

SEATAC CITY COUNCIL REGULAR MEETING MINUTES

July 10, 2007
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 6:02 p.m.

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

FLAG SALUTE: Judie Shape, Deputy Mayor (DM) Shape's wife, led the Council, audience and staff in the Pledge of Allegiance.

ADMINISTRATIVE STAFF: City Manager Craig Ward, Assistant City Manager Tina Rogers, City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, Planning Director Steve Butler, Senior Planner Mike Scarey, Principal Planner Jack Dodge, City Engineer Tom Gut, Parks & Recreation Director Kit Ledbetter, Facilities Director Pat Patterson, Assistant Fire Chief Brian Wiwel, and Police Administrations Captain Annette Louie.

PRESENTATIONS:

●West Nile Virus

City Engineer Gut stated Washington is one of the last states to see significant West Nile Virus activity. The health department has warned this could be the year for Washington to be affected. Staff from the Parks & Recreation (P&R), Public Works (PW), Facilities and Fire Departments prepared a response plan. Mr. Gut presented background on the West Nile Virus, including causes and symptoms.

Mr. Gut reviewed elements in the response plan – education, surveillance, and control. Alert levels will be issued by the King County (KC) Health Department and the response plan will be implemented accordingly. Currently, the alert level is at level 1. He reviewed in detail the responses based on the alert levels.

Staff is currently requesting bids from qualifying bidders to apply Larvicide. This will be presented to Council as a \$5,000 - \$25,000 purchase request.

Upon questions from Council, Mr. Gut stated the plan has been made available to staff. He will work with the P&R Department to provide the information to the seniors.

Upon a question by Councilmember (CM) Wythe, Mr. Gut clarified that any open water testing that the City has access to or that is on City property will occur after the Larvicide applicator is hired. There needs to be the presence of larvae before the pesticide can be applied.

There are only two qualified contractors that are permitted. It would be difficult to have them on a retainer as many public agencies are signing them up and they are looking for a commitment.

Mayor Fisher questioned whether the Port of Seattle (POS) is conducting this same process. Mr. Gut stated the POS has an applicator signed up and either are going to or already have implemented the application.

●2007 Proposed Comprehensive Plan (CP) Amendments

Planning Director Butler stated this presentation is informational only. The final version will be presented at the July 24, 2007 Regular Council Meeting (RCM) for action. He reviewed the CP amendment process, and the proposed schedule: establish Final Docket – July 24, public hearing (PH) – October 22, Planning Commission (PC) recommendation – November 5, Council review October – November, and Council action – November 27.

Mr. Butler detailed the amendments: five land use plan map amendments including two proposed by citizens and three proposed by staff and four informational map amendments, and seven text amendments including annual update to the six-year Capital Facilities Plan (CFP).

He reviewed the recommendations. PC and staff concur on the following: Informational maps and text amendments move forward to Final Docket, except map amendment 6; Land Use Plan Map – map amendments 2 and 3 forward to Final Docket; and map amendment 4 do not forward. PC and staff differ on land use plan map amendment 1: PC - forward applicant's proposal to Final Docket; staff – (a) forward only north parcel to Final Docket or (b) do not forward to Final Docket.

Senior Planner Scarey reviewed map amendment 1 including the existing and future CP and zoning.

PRESENTATIONS (Continued):

2007 Proposed CP Amendments (Continued): Council discussion ensued as to this amendment and the alternatives.

Mr. Butler clarified that this is a presentation only and that no decision needs to be made tonight. The recommendation is preliminary and a final recommendation will be presented at the July 24, RCM.

CM DeHan requested a matrix of the land uses allowed in Commercial Mixed-Use zones be provided at the July 24 presentation to Council.

Mr. Scarey reviewed the recommendation for map amendment 5. The PC recommends expanding the area to include all land east of SR 509, and staff has no recommendation as it is a Council decision whether to move forward. Council will be asked to establish the Final Docket at the July 24 RCM.

CM T. Anderson questioned the accuracy of the map. Mr. Scarey stated staff will verify the map prior to Council action.

