

City of SeaTac

Regular Council Meeting Minutes

October 26, 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 6:03 p.m.

COUNCIL PRESENT: Mayor Terry Anderson, Deputy Mayor (DM) Gene Fisher, Councilmembers (CMs) Rick Forscher, Anthony (Tony) Anderson, 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, Interim Planning Director Cindy Baker, Principal Planner Jack Dodge, Senior Planner Mike Scarey, Human Resources (HR) Director Anh Hoang, Finance Director Mike McCarty, Acting Fire Chief Brian Wiwel, and Police Chief Jim Graddon.

FLAG SALUTE: Darleene Thompson led the Council, audience and staff in the Pledge of Allegiance.

PUBLIC COMMENTS: Julia Wilson voiced her complaint that the sidewalk improvement on the east side of 42nd Avenue South does not include a retaining wall or fence at her property. She questioned who would be liable if a car or bicyclist went off the road into her front yard, the property owner or the City because of the right-of-way (ROW).

Barry Ladenburg thanked the City for the October 25, 2010 Volunteer Appreciation Lunch.

PRESENTATIONS:

●Soldiers' Angels Day of the Deployed

Mayor T. Anderson read and presented the proclamation to Soldiers' Angels Representative Erin Sitterley.

Mrs. Sitterley read a letter she received from a soldier currently deployed to Afghanistan. They adopted the soldier through Soldiers' Angels. She stated that everyone can volunteer by going to the website www.soldiersangels.org.

●Council Confirmation 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

MOVED BY SHAPE, SECONDED BY FISHER TO CONFIRM THE RE-APPOINTMENT/APPOINTMENT OF JACQUELINE KRUTZ TO THE LIBRARY ADVISORY COMMITTEE, BARRY LADENBURG, TOM DANTZLER, AND ROXIE CHAPIN TO THE PLANNING COMMISSION AND ALICE BELENSKI AND SHIRLEY COULSON TO THE SENIOR CITIZEN ADVISORY COMMITTEE.

MOTION CARRIED UNANIMOUSLY.

Mayor T. Anderson read and presented the certificates to Mr. Ladenburg, Ms. Chapin, Ms. Belenski, and Ms. Coulson. Ms. Krutz and Mr. Dantzler were not in attendance. Their certificates will be mailed to them.

●2010 Final Docket of Comprehensive Plan (CP) Amendments

Senior Planner Scarey stated that the Preliminary Docket phase has been completed and the City is now in the Final Docket phase. The next steps are: PC recommendation - November 2, additional Final Docket presentation - November 9 Regular Council Meeting (RCM), and Council action - November 23 RCM.

He reviewed the proposed Land Use Plan Map Amendments and the Subarea Plan Amendments.

The CP amendments will be available in the Mayor/Council office for Council review.

DM Fisher stated his concern that the property is zoned for multi-family and the owner is paying taxes accordingly, but the property is not conducive to multi-family. Mr. Scarey stated that staff is working with the applicant to brainstorm ideas.

Council discussion ensued regarding A-4 and A-2.

Questions were asked as to whether the City can put conditions on the use of the properties. Interim Planning Director Baker stated that the City can only place general conditions at the CP level.

Robin Loudon (A-2) explained his proposed property, senior housing (55 and older community) with retail as a mixed-use project.

Mr. Scarey stated that staff will be back at the November 9 RCM with another presentation. CM Gregerson requested staff also provide Puget Sound Regional Council (PSRC) and state follow up related to the station area planning.

AGENDA BILL PRESENTATIONS:

Agenda Bill #3268 – A Resolution revising the evaluation process of the City Manager

Summary: Revised Code of Washington (RCW) 35A.13 provides that the City Manager serves at the pleasure of the City Council. The City Council passed Resolution #07-016 in 2007, which established an ongoing evaluation process that offers an opportunity for each party to review the performance of the City Manager on an annual basis.

