIL VOTE ON CONSENT AGENDA.

PUBLIC COMMENTS (related to the following Unfinished and New Business): There were no public comments.

UNFINISHED BUSINESS: There was no unfinished business.

NEW BUSINESS:

Agenda Bill #2991; Ordinance #08-1037 tentatively establishing the 2009 ad valorem property tax levy

MOVED BY A. ANDERSON, SECONDED BY GREGERSON TO ADOPT ORDINANCE #08-1037.*

DM Fisher reiterated his comments, encouraging Council to vote no for this item.

*MOTION CARRIED WITH FISHER VOTING NO.

CITY MANAGER'S COMMENTS: City Manager Ward commented on the following: (1) November 27 and 28 - City Hall and Community Center Closed for Thanksgiving holiday; (2) December 2 - SCM at 4 p.m. to interview candidates for Council Position No. 6; (3) December 3 - Open House for a comprehensive review of the Zoning Code at 5:30 p.m.; (4) December 4 - Tree Lighting Ceremony at City Hall at 6:30 p.m.; (5) December 5 - Employee Recognition and Awards Banquet; and (6) December 10 - Westside Trail project ribbon cutting at 10 a.m.

COUNCIL COMMENTS: DM Fisher, CM A. Anderson, and Mayor Shape stated the National League of Cities (NLC) Conference was well worth attending. They detailed some of the classes they attended.

CM Gregerson commented on the following: (1) She attended a meeting of the cities of Tukwila and SeaTac. The cities are trying to come together with third party organization to be more proactive on ways to end homelessness; (2) She attended the South King County (SKC) Human Services meeting today where they discussed building relationships and ways to leverage the dollar; and (3) Global Connections at the Tyee Education Complex is having a bazaar on December 6.

Mayor Shape commented on the following: (1) Invited a CM to attend the December 3 Suburban Cities Association (SCA) meeting in his absence. CM Gregerson stated she will attend; (2) Invited a CM to attend the December 17 Fire Explorers Appreciation Pizza Party in his absence. CM Gregerson stated she will attend; and (3) The Puget Sounds Skills Center is hosting a breakfast on December 3. All tips will be donated to the Adopt-a-Family program in conjunction with Ruth Dykeman.

EXECUTIVE SESSION: There was no Executive Session.

ADJOURNMENT:

MOVED BY A. ANDERSON, SECONDED BY GREGERSON TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 8:48 P.M.

MOTION CARRIED UNANIMOUSLY.

Ralph Shape, Mayor

Kristina Gregg, City Clerk

City of SeaTac

Special Council Meeting Minutes

November 25, 2008
5:30 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Special Meeting was called to order by Mayor Shape at 5:35 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Deputy Mayor (DM) Gene Fisher, Councilmembers (CMs) Chris Wythe, Terry Anderson, Anthony (Tony) Anderson, and Mia Gregerson.

ADMINISTRATIVE STAFF: City Attorney Mary Mirante Bartolo, and City Clerk Kristina Gregg.

RECESSED: Mayor Shape recessed the Special Council Meeting to an Executive Session on Qualifications of Candidates at 5:36 p.m.

EXECUTIVE SESSION: Qualifications of Candidates (30 minutes) (RCW 42.30.110 [1][h])

RECONVENED: Mayor Shape reconvened the Special Council Meeting at 6:12 p.m.

ADJOURNMENT:

MOVED BY A. ANDERSON, SECONDED BY GREGERSON TO ADJOURN THE SPECIAL MEETING OF THE SEATAC CITY COUNCIL AT 6:12 P.M.

MOTION CARRIED UNANIMOUSLY.

Ralph Shape, Mayor

Kristina Gregg, City Clerk

City of SeaTac

Special Council Meeting Minutes

December 2, 2008
4:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Special Meeting was called to order by Mayor Shape at 4:07 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Deputy Mayor (DM) Gene Fisher, Councilmembers (CMs) Chris Wythe, Anthony (Tony) Anderson, and Mia Gregerson. Excused Absence: CM Terry Anderson.

ADMINISTRATIVE STAFF: City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, and Human Resources (HR) Director Steve Mahaffey.

Prior to the following interviews, HR Director Steve Mahaffey discussed the process of evaluating the candidates.

COUNCIL POSITION NO. 6 CANDIDATE INTERVIEWS:

Council interviewed the following candidates with each one responding to questions from Council: Rick Forschler; Jonathan Standridge; Gary Alan Erford; Florian Purganan; and Michael Kovacs.

RECESSED: Mayor Shape recessed the Special Council Meeting for a break at 5:26 p.m.

RECONVENED: Mayor Shape reconvened the Meeting at 5:50 p.m.

COUNCIL POSITION NO. 6 CANDIDATE INTERVIEWS (Continued):

Council continued with the following interviews: Steve O'Brien; Pamela Fernald; Nancy Jerominski; and Terry Rochelle.

RECESSED: Mayor Shape recessed the Special Council Meeting for a break at 7:07 p.m.

RECONVENED: Mayor Shape reconvened the Meeting at 7:38 p.m.

COUNCIL POSITION NO. 6 CANDIDATE INTERVIEWS (Continued):

Council continued with the following interviews: Michael Siefkes; Barry Ladenburg; Linda Sanders; and Victoria Lockwood.

RECESSED: Mayor Shape recessed the Special Council Meeting to an Executive Session on Evaluation of Qualifications of Candidates at 8:44 p.m.

EXECUTIVE SESSION: Evaluation of Qualifications of Candidates (30 minutes) (RCW 42.30.110 [1][h])

City Clerk Gregg announced that Council requested an additional 40 minutes.

RECONVENED: Mayor Shape reconvened the Meeting at 9:58 p.m.

NOMINATIONS FOR APPOINTMENT OF COUNCILMEMBER TO POSITION NO. 6

Mayor Shape declared the nominations open for Council Position No. 6.

DM Fisher nominated Rick Forschler.

CM Wythe nominated Barry Ladenburg.

CM A. Anderson nominated Victoria Lockwood.

CM Gregerson nominated Pamela Fernald.

Mayor Shape nominated Jonathan Standridge.

