

City of SeaTac

Regular Council Meeting Minutes

July 13, 2010
6:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Terry Anderson at 6:11 p.m.

COUNCIL PRESENT: Mayor Terry Anderson, Deputy Mayor (DM) Gene Fisher (*participated by phone from 7:20 p.m. to 7:38 p.m.*), Councilmembers (CMs) Rick Forschler, Anthony (Tony) Anderson (*participated by phone from 6:23 p.m. to 7:38 p.m.*), Ralph Shape, Pam Fernald, and Mia Gregerson.

STAFF PRESENT: Interim City Manager (ICM) Todd Cutts, City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, Interim Assistant City Manager (IACM) Jeff Robinson, Human Resources (HR) Director Anh Hoang, Human Services (HS) Manager Colleen Brandt-Schluter, Assistant City Attorney Julia Yoon, Planning Director Steve Butler, Senior Planner Mike Scarey, Acting Fire Chief Brian Wiwel, and Police Chief Jim Graddon.

FLAG SALUTE: HR Director Anh Hoang led the Council, audience and staff in the Pledge of Allegiance.

PUBLIC COMMENTS: Joe Tice, Tukwila Pantry Director, invited everyone to attend the August 6 Happy Hour Event at Tukwila City Hall from 5 – 7 p.m.

Roger McCracken stated his support of the 2010 Comprehensive Plan (CP) Map Amendment #A-3.

Sheryl Lamb, III Marks Apartment owner commented on the following: (1) Monte Carlo adjacent to apartments, filed noise complaints against the club; and (2) had 10 break-ins since January 1, 2010. She questioned what can be done and whether it is up to them to take care of the issues.

CMA. Anderson participated by phone at this point in the meeting.

Lonnie Goulet, on behalf of the Angle Lake Shore Club, stated the 4th of July fireworks show was fantastic. He thanked the Council for supporting the funding of the show.

PRESENTATIONS:

●Campfire USA Proclamation

Mayor T. Anderson read and presented the proclamation to Group and Older Youth Programs Director Mary Olsen.

Ms. Olsen thanked Council for the proclamation. The youth needs to be involved in purposeful and safe activities. Camp Fire's mission is to build caring, confident youth and future leaders.

●Dynamic Family Services / Children's Therapy Center (CTC)

Communications Manager Jennifer O'Neal stated that Dynamic Family Services is a HS organization that is funded by SeaTac. Dynamic Family Services is a collaboration of organizations dedicated to providing services for children with special needs. She explained the services provided to the community including CTC, South King Early Intervention Program (SKIP), and Dynamic Orthotics Systems (DOS).

The funding received from SeaTac provides service directly to the children by paying the salaries for therapists.

●Review of Council Resolution #07-016 regarding process for evaluation of the City Manager

HR Director Hoang stated that she is seeking Council direction regarding the City Manager's performance review process. The City Manager serves at the pleasure of the Council. In 2007, Council passed Resolution #07-016 which established an ongoing evaluation process that offers an opportunity for each party (Council and City Manager) to review the performance of the City Manager. Staff is requesting direction relating to the application of this Resolution to the current ICM as the ICM approaches the one year anniversary of his appointment to ensure the process is administered in a timely manner.

In December 2009, Council approved the revision of the Assistant City Manager's (ACM's) employment contract to provide for his serving in the capacity of the Acting City Manager while the City Council considered when and how to fill the City Manager vacancy. This appointment was made retroactive to October 23, 2009. On February 5, 2010, Council took action to place the ACM in the ICM position, providing him with all the authority and responsibilities of the City Manager. In doing so, the City Council directed staff not to conduct a recruitment process for the vacant City Manager position in 2010. Resolution #07-016 states that the evaluation process shall occur each year within 60 days of the City Manager's contract anniversary date. However, the City Council may require an additional evaluation at any time during the year. In addition, the Resolution states the City Manager

PRESENTATIONS (Continued):

Review of Council Resolution #07-016 regarding process for evaluation of the City Manager (Continued): shall complete the City Manager’s evaluation form approximately one month before the evaluation is scheduled. In essence, if an evaluation process is to be conducted within 60 days of the City Manager’s contract anniversary date, per the Resolution, the process needs to start immediately.