On July 13, 2010, the City Council directed staff to work with a subcommittee made up of CMs Fernald, Gregerson and Shape to review and recommend a revised process and form, which the City Council would use to evaluate the City Manager's performance. The result of the subcommittee's work was reviewed with the Administration & Finance (A&F) Committee on October 12, 2010, during which time the Mayor and A&F Committee members recommended some changes.

This Resolution specifies the purpose of performance reviews for the City Manager, as well as the process and timeline by which the reviews will occur. In order for the performance review to be meaningful, the subcommittee felt it was important to identify not only the job responsibilities but also the performance standards expected of the City Manager. The Performance Review form identifies the seven primary areas/components in which the City Manager's performance will be evaluated. Within each primary area/component, the job responsibilities and performance standards are listed. Each CM would give an overall rating of the City Manager's performance in each area/component and provide narratives relating to "Commendations, Directions for Improvement, and Comments/Recommendations." The City Manager would also provide "Comments" related to objective accomplishments of goals in each component and/or responses to Council's evaluation.

This Resolution also repeals Resolution #07-016.

HR Director Hoang reviewed the agenda bill summary.

Ms. Hoang reviewed the changes that were made at the October 12 A&F meeting.

CM Forschler stated his support of this item, but reiterated his preference of a 360 component to receive input from people that have different interactions with the City Manager.

CM Shape, DM Fisher, and CM A. Anderson stated their support of this item as it is without the 360 component.

Mayor T. Anderson stated her support of this item.

Council consensus: Referred to the 10/26/10 RCM Consent Agenda

Agenda Bill #3241 – An Ordinance amending certain section of Title 15 of the SeaTac Municipal Code (SMC) related to the electric vehicle infrastructure (EVI)

Summary: The proposed regulations would allow EVI within all zones within the City. EVI includes battery recharge stations, rapid recharge stations, and battery exchange stations.

In late 2009, the State Legislature passed Second Substitute House Bill 1481 (2SHB 1481) regarding the regulation of EVI within cities along the I-5, I-90, and SR 520 travel corridors (SeaTac is within this corridor). The bill required cities within the corridor to adopt EVI regulations by July 1, 2010 with the assistance of model regulations drafted through the PSRC, which were completed and issued on July 31, 2010. The model regulations were incorporated into the proposed EVI regulations. The proposed EVI regulations meet the minimum state requirements of the HB. Following is a summary of this Ordinance:

- The following new definitions are incorporated:
 - Battery Charging Stations
 - Battery Exchange Station
 - Electric Scooters and Motorcycles
 - Electric vehicle charging station
 - Electric vehicle charging station — restricted
 - Electric vehicle parking space
 - Medium-speed Electric Vehicle
 - Non-Electric Vehicle
 - Rapid Charging Stations
 - Battery Electric Vehicle (BEV)
 - Charging Levels
 - Electric Vehicle
 - Electric vehicle charging station — public
 - EVI
 - Electric Vehicle Waiting Space
 - Neighborhood Electric Vehicle
 - Plug-in Hybrid Electric Vehicle (PHEV)
- Allows EVI in all zones Citywide as well as in the City Center and South 154th Street Station areas. EVI in the residential zones is limited to "restricted electric vehicle charging stations" for the use of the residents of residential development only.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3241 (Continued):

- Provides landscaping and parking standards for EVI.
- Provides off-street parking requirements for EVI that are the primary use of a property.
- Allows the retrofitting of the existing off-street parking in existing development to be converted to battery or rapid charging stations.
- Signage is required for publicly available battery charging stations.

The PC conducted a public hearing (PH) regarding the proposed EVI regulations at their October 19 meeting and recommended approval of the proposed regulations.

Principal Planner Dodge reviewed the agenda bill summary.

