

City of SeaTac

Regular Council Meeting Minutes

November 9, 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 6:02 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, Senior Planner Mike Scarey, Human Resources (HR) Analyst / Chief Examiner Stephanie Johnson, Finance Director Mike McCarty, Public Works (PW) Director Tom Gut, Facilities Director Pat Patterson, Acting Fire Chief Brian Wiwel, and Police Chief Jim Graddon.

FLAG SALUTE: Bud Jones led the Council, audience and staff in the Pledge of Allegiance.

PUBLIC COMMENTS: The following residents spoke against Comprehensive Plan (CP) Map Amendment 4 (Bo Lindstrom's property): Leslie Baker, Mark Siegel, David Cronk, Clyde Hill – submitted signed petitions (online petition as hosted through Angle Lake Shore Club), Jordan Day Cronk, Dan Winston, Eddie Richards, Gary Hickam, and Cheyrl Ostrom.

Doris Cassan spoke against Agenda Bill #3280 (City Council Administrative Procedures).

Daryl Tapio, on behalf of the Planning Commission (PC), stated that the PC unanimously voted to deny A-4.

Barry Ladenburg, on behalf of the PC, stated that the PC approved the first three CP amendments. A-4 received the most public comments. He mentioned comments made at the PC regarding A-4.

PRESENTATIONS:

•Tukwila Pantry

Executive Director Joe Tice stated that the pantry was established to serve the residents of the City of Tukwila in a humane and dignified way with their emergency food and other referral needs. Additionally, the pantry serves residents of the bordering communities. The Tukwila Pantry is committed to educating the community on issues surrounding hunger. He reviewed the programs: Tukwila Pantry, Tuesday's Table, English as a Second Language (ESL), Youth Soccer, and Referral Service.

SeaTac funding is used to offset operational expenses. It helps to assist in meeting payroll obligations to the 1.5 full-time employees. Funds are used to provide transportation, enabling more than 3 million pounds of food to be picked up and distributed; it is used to provide hot meals to nearly 150 individuals every Tuesday. City allocated funds are also used to cover waste, utility, phone and insurance bills.

•Civil Service Commission Annual Report

Commissioner Donna Thomas stated that the commission ensures hiring and promotions are fair and competitive and all personnel rules are fairly administered for SeaTac fire fighters. The other current commissioners are Chair Richard Jordan and Erin Sitterley. She reviewed the commissions 2010 accomplishments and 2011 goals, including revision of the SeaTac Civil Service Rules, and exams held which established eligibility registers for Fire Captain (two years) and Battalion Chief (one year).

•2010 Final Docket of Comprehensive Plan (CP) Amendments

Interim Planning Director Baker stated that the PC unanimously agreed on recommendations to Council. Tonight's presentation will be to update the Council on the PC recommendations.

Senior Planner Scarey reviewed the following recommendations:

- Map Amendment A-3: adopt change to Commercial High Density without conditions
- Map Amendment A-4: PC recommendation – do not adopt change to Industrial, with conditions; Staff recommendation – adopt change with conditions. Ms. Baker clarified that the conditions would be so stringent that a tow yard would not be allowable.

Ms. Baker reviewed the key Subarea Plan Amendment S-1 (SeaTac/Airport Station Area) provisions: (1) vehicular / pedestrian access and circulation, (2) encourage high quality development, (3) encourage new parks and plazas, (4) put park 'n fly parking in structures, and (5) create strong connections between the station area and the City Center.

PRESENTATIONS (Continued):

2010 Final Docket of CP Amendments (Continued): After comments from public, the PC and staff recommended that the station area plan be removed. The City would then rely on the City Center plan, and retain/include the key station area plan provisions that remained after modifications were previously agreed upon by the PC. Nothing would be lost, just simplified.

Staff is recommending additional Council action be taken to remove the conceptual collector streets from the City Center map.

Ms. Baker stated that staff will be coming back to Council at the November 23 Regular Council Meeting (RCM) for Council action.

CM Shape questioned the staff recommendation to rezone this property, with conditions. He stated that the residents don't feel this property should be rezoned Industrial, regardless of restrictions.

Mr. Cutts clarified that at the November 9 RCM, Council requested staff review options to make this property work as Industrial by placing some conditions on it. Staff responded to that request in order to attempt to satisfy all parties.

Upon a question posed by CM Shape, Ms. Baker responded that there would be two zoning designations on the one lot.

Mr. Tapio clarified the PC recommendation, stating that when the property owner was asked if the staff's recommendation was approved, could he come up with anything he would do with the property with those conditions, he said he couldn't think of anything. If the applicant doesn't really want that, the PC felt that the request should be denied.

