

# City of SeaTac

## Regular Council Meeting Minutes

May 25, 2010  
6:00 PM

City Hall  
Council Chambers

**CALL TO ORDER:** The SeaTac City Council Regular Meeting was called to order by Mayor T. Anderson at 6:03 p.m.

**COUNCIL PRESENT:** Mayor Terry Anderson (left at 8:04 p.m.), Deputy Mayor (DM) Gene Fisher, Councilmembers (CMs) Rick Forschler, Anthony (Tony) Anderson, Pam Fernald, and Mia Gregerson. Excused Absence: CM Ralph Shape.

**STAFF PRESENT:** Interim City Manager (ICM) Todd Cutts, City Attorney Mary Mirante Bartolo, Deputy City Clerk Marcia Rugg, Interim Assistant City Manager (IACM) Jeff Robinson, Planning Director Steve Butler, Principal Planner Jack Dodge, Associate Planner Anita Woodmass, Associate Planner Kate Kaehny, Acting Fire Chief Brian Wiwel, Police Chief Jim Graddon and Program Manager Soraya Lowry.

**FLAG SALUTE:** Resident Doris Cassan led the Council, audience and staff in the Pledge of Allegiance.

**PUBLIC COMMENTS:** Resident Doris Cassan stated she has recently attended almost every SeaTac Council meeting and Council Committee meetings consuming a large amount of time. On behalf of the citizens, she expressed her gratitude and respect to the Council of the many hours they volunteer on various venues throughout the City. The increase of Public Disclosure Requests (PDR) shows that the level of trust has been broken between citizens, Council and staff. She thanked the Council for the formation of the Zoning Code Update Ad Hoc Committee (AHC) in which was needed citizens and stakeholders.

Sandra Cook thanked CM A. Anderson for supporting CM Gregerson. The citizens are looking forward to working cohesively with the Council in order to make a better City.

Mary Koontz stated she is unclear about the rules of Public Comments and what is the acceptable way to refer to a CM. She stated the rules were not followed equitably at the last meeting.

Karen Boshear stated the following Parent Teacher Student Association (PTSA) event – June 6 at 6:30 p.m. the Music Appreciation Dinner will be held at the Burien Elks Club. Global Connections High School DECA and Tyee High School Jazz Band will be co-sponsoring the event. The proceeds of the events will be split with the 3 hosting groups. Students will participate in Youth Night Out (YNO) in conjunction with National Night Out (NNO) in August. They are also looking for volunteers for the PTSA board.

### **PRESENTATIONS:**

#### **•Certificate of Recognition to SeaTac Police Chief Jim Graddon, recipient of Washington State's Crime Prevention Chief of the Year Award**

Mayor T. Anderson presented the Certificate of Recognition to Police Chief Graddon. Chief Graddon explained the program.

#### **•Highline Area Food Bank**

Executive Director Mike Werle was unable to attend. This presentation will be rescheduled for a future meeting.

#### **•Status update on the progress of the Zoning Code Update Ad Hoc Committee (AHC)**

Planning Director Butler stated this is one of more presentations to provide information and updates of the AHC. Currently DM Fisher and CM Shape serve on this committee.

Associate Planner Woodmass briefed on the AHC - the background, its Methodology, and Schedule of Phases 1 - 3. Currently the committee is engaged in Phase 1. It is a two phase process with seven divisions of Phase 2.

Associate Planner Kaehny detailed the phasing and review process in terms of its endorsement. The AHC has been working in April and May to complete the Division 2 classification and permitted use charts. In June and July, permit uses will be reviewed at the City Center and South 154<sup>th</sup> Street Station Area. In August through October, Division IV Development Standards and Regulations will be reviewed. In the fall, Division V will be reviewed involving design standards. In December tests codes will be reviewed in both residential and commercial development projects. By March 2011 Division 1 regarding General Provisions and Procedures should be completed.

**PRESENTATIONS (Continued):**

The AHC has reviewed and reorganized the Zoning Code maps including endorsing the maps and zone descriptions.

