

City of SeaTac

Regular Council Meeting Minutes

May 28, 2019
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, Deputy Mayor (DM) Clyde Hill, Councilmembers (CMs) Rick Forschler, Joel Wachtel, Peter Kwon, Stanley Tombs, and Pam Fernald.

STAFF PRESENT: City Manager Carl Cole, City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, Assistant Fire Chief Eric Tomlinson, Parks, Community Programs and Services (PCPS) Director Lawrence Ellis, Community & Economic Development (CED) Steve Pilcher, Acting Police Chief Jon Mattsen, Finance & Systems Director Gwen Pilo, Government Relations & Communications Manager Kyle Moore,

FLAG SALUTE: Tejvir Basra led the Council, audience, and staff in the Pledge of Allegiance.

PUBLIC COMMENTS: Joe Adamack spoke in favor of a Comprehensive Plan (CP) amendment which considers rezoning a portion of North SeaTac along Military Road South. The Planning & Economic Development (PED) Committee removed this amendment from the docket at the last meeting.

JB Freer thanked Council for the April 30 Town Hall Meeting. She also stated her concerns about crime in nearby areas. She questioned whether there's a committee she can attend to keep up to date on violence encroaching in SeaTac. She also urged Council to maintain the sidewalks the City puts in throughout the City. The sidewalk in her neighborhood was tagged with graffiti and while there's been an attempt to clean it, it is still visible. She requested staff address this issue.

Chuck D'Arielli requested a webpage where anyone can ask questions for information only. He stated he asked several people a question a few months ago and still doesn't have an answer.

Alicia Perez, Windsor Heights apartments resident, commented on the permit parking program. She stated many of the apartment residents are low income families and minorities with nowhere to park now. She questioned what can be done now and where are they supposed to park.

PRESENTATIONS:

Council confirmation of Mayoral Re-appointment of Doris Cassan and Craig Baker to the Airport Advisory Committee

MOVED BY WACHTEL, SECONDED BY HILL TO CONFIRM THE RE-APPOINTMENT OF DORIS CASSAN AND CRAIG BAKER TO THE AIRPORT ADVISORY COMMITTEE.*

Council discussion ensued regarding the value these members bring to the committee.

*MOTION CARRIED UNANIMOUSLY.

Introduction of new City employees: Recreation Program Specialist Nick Arnold, Project Manager for Federal Way Link Extension Project Shasta McKinley, Administrative Assistant II Elisa Villegas
City Manager Cole introduced Mr. Arnold, Ms. McKinley, and Ms. Villegas.

Fire Department Update

Assistant Chief Eric Tomlinson presented 2019 first quarter statistics:

- Top 10 call types – mostly EMS related, number of incidents is stable from 2018 to 2019
- Top 10 EMS call types – mostly medical
- Top 10 fire call types – building fires and passenger vehicle fires
- Responses by apparatus – station 45 has the most responses
- FD Cares Responses – decreased for 1st quarter 2019 versus 1st quarter 2018, mostly due to work done in 2018 to take care of some high frequency users to help navigate them to better care overall
- Community Risk Reduction – permit inspections, new construction, and plan review are the top areas

PRESENTATIONS (continued):

Fire Department Update (continued):

- Updates – continue to seek regionalized opportunities (training, CARES, Planning/GIS, Fire Investigations), EMS Levy is on the November ballot (26.5 levy rate), Accreditation, New Engine 47, Major Incidents – house fire 1/9/19, Condo fire 3/8/19
- 2019 Strategic Goals – Serve a Changing Community, Data Driven Organization, Long-term Sustainability and Resiliency, Culture of Collaboration

Discussion ensued regarding FDCares, Fire Investigations, and yearly statistics.

Key City Issues and Requests for Direction

City Manager Cole commented on a grant application - \$11,000 from the Department of Ecology (DOE) to support the City's Bi-annual Community Recycling Events.

