

City of SeaTac

Regular Council Meeting Minutes

Virtual Meeting

September 22, 2020
6:00PM

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 (remotely): Mayor Erin Sitterley, Deputy Mayor (DM) Peter Kwon, Councilmembers (CM) Senayet Negusse, Stanley Tombs, Clyde Hill, Takele Gobena, and Pam Fernald.

STAFF PRESENT (remotely): Deputy City Manager (DCM) Gwen Voelpel, City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, Senior Assistant City Attorney Mark Johnsen, Information Systems (IS) Manager Bart Perman, Government Relations & Communications Manager Kyle Moore, Assistant City Attorney Cindy Corsilles, Parks, Community Programs and Services (PCPS) Director Lawrence Ellis, Senior Management Analyst Tim Ramsaur, Community & Economic Development (CED) Director Evan Maxim, Parks Projects & Operations Manager Michael Fitzpatrick, Public Works (PW) Director William Appleton, Finance & Systems Director Gwen Pilo, Police Chief Jon Mattsen,

FLAG SALUTE: Mayor Sitterley led the Council, audience, and staff in the Pledge of Allegiance.

AGENDA REVIEW:

- A. Virtual Meeting: live streamed on SeaTV Government Access Comcast Channel 21 and the City's website; conference line to listen to the meeting at 206.973.4555; and no one will be able to physically attend this meeting.
- B. Public Comments: remote oral and written public comments; speakers who signed-up prior to 4 p.m. today will be able to provide three minutes of comments; comments received at publiccomment@seatacwa.gov before 4 p.m. today will be mentioned by name and subject and then posted to the City's website.
- C. Public Hearing (PH) Comments: remote oral and written PH comments; speakers who signed-up prior to 4 p.m. today will be able to provide five minutes of comments; comments received at publichearingcomment@seatacwa.gov before 4 p.m. will be read into the record up to five minutes in length.
- D. AB #5559 regarding the Highline School District (HSD) Interlocal Agreement (ILA) has been removed from this agenda to be reviewed at a future meeting.

PUBLIC COMMENTS: None.

PRESENTATIONS:

Domestic Violence Awareness Month Proclamation.

Mayor Sitterley read the proclamation.

Steve Huff Motorsport Racing Day Proclamation.

Mayor Sitterley read the proclamation.

Steve Huff thanked the City Council for this honor.

33rd Legislative District Legislative Overview/Preview 2021 Session.

Government Relations & Communications Manager Moore introduced 33rd District Senator Karen Keiser and 33rd District Representatives Tina Orwall and Mia Gregerson.

Ms. Keiser, Ms. Orwall, and Ms. Gregerson provided a preview of the 2021 Session. The pandemic and financial recession at the same time will cause budget restrictions. They commented on the Public Health Quality and Air Quality studies, what schools need, technology, housing partnership, daycare facilities, police reform, plastics, and voting.

Discussion ensued regarding delaying the fine particle testing indoors when the airport is not at full capacity due to the pandemic, thanked Senator and Representatives for their services, siting of a second airport, and additional time needed for the siting due to the pandemic.

PRESENTATIONS (continued):

Puget Sound Regional Fire Authority (PSRFA) Update

PSRFA Deputy Fire Chief Aaron Tyerman presented the quarterly performance report for Quarter 3, quarter to date through September 13, 2020, including Area Call Volume versus All RFA – down for the total number of calls for the PSRFA and the City of SeaTac; Top 10 Call Types - #1 call type is EMS related; Responses by apparatus – E345 is still the busiest, but numbers have gone down; and FD Cares responses.

He also reviewed the following regional updates: community testing sites in Auburn opened in September, and Tukwila and Federal Way will open in October; PSRFA Update – wild land fires, Assistant Chief Tomlinson retired; and SeaTac Update – Deputy Chief Brian Carson was promoted to Assistant Chief Tomlinson’s position.

Council discussion ensued regarding: call volume decreasing (common in the US, directly related to COVID), thanks for Deputy Chief Tyerman’s service, COVID testing sites, and FD Cares.

