

City of SeaTac

Regular Council Meeting Minutes

Virtual Meeting

November 24, 2020
6:00PM

Virtual Meeting

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): City Manager Carl Cole, City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, Information Systems (IS) Manager Bart Perman, Senior Assistant City Attorney Mark Johnsen, Assistant City Attorney Cindy Corsilles, Deputy City Manager (DCM) Gwen Voelpel, Government Relations & Communications Manager Kyle Moore, Community & Economic Development (CED) Director Evan Maxim, Economic Development (ED) Manager Aleksandr Yeremeyev, Planning Manager Jennifer Kester, Building Services Manager Mary Kate McGee, Finance & Systems Director Gwen Pilo, Budget Analyst Alexis Briggs, Public Works (PW) Director William Appleton, PW Programs Coordinator Mason Giem, Parks, Community Programs and Services (PCPS) Director Lawrence Ellis, 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 Comments: remote oral and written public comments; The City Council is providing remote oral and written public hearing comment opportunities.
 - Commenters who signed-up prior to 4 p.m. today will be able to provide five minutes of public comment.
 - Public hearing comments received at publichearingcomment@seatacwa.gov before 4 p.m. today will be read into the record.
- D. Unanimous consent to move Agenda Bill #5586 (Recology King County contract extension) from Action Items to Consent Agenda.

PUBLIC COMMENTS:

Remote Public Comments –

Greggory Busch – Wireless Policy Group, suggested a revision to the code regarding painting of antennas

PRESENTATIONS:

Key City Issues and Requests for Direction

City Manager Cole commented on the following items:

- (1) list of Small Businesses in SeaTac that were helped by the CARES Act funding is still being developed
- (2) Governor Inslee announced another round of financial support for businesses and renters
- (3) encouraged Council to seek Legal assistance prior to the meeting when wanting to make amendments to agenda items. For example, the upcoming December 8 Human Services (HS) funding agenda item. He requested Council submit potential amendments so the Legal Department can prepare motions ahead of time.
- (4) Wednesday, November 25 - Furlough day. City facilities will close at 12:30 p.m. for the day.
- (5) upcoming meetings/events
- (6) November 17 – SeaTac Senior Program held their annual Thanksgiving lunch with cars driving through the parking lot to receive their food, or meals on wheels delivering. The annual holiday lunch will be conducted the same way on December 23.
- (7) Transportation Improvement Board (TIB) awarded the City with \$2 million towards 34th Avenue South project

PRESENTATIONS (continued):

Key City Issues and Requests for Direction (continued):

MOVED BY SITTERLEY, SECONDED BY FERNALD TO SUSPEND THE RULES TO REQUIRE THAT ALL COUNCILMEMBERS SUBMIT ANY PROPOSED AMENDMENTS TO THE COMMUNITY SERVICES ADVISORY COMMITTEE FUNDING REQUESTS TO THE CITY CLERK NO LATER THAN WEDNESDAY, DECEMBER 2, 2020 AT 5:00 P.M.; AND ANY AMENDMENTS TO THE COMMUNITY SERVICES ADVISORY COMMITTEE FUNDING REQUESTS MADE AFTER THIS DATE SHALL BE CONSIDERED OUT OF ORDER AND WILL NOT BE CONSIDERED.*

Council discussion ensued regarding the motion.

*MOTION CARRIED UNANIMOUSLY.

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

DM Kwon: Transportation & Public Works (T&PW) Committee meeting – streets and pedestrian lighting on non-arterial roadways; National League of Cities (NLC) Virtual Conference

CM Fernald: November Public Safety & Justice (PS&J) Committee and Sidewalk Advisory Committee meetings were cancelled; will attend the December 2 Sound Cities Association (SCA) annual meeting for the Mayor

CM Tombs: November 18 Highline Forum Meeting – updates from the City of Burien, Sound Transit and WSDOT; Special PED meeting – Small Cell Wireless Communication amendment, 2018 International Building Code adoption, Interim FEMA Flood Plain Regulations extension, Housing Action Plan Update, 2044 Growth Target

CM Hill: Parks & Recreation (P&R) Committee moved its December 3 meeting to December 16.

