

City of SeaTac

Regular Council Meeting Minutes

March 27, 2018
6:00PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Michael Siefkes at 6:00 p.m.

COUNCIL PRESENT: Mayor Michael J. Siefkes, Deputy Mayor Erin Sitterley, Councilmembers (CMs) Rick Forschler, Joel Wachtel, Peter Kwon, Clyde Hill, and Pam Fernald.

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 Carl Cole.

FLAG SALUTE: Mayor Siefkes led the Council, audience, and staff in the Pledge of Allegiance.

PUBLIC COMMENTS: Sean Leake protested the apparent low bid for the 12th Place South and 13th Avenue South Overlay and AC Water Main Replacement Project (Agenda Bill #4842).

Allan Freedman requested stop signs on South 198th Street and 32nd Avenue South.

Katie Halse, Port of Seattle (POS), spoke in favor of mobile vending. She stated the POS vision for mobile vending, including growing local and regional businesses.

Earl Gipson spoke regarding mobile vending, recommending a two-year sunset.

Ray Overholt spoke regarding development at South 200th Street and International Boulevard (IB). Traffic is bad in that area due to all of the growth.

PRESENTATIONS:

Introduction of promoted employee: Human Services Coordinator Kim Cooper.

City Manager Scorcio introduced Ms. Cooper.

Key City Issues and Requests for Direction

City Manager Scorcio commented on the following items:

- (1) SeaTac Quarterly magazine – in mailboxes this week
- (2) Community Leadership Academy (CLA) – only 7 community members registered, the session will be cancelled and offered again next spring
- (3) Demolishing Fire Station 47 – found additional materials that need to be disposed of as hazardous materials, which takes it above the City Manager's signing authority.

MOVED BY FERNALD, SECONDED BY HILL TO AUTHORIZE THE CITY MANAGER TO SIGN A CONTRACT AMENDMENT FOR THE DISPOSAL OF ADDITIONAL MATERIALS RELATED TO THE DEMOLITION OF FIRE STATION 47 IN THE TOTAL CONTRACT AMOUNT OF \$61,655.94.

MOTION CARRIED UNANIMOUSLY.

(4) Authorizing memorandum of understanding (MOU) and letter of concurrence with Washington State Department of Transportation (WSDOT) - discussed by the Transportation & Public Works (T&PW) Committee and recommended for approval.

MOVED BY SITTERLEY, SECONDED BY FERNALD TO AUTHORIZE THE CITY MANAGER TO SIGN A MEMORANDUM OF UNDERSTANDING AND LETTER OF CONCURRENCE WITH WASHINGTON STATE DEPARTMENT OF TRANSPORTATION REGARDING THE SOUTH 216TH STREET BRIDGE OVER I-5 AND TEMPORARY BYPASS OF INTERNATIONAL BOULEVARD NEAR SOUTH 206TH STREET.

PRESENTATIONS (continued):

Key City Issues and Requests for Direction (continued):

MOTION CARRIED UNANIMOUSLY.

- (5) Grant application – improvements to pedestrian and bike access ways along South 200th Street (26th Avenue South to Des Moines Memorial Drive) - \$2.25 million; Safe Routes to Schools (34th Avenue South between South 160th and 166th Streets) - \$2.25 million
- (6) Council Workshop discussion regarding committees – discussion will continue at the April 10 Regular Council Meeting (RCM)
- (7) American Public Works Association has awarded the connecting 24th/26th Project as it's number 1 award winner in the category of greater than \$5 million and less than \$25 million category
- (8) Requested Council refer the Opportunity Zone issue to the Land Use & Parks (LUP) Committee. Council concurred.
- (9) Requested Council refer underutilized properties options (CM Kwon Council Information Request) to the LUP Committee. Council concurred.
- (10) Requested Council refer Motel 6 issues and options (CM Fernald CIR) to the Public Safety & Justice (PS&J) Committee. Council concurred.
- (11) Requested Council refer traffic on South 198th Street and 32nd Avenue South and along South 200th Street to the T&PW Committee. Council concurred.
- (12) March 28 – 6 p.m., Town Hall meeting

Council Requests to Refer Items to Committees

CM Fernald requested the newly elected Sheriff come to a Council meeting. Council concurred. City Manager Scorcio stated staff is currently working on this presentation.

