

# City of SeaTac

## Council Study Session Minutes Synopsis

May 23, 2017  
5:00 PM

City Hall  
Council Chambers

**CALL TO ORDER:** The SeaTac City Council Study Session (CSS) was called to order by Mayor Michael Siefkes at 5:00 p.m.

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

**STAFF PRESENT:** City Manager Joe Scorcio, City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, Senior Assistant City Attorney Mark Johnsen, Community & Economic Development (CED) Director Jeff Robinson, Planning Manager Steve Pilcher, Parks, Community Programs and Services Director Lawrence Ellis, Police Chief Lisa Mulligan, City Engineer Florendo Cabudol, Assistant City Engineer Janet Mayer, Senior Engineering Technician Dat Tang, and Assistant Planner Alena Tuttle.

**PUBLIC COMMENTS (related to the agenda items listed below):** Earl Gipson spoke against RedFlex Cameras.

### **PRESENTATIONS - INFORMATION ONLY:**

#### **Introduction of new/promoted City employees: Senior Engineering Technician Dat Tang and Assistant Planner Alena Tuttle**

City Manager Scorcio introduced Mr. Tang and Ms. Tuttle.

### **AGENDA BILLS:**

#### **Agenda Bill #4646; A Motion authorizing the City Manager to execute a professional services contract with Transpo Group for the study and design of the City's Permit Parking Program (PPP), in an amount not to exceed \$110,000.**

**Summary:** The PPP is being developed in response for the need to manage increased demand for on-street parking and its related community impacts in SeaTac. The PPP will address citizen concerns related to on-street parking involving safety, commercial/for hire vehicle parking in neighborhoods, and littering that have been documented in numerous community meetings since 2013.

Interim measures, such as no-parking signage at intersection corners, were implemented with varying levels of effectiveness. It was determined, and supported by Council, to develop a strategic plan that will address processes and controls to manage on-street parking demand. The PPP strategic plan will address the following objectives:

1. Manage on-street parking in neighborhoods to meet the needs of residents, guests, and the community
2. Manage demand to meet needs during periods of high on-street occupancy while encouraging other modes of travel such as transit, bicycling, and walking
3. Improve public safety by addressing areas that may restrict on-street parking to allow adequate line of sight
4. Maximize and adapt the utilization of on-street parking for all users
5. Develop policies that supports compliance with and discourage abuse of on-street parking
6. Makes parking safe, secure, and convenient
7. Develop organization, processes, and funding methods to sustain the program
8. Explore the use of technology (i.e., ITS, Smartphone apps, universal payment methods, automated parking) to aid users to identify and locate available parking in real-time and support the PPP
9. Develop a process for routine data collection to evaluate and accommodate future demand
10. Establish a strategy and communication plan to educate the public on new parking policies, management and funding programs such as meters and permits

A total of four firms responded to our Request for Qualifications and all were selected for interviews. Transpo Group was selected as the most qualified firm for this work. A scope of work and proposed fee schedule is attached outlining the tasks and effort required to deliver the PPP.

There is \$575,000 budgeted in the Streets Capital Fund (Fund #102) in the 2017-2018 biennium for the Parking Permit Program. This contract will not exceed \$110,000 (includes a 10% Management Reserve), and the remainder of the budgeted amount will be utilized for program implementation.

**AGENDA BILLS (continued):**

**Agenda Bill #4646 (continued):** City Engineer Cabudol reviewed the agenda bill summary.

Council discussion ensued regarding the need for this program, public outreach, are we re-inventing the wheel, can we hire an employee to do the work we need, and the developed plan can be applied throughout the City.

**Council consensus:** Refer to the 6/13/17 RCM Action Item

**Agenda Bill #4640; A Motion granting a Critical Areas Public Utility Exception for Valley View Sewer District's "West of Military Road South" sewer extension project, in the vicinity of 26th Avenue South and South 130th Place, pursuant to SeaTac Municipal Code (SMC) 15.700.060 (A).**

**Summary:** Valley View Sewer District provides sanitary sewer service within the northern portion of the City. This spring & summer, the District will extend sanitary sewer lines into three currently unsewered areas located within the cities of Burien, SeaTac and Tukwila. The extension in SeaTac is identified as the "West of Military Road South" project. The overall project site is bounded by South 128th Street. on the north, Military Road South on the east, approximately 26th Avenue South on the west, and approximately South 133rd Street on the south. The project will not only connect existing homes, but provide for future connections to currently undeveloped residential lots.