Key City Issues and Requests for Direction

DCM Voelpel commented on the following items:

- (1) City hosted 2nd free mask giveaway – nearly 60 cars, 8 free masks per household
- (2) Census Count for SeaTac is at 61.7% compared to 63.5% in 2010, as of September 1 currently fastest growing Census self response rate in all of King County
- (3) received official request for closer of International Boulevard (IB) for Sound Transit to build bridge over IB, two-week time frame during night time hours, staff is reviewing request,
- (4) Calendar items – September 24 – 4 p.m., Special Planning & Economic Development (PED) Committee meeting; September 28, October 5, and October 12 – 5:30 p.m., Community Services Advisory Committee (CSAC) meetings; September 29 – 5:30 p.m., Stakeholder meeting for proposed Right-of-Way (ROW) standards; October 1 – 4 p.m., Parks & Recreation (P&R) Committee meeting; October 1 – 5:30 p.m., Transportation & Public Works (T&PW) Committee meeting; October 6 and 7 – 4 p.m., Budget Workshops 1 and 2; October 6 Planning Commission (PC) meeting rescheduled to October 12 at 5:30 p.m.; October 8 – 4 p.m., Administration & Finance (A&F) Committee meeting; October 8 – 6 p.m., Public Safety & Justice (PS&J) Committee meeting; October 10 – 9 a.m. – noon, Budget Workshop 3
- (5) City Hall closes for furloughs on September 25 and October 9 at 12:30 p.m.

Discussion regarding ROW standards meeting notification for Council to attend.

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

DM Kwon: September 10 Puget Sound Regional Council (PSRC) Transportation Policy Board meeting - study of a passenger only ferry service between different points

CM Fernald: PS&J Committee meeting – two items on tonight’s agenda; October 15 – 6 p.m., next Sidewalk Advisory Committee meeting with a presentation on the IB Pedestrian Safety Crossings and Local Roads Safety Program

CM Hill: September 9 Arts, Culture and Library Advisory Committee (ACLAC) meeting - report from Valley View Library regarding “A Story Walk”, 2020 Fall Special Events – including Halloween Home decorating contest; September 14 CSAC began reviewing human service agency funding applications; September 18 - PSRC Transit Oriented Development Advisory Committee meeting – Vision 2050 Equity Implementation Plan, early findings related to home needs assessment; September 21 King County (KC) Joint Recommendations Committee (JRC) meeting – preliminary review of 2021 Community Development Block Grant (CDBG) recommendations, including Joint Minor Home Repair of which some funding will be awarded to SeaTac

CM Tombs: Hotel/Motel Tax Advisory Committee (HMAT) – Museum of Flight has reopened with 25% capacity

Mayor Sitterley: September 10 A&F Committee meeting – investment report, unclaimed property, legislative update, ILA with the HSD, Council Administrative Procedures, next meeting October 8; Sound Cities Association (SCA) Public Issues Committee (PIC) – legislative priorities, Vision 2050; Regional Fire Authority (RFA) Governance Board – \$115,000 grant for prevention and safety, settled on public hearing (PH) date for budget

CONSENT AGENDA:

Approval of claims vouchers (check no. 128709 - 128803) in the amount of \$887,633.38 for the period ended September 17, 2020.

Approval of payroll vouchers (check no. 55650 - 55657) in the amount of \$10,190.01 for the period ended September 15, 2020.

Approval of payroll electronic fund transfer (check no. 102415 - 102558) in the amount of \$396,894.83 for the period ended September 15, 2020.

Approval of payroll wire transfer in the amount of \$151,951.56 for the period ended September 15, 2020.

~~**Approval of Summary of Grant Acceptance for the COPS Department of Justice - \$125,000.**~~

Approval of Council Meeting Minutes:

Public Safety & Justice Committee meeting held May 28, 2020

Parks & Recreation Committee meeting held July 22, 2020

Administration & Finance Committee meeting held August 12, 2020

Regular Council Meeting held September 8, 2020

CM Gobena requested the Approval of Summary of Grant Acceptance for the COPS Department of Justice - \$125,000 be removed to be discussed under Unfinished Business.

MOVED BY KWON, SECONDED BY NEGUSSE TO ACCEPT THE CONSENT AGENDA, WITH THE REMOVAL OF APPROVAL OF SUMMARY OF GRANT ACCEPTANCE FOR THE COPS DEPARTMENT OF JUSTICE - \$125,000.

MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARING (PH):

Interim Regulations on Flood Damage Prevention and Flood Hazard Areas

Mayor Sitterley opened the PH at 7:42 p.m.

PW Director Appleton stated the interim emergency Ordinance was put into place to ensure the City remained in compliance with the national flood insurance program. Minimum requirements were adopted. In order to keep the Ordinance in place through December 31, the Council is required to have a PH. The final language is being developed.

DM Kwon stated the T&PW Committee reviewed the emergency Ordinance and had unanimous recommendation to approve moving it forward to Council. This is a procedural step.

Public Comments: None

Mayor Sitterley closed the PH at 7:48 p.m.

ACTION ITEMS:

Agenda Bill #5562; An Ordinance #20-1015 authorizing the City Manager to purchase laptop computers in order to facilitate remote working capabilities for City employees and amending the 2019-2020 Biennial Budget

Summary: In order to ensure that City employees have the necessary equipment to work remotely, it is necessary to purchase additional laptop computers. It is proposed that the City purchase laptop computers to replace existing desktop computers for City staff.

The new laptop computers would be purchased through the State contract in an amount not to exceed \$188,000 and would be funded through the CARES Act.

Purchases using CARES Act funding must be acquired by October 31, so bringing this item to committee would not allow enough time to acquire the computers prior to this deadline.

IS Manager Perman reviewed the agenda bill summary.

ACTION ITEMS (continued):

Agenda Bill #5562; Ordinance #20-1015 (continued):

MOVED BY TOMBS, SECONDED BY FERNALD TO PASS AGENDA BILL #5562 (ORDINANCE #20-1015).*

Council discussion ensued regarding the quote, equipment being replaced, potential other ways to spend the funding, how this request was developed, and benefits of having laptops for staff.

*MOTION CARRIED WITH GOBENA VOTING NO.

Agenda Bill #5403; An Ordinance #20-1016 amending SeaTac Municipal Code (SMC) Chapter 9.20 related to vehicle impoundment, redemption, and impoundment hearings.

Summary: Unauthorized vehicles parking on City property is an ongoing concern. Although City staff have initiated the removal of vehicles in violation of the posted time restrictions at various City properties (i.e. the SeaTac Community Center, Angle Lake Park, and City Hall), the City has not prevailed when such removals have been challenged in an impoundment hearing. Even though City staff acted under the mistaken belief that they had authority to authorize the removal of vehicles on City property, the Court noted that no such authority existed under the SMC. This has created a dilemma for the City because abandoned vehicles have sometimes remained on City property for several weeks and have become the target of criminal activity. Airport passengers have also utilized City property as a type of park-and-fly facility.

Currently, SMC authorizes law enforcement to impound vehicles on City property. However, the policy of the King County (KC) Sheriff's Office (KCSO) only allows officers to impound vehicles if the impoundment is specifically authorized under State law (e.g., disabled parking areas, fire lanes, etc.). Time restrictions alone do not provide SeaTac Police sufficient grounds to impound a vehicle under the County's policies. This Ordinance authorizes the City Manager to designate City staff to initiate impoundment of illegally parked vehicles in order to protect City property from improper use and to prevent property from attracting criminal activity.

Notice requirements and the impoundment procedures under this Ordinance will align with the corresponding provisions of the Revised Code of Washington (RCW) so that the City's provision reflect state law. This Ordinance references the RCW sections related to vehicle impoundment, which clarifies the impoundment procedure and process for the redemption of an impounded vehicle.

Lastly, this Ordinance authorizes impoundment hearings be conducted in SeaTac Municipal Court when the tow is initiated by City staff. Currently, the City Code directs all vehicle impoundment hearings be conducted in KC District Court.

This Ordinance was initially presented before the PS&J Committee on January 9, 2020, and again on September 10, 2020. The Committee recommends approval of this Ordinance.

Assistant City Attorney Corsilles reviewed the agenda bill summary.

MOVED BY FERNALD, SECONDED BY TOMBS TO PASS AGENDA BILL #5403 (ORDINANCE #20-1016).*

Council discussion ensued regarding the committee review, section 9.20.080(h), signage, notice of vehicle impoundment, ability to revise if this isn't working, why this Ordinance is needed, and effective date of Ordinance.