Mayor Siefkes requested the following referrals:

- Whether the City wants to take a position on the naming of the new Highline School District School in SeaTac to the Administration & Finance (A&F) Committee. Council concurred.
- Whether the City should consider joining another Affordable Housing organization that is being considered to the LUP Committee. Council concurred.

CONSENT AGENDA:

Approval of claims vouchers (check no. 120612 - 120740) in the amount of \$507,144.33 for the period ended March 20, 2018.

Approval of payroll vouchers (check no. 54365 - 54386) in the amount of \$97,103.35 for the period ended March 15, 2018.

Approval of payroll electronic fund transfer (check no. 93630 - 93764) in the amount of \$347,250.42 for the period ended March 15, 2018.

Approval of payroll wire transfer in the amount of \$48,263.16 for the period ended March 15, 2018.

~~**Final Acceptance of Public Works Contract for South 168th Street Drainage Improvements \$210,393.20. Final acceptance was removed from the agenda prior to the meeting.**~~

Approval of Council Meeting Minutes:

Administration & Finance Committee Meeting held January 31, 2018

Administration & Finance Committee Meeting held February 1, 2018

Transportation & Public Works Committee Meeting held February 15, 2018

Administration & Finance Committee Meeting held February 22, 2018

Transportation & Public Works Committee Meeting held March 7, 2018

Public Safety & Justice Committee Meeting held March 8, 2018

Council Study Session held March 13, 2018

Regular Council Meeting held March 13, 2018

The following items were reviewed at the March 13, 2018 Council Study Session and recommended for placement on this Consent Agenda:

Agenda Bill #4839; A Motion approving funding categories and allocation of Human Services funds for the 2019-2020 budget.

CONSENT AGENDA (continued):

MOVED BY WACHTEL, SECONDED BY FERNALD TO ACCEPT THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY.

ACTION ITEM:

Agenda Bill #4847; An Ordinance #18-1009 amending certain Sections in Title 15 of the SeaTac Municipal Code (SMC) regarding mobile food vending in certain zones and establishing standards.

Summary: Currently, mobile food vending (aka "food trucks") are only allowed within the Angle Lake Station District. Last fall, food truck vendors operating at the airport's cell phone waiting lot and at the SeaTac Office Center were directed to cease operations until the City developed regulations permitting such activity. Staff worked with representatives from the Washington State Food Truck Association, the POS, Planning Commission (PC) and LUP Committee in developing the proposed regulations. This Ordinance allows mobile food vending as either an accessory or primary use in all non-residential zones. Mobile food vending will not be allowed from an on-street location. The proposed Ordinance adopts minimal regulatory standards, per the recommendation of the PC and LUP Committee.

One difference between the PC's recommendation and the LUP Committee's recommendation is establishing a "sunset date" for this Ordinance. The PC recommended that there be no sunset date, while the LUP Committee recommended a 12-18 month sunset date. The proposed Ordinance contains the PC's recommendation.

Additionally, operational aspects of mobile food vending are addressed in a companion Ordinance (AB# 4848).

As noted at the March 13, 2018 Council Study Session (CSS), staff is recommending a minor revision to the draft code to clearly define "concession sales" of pre-packaged food products (separate from mobile food vending), and to allow such sales within parks and commercial zones.

The PC reviewed this matter at four meetings (November 7, 2017, November 21, 2017, December 5, 2017, and January 2, 2018) before conducting a public hearing (PH) on February 6, 2018. The PC recommends approval of the Ordinance as drafted.

The LUP Committee considered the proposed regulations on October 26, 2017 and January 25, 2018, and it recommended approval, but with a sunset date of between 12-18 months of adoption.

Planning Manager Pilcher reviewed the agenda bill summary.