As part of this project, the District commissioned a wetland and stream study for areas located within the project limits. The study determined the presence of a Category IV wetland along the rear property lines of 12932, 12938 and 13000 26th Avenue South. The report also noted the presence of an intermittent (Category 3) stream that sheet flows through this wetland without a defined channel. The proposed sewer line will impact both of these features; therefore, SMC 15.700.060 requires a Public Utility Exception.

SMC provides that if the critical area regulations would prohibit a development proposal by a public utility, the utility may apply for an exception. SMC 15.700.060 (A)(2) specifies the criteria to consider for a public utility exception: (a) there is no other practical alternative to the proposed development with less impact on the critical area; and (b) the proposal minimizes the impact on the critical areas. Additionally, the Code provides that the Hearing Examiner (HE) conduct a public hearing (PH) and issue a recommendation and the City Council makes the final determination whether the exception is granted.

There will be a total of 478 sq. ft. of wetland impact and 2,542 sq. ft. of buffer impacts. The proposed sewer line will be installed within a trench during the dry season and then replanted with native trees and shrubs per a restoration plan. The restoration work will be monitored for 5 years, with replanting occurring as necessary. SMC 15.700.290 (A) allows alterations to a wetland if the proposed development will, among other things, "protect...natural drainage and other valuable functions of the wetland..." The Critical Area Report and Restoration Plan demonstrates the project will protect and actually improve the functions of the wetland. Additionally, SMC 15.700.310 indicates that restoration (re-establishment and rehabilitation) of wetlands is the #1 preferable mitigation action when wetlands are impacted. The Sewer District proposes to restore the wetland after the sewer pipe is installed.

The HE conducted a PH on May 11, 2017 and concluded that both of these standards are met by the proposal. There was no public testimony in opposition to the request. The HE recommended that the exception be granted. Due to the timing of the District's construction of this project, Council action at the May 23, 2017 Regular Council Meeting (RCM) is requested.

Planning Manager Pilcher reviewed the agenda bill summary.

Council discussion ensued regarding the area of the extension, need for placing this on tonight's RCM agenda, and benefits of this improvement.

**Council consensus:** Refer to the 5/23/17 RCM Consent Agenda

**AGENDA BILLS (continued):**

**Agenda Bill #4648; A Resolution declaring City-owned property surplus to the City's needs and authorizing the City Manager to enter into a purchase and sale agreement with Kinzer Partners.**

**Summary:** On May 2, 2017 the City received a Letter of Intent from Kinzer Partners to purchase a 5,007 square foot piece of City-owned real estate formerly addressed as 19232 28<sup>th</sup> Avenue South (King County Parcel #042204-9183) for \$100,000.00, or \$19.97 per sq. ft.

The property was originally acquired by the City in February, 2000 for \$116,180 as part of the 28th/24th Avenue South roadway improvement project. At the time of property acquisition, the property measured 7,412 square feet and included a small three-bedroom single family residence which was demolished as part of the road project. In 1999, prior to the City's acquisition, the property was appraised as commercial land and valued at \$100,000, or \$13.50 per square foot.

Currently the parcel is vacant and is situated under the light rail guideway that runs along 28<sup>th</sup> Avenue South. The land is zoned Commercial and has no residual value to the City and negligible development value as a stand-alone parcel. The \$100,000 offer (\$19.97 per sq. ft.) from Kinzer Partners is in alignment with other appraisals recently completed that indicate per square foot values of between \$13.30 and \$41.00 (for much larger and better situated properties). The comparable land sales used for the appraisals were all for property of much greater size - (between 30,900 - 98,880 sq ft.) -- than this parcel. In fact, the City had an appraisal conducted for a 107,722 sq. ft. site to be used for the 24th/28th Avenue extension which was preliminarily valued at \$12.00 per square foot. However, after the appraiser reduced the value for the property's location for future development, the per square foot estimate was determined to be \$6.00.

