

City of SeaTac

Regular Council Meeting Minutes

October 9, 2018
6:00 PM

City Hall
Council Chambers

CALL TO ORDER: Mayor Erin Sitterley called the SeaTac City Council Regular Meeting to order at 6:00 p.m.

COUNCIL PRESENT: 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, Public Works (PW) Director Will Appleton, City Engineer Florendo Cabudol, Community & Economic Development (CED) Steve Pilcher, Parks, Community Programs and Services (PCPS) Director Lawrence Ellis, Police Chief Carl Cole, Finance & Systems Director Gwen Pilo, Government Relations & Communications Manager Kyle Moore, Senior Management Analyst Tim Ramsaur

FLAG SALUTE: Melissa Wells led the Council, audience, and staff in the Pledge of Allegiance.

Mayor Sitterley announced the City received a letter of interest and a resume from an internal candidate for the City Manager position. A Special Council Meeting has been scheduled for Wednesday, November 14 at 4 p.m. to review the qualifications of this candidate. A Public Open House will be held at 5 p.m.

PUBLIC COMMENTS: Vicki Lockwood spoke against the City exploring foreign trade zones.

Judy Williams spoke regarding the SeaTac Center, stating she is not okay with rents not paid. She request the status of every lease, including City Hall, be provided to Council. She stated her support for the surcharge for Recology (Agenda Bill #5032), but also asked Recology provide information on what can no longer be placed in the recycle bins..

PRESENTATIONS:

Seattle Storm Proclamation

Mayor Sitterley read and presented the proclamation to Seattle Storm Senior Vice President Nate Silverman. A Seattle Storm Rally video was shown.

Mr. Silverman thanked the City for their participation and support.

Fire Prevention Week Proclamation

Mayor Sitterley read and presented the proclamation to Puget Sound Regional Fire Authority (PSRFA) Fire Chief Matthew Morris and Fire Marshall Jon Napier.

Jon Napier stated his appreciation of the ongoing support from the City.

Council confirmation of Mayoral re-appointment of Judy Beste and Dennis Anderson, and appointment of Steve Pinto to the Senior Citizen Advisory Committee, appointment of Leslie Baker to the Planning Commission (PC), and appointment of Roger Kadeg to the Washington State Department of Commerce Sea-Tac Airport Study Advisory Committee

MOVED BY WACHTEL, SECONDED BY FERNALD TO RE-APPOINT JUDY BESTE AND DENNIS ANDERSON, AND APPOINT STEVE PINTO TO THE SENIOR CITIZEN ADVISORY COMMITTEE, APPOINT LESLIE BAKER TO THE PLANNING COMMISSION, AND APPOINT ROGER KADEG TO THE WASHINGTON STATE DEPARTMENT OF COMMERCE SEA-TAC AIRPORT STUDY ADVISORY COMMITTEE.*

Council discussion ensued in favor of the appointments.

*MOTION CARRIED UNANIMOUSLY.

Mayor Sitterley presented the certificates to Mrs. Beste, Mr. Pinto, Leslie Baker, and Roger Kadeg who attended.

PRESENTATIONS (continued):

Key City Issues and Requests for Direction

City Manager Scorcio commented on the following items:

- (1) upcoming Council meetings - October 12 - Budget Workshop 2, October 13 – Special Council Meeting (SCM) for Council Position #5 interviews
- (2) staff had initial conversation with Inland Group and LIHI for negotiating agreements
- (3) continuing discussions with YMCA to resolve issues with previous agreement, revised agreement to Council before the end of the year
- (4) grant application – Hazardous Waste & Recycling - \$26,000
- (5) leases at City Hall and SeaTac Center – He requested the discussion be referred to the Administration & Finance (A&F) Committee. Council concurred.
- (6) October 11 - Fire District's Operation Warm at Valley View Elementary School at 10:15 a.m.
- (7) October 12 - Community Clean Up
- (8) October 20 - Valley Ridge Park Ribbon Cutting

Committee Updates (for items not included on the agenda) and Council Requests to Refer Items to Committees

CM Forschler: October 10 Hotel/Motel (H/M) Tax Advisory Committee; October 4 Planning & Economic Development (PED) Committee - Fiber Optics to households, Foreign Trade Zone – nothing for City to do right now, Economic Master Plan, Convention Center in SeaTac. He requested Staff review of feasibility of a convention center at South 200th Street and refer the response to the PED Committee. Council concurred.