Council discussion ensued as to the potential annexation area. If the City is to expand its boundaries, this is the only logical way. However, this would require a considerable amount of study.

Mayor Fisher moved the public comments forward on the agenda to accommodate the speakers.

PUBLIC COMMENTS: Pam Fernald presented pictures and read a letter to Council from the Neighborhood Action Committee. The group has a list of concerns relating to public safety, peace, traffic and morals. She questioned which City has responsibility for enforcing the law along Military Road South, between South 128th and 152nd Streets and who is responsible for repairing and maintaining that area. This committee would like to establish a dialogue with the Council to address concerns, share ideas for solutions, monitor progress and ensure accountability. She stated the committee would give Council a tour of the areas if so requested.

Donna Thomas presented traffic concerns relating to Military Road from South 126th to 138th Streets. She requested a review of signage and speed limits on this section of road and consideration of establishing a hospital zone for lower speeds around Highline Hospital and installation of a stationary radar sign to give feedback to drivers about their travel speed.

Cindy Lou Gailen reiterated comments made by Ms. Thomas and agreed with the suggestion of a hospital zone. She stated cars turn the corner on South 133rd Street so fast she can not safely pull out of her driveway or go for a walk. The current signs do not work.

Ms. Fernald spoke for Mary Koontz who had to leave the meeting. She requested requiring businesses in the vicinity of South 152nd Street to provide garbage cans outside their businesses as required by code.

PRESENTATIONS (Continued):

•South 154th Street Station Area Zoning Options

Planning Director Butler stated this is a follow up to discussions at the May Council Retreat. He reviewed the background of the Station Area Plan. The question now is what the City should do in terms of looking at rezoning the property in that area to make it consistent with the CP and the Station Area Plan.

Mr. Butler reviewed the rezone process options: status quo – rezones initiated at property owner discretion; City-sponsored – rezones completed by City; and hybrid approach – rezones pre-approved by City, subject to conditions, but not finalized until conditions are met.

Mr. Butler stated any direction Council could provide would allow staff to refine the approach and bring it back to Council in the fall.

CM DeHan stated the hybrid approach both safeguards the residents living in the area now and makes it easier for developers because they know the area is zoned, subject to certain conditions that are apparent.

Mr. Butler stated the PC recommended the hybrid approach. Staff needs Council input and then they will talk with the affected property owners.

Council discussion ensued as to the three options. Council concurred with the hybrid approach as long as the conditions are not so onerous that there is no possibility for a developer to come in and do something with the property.

DISCUSSION ITEM:

•Summary of \$5,000 - \$25,000 Purchase Requests for the period ended July 6, 2007

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>
Modular Retaining Wall at Angle Lake Park	P&R	\$0	\$0	\$5,792
		will absorb within existing budget		
2007 Fire Captain Assessment Center Development and Administration	Human Resources (HR)	\$5,500	\$5,500	\$5,200
Fitness Equipment Replacements at Fire Stations	Facilities	\$21,000	\$21,000	\$19,711

Council consensus: referred to the 07/10/07 RCM Consent Agenda

AGENDA BILL PRESENTATIONS:

Agenda Bill #2810 – A Resolution expressing the City Council’s intent for City staff and the City Council to work cooperatively with the City of Des Moines to coordinate transportation and land use planning and development efforts in the 24th/28th Avenue South, Des Moines Memorial Drive (DMMD), South 216th Street and International Boulevard (IB) / Pacific Highway South (SR 99) Corridors

Summary: Completion of SR 509 is part of the Regional Transportation Improvement District (RTID) ballot measure. If the ballot is successful, SR 509 will be completed within the next five years. This project includes an interchange at 28th/24th Avenue South which would connect that arterial to SR 509, both north and south of the new freeway. Significant improvements have been constructed on 28th/24th north of SR 509, but the section south of SR 509 has not been improved and needs to be improved to support redevelopment of the properties in SeaTac and Des Moines. Funding of the improvements is not currently decided. This Resolution gives staff the authority to require no contest Local Improvement District (LID) agreements of the properties benefiting from an improved roadway. When these improvements are constructed, the City Council would then have the option, but not be required, to implement the LID through a PH process. If utilized, it is anticipated that an LID would fund only a portion of the costs. A similar Resolution was passed by the Des Moines City Council on June 14, 2007.

