

# City of SeaTac

## Regular Council Meeting Minutes

October 12, 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 6:05 p.m.

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

**FLAG SALUTE:** Burien DM Rose Clark led the Council, audience and staff in the Pledge of Allegiance.

**STAFF PRESENT:** Interim City Manager (ICM) Todd Cutts, City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, Interim Assistant City Manager (IACM) Jeff Robinson, Senior Assistant City Attorney Mark Johnsen, Interim Planning Director Cindy Baker, Public Works (PW) Director Tom Gut, Finance Director Mike McCarty, Recreation Services Coordinator Marlon Olson, Acting Fire Chief Brian Wiwel, and Police Chief Jim Graddon.

**PUBLIC COMMENTS:** Erin Sitterley, on behalf of Soldiers' Angels, requested the City declare October 26 as the Day of the Deployed. She also suggested everyone do something in honor of a deployed soldier.

Ron Bensley spoke in favor of Agenda Bill #3255 – parking infractions, and Agenda Bill #3261 – City Logo.

Burien DM Clark stated that last spring the Burien City Council challenged the SeaTac City Council for Relay for Life. The city that raised the most money would receive chocolate from the other City. SeaTac delivered chocolate to Burien last night. She stated she is looking forward to the next Relay for Life. Burien will challenge SeaTac again.

CM Fernald urged everyone to have positive thoughts for the Chilean miners that were being brought up after months in the mine.

**PRESENTATIONS:**

● **2010 Fine Art Exhibit Winners**

Recreation Services Coordinator Olson announced the winners: Marina Kuran – “Reflections of Winter”, Billie Andrew – “Recalling Another Reality”, and Gary Bennett – “Del Ray Court”. Mayor T. Anderson presented the monetary award to Mr. Bennett who was in attendance.

● **Introduction of Interim Planning Director Cindy Baker**

ICM Cutts introduced Ms. Baker.

● **Council Consideration of Mayoral re-appointment/appointment of Jacqueline Krutz to the Library Advisory Committee, Barry Ladenburg, Tom Dantzler, and Roxie Chapin to the Planning Commission (PC) and Alice Belenski and Shirley Coulson to the Senior Citizen Advisory Committee**

Mayor T. Anderson announced her selections for re-appointment/appointment for Council consideration at the October 26, 2010 Regular Council Meeting (RCM).

**Council consensus:** Referred to the 10/26/10 RCM for Confirmation of Appointment

**DISCUSSION ITEM:**

● **Summary of \$5,000 - \$35,000 Purchase Requests for the period ended October 8, 2010**

ICM Cutts reviewed the purchase requests:

<u>Item Description</u>	<u>Department</u>	<u>Original Budget</u>	<u>Amended Budget</u>	<u>Estimate</u>
Yard Debris Collection Event	PW	\$25,000	\$25,000	\$25,000
Xerox 6604 Large Format Scanner/Plotter	Finance and Systems	\$0	\$0	\$19,271
		**will absorb with savings in other line items**		
Road Salt for Salt Brine	PW	\$0	\$0	\$30,000
		**will absorb with savings in other line items**		
Boost Corrosion Inhibitor for Salt Brine	PW	\$0	\$0	\$12,500
		**will absorb with savings in other line items**		

CM Forschler requested Council approve the scanner/plotter, but not the specific type in order for staff to review additional options.

**Council consensus:** Referred to the 10/12/10 RCM Consent Agenda

## **AGENDA BILL PRESENTATIONS:**

### **Agenda Bill #3269 – An Ordinance transferring surplus real property to the SCORE (South Correctional Entity)**

**Summary:** On September 22, 2009, the City Council adopted Ordinance #09-1027, which surplused the former 18<sup>th</sup> Avenue South between South 208<sup>th</sup> and 200<sup>th</sup> Streets to the Port of Seattle (POS) as part of the 2005 Interlocal Agreement (ILA). When the City Council took this action, it was the intent of SCORE to obtain access to their new jail facility from the POS through this surplused property.