CM Kwon: Foreign Trade Zone - all of King County is already a Foreign Trade Zone, National League of Cities (NLC) Federal Transportation Advocacy Committee – Federal Aviation Act Reauthorization Act was signed into law (including drone regulations and aviation maintenance workforce development program, airport noise), October 18 Transportation & Public Works (T&PW) Committee meeting.

DM Hill: October 4 Parks & Recreation (P&R) meeting – Port Jobs programs, senior services, water quality in relation to Hydroplane races annually, YMCA Services agreement, next meeting November 8.

Mayor Sitterley: A&F Committee has been focusing on the budget and next meeting is October 12.

CONSENT AGENDA:

Approval of claims vouchers (check no. 122363 - 122464) in the amount of \$1,236,234.50 for the period ended October 5, 2018.

Approval of payroll vouchers (check no. 54661 - 54681) in the amount of \$157,524.22 for the period ended September 30, 2018.

Approval of payroll electronic fund transfer (check no. 95541 - 95689) in the amount of \$519,975.43 for the period ended September 30, 2018.

Approval of payroll wire transfer in the amount of \$50,236.39 for the period ended September 30, 2018.

Approval of Council Meeting Minutes:

Administration & Finance Committee Meeting held July 26, 2018

Planning & Economic Development Committee Meeting held August 2, 2018

Administration & Finance Committee Meeting held September 13, 2018

Special Council Meeting held September 25, 2018

Regular Council Meeting held September 25, 2018

The following item was reviewed at the September 25, 2018 Regular Council Meeting and recommended for placement on this Consent Agenda:

Agenda Bill #5032; A Motion authorizing the City Manager to execute a first amendment to the Comprehensive Garbage, Recyclables and Compostables Collection Contract with Recology CleanScapes Inc.

MOVED BY FORSCHLER, SECONDED BY HILL TO ACCEPT THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENTS (related to Action Items): None

ACTION ITEMS:

Agenda Bill #5038; A Motion authorizing the City Manager to execute a contract with Stewart MacNichols Harmell, Inc. P.S. to provide Indigent Defense Services in the SeaTac Municipal Court.

Summary: RCW 10.101.005 provides that "effective legal representation must be provided for indigent persons and persons who are indigent and able to contribute, consistent with the constitutional requirements of fairness, equal protection, and due process in all cases where the right to counsel attaches." For cases in SeaTac Municipal Court, this applies to individuals charged with a criminal offense. Individuals cited for an infraction (such as parking or traffic infractions) do not have a constitutional right to legal counsel. Public Defense costs for criminal felony offenses that occur in SeaTac but are charged in King County Superior Court are borne by the County and not the City.

A determination of indigency is made by the Municipal Court utilizing criteria set forth in RCW 10.101. Those individuals determined to be indigent are appointed an attorney to represent them for their case. The City supports Indigent Defense Services through contractual agreements, and the City currently has a contract with the Law Firm of Stewart MacNichols Harmell, Inc. P.S. to provide these services. They can and do provide the necessary services to represent the indigent client base as Public Defenders assigned this work through our Municipal Court.

The City advertised a Request for Qualifications (August 14 - September 5) seeking an experienced and professional Public Defender to represent indigent defendants and perform a variety of legal representations. Stewart MacNichols Harmell, Inc. P.S. submitted the only response to the RFQ. They have provided these services to the City for the past 10 years. As stated by them in their RFQ response - They provide the necessary experience as criminal defense attorneys with particular knowledge associated with public defense. They strive to provide efficient and effective representation through relationships with the court, prosecutors and the police. They believe that their experience and professionalism provides superior representation for the City of SeaTac public defense of clients, enhance the smooth and efficient operations of the court, and benefit the community at large. For the past 10 years, Stewart MacNichols Harmell, Inc. P.S. provided excellent service to the City and staff believes this same high level of performance will continue through the next contract cycle.