The proposed Purchase and Sale Agreement is in a form similar to those used for other recent City property sales. A "Failure to Commence" clause is currently under negotiation which would require that a project be commenced within a specified time frame. If this time frame is not met, the City would have the right to re-purchase the property at the sales price. The Purchase and Sale Agreement includes a \$5,000 earnest money deposit and a due diligence period of 120 days. The transaction has a scheduled closing date of December 19, 2017.

Sales proceeds would be \$100,000, less the City's share of closing costs. These costs are estimated at \$5,000 to include an ALTA Survey, an Extended Title Insurance Policy, filing fees, and other miscellaneous costs associated with the escrow account that are not shared by the Buyer. By negotiating and executing the agreement in-house the City will save approximately \$5,000 in brokerage commissions and legal fees. Since Finance records show that the property was acquired through the Municipal Transportation CIP Fund, the sales proceeds will be placed back into this fund.

CED Director Robinson reviewed the agenda bill summary.

Council discussion ensued regarding taxable property, failure to commence clause,

**Council consensus:** Refer to the 6/13/17 RCM Action Item

**Agenda Bill #4636; A Motion authorizing the City Manager to execute a contract extension with Redflex Traffic Systems, Inc. to provide automated traffic safety camera enforcement services to the City.**

**Summary:** In October 2006, the City entered into a contract with RedFlex Traffic Systems, Inc. to provide automated traffic safety camera enforcement services. This action was taken as part of the police department's program to reduce red light violations and collisions at high volume intersections. Cameras were placed at South 188th Street and International Boulevard (IB), South 188th Street and Military Road, and South 200th Street and IB. The City's current contract with RedFlex was effective July 1, 2014 and provided for a three year term, with the option for two, two-year extensions. The current contract will expire July 1, 2017 unless the Council authorizes the City Manager to extend the contract. The City must provide written notice to RedFlex by June 1, 2017 if the contract will be extended. The purpose of this presentation is to provide information to help Council make this decision and to satisfy the requirements of the 2017-18 Budget Objectives and Actions document which guaranteed a summary review and cost benefit/return on investment of the program. The red light cameras have become an integral part of the SeaTac Police Traffic Enforcement, Education and Awareness program. They offer the City the ability to detect and enforce thousands of violations each year while keeping the limited police resources available to patrol the streets, neighborhoods and business areas of SeaTac and respond to emergency calls for service. The photo enforcement camera program helps meet two of the Police Department Goals: (1) Improve traffic safety and awareness and (2) Fight crime and the fear of crime which directly supports the City Council's Accountability Goal to "Improve Public Safety".

**AGENDA BILLS (continued):**

**Agenda Bill #4636 (continued):** The photo enforcement cameras allow officers to apply the same level of reasonable discretion to every enforcement decision, in a fraction of the time, which makes them invaluable force multipliers to the police department and an excellent public safety tool. There is no circumstance or scenario that would allow the SeaTac Police Department to replicate the enforcement and education work, associated with the camera systems, at the same cost.

Collision data since the cameras were installed indicates that in the most cases, yearly numbers are lower at each intersection than the years immediately preceding camera installation. The consistent growth of traffic volumes throughout the city, especially at these high volume intersections, make it difficult to demonstrate with clarity, that the cameras have helped reduce collisions, however it is clear that collisions have not increased steadily in concert with the steady increase of traffic volume.

Finally, data provided by RedFlex indicates that 81% of tickets initiated by the photo enforcement cameras are issued to addresses outside of SeaTac, reflecting the impact of non-city residents on our traffic safety issues.

The current monthly fee for operating the three RedFlex installations is \$13,643 per month, or \$163,716 per year, which is adjusted annually by the CPI for inflation. In addition, it is estimated that there is an additional \$9,921 per year in police costs and \$33,540 in Court costs attributed to the program's operation. The total estimated cost of \$207,177 is offset by citation revenue, which has averaged \$324,147 over the past four years.

Staff recommends that this motion be carried and that the contract be extended.

Following the May 9, 2017 CSS staff contacted RedFlex and they have agreed to a six month extension thru December 31, 2017 with one month extensions commencing thereafter while the city conducts reviews alternatives for services.