Mr. Scarey stated that it is also staff's intention to bring draft amended language of appropriate policies in the City Center plan and code sections at the November 23 RCM.

• Council consideration of Mayoral appointment of Wilbur Dyrness as an alternate member to the Senior Citizen Advisory Committee (Scheduled for Council confirmation at the 11/23/10 RCM)

Mayor T. Anderson announced her selection of Mr. Dyrness to be appointed as an alternate to the Senior Citizen Advisory Committee at the November 23, 2010 RCM.

Council consensus: Referred to the 11/23/10 RCM for Confirmation of Appointment

DISCUSSION ITEM:

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

ICM Cutts reviewed the requests:

<u>Item Description</u>	<u>Department</u>	<u>Original Budget</u>	<u>Amended Budget</u>	<u>Estimate</u>
Leaf Vacuum	PW	\$4,500	\$4,500	\$4,500
		\$0	\$0	\$2,000
		\$4,500	\$4,500	\$6,500

****will absorb with savings in other line items****

Change order and sales tax for City Hall Cooling Tower Replacement	Facilities	see note below	see note below	\$32,738
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Council approved Agenda Bill #3256 on 9/14/10 for the low bid amount of \$208,592. However, the agenda bill didn't provide for the associated sales tax. In addition, a change order in the amount of \$11,800 has been submitted, but the agenda bill didn't provide for a contingency amount. This request provides for the \$11,800 change order plus the \$20,938 sales tax for the entire project (including the change order), for a total request of \$32,738. The total cost of the project, including the change order and sales tax, is \$241,330. The amount budgeted in 2010 for this work is \$350,452.

Council consensus: Referred to the 11/09/10 RCM Consent Agenda

AGENDA BILL PRESENTATIONS:

Agenda Bill #3276 – An Ordinance related to the hiring and salaries of non-represented employees

Subject: This Ordinance provides that the classification and compensation plan adopted as part of the 2010 Budget could not be modified with respect to non-represented employees until further action by Council. The provisions of SeaTac Municipal Code (SMC) 2.65.030, that authorizes the City Manager to adjust the salaries of non-represented

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3276 (Continued): employees subject to ratification of the Administration & Finance (A&F) Committee would be temporarily suspended. In addition, this Ordinance provides that the City Manager is not authorized to grant any salary increases, including but not limited to step increases and Cost of Living Allowance (COLA), to non-represented employees for calendar year 2011. Finally, this Ordinance provides that the City Manager could not fill any vacant positions without recommendations of the Position Vacancy Review Board (PVRB) and approval of the Council. This Ordinance would expire on December 31, 2011.

This Ordinance would only affect non-represented employees. Represented employees would continue to be governed by their respective collective bargaining agreements.

Freezing salaries by not allowing step increases for non-represented employees will save approximately \$35,382 (\$24,274 in general fund savings and \$10,658 in non-general fund savings). By not authorizing a COLA for non-represented employees, there will be a cost savings of approximately \$95,292 (\$76,494 in general fund savings and \$18,798 in non-general fund savings).

CM Forschler stated this was discussed at the October 26 RCM and at today's A&F Committee meeting. The A&F Committee discussed the possibility of discussing this during the December 6 Budget Workshop 5. CM Forschler suggested this item be delayed until after Council has had more discussion through the budget process.

Council consensus: Referred to the December 6 Budget Workshop 5 for discussion

Agenda Bill #3280 – A Resolution amending Section 10 of the City Council Administrative Procedures related to Council relations with Staff

Subject: This Resolution amends the definitions related to Council Information Requests (CIR). Currently, *Major* requests are defined as those that are reasonably estimated to entail eight hours or more of staff time; *Significant* requests are those that are reasonably estimated to involve one hour or more; but less than eight hours of staff time; and *Minor* requests are those that are reasonably estimated to take less than one hour of staff time to complete.

Major requests would be redefined as those estimated to entail more than one hour of staff time. *Significant* requests would be redefined as a request estimated to take more than thirty minutes but not more than one hour. *Minor* requests would involve thirty minutes or less of staff time.

CM Shape stated that this item was reviewed by the A&F Committee today, and decided to bring it to the full Council for more discussion. He reviewed the agenda bill summary. He also read CIR received in the last week.

DM Fisher requested this item be discussed under Unfinished Business.

Council consensus: Referred to the 11/09/10 RCM Unfinished Business

CONSENT AGENDA:

- **Approval of claims vouchers** (check nos. 91663 – 91837) in the amount of \$487,974.47 for the period ended November 5, 2010.
- **Approval of payroll vouchers** (check nos. 49232 – 49273) in the amount of \$372,982.24 for the period ended October 31, 2010.
- **Approval of payroll electronic fund transfers** (check nos. 66068 – 66245) in the amount of \$333,839.55 for the period ended October 31, 2010.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$62,178.13 for the period ended October 31, 2010.
- **Summary of \$5,000 - \$35,000 Purchase Requests** for the period ended November 5, 2010.