Council discussion ensued regarding a sunset date.

MOVED BY KWON, SECONDED BY FERNALD TO PASS AGENDA BILL #4847 (ORDINANCE #18-1009), TO INCLUDE A SUNSET DATE OF MARCH 31, 2020.*

Discussion ensued regarding the need for a sunset date.

*MOTION CARRIED UNANIMOUSLY.

Agenda Bill #4848; An Ordinance #18-1010 amending SeaTac Municipal Code (SMC) Title 5, Business Licenses and Regulations, to establish standards for mobile food vendors by adding a new Chapter 5.55.

Summary: Staff examined mobile food vending regulations in other cities, including Edmonds and Lynnwood. The standards in this new Chapter 5.55 address operational issues such as site maintenance/trash collection; the need to comply with Health Department regulations; proper disposal of wastewater and grease; prohibition on sales of alcoholic beverages; and time limitations at a site (no more than 18 hours during any 24 hour period).

Each mobile food vending vehicle will be required to obtain a separate business license. In order to operate at each location, an applicant will need to provide proof that the property owner has agreed to allow them to locate on a site.

There is no direct fiscal impact. However, the City will receive licensing fees and sales tax from mobile food vendors.

ACTION ITEMS (continued):

Agenda Bill #4848; Ordinance #18-1010 (continued):

The A&F Committee reviewed the proposed new chapter on January 17 and February 1, 2018 and recommends approval.

MOVED BY FERNALD, SECONDED BY WACHTEL TO PASS AGENDA BILL #4848 (ORDINANCE #18-1010), TO INCLUDE SUNSET DATE MARCH 31, 2020.

MOTION CARRIED UNANIMOUSLY.

Agenda Bill #4867; A Resolution amending the City's Fee Schedule by reducing fees for Class A right-of way (ROW) permits in residential zones.

Summary: In 2017, the City revamped its fee schedule after conducting extensive study and research to compare City of SeaTac fees with the ten comparable cities. The following changes occurred due to that study and impacted all Class A ROW permit applications.

	2016 Fee Schedule	2017 Fee Schedule	2018 Fee Schedule
Application Fee	\$116	\$200	\$203.86
Review Processing Fee	\$75/Hr	\$110/Hr	\$101.93/Hr
Daily Use Fee	\$75/Hr	\$110/Hr	\$101.93/Hr
Technology Fee	\$5 + \$5	\$5 + \$5	\$5.10 + \$5.10
Total	\$276	\$410	\$417.92

It is proposed that fees for Class A ROW permits be based on whether the permit is issued in a residential vs. a non-residential zone. The proposed Resolution reduces these permit fees in residential zones because there is minimal City review required in order to issue the permit. These permits are typically issued for parades (i.e., Fourth of July Parade). The proposed fees are as follows:

	Proposed 2018 Fee Schedule	Outcome of Proposed Revisions
Application Fee	\$101.93	50% reduction
Review Processing Fee	\$101.93	One hour charge only
Daily Use Fee	\$0	Fee Waived
Technology Fee	\$10.20	No Change
Total	\$214.06	

The above fee reduction will only apply to over the counter permit application review with no lane closure or sidewalk blockage.

If implemented, the projected decrease in revenue would be approximately \$200 to \$400 per year (based on issuing one to two permits per year).

At the October 26, 2017 meeting, the LUP Committee recommended that the City's Fee Schedule be amended to reduce the fee amount for parades within residential communities with no traffic impact.

CED Director Robinson reviewed the agenda bill summary.

CM Forschler, LUP Chair, stated the LUP Committee recommended this item for approval.

Council consensus: Refer to 4/10/18 Consent Agenda

Agenda Bill #4869; An Ordinance #18-1011 authorizing the City Manager to sign an interagency agreement between the City of SeaTac and Washington State University (WSU) for the development and implementation of the 2019 Municipal Stormwater Conference.