Under the current contract, Stewart MacNichols Harmell, Inc. P.S. is compensated \$300 per case at the time of case disposition. Additional compensation is paid for other contract services that involve additional time, including representing defendants during the daily in-custody jail calendar, providing legal assistance to weekly arraignment calendars, providing legal advice after hours (usually to defendants arrested for DUI), jury trials, and appeals. During contract negotiations, it was determined that it would be more efficient and cost effective to charge a flat monthly fee of \$14,000 per month for all defense services provided. This fee would include the compensation for 480 cases per year (40 cases per month average).

At the end of the year, the number of cases above or below 480 would adjust the compensation upward or downward by \$300 per case. The proposed contract has a two-year term, with an option to extend for an additional two-years upon mutual agreement.

The proposed 2019 - 2020 Budget for indigent defense services is \$206,000 per year to cover any additional cases that may result from the hiring of additional police officers. The proposed contract expenditures total \$168,000 per year (with 480 cases), which is \$38,000 lower than the requested budget amount.

The Public Safety and Justice (PS&J) Committee reviewed the information related to this item on September 13, 2018 and recommended approval.

Sr. Management Analyst Ramsaur reviewed the agenda bill summary.

Discussion ensued regarding costs, and case load.

Council consensus: Refer to the October 23, 2018 Regular Council Meeting (RCM) Consent Agenda.

ACTION ITEMS (continued):

Agenda Bill #5060; A Motion confirming appointments to the Seattle Southside Regional Tourism Board of Directors.

Summary: The City Council adopted Ordinance #14-1014 on October 14, 2014, chartering the SSRTA. The SSRTA Charter provides that new appointments and re-appointments to the Board are to be made by the existing Board, subject to confirmation by the City Council. The Board approved the following appointments on September 13, 2018 that are in need of confirmation.

Re-appointment of Ken Stockdale through December 31, 2021.

Re-appointment of Maureen Huffman through December 31, 2021.

Appointment of Ben Osgood through December 31, 2019.

Appointment of Bruce Janzen through December 31, 2020.

Appointment of Jenny Vasquez through December 31, 2020.

Appointment of Donna Rios, through December 31, 2021.

No Council committee meeting was held since this is a confirmation of SSRTA Board appointments.

CED Director Pilcher reviewed the agenda bill summary.

Council discussion ensued regarding interview and appointment process.

Council consensus: Refer to the October 23, 2018 RCM Consent Agenda.

Agenda Bill #5044; A Motion adopting an American with Disability Act (ADA) Self Assessment and Transition Plan.

Summary: The ADA provides comprehensive civil rights protection to persons with disabilities in the areas of employment, state and local government services, and access to public accommodations, transportation, and telecommunications. There are five titles (or parts) to the ADA, of which Title II is most pertinent to travel in the public right-of-way (ROW). This title specifies equal access to all services, programs and activities that are provided or made available by public entities. The ADA Self-Assessment and Transition Plan comprehensively addresses the requirements of ADA Title II, Part 35, Subpart D – Program Accessibility § 35.150 (d)(3) which states: The plan shall, at a minimum:

1. Identify physical obstacles in the public entity's facilities that limit the accessibility of its programs or activities to individuals with disabilities;
2. Describe in detail the methods that will be used to make the facilities accessible;
3. Specify the schedule for taking the steps necessary to achieve compliance with this section;
4. If the time period of the transition plan is longer than one year, identify steps that will be taken during each year of the transition period; and
5. Indicate the official responsible for implementation of the plan. Government agencies with more than 50 employees are required to have an ADA self-assessment and transition plan.

The ADA Self-Assessment and Transition Plan was developed by Transpo Group, in accordance with Agenda Bill 4645. The plan provides an evaluation of the City's existing access barriers for individuals with disabilities, identifies a schedule for removal of these barriers, and establishes how the City will address requests for accommodations. This plan focuses exclusively on barriers within, or affecting facilities within the ROW such as sidewalks, curb ramps, and pedestrian signals. There are several PW programs available to address and remove identified barriers, including the Annual Pavement Overlay Program, the Transportation Improvement Program, the Capital Improvement Program, and the Sidewalk Improvement Program. In addition, development permits and any other construction projects with ROW are evaluated to address barriers and ensure ADA compliance.