Mayor Sitterley: Administration & Finance (A&F) Committee meeting – Language Access Plan, Gambling Tax

CONSENT AGENDA:

Approval of claims vouchers (check no. 129102 - 129286) in the amount of \$2,190,354.09 for the period ended November 20, 2020.

Approval of payroll vouchers (check no. 55694 - 55703) in the amount of \$11,735.62 for the period ended November 15, 2020.

Approval of payroll electronic fund transfer (check no. 102997 - 103142) in the amount of \$400,184.87 for the period ended November 15, 2020.

Approval of payroll wire transfer in the amount of \$153,603.17 for the period ended November 15, 2020.

Final Acceptance of public works projects: Valley Ridge Park Entryway - \$181,779.40

Approval of Council Meeting Minutes:

Parks & Recreation Committee meeting held October 1, 2020

Administration & Finance Committee meeting held October 8, 2020

Transportation & Public Works Committee meeting held October 15, 2020

Transportation & Public Works Committee meeting held November 5, 2020

Regular Council Meeting held November 10, 2020

The Administration & Finance Committee reviewed the following items at the November 12, 2020 meeting and recommended them for placement on this Consent Agenda:

Agenda Bill #5556; A Motion authorizing the City Manager to execute a contract amendment with Evergreen Business Capital (Evergreen) to distribute additional CARES Act funds as small business grants to eligible applicants.

Agenda Bill #5589; A Motion authorizing the City Manager to execute an amendment to the current CWA Consultants contract for third-party structural and non-structural plan review on complex commercial building permits.

CONSENT AGENDA (continued):

The Transportation & Public Works Committee reviewed the following item at the October 15, 2020 meeting and Council moved this item to the Consent Agenda at the beginning of this meeting:

Agenda Bill #5586; A Motion authorizing the City Manager to execute a contract extension with Recology King County to provide solid waste services within the City of SeaTac for two additional years.

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

MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARING (PH) & ACTION ITEM:

2021-2022 Biennial Budget

Mayor Sitterley opened the PH at 6:40 p.m.

Finance & Systems Director Pilo reviewed the process for developing the budget.

Council discussion ensued regarding the budget.

Public Comments: None

Mayor Sitterley closed the PH at 6:50 p.m.

Agenda Bill #5453; An Ordinance #20-1024 adopting the City's 2021-2022 Biennial Budget.

Summary: This Ordinance adopts the 2021-2022 Biennial Budget. The budgeted revenue and expenditure amounts are based on the preliminary budget presented by the City Manager on October 1, 2020, and modified by the City Council during the budget workshops in October. The modifications are listed in the Errata Sheet. In accordance with Washington State law, public notice was issued following the filing of the preliminary budget for two consecutive weeks prior to the PH on the City Council's preliminary budget scheduled for November 24, 2020. Following the PH on the budget and the property tax levy rate, the City Council may adopt the City's 2021-2022 Biennial Budget.

The budget appropriations are consistent with Council direction on what to include or not include in development of the City's Preliminary 2021-2022 Biennial Budget, including maintaining current service levels, utilizing 2 months of excess reserves while fully funding the 33% (4 month) strategic operating reserve for the General Fund (GF).

This Ordinance adopts by reference the 6-year Capital Improvement Plan (CIP) as presented and discussed at the October budget workshops and the salary schedule for City employees, including any adjustments and COLA.

This Ordinance provides for a total appropriation of all city funds for the biennium of \$224.4 million.

The City Council reviewed the budget and CIP at the budget workshops on October 6, 7, 10, and 16, 2020.