Committee Updates (for items not included on the agenda) and review of proposed Council Information Requests

CM Wachtel: May 23 Planning & Economic Development (PED) Committee – Multi-family Tax Exemption, recommendations for Comprehensive Plan (CP),

CM Kwon: May 16 Transportation & Public Works (T&PW) Committee – King County Solid Waste update, South 216th Street hairpin turn, next meeting June 6; South County Area Transportation Board (SCATBd) – Metro update, Pierce Transit Update,

DM Hill: May 2 Parks & Recreation (P&R) Committee – North SeaTac Park and Sunset Park, staffing requirements, guests from Seattle Southside Regional Tourism Authority – learning center at botanical garden, asked for support to use Hotel/Motel Tax funds, Parks, Recreation and Open Space (PROS) plan, \$1.5 million grant for purchase of Washington State Department of Transportation (WSDOT) property; Joint Recommendations Committee (JRC) – White Center Square Section 108 loan status, public comments related to SeaTac Center Station Area redevelopment, review projects in danger of not meeting their timely expenditure requirements, north and east sub region areas regarding project funding

Mayor Sitterley: May 23 Administration & Finance (A&F) Committee – first quarter financial report, parking tax, next meeting June 13, cancelled June 27 meeting

CONSENT AGENDA:

Approval of claims vouchers (check no. 124578 - 124759) in the amount of \$552,588.06 for the period ended May 20, 2019.

Approval of payroll vouchers (check no. 54973 - 54996) in the amount of \$102,641.65 for the period ended May 15, 2019.

Approval of payroll electronic fund transfer (check no. 97686 - 97829) in the amount of \$374,155.22 for the period ended May 15, 2019.

Approval of payroll wire transfer in the amount of \$54,024.44 for the period ended May 15, 2019.

Approval of Council Meeting Minutes:

Transportation & Public Works Committee Meeting held May 2, 2019

Special Council Meeting held May 14, 2019

Regular Council Meeting held May 14, 2019

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

MOTION CARRIED UNANIMOUSLY.

ACTION ITEMS:

Agenda Bill #5197; An Ordinance #19-1012 Amending the 2019-2020 Biennial Budget.

Summary: For the 2019-2020 Biennial Budget, the 2019 beginning fund balance was estimated until the close of 2018. Actual fund balance numbers become available in May. The budget is then amended to include actual beginning fund balance. 2018 ended with a total fund balance of \$97,745,702 for all funds, \$17,666,048 over the estimate.

Two carry-forward items totaling \$251,690, were not submitted for the previous amendment and are included.

Various one-time and ongoing requests were submitted, in the form of Decision Cards, to the City Manager for consideration for inclusion in the budget. The City Manager approved Decision Cards totaling \$1,210,822.

Each item is detailed below by fund:

General Fund (001) – Increase fund balance \$5,003,159. Increase expenditures \$622,178.

Decision Cards Include: Administrative Sergeant, Emergency Management Office and Operating Supplies and Equipment, 3 FTE Parks Operations Workers and a Truck

Other Adjustments include allocating the recently approved Senior Planner budget to the appropriate funds.

Street Fund (102) - Decrease fund balance \$1,145,530 (due to additional expenditures authorized during the year). Increase expenditures \$379,868.

Carry-Forwards include Parking Permit Program expenses.

Decision Cards Include: Public Works Operation & Maintenance Manager, Public Works Inspector and associated costs

Other Adjustments include allocating the recently approved Senior Planner budget to the appropriate funds.

Port ILA Fund (105) – Increase fund balance \$110,947. Increase expenditures \$50,000.

Decision Cards include: Gateway Entrance Analysis

Transit Planning Fund (106) - Increase fund balance \$4,813. Increase revenue \$504,708. Increase expenditures \$522,511.

Other Adjustments are for Task order 2; the final Staffing and Services related funding agreement between the City and Sound Transit executed on April 7, 2019. The amendment reflects the terms of the agreement with respect to both revenues and expenditures. In addition to updating revenue, permitting payments which are received into the fund must be shown as an expenditure to allow permit fees to be remitted to the General Fund. Also, an expenditure line item is also being added to allow for miscellaneous staff to bill to the Sound Transit Project as they perform related work. Lastly, with the onboarding of two new staff associated with this project, additional funding is required for office furnishings and equipment which is reflected in an increase of \$3000 in the Small Tools & Minor Equipment line item.

Hotel/Motel Tax Fund (107) – Increase fund balance - \$99,180. Increase revenue \$15,411.

2009 LTGO Bond Fund (206) – Increase fund balance \$1,885. Increase expenditures \$15,411.

The debt was paid off in 2018. To close the fund, the remaining money will be transferred to the Hotel/Motel Tax fund where the money originated.

