

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