MOVED BY FERNALD, SECONDED BY KWON TO PASS AGENDA BILL #5453 (ORDINANCE #20-1024). *

MOVED BY KWON, SECONDED BY FERNALD TO MOVE TO AMEND THE CITY'S PROPOSED 2021 – 2022 BIENNIAL BUDGET BY REDUCING EXPENDITURES IN THE HOTEL/MOTEL LODGING TAX FUND #107 BY \$917,500, AND THEREBY ELIMINATING FUNDING FOR THE SEATTLE SOUTHSIDE REGIONAL TOURISM AUTHORITY'S 2021 LODGING TAX APPLICATION IN THE AMOUNT OF \$830,000 AND THE INCENTIVE PROGRAM IN THE AMOUNT OF \$87,500.**

Discussion ensued regarding the amendment. City Manager Cole clarified that the metrics Council approved are tied to this funding. If this funding is removed, those metrics will no longer be tracked as approved.

**MOTION CARRIED WITH KWON, FERNALD, SITTERLEY, NEGUSSE, AND TAKELE VOTING YES.

*MOTION, AS AMENDED, CARRIED WITH HILL VOTING NO.

ACTION ITEMS:

Agenda Bill #5585; A Motion approving the 2021 budget for the Seattle Southside Regional Tourism Authority's (SSRTA).

Summary: SeaTac is the chartering entity for the SSRTA, which was formed to manage and operate the Tourism Promotion Area (TPA). The three participating cities in the TPA (SeaTac, Des Moines, and Tukwila) designated the SeaTac City Council as the Legislative Authority. One of the responsibilities of the Legislative Authority is the approval of a budget for the expenditure of the special assessments (\$2.00/room), which is a requirement of State Law and was set forth in the Interlocal Agreement (ILA) between the three cities and in the SSRTA Charter. The special assessments can be used for the following purposes:

1. General promotion of tourism within the TPA as specified in the SSRTA business plan;
2. Marketing of convention and trade shows that benefit local tourism and the lodging businesses within the TPA;
3. Marketing of the TPA region to the travel industry in order to benefit local tourism and the lodging businesses;
4. Marketing of the TPA region to recruit sporting events; and
5. Formation and start-up costs and ongoing administration and operating expenses of the TPA and its programs, including staff costs, public notices and advertising, legal costs, accounting, and auditing.

This Motion approves the 2021 Budget for the SSRTA, so that funds received from the special assessments can be expended. The SSRTA created this budget, and the SSRTA is solely responsible for the expenditure of these revenues. Since these assessments are collected by the Department of Revenue, and disbursed directly to the SSRTA, the City's role is one of general oversight by reviewing and approving their budget.

The SSRTA Budget also includes lodging tax funds awarded by the jurisdictions which comprise the TPA. Per the direction from the Administration & Finance (A&F) Committee, the SSRTA 2021 Budget includes revenue in the amount of \$830,000 of City lodging tax funds that was requested by the SSRTA and approved by the Hotel Motel Tax Advisory Committee (HMAC), and \$87,500 in lodging tax funds.

On October 27, 2020, at the Regular Council Meeting (RCM), the Council reviewed materials regarding the TPA, TPA assessments, the SSRTA, SeaTac lodging taxes, and materials responsive to Councilmembers questions regarding these subjects. Subsequently, the Council carried a motion directing City staff to work with the SSRTA Tourism Authority and the HMAC in 2021 to review and establish performance metrics related to the use of SeaTac's lodging tax monies and SSRTA operations in the City of SeaTac. Once the metrics are established, they will be used to guide and evaluate all future SeaTac lodging tax allocations with the objective of maximizing benefits to the City of SeaTac.

