

# City of SeaTac

## Council Study Session Minutes Synopsis

March 8, 2016  
4:30PM

City Hall  
Council Chambers

**CALL TO ORDER:** The SeaTac City Council Study Session (CSS) was called to order by Mayor Rick Forschler at 4:29 p.m.

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

**STAFF PRESENT:** Interim City Manager (ICM) Donny Payne, City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, Senior Assistant City Attorney Mark Johnsen, Community & Economic Development (CED) Director Joe Scorcio, Planning Manager Steve Pilcher, Economic Development (ED) Manager Jeff Robinson, Public Works Director Will Appleton, Finance & Systems Director Aaron Antin, and Police Chief Lisa Mulligan.

**PUBLIC COMMENTS (related to the agenda items listed below):** There were no public comments.

### AGENDA BILLS:

#### **Agenda Bill #4265; A Resolution amending Council Policies and Procedures**

**Summary:** Currently the City Council Administrative Procedures provide that the CSS starts at 4:30 p.m. and the Regular Council Meeting (RCM) starts at 6:30 p.m., on the second and fourth Tuesdays of the month. This Resolution changes the start time of the CSS to 5:30 p.m. and the RCM to 7:00 p.m. The dates of the meetings will remain the same.

This item was discussed at the February 23, 2016 RCM, and it was requested that staff prepare the Resolution. Due to the administrative nature of this Resolution, the Council could refer this matter to the Consent Agenda at the March 8 RCM, if the Council wanted the change in start times to be effective beginning with the March 22, 2016 meetings.

City Attorney Mirante Bartolo reviewed the agenda bill summary.

CM Sitterley stated she suggested this change because while campaigning she heard the residents wished the meetings started later and lasted not as long. Council Committees should lessen the length of CSSs.

Discussion ensued regarding the change.

**Council consensus:** Refer to the 03/08/16 RCM Action Item

#### **Agenda Bill #4266; An Ordinance adding a new Chapter 2.90 to the SeaTac Municipal Code (SMC) related to Ethics of Elected City Officials.**

**Summary:** The Council has requested that an Ordinance adopting an Ethics Code be presented to the Council for consideration. The Legal Department has reviewed numerous ethics codes for other jurisdictions, and it is suggested that the City Council first take action on adopting an ethics code for elected officials. Once an ethics code for elected officials is adopted, the Legal Department can address ethics codes for committee members (such as the Planning Commission and Citizen Advisory Committees) and employees.

The draft Ordinance addresses three main areas--the purpose, definitions, and prohibited conduct. The Legal Department requests that the Council review the proposed language in these three areas and make any suggestions that can be incorporated in a final draft.

In addition to the three areas listed above, the Legal Department needs input from the Council about how complaints should be addressed. After looking at various municipal codes, there is no consensus on how complaints are addressed. Some cities have an Ethics Board to investigate and resolve complaints. Some cities utilize an attorney to serve as an ethics officer. And, some cities use a hybrid approach. While the final decision is left to the Council, the Legal Department provides the following guidance for the Council's consideration.

**AGENDA BILLS (continued):**

**Agenda Bill #4266 (continued):** Ethics Board. The Board could be made up of any number of people, including City staff and citizens. The Board could be tasked with the investigation, addressing penalties, or both. The main advantage of this approach is a wide variety of individuals involved in the process. The main disadvantages are that it may become political, and it may be difficult for a group to come to a consensus. This could also add additional layers to the process.

Ethics Officer. The Ethics Officer could be someone hired from outside the City, or a City employee. Generally, the ethics officer is an attorney. Similar to an Ethics Board, the Ethics Officer could be responsible for investigation of complaints, addressing penalties, or both. The Ethics Officer could also have the responsibility to address ethics concerns raised in the City and provide advice to officials and staff. The advantage of this approach is having one main point of contact for Ethics related issues. If the Ethics Officer is an employee, the City would also not have to pay someone to perform these duties. The disadvantage of this option is that you would not have citizen involvement.

Hybrid Approach. The hybrid approach could utilize a combination of an Ethics Board and an Ethics Officer. There are many variations of this model that could be utilized depending on the desires of the Council.

The Legal Department requests that the City Council consider the different options and provide feedback. It is the intent to collect this feedback at the March 22, 2016 CSS. After feedback has been received, the Legal Department will prepare a final draft of an Ethics Code for Council consideration at the April 12, 2016 CSS, unless the City Council has a different timeline.

City Attorney Mirante Bartolo reviewed the draft document with some blanks for input from the City Council as well as the agenda bill summary.

Ms. Mirante Bartolo stated that staff needs input on how the complaints should be addressed.

Discussion ensued regarding: State law - This Ordinance goes beyond state law regarding conflict of interest; Certain Private Employment Prohibited – remove private, Ethics Officer – City Attorney or Hearing Examiner; ethics code for staff and advisory committees; penalties - civil penalty \$1,000, frivolous complaints section - include that complaint should be made under penalty of perjury.

**Council consensus:** Refer to the 03/22/16 CSS

**PRESENTATIONS - INFORMATION ONLY:**

**Open Public Meetings Act (OPMA).**

City Clerk Gregg presented an OPMA training video. City Attorney Mirante Bartolo responded to Council concerns related to email OPMA violations.

**PRESENTATIONS - COUNCIL DIRECTION:**

**The King County (KC) Assessor's Assessment and Appraisal Process**

KC Assessor's Office Communications and External Relations Director Bailey Stober introduced KC Assessor's Office Accounting Division Director Iris Hoffner.

Ms. Hoffner reviewed the KC appraisal process, residential exemption programs, Commercial exemption program, Levy Codes, Levy / certification process, Budget/Rate Calculation (\$5.90 check / 1% check).

Mr. Stober stated the countywide tax increase for KC was 9.35%. Seattle taxes went up by 15% by voter approved levies.

He also commented on the senior exemption program, over age 61 with household income of \$40,000 or less.

Discussion ensued regarding how seniors are notified of the exemption program, levy codes, deferral program versus exemption program, and whether it is feasible for property value to increase but tax decrease.

**ADJOURNED:** Mayor Forschler adjourned the CSS at 6:22 p.m.