Summary: At the request of WSU and the Washington Stormwater Center, the City has applied for and been awarded a grant from Ecology to develop and implement the 2019 Washington State Municipal Stormwater Conference within the City of SeaTac, currently scheduled for April 24-25, 2019 at the Hilton Conference Center. The conference is expected to draw approximately 400 attendees from around the state to learn more about and share tools and strategies

ACTION ITEMS (continued):

Agenda Bill #4869; Ordinance #18-1011 (continued): for implementing the Washington State Municipal Stormwater Permit requirements. While SeaTac has been awarded the grant, we are partnering with WSU to implement the grant. Under the proposed interagency agreement WSU staff (including Washington Stormwater Center staff), will work as a sub-grantee to develop and implement specific sections of the grant, as identified in the grant agreement.

On February 27, 2018, the City Council authorized the acceptance of a \$155,252 Ecology grant and no matching funds were required. Pursuant to the grant agreement with Ecology, SeaTac will administer/project manage the grant, while WSU will implement specific components of the grant (i.e. solicit conference content, and handle conference logistics and execution) for a total cost approximately \$141,252, that will be reimbursed through the grant. The remaining grant funds (\$14,000) will be used to reimburse SeaTac for the administrative costs of implementing the grant. The proposed grant revenues and expenditures were not included in the 2017-2018 biennial budget, as the grant was applied for and awarded after the budgeting process.

The T&PW Committee reviewed this item on March 15, 2018 and recommended approval.

Stormwater Compliance Manager Robinett reviewed agenda bill summary.

CM Kwon stated this was discussed by the T&PW Committee and recommended approval.

MOVED BY FORSCHLER, SECONDED BY SITTERLEY TO PASS AGENDA BILL #4869 (ORDINANCE #18-1011).

MOTION CARRIED UNANIMOUSLY.

Agenda Bill #4842; An Ordinance #18-1012 authorizing the City Manager to execute a construction contract with Kar-Vel Construction, Inc. for the 12th Place South and 13th Avenue South Overlay and AC Water Main Replacement Project, amending the City's 2017- 2018 Biennial Budget, and authorizing project expenditures.

Summary: The scope of this project includes pavement repair, asphalt paving, and stormwater improvements on 12th Place South and 13th Avenue South between South 200th Street and South 207th Street and South 207th Street between 12th Place South and 14th Avenue South. Additionally, this project replaces all of the Highline Water District's AC water mains and services within the project limits. Highline will reimburse the City for all costs associated with their water main work as described in an Interlocal Agreement (ILA) between the City and the Water District that was approved by the Council on March 13, 2018 (AB #4805).

This project was advertised in the Seattle Times and Daily Journal of Commerce on March 7 and 14. The bid opening was held on March 21 and three bidders submitted bids for the project. Once awarded, construction is scheduled to begin in April 2018 and will last approximately five months. Additional public outreach will be performed prior to construction starting and will be monitored throughout.

In 2017, \$920,000 was budgeted for Pavement Overlay Preservation Program in the Street Fund (Fund #102) and \$200,000 was budgeted for Spot Drainage Repair in the Surface Water Management Fund (Fund #403) in pay for this project. However, due to this project being delayed into 2018, these funds were carried forward into 2018. Therefore, the current amount budgeted for this project is \$1.12 million.

Since the Highline Water District water main replacement will be performed at the same time, it is necessary to amend the Budget to account for the additional expenses and reimbursements associated with this work. Therefore, the City's 2017-2018 Biennial Budget is amended to increase expenditures in the Transportation CIP Fund (Fund #307) by \$697,000, and revenues shall be adjusted to account for the corresponding reimbursement from the Highline Water District.

This Ordinance authorizes project expenditures of \$1,817,000, which includes the work by the City, the work by the Highline Water District, a 10% contingency, materials testing, and inspector overtime.

Staff recommends that the Ordinance be adopted. Due to the committee schedule changes adopted by the Council, the review and discussion of this contract was not discussed at committee, since the bids were received after the March 15

ACTION ITEMS (continued):

Agenda Bill #4842; Ordinance #18-1012 (continued): T&PW meeting. However, an overview of the project was discussed at both the T&PW Committee and the full Council in conjunction with the approval of the ILA between the City and the Highline Water District.

