

City of SeaTac

Regular Council Meeting Minutes

December 13, 2016
7:00PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Michael Siefkes at 7:00 p.m.

COUNCIL PRESENT: Mayor Michael J. Siefkes, Deputy Mayor (DM) Pam Fernald, Councilmembers (CMs) Rick Forschler, Kathryn Campbell, Peter Kwon, Tony Anderson, and Erin Sitterley.

STAFF PRESENT: Acting City Manager Joe Scorcio, Senior Assistant City Attorney Mark Johnsen, City Clerk Kristina Gregg, Acting Community & Economic Development (CED) Director/Economic Development (ED) Manager Jeff Robinson, Senior Management Analyst Tim Ramsaur, and Human Services (HS) Program Manager Colleen Brandt-Schluter.

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

PUBLIC COMMENTS: Vicki Lockwood stated she has been reviewing Council expenditures and is concerned with some purchases which while maybe not illegal, may be unethical. She suggested Council review all CM expenditures and that the Council expenditure report be made available to everyone.

Joel Wachtel stated the new Council has developed a sustainable balanced budget without raising property taxes or reducing levels of service. He thanked Council for their service and wished them a happy holiday.

Wendy Morgan thanked Council on behalf of the Highline Botanical Garden for approving the master plan in the budget.

Cheryl Forbes, Library Advisory Committee Chair, invited everyone to the Valley View Library opening after their "refresh", Saturday, December 17 at 10 a.m.

Earl Gipson stated Council is well on the way to changing the culture of SeaTac. He thanked Council for their efforts this year and wished them happy holidays.

Mark Siegel stated his concerns regarding traffic on South 200th Street.

Barb Shimizu, Des Moines Area Food Bank representative, invited Council to visit the food bank. The current HS review process is good and stronger than some other cities.

PRESENTATIONS:

Good Neighbor Recognition to Lonnie Goulet

Acting City Manager Scorcio reviewed the recognition program. Mr. Goulet was chosen for his efforts as president of the Angle Lake Shore Club.

Council thanked Mr. Goulet for his efforts.

Mr. Goulet stated the Angle Lake Shore Club is a great community to live in. He also thanked Council for their support of the Hydroplane races.

Mayor Siefkes presented the certificate to Mr. Goulet.

Korean American Day Proclamation

CM Campbell read the proclamation declaring January 13, 2017 as Korean American Day.

PRESENTATIONS (continued):

Requesting Final Acceptance of ST-831 37th/40th Avenue South Sidewalk Project.

City Engineer Cabudol briefed Council on the project and presented before and after pictures. This project completed under the authorized amount.

Discussion ensued regarding the project.

Year in Review

Mayor Siefkes summarized a few of the accomplishments from this year, including: opened a new fire station, opened a light rail station in the city, passed a Council Code of Ethics, reduced business license fees for smaller businesses, restored Council committees, adopted Resolution supporting diversity, created a SeaTac Airport Advisory Committee, re-established the Sidewalk Advisory Committee, and authorized hiring an additional police officer. He thanked staff for their efforts to assist the Council this year.

Key City Issues Status

Acting City Manager Scorcio commented on the following: (1) received a request for interpreter services at a Council meeting which raised the question as to how to handle these requests in the future as there is no current policy. He requested the A&F Committee review this issue. Council concurred, (2) SeaTac quarterly report will be finalized soon, (3) public defender services contract has been extended, (4) the Port of Seattle (POS) and the city co-funded a traffic study for South 160th Street near the airport car rental lot and Uber/taxi lot. The study will be available mid-January, (5) completed citywide staff meetings today, (6) sent a letter to the Sheriff requesting a patrol officer be added. He received a letter of confirmation stating that will happen as soon as possible, (7) grant acceptance for South 152nd Street is on tonight's consent agenda, (8) next Council meeting is scheduled for January 10, 2017, and (9) December 14 – 5 p.m., Land Use & Parks (LUP) Committee meeting, and 7 p.m., Annual appreciation celebration for explorers.

CONSENT AGENDA:

Approval of claims vouchers (check no. 116446- 116549) in the amount of \$1,663,598.46 for the period ended December 5, 2016.

Approval of payroll vouchers (check no. 53626 - 53648) in the amount of \$222,720.85 for the period ended November 30, 2016.

Approval of payroll electronic fund transfer (check no. 89529 - 89657) in the amount of \$292,480.88 for the period ended November 30, 2016.

Approval of payroll wire transfer in the amount of \$48,148.84 for the period ended November 30, 2016.

Pre-approval or final approval of City Council and City Manager travel related expenses for the period ended December 7, 2016.

Approval of Summary of Grant Acceptance for the period ended November 28, 2016.