There is no fiscal impact at this time. Should the 28th/24th Avenue South project be constructed in the future, an LID would reduce the expenditure of public monies in this corridor should the Council utilize this funding source.

City Engineer Gut reviewed the above summary. He clarified there is no binding language in the Resolution. Some lodging development proposals are already happening and to be prepared for that and other development, this Resolution needs to be passed.

Council consensus: referred to the 07/10/07 RCM Consent Agenda

Agenda Bill #2824 – An Ordinance amending Ordinance No. 06-1026 adjusting the effective date of the contribution to the City’s Voluntary Employee Beneficiary Association (VEBA) Expense Fund for City Councilmembers

Summary: The effective date for this increase is amended to be effective on August 1, 2007 for all City Council positions as allowed under a new State of Washington law, instead of January 1, 2008 for certain Council positions and January 1, 2010 for other Council positions as previously required.

The VEBA plan is a medical savings plan provided to City Council members in lieu of health care insurance that is provided to other employees of the City. In 1996 Council determined that the City contribution to VEBA would be a flat monthly sum equivalent to the premium paid by the City for the Association of Washington Cities (AWC) Plan B medical coverage for an employee and spouse, together with the premium paid for full family dental and vision coverage. In October 2005 the City’s contribution was raised from the then existing amount of \$577 to the current amount of \$867 per month. The City’s VEBA contribution was increased to \$910 per month on November 14, 2006 with a delayed implementation date as required by State law.

In the past the City’s contribution to VEBA was considered compensation and State law required that any increase not take effect until after the next election for each Council position. Therefore, the increase passed on November 14, 2006 was effective January 1, 2008 for Council positions numbers 1, 3, 5 and 7 and effective January 1, 2010 for Council positions number 2, 4, and 6.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #2824 (Continued): The Washington State Legislature passed Senate Bill 5525 in the last session which changed the definition of compensation and does not include an increase in VEBA contributions as compensation. Therefore, it is now permissible to have an effective date for changes in the City's VEBA contribution take effect upon passage of an Ordinance instead of after election or re-election to a Council position. The new law will become effective on July 22, 2007.

The budget impact of the proposed VEBA increase for the year 2007 is approximately \$7,305. The budget impact for 2008 is approximately an additional \$3,612 per year.

HR Director Mahaffey reviewed the above summary.

Council consensus: referred to the 07/10/07 RCM Consent Agenda

Agenda Bill #2826 – A Motion approving Martin Victory Products (MVP), Inc. for the purchase and installation of the Bleachers and Dugout Benches at the Valley Ridge Sport Park Project

Summary: Bids were opened on July 3, 2007 with the following results:

<u>Company</u>	<u>Bid Amount</u>	<u>Bid plus 8.9% tax and 10% Contingency</u>
MVP, Inc.	\$82,150	\$98,407

Four companies picked up plans; however MVP, Inc. was the only bidder. The engineers estimate was \$80,000 plus tax.

The total impact of this request is \$98,407, including sales tax and 10% contingency. The approved 2007 budget for construction of this project is \$3,474,929.

P&R Director Ledbetter reviewed the above summary.

Council consensus: referred to the 07/10/07 RCM Consent Agenda

Agenda Bill #2825 – A Motion authorizing the City Manager to enter into an Interlocal Agreement (ILA) with the Highline School District (HSD) and authorize payment for construction of a City Recreation Room at the new Bow Lake School

Summary: Agenda Bill #2539 on May 10, 2005, committed the City to be part of the design process in 2005 and fund the project in 2007. The ILA includes the \$434,202.31 payment for the City Recreation Room of approximately 1,250 square feet (s.f.). The fee was based on a formula of actual bid cost of construction and soft costs per s.f. of the new Recreation Room.