Surface Water Management Fund (403) - Decrease fund balance \$121,587 (due to revenues less than estimated). Increase expenditures \$321,467

Carry-forwards include the Stormwater Conference Grant received in 2018. The Conference occurs in 2019.

ACTION ITEMS (continued):

Agenda Bill #5197; Ordinance #19-1012 (continued):

Decision Cards include: Public Works Operation & Maintenance Manager, Public Works Inspector and associated costs

Equipment Rental Fund (501) – Decrease fund balance \$28,674 (due to revenues less than estimated). Increase revenue \$89,000. Increase expenditures \$89,000.

Decision Cards include: Parks Operations Workers Vehicle, Public Works Inspector Vehicle

Carry-forward amounts are the unspent funds in the prior year and are considered one-time expenditures. These items have no impact on the operational budget as they were considered unspent when projecting end of year balances and will now be brought forward into 2019 to complete the projects.

Decision Cards consist of \$139,000 in one-time funding and \$1,071,822 in ongoing program funding. The ongoing requests will have an impact going forward.

If all requests are approved, ending fund balance across all funds is estimated to be \$82 Million at the end of 2020.

While it is too early in the year to project if general fund revenues will be generated to cover the cost, we ended 2018 with approximate \$2,000,000 in revenue over what was budgeted. While there is no guarantee 2019 will be as prosperous, currently revenue is slightly above expectations, and we anticipate ending the year in the range of the optimistic projection. This projection still supports that the City will not begin to use the excess ending fund balance until 2022.

The A&F Committee will review the proposed budget amendment at their May 23, 2019, meeting and the recommendation will be provided at the Council meeting.

Finance & Systems Director Pilo reviewed the agenda bill summary.

MOVED BY HILL, SECONDED BY KWON TO PASS AGENDA BILL #5197 (ORDINANCE #19-1012).*

Council discussion ensued regarding: GF ending balance projections and Parks FTEs.

*MOTION CARRIED UNANIMOUSLY.

Agenda Bill #5200; A Motion authorizing the City Manager to accept donation from The RAVE Foundation to renovate the mini pitch at Valley Ridge Park.

Summary: The RAVE Foundation has selected Tyee High School and Valley Ridge Park as the beneficiary of the 2019 Adopt-A-School program. The mission of the Adopt-A-School program is to make a meaningful impact on students and families through programs, physical improvements and resources that support students' success by using soccer as the entry point. This project will be funded and supported by Delta Airlines and the Seattle Sounders Football Club. In addition, the Seattle Sounders Academy will be offering a free, 3-day youth soccer camp to SeaTac residents in July (already scheduled with the Parks, Community Programs and Services Department). The mini pitch will be available for all park users and the community to use at anytime.

The renovation project will include resurfacing the existing playing surface, upgrading the perimeter fencing and install logos of the partners for this project. The RAVE Foundation has contracted with Mid Pac Construction to renovate the mini pitch court at an estimated cost of \$32,080.

This item was presented at the P&R Committee meeting on April 4, 2019, and the Committee recommended forwarding the item to the City Council.

PCPS Director Ellis introduced RAVE Foundation Board of Trustees Member Maya Mendoza. Mr. Ellis reviewed the agenda bill summary.

ACTION ITEMS (continued):

Agenda Bill #5200 (continued):

MOVED BY HILL, SECONDED BY WACHTEL TO PASS AGENDA BILL #5200.*

Council discussion ensued regarding the logos on the court.

PCPS Director Ellis stated he will bring back the final design to Council.

*MOTION CARRIED UNANIMOUSLY.

Agenda Bill #5181; An Ordinance #19-1013 amending SeaTac Municipal Code (SMC) Section 2.15 related to Citizen Advisory Committees.

Summary: The A&F Committee reviewed the following topics and recommended revisions to SeaTac Municipal Code SMC Section 2.15:

1. Eligibility of City Employees and family members of Councilmembers to serve on Citizen Advisory Committees. The City currently does not have a policy stating whether employees or Councilmembers' family members should or shouldn't be appointed to advisory committees. Currently there are no City employees or Councilmembers' spouses on advisory committees. Now is the perfect time to make this determination for moving forward.