Approval of Summary of Donations \$500 or Greater for the period ended November 30, 2016.

Final Acceptance of public works projects

Approval of Council Meeting Minutes:

Regular Council Meeting held February 23, 2016

Council Study Session held March 8, 2016

Regular Council Meeting held March 8, 2016

Council Study Session held March 22, 2016

Council Study Session held May 24, 2016

Regular Council Meeting held June 28, 2016

Council Study Session held July 26, 2016

Regular Council Meeting held August 9, 2016

Budget Workshop 5 held November 21, 2016

Council Study Session held November 22, 2016

Regular Council Meeting held November 22, 2016

Agenda Bill #4495; An Ordinance #16-1027 amending Ordinance No. 16-1023, providing clarification related to the City's 2017 property tax levy.

CONSENT AGENDA (continued):

Agenda Bill #4496; An Ordinance #16-1028 amending Sections 3.70.010 and 3.70.020 of the SeaTac Municipal Code relating to local option transportation taxes in order to clarify Council action taken on November 22, 2016.

Agenda Bill #4497; A Resolution #16-026 authorizing the City Manager to enter into contracts with selected human services agencies in 2017 and 2018, and directing the City Manager to conduct an independent review of human services agency contracts, with the removal of human services agencies ANEW, Para Los Ninos, South King Council of Human Services, and Global to Local to be included in Exhibit C and reviewed at the January A&F Committee meeting.

Agenda Bill #4488; A Resolution #16-027 fixing the date and time for a Public Hearing on the proposed vacation of the right-of-way on South 190th Street from 32nd Avenue South to its western terminus.

Agenda Bill #4486; A Motion authorizing the City Manager to execute a lease amendment with Sound Transit for parking (63 stalls) at the SeaTac Center.

Agenda Bill #4499; A Resolution #16-028 adjusting the salary for the Acting City Manager to provide a cost of living increase.

MOVED BY FERNALD, SECONDED BY KWON TO ACCEPT THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY.

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

ACTION ITEM:

Agenda Bill #4474; An Ordinance #16-1029 outlining a process to address employment complaints against the City Manager.

Summary: The City does not have a specific protocol to address employee complaints made against the City Manager. Since the City Manager's employment with the City is at the pleasure of the City Council, it is appropriate for the City Council to address any employee complaints against the City Manager.

In the Council packet for the September 13, 2016 City Council Meeting, a memo was included that outlined a process that could be used to deal with this issue. The Council also discussed the matter at that Meeting, and staff was asked to finalize an Ordinance that would put a formal process in place. This Ordinance provides the following:

- Complaints shall be directed to the entire City Council or to the employee's Department Director, with a copy to the City Attorney and Human Resources (HR) Manager. If a complaint is filed with the Department Director, they shall forward the complaint to the City Council.
- Within two business days or as soon as practicable, the Mayor shall acknowledge receipt of the complaint in writing to the complainant, which shall include a non-retaliation affirmation on behalf of the City Council.
- The complaint shall be addressed by the Council in an executive session at their next business meeting of the City Council. The Mayor or a majority of the Council may also call for a special meeting to discuss the allegations in executive session.
- The Mayor may, but is not required to, place the City Manager on paid administrative leave until the next business meeting of the City Council. At the November 8, 2016 Council Study Session (CSS), it was requested that the Ordinance state that placing the City Manager on CSS, it was requested that the Ordinance state that placing the City Manager on paid administrative leave be done in writing, and that a more detailed description of paid administrative leave be provided. Both of these items have been added to this Ordinance.
- At the next Council business meeting following receipt of the allegations, the Council may place the City Manager on administrative leave through formal Council action. Continuation of the Mayor's placement of the City Manager on administrative leave must be formally approved by the Council through formal action.
- The City Council will, as soon as practicable, determine whether the allegations should be investigated, and who should conduct the investigation.

ACTION ITEM (continued):

Agenda Bill #4474; Ordinance #16-1029 (continued):

- After the completion of the investigation (if any), or within 30 days if no investigation has been initiated, the City Council shall decide what, if any, action should be taken to resolve the complaint. Any decision to remove the City Manager must comply with the procedures set forth in RCW 35A.13. The Mayor shall communicate to the complainant the resolution of the complaint.
- The Mayor and the City Council are encouraged to seek the advice and assistance of the Legal Department and/or HR with any part of the above process.
- Provides that the Ordinance is not intended to limit any other remedies available by law.

This Ordinance states that no later than seven calendar days after the effective date, the City Manager shall ensure that a copy of this Ordinance is distributed to all City employees. Additionally, a copy of the Ordinance shall be provided to all new employees.