When there were no further nominations, Mayor Shape declared the nominations closed.

MAYOR SHAPE CALLED FOR A VOTE FOR RICK FORSCHLER AS COUNCILMEMBER FOR POSITION NO. 6. FISHER VOTED YES AND WYTHER, A. ANDERSON, GREGERSON AND SHAPE VOTED NO. RICK FORSCHLER WAS NOT APPOINTED.

MAYOR SHAPE CALLED FOR A VOTE FOR BARRY LADENBURG AS COUNCILMEMBER FOR POSITION NO. 6. BARRY LADENBURG WAS UNANIMOUSLY APPOINTED.

ADJOURNMENT:

MOVED BY A. ANDERSON, SECONDED BY GREGERSON TO ADJOURN THE SPECIAL MEETING OF THE SEATAC CITY COUNCIL AT 10:01 P.M.

MOTION CARRIED UNANIMOUSLY.

Ralph Shape, Mayor

Kristina Gregg, City Clerk

City of SeaTac

Regular Council Meeting Minutes

December 9, 2008
6:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Shape at 6:09 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Deputy Mayor (DM) Gene Fisher, Councilmembers (CMs) Chris Wythe, Terry Anderson, Anthony (Tony) Anderson, Barry Ladenburg, and Mia Gregerson.

FLAG SALUTE: Code Enforcement Officer Terry Farden led the Council, audience and staff in the Pledge of Allegiance.

ADMINISTRATIVE STAFF: City Manager Craig Ward, Senior Assistant City Attorney Mark Johnsen, City Clerk Kristina Gregg, Assistant City Manager (ACM) Todd Cutts, Judge Elizabeth Bejarano, Finance Director Mike McCarty, Planning Director Steve Butler, Senior Planner Mike Scarey, Senior Planner Dennis Hartwick, Associate Planner Kate Kaehny, Public Works (PW) Director Tom Gut, Code Enforcement Officer Terry Farden, Parks and Recreation (P&R) Director Kit Ledbetter, Assistant P&R Director Lawrence Ellis, Fire Chief Bob Meyer and Chief of Police Services Jim Graddon.

The public swearing-in was moved forward on the agenda:

PRESENTATIONS:

•Public Swearing-in of Councilmember (CM) Barry Ladenburg for Position No. 6 effective December 9, 2008

Judge Bejarano administered the Oath of Office to the newly appointed CM. Mr. Ladenburg signed his Oath of Office and took his place at the Council dais.

PUBLIC COMMENTS: Earl Gipson commented on the process for appointing the new CM. He stated he did not feel the Council made the best choice due to where Mr. Ladenburg resides. This puts five of the seven CMs and one King County (KC) CM living within 1,000 feet of each other.

Julie Hoyle-Lowe and Teddy Mitalas from Starfire thanked the City for making the Valley Ridge Park (VRP) fields available to them. Ms. Hoyle-Lowe especially thanked the P&R Department for their assistance. Being able to use the VRP fields has allowed them to give 5,000 additional kids a place to play.

Rick Forschler, in regards to a comment made by CM A. Anderson, at the December 9 Joint City Council / Planning Commission (PC) Meeting, stated that the Human Services (HS) committee is aware that promoting self reliance in HS is important.

Roger Kadege stated his opposition to Agenda Bill #2948 at this time primarily because it will have an adverse increase in property taxes. He stated his opinion that Phase 1 of the rezone should be completed before Phase 2 is implemented.

Timothy Wilson, in regards to Agenda Bill #2948, stated he reviewed the preliminary plans. There is a picture showing a public park where his house is currently located. He feels that if the public meetings were initiated again, the results would be different with more people voicing their opposition to this rezone. He stated there are only three parcels in that area large enough to be turned into townhouses. He also questioned the costs for permits. He encouraged Council to vote responsibly.

PRESENTATIONS (Continued):

•2009 City Legislative Agenda

ACM Cutts stated annually, staff presents the agenda to Council in order to gain confirmation of items to be supported through the efforts of staff and contracted lobbyists. As issues emerge that are not contained in the Legislative Agenda, staff will discuss these items with the Council. The City supports the Association of Washington Cities (AWC) 2009 Legislative priorities. Mr. Cutts reviewed the agenda.

Upon a question posed by CM Ladenburg, Chief Meyer stated that given the way the system operates, if SeaTac needs a ladder truck, staff will obtain one, but there will be a longer response time.

•Parks and Recreation Open Space (PROS) Plan draft Executive Summary

P&R Director Ledbetter stated this plan has been in the works for about one year. He reviewed the summary. The PROS plan will assist in prioritizing City investments in these facilities and programs for all incorporated land within the City. The key steps include analysis of background information, population data and regional characteristics that guide PROS in SeaTac; assessment and prioritization of the parks and recreation services' needs, desires, and levels of service (LOS) through stakeholder interview, focus groups, and community meetings;

PRESENTATIONS (Continued):

PROS Plan draft Executive Summary (Continued): development of an action plan and implementation strategies; and integration of PROS Plan elements with the SeaTac Comprehensive Plan (CP). He reviewed the public involvement, LOS, repair and replacement fund, recreation, and implementation plan.

CM Gregerson requested the City consider having a community garden in one of the parks. Mr. Ledbetter stated a community garden is included in the Highline Botanical Garden Master Plan.

Mayor Shape questioned the potential sale of Bow Lake Park. Mr. Ledbetter stated that property is difficult to maintain and get to.

DISCUSSION ITEM:

•Summary of \$5,000 - \$25,000 Purchase Requests for the period ended December 5, 2008

City Manager Ward reviewed the purchase requests:

<u>Item Description</u>	<u>Department</u>	<u>Original Budget</u>	<u>Amended Budget</u>	<u>Estimate</u>
Jail Public Defense Services for 2009	Municipal Court	\$120,000	\$120,000	\$16,000
budget amount is total line item budget amount for 2009				
Second Command Light with Back Light for Apparatus 121 (Support Truck)	Fire	\$0	\$0	\$15,751
will absorb within budget with other line item savings				

Council consensus: Referred to the 12/09/08 RCM Consent Agenda

AGENDA BILL PRESENTATIONS:

Agenda Bill #3024 – A Motion authorizing the City Manager to accept \$324,000 awarded from King County’s (KC) Community Development Block Grant (CDBG) program

Summary: The City was awarded \$324,000 to renovate the Sunset Playfield soccer field playing surface. The current playing surface is made out of material called Centrex, which is a very abrasive and rough surface that is unplayable during inclement weather. The project is to replace the existing surface with natural grass, install an irrigation system and improve the existing drainage system. In addition, the field will be designed to accommodate youth leagues and organizations with two modified fields (40 yards x 50 yards) for practice and games. The existing soccer field is 43 yards x 100 yards.