The proposed construction schedule anticipates project commencement in April, and therefore Staff requests that this Ordinance be approved at the March 27, 2018 Council Meeting.

Assistant City Engineer Mayer reviewed the agenda bill summary.

Council discussion ensued regarding the protest by R.W. Scott, the City's perceived risk level, and Kar-Vel's past bids with Highline Water District.

MOVED BY KWON, SECONDED BY WACHTEL TO PASS AGENDA BILL #4842 (ORDINANCE #18-1012).

MOTION CARRIED UNANIMOUSLY.

Agenda Bill #4893; An Ordinance #18-1013 authorizing the establishment of a neighborhood mailbox replacement program and amending the City's 2017- 2018 Biennial Budget to provide program funding.

Summary: To reduce/eliminate mail theft within our community, staff proposes to develop a city-wide program that will encourage the replacement of non-locking mailboxes with locking mailboxes. While difficult to quantify what the cost is to the SeaTac Police Department to investigate mail thefts and the subsequent fallout crimes (Identity Theft, Fraud, Drug Crimes, etc.), staff is confident that when taken in its totality, mail theft is a precursor to a significant amount of crime in SeaTac, and that the costs are millions of dollars each year to City resources and our residents, businesses, visitors, and banks. Reducing mail theft the City will free our Police resources to address other priorities, and it is recommended that a citywide program be created to make available and install locking mailboxes for SeaTac property owners. An outline of the program is as follows:

The General Fund (Police) will provide program funding.

- Estimated installation costs for 200 units - \$25,000;
- Estimated cost for 200 mailboxes (City to be reimbursed) – \$25,000.

Program administration will be provided by Police and Public Works.

- Police will perform program advertisement and public engagement;
- Public Works will perform scoping, bidding, contracting and inspection.

In 2018, the City will initially purchase 200 locking mailboxes to start the program.

- The City will select a mailbox that is highly secure, durable and proven;
- The City will purchase mailboxes in bulk to minimize the individual cost.

The program will be open to owners of single family residential units, including duplexes and triplexes, and business property owners that have individual mailboxes.

- Property owners sign-up for the program by purchasing a mailbox at the City's full cost;
- Property owners that have incomes below 50% of the median, the cost of the mailbox will be 50% subsidized by the City (similar to our Human Services Programs);
- Property owners are required to sign an installation agreement as needed;
- Once installed, the mailbox will become the total responsibility of the property owner;
- The program will be open to all on a first come first served basis.

The City will develop a mailbox installation scope of work, assemble the contractor bid package and manage the contract, ensuring that all mailboxes are installed properly, uniformly, and meet US Postal Service Standards.

- Installation of the mailboxes will be provided by the City. It is anticipated that the cost of installation will be offset by the cost savings by Police and other City resources attained by a reduction of mail theft;
- A City contractor will insure uniform and proper installation, and work will be inspected by Public Works;

ACTION ITEMS (continued):

Agenda Bill #4893; Ordinance #18-1013 (continued):

- Individuals wishing to purchase a mailbox from the City and self-install must agree to perform the installation according to the program standards;
- The City cannot guarantee or warranty the mailbox after installation.

If approved, this program will be highlighted in the sidewalk and street improvement programs and participation encouraged from those property owners that have impacted mailboxes. Installation would be part of the programs while the cost of the boxes would remain the responsibility of the owners. The program would also be advertised to developers and homebuilders to incentivize the installation to locking mailboxes as part of new construction.

Development and implementation of this program in 2018 is not funded and will require a budget amendment in order to appropriate the expenditures and account for anticipated revenues. Therefore, the proposed Ordinance increases expenditures in the General Fund (under Polices Services) in the amount of \$50,000 to fund the program, and accounts for the corresponding revenue that will be received for purchases by the residents and businesses of the mailboxes.

