

# City of SeaTac

## Regular Council Meeting Minutes

August 12, 2008  
6:00 PM

City Hall  
Council Chambers

**CALL TO ORDER:** The SeaTac City Council Regular Meeting was called to order by Mayor Shape at 6:03 p.m.

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

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

**ADMINISTRATIVE STAFF:** City Manager Craig Ward, City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, Senior Assistant City Attorney Mark Johnsen, Assistant City Manager (ACM) Todd Cutts, Assistant Parks & Recreation (P&R) Director Lawrence Ellis, Finance Director Mike McCarty, Accounting Technician Leslie Stevenson, Program Manager Soraya Lowry, Planning Director Steve Butler, Human Services (HS) Coordinator Colleen Brandt-Schluter, Management Intern Kellie Stickney, Planning Permit Technician I Kelly Ecklund, Public Works (PW) Director Dale Schroeder, City Engineer Tom Gut, PW Inspector Scott Douglas, Assistant Fire Chief Brian Wiwel, and Chief of Police Services Jim Graddon.

**PUBLIC COMMENTS:** Darlene Thompson stated Hanky Panky band member Jack Danner passed away. A memorial service is scheduled for Monday, August 18 from 1 - 3 p.m. at the SeaTac Community Center (STCC).

Cheryl Forbes stated she is happy with the Military Road Improvements. She lives near the new light and it allows her children to cross the street safely. She also stated that she is the new Library Advisory Committee Chair. She questioned if there was anything the Council would like the committee to do or to know.

Earl Gipson thanked PW Director Schroeder and the PW Department for their work over the years.

### **PRESENTATIONS:**

#### **●Key to the City to retiring Public Works (PW) Director Dale Schroeder**

The Council and City Manager Ward thanked Mr. Schroeder for his service to the City stating he will be missed.

Mayor Shape presented the Key to the City to retiring Mr. Schroeder.

Mr. Schroeder thanked the Council for their support to the PW Department.

#### **●Introduction of new employees: Management Intern Kellie Stickney, Planning Permit Technician I Kelly Ecklund, Accounting Technician Leslie Stevenson and Public Works (PW) Inspector Scott Douglas**

City Manager Ward introduced the new employees.

#### **●Council confirmation of Mayoral appointment of Cheryl Forbes to the Human Services Advisory Committee** MOVED BY A. ANDERSON, SECONDED BY T. ANDERSON TO CONFIRM THE MAYORAL APPOINTMENT OF CHERYL FORBES TO THE HUMAN SERVICES ADVISORY COMMITTEE.

MOTION CARRIED UNANIMOUSLY.

Mayor Shape read and presented the certificate of appointment to Ms. Forbes.

Mayor Shape announced that the Library Advisory Committee has a vacancy. Anyone interested should contact the City Clerk.

#### **●Highline Historical Society (HHS) Update**

HHS Director Cindy Upthegrove gave an update on the HHS museum. She thanked Council for their support. The HHS has almost 500 members. Approximately 20% of the members are from SeaTac. She detailed some of the programs the HHS has had over the years. She introduced the Heritage Museum Architect Tim Rohleder.

Mr. Rohleder stated the museum site is at the corner of South 152<sup>nd</sup> Street and Ambaum. He detailed the proposed building.

CM T. Anderson stated the HHS has held events at SeaTac City Hall. She stated her appreciation for what the City has done for the HHS.

Upon a question posed by CM A. Anderson, Mr. Rohleder stated the way the items are currently stored takes up more space than it needs to. The storage space will be 1,800 square feet (SF). A compact storage system is also being proposed for the future to allow for more space.

**PRESENTATIONS (Continued):**

**HHS Update (Continued):** Upon a question posed by CM T. Anderson, Ms. Upthegrove stated the HHS was given memorabilia from the local schools but haven't collected much since the late 70's. They are in need of items (i.e., letter jackets, t-shirts, hats, textbooks, and report cards) from Tyee and Mt. Rainier High Schools specifically.

Mayor Shape questioned the timeline for building the museum. Mr. Rohleder stated that construction is planned to start in March 2010.

● **Commercial recycling programs in SeaTac**

Corporate Recycling Services Consultant Eirik O'Neal discussed how landfills work. The waste from SeaTac goes to the Bow Lake Transfer Station and then to the Cedar Hills Regional Landfill which will reach capacity in eight to ten years.