With these improvements, the soccer field at Sunset Playfields will become very popular among the local youth soccer organizations and surrounding communities, which will increase field rental revenues through rental fees.

The revenue and corresponding expenditure has been accounted for in the 2009 budget. Further Council action will be required to expend these funds once the project has been bid.

Assistant P&R Director Ellis reviewed the agenda bill summary.

DM Fisher stated the Administration & Finance (A&F) Committee recommended this for approval.

Council consensus: Referred to the 12/09/08 RCM Consent Agenda

Agenda Bill #3012 – A Motion authorizing final acceptance of the Military Road South Improvement Project (South 176th to 188th Streets) and establishing a 45-day lien period

Summary: This project was awarded on February 27, 2007 to Tucci & Sons, Inc. The contract amount was \$6,143,427. An additional 10% contingency in the amount of \$614,343 was approved for a total contract budget of \$6,757,770. Construction began on March 30, 2007 and was substantially complete on July 31, 2008. The safety improvements were a complete renovation of Military Road South including new curbs, sidewalks, bicycle lanes, landscaping, illumination, undergrounding of overhead utilities, improved storm drainage, and a new traffic signal. Tucci & Sons has now completed all the contractual requirements for final acceptance.

The contract work was completed for an amount of \$5,615,159 which was 8.6% under the contract amount.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3012 (Continued):

<u>Expenditure</u>	<u>Budget</u>	<u>Actual</u>
Construction Contract	\$6,143,427	\$5,615,159
Contingency (10%)	614,343	0
Materials Testing	35,000	22,072
Signal Inspection	5,000	6,141
Intolight Street Lighting	79,698	87,264
Underground Conversion Puget Sound Energy (PSE)	<u>391,360</u>	<u>398,939</u>
Total Expenditure	\$7,268,828	\$6,129,575
<u>Revenue</u>	<u>Budget</u>	<u>Actual</u>
State Transportation Improvement Board Grant	2,179,416	2,179,416
Federal Aid Grant	253,714	253,714
Utility Work Reimbursements		
Highline Water District Reimbursement	782,832	712,085
Comcast	78,100	70,522
City Fund 307	<u>3,974,766</u>	<u>2,913,838</u>
Total Revenue	\$7,268,828	\$6,129,575

PW Director Gut reviewed the agenda bill summary and thanked the City staff who worked on this project.

CM A. Anderson stated he has received glowing responses to the improvements on Military Road and staff's responsiveness.

CM Ladenburg questioned whether the bridge on Military Road will be addressed. Mr. Gut stated the bridge presents some challenges. It is owned by the Washington State Department of Transportation (WSDOT) and anything needing to be done would have to be at the City's expense.

Mayor Shape stated this was a successful project.

CM Gregerson stated the Transportation & Public Works (T&PW) Committee recommended this for approval.

Council consensus: Referred to the 12/09/08 RCM Consent Agenda

Agenda Bill #3020 – A Motion authorizing the City Manager to amend the intergovernmental agreement between the City of SeaTac and Sound Transit to include construction of a spot drainage repair

Summary: Sound Transit's contractor, SCI Construction, Inc. is currently working on right-of-way (ROW) improvements to South 154th Street and International Boulevard (IB) near the Tukwila light rail station. City staff is proposing to amend the current intergovernmental agreement with Sound Transit, for the underground conversion of overhead utilities, to include a spot drainage repair.

In the past, flooding has occurred near the intersection of South 152nd Street and IB during heavy rain events. A spot drainage repair is necessary on IB to relieve the intermittent flooding. This repair could be done in conjunction with Sound Transit's project to limit the construction impacts to area residents, and businesses. Consolidating the projects would minimize disturbance to traffic on IB and South 152nd Street. There would be cost savings related to mobilization, traffic control, and surveying. Currently, the intergovernmental agreement authorizes Sound Transit to construct the City's utility conversion project to relocate the existing overhead utilities underground from South 152nd to 154th Streets. City staff has coordinated with Sound Transit and Sound Transit has obtained a quote of \$269,975 from SCI to perform the work. The proposed repair would install new catch basins and approximately 175 feet of larger diameter pipe.

The total expenditure for this spot drainage repair would be paid from the 2009 surface water management (SWM) utility fund (Fund 403). The estimated cost of the repair is as follows:

Construction Cost	\$269,975.00
Contingency (10%)	\$26,997.50
Sound Transit's Construction Management Fee (10%)	\$26,997.50
<i>Total Project Budget</i>	<i>\$323,970.00</i>

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3020 (Continued):

This repair would be funded as follows:

Spot Drainage Improvements 2008 Budget (carryover)	\$100,000.00
Spot Drainage Improvements 2009 Budget	\$100,000.00
Savings from other line items in 403 Fund	\$123,970.00
<i>Total Funding Available</i>	<i>\$323,970.00</i>

PW Director Gut reviewed the agenda bill summary.

Upon a question posed by CM Gregerson, Mr. Gut stated that SeaTac would have an agreement with Sound Transit. The City is paying Sound Transit a 10% management fee for the additional administrative work.

Council consensus: Referred to the 12/09/08 RCM Consent Agenda

Agenda Bill #3014 – A Motion authorizing the City Manager to sign a special property tax levy agreement with King County (KC)

Summary: Voters approved Proposition 2, the KC Parks expansion levy, on August 21, 2007. 20% of Proposition 2 proceeds are to be distributed among cities in KC to fund open space acquisitions and trail development projects. The City of SeaTac will receive approximately \$54,433.07 per year for six years once the agreement is signed. This money is anticipated to be used to fund future trail segments of the Westside Trail and a trail connection study for the segment linking SeaTac Community Center (SCC) to Tukwila Community Center (TCC).