After Ordinance #09-1027 was adopted, the Port decided it no longer wanted to own the access road. Instead, SCORE was requested to obtain title to the access road. As a result of this change, SCORE asked SeaTac to put a hold on transferring the property to the Port until ownership could be agreed upon by SCORE and the Port. In August 2010, the Port and SCORE reached an agreement in which the Port agreed to transfer all of their interest in this former right-of-way (ROW) to SCORE in exchange for compensation. Since the property transfer between SeaTac and the Port has not yet occurred, it has been requested by SCORE that SeaTac transfer this surplused property directly to SCORE. The Legal Department has also been advised by the Port's legal counsel that there is no purpose for the Port to receive a deed to surplused property since their interest has been transferred to SCORE.

This Ordinance authorizes the City Manager to execute any documents necessary to transfer SeaTac's property interest in the former 18<sup>th</sup> Avenue South directly to SCORE. This Ordinance does not change what property the City agreed to transfer as part of Ordinance #09-1027. Rather, this Ordinance only changes the recipient of the property from the Port to SCORE. Additionally, Sections 2 and 3 of Ordinance #09-1027 are repealed as the surplused property would no longer be transferred to the Port.

City Attorney Mirante Bartolo reviewed the agenda bill summary.

SCORE Director Penny Bartley stated her appreciation of Council considering this item again.

Ms. Mirante Bartolo stated that the Transportation & Public Works (T&PW) Committee recommended this item for approval.

**Council consensus:** Referred to the 10/12/10 RCM Consent Agenda

### **Agenda Bill #3261 – An Ordinance adding a new Chapter 1.35 of the SeaTac Municipal Code (SMC) related to the City Logo**

**Summary:** Currently, the City does not have a policy or SMC Chapter relating to the use of the City logo. At the August 10, 2010 Administration & Finance (A&F) Committee meeting, it was requested that the Legal Department draft a SMC Chapter to address use of the City logo by outside persons. This provision of the SMC would be in lieu of the City registering the City logo.

This Ordinance adds a new Chapter 1.35 to the SMC. First, this Ordinance specifies allowed uses of the City logo without further City consent, including use of the logo for official City documents, by Seattle Southside Visitor Services, Enterprise Seattle, the Southwest King County (KC) Economic Initiative, and the State of Washington for their marketing materials for business attraction and development, and use of logo by the Southwest KC Chamber of Commerce for City of SeaTac promotion.

Second, this Ordinance provides that a person may request use of the City logo by submitting a request to the City Clerk. The City Manager will decide whether such request will be granted. This Ordinance also provides that the City logo shall not be used on or in connection with any advertising or promotion for any product, business, organization, service, or article, whether offered for sale for profit or offered without charge, without approval of the City Manager and that the logo shall not be used in connection with any election issue, or campaign related thereto.

City Attorney Mirante Bartolo reviewed the agenda bill summary.

**Council consensus:** Referred to the 10/12/10 RCM Consent Agenda

### **Agenda Bill #3255 – An Ordinance amending the SeaTac Municipal Code (SMC) related to parking infractions**

**Summary:** Under the current City code, police may only issue a \$50 parking infraction when they observe violations of SMC 9.05.050 (commercial vehicle which is more than 80 inches wide parked on any street or alley in a residentially zoned area between the hours of midnight and 6 a.m.) and SMC 9.05.060 (vehicle wider than 90 inches parked on or along any City street, road, alley or ROW other than the four designated/exemption areas within the City). In response to complaints received regarding parking violations throughout the City, staff has found that the current penalty of \$50 does not act as a sufficient deterrent to prevent the danger that commercial vehicle and wide vehicle parking violations present to the citizens. This Ordinance increases the penalty to \$200.

**AGENDA BILL PRESENTATIONS (Continued):**

**Agenda Bill #3255 (Continued):** City Attorney Mirante Bartolo reviewed the agenda bill summary.

CM A. Anderson stated that the Public Safety & Justice (PS&J) Committee recommended this item for approval.

**Council consensus:** Referred to the 10/12/10 RCM Consent Agenda

**Agenda Bill #3264 – A Motion authorizing the City Manager to execute an agreement with King County (KC) for habitat restoration, operations, maintenance and monitoring related to the restoration of Des Moines Creek**

**Summary:** This Motion authorizes the City Manager to execute a Technical Services Agreement with KC for work related to restoration of Des Moines Creek on behalf of the Des Moines Creek Basin Committee (DMCBC). The committee, composed of the Cities of Des Moines and SeaTac and the POS, will reimburse the City for the costs incurred by this agreement. Similar agreements with KC were previously approved by the City.