Council consensus: Referred to the 10/26/10 RCM Consent Agenda

Agenda Bill #3271 – A Motion authorizing the City Manager to sign a Letter of Understanding (LOU) with the City of Tukwila for use of the SeaTac Facilities by the City of Tukwila in the event of an emergency

Summary: With the heightened possibility of a flood in the Green River Valley, the City of Tukwila is planning in advance for alternate locations for their essential facilities. This LOU provides for Tukwila to utilize SeaTac Fire Station 45 as a backup location for their Fire Prevention Staff and Emergency Coordination Center (ECC), and Station 46 as a backup fire station. This is in the event that their facilities are not usable, and subject to the needs of SeaTac.

If this were to occur, it would be activated through the Regional Disaster Plan, which has been adopted by both agencies and provides for the necessary legal and financial agreements. SeaTac would be reimbursed by Tukwila in accordance with the agreed rate schedule.

Acting Fire Chief Wiwel reviewed the agenda bill summary.

City Attorney Mirante Bartolo stated a correction to the agenda bill that the Public Safety & Justice (PS&J) Committee review was October 12 and not October 26.

CM A. Anderson stated that the PS&J Committee recommended this item for approval.

Council consensus: Referred to the 10/26/10 RCM Consent Agenda

Agenda Bill #3274 – A Motion establishing a Regional Fire Authority (RFA) Exploratory (Ad Hoc) Committee and appointing its members

Summary: At the June 5, 2010 retreat, City Council was presented with different fire service consolidation options including consolidation with South King Fire, City of Tukwila Fire Department and the Kent RFA. At that time, the Council unanimously directed City administration to further explore consolidation with the Kent RFA. Upon that direction, staff began working with representatives from the Kent RFA. The first formal step towards potential consolidation is formation of the exploratory committee.

The objective of this exploratory committee is to study the feasibility of joining the Kent RFA. On August 10, the Public Safety & Justice (PS&J) Committee gave approval to the formation of an Exploratory Committee. The Kent RFA will also have members on this committee, including Board members, a finance representative, Fire Department representatives, and International Association of Fire Fighters (IAFF) representatives.

The following is a list of proposed committee members, as approved by Mayor T. Anderson:

Council Representatives: DM Gene Fisher, and CMs Tony Anderson and Mia Gregerson

Citizen Representatives: Dave Bush, Richard Jordan, Erin Sitterely

Business Representatives: Art Stipan – CEO Rontra Freight and Tom Roush – Skyline Properties

IAFF Representatives: John Gallup and Dan Flood

Fire Department Representatives: Brian Wiwel – Acting Fire Chief; Jeff Richardson – Battalion Chief; Brian Carson – Fire Captain; Keven Rojecki – Firefighter; Ron Wieland – Day shift

Finance: Mike McCarty – Finance Director

Other: Mary Ann Cromwell – Note Recorder

Acting Fire Chief Wiwel presented background information on this issue. Detailing the purpose of an RFA and the four options reviewed at the June Council Retreat.

He reviewed the agenda bill summary.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3274 (Continued): Council discussion ensued regarding two of the options: (1) joining Tukwila; and (2) joining the Kent RFA. Concerns were mentioned that joining the Kent RFA would actually increase costs to the residents.

CM Shape stated that at the retreat in June, CMs in attendance unanimously consented to joining the Kent RFA because it was a quicker and cheaper option.

Acting Chief Wiwel stated that with the Kent RFA, assets would be negotiated during the process.

The exploratory process will take approximately six months. If it is determined that this is feasible, the planning process will then take another few months. It is projected that the option to join the Kent RFA could go before the voters during the spring of 2012.

CM A. Anderson clarified that tonight's discussion is not whether to join the Kent RFA or not, but to authorize a committee to explore whether joining the Kent RFA is even feasible.

CM Forschler stated his concern that the object of the committee is to only explore the Kent RFA. He stated his opinion that the scope of the committee should be expanded to include reviewing other options. He also stated his concern with the governance model used by the Kent RFA.