Construction of Bow Lake Elementary School will be completed for the September 2007 school year. The Recreation Room will be used mainly for the before and after school childcare program that is currently located at the SeaTac Community Center. This program serves about 30 children per day and the fees pay for all costs of the program with an income of about \$10,000 per year. The P&R Department expects the number of children per day to increase and the income to increase as well. Staff anticipates the cost of the building to be paid from the program income in 20 to 30 years. The Recreation Room at Bow Lake Elementary School will cut the City's transportation costs and because of the central location, will likely increase student participation. This project provides an opportunity to cooperate with the HSD and it expands community resources.

This project has a 2007 budget of \$454,000.

P&R Director Ledbetter reviewed the above summary. He stated the entire school may not be ready for the school year, but they assured City staff the school would be open for students and the recreation room would be open and ready when school starts.

CM DeHan recapped the Administration & Finance (A&F) Committee discussion regarding this issue. He requested this item be brought back to the July 24 RCM.

Council consensus: referred to the 07/24/07 RCM

Agenda Bill #2788 – An Ordinance amending Section 15.15.180 (Single-family Maximum Off-Street Vehicle Parking Requirements) of the Zoning Code to allow Circular Driveways in the Residential Zones

Summary: Currently, circular driveways are not allowed for single-family residences. The proposed code changes would allow circular driveways and the upgrade of legal nonconforming circular driveways subject to the following: (1) Conformance to all other requirements of SMC (SeaTac Municipal Code) 15.15.180; (2)

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #2788 (Continued): Conformance with SMC 11.05 – Road Standards; and (3) Conformance with SMC 11.10 – Right-of-Way (ROW) Use Standards. Circular driveways are driveways on a single lot that have two access points to a public ROW.

The proposed changes to the “Single-family Maximum Off-Street Vehicle Parking Requirements” began as an outgrowth of a code enforcement action relating to a legal nonconforming (grandfathered) circular driveway. The nonconforming driveway was a gravel driveway which the property owner converted to an asphalt driveway. The driveway was connected to the public street, however, without a ROW Use Permit. Code Enforcement action led to the following discussion points: (1) Should legal nonconforming circular driveways that are sod/grass or gravel be allowed to upgrade to a higher quality surface (gravel, asphalt, or concrete)?; and (2) Should circular driveways be allowed in residential areas?

Both the Land Use and Parks (LUP) Committee and the PC have discussed the above issues and recommend that legal nonconforming driveways be allowed to upgrade their surface and that circular driveways be allowed in the residential zones, subject to the following criteria:

Legal Nonconforming Driveways

- The location and size of the nonconforming circular driveway does not change location nor increase in size.
- Any connections to the public ROW shall conform to the standards of SMC 11.10 – ROW Use Standards.

New Circular Driveways

- Any connections to the public ROW shall conform to the standards of SMC 11.05 – Road Standards, and SMC 11.10 – ROW Use Standards.
- The driveway and parking area shall be no more than 800 s.f. or 50% of the front yard, which ever is smaller.
- The driveway/parking area shall be constructed of gravel, asphalt, or concrete.

Principal Planner Dodge reviewed the above summary.

Council discussion ensued as to enforcement and the percentage of the property used for a driveway. Code Enforcement would enforce the standards and the 800 square feet, or 50%, is to allow for some landscaping and not have front yards looking like parking lots.

Council consensus: referred to the 07/10/07 RCM Consent Agenda

CONSENT AGENDA:

- **Approval of claims vouchers** (check nos. 76363 – 76542) in the amount of \$1,413,337.66 for the period ended July 5, 2007.
- **Approval of payroll vouchers** (check nos. 45926 - 45970) in the amount of \$405,758.40 for the period ended June 30, 2007.
- **Approval of payroll electronic fund transfers** (check nos. 51407 - 51590) in the amount of \$304,764.55 for the period ended June 30, 2007.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$59,527.98 for the period ended June 30, 2007.
- **Summary of \$5,000 - \$25,000 Purchase Requests** for the period ended July 6, 2007.