Approval of Council Meeting Minutes:

- **Transportation & Public Works Committee Meeting** held October 26, 2010.
- **Regular Council Meeting** held October 26, 2010.

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

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

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:

Agenda Bill #3280; Resolution #10-017 amending Section 10 of the City Council Administrative Procedures related to Council relations with Staff

MOVED BY SHAPE, SECONDED BY A. ANDERSON TO PASS RESOLUTION #10-017.*

DM Fisher, CM Fernald, and CM Forschler spoke against this Resolution, stating their opinion that Council needs the information requested in order to do their job as CMs.

CM Shape, CM A. Anderson, and CM Gregerson spoke in favor of this Resolution, stating that an eight hour request for one CM costs the City a lot of money.

MOVED BY GREGERSON, SECONDED BY T. ANDERSON TO AMEND THE RESOLUTION TO DEFINE "MAJOR" INFORMATION, STATISTICS, INTERPRETATIONS, OR ANSWERS TO QUESTIONS AS ANY EFFORT WHICH IS REASONABLY ESTIMATED TO ENTAIL MORE THAN TWO HOURS OF STAFF TIME, "SIGNIFICANT" INFORMATION, STATISTICS, INTERPRETATIONS, OR ANSWERS TO QUESTIONS AS ANY EFFORT WHICH IS REASONABLY ESTIMATED TO ENTAIL ONE HOUR OR MORE, BUT LESS THAN TWO HOURS, AND "MINOR" INFORMATION, STATISTICS, INTERPRETATIONS, OR ANSWERS TO QUESTIONS AS ANY EFFORT WHICH IS REASONABLY ESTIMATED TO ENTAIL ONLY AN IMMEDIATE RESPONSE OR LESS THAN ONE HOUR OF STAFF TIME.**

Council discussion ensued as to staff time.

**AMENDED MOTION CARRIED WITH FORSCHLER AND FISHER VOTING NO.

*ORIGINAL MOTION CARRIED AS AMENDED WITH FORSCHLER AND FISHER VOTING NO.

NEW BUSINESS: There was no New Business.

CITY MANAGER'S COMMENTS: ICM Cutts commented on the following: (1) November 11 – City Hall closed for Veteran's Day; (2) November 12 – City Hall closed due to a furlough day; (3) November 15 – 5 – 9 p.m., Budget Workshop 4; and (4) Land Use & Parks (LUP) and Transportation & Public Works (T&PW) Committee meetings have been rescheduled from November 23 to November 16; T&PW at 4 p.m. and LUP at 5:45 p.m.

COUNCIL COMMENTS: CM Forschler questioned when Agenda Bill #3280 would go into effect. City Clerk Gregg stated that unless otherwise stated, Resolutions go into effect immediately. CM Forschler stated that he'd be submitting a Council request tomorrow that now may need to be approved by Council.

CM Shape complimented staff and seniors for the November 6 Bazaar at the community center.

CM Gregerson commented on the following: (1) November 17 - Suburban Cities Association (SCA) annual meeting and dinner; (2) Smilemobile at Madrona Elementary School during the last week of November; (3) requested Puget Sound Regional Council (PSRC) be invited to brief Council on the United States (US) Department of Housing and Urban Development grant they were awarded; (4) PSRC requested a response by November 15 on a Regional Economic Strategy Discussion to focus on seven clusters with feedback on goals and input; and (5) cultivating regional food security – need to discuss and understand as an urban community on how to grow our own food.

CM Fernald commented on the following: (1) appreciation of the residents that attended the meeting tonight to speak in defense of their community; and (2) successful November 6 Bazaar.

DM Fisher clarified that the City Manager and staff had nothing to do with Agenda Bill #3280.

Mayor T. Anderson also thanked the residents for attending the meeting tonight.

RECESSED: Mayor T. Anderson recessed the RCM to an Executive Session on Property Acquisition at 8:04 p.m.


EXECUTIVE SESSION: Property Acquisition (RCW 42.30.110 [1][i]) (15 minutes)


RECONVENED: Mayor T. Anderson reconvened the RCM at 8:19 p.m.

ADJOURNED:

MOVED BY GREGERSON, SECONDED BY T. ANDERSON TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 8:19 P.M.

MOTION CARRIED UNANIMOUSLY.


Terry Anderson, Mayor


Kristina Gregg, City Clerk