

# SEATAC CITY COUNCIL REGULAR MEETING MINUTES

June 27, 2006  
6:00 PM

City Hall  
Council Chambers

**CALL TO ORDER:** The SeaTac City Council Regular Meeting was called to order by Mayor Gene Fisher at 6:21 p.m.

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

**ADMINISTRATIVE STAFF:** City Manager Craig Ward, Assistant City Manager Tina Rogers, Deputy City Clerk Kristina Gregg, City Attorney Mary Mirante Bartolo, Senior Assistant City Attorney Mark Johnsen, Planning Director Steve Butler, Senior Planner Mike Scarey, Public Works Director Dale Schroeder, Facilities Director Pat Patterson, Finance Director Mike McCarty, Facilities Director Pat Patterson, Fire Chief Bob Meyer and Chief of Police Services Greg Dymerski.

**FLAG SALUTE:** City Manager Craig Ward led the Council, audience and staff in the Pledge of Allegiance.

## **CONFIRMATION MAYORAL APPOINTMENT:**

### **•Mayoral Appointment of Mel McDonald to the Human Services Committee**

MOVED BY BRENNAN, SECONDED BY DEHAN TO CONFIRM THE MAYORAL APPOINTMENT OF MEL MCDONALD TO THE HUMAN SERVICES COMMITTEE.

Deputy Mayor (DM) Shape read the Certificate of Appointment and Mayor Fisher presented the certificate to the new committee member and thanked him for volunteering his service to the City.

**PUBLIC COMMENTS:** Jeremy Delmar, 20130 33<sup>rd</sup> Place West, Lynnwood, stated that he owns a house at 17016 35<sup>th</sup> Avenue South. He spoke in regards to the project for the new Fire Station 46. He stated that he was originally going to sell or rent his home, until Council approved the project in March with their home being purchased by the City. At the June 13 Regular Council Meeting (RCM), it was decided that Council did not need that property. Because of the change, approximately \$5,000 - \$6,000 has been lost and then another \$7,000 - \$8,000 in closing costs from refinancing. Now, Council is considering purchasing the house again. He stated that he is still willing to sell, but there is a financial hardship due to this delay. He requested Council make a decision tonight.

John Thompson, 2504 South 148<sup>th</sup> Street, noted that speed limit signs on northbound International Boulevard (IB) near South 216<sup>th</sup> Street are not visible so that northbound drivers cannot see the speed limit reduction.

Randall Everson, 2510 Talbot Crest Drive South, Renton, spoke in reference to Agenda Bill No. 2668. He stated that he sent letters to each Councilmember (CM) expressing his views. He was advised of the change in the plan one day before the last RCM and he did not have a chance to think about it. Yesterday, he met with Facilities Director Pat Patterson, Fire Chief Bob Meyer and the Architect. After that meeting, he feels that the safety of the fire equipment and men are more important than the home he has owned for more than 40 years. He stated that they will sell to the City if their property is needed.

Barry Ladenbury, Angle Lake Shore Club President, 19317 46<sup>th</sup> Avenue South, stated that it is fireworks time and that a newsletter was put out by the Shore Club that incorrectly stated that fireworks are allowed on the 4<sup>th</sup> of July. He apologized and stated that a correction has been printed. He reminded Council that the Shore Club puts on a professional fireworks display on the lake every year. Mr. Ladenbury clarified that all of the activities that are printed in the newsletter are open to anyone, not just Shore Club members. He also stated that the Shore Club Vice President has spoken with Assistant City Manager Tina Rogers regarding the City assisting with the costs of the fireworks display due to increased costs. Mayor Fisher stated that when the Ordinance was passed banning fireworks, the City decided to assist in the future with the display.

## **PRESENTATIONS:**

### **•Port Roadway Project Briefing**

Assistant City Manager Rogers introduced Port of Seattle (POS) Airport Operations Development Manager Heather Bornhorst and POS Community Relations Manager Rachel Garson.

Ms. Bornhorst gave a brief overview of what will be seen in 2009 when the project is complete, including two airport roadway projects and the extension of light rail to the airport - completion of the South 160<sup>th</sup> Street loop ramp at the north end of the airport and the northern airport expressway relocation.