Adoption of the Plan affirms the City's continued compliance with ADA for all of its capital improvement projects, development, and work within ROW. Ongoing compliance with the Plan will require regular updates and tracking of barrier removals over the next 20 years. Upon adoption of a Plan, PW will develop and implement a program to monitor compliance with ADA requirements and keep the City on course to complete the removal of ADA barriers within the ROW in an acceptable timeframe.

ACTION ITEMS (continued):

Agenda Bill #5044 (continued):

Part of establishing the subject program will be to determine how the existing PW programs can be used (or modified) to address all of the barriers needing to be removed over the next 20 years. Initial assessments do not indicate additional funding will be needed specifically for barrier removal, as most barriers will continue to be removed/corrected within other roadway and sidewalk projects. If additional funding is needed for an approved project within the CIP at some point in the future, a budget amendment would be brought before Council for approval.

The ADA Transition Plan was presented at both the May 17 and September 20, 2018 Transportation and PW (T&PW) Committee meetings. The Committee recommended to proceed with moving the Plan forward to Council for review and consideration.

City Engineer Cabudol reviewed the agenda bill summary.

Council discussion ensued regarding plan, updating/amending the plan as needed, 2-A Sidewalk widths on Military Road South and 46th Avenue South (southwest corner), funding, grievance process (process for having improvements made sooner for affected residents), and prioritizing areas to be fixed.

Council consensus: Refer it to the October 23, 2018 RCM Consent Agenda.

Agenda Bill #5046; A Resolution declaring the City's continued interest in maintaining a leadership role in support of the deployment of vehicles with automated driving capabilities on the City's public roadways.

Summary: On May 18, 2017, the City of SeaTac entered into a contract with the Center for Advanced Transportation and Energy Solutions (CATES) to develop an action plan with guidance for deploying advanced transportation technologies that have the potential to reduce accidents, emissions and congestion, with the initial focus being on the feasibility of automated mobility services. CATES conducted an orientation workshop briefing for Council and the public on June 29, 2018 (Contract Deliverable 1) and discussed what the deployment of autonomous vehicles within the City might mean for citizens and local businesses, and what resources would likely be required of City Government.

In September 2017 CATES submitted a Memo to the City on key findings from Stakeholders and immediate action steps to begin securing Federal funding (Contract Deliverable 2), and in October, 2017 they delivered a draft 50% action plan (Contract Deliverable 3). At the January, 2018 T&PW Committee meeting, CATES provided and made a presentation on the draft 95% action plan (Contract Deliverables 4 & 5).

The final action plan was presented and discussed at the April, 2018 T&PW meeting and the Committee recommended developing a resolution in support of autonomous vehicles for the Committee to consider. On July 19, 2018 a draft resolution supporting autonomous vehicles was reviewed and recommended by the Committee for adoption by the full Council.

This topic has been discussed before the T&PW Committee on 1/18/18, 4/30/18 and 7/19/18. The Committee recommended approval of the proposed resolution at their 7/19/18 meeting.

PW Director Appleton reviewed the agenda bill summary.

Council discussion ensued regarding this Resolution and why it may be needed, including positioning the City for grant opportunities in the future, and support versus actively participating, what this Resolution commits the City to do.

Council consensus: Refer it to the October 23, 2018 RCM as an Action Item, with potential language changes for consideration

PUBLIC COMMENTS (related to Unfinished Business): None

UNFINISHED BUSINESS: None.

NEW BUSINESS: None.

CITY MANAGER'S COMMENTS: None

COUNCIL COMMENTS: CM Forschler questioned whether the City would have something identifying how the recyclable contract has changed. Mr. Scorcio stated an update can be provided to Council as well as an article in the City Manager's Weekly Update.

CM Wachtel spoke regarding a homeless encampment Mayor Sitterley and he were made aware of at the Sidewalk Advisory Committee meeting. He reminded everyone that if you see something, say something.

CM Kwon commented on the following: (1) career day at Bow Lake Elementary School, (2) fine art exhibit, (3) ribbon cutting, (4) advisory committees – get involved, and (5) locking mailbox program.

CM Fernald shared an incident that happened while she was campaigning. She reiterated, "see something, say something".

DM Hill stated at the September 20 T&PW meeting, guests from KC Signaling group spoke on how signals are controlled and prioritized. He shared that a neighbor submitted comment about a light that appeared to be out of sink and it has since been taken care of by the PW department.