City functions as the treasurer for the DMCBC. The treasurer administers all contracts on behalf of the committee and therefore Council approval is requested.

The habitat restoration work in this agreement is a continuation of earlier habitat restoration efforts in Des Moines Creek. Previously, invasive plants were replaced with native plant species and large woody debris was placed in the stream corridor. Under this agreement, invasive plant removal and native planting would continue to avoid re-introduction of non-native species and promote native plant establishment. Additionally, the creek habitat would be monitored and evaluated for additional habitat improvement. The agreement includes design and construction for the additional improvement as warranted by the monitoring and evaluation. This agreement also includes operation, monitoring and maintenance work necessary for the constructed Regional Detention Facility (RDF). The work would begin January 2011 and is to be completed by December 2014.

The scope and cost were reviewed and approved by the DMCBC.

The cost is estimated to be \$652,000 plus a 10% contingency, for a total amount not to exceed \$717,200 without prior approval. The agreement cost is funded by the DMCBC whereby contributions by the Port, SeaTac and Des Moines are 41%, 41% and 18%, respectively.

PW Director Gut detailed the Des Moines Creek Basin Projects. He reviewed the agenda bill summary.

CM Gregerson stated that the T&PW Committee recommended this item for approval.

CM A. Anderson encouraged everyone to walk the trail.

**Council consensus:** Referred to the 10/12/10 RCM Consent Agenda

**Agenda Bill #3265 – A Motion authorizing the City Manager to execute an agreement extension for the Des Moines Creek Basin Operations and Maintenance (O&M) Coordinator**

**Summary:** On February 26, 2008, the Council approved a Consultant Agreement on behalf of the DMCBC to fulfill the duties of O&M Coordinator as identified in the Des Moines Creek Restoration Projects ILA.

Since that agreement is due to expire in February 2011, the DMCBC approved an extension with Donald G. Monaghan, consistent with the original agreement. The extension only changes the agreement termination date to February 28, 2014. All other contract terms remain the same.

The extension does not change the terms of compensation and reimbursement of expenses. Payment is not to exceed \$50,000 per year. The cost of the extension is budgeted and fully funded per the Des Moines Creek Basin ILA. Des Moines Creek Basin contributions by the Port, SeaTac and Des Moines are 41%, 41% and 18%, respectively.

PW Director Gut reviewed the agenda bill summary.

**Council consensus:** Referred to the 10/12/10 RCM Consent Agenda

**Agenda Bill #3270 – A Motion authorizing the City Manager to accept grant funds from the US Department of Justice, Bureau of Justice Assistance (BJA) for a 2010 Justice Assistance Grant (JAG) in order to fund equipment for the police department**

**Summary:** The BJA JAG program is designed to streamline justice funding and grant administration. Local jurisdictions will be given up front financial support of a broad range of activities to prevent and control crime. JAG replaces the Local Law Enforcement Block Grant programs with a single funding mechanism that simplifies the administration process for grantees. This grant provides agencies with the flexibility to prioritize and place justice

**AGENDA BILL PRESENTATIONS (Continued):**

**Agenda Bill #3270 (Continued):** funds where they are needed most. This 2010 JAG funding will be dedicated for purchasing equipment consistent with the criminal justice system. The City of SeaTac submitted a grant application on June 28, 2010 in the amount of \$23,511 to further enhance our Active Shooter training program, traffic enforcement and surveillance of illegal activities (Narcotics & Vice operations). This grant is awarded up front and the City receives immediate control over the funds. There are no mandatory set-asides, and no required City match. The four year grant period is October 1, 2009 – September 30, 2013.

The City will receive \$23,511 in grant revenue that will be used for various law enforcement activities. This funding will be provided by 100% reimbursement for actual costs incurred, and no City match is required. Authorizing and accepting these grant proceeds results in an unbudgeted \$23,511 in additional revenue to the General Fund.

Police Chief Graddon reviewed the agenda bill summary.