**PRESENTATIONS (Continued):**

**Port Roadway Project Briefing (Continued):** She detailed impacts including moving northbound lanes to support future alignment of light rail, widening access roads, rebuilding and moving rental car and parking accesses, changing the interchange at South 170<sup>th</sup> Street, and permanently closing South 170<sup>th</sup> Street on-ramp to SR-518.

The project schedule includes seven integrated contracts, allowing Sound Transit and the POS to work together.

Some advance construction work is currently occurring, including emergency access, utility relocations, Radisson Hotel closure, fencing, traffic signal installation, bus stop relocation, and parking modifications.

There are three major areas of concern in regards to construction impacts: 1) area around the terminal; 2) area in the vicinity of South 170<sup>th</sup> Street; and 3) north expressway. She detailed these areas.

Ms. Bornhorst stated that Phase I includes the north expressway detour; shifting entering lanes onto the exiting side. Construction is anticipated to begin August/September with the detour in place through January 2007.

Phase II begins in January 2007; shifting the lanes onto the newly built southbound side to build the northbound side. Construction of the South 160<sup>th</sup> Street loop ramp is anticipated to be done in September/October 2007. In 2008, the POS will finish the median area for the Light Rail Alignment.

Ms. Bornhorst stated most of the roadway construction impacts are expected from summer 2006 through fall 2007; the north expressway will be open to all traffic during the roadway construction. The South 170<sup>th</sup> Street northbound on-ramp to the airport freeway system to SR 518 will be permanently closed starting August 2006.

Ms. Garson reassured Council that the POS is working hard to anticipate impacts and how to best communicate them. There are two communications plans: 1) general – informing everyone that construction may cause delays at the airport. This information will be communicated through news stories and paid advertisements; and 2) detailed, targeting specific audiences. This information will be communicated by media tours, press releases, traffic reports during congestion hours, paid advertisements and the airport website.

She stated a general construction hotline is currently in effect.

DM Shape stated that the City wants the pedestrian access at South 182<sup>nd</sup> Street to remain open.

**DISCUSSION ITEM:**

**•Summary of \$5,000 - \$25,000 Purchase Requests for the period ended June 23, 2006**

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>
Neighborhood Litter Control Program	Public Works	\$110,000	\$110,000	\$8,700
CTR Metro Contract	Public Works	\$14,642	\$14,642	\$11,373
Doors and relites for Pan International Facilities		\$0	\$20,000	\$5,556
Realty Tenant Improvements				

**Council consensus:** Referred to the 6/27/06 RCM Consent Agenda

**AGENDA BILL PRESENTATIONS:**

**Agenda Bill #2686 – An Ordinance amending the 2006 Annual City Budget for miscellaneous items and authorizing the payment of a Total Excess Compensation Benefit Invoice from the State of Washington Department of Retirement Systems (DRS)**

**Summary:** This Ordinance amends the 2006 Annual City Budget as detailed below:

General Fund (Fund 001): Total Excess Compensation Benefit Invoice from the DRS – The City has received an invoice in the amount of \$48,069.17 from the DRS for former City Manager Cal Hoggard. In accordance with the terms of his employment contract with the City, Mr. Hoggard received a cash-out of 1/3 of his remaining sick leave balance and the entire balance of his vacation leave. As a PERS 1 member, his pension benefit is calculated using a formula that includes accrued vacation and sick leave cash-out amounts. In accordance with PERS 1 rules, the City is responsible for paying an additional \$48,069.17 to the DRS to cover the additional pension liability. Although Mr. Hoggard has not worked for the City since the end of 2001, the DRS just recently calculated this liability with Mr. Hoggard's notification to them of his intention to retire. This budget amendment is necessary to provide the appropriation authority to pay for this invoice.

**AGENDA BILL PRESENTATIONS (Continued):**

**Agenda Bill #2686 (Continued):** Building Management Fund (Fund 108): Tenant Improvement and Lease Commission Expenditures – On June 13, 2006, Council authorized the City Manager to execute a lease agreement with Pan International Realty for approximately 2,000 square feet of space on the second floor of City Hall. As part of that agreement, the City will pay approximately \$20,000 towards tenant improvements. In addition, the City is required to pay Windermere Real Estate approximately \$9,900 for a 5 percent commission fee for securing this tenant. This budget amendment is necessary to provide the appropriation authority to pay for these improvements and the real estate commission fee. This Ordinance also increases estimated revenue in the Building Management Fund for the additional lease revenue related to this new agreement and an extension to the lease agreement with Guardsmark, a current tenant on the second floor of City Hall.