Ms. Kaehny detailed the AHC – Planning Commission (PC) adoption process. The next meeting is Monday, June 14, 2010 at 5 p.m. Monthly updates will be provided to Council and the PC. Work sessions will be scheduled as the endorsement process proceeds.

Upon a question proposed by CM Gregerson of how to record the PC decisions, Mr. Butler stated that it will be addressed by the AHC and PC.

● **Animal Services**

Program Manager Lowry detailed the current animal services situation. On June 30, 2010 the King County (KC) animal services sunsets. A new KC contract will be proposed in June. The contract replaces all existing agreements. The additional 20 hours the City currently has for an Animal Control Officer (ACO) would be eliminated. The new contract would begin July 1, 2010 either for six months or 2.5 years.

KC will control the services. However, there will be a Joint City-County Advisory Committee to review operation and policy issues comprised of staff for each contracting city. The contract provides field control, sheltering and licensing services. In order for the contracting cities to recover some of the fees, KC would mitigate some of the impact costs as follows: transition funding credits - \$22,500, impact mitigation credit - \$4,600 and licensing support - \$10,000 with a total of \$37,100.

It is still unknown how many cities will approve the agreement. SeaTac net costs will be approximately \$91,000 to \$101,000 starting January 1, 2011 with a 15% increase. KC will subsidize to keep the same level. There is a clause in the agreement to not exceed 5% if other cities drop out. If a number of cities drop out and the costs increase beyond 5%, the City can waive the fees or enter into a sixty day emergency period and decide upon a more affordable solution.

Ms. Lowry reviewed the ACO schedules, the potential of purchasing staff for peak times, initial cost increases due to cities opting out, and annual cost inflator caps which will affect the details of a final contract. The City will adopt the proposed KC Code revisions and fines in line with comparable jurisdictions and operations.

KC has requested cities to provide a second statement of interest by June 26 and will provide a final Interlocal Agreement (ILA) with final estimated costs by June 28. The City has until June 30, 2010 to approve the ILA.

DM Fisher stated the potential warnings of costs increases over time.

CM A. Anderson stated that the City is not going to be able to put together a sub regional plan in six months. He suggested the City hire its own ACO to provide increased services. Chief Graddon stated that the City has not addressed this issue with KC and using county facilities.

Upon a question proposed by Mayor T. Anderson, Chief Graddon stated the contract includes an off- hour emergency response process.

Upon a question by CM Gregerson, Chief Graddon stated the City would not have labor aspects of hiring. There will be on-call services. Ms. Lowry detailed how the 6 officers in four regions would be placed.

CM Fernald stated that she is interested in the Joint City-County Advisory Committee.

Upon a question posed by CM Forschler, Ms. Lowry stated KC put the options as to what would be operationally feasible. By revamping the system with the new model in place, they are cutting out about \$750,000 by shutting down the Bellevue shelter, and limiting the animal services. Since this is a new system to implement, it will take time for the data in the new districts. It was a balance of risk and opportunity. None of the cities wanted to enter into a long term agreement, but agree this is the best alternative. Presently, KC does not have a good data system.

Council discussion ensued regarding KC animal services.

Mayor T. Anderson questioned the direction of the Council.

City Attorney Mirante Bartolo stated based upon the Council's direction, the consensus is in favor of the 2.5 years.

Chief Graddon stated this presentation is only a statement of intent.

**PRESENTATIONS: (Continued):**

**•Council Consideration of Mayoral appointments of members to the Hotel/Motel (H/M) Tax Advisory Committee and the Library Advisory Committee**

Mayor T. Anderson announced her selection of Patrick Baker and Naomi Ishikawa to the H/M Tax Advisory Committee and Francisco B. Ebreo to the Library Advisory Committee.

**Council consensus:** Referred to the 06/08/10 RCM Confirmation of Appointment

**DISCUSSION ITEM:**

**•Summary of \$5,000 - \$35,000 Purchase Requests for the period ended May 21, 2010**

ICM Cutts reviewed the requests.