As noted above, the SSRTA's 2021 budget also includes the lodging tax allocations of \$830,000, which will be used to fund the following programs:

1. Shuttle Services (\$180,000). The shuttle service provides transportation between SeaTac hotels and Westfield Mall. This amenity is a significant selling tool for the SeaTac hoteliers to attract groups, conferences, and meetings business.
2. SeaTac-specific ad campaign hotel packages (\$300,000). The SeaTac-specific digital marketing efforts will focus on SeaTac amenities as a destination, including local restaurants, retail and activities.
3. Local Visiting Family & Friends program (\$200,000): According to the recent industry studies tracking American travelers, half of them feel safe to travel this fall season. Two-thirds of those who plan to travel will be visiting friends and relatives, while 58% plan on a road trip somewhere in the U.S. This proposed program will focus on messaging to residents and local travelers to remind them of all the unique attributes of the SeaTac destination that they can share with their friends and family when they visit.
4. Do More Save More program (\$150,000): This initiative will develop and market a custom pass/program to support SeaTac businesses. The program will target SeaTac hotel guests and residents to highlight SeaTac based businesses.

These lodging tax programs are not included in the normal tourism marketing and promotion activities funded by the TPA, which are focused on the entire TPA area (i.e. Des Moines, Tukwila, and SeaTac). Consequently, a decision to not provide lodging tax monies will mean that the SSRTA will be unable to fund these programs in 2021.

In the HMAC letter to the SeaTac City Council dated November 4, 2020, the HMAC committee formally responded to the Council's proposed amendments discussed at the October 10 budget workshop and provided further details on their recommendations. The HMAC continues to recommend funding the SSRTA's lodging tax application at the full amount of \$830,000 for 2021, and applying subsequently developed metrics to the funding decision for 2022 requested amount.

ACTION ITEMS (continued):

Agenda Bill #5585 (continued):

This budget approval does not have any financial impact on the City's overall budget or balance sheet. The SSRTA budget is only included as a specific component unit of the City's Financial Statements (the City's lodging tax funds awarded to the SSRTA are included in the 2021-2022 biennial budget).

The HMAC recommended funding the full lodging tax amount on June 17, 2020, and reaffirmed the full lodging tax amount on July 7 in light of reduced lodging tax funding from the City of Tukwila. Furthermore, the November 4, 2020, HMAC letter to the SeaTac City Council recommends funding the lodging tax amount included in the budget. The Administration & Finance Committee reviewed the SSRTA 2021 budget at its October 8, 2020, meeting and recommended moving it forward to the full Council for discussion. At the November 12, 2020, meeting, the A&F Committee reviewed the SSRTA 2021 budget, including the SSRTA's request of \$830,000 in lodging tax funds that will be used for SeaTac specific programs and initiatives. Additionally, the committee reviewed the HMAC letter to the SeaTac City Council. Following their review, the A&F Committee concurred with the recommendation from the HMAC and recommended approving the SSRTA's 2021 budget as presented.

ED Manager Yeremeyev introduced SSRTA President & CEO Katherine Kertzman and Comptroller Cecilia Pollock. Mr. Yeremeyev reviewed the agenda bill summary.

MOVED BY SITTERLEY, SECONDED BY FERNALD TO PASS AGENDA BILL #5585, WITH THE REMOVAL OF THE REVENUE LINE ITEM "LTC – SEATAC" IN THE AMOUNT OF \$830,000 AND THE REVENUE LINE ITEM "LTC – SEATAC (INCENTIVE)" IN THE AMOUNT OF \$87,500 FROM THE SSRTA 2021 BUDGET.*

Council discussion ensued regarding the SSRTA budget.

*MOTION CARRIED UNANIMOUSLY.

Agenda Bill #5274; An Ordinance #20-1025 amending portions of the SeaTac Comprehensive Plan (CP) related to the Parks, Recreation and Open Space (PROS) Plan and associated policies.

Summary: The 2020 PROS Plan is a policy and financial tool utilized by the PCPS Department to help prioritize parks and recreation projects and help guide programmatic decisions. In addition to bringing the PROS Plan project and budget assumptions up to date, adoption of an updated PROS Plan will reinstate grant funding eligibility with the State of Washington Recreation and Conservation Office (RCO). The last update to the PROS Plan was in 2008.