This Ordinance will result in an increase in expenditure appropriation in the General Fund in the amount of \$48,070. This Ordinance will also increase estimated revenue in the amount of \$23,600 and increase expenditure appropriation authority in the amount of \$29,900 in the Building Management Fund.

Finance Director McCarty reviewed the above summary. He stated that this item was reviewed by the Administration & Finance (A&F) Committee June 13, 2006.

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

**Council consensus:** Referred to the 6/27/06 RCM Consent Agenda

**Agenda Bill #2683 – A Motion declaring Vehicles and miscellaneous Equipment surplus and approving same to be sold at Public Auction**

**Summary:** Due to the purchase of previously approved vehicles and equipment, the City now has two vehicles and six other pieces of miscellaneous equipment to declare surplus. Staff will arrange with an auctioneer specializing in vehicle sales to sell these vehicles.

As part of the 2006 equipment rental fund budget, \$327,500 was approved for replacement. The following vehicles and equipment will be surplus to help reduce operating costs: B-12 - 1996 Ford Flatbed Truck; B-23 - 1998 Ford Econo Van; C-1 - 1992 Chipper; C-2 - 1993 Cracksealer; C-4 - 1994 Air Compressor; D-2 - 1993 Backhoe; S-3 - 1993 Jumping Jack; and S-13 - 1994 Pavement Breaker.

The salvage value on the books for the surplus vehicles is \$18,000. However, auctioning this equipment is estimated to bring in between \$30,000 and \$40,000.

Public Works Director Schroeder reviewed the above summary and stated that this item was reviewed by the Transportation & Public Works (T&PW) Committee at its May 23 meeting

CM DeHan stated this item was reviewed and endorsed by the T&PW Committee.

**Council consensus:** Referred to the 6/27/06 RCM Consent Agenda

**Agenda Bill #2685 - A Motion authorizing the City Manager to enter into Agreements with Qwest, Comcast, Intolight, and Highline Water District for the conversion of Overhead Telephone and Cable Television, installation of Streetlights, and upgrading the Waterline within the Military Road South Project**

**Summary:** The proposed scope of the improvements to Military Road South includes relocating the existing aerial utilities underground. An agreement with Puget Sound Energy (PSE) for the power relocation was previously approved by Council. Qwest and Comcast currently own and operate the telephone and cable television facilities within the Military Road South Right-of-way (ROW). Qwest operates under a Federal franchise. Pursuant to Revised Code of Washington (RCW) 35.99.060, the City is required to reimburse Qwest for the incremental cost for relocation/conversion of the overhead facilities to underground. In lieu of reimbursement to Qwest for the incremental cost, the City will provide all trenching, and installation of Qwest provided conduit, and handholes. Therefore, there are no dollar amounts associated with the Qwest agreement. The City's cost for trenching and installation of Qwest conduit and handholes will be included in the Military Road South project bid, and will be presented to the Council at that time.

Comcast operates under a Franchise with the City which requires Comcast to convert to underground at its own cost. Comcast has elected to have the City install its conduit and vaults and to reimburse the City.

Intolight will be installing new street lighting. The City is responsible for the cost of the new street lighting and the future power and maintenance costs.

**AGENDA BILL PRESENTATIONS (Continued):**

**Agenda Bill #2685 (Continued):** Highline Water District desires to abandon an existing 6-inch waterline and upgrade to an 8-inch ductile iron waterline. Highline is responsible for all costs associated with this improvement. They are agreeing to reimburse the City the actual costs incurred. This agreement would minimize disruption to traffic.

The City is responsible for Qwest provided duct and vault installation and Intolight provided and installed street lights. The current estimate for the Qwest duct and vault installation is \$53,000 and this work will be included in the City's construction contract. The City will pay Intolight a fixed cost of \$79,698.25 for street light installation, per state approved tariff rates.

The Comcast and Highline work will be included in the City's construction contract and reimbursed to the City by the respective utilities. The current estimates for the Comcast and Highline work are \$78,180 and \$476,490 respectively.