The mission for KC's waste reduction and recycling (WR/R) program is to divert as much material as possible from being disposed in landfills.

Corporate Recycling Services has been contracted by SeaTac to provide WR/R outreach to other businesses to help divert as much as possible.

He detailed what is being done in SeaTac:

Dave's Diner and Brews - Commercial food waste recycling was started in December 2007. (Since January 2008, participating business have diverted approximately 40 tons of food waste and food packaging from landfill. The restaurants will realize an annual cost reduction of \$1,000.)

Doubletree Hotel – originally paid to have cooking oil recycled at a cost of \$480 annually. Now they are paid \$.25 a gallon to have it made into biodiesel.

Commercial Bakery – currently sends 700 pounds a week of dough to landfill. Corporate Recycling Services is working with a recycler to implement a solution that would divert this material to re-use as animal feed at no cost.

Mr. O'Neal stated that Dave's Diner and Brews, Hilton Seattle Airport and Conference Center, Port of Seattle (POS) – Sea-Tac Airport, and the Seattle Airport Marriott were the SeaTac businesses awarded as winners of the best workplaces in recycling.

CM T. Anderson requested literature on what can be recycled in residences.

Upon a question posed by CM Brennan, Mr. O'Neal stated batteries and small electronic devices should be brought to the SeaTac collection event.

Mr. O'Neal stated that if everyone started to divert compostables, it could make the landfill last many more years.

● **Community Schools Collaboration (CSC)**

HS Coordinator Brandt-Schluter stated the HS Advisory Committee has looked to build partnerships with organizations that offer an infrastructure that helps SeaTac build capacity for the agencies SeaTac funds and their services and for residents to feel successful and healthy. One of the organizations is CSC. She introduced CSC Executive Director Deborah Salas and CSC SeaTac Director Laurie Bohm.

Ms. Salas gave an overview of the organization. CSC is currently going through a strategic planning process and is trying to realign to be more responsive to the children and families in the community. She stated CSC looks forward to learning how to partner with the City to bring services into SeaTac.

Ms. Bohm reviewed what has been accomplished between April and June 2008 and what is currently in the process. She stated CSC wants to connect with the community to realize the needs of the City.

● **Sound Transit Briefing**

Soraya Lowry introduced Government and Community Relations Specialist Andrew Schmidt.

Mr. Schmidt discussed Sound Transit successes and the Sound Transit 2 (ST2) package.

Many people are using transit due to increasing gas prices and all day traffic congestion. System-wide there was a 20% increase in riders. The Sounder had the largest rider increase in the Country with a 28% increase in the first quarter of 2008.

**PRESENTATIONS (Continued):**

**Sound Transit Briefing (Continued):** Mr. Schmidt detailed some of the 2008 milestones open for service, under construction and on the horizon. Link light rail service will begin between downtown Seattle and the Sea-Tac Airport in July 2009, covering 15.7 miles with 13 stations. 45,000 daily riders are expected by 2020.

Due to an expected 30% increase of population by 2030, gas prices over \$4/gallon, highway congestion throughout the day, existing services nearing capacity, and concern about the environment, there is an increased public interest in mass transit.

He detailed the ST2 proposal.

**DISCUSSION ITEMS:**

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

City Manager Ward reviewed the following requests:

<u>Item Description</u>	<u>Department</u>	<u>Original Budget</u>	<u>Amended Budget</u>	<u>Estimate</u>
Sister Communities, All Nations Cup 2008 Sponsorship	City Manager's Office (CMO)	\$5,000	\$5,000	\$5,000
Portable Restroom Rentals	P&R	\$5,854	\$5,854	\$8,260
City Hall Display Case Renewal	CMO	\$0	\$3,232	\$3,232
		\$0	\$0	\$1,768
		\$0	\$3,232	\$5,000

**\*\*will absorb within existing budget\*\***

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

**•Summary of Lease of City Facility \$5,000 or Greater for the period ended August 11, 2008**

City Manager Ward reviewed the following lease:

<u>Facility</u>	<u>Description</u>	<u>Amount</u>
3261 South 152 <sup>nd</sup> Street	Residential Lease for property located at 3261 South 152 <sup>nd</sup> Street. The City Council passed a Motion on April 22, 2008, directing staff to rent the home on this property (AB #2938). This agenda bill also stated that the City Council would need to approve the lease.	\$8,400 (One Year Lease)

Also, SMC 3.30.055 requires all leases or rentals of City facilities in excess of \$5,000 to receive approval of the City Council.