Mr. Wiwel clarified that sub groups will be set up to review the other options to compare the differences.

CM Gregerson stated that the good part about having the governance model is that while Kent is more than double the size of SeaTac, both Kent and SeaTac will have the same number of representatives at the table.

Council consensus: Referred to the 10/26/10 RCM Consent Agenda

Agenda Bill #3272 – A Motion authorizing the City Manager to execute a contract with The Andover Company, for the purpose of providing property leasing and representation services at the SeaTac Center property

Summary: This Motion allows the contracting for full-service commercial brokerage and leasing services at the SeaTac Center. Services include, but are not limited to: property tours, transaction facilitation, marketing coordination and development of marketing materials, market analysis, project coordination, and administrative support.

Three proposals were provided from commercial leasing firms. Andover was selected after an analysis of costs, services, and the hands-on experience of the leasing agents with the SeaTac Center property and current tenants. The offices of the company are also in the closest proximity to the SeaTac Center and the lead brokers have a list of prospective interested tenants retained from their prior work with Collier's International which previously represented the prior owners of the property.

The projected and estimated operating budget for the property can accommodate this necessary expense, without any impact to the City's General Fund. The actual cost of the service is dependent upon the lease rate and terms and is based on a percentage thereof.

IACM Robinson reviewed the agenda bill summary.

DM Fisher stated that the A&F Committee recommended this item for approval.

Council consensus: Referred to the 10/26/10 RCM Consent Agenda

CONSENT AGENDA:

- **Approval of claims vouchers** (check nos. 91460 – 91662) in the amount of \$1,121,635.06 for the period ended October 20, 2010.
- **Approval of payroll vouchers** (check nos. 49194 – 49231) in the amount of \$167,539.71 for the period ended October 15, 2010.
- **Approval of payroll electronic fund transfers** (check nos. 65894 - 66067) in the amount of \$327,119.78 for the period ended October 15, 2010.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$60,652.89 for the period ended October 15, 2010.

CONSENT AGENDA (Continued):

Approval of Council Meeting Minutes:

- **Administration and Finance Committee Meeting** held October 12, 2010.
- **Public Safety and Justice Committee Meeting** held October 12, 2010.
- **Regular Council Meeting** held October 12, 2010.

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

Agenda Bill #3268; Resolution #10-016 revising the evaluation process of the City Manager

Agenda Bill #3241; Ordinance #10-1024 amending certain section of Title 15 of the SeaTac Municipal Code related to the electric vehicle infrastructure

Agenda Bill #3271; Motion authorizing the City Manager to sign a Letter of Understanding with the City of Tukwila for use of the SeaTac Facilities by the City of Tukwila in the event of an emergency

Agenda Bill #3274; Motion establishing a Regional Fire Authority Exploratory (Ad Hoc) Committee and appointing its members

Agenda Bill #3272; Motion authorizing the City Manager to execute a contract with The Andover Company, for the purpose of providing property leasing and representation services at the SeaTac Center property

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

PUBLIC COMMENTS (related to the Consent Agenda): Earl Gipson stated that the RFA Exploratory Committee scope should be broadened to include reviewing all options.

Doris Cassan commented on the following: (1) RFA – questioned if the City incorporated to have control, why is Council considering giving it away by having the Fire Department join an RFA. She also stated her concern that the costs to businesses may increase; and (2) the City wants to encourage economic development (ED), but then questions some developers about their intentions. Council needs to think about why some are questioned and some are not.

*MOTION CARRIED UNANIMOUSLY.

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

UNFINISHED BUSINESS: There was no Unfinished Business.

NEW BUSINESS:

(No agenda bill was created. The agenda bill number was created for tracking purposes only.)

Agenda Bill #3276; Ordinance #10-1025 relating to hiring and salaries for non-represented employees

CM Forschler stated that the King County (KC) Executive gave a press release in July about freezing salaries, and eliminating cost of living allowances (COLA) and step increases for the Executive Branch. He also asked other elected officials to do the same.