Public Works Director Schroeder reviewed the above summary. The T&PW Committee reviewed this item at the June 27, 2007 meeting. Within the CIP, the major road improvement is on Military Road between South 188<sup>th</sup> and 176<sup>th</sup> Streets. The improvement design and ROW acquisition are in their final stages.

CM DeHan stated that the T&PW Committee recommended this agenda bill for approval.

**Council consensus:** Referred to the 6/27/06 RCM Consent Agenda

**Agenda Bill #2682 – A Motion authorizing the City Manager to execute a third amendment with Guardsmark, Inc. to lease space on the second floor of City Hall**

**Summary:** This Motion authorizes the City Manager to execute a third amendment to the lease with Guardsmark Inc., which occupies 3030 square feet (sf) of the second floor of City Hall.

Currently, Guardsmark Inc. occupies 3030 sf of the second floor, paying \$22.50/sf. They would like to renew their lease for an additional three years starting at \$23.00/sf with the price escalating \$.50/ft per year. Guardsmark has been a tenant in the City Hall building since 1992. In July of 2003, the City and Guardsmark executed a Second Amendment to their original lease. This lease expires July 31, 2006. The Third Amendment will extend the lease through July 31, 2009.

Fiscal Impact

Accumulated rent for 3 years	\$ 213,615.00
Custodial services for 3 years	\$ -21,816.00
Utilities for 3 years	\$ -27,270.00
Total	\$ 164,529.00

Facilities Director Patterson reviewed the above summary.

**Council consensus:** Referred to the 6/27/06 RCM Consent Agenda

**Agenda Bill #2668 – An Ordinance declaring Public Use and Necessity for Real Property to be condemned as required for the construction of a new Fire Station 46, and authorizing payment therefore from the City's 306-Municipal Facilities Capital Improvement Plan Fund**

**Summary:** This Ordinance declares public use and necessity for land and property that will be required for the construction of a new Fire Station 46 that was approved by Council on April 4, 2006. This Ordinance allows the City to proceed with the acquisition of four separate properties. If the City is unable to purchase said properties through a negotiation process, then the City will be authorized to acquire these properties through the condemnation process. The property acquisition will be funded from the 306 Municipal facilities CIP Fund.

The four properties that must be acquired are: 1) Mark Sleight/Hope Hawk - 17004 35<sup>th</sup> Avenue South; 2) Jeanette Arnold - 17010 35<sup>th</sup> Avenue South; 3) Randall and Patricia Everson - 17021 37<sup>th</sup> Avenue South; and 4) Rudy and Judith Macias - 17015 37<sup>th</sup> Avenue South.

Based on comparable sales, the cost of acquiring these four properties will range from \$800,000 -\$1,200,000.

The City has successfully contacted all four property owners and they are willing to sell if the appraised price meets with their approval. Also, a letter explaining the City's intention with regard to rebuilding Fire Station 46 was mailed on Wednesday, June 14, to all property owners within 500 feet of the project.

The 2006 Budget for new Fire Station 46 land acquisition has \$1,200,000 to pay for purchasing these properties.

**AGENDA BILL PRESENTATIONS (Continued):**

**Agenda Bill #2668 (Continued):** Facilities Director Patterson stated there have been two proposals placed before Council: 1) a rectangular design where the fire trucks exit diagonally out of the station; and 2) one in which they access the station off 37<sup>th</sup> Avenue South straight onto South 170<sup>th</sup> Street, giving the visibility to the ladder tracks and engines from both directions.

Mr. Patterson stated that Fire Chief Meyer and he met with Mr. Everson regarding purchasing his property. During that discussion they said that they would review the options to see if there was a way to not purchase Mr. Everson's property. The Architect reviewed it and said the station could be flipped 180 degrees and still occupy the same square footage and serve the same function. This change would still require the purchase of four properties. Instead of purchasing the two properties on 37<sup>th</sup> Avenue South, the City would need to purchase an additional two properties on 35<sup>th</sup> Avenue South.

Mr. Patterson stated that staff has obtained appraisals for the original four proposed properties. He compared Mr. Everson's property and came up with a value of \$245,000. The difference is approximately \$25,000 to change the design from what was presented at the last RCM.