P&R Director Ledbetter introduced Landscape Architect Chuck Warsinske and reviewed the agenda bill summary.

Upon a question posed by CM T. Anderson, Mr. Ledbetter stated that approximately one-quarter of the trail is within the City limits.

Council consensus: Referred to the 12/09/08 RCM Consent Agenda

Agenda Bill #2909 – A Motion authorizing the City Manager to execute a contract with SB&A Landscape Architects for the SeaTac / Tukwila Bicycle Trail Connection Program Study

Summary: This Motion authorizes the City Manager to sign a contract with the firm of SB&A Landscape Architects and an Interagency Agreement with KC to complete the SeaTac/Tukwila Community Center to Community Center Bicycle Trail Connection Program Study and Preliminary Design. This project idea was developed over a year ago with meetings with KC and City of Tukwila Parks Departments. This trail will connect the Westside Trail to the Green River Trail as well as the SCC to TCC.

A Request for Qualifications (RFQ) was sent out in January 2008 and only one firm, SB&A Landscape Architects, submitted a proposal. SB&A Landscape Architects completed the Westside Trail Plan and is very qualified to complete this study. The proposed study will determine the best route for a trail between the Green River Trail and the Westside Trail, and will include preliminary design work.

The total cost of the study and preliminary design will not exceed \$48,800. Of this amount, KC will fund \$24,400 and Tukwila and SeaTac will each fund \$12,200. It is proposed that SeaTac's share of the cost will be paid through funds received by the City as part of the KC Parks expansion levy (Proposition 2) since these funds are restricted to expenditures for regional trails.

The City of Tukwila will be signing a similar agreement with KC for their payment of the trail study.

The 2009 expenditure budget will need to be increased by \$48,800 to pay for all of the program study costs and the revenue budget will need to increase by \$36,600. KC will reimburse the City \$24,400 and the City of Tukwila will reimburse \$12,200. This will result in SeaTac's actual cost being \$12,200.

P&R Director Ledbetter reviewed the agenda bill summary.

Mr. Warsinske stated the trail will basically go the SCC to the TCC, utilizing existing ROW. Along the corridor, there are a number of bike lanes and sidewalks that stop. This project will fill in the gaps so there is a continuous bike/pedestrian corridor from the two community centers, basically the Westside Trail to the Green River Trail. The primary goals are safety and connecting public facilities.

Council consensus: Referred to the 12/09/08 RCM Consent Agenda

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3017 – An Ordinance authorizing the City Manager to enter into an Interlocal Agreement (ILA) relating to the South Correctional Entity (SCORE) Facility and approving the formation of the SCORE Facility Development Authority

Summary: This Ordinance authorizes the City Manager to enter into an ILA with the Cities of Auburn, Burien, Des Moines, Federal Way, Renton, and Tukwila relating to the SCORE Facility. This Ordinance also approves the formation of a Public Development Authority (PDA), the SCORE Facility PDA, to finance, construct, improve, and equip the construction of a 668 bed jail in South King County (SKC).

The KC Jail contract expires December 31, 2012, and the Yakima County Jail contract expires December 31, 2010. KC has indicated that they may have limited availability for the various cities' inmates in 2013 and 2014, but they are projecting only about 100 total beds to be available in 2014. These 100 beds are insufficient to meet the needs of the KC cities. KC has also expressed a desire to increase housing rates to include full medical costs for each inmate, which could result in the cost increasing to upwards of \$300 to \$400 per day for some inmates. Maintenance costs at the KC Jail are currently \$109.10 per day for each inmate, including medical costs.

Most of the cities in KC have also contracted with Yakima County for misdemeanor jail services. While Yakima County has indicated a willingness to renegotiate a contract with individual cities, in contrast to the multijurisdictional contract that they currently have, some jurisdictions have found the LOS to be problematic.

At this time, Yakima is unwilling to identify a contract price for 2011. They have indicated that until cities commit to a specific number of beds, they will not identify a daily rate. However, they have indicated a range of rates from \$105 - \$125 per day. Similar to KC, Yakima County will be passing through any medical costs associated with treatment provided outside its jail.

In 2006, the KC cities collectively hired Ricci-Greene and Associates (RGA) to do a study identifying long term jail needs. The study identified that the KC cities need a total of 1,450 beds to meet misdemeanor jail needs in the next 20 years. Of those 1,450 beds, 700 are needed to accommodate the jail needs in SKC. Based upon the results of the RGA study, the SKC cities formed a working group to explore the possibility of establishing a sub-regional misdemeanor jail facility.

In 2007, the working group explored local jails, identified possible budgets, staffing plans, and potential sites in which to locate a SKC jail. In order to validate the work that had to be done, the cities in the working group also hired DLR Group to complete a feasibility study. This feasibility study looked at these six elements: jail programming, site description, conceptual design, staffing, budgets for construction and operations, and a final cost/benefit analysis. The City of Renton served as the lead agency for the feasibility study. The study revealed that an 808 bed misdemeanor jail facility was required. This was resized to 668 beds in June 2008, when the City of Kent decided to withdraw from the jail project.

Currently, the cities of Auburn, Burien, Des Moines, Federal Way, Renton, SeaTac and Tukwila are members of the working group. SeaTac and Burien are the two most recent additions, each having joined in the past few months. It is intended that the current working group will evolve into a separate legal entity, to be known as SCORE, which would oversee the day to day operation of a new SKC jail facility. It is also intended that all current members of the working group will be members of SCORE.

An ILA has been drafted that needs to be adopted by all member cities. This ILA, once adopted by all member cities, will create the legal entity responsible for the creation and the operation of the new SKC Jail. The administrative affairs of SCORE will be governed by an administrative board. Each member city will have one representative on the SCORE Administrative Board, and will have an equal vote and voice in all board decisions. The ILA also states that a PDA will be created to issue the necessary bonds to construct the facility, and establishes the governance and financial models noted above.