<u>Item Description</u>	<u>Department</u>	<u>Original Budget</u>	<u>Amended Budget</u>	<u>Estimate</u>
12 laptop computers for Emergency Coordination Center	Fire/Finance	\$0	\$0	\$12,820
		<b>**will absorb with savings in other line items**</b>		
Rebuild transmission on Fire Apparatus 117	Fire	\$11,000	\$11,000	\$10,953
Backup HVAC System for Server Room	Facilities	\$0	\$0	\$12,758
		<b>**future budget amendment will be necessary**</b>		
Fire Station #47 Reroof	Facilities	\$0	\$0	\$12,647
		<b>**future budget amendment will be necessary**</b>		
Maintenance Shop Lease Agreement	Public Works (PW)	\$0	\$0	\$2,875
		<b>**future budget amendment optional**</b>		through 10/13/10 \$3,450 ea add'l 6 months

**Council consensus:** Referred to the 05/25/10 RCM Consent Agenda

**AGENDA BILL PRESENTATIONS:**

**Agenda Bill #3238 – An Ordinance amending the SeaTac Municipal Code (SMC) related to Crisis Diversion Facilities (CDF)**

**Summary:** This Ordinance adds two new SMC Sections (15.10.157 and 15.10.158) to provide definitions for a CDF and a Crisis Diversion Interim Facility (CDIF). Second, this Ordinance amends SMC Section 15.10.249 of the SMC to add CDF and CDIF to the definition of Essential Public Facility (EPF). Finally, this Ordinance amends SMC Section 15.12.020 by adding CDF and CDIF to the residential use chart.

In 2006, the KC Council reached some alarming conclusions about the number of mentally ill and chemically dependent individuals being housed in the KC Jail system. It was determined that the KC Jail system was essentially the second largest mental health facility in the State. It is estimated that as many as two-thirds of the inmates within the jail system have some type of mental illness or chemical dependency. This is and continues to be an inefficient way to deal with people disturbed by mental illness and/or chemical dependency issues. Leaders from the criminal justice system and mental health care providers agreed that a lack of access to treatment and housing created a situation requiring criminal intervention and entry into the jail system. As a result, in October of 2007, the KC Council adopted the Mental Illness Drug Dependency Plan. A strategy that came from the plan was to establish a CDF in the County.

The City became aware of this concept late last year and began to explore more carefully if such facilities could locate within SeaTac. Staff determined that these facilities could meet the definition for “transitional housing”. “Transitional housing” is a conditional use within the Urban High Density (UH), Community Business (CB), Aviation Business (ABC), and Office/Commercial Medium (O/CM) zones. After hearing this conclusion, the Land Use and Parks (LUP) Committee asked staff to develop code amendments that would reduce the number of zones with which a CDF and CDIF can be located.

A CDF and CDIF would be allowed as a “Conditional Use” within the ABC and Industrial (I) zones and follow the extensive process for siting EPF. The Conditional Use Permit (CUP)-EPF process provides extensive public input and gives the City more control over location and to address potential operational issues. The original

**AGENDA BILL PRESENTATIONS (Continued):**

**Agenda Bill #3238 (Continued):**

proposal included these facilities in the CB zone, but staff determined that the CB zone was more prevalent than either the ABC or I zones. Second, the predominant amount of CB zoning is along International Boulevard (IB) in areas that are, in some cases, closer to single-family and multi-family zones.

Planning Director Butler and Principal Planner Dodge reviewed the agenda bill summary

DM Fisher stated the mentally ill patients will end up being housed in SeaTac.

Upon a question proposed by CM Fernald, Mr. Butler stated this agenda bill would change the current code and limit the zones for the facilities.

CM A. Anderson stated those who would be served are Seattle residents and recommends it further be restricted. This would allow them to be built in the I zones.