At this time, staff is requesting direction from Council with regard to the following:

1. What does Council consider to be the ICM’s contract anniversary date? October 23, 2009 when he became Acting City Manager or February 5, 2010 when he became ICM.

Council consensus was to use the February 5, 2010 date.

2. Does the City Council want to maintain the current Resolution #07-016, including the evaluation process and the evaluation form? A. Yes or B. No. If yes, the evaluation process will begin immediately. If no, staff needs direction from Council to amend the Resolution for future Council action.

CM Fernald stated that the Administration & Finance (A&F) Committee reviewed this issue and consensus was choice B and Mayor T. Anderson appointed CMs Shape, Gregerson and she to a committee to review the forms. Ms. Hoang will coordinate with the committee.

Council consensus was option B - to revisit the process with three members on an ad hoc committee.

DISCUSSION ITEM:

•Summary of \$5,000 - \$35,000 Purchase Requests for the period ended July 9, 2010

ICM Cutts reviewed the requests:

<u>Item Description</u>	<u>Department</u>	<u>Original Budget</u>	<u>Amended Budget</u>	<u>Estimate</u>
Highline Historical Society (HHS) 2010 Program Support	Non-Departmental	\$5,000	\$5,000	\$5,000
On-Call Structural Engineering Review	Public Works (PW)	\$30,000	\$30,000	\$30,000

Mayor T. Anderson stated that she would be recusing herself from voting on the HHS item.

MOVED BY GREGERSON, SECONDED BY FORSCHLER TO SUSPEND THE RULES TO BRING FORWARD COUNCIL ACTION ON THE \$5,000 - \$35,000 PURCHASE REQUESTS.

MOTION CARRIED UNANIMOUSLY.

MOVED BY SHAPE, SECONDED BY GREGERSON TO APPROVE \$5,000 FOR HIGHLINE HISTORICAL SOCIETY 2010 PROGRAM SUPPORT.

MOTION CARRIED WITH MAYOR T. ANDERSON ABSTAINING.

MOVED BY SHAPE, SECONDED BY GREGERSON TO APPROVE \$30,000 FOR ON-CALL STRUCTURAL ENGINEERING REVIEW.

MOTION CARRIED UNANIMOUSLY.

AGENDA BILL PRESENTATIONS:

Agenda Bill #3203 – A Resolution establishing a gender equity policy for community athletics programs for the City of SeaTac and third party organizations using City park facilities

Summary: In 2009, the Washington State Legislature passed a law prohibiting any city from discriminating against any person on the basis of sex/gender in the operation, conduct, or administration of community athletics programs for youth or adults. Specifically, it is the intent of the law to expand and support equal participation in community athletic programs, and provide all sports programs equal access to facilities administered by cities. This law requires a city to adopt, publish and disseminate a nondiscrimination policy (also referred to as a “Gender Equity” policy) if it operates, conducts or administers community athletic programs. At a minimum, the law requires the city to publish this policy on the city’s website and in any publication that includes information about the city’s own athletics programs, or about obtaining a permit for operating athletics programs.

The City owns and operates public recreational facilities and may from time to time seek to administer community athletic programs for youth and/or adults. Therefore, the City is required to establish this policy.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3203 (Continued): City Attorney Mirante Bartolo reviewed the agenda bill summary.

Council consensus: Referred to the 07/13/10 Regular Council Meeting (RCM) Consent Agenda

Agenda Bill #3227 – A Motion establishing the Final Docket of 2010 Comprehensive Plan (CP) Amendments

Summary: The City of SeaTac procedures for amending the CP provide for consideration of proposed amendments for the 2010 calendar year in two stages: (1) the Preliminary Docket, and (2) the Final Docket.

The first stage, the Preliminary Docket, requires that all proposed amendments be evaluated according to the following criteria:

1. The proposal is consistent with requirements of the Growth Management Act (GMA) and Countywide Planning Policies (CPP);
2. The proposal was not proposed in either of the previous two calendar years unless:
 - a. Conditions have changed substantially in the immediate areas, or
 - b. The proposal was eliminated in the previous year due to incomplete information, or was withdrawn by the applicant prior to final Council action; and
3. Is not in conflict with an adopted CP Policy; is not redundant with, or duplicative of, an adopted CP Policy; or is not clearly out of character with the goals of the adopted CP.