This agenda bill has been placed on the December 13, 2016 Regular Council Meeting (RCM) agenda by the City Council as an Action Item to allow time to prepare an updated Ordinance incorporating changes directed by the City Council on November 8, 2016.

MOVED BY KWON, SECONDED BY ANDERSON TO PASS AGENDA BILL #4474 (ORDINANCE #16-1029).*

Senior Assistant City Attorney Johnsen reviewed changes made since the November 22 Council meeting. MRSC stated there is no other policy or code regarding this type of issue. Some cities dealt with it in the ethics code.

*MOTION CARRIED UNANIMOUSLY.

Agenda Bill #4482; A Resolution #16-029 setting a procedure for funding of outside human services agencies.

Summary: Council Resolution #98-010 sets forth the specific duties and responsibilities of the Human Services Advisory Committee (HSAC). One of their duties is to “evaluate funding requests and make recommendations on human services funding.” Past practice has been that the Council approved the list of agencies that receive funding, but did not specifically authorize the dollar amount per agency. Contracts with outside human services agencies are usually two years, with funding for the second year contingent on budget appropriation. Additionally, the City Council receives the funding recommendations after the City Council has adopted the budget, because the human services agency appropriation is based on the adopted budget. This does not give the City Council enough time to review the recommendations and ask questions.

The City Council should approve specific dollar amounts for each outside human services agency contract, consistent with the procedures of other City contracts. However, the HSAC should still continue to make recommendations to the City Council regarding human services funding. The purpose of the Resolution is to set forth a process to ensure that the recommendations are received by the City Council earlier in the process, and that the Council makes the final decision of such funding, including the name of the agency, the dollar amount per agency, and the contract duration. If passed, this Resolution provides that in even-numbered years, the HSAC should determine funding limits based upon the City's Preliminary Budget, and such recommendations shall be provided to the Administration and Finance (A&F) Committee by the fourth Friday in October. The A&F Committee will review and make recommended modifications to the HSAC's funding requests, if any, prior to forwarding the recommendations to the City Council for inclusion in the Biennial Budget review and adoption process. The City Council may modify recommendations of the HSAC and/or the A&F Committee.

The City Manager will only execute contracts with outside human services agencies up to the dollar amount and duration approved by the City Council. Furthermore, multi-year contracts shall state that funding for the second year of the biennium must be confirmed in writing by the City Manager as funding may be modified in the second year. Any changes during the biennial budget in established allocation amounts shall be provided by the City Manager to the Council, through the A&F Committee, for approval.

Mayor Siefkes reviewed the agenda bill summary.

ACTION ITEM (continued):

Agenda Bill #4482; Resolution #16-029 (continued): Mr. Johnsen reviewed changes made since the last Council meeting review.

Council discussion ensued regarding this item: statement of intent to have agencies present as needed, and use of preliminary budget versus final budget for the 1.5% for HS.

MOVED BY SITTERLEY, SECONDED BY KWON TO PASS AGENDA BILL #4482 (RESOLUTION #16-029).

MOTION CARRIED UNANIMOUSLY.

UNFINISHED BUSINESS: There was no Unfinished Business.

NEW BUSINESS: There was no New Business.

CITY MANAGER'S COMMENTS: No additional comments.

COMMITTEE UPDATES: CM Anderson reviewed the National League of Cities (NLC) Board of Directors issues reviewed during conference.

CM Forschler stated the Hotel/Motel (H/M) Tax Advisory Committee and the LUP Meetings will be held December 14.

CM Kwon reviewed the December 8 Code Compliance Committee meeting.

Mayor Siefkes provided an update from the SeaTac Airport Committee. He also stated his intent to create a "Turbulence Committee" with other cities affected by the airport as well as the FAA as members.

COUNCIL COMMENTS: Council wished everyone Happy Holidays.

CM Campbell stated today is the 280th birthday of the US National Guard.

CM Forschler reiterated Ms. Lockwood's request to have the Council expenditure report posted to the city's website. He thanked everyone for their support during 2016.

CM Kwon thanked staff for their support. He stated he will be available for coffee chats on Sunday's between 9 and 10 during the Council winter recess.

CM Sitterley thanked CM Fernald for initiating the festive atmosphere tonight.


CM Anderson stated he attended the Tyee Bazaar last week which was a great event.

DM Fernald stated she worked at the Highline Historical Society (HHS) table at the Tyee Bazaar. She also stated she is thankful for Council

Mayor Siefkes thanked the Council, the public, and his family for their support this year.

ADJOURNED:

MAYOR SIEFKES ADJOURNED THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 8:26 P.M.



Michael J. Siefkes, Mayor



Kristina Gregg, City Clerk