Mr. Dodge presented the background of a CDF. These types of facilities are not jails with cells, but have secured rooms. Under the City's current Transitional Housing code, these facilities are allowed in a number of zones. It is an unknown where the facilities would be located. The proposed code amendments would provide new definitions for CDF and CDIF to the Zoning Code. The EPF process requires the Council to establish an AHC with at least one member from the PC. There is a lot to review before one of these facilities comes into the City.

CM Gregerson detailed her involvement in this process. The City is working on the operational side of the project.

Upon a question proposed by CM A. Anderson, Mr. Dodge stated there are several businesses in the City that could be retrofitted for these facilities.

Mr. Butler stated the City is vulnerable and exposed. The staff recommends Council take action.

PC member Mr. Barry Ladenburg stated the City is reviewing allowable uses in the zones. It is not a rezone. If the City becomes too restrictive, lawsuits could occur with KC and the state. The PC thoroughly reviewed the zoning categories.

ICM Cutts stated the City has been through the standard practice for vetting issues. It was also discussed at the LUP on January 26, February 23 and PC twice. This is a way to protect the City.

**Council consensus:** Referred to the 05/25/10 RCM Consent Agenda

**CONSENT AGENDA:**

- **Approval of claims vouchers** (check nos. 89515 – 89683) in the amount of \$2,948,532.96 for the period ended May 20, 2010.
- **Approval of payroll vouchers** (check nos. 48725 – 48764) in the amount of \$175,272.99 for the period ended May 15, 2010.
- **Approval of payroll electronic fund transfers** (check nos. 64067 - 64242) in the amount of \$343,933.54 for the period ended May 15, 2010.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$65,026.23 for the period ended May 15, 2010.
- **Summary of \$5,000 - \$35,000 Purchase Requests** for the period ended May 21, 2010.

**Approval of Council Meeting Minutes:**

- **Administration and Finance Committee Meeting** held May 11, 2010.
- **Public Safety and Justice Committee Meeting** held May 11, 2010.
- **Special Council Meeting** held May 11, 2010.
- **Regular Council Meeting** held May 11, 2010.

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

**Agenda Bill #3238; Ordinance #10-1017 amending the SeaTac Municipal Code related to Crisis Diversion Facilities**

MOVED BY A. ANDERSON, SECONDED BY GREGERSON TO ACCEPT THE CONSENT AGENDA AS PRESENTED.\*

**CONSENT AGENDA (Continued):**

**PUBLIC COMMENTS (related to the Consent Agenda):** Earl Gipson stated that the City is not exposed under Transitional Housing, which requires a stay of 30 days or more. The CDF requirements are 72 hours and 2 weeks.

\*MOTION CARRIED UNANIMOUSLY.

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

**UNFINISHED BUSINESS:** There was no Unfinished Business.

**NEW BUSINESS:** There was no New Business.

**CITY MANAGER'S COMMENTS:** ICM Cutts commented on the following: (1) May 28, Furlough Closure Day for City Hall; (2) May 31 Memorial Day City Hall is closed; (3) June 4-5 is the Council Retreat at City Hall; (4) will be participating in the Academy of Citizenship and Empowerment (ACE) accreditation process at the Tyee Educational Complex; and (5) June 8 CMs Shape and Gregerson and Planning Director Butler will also be attending the ACE accreditation process.

**COUNCIL COMMENTS:** *Mayor T. Anderson left at this point in the meeting.*

CM Forschler commented on the following: (1) supporter of Open Government and citizens' rights to public comments. He cited a phrase from the City Council Administrative procedures that referred to public comments; (2) in response to questions from citizens about why he ran for office, he stated it was for development issues, permitting, code enforcement, streamline operations and processes, staff training, and feels there is a need for an Ombudsman; and (3) doesn't always agree with Robert Rules of Orders for parliamentary procedures.

CM A. Anderson commented on the following: (1) PDRs are costing the citizens tax dollars by hiring a paralegal and in-house costs by staff; (2) he received a PDR for his emails and questions the purpose of this request, but also agrees it is lawful, and (3) May 26 - 3 p.m., Laws n' Paws graduation at Chinook Middle School for at risk dogs.