In addition to the above criteria, proposed map changes are evaluated against the following additional criteria:

1. The proposal is or can be adequately served by sewer, water and roads; and
2. The site affected is physically suited for anticipated development, and
3. The proposal will not create pressure to change the designations of other properties unless in the interest of the neighborhood, city and region.

The Preliminary Docket is made up of all proposals submitted by the established deadline or added by the City Council and/or staff. The Final Docket is made up of all proposals that meet the Preliminary Docket criteria, and are deemed appropriate by the City Council to go forward for detailed review, including analysis under State Environmental Policy Act (SEPA) and a Public Hearing (PH). The Preliminary Docket Staff Report lists each amendment proposal, and includes an assessment of how each proposal does or does not satisfy the Preliminary Docket criteria. The Council action requested under this Agenda Bill establishes the Final Docket, but it is not a vote on adoption of any of the proposed amendments. The Council will take that action this fall, after further review by the Planning Commission (PC) and Land Use & Parks (LUP) Committee, other public meetings to solicit input from property owners and the general public, public noticing procedures, and a PH.

Please note that one proposal that is included in the Preliminary Docket had not been submitted by the established deadline. Instead, the PC asked if Map Amendment #A-2 should be expanded to include a large parcel located adjacent, and to the west side of the Map Amendment #A-2 parcels. The PC requested that staff contact the property owner to determine that party's interest in such a proposal. That property owner originally expressed interest in applying for the same land use designation change as Map Amendment #A-2. It should be noted that the adopted CP Amendment Procedures allow the City Council or the Planning Department to accept a proposal after the deadline if it is determined that good cause exists for an exception. The Preliminary Docket includes this additional proposal as Map Amendment #A-5. However, after discussion with City staff and further consideration, the property owner requested that the proposal be withdrawn from the 2010 docket, although she did express interest in submitting a proposal in a future year.

Planning Director Butler reviewed the agenda bill summary.

Senior Planner Scarey and Mr. Butler reviewed the proposed amendments.

Mr. Butler stated that the PC and staff concur with the recommendations to forward all proposed amendments to the final docket except Text amendments 1 and 14.

Upon a question posed by CM Fernald, PC Member Roxie Chapin stated her agreement with the comments made tonight.

Council consensus: Referred to the 07/13/10 RCM Consent Agenda

CONSENT AGENDA:

- **Approval of claims vouchers** (check nos. 90117 – 90357) in the amount of \$897,461.09 for the period ended July 2, 2010.
- **Approval of payroll vouchers** (check nos. 48853 – 48899) in the amount of \$459,186.91 for the period ended June 30, 2010.
- **Approval of payroll electronic fund transfers** (check nos. 64605 - 64788) in the amount of \$338,433.32 for the period ended June 30, 2010.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$63,718.66 for the period ended June 30, 2010.

Approval of Council Meeting Minutes:

- **Land Use and Parks Committee Meeting** held June 21, 2010.
- **Land Use and Parks Committee Meeting** held June 22, 2010.
- **Transportation and Public Works Committee Meeting** held June 22, 2010.

Agenda Items reviewed under Agenda Bill Presentations recommended for placement on this Consent Agenda:

Agenda Bill #3203; Resolution #10-012 establishing a gender equity policy for community athletics programs for the City of SeaTac and third party organizations using City park facilities

Agenda Bill #3227; Motion establishing the Final Docket of 2010 Comprehensive Plan Amendments

MOVED BY GREGERSON, SECONDED BY SHAPE TO ACCEPT THE CONSENT AGENDA AS PRESENTED.*

PUBLIC COMMENTS (related to the Consent Agenda): There were no public comments.

*MOTION CARRIED UNANIMOUSLY.

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

UNFINISHED BUSINESS: There was no Unfinished Business.

RECESSED: Mayor T. Anderson recessed the RCM at 7:15 p.m. for 5 minutes.

RECONVENED: Mayor T. Anderson reconvened the meeting at 7:20 p.m.

DM Fisher participated by phone at this point in the meeting.

NEW BUSINESS:

(The Agenda Bill number was assigned for tracking purposes only. No Agenda Bill was created.)

Agenda Bill #3247; Resolution calling for a special election on November 2, 2010, to place before the qualified electors of the City the proposition of whether the City's present Council-Manager plan of government should be abandoned and the Mayor-Council plan of government be adopted; and submitting this call to the King County Department of Elections for a formal order calling for a special election to be held in conjunction with the November 2, 2010 General Election.