CM T. Anderson requested a brass plate be placed on the side of the new station thanking the families that give up their homes for the new Fire Station.

Council discussion ensued regarding the two options, including turning radius, the \$25,000 difference, and the citizens and their willingness to sell their homes and properties.

Council agreed that the proposal that was postponed at the last RCM, the same proposal as provided in the Council packet for this meeting, which includes two properties on 35<sup>th</sup> Avenue South and two properties on 37<sup>th</sup> Avenue South be placed on the consent agenda.

**Council consensus:** Referred to the 6/27/06 RCM Consent Agenda

**Agenda Bill #2677 – An Ordinance authorizing the King County (KC) Division of Records, Elections, and Licensing Services to produce, publish and distribute a Local Voters' Pamphlet for the September 19, 2006 Election, and agreeing to pay the City's share of the costs of such Local Voters' Pamphlet**

**Summary:** RCW 29A.32.210 provides that at least 40 days before any special election, the legislative authority may adopt an Ordinance authorizing the publication and distribution of a local voters' pamphlet. The pamphlet will provide information on City of SeaTac Proposition No. 1, as adopted by the City Council in Ordinance No. 06-1013 on May 23, 2006.

The approximate cost of the City's share of the voter's pamphlet is \$8,000.

Senior Assistant City Attorney Johnsen reviewed the above summary. He stated that this item was presented to the Public Safety & Justice (PS&J) Committee at its June 13 meeting.

**Council consensus:** Referred to the 6/27/06 RCM Consent Agenda

**CONSENT AGENDA:**

- **Approval of claims vouchers** (check nos. 71760 - 71970) in the amount of \$1,483,903.59 for the period ended June 20, 2006.
- **Approval of claims vouchers** (check nos. 71971 - 71982) in the amount of \$16,643.95 for the period ended June 21, 2006.
- **Approval of payroll vouchers** (check nos. 44864 - 44907) in the amount of \$137,385.42 for the period ended June 15, 2006.
- **Approval of payroll electronic fund transfers** (check nos. 47062 - 47231) in the amount of \$264,965.47 for the period ended June 15, 2006.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$49,593.87 for the period ended June 15, 2006.
- **Approval of summary of \$5,000 - \$25,000 purchase requests** for the period ended June 23, 2006.

**Approval of Council Meeting Minutes:**

- **Regular Council Meeting** held May 9, 2006.
- **Land Use & Parks Committee Meeting** held May 11, 2006.
- **Joint City Council / Planning Commission Meeting** held May 23, 2006.

**CONSENT AGENDA (Continued):**

**Approval of Council Meeting Minutes (Continued):**

- **Land Use & Parks Committee Meeting** held June 8, 2006.
- **Administration & Finance Committee Meeting** held June 13, 2006.
- **Joint Public Safety & Justice / Administration & Finance Committee Meeting** held June 13, 2006.

The following Agenda Items were recommended during the Agenda Bill Presentations for placement on this Consent Agenda:

**Agenda Bill #2686; Ordinance #06-1016**

**An Ordinance amending the 2006 Annual City Budget for miscellaneous items and authorizing the payment of a Total Excess Compensation Benefit Invoice from the State of Washington Department of Retirement Systems**

**Agenda Bill #2683**

**A Motion declaring Vehicles and miscellaneous Equipment surplus and approving same to be sold at Public Auction**

**Agenda Bill #2685**

**A Motion authorizing the City Manager to enter into Agreements with Qwest, Comcast, Intolight, and Highline Water District for the conversion of Overhead Telephone and Cable Television, installation of Streetlights, and upgrading the Waterline within the Military Road South Project**

**Agenda Bill #2682**

**A Motion authorizing the City Manager to execute a third amendment with Guardsmark, Inc. to lease space on the second floor of City Hall**

**Agenda Bill #2668; Ordinance #06-1017**

**An Ordinance declaring Public Use and Necessity for Real Property to be condemned as required for the construction of a new Fire Station 46, and authorizing payment therefore from the City's 306-Municipal Facilities Capital Improvement Plan Fund**

**Agenda Bill #2677; Ordinance #06-1018**

**An Ordinance authorizing the King County Division of Records, Elections, and Licensing Services to produce, publish and distribute a Local Voters' Pamphlet for the September 19, 2006 Election, and agreeing to pay the City's share of the costs of such Local Voters' Pamphlet**

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

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

MOTION CARRIED UNANIMOUSLY.\*

**PUBLIC HEARING (continued from the May 23, 2006 Regular Council Meeting):**

● **Interim Design Standards for the South 154<sup>th</sup> Street Light Rail Station Area – Planning**

Mayor Fisher opened and continued the Public Hearing at 7:33 p.m.