MOVED BY NEGUSSE, SECONDED BY FERNALD TO AMEND SECTION 9.20.080(H) BY STRIKING OUT THE WORDS "REGARDLESS OF WHETHER" AND INSERTING THE WORD "IF" AND STRIKING THE WORDS "OR UNLAWFUL".

AMENDMENT CARRIED UNANIMOUSLY.

*ORIGINAL MOTION CARRIED UNANIMOUSLY, AS AMENDED.

BREAK: MAYOR SITTERLEY RECESSED THE MEETING FOR A BREAK FROM 9:08 P.M. UNTIL 9:18 P.M.

ACTION ITEMS (continued):

Agenda Bill #5420; An Ordinance #20-1017 adding new Sections to Chapter 9.05 of the SeaTac Municipal Code (SMC) relating to parking restrictions and enforcement at City-owned properties.

Summary: There is no current City Code regulating parking on City property. Existing signage currently limits parking to a specific number of hours that varies in different City locations. However, the SMC does not provide for the creation or enforcement of these restrictions. This Ordinance establishes the authority for regulating parking on City property. Moreover, where no parking limit is posted, this Ordinance now restricts parking on City property to a maximum of twenty-four (24) hours.

Currently, the SMC does not provide authority for the creation or enforcement of parking restriction on City property. Therefore, this Ordinance authorizes the City Manager (or designee) to establish restrictions for parking on City property. The City Manager (or designee) would also be authorized to designate City employees who can enforce parking regulations on City property. Violation of the parking restrictions would result in a parking infraction with a \$50.00 penalty. These parking infractions may be contested in SeaTac Municipal Court.

This Ordinance was presented to the PS&J Committee on September 10, 2020, and the committee recommended approval.

Assistant City Attorney Corsilles reviewed the agenda bill summary.

MOVED BY FERNALD, SECONDED BY NEGUSSE TO PASS AGENDA BILL #5420 (ORDINANCE #20-1017).*

Council discussion ensued regarding the infraction ticket, signage, and 24-hour period.

*MOTION CARRIED UNANIMOUSLY.

Agenda Bill #5534; A Motion authorizing the City Manager to execute an agreement with Kent School District for the Stormwater Drainage and Sanitary Sewer easements at Grandview Park.

Summary: The Kent School District is constructing the new Valley Elementary School at 22420 Military Road South. In order to provide sanitary sewer and stormwater drainage conveyance for the school, the School District requested easements through Grandview Park.

Through a series of discussions between the City and School District staff, and reviews of site restraints and possible alignments with the P&R Committee (July 8, 2019, and September 5, 2019), an alignment for these easements was determined. The PW Department reviewed the proposed alignments and provided a supportive recommendation regarding the approval of the easements to the P&R Committee at its December 5, 2019, meeting. Following that meeting, the committee forwarded this item to Council with a recommendation for approval.

At the June 23, 2020, Regular Council Meeting (RCM) the City Council approved Resolution #20-008 for the alignment and extent of the sanitary sewer and storm water drainage easements within Grandview Park for the Kent School District. The Resolution also authorized the City Manager to negotiate the compensation to be received for the value of the easements. However, a final agreement must be approved by the City Council.

The Agreement provides that the School District will pay the City the appraised market value of \$128,300 in exchange for granting the two easements. The stormwater drainage easement will be granted to the School District, and the Sewer Easement will be granted to the Kent Sewer District because they are the entity providing sewer service to the school.

The P&R Committee recommended the alignment of the sewer and stormwater easements move forward to Council on December 5, 2019. Council approved Resolution #20-008 on June 23, 2020. At the September 3, 2020, P&R Committee meeting, the committee did not recommend the approval for the design and construction of a permanent restroom facility in lieu of monetary payment. Staff did not revisit the alignment of the easement.

PW Director Appleton reviewed the agenda bill summary.

ACTION ITEMS (continued):

Agenda Bill #5534 (continued):

MOVED BY HILL, SECONDED BY TOMBS TO PASS AGENDA BILL #5534.*

Council discussion ensued regarding the P&R and T&PW Committee review, fair market price, and appraisal.

*MOTION CARRIED UNANIMOUSLY.

This item was removed from the agenda prior to the meeting.