CM Forschler presented a Resolution calling for a special election and read it into the record.

MOVED BY FORSCHLER, SECONDED BY FERNALD TO PASS AGENDA BILL #3247.*

Upon a question posed by CM Gregerson, City Clerk Gregg stated that a November 2, 2010 Special Election would cost approximately \$30,000, which is not currently budgeted.

CM A. Anderson, CM Shape, CM Gregerson and Mayor T. Anderson stated that they do not support this Resolution.

DM Fisher and CM Fernald stated their support of this item.

*CM Fernald requested this item be postponed to the August 10, 2010 RCM.

DM Fisher and CM A. Anderson discontinued their participation at this point of the meeting.

CITY MANAGER'S COMMENTS: ICM Cutts commented on the following: (1) July 16 and 23 – 7 p.m., Theatre in the Park at Angle Lake Park; (2) July 18 – 5 p.m., Stage Cover Ribbon Cutting at Angle Lake Park; (3) July 21 – 6 p.m., Riverton Heights Public Engagement Steering Group at the SeaTac Community Center; (4) July 25 – 5 p.m., Music in the Park at Angle Lake Park; (5) July 26 – Special LUP Committee meeting; and (6) Monte Carlo establishment – staff is looking into the issues mentioned tonight during public comments.

COUNCIL COMMENTS: CM Forschler commented on the following: (1) reiterated his request to move public comments related to the consent agenda forward on the agenda. City Attorney Mirante Bartolo stated that Mayor T. Anderson and DM Fisher have also requested potential changes to the Council procedures, so staff is working to bring all of the changes to a future A&F meeting; (2) ombudsman – suggested the KC Ombudsman's office give a presentation to Council as to what an ombudsman does; and (3) Monte Carlo – stated he is in favor of putting pressure on the owner so it doesn't impact the neighboring community.

CM Gregerson commented on the following: (1) August 3 – 5 – 8 p.m., SeaTac Parent Teacher Student Association (PTSA) is coordinating a National Night Out (NNO) Family event at Valley Ridge Park (VRP); (2) children up to the age of 18 can receive free food at several sites within the City during the summer; (3) 2nd Collaborative Small Group Joint Meeting was held with the City of Tukwila. She mentioned some of the discussion topics; (4) July 28 – 5:30 – 7 p.m., Coffee Chat at Lutheran Family Resource Center; and (5) suggested Bob Drewel with Puget Sound Regional Council (PSRC) be asked to speak to the Council about community engagement in regards to economic strategies.

CM Fernald commented on the following: (1) thanked the PW Department for a crosswalk at South 136th Street and 24th Avenue South; (2) Riverton Heights Steering Group Meeting – citizens are welcome to observe; (3) August 3 – NNO; and (4) August 6 – 5 – 7 p.m., Tukwila Pantry Fundraiser at Tukwila City Hall.

Mayor T. Anderson stated that the 4th of July Fireworks were beautiful.

RECESSED: Mayor T. Anderson recessed the RCM to an Executive Session regarding Property Acquisition at 7:53 p.m. for 30 minutes.

EXECUTIVE SESSION: Property Acquisition (RCW 42.30.110 [1] [b]) (30 minutes)

STAFF PRESENT: ICM Todd Cutts, City Attorney Mary Mirante Bartolo, Senior Assistant City Attorney Mark Johnsen, IACM Jeff Robinson, and Planning Director Steve Butler.

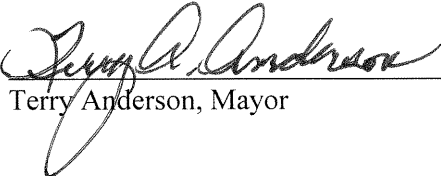
Sr. Assistant City Attorney Johnsen announced that Council requested 15 more minutes at 8:24 p.m. and 5 more minutes at 8:38 p.m.


RECONVENED: Mayor T. Anderson reconvened the Council meeting at 8:44 p.m.

ADJOURNMENT:

MOVED BY T. ANDERSON, SECONDED BY GREGERSON TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 8:45 P.M.

MOTION CARRIED UNANIMOUSLY.


Terry Anderson, Mayor


Kristina Gregg, City Clerk