He read the proposed Ordinance into the record.

DM Fisher stated that on the surface he is in support of this Ordinance. However, he requested the A&F Committee review the Ordinance and then bring it back to Council at the next RCM.

CMs A. Anderson, Shape, and Gregerson, and Mayor T. Anderson stated their disagreement with this proposed Ordinance. The City already implements many of the proposed changes and Council can address the changes during the current budget process.

ICM Cutts stated that he prepared a memo in response to CM Forschler's request. He highlighted the memo stating his recommendation to not pass this Ordinance and encouraged Council to weigh the real fiscal impact versus labor relations.

Upon a question posed by CM Fernald, Mr. Cutts stated that a workshop is being developed on classification and compensation. Staff will consider the option of including this issue into the workshop discussion.

CITY MANAGER'S COMMENTS: ICM Cutts commented on the following: (1) summarized the 2011 budget, costs, timeline and process; (2) October 27 – Port of Seattle (POS) Part150 Noise Study Workshop at Mt. Rainier High School; (3) November 6 – 9 a.m. – 3 p.m., Holiday Bazaar; and (4) October 29 - Accounting Technician Leslie Stevenson will be retiring from the City.

COUNCIL COMMENTS: CM Forschler stated that he attended the Midway Sewer District's meeting and extended an invitation for them to come talk to the City about the rate increase. The Sewer District mailed a letter in response, thanking the City for the invitation, offering the Council an opportunity to tour the district's facility and treatment plan, and offering the Council an opportunity to come to one of their meetings to discuss the rate increase. It included a diagram that shows the district's rates as compared to the inflation. Their rates are at a lower slope than inflation which means the district is becoming increasingly efficient over time. This means the City is getting a good value for its money.

CM A. Anderson thanked the Mayor for the Day of the Deployed proclamation.

CM Shape commented on the following: (1) summarized the South County Area Transportation Board (SCATBd) and Regional Transit Committee meetings; (2) received a letter from the Washington State Department of Veterans' Affairs announcing that all veterans and their families can now receive information related to benefits and services by calling 1.877.904.8387; (3) Volunteer Appreciation Luncheon; and (4) also received the letter from the sewer district but felt that it didn't explain the need for a 10% rate increase.

CM Gregerson commented on the following: (1) City is diverting approximately 1,000 pounds a month of food waste from the dumps; (2) smile mobile at Madrona Elementary November 29 – December 3; (3) meeting with Executive Director of Community Center for Education Results. A conference will be held at the South Seattle Community College on December 9 (call 388.1656 for more information); (4) November 3 – Riverton Heights Community Meeting; and (5) the next Land Use and Parks (LUP) Committee meeting is scheduled for November 23. She will be out of town and requested the meeting be rescheduled.

CM Fernald commented on the Volunteer Appreciation Luncheon. She encouraged younger residents to get involved.

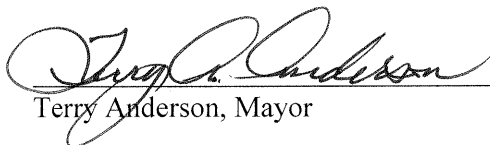
DM Fisher thanked the Mayor and the Council for allowing him to miss some meetings while he was commercial fishing.

Mayor T. Anderson commented on the following: (1) veterans can now receive services at the Kidney Center in SeaTac instead of having to go to the Veterans Hospital in Seattle; (2) October 28 - Highline Hospital is hosting a seminar regarding the new elimination of certain medical plans; and (3) apologized for missing the Volunteer Appreciation Lunch. She had a friend that was ill.

ADJOURNED:

MOVED BY T. ANDERSON, SECONDED BY SHAPE TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 8:46 P.M.

MOTION CARRIED UNANIMOUSLY.


Terry Anderson, Mayor


Kristina Gregg, City Clerk