

City of SeaTac

Regular Council Meeting Minutes

September 23, 2014
6:30 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Mia Gregerson at 6:27 p.m.

COUNCIL PRESENT: Mayor Mia Gregerson, Deputy Mayor (DM) Anthony (Tony) Anderson, Councilmembers (CMs) Barry Ladenburg, Terry Anderson, Dave Bush, and Pam Fernald. Excused absent: CM Kathryn Campbell.

STAFF PRESENT: Assistant City Manager (ACM) Gwen Voelpel, City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, Parks & Recreation (P&R) Director Kit Ledbetter, City Engineer Susan Sanderson, Community & Economic Development (CED) Director Joe Scorcio, Economic Development (ED) Manager Jeff Robinson, and Police Chief Lisa Mulligan.

FLAG SALUTE: Mayor Gregerson led the Council, audience, and staff in the Pledge of Allegiance.

PUBLIC COMMENTS: Vicki Lockwood thanked staff for responses to questions she asked at the last Regular Council Meeting (RCM). She also thanked staff for implementing an improved travel expense report.

PRESENTATIONS:

•Mayor's Day of Concern for the Hungry Proclamation

Emergency Feeding Program (EFP) Development and Strategic Business Planning Director Ron Lewis stated that September 27 is the single largest day of the year for receiving food from food drives all around King County (KC). EFP is not well known but started in 1977. EFP is targeted to provide over 420,000 meals in 2014 and over 600,000 in 2015.

Council questioned the preparation of the food, how to make it healthier, and locations for food, time, and/or money to be donated within SeaTac. Mr. Lewis stated that volunteers repack bags and warehouse them in Renton. He is in the process of putting together a food production facility to re-bag and produce nutritionally valued meals. EFP is not currently working with other nonprofits within SeaTac, but is hoping to in the future and wants to work with schools in SeaTac.

Mayor Gregerson suggested that, during the City's Drug Take Back Program on September 27, the City also collect food donations for local food banks.

Mayor Gregerson read the proclamation and presented it to Mr. Lewis.

•Des Moines Memorial Drive (DMMD) Restoration Committee Update

DMMD Preservation Association President Rose Clark presented a summary of the DMMD Plan. DMMD is the only memorial drive left in the country remembering the World War I (WWI) fallen. She reviewed the history of DMMD.

Secretary/Treasurer Kitty Milne reviewed what the committee would like to accomplish: honor those who died in WWI and remind everyone that freedom is not free. The committee wants to install that value in children and the community. In order to do that, they are advocating for the preservation and maintenance of DMMD drive and additional enhancements.

She reviewed the enhancements that are being implemented.

Discussion ensued regarding the restoration and future plans.

CONSENT AGENDA:

•Approval of claims vouchers (check no. 108567 - 108568 in the amount of \$215.00 for the period ended September 12, 2014.

•Approval of claims vouchers (check no. 108569 - 108765) in the amount of \$2,639,095.57 for the period ended September 19, 2014.

•Approval of payroll vouchers (check nos. 52409 – 52436) in the amount of \$150,885.47 for the period ended September 15, 2014.

•Approval of payroll electronic fund transfers (check nos. 82301 - 82440) in the amount of \$257,929.30 for the period ended September 15, 2014.

•Approval of payroll wire transfer (Medicare and Federal Withholding Tax) in the amount of \$52,713.44 for the period ended September 15, 2014.

CONSENT AGENDA (Continued):

●**Pre-approval or final approval of City Council and City Manager travel related expenses** for the period ended September 17, 2014.

Agenda Items reviewed at the September 9, 2014 Council Study Session and recommended for placement on this Consent Agenda:

Agenda Bill #3628; A Resolution #14-014 providing notice of intent to establish a Tourism Promotion Area and establish the date for a Public Hearing

Agenda Bill #3634; A Motion authorizing the final acceptance of the Angle Lake Park Boat Dock project

MOVED BY GREGERSON, SECONDED BY A. ANDERSON TO ACCEPT THE CONSENT AGENDA AS PRESENTED.*

CM Fernald requested and update on concerns CM Ladenburg had regarding Agenda Bill #3634.

CM Ladenburg stated that he will be meeting with P&R Director Ledbetter regarding his thoughts on the guard shack, but concerns aren't enough to hold up final acceptance.

*MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARING (PH):

●**Granting tw telecom, a non-exclusive franchise to operate a fiber optic cable network within the City**

Mayor Gregerson opened the PH at 7:16 p.m.