Each member city will pay an allocable portion of all aggregate capital and operating costs related to the SCORE Facility. The base percentage allocable to each city is defined as a percentage equal to the 2007 average daily population allocable to the member cities in all correctional facilities. SeaTac's portion is 3% of the total. The financial model also assumes building a facility with enough beds to rent a portion of them to contract agencies. The financial model identifies a contract rate that is 125% of the member cities' rate, but the actual amount and the determination of what non-member jurisdictions will be able to utilize the facility will be determined by the SCORE Governing Board.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3017 (Continued): In order to finance costs of acquiring, constructing, improving and equipping the SCORE Facility, the City of Renton has agreed to form a public corporation pursuant to Revised Code of Washington (RCW) 35.21.730 - 35.21.755 that will be known as the SCORE Facility PDA. The purpose of the SCORE Facility PDA is to provide an independent legal entity under State law to issue debt to finance and refinance the acquisition, construction, improvement and equipping of this facility.

One of the challenges with building a multijurisdictional jail has been finding a location in which to site the facility. However, the cities have now identified a 13.75 acre parcel in the City of Des Moines as a possible site on which to locate the jail facility. The property is currently held by another governmental entity. The member cities plan to send a letter to that agency expressing their desire to negotiate and make a good faith offer to acquire the property.

As soon as SCORE is formalized, the member cities will begin the design work on the facility. Under the current project schedule, groundbreaking is projected for September 2009, with project completion in July 2011.

Currently, the City pays approximately \$510,000 annually for jail services. The annual projected expenditure for SeaTac once the SCORE Facility is operational is between \$418,000 and \$450,000, depending upon the number of beds that will be available and rented to contract agencies. This cost includes SeaTac's share of the capital contribution (repayment of bonded debt) as well as the costs of maintenance and operation of the SCORE Facility. Depending on the final decision as to when to issue bonds, SeaTac may be required to pay our portion of the debt service prior to actually being able to use the facility. At this point, SeaTac has no projected cash contribution requirement in 2009 toward this project.

SeaTac has limited options to address the impending deadlines for the jail contracts. These options are as follows:

1. Continue to contract with KC and Yakima County Jails until those contracts expire, and then attempt to replace those contracts with new contracts. However, there currently are no other facilities in the State that can take the number of inmates that will be displaced with the expiration of the existing contracts.
2. Do not join SCORE and seek to rent beds from SCORE at a contract rate that currently is estimated will be 125% of the member cities' rate. However, SeaTac would not be guaranteed that beds would be available for arrestees and sentenced offenders, even though staff would make every attempt to guarantee space for offenders through contracting.

Finance Director McCarty introduced Renton Police Department Certified Jail Manager (CJM) Penny Bartley. He stated that both the A&F and Public Safety & Justice (PS&J) Committees met and reviewed this item.

Senior Assistant City Attorney Johnsen stated that CM A. Anderson has a conflict of interest on this item due to his position at the Port of Seattle (POS). CM A. Anderson will abstain from voting on this item.

Ms. Bartley reviewed the agenda bill summary.

Upon a question posed by CM Ladenburg, Mr. McCarty stated maintenance costs are included.

Mayor Shape clarified that the question tonight is whether the City should join SCORE. If the City doesn't join SCORE, SeaTac won't have a say in the siting of the facility.

Ms. Bartley stated the goal is to have all of the member cities pass this agreement by January 12, 2009.

Upon a question posed by CM Gregerson, Ms. Bartley stated that the estimated costs were developed based on current standards and using a property in Renton that is no longer available. The proceeds from the sale of the property in Bellevue will be distributed to the cities, even if they don't join SCORE, however, the funds can only be used to add jail capacity. The best way to do that is by pooling the funds.

Mayor Shape stated he agrees it is beneficial to be a member of SCORE.

CM Gregerson requested this item be moved to the next Council meeting.

CM Ladenburg requested a list of cities that have approved this agreement be provided at the next meeting.

Council consensus: Referred to the 01/13/09 RCM

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3022 – An Ordinance repealing Ordinance #08-1037 and setting the 2009 property tax levy and rate

Summary: On November 25, 2008, the SeaTac City Council approved Ordinance #08-1037, tentatively establishing the amount to be levied in 2009 by taxation on the assessed valuation of property in the City. This action was necessary because the City was required to submit its 2009 property tax levy to KC by November 28, 2008, and the November 25 Regular Council Meeting (RCM) was the last meeting prior to this deadline. The approved tentative levy amount of \$15,865,166 was the maximum statutory levy at that time as estimated by the KC Assessor's Office, and any later revisions can only reduce, not increase, the tax levy amount.

Initiative 747, approved by the voters on November 6, 2001, limited annual property tax increases to the lower of 1% or inflation, defined by the implicit price deflator (IPD). The IPD limit factor for 2009 is 1.010%, resulting in all regular property tax levies being limited to an increase of 1% over the previous year, excluding new construction and state-assessed property valuation increases. On November 8, 2007, the Washington State Supreme Court ruled that I-747 is unconstitutional. In a special legislative session held on November 29, 2007, the 1% property tax increase limitation was reinstated by the Legislature. The 2009 Budget is based on a property tax revenue estimate in conformance with the 1% increase limit.

On December 2, 2008, the City received certification of assessed valuations for the tax year 2009 from the KC Assessor's Office. The total valuation of the City of SeaTac for 2009, as certified by the KC Assessor, is \$4,886,455,259. This amount represents an increase of approximately 6.53% as compared to the 2008 assessed valuation total of \$4,587,006,934.

This Ordinance provides for a 2009 tax levy of \$11,430,659, the maximum allowable levy as determined by the KC Assessor's Office. The resulting levy rate of \$2.34 per \$1,000 of assessed valuation would decrease by eleven cents from the 2008 levy rate of \$2.45. The 2009 proposed property tax levy is based on the 1% increase limit plus new construction.

Finance Director McCarty reviewed the agenda bill summary.

DM Fisher stated he would be voting against this.

Mayor Shape stated a majority of the property taxes come from the airport and businesses. A majority of the citizens are seniors that are low income and are already receiving tax reductions or exemptions from the County. The budget was created using the 1% increase.

DM Fisher stated that businesses are also losing money and closing at a fast rate.

