

City of SeaTac

Regular Council Meeting Minutes

November 28, 2017
7:00PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Michael Siefkes at 7:05 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: City Manager Joseph Scorcio, City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, Finance & Systems Director Gwen Pilo, Parks, Community Programs and Services (PCPS) Director Lawrence Ellis, Community & Economic Development (CED) Director Jeff Robinson, Public Works (PW) Director Will Appleton, Police Chief Lisa Mulligan, Deputy Fire Chief Brian Wiwel.

FLAG SALUTE: Boy Scouts Troop 965 led the Council, audience, and staff in the Pledge of Allegiance.

PUBLIC COMMENTS: The following people spoke against Comprehensive Plan (CP) amendments M-2 and M-2A: Nicholas Garaas, Barbara McMichael, and Stan Tombs.

Vicki Lockwood clarified that the Council never rezoned the property the Firs Mobile Home Park sits on. She also commented on the Port of Seattle (POS) Interlocal Agreement (ILA), encouraging everyone to celebrate the agreements that the City and POS have come to.

Wendy Salinas, Crystal Sanchez, Nancy Sangura, and Elisha Velazquez spoke regarding Firs Mobile Home Park and presented signatures requesting assistance from the City.

Earl Gipson spoke about the growth in the City.

Sidd Jha spoke in favor of his CP amendment (M-2).

Debra Myers, SeaTac resident and Madrona Elementary School employee, spoke against the City opening the road at South 203rd Street. She also spoke about the Firs Mobile Home Park stating the change will affect the local schools.

PRESENTATIONS:

Quarterly Public Safety Statistics

Deputy Fire Chief Wiwel provided statistics for 2017 third quarter versus 2016 third quarter, and 2017 total for the following:

- top 10 call types in SeaTac, EMS calls still trend at the top. Total call volume is up about 6%,
- response by station – Station 45 continues to be the busiest station
- CARES Response for each station – up over last year
- Fire prevention – increase over last year

Deputy Chief Wiwel briefed Council on a few noteworthy items:

- Fire Marshal Napier received his Chief Fire Officer (CFO) from the Center for Public Safety Excellence
- Off-duty Captain Kent Knight helped save a life
- SeaTac House Fire on November 2, 2017
- 4-Alarm SeaTac apartment Fire on September 15, 2017
- Fire Station 47 was relocated to Fire Station 46 on October 16, 2017
- Thanks to a Department of Ecology (DOE) grant, firefighters in South King County (SKC) now have two foam trailers that carry alcohol resistant foam

He also reviewed ways the Puget Sound Fire and Firefighters Foundation are working in the community.

PRESENTATIONS (continued):

Key City Issues and Requests for Direction

City Manager Scorcio commented on the following items:

- (1) City Hall remodel will be completed within next couple of weeks, reception is now on the 3rd floor, Riverton Room is significantly larger, signage will be completed after the remodel is completed
- (2) Click 'n Request – new platform, See Click Fix, detailed briefing scheduled for a future Council meeting. New platform works better, more functionality, being used now in test mode.
- (3) Municipal Court Judicial appointment - interviews next week for top three applicants, confirm scheduled for December 12, 2017 Regular Council Meeting (RCM)
- (4) Online survey regarding characteristics and values for next City Manager, results will be provided at the December 7, 2017 Administration & Finance (A&F) Committee meeting and the results will be posted to the website
- (5) December 11 – 2 p.m., Angle Lake Park, opening of new nature trail
- (6) Economic Development Strategist Aleksandr Yeremeyev – while doing business outreach, worked with SeaTac Senior PW Inspector Cary Kennedy and Tukwila staff to get “Open during construction” signs for businesses being affected by a Tukwila project,
- (7) Requested the use of Connected Vehicle Technology in City ROW be referred to Transportation & Public Works (T&PW) Committee. Council concurred.
- (8) Requested Seattle City Light Franchise Agreement, financial discussion regarding rate changes, be referred to the A&F Committee. Council concurred.
- (9) Requested Passport Services be once again referred to the A&F Committee. Council concurred.
- (10) December 17 – 3 p.m., Special A&F Committee Meeting, 4:30 p.m., Special Public Safety & Justice (PS&J) Committee Meeting, and 5 p.m., annual Tree Lighting and festivities. All of these will be held at the SeaTac Community Center.

