

City of SeaTac

Regular Council Meeting Minutes

November 24, 2015
6:30PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Mia Gregerson at 6:30 p.m.

COUNCIL PRESENT: Mayor Mia Gregerson, Deputy Mayor (DM) Anthony (Tony) Anderson (*participated by phone*), Councilmembers (CMs) Barry Ladenburg, Kathryn Campbell, Terry Anderson, Dave Bush, and Pam Fernald.

STAFF PRESENT: City Manager Todd Cutts, Senior Assistant City Attorney Mark Johnsen, City Clerk Kristina Gregg, Community & Economic Development (CED) Director Joe Scorcio, Planning Manager Steve Pilcher, Senior Planner Anita Woodmass, Economic Development (ED) Manager Jeff Robinson, and Finance & Systems Director Aaron Antin.

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

PUBLIC COMMENTS: Joel Wachtel and Vicki Lockwood spoke against Agenda Bill #4188 (transitioning the Council Code of Commitment to a Council Code of Ethics), and requested the travel approval be removed from the Consent Agenda and not approved.

Doris Moe commented on the following: (1) for-hire vehicles parking in neighborhoods, and (2) reiterated her code compliance comments related to property at 3204 South 173rd Street.

Mike Condon stated community members are attempting to start the Kiwanis Club - SeaTac and need additional members wanting to help children in the community.

Chuck D'Arielli commented on the procedures and need for enforcement for code compliance issues.

Doug Hill also spoke against the travel approval on the Consent Agenda.

Roger Kadeg also spoke against Agenda Bill #4188.

PRESENTATIONS:

Council confirmation of Mayoral appointment of Edwin Obras as a member of the Human Services Advisory Committee

MOVED BY CAMPBELL, SECONDED BY FERNALD TO APPROVE THE APPOINTMENT OF EDWIN OBRAS TO THE HUMAN SERVICES ADVISORY COMMITTEE.*

CM Ladenburg stated Mr. Obras works for the City of Seattle in the same capacity and is a good applicant.

*MOTION CARRIED UNANIMOUSLY.

Mr. Obras was unable to be in attendance. His certificate will be mailed to him.

CONSENT AGENDA:

Approval of claims vouchers (check no. 112851- 113044) in the amount of \$1,810,003.44 for the period ended November 20, 2015.

Approval of payroll vouchers (check no. 53054- 53071) in the amount of \$80,800.31 for the period ended November 15, 2015

Approval of payroll electronic fund transfer (check no. 86224- 86363) in the amount of \$319,932.49 for the period ended November 15, 2015.

Approval of payroll wire transfer in the amount of \$52,488.20 for the period ended November 15, 2015.

Pre-approval or final approval of City Council and City Manager travel related expenses for the period ended November 20, 2015

CONSENT AGENDA (continued):

The following items were reviewed at the November 10, 2015 Council Study Session and recommended for placement on this Consent Agenda:

Agenda Bill #4175; A Motion authorizing the City Manager to execute an Agreement with the Washington State Department of Transportation regarding structures and property at SR509 and 28th/24th Avenue South.

Agenda Bill #4159; An Ordinance #15-1014 amending certain Sections of SeaTac Municipal Code Chapter 11.10 regarding Right-Of-Way Use Code.

CM Fernald requested removal of Pre-approval or final approval of City Council and City Manager travel related expenses for the period ended November 20, 2015 to be discussed under Unfinished Business.

MOVED BY LADENBURG, SECONDED BY FERNALD TO ACCEPT THE CONSENT AGENDA AS PRESENTED WITH REMOVAL OF THE TRAVEL RELATED EXPENSES.

MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARING (PH):

Extending the Interim Angle Lake Station Area Overlay Standards

Mayor Gregerson opened the PH at 6:52 p.m.

CED Director Scorcio and Planning Manager Pilcher reviewed the agenda bill summary below.

Council discussion ensued regarding potential for development, time frame for establishing final development regulations, and Port of Seattle (POS) concerns.

There were no public comments.

Mayor Gregerson closed the PH at 6:59 p.m.

ACTION ITEM:

Agenda Bill #4158; An Ordinance #15-1015 readopting Section 15.41 of the SeaTac Municipal Code (SMC), regarding interim development regulations applicable to properties located within the Angle Lake District Station Area, and entering findings of fact supporting the readoption of interim standards.