**Staff Report:** Planning Director Butler stated the moratorium for the South 154<sup>th</sup> Street Station area was imposed on February 28 and it will expire on August 28 unless continued or Interim Development Standards (IDS) are adopted, which would supersede the moratorium. Council requested staff prepare and bring the IDS back to Council as soon as possible. Originally, staff was ready May 23 and at Mr. Kingen's request, action was delayed until June 27. He detailed the area covered by the IDS. The intent of IDS is first to allow the existing moratorium to be lifted. Also as part of that, the IDS would apply Transit Oriented Development (TOD) standards while the Station Area Plan and the Final Development Standards (FDS) are being completed, which are being aimed to be finished by November or December 2006.

He reiterated the project planning goals: pedestrian friendliness, transit friendliness, mix of uses, high quality design, build on the strength of the existing cultural diversity, and create a strong sense of community.

The four major items of the IDS being proposed this evening are: drive-thru facilities, Commercial Park-and-Fly, building design, and open space. The proposed IDS allow drive-thru facilities with some conditions.

**PUBLIC HEARING (Continued):**

**IDS for the South 154<sup>th</sup> Street Light Rail Station Area (Continued):** Staff is proposing Commercial Park-and-Fly's be prohibited in the IDS, allowing staff time to negotiate a development agreement (DA).

Staff is recommending that Council adopt the IDS this evening giving staff a chance to work on the FDS along with the final Station Area Planning. Staff would then bring both items to Council for action later this year in conjunction with the usual annual Comprehensive Plan Amendment process.

Adopting the IDS this evening allows the moratorium to be lifted, allowing the Starbucks project and at least one new multi-family project to go forward.

Mr. Butler clarified that the two proposals the City has received for development are for the South 176<sup>th</sup> Street Station Area: 1) McConkey/McCracken; and 2) Cassan/Huseby.

**Public Input:** Jerry Kingen, SeaTac Center property owner, stated a little more time will make it possible to create a win-win for everybody. He stated that his position is the same as his Attorney's, Mr. Murphy who spoke at the Special Council Meeting (SCM). K and S is committed to working with City staff. K and S is committed to making the site as good as possible.

Scott Switzer, SeaTac Center property owner, requested Council and staff respect the two year process that they have been through. K and S wants to work with the City. K and S has invested over \$15 million and are prepared to invest over \$20 million more. It costs K and S hundreds of thousands of dollars a month to do nothing.

Doris Cassan, South 176<sup>th</sup> Street and IB property owner stated her concurrence with Mr. Kingen and Mr. Switzer. She stated all of the parties should get involved with working together toward the vision instead of incrementally with each one individually.

Linda Snider, 18700 36<sup>th</sup> Avenue South, PC Chair, stated that after a conversation with Mr. Kingen, she feels that the PC decision on the IDS might have been different had they known about Mr. Kingen's invested interest. She feels that the PC did may not have had all the information. She stated Mr. Kingen and his partners have agreed to make a presentation at the July 10 PC Meeting. She requested Council refer this item to the PC for further review

DM Shape stated that staff and the PC have recommended that Council pass the IDS. He stated he would also recommend passing the IDS tonight.

CM Brennan stated he would not support the IDS tonight. He questioned the limit of 300 parking stalls per garage, restricting who gets to park in the parking structure and the time period to conduct a State Environmental Protection Agency (SEPA) review. Mr. Butler stated that the State sets the procedures for conducting a SEPA.

CM A. Anderson stated he could not support the IDS without evidence that there has been engagement with the stakeholders in this.

Upon a question posed by DM Shape, Mr. Butler clarified that the current code states a maximum of 300 cars per parking lot.

Council discussion ensued and Council concurred to refer the following agenda bill item to the July 10 PC Meeting and the July 11 RCM.