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

**•Summary of Donations \$500 or Greater for the period ended August 8, 2008**

City Manager Ward reviewed the following donation:

<u>Donor Name</u>	<u>Description</u>	<u>Amount</u>
SeaTac Rotary	Memorial Park Bench for Angle Lake Park to honor Carol Simpier for her volunteer work on the City's International Festival	\$1,200 (Estimated)

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

**AGENDA BILL PRESENTATIONS:**

**Agenda Bill #2984 – A Motion authorizing the City Manager to enter into an Interlocal Agreement (ILA) with the Highline School District (HSD) for the Madrona Elementary School walking path, authorizing the entry into a contract with Green Effect for the construction of the path, and authorizing acceptance of grant funding from King County (KC)**

**Summary:** The City and the HSD have worked on a proposed project that will create a walking path at Madrona Elementary School. As part of this proposed project, the City has been able to secure \$10,000 in grant funding from KC as well as a \$5,000 donation from SeaTac Rotary. If this project is constructed, the City and the HSD will need an ILA to outline the responsibilities of both the City and the HSD with regard to the walking path.

The Assistant P&R Director and the HSD Project Manager have been working on the details of this proposed agreement, which is very similar to previous ILAs with the HSD. This proposed agreement will be in effect until

**AGENDA BILL PRESENTATIONS (Continued):**

**Agenda Bill #2984 (Continued):** July 1, 2033. The primary purpose of this agreement is the following:

- Allow the City to install a walking path located on school property.
- Allow the City and members of the public to use the walking path at times that do not conflict with the HSD's exclusive use of the walking path during regular school hours.
- Provide that the HSD undertake certain maintenance of the walking path and thereby facilitate its ongoing recreational use by the City.
- Provide that the City will reimburse the HSD for 25% of the cost to repair the walking path due to acts of vandalism.

The City solicited bids for construction of the path, and the City received five bids. After review of the bids, Green Effects was the low bidder, in the amount of \$21,791.28 (includes sales tax).

The funding from KC was secured by the assistance of KC CM Julia Patterson. The City has also received a letter from SeaTac Rotary indicating their intent to donate \$5,000 towards the cost of the walking path. When that donation is received, the City Council will be asked to formally accept that donation.

In order to get the walking path built before the school year, the City will fund construction of the project, which will be offset by the funding from KC and the SeaTac Rotary. In addition, the HSD is seeking additional funding from the Highline Schools Foundation. Should that additional funding request be successful, that money will be used to cover the amount paid for by the City. If this project is approved, a budget amendment to increase appropriations in the P&R Department's 2008 budget for the full cost of the project (\$21,791.28) will be necessary. This budget amendment would be presented for Council action at the September 9, 2008, Regular Council Meeting (RCM).

Assistant P&R Director Ellis reviewed the above summary.

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

Mayor Shape clarified that it was discussed at the A&F meeting to strike section 9.7, not 5.2.5 as presented tonight.

**Council consensus:** Referred to the 08/12/08 RCM Consent Agenda with paragraph 9.7 stricken

Assistant P&R Director Ellis recognized Rotary Member Paul Cook and HS Coordinator Brandt-Schluter who worked towards getting money for this project.

**Agenda Bill #2981 – A Motion authorizing approval to purchase a mobile emergency generator**

**Summary:** KC, through a grant, is in the process of installing an automatic transfer switch at the STCC. A mobile generator capable of servicing the STCC is available at a discount rate through KC. The cost for this generator with trailer and tank is \$66,646.69 including tax. This price includes training, tools, and one-year servicing and warranty.

Assistant Fire Chief Wiwel reviewed the above summary.

CM A. Anderson stated the Public Safety & Justice (PS&J) Committee reviewed this item with a split vote.

Council discussion ensued as to the budget for this purchase. Mr. McCarty clarified that a decision card was included in the 2008 budget for two larger generators which were not approved. There was discussion earlier in the year about purchasing or leasing one. Mr. Ward stated this size of generator will be more than adequate based on the analysis, but the City does not have a comparable cost.

Mr. McCarty clarified that a budget amendment will be brought to Council in September for this item.

CM A. Anderson requested a list of comparables be brought to the next PS&J Committee meeting.