CM Wythe stated the Council has already eliminated money from the 2009 budget. If this revenue is removed, more money from the budget will need to be deleted. As a citizen, he is willing to pay to continue services.

CM T. Anderson requested someone from KC come to the City and educate/give information to seniors/low income residents that may be eligible for a property tax reduction/exemption.

Council consensus: Referred to the 12/09/08 RCM New Business

Agenda Bill #3023 – An Ordinance amending the 2008 Annual City Budget for miscellaneous items

Summary: This Ordinance increases expenditures to provide additional 2008 appropriation authority in the Building Management Fund (Fund 108). This Ordinance is necessary to ensure that the City complies with State laws prohibiting any funds having expenditures in excess of the fiscal year appropriation authority.

Building Management (Fund 108): As part of lease agreements entered into in 2008 for space on the second floor of City Hall, the City performed tenant improvements in the areas occupied by the YWCA and the South King Council for HS. Appropriation in the amount of \$15,000 was provided for in the 2008 Budget for City Hall tenant improvements, but approximately \$20,000 was spent in 2008 for tenant improvements in the two leased areas noted above as well as minor modifications in some of the other tenant areas. Therefore, a budget increase for Fund 108 in the amount of \$5,000 is recommended to offset the additional expenditures related to these tenant improvement costs incurred in 2008.

Finance Director McCarty reviewed the agenda bill summary.

Council consensus: Referred to the 12/09/08 RCM Consent Agenda

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3026 – An Ordinance amending the 2009 Annual City Budget for miscellaneous items

Summary: The 2009 Annual City Budget was adopted by the City Council on November 25, 2008. Two items have been subsequently discovered that need to be included in the 2009 Budget, necessitating the budget be amended. The two items included in this budget amendment are as follows:

Hotel/Motel (H/M) Tax Fund #107: The \$5,000 contribution to the Northwest Symphony Orchestra the City made the past few years from the H/M Tax Fund was not included in the original proposed budget for that fund in 2009. During the third Council budget workshop held this fall, a representative from the orchestra attended and requested that the Council consider including this contribution again in the 2009 Budget, which the Council agreed to. This was inadvertently excluded from the 2009 Budget presented and adopted by the Council on November 25.

Municipal Capital Improvement Program (CIP) Fund #301: The P&R Department presented Agenda Bills #3014 and #2909 for consideration at the December 9 RCM. These agenda bills relate to the City accepting KC Parks Proposition 2 expansion levy funding, and the use of a portion of those funds to pay for the SCC to TCC Bicycle Trail Connection Program Study and Preliminary Design. This budget amendment includes the revenue estimate of approximately \$54,433 the City will receive for the levy funding in 2009, the \$48,800 expenditure to pay for the entire program study cost, and the reimbursement revenue of \$24,400 from KC and \$12,200 from the City of Tukwila for their share of the cost of the study, which results in a net cost to SeaTac in the amount of \$12,200 for this work.

This Ordinance will provide additional expenditure appropriation authority of \$5,000 in the H/M Tax Fund, and additional estimated revenue of \$91,033 and expenditure appropriation authority of \$48,800 in the Municipal CIP Fund as detailed above.

Finance Director McCarty reviewed the agenda bill summary.

CM T. Anderson stated the H/M Committee didn't recommend the \$5,000 contribution to the Northwest Symphony Orchestra and she didn't want to vote against their recommendation.

CM T. Anderson requested this item be moved to New Business.

Council consensus: Referred to the 12/09/08 RCM New Business

Agenda Bill #2996 – An Ordinance amending the SeaTac Municipal Code (SMC) regarding zoning and development regulations for townhouse / duplex development

Summary: This Ordinance updates Chapter 15.39 "Design Standards for Townhouse and Duplex Development", and other code provisions related to townhouse and duplex development, to ensure that City standards reflect best-practices in townhouse and duplex design.

While the Council adopted townhouse and duplex standards in July 2008, further code updates are warranted to better tailor existing standards to the scale of townhouse and duplex development. The ultimate goal of these strengthened design standards is to ensure quality townhouse and duplex development throughout the City, including areas targeted for future growth and redevelopment such as the Extended South 154th Street Station Area. Specific revisions to the code include changes to townhouse densities, townhouse and duplex uses in the Use Charts, amendments to townhouse and duplex design standards, and other related code amendments that pertain to townhouse and duplex development.

Amendments to Townhouse Densities: In regards to townhouse densities, this Ordinance revises density requirements in order to clarify and allow more flexibility within the regulations. The changes are as follows:

<i>Existing Townhouse Densities</i>	<i>Proposed New Townhouse Densities</i>
Within the City Center: 12-24 dwelling units per acre	Within the City Center: 10-24 dwelling units per acre
Within the Extended South 154 th Street Station Area: 12-18 dwelling units per acre	Outside of the City Center and South 154 th Street Station Area: 10-18 dwelling units per acre
Outside of the City Center: 12-16 dwelling units per acre	Outside of the City Center and South 154 th Street Station Area: 10-18 dwelling units per acre

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #2996 (Continued):

Amendments to Townhouse and Duplex Use Charts: This Ordinance also updates Use Charts for the City Center, the South 154th Street Station Area and Citywide, so that townhouse and duplexes are not allowed in areas zoned for higher residential and commercial densities.

Amendments to Townhouse and Duplex Design Standards and Other Related Sections of the Code: Revisions to the townhouse and duplex design standards will reduce the minimum development site size from 18,000 square feet (SF) to 14,400 SF; enhance building design standards for pedestrian entries, building facades, roof lines, materials and colors; address the need to activate the ground floor of new development by requiring ground floor living space; ensure quality private open space for residents; and create landscaping tailored to the scale of townhouse and duplex developments. Revisions to other sections of the code related to townhouse and duplex development include adding new and clarifying existing definitions in Chapter 15.10, and revising the description of the Townhouse Zone in Chapter 15.13.

A Public Hearing (PH) was held by the SeaTac PC on November 10, 2008. The PC voted to recommend that the City Council adopt the new standards and related code amendments. Staff has also presented these proposed code amendments to the Land Use and Parks (LUP) Committee.