Summary: Sound Transit continues with construction of an extension of light rail service to South 200th Street at 28th Avenue South, where the Angle Lake Station is under construction. Sound Transit is also constructing a parking garage, plaza and retail space on a triangular shaped parcel bound by 26th and 28th Avenues South and South 200th Street. Light rail service is anticipated to begin in late 2016.

Over an eighteen month period, staff has worked extensively with members of the business and residential communities to create a plan to promote transit-oriented development (TOD) within what the plan calls the "Angle Lake District." Council adopted the Angle Lake District Station Area Plan in July, 2015. Staff has since commenced working on the development of standards for the District. On July 28, 2015, the City Council authorized the reformatting of the SeaTac Zoning Code to streamline the entire code, and to facilitate the consistency of district-based standards. The reformatted Zoning Code is scheduled for Council review and action in November/December, 2015. The district standards will follow the structure of the reformatted code.

The proposed interim standards do not change existing zone districts found within the Station District, but as a zoning overlay, will restrict certain land-intensive uses that are allowed within some of those zone districts. Some other uses will be required to receive approval through an Administrative Conditional Use Permit (ACUP) process to ensure they are compatible with the future of the area in terms of location and design. One ACUP has been issued to date, and no proposed uses have been denied as of this time. The interim standards were determined to be the minimum necessary to protect the area from uses that could potentially be at odds with future TOD expected to occur within the station area.

Agenda Bill #4158; Ordinance #15-1015 (continued):

A PH must be held prior to Council Action, as required by State Law for re-adoption of interim development regulations. Since this Ordinance extends the interim development regulations, it can be in effect for no longer than six months. If the final district regulations are not ready for adoption at the end of the six month period, the Council would need to re-adopt the interim regulations or they would expire.

MOVED BY CAMPBELL, SECONDED BY LADENBURG TO PASS AGENDA BILL #4158 (ORDINANCE #15-1015).

MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARING (PH):

2016 Property Tax Levy

Mayor Gregerson opened the PH at 7:00 p.m.

Finance & Systems Director Antin stated that the Ordinance included in the Council packet includes direction provided at the November 10 Council Study Session (CSS). It does not include the allowable 1% property tax increase.

There were no public comments.

Mayor Gregerson closed the PH at 7:01 p.m.

ACTION ITEM:

Agenda Bill #4164; An Ordinance #15-1016 authorizing the City's 2016 property tax levy

Summary: Cities must submit their authorized levy amounts to the King County (KC) Assessor's Office by December 4, for inclusion in KC's 2016 property tax roll. The KC Assessor's Office is not expected to certify the City's assessed valuation (AV) prior to their December 4 deadline. Based on past experience, this action typically occurs later in December after the date by which City's must file their request to the County.

At the November 10 CSS, the City Council directed staff to forego the allowable 101% limit increase. This results in a reduction of \$111,000 to the original estimated total levy amount of \$13,640,000. The resulting new total estimated allowable levy amount including new construction, estimates of refunds and estimated increases in utility valuations is now = \$13,529,000. The KC Assessor has given the city a preliminary estimate of the City's 2016 AV = \$4.4 billion which is a 4.7% increase over 2015. This preliminary estimate excludes any increases in utility valuations. The KC Assessor will automatically decrease the City's authorized rate below any statutory limitation once they certify the city's final valuation in December, 2015.

Historically, the city has authorized a levy below the statutory limits in 2013, 2014 and 2015 and it is again anticipated that the final 2016 levy amount will still be below the statutory levy rate limit. Based on the current KC estimate of the City's AV of \$4.4 billion, the estimated authorized levy rate for 2016 is again = \$3.10/1000 AV. Any change a homeowner would experience is related to any change the KC Assessor makes in assessing the value of their individual property relative to all other personal and real property valuations citywide. As an example, for the owner of a \$250,000 home, with no change in the KC AV of their home, applying the same \$3.10/\$1,000 AV rate in 2016 would result in no increase in city property taxes paid. The total annual amount paid to the city would be \$775/year (or \$64.58/month).

However, it should be noted that the actual increase or decrease in taxes is dependent upon the actual change in a particular property's AV.

MOVED BY LADENBURG, SECONDED BY GREGERSON TO PASS AGENDA BILL #4164 (ORDINANCE #15-1016).

UPON A ROLL CALL VOTE, MOTION CARRIED UNANIMOUSLY.

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

ACTION ITEM:

Agenda Bill #4135; An Ordinance #15-1017 declaring public use and necessity for condemnation of property as required for the Connecting 28th/24th Avenue South project and authorizing the payment of funds from the City's 307 Transportation CIP Fund.