Council Requests to Refer Items to Committees

DM Fernald requested a rental inspection process be referred to the Code Compliance Committee (CCC). Council concurred.

CONSENT AGENDA:

Approval of claims vouchers (check no. 119507- 119680) in the amount of \$2,320,291.12 for the period ended November 20, 2017.

Approval of payroll vouchers (check no. 54183- 54205) in the amount of \$93,730.32 for the period ended November 15, 2017.

Approval of payroll electronic fund transfer (check no. 92552- 92685) in the amount of \$322,868.98 for the period ended November 15, 2017.

Approval of payroll wire transfer in the amount of \$51,859.37 for the period ended November 15, 2017.

Approval of Council Meeting Minutes:

Administration & Finance Committee meeting held November 2, 2017

The following items were reviewed at the November 14, 2017 Council Study Session and recommended for placement on this Consent Agenda:

Agenda Bill #4790; An Ordinance #17-1018 amending Section 14.16.028 of the SeaTac Municipal Code related to the definition of Building Footprint.

Agenda Bill #4789; A Resolution #17-018 confirming the appointment by the City Manager of Stephen K. Causseaux, Jr. as the City Hearing Examiner, providing for the appointment of a Hearing Examiner Pro-Tem, and authorizing the City Manager to enter into a contract for Hearing Examiner services.

MOVED BY SITTERLEY, SECONDED BY CAMPBELL TO ACCEPT THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY.

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

ACTION ITEM:

Agenda Bill #4625; An Ordinance #17-1019 authorizing the City's 2018 Property Tax Levy.

Summary: Cities must submit their authorized levy amounts to the King County (KC) Assessor's Office by December 1, 2017 for inclusion in KC's 2018 property tax roll. The KC Assessor's Office is not expected to certify the City's assessed valuation (AV) prior to their December 1, 2017 deadline.

The total estimated allowable statutory levy amount including new construction, estimates of refunds, and increases in utility valuations is \$18,592,697. Under the 101% limit factor, the allowable levy amount is currently anticipated to be \$15,952,325. This year's implicit price deflator (IPD) is 1.553%, which means the City could levy the full 1% increase, as allowed by statute, or bank this capacity for future use without adopting a separate resolution for substantial need. This is the first time in two years the IDP has been above the 1% inflation mark. At the November 14, 2018 meeting, the Council selected to apply a zero percent (0%) increase over the 2017 levy.

The KC Assessor has given the city a preliminary estimate of the City's 2018 assessed value equal to \$5.7 billion, a 6% increase over 2017. This preliminary estimate excludes any increases in utility valuations. Because the actual 2018 levy rate is calculated from the final KC certified AV, the final rate is unknown at this time. However, based on the City proceeding with a 0% increase, it is anticipated that the levy rate will decrease from the \$2.895/\$1,000 AV levied in 2017 to \$2.747/\$1,000 AV for 2018. This decrease in levy rate translates to a \$14.70 decrease in property tax per \$100,000 AV. The actual increase or decrease in property taxes is dependent upon the actual change in a particular property's AV.

This Ordinance authorizes a 2018 property tax levy amount of \$15,806,630 based on a rate of \$2.747/\$1,000 AV and a 0% increase over the 2017 levy. The actual levy amount will be determined when the KC Assessor certifies the City's total AV in December.

This was reviewed by the full Council at the 2017-18 Mid-Biennium Budget Workshop on November 3, 2017 and the November 14, 2017 RCM. The Council conducted the required public hearing (PH) on November 14, 2017.

Finance & Systems Director Pilo stated the Ordinance was revised based on November 14, 2017 RCM direction.

MOVED BY FERNALD, SECONDED BY FORSCHLER TO PASS AGENDA BILL #4625 (ORDINANCE #17-1019).

MOTION CARRIED UNANIMOUSLY.

Agenda Bill #4624; An Ordinance #17-1020 amending the City's 2017-2018 Biennial Budget.

Summary: The City Council adopted the 2017-2018 Biennial Budget in November, 2016. State law requires cities with biennial budgets to conduct a mid-biennial budget review. Budget modification requests were presented to the A&F Committee in October and to the City Council at the November 3, 2017 Budget Workshop. At that time, 26 decision cards were reviewed and direction was provided to incorporate 23 of these decision cards in the Ordinance.

