

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.