Senior Assistant City Attorney Johnsen stated that DM Fisher had a conflict of interest related to Agenda Bill #2996, #3025, and #2948 due to his place of residence. DM Fisher will abstain from these three items.

Planning Director Butler reviewed the agenda bill summary.

Upon a question posed by CM Wythe, PC Member Rick Forschler stated the PC unanimously supported this item. CM Wythe stated the LUP Committee recommended this item for approval.

Upon a question posed by CM Ladenburg, Mr. Butler stated in some cases, the standards are developed from lessons learned from other cities. Staff tried to take the best of other communities with the overall goal that when the market returns, the City ends up with a development to be proud of.

Council consensus: Referred to the 12/09/08 RCM New Business

Agenda Bill #3025 – An Ordinance amending the SeaTac Municipal Code (SMC) regarding zoning and development regulations for multi-family setbacks and street frontage

Summary: This Ordinance updates Chapter 15.19 “Design Standards for Multi-family Housing”, and other sections of the code related to multi-family development, to better encourage pedestrian-oriented multi-family design. Other revisions to Chapter 15.19 add references to the South 154th Street Station Area and other changes to make requirements within 15.19 consistent with Chapter 15.38 Special Standards for the South 154th Street Station Area and Chapter 15.39 Design Standards for Townhouse and Duplex Development.

The main goal of the revisions to the multi-family design standards, and related code amendments, is to create strong design regulations that will ensure quality development throughout the City, including areas targeted for future growth and redevelopment such as the Extended South 154th Street Station Area.

In terms of the Multi-family Design Standards, this Ordinance revises requirements for major redevelopment projects within the South 154th Street Station Area to ensure high quality redevelopment, and update standards pertaining to building orientation, pedestrian building entries, character and massing and neighborhood compatibility that are applicable throughout the City. The intent of the remaining changes to the multi-family design standards is to ensure consistency with the requirements of Chapter 15.38, Special Standards for the South 154th Street Station Area and Chapter 15.39, Design Standards for Townhouse and Duplex Development. Revisions to other sections of the code related to multi-family development include changes to the definitions of lot lines and lot types; the creation of a new section, 15.13.025, which clarifies how lot lines are designated, and revisions to section 15.13.035, which establish that front yard building setbacks for non-single family panhandle and internal lots are to be determined by the Director of Planning and Community Development.

A PH was held by the SeaTac PC on November 10, 2008. The PC voted to recommend that the City Council adopt the new standards and related code amendments. Staff has also presented these proposed code amendments to the LUP Committee.

Planning Director Butler reviewed the agenda bill summary.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3025 (Continued): Upon a question posed by CM Wythe, Mr. Forschler stated the PC did not have any conflicts with this item.

Council consensus: Referred to the 12/09/08 RCM New Business

Agenda Bill #2948 – An Ordinance amending the zoning map for certain properties in the “Extended South 154th Street Station Area”

Summary: This Ordinance amends the Official Zoning Map for some properties (Phase 2 Rezone Area) in the Extended South 154th Street Station Area consistent with the South 154th Street Station Area Action Plan, and the associated Land Use Plan Map amendments, both of which the Council adopted on December 12, 2006.

The presence of light rail transit (LRT) stations is expected to create demand for services and building/development types that support higher office, commercial, and residential densities, and increase pedestrian activity. Anticipating this demand and the increased development potential for services and facilities near the Tukwila IB light rail station that could benefit SeaTac residents and businesses, the City staff adopted the South 154th Street Station Area Action Plan.

At the same time, the City identified amendments to the CP’s Land Use Plan Map that would make the CP consistent with the South 154th Street Station Area Action Plan. Those CP map amendments established Potential Zones for those areas, allowing for higher residential densities and other land uses consistent with the Station Area Plan. The proposed rezone action would rezone those properties consistent with the Station Area Plan and the adopted CP amendments.

The City held three community meetings to discuss the proposed zoning changes with property owners and other community members in January, February, and June of this year. The outcome of these meetings was that a large majority of the attendees supported the proposed City-initiated rezone approach. The SeaTac PC recommended adoption of the proposed rezones at their June 30, 2008 meeting.

Council reviewed this issue at the July 22 RCM, and remanded it back to the PC for further consideration. At the July 28, 2008 PC meeting, the PC reviewed the rezone proposal. After hearing comments from interested parties, the PC reaffirmed their earlier recommendation, on a 3 to 2 vote, to adopt the rezones as proposed.

The Council adopted the rezone of properties in the Phase 1 Rezone Area of the Extended South 154th Street Station Area by Ordinance #08-1030 at the October 14, 2003 RCM.

Planning Director Butler and Senior Planner Scarey reviewed the agenda bill summary.

Upon a question posed by CM A. Anderson, Mr. Butler stated he is not aware of any plans to use eminent domain.

Mr. Ward, regarding Mr. Wilson’s comment earlier about changing his property to a park, clarified it was never the City’s intention to change a persons property into a park. Staff won’t rule out eminent domain, but it would be for ROW in order to widen a road.

CM A. Anderson question if there has been any opposition mentioned during the three public meetings. Mr. Butler stated that some individuals had questions, but there was a strong majority in favor of it.

CM Wythe stated his support of this item.

Mayor Shape questioned the PC position. Mr. Forschler stated that after the three public meetings, at the June 30 PC meeting, the PC unanimously approved this item. In the interim, at a City Council meeting, a few citizens expressed concern regarding the tax impact so the PC was asked to reconsider. On July 28, the PC voted three to two to pass. Therefore, the PC supports passage of this item.

Upon a question posed by CM Ladenburg, Mr. Scarey stated the KC Assessor’s Office will not give a definite answer because there are too many variables. KC felt that any possible changes would not be seen by the property owners for about two years.

CM Gregerson stated it is in the City’s best interest to pass this.

CM A. Anderson stated his support of this item.