The City was notified on November 20, 2017, the COPS Grant partially funding two officers was not approved. The expenditure and corresponding revenue has been removed from the Budget Amendment. The City Council provided direction to staff to set the property tax levy at a 0% increase over what was levied in 2017. Other direction provided included removing the revenue and expenses for the Automated Traffic Enforcement contract.

These changes result in a \$522,000 increase in the budgeted 2018 ending fund balance from the previous amendment. This Ordinance incorporates the direction provided by Council. A required PH was held on November 14, 2017.

Finance & Systems Director Pilo reviewed agenda bill summary, overview and outcomes from Budget Workshop, Revenue Summary (increase \$998,136), Expenditure Summary (increase \$2,020,984),

Mr. Scorcio reviewed additional potential reductions for a total additional reduction of \$250,026.

ACTION ITEMS (continued):

Agenda Bill #4624; Ordinance #17-1020 (continued): Council discussion ensued regarding the budget reductions, and the loss of the COPS Grant.

MOVED BY CAMPBELL, SECONDED BY FERNALD TO PASS AGENDA BILL #4624.

MOTION CARRIED UNANIMOUSLY.

COUNCIL GAVE UNANIMOUS CONSENT TO UNDO THE PREVIOUS ACTION.

MOVED BY ANDERSON, SECONDED BY FERNALD TO PASS AGENDA BILL #4624 (ORDINANCE #17-1020), WITH THE INCLUSION OF THE ADDITIONAL BUDGET REDUCTIONS.

MOTION CARRIED UNANIMOUSLY.

PRESENTATION - continued from 11/28/17 Council Study Session (CSS):

Agenda Bill #4642; A Resolution authorizing the City Manager to execute an Interlocal Agreement (ILA) between the City of SeaTac and the Port of Seattle (POS).

Summary: The City and the Port began negotiating this ILA in June, 2016 under the overall guidance of the JAC. Individuals from the City and Port staff were assigned to work on the following chapters: Master Document, including the Preamble and General Provisions, Land Use and Development Standards, Transportation, Permitting and Inspections, Environmental Regulations, and Public Safety and General Services. Most of these work groups met on a weekly basis, or more often, if necessary. Work groups for the City and the Port also met collectively on numerous occasions.

JAC: The JAC is comprised of three elected officials from the City and two elected officials from the Port. The JAC members are Mayor Michael Siefkes (City), Deputy Mayor Pam Fernald (City), Councilmember Peter Kwon (City), Commissioner John Creighton (Port), and Commissioner Courtney Gregoire (Port).

Between June 2016 and November 2017, the JAC met on multiple occasions to review and give input on specific issues contained in the draft ILA as it progressed. The JAC has fully reviewed the ILA, recommended the proposed Agreement, and forwarded it to the full Council and Commission for action.

Third Party Review

The City engaged two firms to provide independent third party review: Steve Taber, an attorney with Leech, Tishman, Fuscaldo, and Lampl reviewed the ILA with respect to the FAA's authority, aviation statutes and regulations, and FAA policy; Don Cohen and Margaret Archer, attorneys with Gordon Thomas Honeywell, reviewed the ILA for general municipal (Port and City) authorities.

Public Process:

On November 9, 2017, a media release along with the draft ILA went out to the public.

On November 14, 2017, brief presentations on the ILA were made at the City CSS and at the Port Commission meetings.

On November 16, 2017, an open house hosted by both the City and the Port was held at the SeaTac Community Center to provide another opportunity for the public to understand the proposed Agreement and to ask any questions. Public comments and questions received by the Port and the City have been jointly responded to and included in the FAQ page as appropriate.

On November 20, 2017 the Airport Advisory Committee reviewed the proposed ILA Agreement.

On November 28, the ILA is being presented in detail to the full City Council at the CSS and at the Port Commission meeting.

PRESENTATION (continued):

Agenda Bill #4642 (continued):

Agreement:

The following highlights some of the main points in the proposed Agreement:

Chapter 1. Preamble: Introductory statements outlining background information and references to various legal authorities applicable to both Parties.

Chapter 2. Agreement/General Provisions:

Term: Binding agreement for a term of 10 years. In the 5th year, staff for each party shall make a recommendation to the JAC to complete the term without renegotiating or to reopen negotiations immediately. The JAC will then make a recommendation to the Council and Commission, respectively. Either party may give notice of their intent to withdraw and terminate the Agreement with two years' notice.