Approval of Council Meeting Minutes:

- **Land Use & Parks Committee Meeting** held June 14, 2007.

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

Agenda Bill #2810; Resolution #07-012 expressing the City Council’s intent for City staff and the City Council to work cooperatively with the City of Des Moines to coordinate transportation and land use planning and development efforts in the 24th/28th Avenue South, Des Moines Memorial Drive, South 216th Street and International Boulevard / Pacific Highway South (SR 99) Corridors

Agenda Bill #2824; Ordinance #07-1014 amending Ordinance No. 06-1026 adjusting the effective date of the contribution to the City’s Voluntary Employee Beneficiary Association Expense Fund for City Councilmembers

Agenda Bill #2826; Motion approving Martin Victory Products, Inc. for the purchase and installation of the Bleachers and Dugout Benches at the Valley Ridge Sport Park Project

CONSENT AGENDA (Continued):

Agenda Bill #2788; Ordinance #07-1015 amending Section 15.15.180 (Single-family Maximum Off-Street Vehicle Parking Requirements) of the Zoning Code to allow Circular Driveways in the Residential Zones

MOVED BY DEHAN, SECONDED BY SHAPE 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 of business: 1) community center will remain open until 10:00 p.m. July 10 and 11 as a cooling center due to the heat; 2) notable public safety incidents have occurred recently and they will be responded to; 3) Angle Lake lifeguards successfully saved a girl on July 5 and will be presented certificates at a future Council meeting; 4) Music in the Park, Sunday's, 5:00 – 6:30 p.m. at Angle Lake Park; 5) Theatre in the Park, 7:00 p.m. at Angle Lake Park, Friday's, July 13 and 27; 6) Council received tickets to events as co-sponsors of the All Nations Cup; and 6) as part of the All Nations Cup, the City is hosting the showing of a play at City Hall, 7:00 p.m., July 20 in the Council Chambers. This is free to the public.

COUNCIL COMMENTS:

CM Brennan reiterated his request for a splash pool at Valley Ridge Park (VRP).

DM Shape stated he would be attending the Suburban Cities Association (SCA) meeting tomorrow where they will be voting on a Resolution to support/not support the Emergency Medical Services (EMS) Levy KC placed on the November ballot. He feels this is a mistake because it increases taxes 45% and is in direct competition with RTID on the ballot. DM Shape stated he would be voting to not support the levy. Council concurred.

CM T. Anderson stated she, along with Mayor Fisher, DM Shape, and CM DeHan attended the Boeing 787 rollout. She stated it was worth the effort.

CM Wythe stated he attended the North SeaTac Roadways Study Public Meeting regarding access to the 55 acre site. There will be considerable traffic in that community if the truck traffic is routed through it. It was originally suggested by the City that traffic would primarily be routed to DMMD. When the routes were presented, all three routes showed the traffic coming in on 24th Avenue South. He stated he will fight for the mitigation efforts and the City to uphold its word. The cost to the citizens is much higher than the benefits the City would receive.

CM A. Anderson stated he visited VRP recently to see the progress. It is going to be a center piece for the City and its young people.

Mayor Fisher had the following items of business: 1) stated at today's Joint Advisory Committee (JAC) meeting, City Manager Ward conveyed CM Wythe's concerns. The POS agreed to come back with better alternatives; and 2) regarding the City's Fireworks Ordinance, if the heat wave had occurred the week prior to July 4, his tree farm would be gone because there were rocket remains all over his yard.

EXECUTIVE SESSION: There was no Executive Session.

PUBLIC COMMENT: Scott Goggin stated he has been asked to leave the senior center because he is not a senior. He is concerned that the senior center computers have access to the internet while the ones in the community center do not.

ADJOURNMENT:

MOVED BY DEHAN, SECONDED BY T. ANDERSON TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 8:24 P.M.

MOTION CARRIED UNANIMOUSLY.