This issue was raised by a SeaTac resident with the following arguments against appointment:

Their opinion may be perceived to be the "City's" opinion.

Other members of the committee may give greater weight to the opinion of the perceived insider.

Could have the appearance of being a conflict of interest.

A&F Recommendation:

City employees who are City residents should be eligible for appointment (so long as there is no conflict with the employee's job duties).

Councilmembers' immediate family members (spouse or State registered domestic partner, parent, step-parent, sibling, child, stepchild, grandparent, grandchild, or the employee's spouse or domestic partner's parent or sibling), shall not be appointed or serve on advisory committees of the City. However, in the event a family member was appointed prior to a Councilmember being elected or appointed, the family member shall be allowed to serve out their term.

2. Absences of Citizen Advisory Committee members.

SMC 2.15.100 states: "If a member is absent, without prior notification and excuse, from three (3) consecutive regularly scheduled meetings, the Administrative and Finance (A&F) Committee shall be notified by the City Manager of the circumstances. In such circumstances, the A&F Committee may declare the position held by that member vacant and allow a new member to be appointed by the Mayor for the remainder of the unexpired term, subject to confirmation by the City Council."

For committees to function properly, regular attendance at committee meetings is necessary. Current code places an emphasis on missing three consecutive meetings without prior notice and excuse. Thus, a committee member could attend one out of every three meetings, or they could miss several meetings in a row if they simply provide prior notification and excuse. Additionally, every committee may be impacted differently by committee member absences.

Therefore, SMC 2.15.100 could be amended to remove language pertaining to a specific number of meetings and prior notification, and focus on whether the absences are negatively impacting a committee's ability to carry out its responsibilities.

A&F Recommendation:

If a committee member's lack of attendance at committee meetings is impacting the committee's ability to carry out its responsibilities, the City Manager should notify the A&F Committee of the circumstances. In such circumstances, the A&F Committee may declare the position held by that member vacant and allow a new member to be appointed by the Mayor for the remainder of the unexpired term, subject to confirmation by the City Council.

ACTION ITEMS (continued):

Agenda Bill #5181; Ordinance #19-1013 (continued):

3. Airport Advisory Committee membership

The Airport Advisory Committee membership consists of three (3) Councilmembers, three (3) residents, and three (3) business representatives. When trying to fill these positions, it's not always possible to fill all the business representative positions. Current code related to the Planning Commission provides that if positions for business entities cannot be filled, those positions shall be filled by City residents.

A&F Recommendation:

The Airport Advisory Committee shall consist of nine (9) members composed of:

1. Three (3) sitting Councilmembers, one (1) of which will be Chair appointed by the Mayor;
2. Three (3) members who reside in the City of SeaTac, one of which can be a youth member; and
3. Three (3) members from the SeaTac business community, but if such candidates cannot be found, then these position may be residents of the City.

4. Hotel/Motel Tax Advisory Committee membership

The Hotel/Motel Tax Advisory Committee membership consists of one (1) sitting Councilmember, four (4) representatives of businesses located within the City required to collect the Lodging Tax, and four (4) persons involved in activities authorized to be funded by revenue received from the Lodging Tax.

The current membership is one (1) Councilmember, three (3) representatives of businesses required to collect the Lodging Tax, and two (2) persons involved in activities authorized to be funded by revenue received from the tax. It is becoming difficult to keep this committee at full size, especially since we cannot overlap with the RTA board members.

A&F Recommendation:

The Hotel-Motel Tax Advisory Committee shall consist of seven (7) members composed of:

1. The Chair, who shall be a sitting Councilmember appointed by the Mayor;
2. Three (3) representatives of businesses located within the City required to collect the Lodging Tax; and
3. Three (3) persons involved in activities authorized to be funded by revenue received from the Lodging Tax.

Persons who are eligible for appointment under B(2) of this Section are not eligible for appointment under B(3) of this Section. Persons who are eligible for appointment under B(3) of this Section are not eligible for appointment under B(2) of this Section.

The A&F Committee reviewed these items at their March 28 and April 25, 2019 meetings and recommended approval. The City Council also reviewed this item at the May 14, 2019 Regular Council Meeting. Because two Councilmembers were absent, the Council gave unanimous consent to refer this item to the May 28, 2019 Regular Council Meeting as an Action Item.