Amendment Process: A minor amendment may be accomplished by a Letter of Agreement between the Airport Managing Director and the City Manager and forwarded to the JAC. All major amendments will be reviewed and recommended by JAC and forwarded to the City Council and Port Commission for formal action.

Dispute Resolution: When a dispute arises, staff for each party shall first endeavor to resolve the dispute. If staff is unable to resolve the dispute, then the Airport Managing Director and the City Manager shall attempt to resolve the dispute. If the dispute is still unresolved then the parties may pursue their legal remedies or agree to pursue alternative dispute resolution options.

JAC: Identifies how the JAC shall be comprised, how often they will meet, and the scope of their duties, which specifically includes their primary responsibility to monitor the ILA throughout the duration of the Agreement.

Shared Legislative Strategies: Each party shall share proposed legislative strategies in advance of state and federal legislative sessions in order to consider opportunities for mutual support.

Chapter 3. Land Use and Development Regulations:

Provides a new map referred to as the Airport Activity Area (AAA). This defines Port property that is primarily used for airport operations and also provides clear guidance on when and where the new development standards are applied or when City development standards apply.

A review of this Chapter occurs not less than every two years. If the Port purchases additional property within the City, the Port shall follow the City's standard process to amend the CP and Rezone.

New development standards for properties located outside of the AAA pertaining to setbacks, edges, (airport / non-airport), height, parking, and signage.

A departure process is established for addressing conditions when the development standards cannot be followed due to site constraints, and Addresses aviation hazards and hazardous wildlife attractants.

Chapter 4. Transportation:

Transportation Impact Fees (TIF): The Port shall pay TIF on development outside the AAA boundary and address project specific impacts within the AAA through the SEPA/NEPA process.

Concurrency: For all development projects inside the AAA, Port shall use the SEPA/NEPA process to address transportation concurrency. All other development on Port-owned properties outside AAA shall be subject to transportation concurrency requirement of State law and SeaTac Municipal Code.

Transportation Planning: The Port and the City shall coordinate their transportation planning efforts including maintenance and joint ownership of a travel demand traffic model; collection and sharing of data and relevant information to transportation.

Transportation Projects: The Port and the City shall work cooperatively to pursue funding and/or advocate for transportation and capital projects of joint interest and/or mutual benefit.

PRESENTATION (continued):

Agenda Bill #4642 (continued):

Chapter 4. Transportation (continued):

Roadway Standards, Local Public Access: Addresses coordination and integration; Port shall look for opportunities to reduce the number of current access points to public ROW while maintaining sufficient motorized and non-motorized local public access to and from the airport.

Operational Planning: Addresses coordination of construction traffic control plans, management of traffic for holiday travel and special events, and emergency management.

Chapter 5. Permitting and Inspections:

Formally establishes the Port as the City's agent for building permit authority for airport development and creates a system for sharing permit and inspection data.

Permit Process: The Port shall be required to provide to the City permitting information of all development permitting conducted by the Port. The City shall oversee a Quality Assurance Program of the Port permitting to ensure consistency of building code application across the jurisdiction.

Fees for Service: The Port shall make payments to the City on an annual basis in an amount not less than \$226,600. The annual payment shall be calculated on actual project valuations and number of permits, but never less than the minimum payment. A reassessment of the minimum payment shall occur 5 years after the date of execution of the ILA.

Business Licensing: The Port shall require, notify and verify all businesses operating or providing services on Port property that a valid city business license is required as a condition of conducting business or providing services at the airport. The Port shall perform initial inspections of all licensed entities.

Fire Code Coordination: The City has agreed to allow the Port to actively participate in the application of the fire codes on Port owned property outside of the AAA. The City shall consider incorporating the Port Fire Codes into the SeaTac Municipal Code for application on Port-owned property.

Records Management: The Port will maintain City records related to the provisions of this chapter.

Chapter 6. Environmental Regulations:

State Environment Policy Act (SEPA) responsibility and processes. The Port shall serve as the lead agency inside the AAA boundary; the Port shall serve as the lead agency outside the AAA boundary for airport related uses. The City shall serve as the lead agency for non-airport related uses outside the AAA boundary. The Port shall include the City early in the SEPA process inside the AAA boundary; The City shall serve as the consulted agency on Port property outside the AAA boundary.

Port shall pay an annual Surface Water Management fee of \$1,274,952.87. Mutually agreed upon standards for dealing with landscaping, buffering, aviation hazards, noise impacts, air quality and critical areas.