The Public Safety and Justice (PS&J) Committee unanimously recommended Council approval.

PW Director Appleton reviewed the agenda bill summary.

Council discussion ensued regarding the program benefits and costs.

City Manager Scorcio stated this is not a gifting program. The fundamental reason for making this program work is what it will save the City in crime.

Police Chief Cole commented on the benefits of this program. He was unable to find any other program like this by another government entity.

MOVED BY WACHTEL, SECONDED BY FERNALD TO PASS AGENDA BILL #4893 (ORDINANCE #18-1013).

MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENTS (related to Unfinished Business): None.

UNFINISHED BUSINESS: There was no Unfinished Business.

NEW BUSINESS: There was no New Business.

CITY MANAGER'S COMMENTS: City Manager Scorcio commented on the following calendar items: March 28 – Highline Forum and Town Hall Meeting, March 31 – 9 a.m., Special Recycling Event and Easter Egg Hunt, April 3 – Joint Advisory Committee (JAC) meeting

COMMITTEE UPDATES: CMs provided the following updates:

CM Wachtel: March 15 - Special Sidewalk Committee Meeting, reviewing two locations; March 19 - Airport Advisory Committee

CM Kwon: March 15 - T&PW, King County (KC) Solid Waste draft comp plan, LID Infeasibility Study, IB as affected by the SR 509 project construction; March 20 - South County Area Transportation Board (SCATBd), Puget Sound Regional Council (PSRC) Growth Management Population Forecast and Vision 2050 Plan Scope and Regional Aviation Study

CM Fernald: Sidewalk Advisory Committee field trip, next meeting review project criteria and scoring; Tree Board – dead trees will be removed from right-of-way (ROW)

COMMITTEE UPDATES (continued):

CM Hill: Code Compliance Committee (CCC), next meeting scheduled for April 5. March meeting was cancelled; and Sound Cities Association (SCA) Joint Regional Council (JRC) Community Development Block Grant (CDBG), home repair project loans, affordable housing program citizen participation

DM Sitterley: A&F Committee reviewed the following items that didn't come before the full Council – reclassification of a Permit Coordinator to a Permit Center Supervisor, audio recording of committee meetings – committee agreed to not audio record meetings and just continue to have minutes, and draft budget calendar

Mayor Siefkes: South King County (SKC) Cities Affordable Housing conference

COUNCIL COMMENTS: CM Forschler stated affordable housing/homelessness will be discussed at a future LUP Meeting. He also stated he put in comments on the Solid Waste request for comments.

CM Kwon commented on the following: (1) March 28 - Town Hall; (2) March 31 - Easter Egg Hunt; and (3) April 3 - Community Meeting for South 188th Street Fence Beautification

CM Fernald reminded everyone of the upcoming Recology tour. She also requested the status of her CIR on airport noise.

CM Hill commented on the following: (1) Rick Steves will be at the Hilton Hotel on March 29 as part of the South Sound Tourism Authority Symposium; (2) helping neighbors with traffic concerns; and (3) helping Burien Actors theatre find storage space.

DM Sitterley stated the SeaTac Quarterly magazine looks fabulous and thanked the City for the mailbox program.

Mayor Siefkes commented on the following: (1) March 28 – meeting regarding upcoming paddle boarding Special Olympics at Angle Lake; and (2) March 28 - Highline Forum.

RECESSED: Mayor Siefkes recessed the RCM to an Executive Session on pending litigation and potential litigation at 8:17 p.m. for 15 minutes.

EXECUTIVE SESSION: Pending Litigation RCW 42.30.110(1)(i) / To receive and evaluate complaints or charges brought against a public officer or employee RCW 42.30.110(1)(f)

Senior Assistant City Attorney Johnsen announced Council requested an additional 15 minutes.

RECONVENED: Mayor Siefkes reconvened the meeting at 8:47 p.m.

ADJOURNED:

MAYOR SIEFKES ADJOURNED THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 8:48 p.m.



Michael J. Siefkes, Mayor



Kristina Gregg, City Clerk