Agenda Bill #5559; An Ordinance authorizing the City Manager to enter into an Interlocal Agreement (ILA) with the Highline School District (HSD) to provide funding for internet access to eligible families during the 2020 -2021 school year as a result of the COVID-19 pandemic, and amending the City's 2019 - 2020 Biennial Budget.

Agenda Bill #5507; A Resolution #20-011 amending the City Council Administrative Procedures.

Summary: The City Council referred discussion of the Council Administrative Procedures to the A&F Committee. The Mayor, Council, staff, and A&F Committee proposed revisions which were discussed at the August 13 and September 10 A&F Committee meetings. The recommendation of the A&F Committee is as follows:

Section 1. Mayor and Deputy Mayor.

1. Add a new section D pertaining to the selection of Mayor and Deputy Mayor.

Section 3. Council Committees and Representatives.

1. Add clarifying language regarding what happens to items not recommended by the Committee to move forward.
2. Add language to improve efficiencies in Council Committees.
3. Add language regarding Parliamentary Procedures for Council Committees, including abstaining during a vote.
4. Add language regarding voting at Council Committee Meetings, including silence during a vote.

Section 4. Meetings

1. Add language regarding canceling a Regular Council Meeting due to lack of agenda action items.
2. Remove the schedule for Airport Advisory Committee (to be sunsetted in the Citizen Advisory Committee Ordinance revisions).
3. Remove the 4th Thursday meeting for A&F Committee.
4. Change the PED Committee meeting schedule time.

Section 5. Format for Agendas for Council Meetings.

1. Clarification language and housekeeping changes
2. Revise Proclamations language

Section 6. Miscellaneous Agenda Procedures.

1. Removed language regarding foreign language interpreters at City Council meetings (this will be addressed in a language access plan being developed)

Section 10. Council Relations with Staff.

1. Revise the section related to Council Request Form (formerly known as Council Information Requests).

Section 13. Executive Sessions.

1. Add language requiring Councilmembers to be physically present during an in-person Executive Session.

Section 16. Add a new section pertaining to Virtual Meetings.

Section 17. Add a new section related to Council Vacancies.

ACTION ITEMS (continued):

Agenda Bill #5507; Resolution #20-011 (continued):

Exhibit C. Topics Automatically Referred to Council Standing Committees.

- I. Added topics to four of the five Standing Committees.

The A&F Committee reviewed the proposed revisions at their August 13 and September 10, 2020 meetings and recommended approval.

City Clerk Gregg reviewed the agenda bill summary.

MOVED BY NEGUSSE, SECONDED BY HILL TO PASS AGENDA BILL #5507 (RESOLUTION #20-011).*

Council discussion ensued regarding the committee review, use of parliamentary procedures during committee meetings, interpreters, virtual meetings, and selection of Mayor and Deputy Mayor.

*MOTION CARRIED WITH GOBENA VOTING NO.

UNFINISHED BUSINESS:

Approval of Summary of Grant Acceptance for the COPS Department of Justice - \$125,000.

MOVED BY HILL, SECONDED BY KWON TO APPROVE SUMMARY OF GRANT ACCEPTANCE FOR THE COPS DEPARTMENT OF JUSTICE - \$125,000.*

CM Gobena stated his concern regarding how this money is being spent.

Chief Mattsen stated this money is for a Commissioned Officer.

*MOTION CARRIED UNANIMOUSLY.

COUNCIL COMMENTS:

CM Negusse thanked everyone for attending tonight's meeting and everyone in the City who makes it great.

CM Tombs wished everyone a good evening.

DM Kwon commented on the following: (1) the City is accepting applications for various citizen advisory committees; and (2) Census 2020.

CM Hill commented on the process for spending CARES funding.

CM Gobena commented on the following: (1) COVID, (2) Voting in November, (3) fire fighters, (4) returned from paternity leave for baby boy.

CM Fernald commented on the Purple Leash Project sponsored by Purina.

Mayor Sitterley commented on the following: (1) budget workshops; (2) thank you to everyone staying through tonight's meeting; and (3) neighbors and community.

EXECUTIVE SESSION: None

ADJOURNED:

MAYOR SITTERLEY ADJOURNED THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 10:25 PM.


Erin Sitterley, Mayor


Kristina Gregg, City Clerk