Chapter 7. Public Safety and General Services:

Public Safety Response Agreements: Includes agreements regarding mutual aid and closer collaboration, Police and Fire emergency planning and operations, 911 Calls for Police Services.

Permit parking: The Port shall release to the City its interest in the remaining amount in the joint parking tax fund (\$3,756,870.00). The City's stated intent is to use these funds to support the initiation, implementation and ongoing operation of the Permit Parking Program and related transportation improvements.

Community Relief: The Port shall contribute \$1.4 million annually to the City's general fund for community relief with respect to public safety, including police, enforcement of traffic and parking regulations and general enforcement of City codes for impacts associated with airport operations or businesses directly serving airport passengers. In the event the City commences litigation against the Port without first utilizing the Dispute Resolution process, then the Port may suspend, but not forfeit, the Community Relief Payment until the issue has been resolved.

PRESENTATION (continued):

Agenda Bill #4642 (continued):

Over the life of the 10 year Agreement, the City shall receive not less than the following:

SWM fees:	\$12,749,528.70
Community Relief:	14,000,000.00
Fees for Service (Permitting and Quality Assurance):	2,266,000.00
TOTAL:	\$29,015,528.70

The Port shall also release to the City its interest in \$3,756,870.00 from the joint parking tax fund.

The JAC review and recommendation process has been addressed above.

Mr. Scorcio continued the presentation on proposed ILA, beginning with Chapter 5 with Council discussion on each Chapter and the monetary impact to the City.

POS final hearing is scheduled for December 12, 2017.

The new effective date would be February 17, 2018.

Council discussion ensued regarding when to vote on this item.

CMs Elect Clyde Hill and Joel Wachtel stated their support of this item and the current Council moving forward with the vote in 2017.

Per direction at the November 28 CSS, this item will be an Action Item at the December 12 RCM.

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

UNFINISHED BUSINESS: There was no Unfinished Business.

NEW BUSINESS:

CM Sitterley requested Council consider a salary and COLA adjustment and additional management days in 2018.

Council concurred to refer this item to the December 12, 2017 CSS.

CITY MANAGER'S COMMENTS: City Manager Scorcio commented on the following calendar items: SCA Annual meeting, Chamber meeting, Elected Officials Training, Angle Lake Park ribbon cutting, and tree lighting.

COMMITTEE UPDATES: CMs provided the following updates:

CM Campbell – as a member of the SCORE Jail and the WRIA 9 Committees, she asked for those committees to provide an overview of what the two groups do, to provide the new CM that takes over the positions.

CM Forschler – cancelled LUP and H/M meetings in November. Next H/M meeting is December 13. LUP may have a special meeting before December 12 Council meetings.

CM Kwon – South County Area Transportation Board (SCATBd) is developing a legislative agenda

CM Sitterley – Special A&F meeting December 7 at the SeaTac Community Center.

DM Fernald – Special PS&J meeting December 7 at the SeaTac Community Center.

Mayor Siefkes – Airport Advisory Committee meeting regarding POS ILA. He encouraged Council to have the committees take a break while the City Council is on break.

COUNCIL COMMENTS: CM Campbell thanked community members who voted.

CM Forschler commented on the ILA stating his concern regarding permitting.

CM Kwon stated he attended the National League of Cities (NLC) Conference and is preparing a trip report.

CM Sitterley commented when considering future items like the CP, private property rights should be considered.

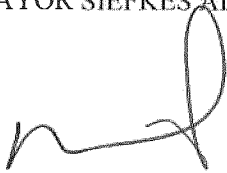
CM Anderson thanked CM Kwon for attending the NLC. He also commented on the Holiday of Hope event scheduled for December 1 at 7:30 p.m.

DM Fernald thanked voters for voting.

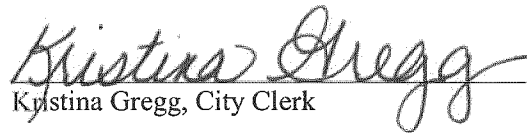
Mayor Siefkes stated his appreciation for all of the CMs and for Mr. Scorcio for stepping in as City Manager. He stated the next Council meeting (December 12, 2017) is the last one of the year. The outgoing CMs will be celebrated.

ADJOURNED:

MAYOR SIEFKES ADJOURNED THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 9:39 P.M.



Michael J. Siefkes, Mayor



Kristina Gregg, City Clerk