City Clerk Gregg reviewed the agenda bill summary.

At the May 14, 2019 Regular Council Meeting (RCM), a Motion was made before the item was referred to this meeting. The Motion is still on the table:

MOVED BY FERNALD, SECONDED BY TOMBS TO PASS AGENDA BILL #5181 (ORDINANCE #19-1013).*

Council discussion ensued regarding the revisions.

*MOTION CARRIED WITH WACHTEL AND TOMBS VOTING NO.

UNFINISHED BUSINESS: None

NEW BUSINESS:

CM Forschler stated the PED Committee removed three map amendments from the CP preliminary docket: M3, M4, and M5. He stated he wanted to propose adding two of the amendments back on the docket and questioned potential conflict of interest with some CMs living in the affected areas.

City Attorney Mirante Bartolo reviewed the process used to remove the items from the docket and stated since the scope of the area has still not been fully defined, CMs could discuss this without conflict.

MOVED BY FORSCHLER, SECONDED BY KWON TO CONSIDER ADDING M5 TO THE 2019 PRELIMINARY COMPREHENSIVE PLAN DOCKET.*

Discussion ensued regarding the PED Committee and Planning Commission (PC) discussions, the CP process, resources and priorities.

*UPON A ROLL CALL VOTE, MOTION FAILED WITH FORSCHLER VOTING YES, AND WACHTEL, KWON, TOMBS, FERNALD, HILL, AND SITTERLEY VOTING NO.

MOVED BY FORSCHLER, SECONDED BY KWON TO CONSIDER ADDING M3 TO THE 2019 PRELIMINARY COMPREHENSIVE PLAN DOCKET.*

Discussion ensued regarding the PED Committee and Planning Commission (PC) discussions, as well as the area related to M3 (South 128th street to the north, South 133rd Street to the south, Military Road South to the north, and 26th Avenue South to the west).

*UPON A ROLL CALL VOTE, MOTION PASSED WITH FERNALD VOTING NO, AND WACHTEL, KWON, TOMBS, FERNALD, HILL, AND SITTERLEY VOTING YES.

COUNCIL COMMENTS: CM Forschler commented on the following: (1) CP Amendment M4, (2) CP process – need better process to assess impacts in neighborhoods and educate, and (3) 25th grandchild born May 24.

CM Kwon stated the new sidewalks are in on South 166th Street between Military Road South and 34th Avenue South.

CM Tombs wished a speedy recovery to resident Vicki Lockwood.

DM Hill requested a presentation of how the City is addressing crime.

Mayor Sitterley commented on the Vietnam Veteran's Memorial Park at the Tukwila Museum of Flight.

EXECUTIVE SESSION: None.

ADJOURNED:

MAYOR SITTERLEY ADJOURNED THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 9:03 P.M.


Erin Sitterley, Mayor


Kristina Gregg, City Clerk

NEW BUSINESS:

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City Attorney Mirante Bartolo reviewed the process used to remove the items from the docket and stated since the scope of the area has still not been fully defined, CMs could discuss this without conflict.

MOVED BY FORSCHLER, SECONDED BY KWON TO CONSIDER ADDING M5 TO THE 2019 PRELIMINARY COMPREHENSIVE PLAN DOCKET.*

Discussion ensued regarding the PED Committee and Planning Commission (PC) discussions, the CP process, resources and priorities.

*UPON A ROLL CALL VOTE, MOTION FAILED WITH FORSCHLER VOTING YES, AND WACHTEL, KWON, TOMBS, FERNALD, HILL, AND SITTERLEY VOTING NO.

MOVED BY FORSCHLER, SECONDED BY KWON TO CONSIDER ADDING M3 TO THE 2019 PRELIMINARY COMPREHENSIVE PLAN DOCKET.*

Discussion ensued regarding the PED Committee and Planning Commission (PC) discussions, as well as the area related to M3 (South 128th street to the north, South 133rd Street to the south, Military Road South to the north, and 26th Avenue South to the west).

*UPON A ROLL CALL VOTE, MOTION PASSED WITH FERNALD VOTING NO, AND WACHTEL, KWON, TOMBS, FERNALD, HILL, AND SITTERLEY VOTING YES.

7/9/19 KSA
*Forschler Voted Yes

*FORSCHLER

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