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

**Agenda Bill #2965 – A Motion authorizing the City Manager to enter into an agreement between Highline School District (HSD) and the City of SeaTac for a School Resource Officer (SRO)**

**Summary:** This proposed agreement would continue the HSD's contribution of \$50,000 to offset a portion of the annual cost for a SRO at the Tyee Educational Complex and Chinook Middle School for the 2008-2009 school year. The HSD has provided partial funding at this level for the 2006-2007 and 2007-2008 school years.

**AGENDA BILL PRESENTATIONS (Continued):**

**Agenda Bill #2965 (Continued):** The agreement has been reviewed by and is acceptable to Chief of Police Services Graddon, who is the City's designated contact person for the agreement.

The agreement documents indemnification, the employment status of the officer, how a replacement would be selected, the work schedule and duties of the SRO and the facilities to be provided by the HSD. It requires payment of the full \$50,000 upon invoice in 2008. It is consistent with and documents current practices regarding the SRO at Tyee Educational Complex and Chinook Middle School. This agreement does not commit to any additional staffing or enhancement of services at the schools. The term of the agreement is through June 30, 2009, and provides for termination of the contract within 60 days by written notice of either party. In the event of early termination, the City would return to the HSD \$5,000 (1/10 of \$50,000) for each full month remaining in the 2008-2009 school year.

The City's 2008 annual budget was approved with the City bearing the full cost (\$139,049) of an SRO for the 2008 fiscal year. This agreement would result in an unanticipated \$50,000 in additional revenue to the general fund.

Finance Director McCarty reviewed the above summary.

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

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

**Agenda Bill #2982 – A Motion authorizing the City Manager to sign the Second Amendment to an Interlocal Agreement (ILA) for legal services for the City's appeal of the National Pollution Discharge Elimination Standards (NPDES) Phase II Municipal Stormwater Permit, and appropriation of additional funding for the appeal**

**Summary:** The City of SeaTac, along with a coalition of 29 other cities, is currently involved in the appeal of the Department of Ecology's NPDES Phase II Municipal Stormwater Permit. In February, 2007, the City Council carried a Motion authorizing the City to join a coalition of municipalities to pursue an appeal of the permit, and to enter an ILA for legal services. At that time, SeaTac's contribution for legal services was \$8,333.33.

In addition to the Coalition pursuing an appeal of the permit, other entities have appealed the permit as well. These other entities (Puget Soundkeeper's Alliance and People for Puget Sound, collectively referred to as "PSA") have asserted that the permit is not stringent enough. Specifically, PSA asserts that the low impact development (LID) techniques should be *required* in the permit so that there is a "zero surface runoff" standard for development. This would entail developing sites so that all surface water infiltrates into the site. However, this standard would be extremely difficult, if not impossible to meet. If such a standard could be met, the cost would be astronomical and could make some property undevelopable. This could result in a constitutional taking claim requiring compensation. The coalition is not opposed to LID, and believes that it should be encouraged rather than required. But if LID is required, the coalition believes that the State should indemnify the cities should they be sued as part of a constitutional takings lawsuit.

In addition, PSA also seeks to require immediate water quality monitoring, rather than allow the cities to strategically develop a program with implementation at a later date. While immediate water quality monitoring seems reasonable, the coalition members believe that cities should be able to develop their programs first so it can be determined what should be monitored and what goals should be accomplished by monitoring.

As a result, the coalition has decided that in addition to the original appeal, the cities should also expend resources to oppose the issues being asserted by PSA. Therefore, the coalition asked for additional funding for this endeavor. On November 6, 2007, the City Council authorized the expenditure of an additional \$20,000 of funding for the appeal, and the City Council subsequently authorized the City Manager to sign the first amendment to the ILA for legal services. While all coalition members hoped that the additional funding requested in November, 2007 would be sufficient, this was not the case. The issues being raised in the appeal have taken more time than anticipated, and in order to complete this appeal, including addressing the issues being raised by PSA, the coalition is seeking additional funding from its members.

SeaTac is being asked to contribute an additional \$6,000, which is derived from a formula based on the City's population. If approved, the total contribution by the City would equal \$34,333.33. By comparison, some cities have contributed over \$35,000 to date, and some of these same cities are being asked to contribute an additional \$25,000 at this time. Currently, all but three coalition members (including SeaTac) have approved additional funding to finish the appeal, and no cities have decided to withdraw from the coalition.