**Council consensus:** Referred to the 10/12/10 RCM Consent Agenda

**CONSENT AGENDA:**

- **Approval of claims vouchers** (check nos. 91291 – 91295) in the amount of \$24,691.36 for the period ended September 24, 2010.
- **Approval of claims vouchers** (check nos. 91296 – 91459) in the amount of \$407,260.58 for the period ended October 5, 2010.
- **Approval of payroll vouchers** (check nos. 49147 – 49193) in the amount of \$453,287.73 for the period ended September 30, 2010.
- **Approval of payroll electronic fund transfers** (check nos. 65716 - 65893) in the amount of \$335,420.71 for the period ended September 30, 2010.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$63,009.48 for the period ended September 30, 2010.
- **Summary of \$5,000 - \$35,000 Purchase Requests** for the period ended October 8, 2010.

**Approval of Council Meeting Minutes:**

- **Regular Council Meeting** held August 10, 2010.
- **Administration and Finance Committee Meeting** held September 14, 2010.
- **Regular Council Meeting** held September 14, 2010.
- **Land Use and Parks Committee Meeting** held September 28, 2010.
- **Transportation and Public Works Committee Meeting** held September 28, 2010.
- **Regular Council Meeting** held September 28, 2010.

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

**Agenda Bill #3269; Ordinance #10-1021 transferring surplus real property to the SCORE (South Correctional Entity)**

**Agenda Bill #3261; Ordinance #10-1022 adding a new Chapter 1.35 of the SeaTac Municipal Code related to the City Logo**

**Agenda Bill #3255; Ordinance #10-1023 amending the SeaTac Municipal Code related to parking infractions**

**Agenda Bill #3264; Motion authorizing the City Manager to execute an agreement with King County for habitat restoration, operations, maintenance and monitoring related to the restoration of Des Moines Creek**

**Agenda Bill #3265; Motion authorizing the City Manager to execute an agreement extension for the Des Moines Creek Basin Operations and Maintenance Coordinator**

**Agenda Bill #3270; Motion authorizing the City Manager to accept grant funds from the US Department of Justice, Bureau of Justice Assistance for a 2010 Justice Assistance Grant in order to fund equipment for the police department**

MOVED BY GREGERSON TO ACCEPT THE CONSENT AGENDA AS PRESENTED.\* *(No second was made; however, the absence of a second does not affect the validity of the motion's adoption.)*

**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.

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

**CITY MANAGER'S COMMENTS:** ICM Cutts commented on the following: (1) October 17 – 2 p.m., Highline Historical Society (HHS) Golden Age of Air Travel; (2) October 21 – 5:30 p.m., South 154<sup>th</sup> Street Improvements Public Open House; and (3) October 23 – 9 a.m., Yard Debris Collection Event.

**COUNCIL COMMENTS:** CM Gregerson commented on the following: (1) thanked DM Fisher for representing the City in San Jose; (2) thanked CM Forschler for working with staff on the purchase of the printer; (3) PW Director Gut and she attended the Joint Transportation Commission Meeting today to support the final report of the Tolling Feasibility Study; and (4) represented the City on October 1 as the Rapid Ride Line was launched.

DM Fisher stated he attended the Public Safety & Crime Prevention Policy Board conference/meeting in San Jose. He explained the purpose of the National League of Cities (NLC) and summarized the discussions from the conference.


CM Forschler commented on the plotter/scanner that needs to be replaced, but urged staff to consider alternative products.

CM A. Anderson commented on the following: (1) thanked Police Administrative Captain Annette Louie for actively seeking grants; (2) commended DM Fisher for his participation in the Public Safety & Crime Prevention Policy Board; (3) Back-to-School Fair – heard many positive remarks related to this event which assisted 1700 SeaTac residents, provided 100 haircuts, 1300 back packs, 1000 care bags, and gave 125 kids immunizations. He thanked everyone all participants.

**ADJOURNED:**

MOVED BY GREGERSON TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 7:03 P.M. *(No second was made; however, the absence of a second does not affect the validity of the motion's adoption.)*

MOTION CARRIED UNANIMOUSLY.

  
Terry Anderson, Mayor

  
Kristina Gregg, City Clerk