The presentation was made at the September 9 Council Study Session (CSS). No additional presentation was requested.

There were no Council or public comments.

Mayor Gregerson closed the PH at 7:17 p.m.

ACTION ITEM:

Agenda Bill #3632; An Ordinance #14-1011 granting tw telecom, a non-exclusive franchise to operate a fiber optic cable network within the City

Summary: This Ordinance grants a non-exclusive franchise to provide broadband data services over a fiber optic cable network to tw telecom of Washington, LLC (tw telecom). The term of the franchise is through June 30, 2025. The franchise may be extended once for up to 10 years upon tw telecom's request and the City's approval.

On June 10, 2014, the City received a formal application for a franchise from tw telecom. tw telecom is headquartered in Littleton, Co. with a regional office located in Seattle. It provides services, including business Ethernet, converged, and IP VPN for enterprises throughout the U.S. and globally. tw telecom also provides private connections for transport data networking, internet access, voice, VPN, VoIP, and security to large enterprise organizations, the public sector, and communications services companies. tw telecom holds a certificate to operate from the Washington Utilities and Transportation Commission (WUTC) and has been operating in Washington State since 2000. In November 2013, tw telecom announced a multi-market expansion of its network, including the Puget Sound region, which will include the use of dark fiber to be installed by tw telecom in the City of SeaTac. tw telecom will also install its own fiber and other infrastructure as needed to serve its customers. In June 2014, tw telecom announced it has entered into a definitive agreement whereby Level 3 Communications will acquire tw telecom. tw telecom will remain a subsidiary of Level 3, after the acquisition closes in October 2014. Level 3 acquired Williams Communications and operates in SeaTac under current Williams franchise with the City. This franchise is necessary since tw telecom will operate as a subsidiary of Level 3.

tw telecom is planning to expand their network in early 2015, and will go through the standard permitting process for the system expansion. tw telecom does not provide residential service; only broadband data services to businesses or government agencies within the City. This Ordinance is consistent with state and federal law and would protect public rights-of-way (ROW), provide for control over placement of facilities in the ROW, provide for just compensation for the use of public property, provide for costs incurred by the City, and ensure that similarly situated operators and users of public ROW will be comparably treated. Pursuant to Revised Code of Washington (RCW) 35A.47.040, the City has the authority to grant non-exclusive franchises for the use of public streets or other public ways through this type of franchise.

ACTION ITEM (Continued):

Agenda Bill #3632; Ordinance #14-1011 (Continued):

The City is not able to charge a franchise fee pursuant to federal law, as this is a telecommunications provider. However, the franchise outlines the conditions for relocation of their facilities and when tw telecom is responsible for relocation costs.

MOVED BY GREGERSON, SECONDED BY LADENBURG TO PASS AGENDA BILL #3632 (ORDINANCE #14-1011).*

tw telecom Regulatory and Legislative Affairs Vice President Greg Diamond clarified that tw telecom does serve business customers and any public sector.

*MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENTS (related to Unfinished Business): There were no public comments.

UNFINISHED BUSINESS: There was no Unfinished Business.

NEW BUSINESS: There was no New Business.

CITY MANAGER'S COMMENTS: ACM Voelpel commented on the following: (1) grant application – KC 4Culture - \$7,500; (2) Human Resources (HR) Manager recruitment update – close to hiring an applicant; (3) September 24 – 11 a.m., Sound Transit Media event at Angle Lake Station Area; (4) September 27 – 10 a.m., Prescription Drug Take Back Event; (5) October 4 - Fall recycle collection event; and (6) October 9 – 9:30 a.m., Council Budget Workshop.

COMMITTEE UPDATES: DM A. Anderson provided an update from the National League of Cities (NLC) Public Safety and Crime Prevention Steering Committee meeting.

CM Fernald stated that she was recently appointed to the Emergency Management Advisory Committee (EMAC) for KC and attended her first meeting September 9.

CM Ladenburg reviewed the recent South County Area Transportation Board Meeting (SCATBd).

COUNCIL COMMENTS: CM Ladenburg stated that the HR Manager competition was fierce, with almost 200 applicants.

ADJOURNED:

MOVED BY GREGERSON, SECONDED BY FERNALD TO ADJOURN THE MEETING AT 7:36 P.M.

MOTION CARRIED UNANIMOUSLY.

Mia Gregerson, Mayor

Kristina Gregg, City Clerk