**AGENDA BILL PRESENTATIONS (Continued):**

**Agenda Bill #2982 (Continued):** Senior Assistant City Attorney Johnsen reviewed the above summary.

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

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

**CONSENT AGENDA:**

- **Approval of claims vouchers** (check nos. 81066 – 81303) in the amount of \$1,270,277.71 for the period ended July 22, 2008.
- **Approval of claims vouchers** (check nos. 81304 – 81526) in the amount of \$1,510,323.41 for the period ended August 7, 2008.
- **Approval of payroll vouchers** (check nos. 46940 – 46990) in the amount of \$388,562.60 for the period ended July 31, 2008.
- **Approval of payroll electronic fund transfers** (check nos. 56103 - 56294) in the amount of \$334,370.95 for the period ended July 31, 2008.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$65,005.03 for the period ended July 31, 2008.
- **Summary of \$5,000 - \$25,000 Purchase Requests** for the period ended August 8, 2008.
- **Summary of Lease of City Facility \$5,000 or Greater** for the period ended August 11, 2008.
- **Summary of Donations \$500 or Greater** for the period ended August 11, 2008.

**Approval of Council Meeting Minutes:**

- **Council Workshop** held May 27, 2008.
- **Council Workshop** held June 24, 2008.
- **Special Council Meeting** held July 8, 2008.
- **Regular Council Meeting** held July 8, 2008.
- **Transportation and Public Works Committee Meeting** held July 22, 2008.
- **Special Council Meeting** held July 22, 2008.
- **Regular Council Meeting** held July 22, 2008.

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

**Agenda Bill #2984; Motion authorizing the City Manager to enter into an Interlocal Agreement with the Highline School District for the Madrona Elementary School walking path, authorizing the entry into a contract with Green Effect for the construction of the path, and authorizing acceptance of grant funding from King County**

**Agenda Bill #2981; Motion authorizing approval to purchase a mobile emergency generator**

**Agenda Bill #2965; Motion authorizing the City Manager to enter into an agreement between Highline School District and the City of SeaTac for a School Resource Officer**

**Agenda Bill #2982; Motion authorizing the City Manager to sign the Second Amendment to an Interlocal Agreement for legal services for the City's appeal of the National Pollution Discharge Elimination Standards Phase II Municipal Stormwater Permit, and appropriation of additional funding for the appeal**

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

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

\*MOTION CARRIED UNANIMOUSLY.

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

**UNFINISHED BUSINESS:** There was no unfinished business.

**NEW BUSINESS:** There was no new business.

**CITY MANAGER'S COMMENTS:** City Manager Ward commented on the following items: (1) August 14 - Land Use & Parks (LUP) Committee meeting cancelled; (2) August 14 – 6:30 p.m., Sunrise View Bypass Open House; (3) August 17 - Celebration of life service for Carol Simpier, charter member of the SeaTac Rotary, to be held at the STCC at 2 p.m.; (4) August 23 – 3 p.m., concert at Valley Ridge Park (VRP) skate park for domestic violence (DV) awareness; (5) August 24 - Machinist Union march and function at Angle Lake Park; (6) August 26 - Council meeting cancelled; and (7) he will be taking vacation and attending a conference during the last two weeks of August.

**COUNCIL COMMENTS:**

CM A. Anderson had the following comments: (1) the SRO put on an event where at risk students trained dogs; (2) Mr. Freedman (Holocaust survivor), did a presentation at City Hall on August 10; and (3) National Night Out (NNO). He stated he feels all of these events shows that the City is interested in the community.

CM Gregerson commented on the following events: (1) August 17 - Ciscoe will be at the Highline SeaTac Botanical Garden from 1:30 – 3:30 p.m.; (2) August 22 - Lutheran Family Resource Center back to school drive; and (3) September – Community Emergency Response Team (CERT) program and Citizens Academy will begin again.

Mayor Shape stated the NNO was a success that received national and local press. He stated he visited eight locations. He thanked Crime Prevention Officer Doug Reynolds for organizing NNO and the Council and staff for participating.

**EXECUTIVE SESSION:** There was no Executive Session.

**ADJOURNMENT:**

MOVED BY T. ANDERSON, SECONDED BY A. ANDERSON TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 8:10 P.M.

MOTION CARRIED UNANIMOUSLY.

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Ralph Shape, Mayor

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Kristina Gregg, City Clerk