Summary: Construction of the Connecting 28th/24th Avenue South project (South 200th to 208th Streets) is anticipated to begin in the first quarter of 2016. This project will build a new four lane roadway with turn lanes, curb, gutter, shared use pathway, medians, street lighting, storm drainage infrastructure, paving and conversion of aerial utility lines to underground. This project is scheduled to be advertised for construction bids in December, 2015. The project has already secured a significant amount of right-of-way and temporary construction easements needed from the Port of Seattle and other property owners in the area. This proposed Ordinance addresses the acquisition of property and temporary construction easements from the remaining properties within the project limits.

Before construction can begin, either all property acquisitions or possession and use agreements must be complete. Discussions are ongoing between the City and the respective property owners about acquiring the property. However, it is likely that eminent domain proceedings will be about acquiring the property. However, it is likely that eminent domain proceedings will be necessary so that the City can acquire the needed property rights prior to commencement of construction. A list of properties affected by this Ordinance is attached as Exhibit A to the Ordinance.

The City Council adopted Ordinance 15-1001 in in February, 2015, which authorized the Legal Department to commence eminent domain proceedings for properties in the event that the property owner and the City are unable to reach a negotiated settlement. However, the City provided notice to the property owners via regular mail, when it should have been certified mail. Due to this technical error, it is necessary to adopt a second Ordinance related to property acquisition for this project. Since the City has already finalized acquisition of most of the necessary property without utilizing eminent domain, the proposed Ordinance only addresses those parcels that the City still needs to acquire. If negotiations fail, the Ordinance will allow staff to pursue right-of-way acquisitions by initiating a condemnation proceeding without further Council action.

Final action on the Ordinance is scheduled for the November 24, 2015 Regular Council Meeting.

The City has made offers to the property owners in the amount of \$758,000. The final acquisition cost will be determined through continued negotiations or through court proceedings. Any property acquisition costs are budgeted and will be paid for through the Transportation CIP Fund.

MOVED BY CAMPBELL, SECONDED BY FERNALD TO PASS AGENDA BILL #4135 (ORDINANCE #15-1017).*

City Engineer Cabudol responded to comments made during the October 28 CSS: (1) status of negotiations for the associated properties, (2) responses to notifications of this action, and (3) economic benefits of the project.

*MOTION CARRIED UNANIMOUSLY.

UNFINISHED BUSINESS:

Pre-approval or final approval of City Council and City Manager travel related expenses for the period ended November 20, 2015

MOVED BY GREGERSON, SECONDED BY LADENBURG TO APPROVE THE TRAVEL.*

Council discussion ensued regarding the pros and cons of this travel approval.

*MOTION CARRIED WITH BUSH AND FERNALD VOTING NO.

NEW BUSINESS: There was no New Business.

CITY MANAGER'S COMMENTS: City Manager Cutts commented on the following: (1) December 3 – 5 p.m., Tree Lighting, and (2) Code Compliance Update.

COMMITTEE UPDATES:

The following updates were provided:

DM A. Anderson – National League of Cities Board of Directors topics

CM Ladenburg – South County Area Transportation Board

CM Campbell – South Correctional Entity (SCORE) Jail committee and Highline Forum

CM Bush - Soundside Alliance Networking group

Mayor Gregerson – National League of Cities (NLC) Race Equity and Leadership (REAL)

COUNCIL COMMENTS: CM Fernald questioned how future abatements will be applied. Mr. Cutts stated an abatement plan needs to be developed.

CM Campbell commented on the following: (1) the President gave the national Medal of Freedom award to two people from Washington State; (2) December 6 and January 9 – 8 p.m. Seahurst Park midnight beach walk; and (3) attended a reception at Museum of Flight in support of new musical, “Come from Away”.

CM Ladenburg congratulated staff for the Employee Awards Banquet.


CM Bush stated the Holiday for Hope is collecting money to buy presents for SeaTac kids.

DM A. Anderson attended the Angle Lake Manor event raising money for the Holiday of Hope as well as the Awards Banquet.

Mayor Gregerson attended the Angle Lake Manor event as well as the Awards Banquet. She also commented on a meeting she had with the Dispute Resolution Center for King County.

ADJOURNED:

MAYOR GREGERSON ADJOURNED THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 7:48 P.M.


FOR MIA GREGERSON

Mia Gregerson, Mayor



Kristina Gregg, City Clerk