Council consensus: Referred to the 12/09/08 RCM New Business

CONSENT AGENDA:

- **Approval of claims vouchers** (check nos. 82680 – 82922) in the amount of \$1,544,535.05 for the period ended November 24, 2008.
- **Approval of payroll vouchers** (check nos. 47290 – 47330) in the amount of \$361,208.20 for the period ended November 30, 2008.
- **Approval of payroll electronic fund transfers** (check nos. 57588 - 57772) in the amount of \$318,397.12 for the period ended November 30, 2008.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$60,585.85 for the period ended November 30, 2008.
- **Summary of \$5,000 - \$25,000 Purchase Requests** for the period ended December 5, 2008.

Approval of Council Meeting Minutes:

- **Special Council Meeting** held October 28, 2008.
- **Administration and Finance Committee Meeting** held November 4, 2008.
- **Transportation and Public Works Committee Meeting** held November 25, 2008.
- **Special Council Meeting** held November 25, 2008.
- **Special Council Meeting** held December 2, 2008.

Agenda Items reviewed under Agenda Bill Presentations recommended for placement on this Consent Agenda:

Agenda Bill #3024; Motion authorizing the City Manager to accept \$324,000 awarded from King County's Community Development Block Grant program

Agenda Bill #3012; Motion authorizing final acceptance of the Military Road South Improvement Project (South 176th Street to South 188th Street) and establishing a 45-day lien period

Agenda Bill #3020; Motion authorizing the City Manager to amend the Intergovernmental Agreement between the City of SeaTac and Sound Transit to include construction of a spot drainage repair

Agenda Bill #3014; Motion authorizing the City Manager to sign a special property tax levy agreement with King County

Agenda Bill #2909; Motion authorizing the City Manager to execute a contract with SB&A Landscape Architects for the SeaTac / Tukwila Bicycle Trail Connection Program Study

Agenda Bill #3023; Ordinance #08-1038 amending the 2008 Annual City Budget for miscellaneous items

MOVED BY T. ANDERSON, SECONDED BY FISHER TO ACCEPT THE CONSENT AGENDA AS PRESENTED.*

PUBLIC COMMENTS (related to the Consent Agenda): There were no public comments.

*MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENTS (related to the following Unfinished and New Business): Mr. Kadeg stated he did support the multi-family standards because he does want good quality developments. He stated he is primarily opposed to the rezone due to the possible assessment. He is representing seven families not in attendance.

UNFINISHED BUSINESS: There was no unfinished business.

NEW BUSINESS:

Agenda Bill #3022; Ordinance #08-1039 repealing Ordinance #08-1037 and setting the 2009 property tax levy and rate

MOVED BY WYTHE, SECONDED BY GREGERSON TO ADOPT ORDINANCE #08-1039.

MOTION CARRIED WITH FISHER VOTING NO.

Agenda Bill #3026; Ordinance #08-1040 amending the 2009 Annual City Budget for miscellaneous items

MOVED BY WYTHE, SECONDED BY GREGERSON TO ADOPT ORDINANCE #08-1040.*

CM Wythe stated that supporting the arts is good for the community. This is a decision to override the H/M Tax Advisory Committee's decision to not continue a \$5,000 contribution to the Northwest Symphony Orchestra.

NEW BUSINESS (Continued):

Agenda Bill #3026; Ordinance #08-1040 (Continued): CM A. Anderson stated this was discussed during the budget workshops and all CMs present supported funding the orchestra.

CM Gregerson reminded everyone that the student population can go to the orchestra for free and it is important to be able to offer that to the community.

*MOTION PASSED WITH T. ANDERSON VOTING NO.

Agenda Bill #2996; Ordinance #08-1041 amending the SeaTac Municipal Code (SMC) regarding zoning and development regulations for townhouse / duplex development

MOVED BY GREGERSON, SECONDED BY WYTHE TO ADOPT ORDINANCE #08-1041.

MOTION CARRIED WITH FISHER ABSTAINING.

Agenda Bill #3025; Ordinance #08-1042 amending the SeaTac Municipal Code (SMC) regarding zoning and development regulations for multi-family setbacks and street frontage

MOVED BY WYTHE, SECONDED BY GREGERSON TO ADOPT ORDINANCE #08-1042.

MOTION CARRIED WITH FISHER ABSTAINING.

Agenda Bill #2948; Ordinance #08-1043 amending the zoning map for certain properties in the "Extended South 154th Street Station Area"

MOVED BY A. ANDERSON, SECONDED BY GREGERSON TO ADOPT ORDINANCE #08-1043.

MOTION CARRIED WITH FISHER ABSTAINING AND T. ANDERSON VOTING NO.

CITY MANAGER'S COMMENTS: City Manager Ward commented on the following: (1) December 10 - 10 a.m. ribbon cutting at Westside Trail at Sunset Park; (2) December 17 - 7 p.m. Fire Explorer Appreciation Dinner at Station 45; (3) December 23 - T&PW Committee meeting and RCM cancelled; (4) December 25 and January 1 - City facilities closed; and (5) January 6 - 5:30 p.m. Residence Inn proposed use public meeting.

COUNCIL COMMENTS: CM T. Anderson wished everyone a nice holiday season.

CM A. Anderson commended HS Coordinator Colleen Brandt-Schluter for her work with the HS budget. It is evenly divided between support for self sufficiency and the safety net.

CM Ladenburg stated tonight's meeting has been educational and he hopes he can help better the City as a CM.

CM Gregerson commented on the following: (1) regarding comments made earlier in the meeting about the new CM, stated the Council did deliberate and did recognize where he resided. However, Council as a whole will consider the entire City when making decisions; (2) encouraged everyone to be involved with the viaduct recommendation. An open forum will be held December 15 at 5 p.m. downtown; and (3) requested that when information changes between a committee presentation and Council meeting presentation, that the changes be highlighted.

Mayor Shape stated his agreement with CM Gregerson's comments regarding the CM interview process. The applicants places of residence were considered, but in the end, the Council chose the best person for the job. He stated that on December 4 he attended a ceremony at the Bow Lake Mobile Home Park (MHP) with over 200 students from the Bow Lake Elementary School putting on a program. These students were tutored by the employees of the Doubletree Hotel.

EXECUTIVE SESSION: There was no Executive Session.

ADJOURNMENT:

MOVED BY T. ANDERSON, SECONDED BY FISHER TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 9:47 P.M.

MOTION CARRIED UNANIMOUSLY.