Mayor Sitterley commented on the following: (1) attended the Soroptimists of South Seattle fundraiser luncheon; (2) encouraged people to find somewhere to be involved and make a difference; (3) attended career day, (4) sidewalk meeting - thanked staff and crew for a good meeting.

EXECUTIVE SESSION: None

ADJOURNMENT:

MAYOR SITTERLEY ADJOURNED THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 8:11 P.M.



Erin Sitterley, Mayor



Kristina Gregg, City Clerk

City of SeaTac
2018 SEATTLE STORM CHAMPIONSHIP DAY

WHEREAS, the Seattle Storm is a professional basketball team based in the Puget Sound Region, playing in the Western Conference in the Women's National Basketball Association (WNBA); and

WHEREAS, the Seattle Storm has a culture of giving and supporting the community and has been an exceptional community partner to the residents of the City of SeaTac since 2013; and

WHEREAS, the Seattle Storm players have a strong commitment to team up with youth serving organizations and the community to equip young people with the skills, desire and confidence to pursue their full potential; and

WHEREAS, as part of the Storm's health and wellness initiative, the organization holds summer camps and clinics for the Puget Sound youth basketball community; and


WHEREAS, the Seattle Storm hold community practices annually in the City of SeaTac, most recently on July 12, 2018 in order to celebrate the importance of youth being active; and

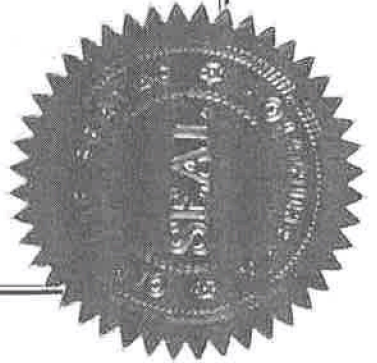
WHEREAS, the Seattle Storm won the 2018 Women's National Basketball Association National Title by sweeping the Washington Mystics on September 12, 2018; and

WHEREAS, this makes the Seattle Storm three-time WNBA champions; and

NOW, THEREFORE, I, Erin Sitterley, Mayor of the City of SeaTac, on behalf of the City Council, do hereby proclaim the 16th day of September 2018 as SEATTLE STORM CHAMPIONSHIP DAY in the City of SeaTac, and call upon our community to observe this day with celebrations.

Given under my hand and the seal of the City of SeaTac this 14th day of September 2018.


Erin Sitterley, Mayor



City of SeaTac

2018 Fire Prevention Week

WHEREAS, the City of SeaTac is committed to ensuring the safety and security of all those who live, work and visit SeaTac; and

WHEREAS, fire is a serious public safety concern both locally and nationally, and homes are the locations where people are at greatest risk from fire; and

WHEREAS, home fires killed 2,735 people in the United States in 2016, according to the National Fire Protection Association (NFPA), and fire departments in the United States responded to 352,000 home fires; and

WHEREAS, the majority of U.S. fire deaths (4 out of 5) occur at home each year and the fire death rate per 1000 home fires reported to U.S. fire departments was 10 percent higher in 2016 than in 1980; and

WHEREAS, working smoke alarms cut the risk of dying in reported home fires in half and residents should install smoke alarms in every sleeping room, outside each separate sleeping area, and on every level of the home; and


WHEREAS, SeaTac's residents who have planned and practiced a home fire escape plan are more prepared and will therefore be more likely to survive a fire; and

WHEREAS, SeaTac's first responders are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education; and

WHEREAS, the 2018 Fire Prevention Week theme, "Look. Listen. Learn. Be aware – fire can happen anywhere™" effectively serves to remind us that we need to take personal steps to increase our safety from fire.

NOW, THEREFORE, I Erin Sitterley, Mayor of SeaTac do hereby proclaim October 7-13, 2018, as Fire Prevention Week throughout this city, and I urge all the people of SeaTac to be aware of their surroundings, look for available ways out in the event of a fire or other emergency, respond when the smoke alarm sounds by exiting the building immediately, and to support the many public safety activities and efforts of SeaTac's fire and emergency services during Fire Prevention Week 2018.

Given under my hand and the seal of the City of SeaTac this 9th day of October 2018.


Erin Sitterley, Mayor