This information was originally presented and discussed at the May 4, 2017 Public Safety and Justice (PS&J) Committee Meeting. The Committee recommended that the request for action be brought before the full CSS on Tuesday, May, 9, 2017 and recommended that the City Manager extend the contract with RedFlex Traffic Systems for another two years, as outlined in the existing contract.

City Manager Scorcio reviewed the options reviewed since the last meeting. RedFlex has agreed to extend the agreement until the end of the year. The City needs to notify RedFlex by June 1 of termination or extension.

Discussion ensued regarding whether to extend the contract. Mr. Scorcio stated that a new contract could be in front of Council in November with December being the transition month. He requested clear direction from Council on how to move forward.

**Council consensus:** Refer to the 5/23/17 RCM Action Item

**Agenda Bill #4614; A Resolution amending the City Council Administrative Procedures.**

**Summary:** Following a series of public meetings, the Administration & Finance (A&F) Committee requested Staff to draft amendments to the City Council Administrative Procedures. In addition to several housekeeping amendments, substantive changes are summarized as follows:

Section 3. Add the Code Compliance Committee, increasing the number of Standing Committees to five.

Section 4. Amend the format to the agenda for Council meetings to reflect current practice.

Section 6. Add language stating that foreign language interpreters are not provided by the City, and that anyone providing translation services to another shall do so in a manner that is not disruptive.

Section 6. Add language that signs pertaining to ballot propositions or candidates for public office are not permitted, and that other signs that are displayed cannot be disruptive to others.

Section 6. Add language limiting the use of electronic devices by Councilmembers so as not to be disruptive to the meeting.

Section 6. Add language pertaining to the use of internet information during Council meetings.

Section 10. Increase the number of hours from two to three for "Major" Council Information Requests.

Section 13. Provide that a copy of the City Travel Policies, Regulations, and Procedures is attached as an exhibit.

Section 14. Add a new section related to Councilmember Equipment and Technology.

**AGENDA BILLS (continued):**

**Agenda Bill #4614 (continued):** The proposed amendments to the Council Administrative Procedures were discussed by the A&F Committee and were recommended for adoption.

Senior Assistant City Attorney Johnsen reviewed the agenda bill summary.

Discussion ensued regarding the following sections:

- Section 3. C. Sidewalk Committee,
- Section 14. C. Councilmember Equipment and Technology - who approves programs for use on City provided devices. Information Systems would approve. This will be added to the procedures,
- Section 1. A. Chairperson – Mayor – suggestion was made that the chairperson change annually instead of bi-annually. There was no consensus to proceed with this change, and
- A&F committee schedule – propose change to have two meetings per month, the 1<sup>st</sup> and 3<sup>rd</sup> Thursday. Council concurred to adding this revision to the procedures.

**Council consensus:** Refer to the 6/13/17 RCM Action Item with adding A&F changes and IT department approval

**Agenda Bill #4619; An Ordinance adopting adding a new Chapter 2.92 to the SeaTac Municipal Code (SMC) related to Ethics of Board, Committee, and Commission members.**

**Summary:** The City Council previously adopted Ordinances pertaining to ethics of City Councilmembers and City Employees, codified in SMC 2.90 and 2.91 respectively. The City Council determined that volunteers serving as appointed members of the City's various Boards, Committees, and Commissions should have similar standards and guidelines to follow. Therefore, this proposed Ordinance addresses ethics for members of Council- appointed Boards, Committees, and Commissions. This proposal is consistent with the other two ethics Ordinances and would be codified in a new Chapter 2.92 of the SMC.

City Manager Scorcio reviewed the agenda bill summary.

**Council consensus:** Refer to the 6/13/17 RCM Consent Agenda

**RECESSED:** Mayor Siefkes will recess the Council Study Session to an Executive Session on pending litigation and to consider the minimum price at which real estate will be offered for sale or lease at 6:30 p.m. until 6:59 p.m.

**EXECUTIVE SESSION: Pending Litigation RCW 42.30.110(1)(i) / To consider the minimum price at which real estate will be offered for sale or lease RCW 42.30.110(1)(g)**

**RECONVENED:** Mayor Siefkes reconvened the Council Study Session at 6:57 p.m.

**ADJOURNED:** Mayor Siefkes adjourned the Council Study Session at 6:59 p.m.