CM Fernald commented at the following: (1) corrected a statement from the last Council meeting that the Meals on Wheels and PDR funding comes from the City's general budget; (2) the Council appropriated \$25,000 to assist with three large PDRs and since they are not completed, the total costs cannot be calculated at this time; (3) attended Senior Citizen Advisory Committee and Human Services Advisory Committee meetings; (4) attending Laws n' Paws event and encouraged others to attend; (5) Tree Board is planning an Arbor Day celebration in June; (6) attended the Southwest King County Chamber (SWKCC) annual luncheon panel and Suburban Cities Association (SCA) meeting with guest speaker Seattle Mayor McGinn; (7) communicating with staff about prohibiting semi-truck parking in the City; and (8) praised the work of the City's Code Enforcement Officer.

CM Gregerson commented on the following: (1) June 8 11:00 a.m., Council Coffee Chat at the Lutheran Resource Center; (2) requested hearing amplifiers for the Council Chambers; (3) need a technology projection plan; (4) June 22 - LUP meeting to discuss the Comprehensive Plan (CP) Amendments; (5) will be attending the PTSA June 6 dinner; and (6) needs Council direction regarding the following: request by Seattle Mayor McGinn to have KC Flood Control District pay for a sea wall project; the KC Department of Adult and Juvenile Detention provided a report stating that the figures for the Adult Average Daily Population (ADP) has decreased. The SCORE model needs to be updated to reflect this change; and on a levy for a .2% law enforcement support.

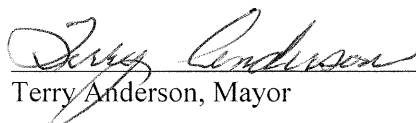
DM Fisher stated he will be absent more this summer. He stated that by law, the Council only needs to meet once a month and CMs can miss three meetings.

**EXECUTIVE SESSION:** There was no Executive Session.

**ADJOURNMENT:**

MOVED BY T. ANDERSON, SECONDED BY GREGERSON TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 8:26 P.M.

MOTION CARRIED UNANIMOUSLY.

  
Terry Anderson, Mayor

  
Marcia Rugg, Deputy City Clerk

# City of SeaTac

## Special Council Meeting Minutes

June 8, 2010  
5:00 PM

City Hall  
Council Chambers

**CALL TO ORDER:** The SeaTac Special Council Meeting was called to order by Mayor T. Anderson at 5:00 p.m.

**COUNCIL PRESENT:** Mayor Terry Anderson, Councilmembers (CM) Rick Forschler, Anthony (Tony) Anderson, Ralph Shape, Pam Fernald, and Mia Gregerson. Absent: Deputy Mayor (DM) Gene Fisher.

**ADMINISTRATIVE STAFF:** Interim City Manager (ICM) Todd Cutts, City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, Senior Assistant City Attorney Mark Johnsen, and Planning Director Steve Butler.

**RECESSED:** Mayor T. Anderson recessed the Special Council Meeting to an Executive Session on Property Acquisition and Potential/Pending Litigation at 5:01 p.m.

**EXECUTIVE SESSION:** *Property Acquisition and Potential/Pending Litigation (RCW 42.30.110 [1][b] and [i])*  
(45 minutes)

*City Clerk Gregg announced that Council requested an additional 5 minutes at 5:45 p.m.*


*City Clerk Gregg announced that Council requested an additional 5 minutes at 5:50 p.m.*

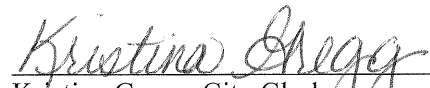
*City Clerk Gregg announced that Council requested an additional 2 minutes at 5:55 p.m.*

**RECONVENED:** Mayor T. Anderson reconvened the Special Council Meeting at 6:00 p.m.

**ADJOURNMENT:**

Mayor T. Anderson adjourned the Special Council Meeting at 6:01 p.m.

  
\_\_\_\_\_  
Terry Anderson, Mayor

  
\_\_\_\_\_  
Kristina Gregg, City Clerk