

City of SeaTac

Council Study Session Minutes Synopsis

March 22, 2016
5:30PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Study Session (CSS) was called to order by Mayor Rick Forschler at 5:32 p.m.

COUNCIL PRESENT: Mayor Rick Forschler, Deputy Mayor (DM) Michael J. Siefkes, Councilmembers (CMs) Kathryn Campbell, Peter Kwon (*arrived at 5:35 p.m.*), Tony Anderson, Pam Fernald, and Erin Sitterley.

STAFF PRESENT: Acting City Manager/Finance & Systems Director Aaron Antin, Senior Assistant City Attorney Mark Johnsen, City Clerk Kristina Gregg, City Attorney Mary Mirante Bartolo, Community & Economic Development (CED) Director Joe Scorcio, Planning Manager Steve Pilcher, Economic Development (ED) Manager Jeff Robinson, Senior Planner Mike Scarey, Public Works Director Will Appleton, City Engineer Florendo Cabudol, Municipal Court Administrator Gail Cannon, and Police Chief Lisa Mulligan.

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

AGENDA BILLS:

Agenda Bill #4229; An Ordinance granting Astound Broadband, LLC an non-exclusive franchise to operate a fiber optic cable network in the City.

Summary: On December 4, 2015, the City received a formal application for a franchise from Astound Broadband, LLC ("Astound"). Astound is a Washington limited liability company and a wholly-owned subsidiary of WaveDivision Holdings, LLC, a Delaware limited liability company ("Wave"). Wave is headquartered in Kirkland, Washington, and through its operating subsidiaries, provides cable television, high-speed data, and VoIP telephone services to over 415,500 customers in Oregon, Washington, and California. Astound holds a Competitive Telecommunications Company Registration Certificate from the Utility and Transportation Commission of Washington, as well as Domestic and International Section 214 authorizations from the Federal Communications Commission.

The new network will initially serve existing cell towers in the area, and then grow organically to serve major employers, schools, government buildings, health care facilities, and bandwidth intensive businesses. Proposed services include telecommunications, private line, and Internet access.

The City is not able to charge a franchise fee pursuant to federal law, as this is a telecommunications provider. However, the franchise outlines the conditions for relocation of their facilities and when Astound is responsible for relocation costs. Astound is responsible for payment of an application fee and all generally applicable fees for the requisite City construction permits in compliance with the City's fee schedule.

City Engineer Cabudol reviewed the agenda bill summary.

CM Kwon arrived at this point in the meeting.

Mr. Cabudol presented addendums to proposed Ordinance.

Council discussion ensued regarding the franchise language.

In response to a question regarding the potential for fiber optic cabling for residents, Fred Miller with Astound Broadband stated this franchise allows Astound to serve commercial businesses. If Astound wants to serve residents, Astound would need to reapply.

Council consensus: Refer to the 04/12/16 RCM Consent Agenda

PRESENTATIONS - INFORMATION ONLY:

Overview of draft amendments to SeaTac Municipal Code (SMC) Title 15 pertaining to environmental regulations

Senior Planner Scarey stated this presentation is information only and is the first of two briefings. The second briefing is scheduled for the April 12 CSS.

The CP was adopted June 23, 2015. The CP must be implemented by development regulations. Some development regulations are required to be updated with a deadline of June 30, 2016.

Mr. Scarey summarized the proposed amendments: updates to existing definitions, adding definitions for terms used but not defined, updates to wetland buffers per Department of Ecology, updates to wetland mitigation requirements, and updates to aquifer protection standards per DOE guidance.

All of the amendments have been reviewed by the Planning Commission (PC).

Schedule: CSS - March 22, April 12, May 10, and May 24, PC Public Hearing (PH) – May 5, and Regular Council Meeting (RCM) June 14

Discussion ensued regarding the definition of streams and wetlands at the state level.

Code Compliance Statistics

CED Director Scorcio provided a code compliance update on a few code compliance issues: no parking signs and barricades have been placed temporarily on South 173rd Street in front of an abandoned home, responding with Kent Regional Fire Authority (RFA) to an outdoor burning complaint, and April 23 – spring recycling collection event at Tyee Educational Complex.

Planning Manager Pilcher stated that one of the Code Compliance Program Coordinators is out due to a non-work related injury. Also, a part-time administrative assistant position is currently filled by a temp agency. The position needs to be filled.

He reviewed 2015 Total and 2016 YTD Code Compliance Activities. 92% of violations are being closed out as confirmed code compliance cases.

Mr. Pilcher reviewed the code compliance dashboard/performance measures stating that the resolution time increased in January due to a staff shortage. On average, staff is meeting the target to respond to a complaint within three days.

Council provided input into ways to make the statistics more meaningful.

RECESSED: Mayor Forschler recessed the meeting to an Executive Session to review the performance of a public employee at 6:20 p.m.

EXECUTIVE SESSION: To review the performance of a public employee RCW 42.30.110(1)(g) (20 minutes)

City Clerk Gregg announced Council requested an additional 15 minutes and an additional 2 minutes.

RECONVENED: Mayor Forschler reconvened the meeting at 6:55 p.m.

ADJOURNED: Mayor Forschler adjourned the Council Study Session at 6:55 p.m.