Mayor Fisher closed the Public Hearing at 8:04 p.m.

**NEW BUSINESS:**

**Agenda Bill #2658**

**An Ordinance adding a new Section 15.38 to the SeaTac Municipal Code (SMC) adopting Interim Development Standards to properties located within the South 154<sup>th</sup> Street Station Area, entering Findings of Fact supporting the adoption of Interim Standards, and lifting the Moratorium imposed by Resolution 06-005**

This item was referred to the July 10 PC Meeting and the July 11 RCM.

**Agenda Bill #2679; Resolution #06-015**

**A Resolution expressing Council support for the City of SeaTac Proposition No. 1, authorizing a Property Tax Levy Lid Lift, and encouraging voter approval at the September 19, 2006 Election**

**Summary:** This Resolution expresses Council support for City of SeaTac Proposition No. 1, a measure that will authorize a property tax levy lid lift, in order to provide funds to operate, equip, and construct facilities for fire protection and emergency services.

**NEW BUSINESS (Continued):**

**Agenda Bill #2679; Resolution #06-015 (Continued):** Council adopted Ordinance No. 06-1013 on May 23, 2006. Ordinance No. 06-1013 places Proposition No. 1 on the September 19, 2006 ballot, and if passed, would provide funds to operate, equip, and construct facilities for fire protection and emergency services.

RCW 42.17.130 forbids use of City facilities to assist promotion of or opposition to any ballot proposition, including an excess levy proposition. However, RCW 42.17.130(1) allows Council to adopt a Resolution in support of a ballot proposition if certain mandatory procedural steps are taken. This statute states:

“Action taken at an open public meeting by members of an elected legislative body to express a collective decision, or to actually vote upon a motion, proposal, resolution, order, or ordinance, or to support or oppose a ballot proposition so long as (a) any required notice of the meeting includes the title and number of the ballot proposition, and (b) members of the legislative body or members of the public are afforded an approximately equal opportunity for the expression of an opposing view.”

The foregoing statute does not prevent an elected official from supporting or opposing any ballot proposition at an open press conference, in response to a specific inquiry, or by expression of opinion as an individual voter.

To validate the collective expression of Council's position on City of SeaTac Proposition No. 1, public comments have been solicited for the June 27, 2006 RCM, by notice published in the June 27, 2006 City Council Agenda. The Council shall, at that time, hear and receive comments for and against the Proposition and may then render its final decision as to support, neutrality, or opposition.

Senior Assistant City Attorney Johnsen reviewed the above summary.

MOVED BY DEHAN, SECONDED BY SHAPE TO PASS RESOLUTION NO. 06-015.\*

**PUBLIC COMMENT (related to Agenda Bill #2679):** There were no public comments at this time.

\*MOTION CARRIED UNANIMOUSLY.

**PUBLIC COMMENTS (related to Unfinished and New Business):** There were no public comments at this time.

**UNFINISHED BUSINESS:** There were no unfinished business items at this time.

**NEW BUSINESS (Continued):** There were no new business items at this time.

**CITY MANAGER'S COMMENTS:** City Manager Craig Ward had the following items of business: 1) City Hall closed Tuesday, July 4; 2) ban on fireworks; and 3) Music in the Parks series that begins this Sunday at Angle Lake Park.

**COUNCIL COMMENTS:** CM T. Anderson stated that CM A. Anderson, City Manager Ward and she attended the Association of Washington Cities (AWC) conference, which was very engaging.

CM Brennan stated he has served on the LEOFF 1 Committee since its conception. He recently discovered that the committee does not have to go before the Council for approval to spend funds. They approved \$500 a year dental expenses. The City Attorney has said that this is legal. CM Brennan stated that he has resigned from the Committee and requested another CM replace him.

CM DeHan stated that the South County Area Transportation Board (SCATBd) met today. He stated he would have some information placed in the Friday packet on the following issues: 1) highway projects; and 2) questions that SCATBd is being asked to consider in regards to Sound Transit.

Mayor Fisher stated that the dedication of the Japanese garden occurred Saturday, June 24.

**ADJOURNMENT:**

MOVED BY DEHAN, SECONDED BY T. ANDERSON TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 8:14 P.M.

MOTION CARRIED UNANIMOUSLY.