Staff gathered input on the changes to the PROS Plan from the community through an online survey and two large public events. A thorough review process involving the Parks and Recreation (P&R) Committee, the Planning Commission (PC) and the Planning and Economic Development (PED) Committee followed. As a result of that input and to better reflect the current community, system of parks and facility needs, revisions are proposed to the following sections of the PROS Plan: community profile, system inventory, recreation, recreation trends, access gaps, and level of service standard.

Additional amendments to the PROS element of the CP are also proposed to clarify and revise policies related to level of service (LOS) standards, active and passive facilities, the use of wayfinding signage, and the prioritization criteria for acquisition and redevelopment of facilities. The policy goals remain the same.

To support the updated PROS Plan across other sections of the CP, especially LOS standards, amendments are also proposed to the Land Use Element and Capital Facilities Element and Capital Facilities Background Report.

Since the PROS Plan serves as the Background Report for the PROS Element of the CP, changes to the PROS Plan must be made through the CP amendment process. The City's regular CP amendment process occurs every other year in odd-numbered years. However, on July 28, 2020, the City Council adopted Resolution 20-009 to allow for consideration of changes to the PROS Plan in 2020 as part of an "Off-Year Exception".

In accordance with the procedures for "Off-Year" proposals, the proposed amendments were evaluated in a Staff Report according to the Final Docket criteria and a staff recommendation regarding approval of the proposal.

ACTION ITEMS (continued):

Agenda Bill #5274; Ordinance #20-1025 (continued):

The P&R Committee reviewed the PROS Plan on November 25, 2019, June 4, 2020 and July 16, 2020. At their July 16, 2020 meeting, the Committee recommended forwarding this to the City Council for consideration. The PC reviewed changes to the PROS Plan on July 1, 2020 and September 15, 2020, and recommended adoption of the amendments on October 12, 2020. The PED Committee also reviewed the proposed amendments on June 25, 2020.

PCPS Director Ellis reviewed the agenda bill summary. He introduced Erika Rhett, BERK who reviewed the study.

MOVED BY HILL, SECONDED BY NEGUSSE TO PASS AGENDA BILL #5274 (ORDINANCE # 20-1025).*

Council discussion ensued.

*MOTION CARRIED UNANIMOUSLY.

Agenda Bill #5429; An Ordinance #20-1026 amending Chapter 15.480 SMC, Wireless Communication Facilities, and wireless related code to add regulations for small wireless facilities and eligible facilities requests, and to comply with recent Federal Communications Commission (FCC) rulings.

Summary: The current wireless communication facilities regulations are not consistent with recent rulings of the Federal Communications Commission (FCC).

Interim regulations were first adopted by the City Council in January 2019 (Ordinance 19-1001) and have been extended twice, most recently due to the COVID-19 pandemic. The current interim regulations will expire at the end of this year if not extended or superseded with permanent regulations.

A multi-department working group of City staff was formed to develop the proposed regulations as these regulations impact both private property and right-of-way (ROW) deployment of wireless facilities. The working group included Legal, PW, CED, and the City Manager's Office. In addition, representatives of the various wireless carriers operating in the city were consulted and the current proposal incorporates many of their comments.

The basic approach was to amend the current code to be consistent with the FCC rulings. The current Wireless Communication Facilities chapter was created in 2004 to address macro facilities (cell tower) siting and design. Federal law and FCC Rulings from 2012, 2018, and 2020 necessitate changes to these regulations. Regulations for two types of wireless facilities need to be added to the code: (1) small wireless facilities (also known as small cell or 5G and generally located in ROW between 25-40 feet tall) and, (2) eligible facilities requests (modifications to existing cell sites). In addition, some changes to the macro facility regulations are needed to meet FCC rulings.

This topic was before the PED Committee on 11/18/2020. The Committee forwarded the item to full Council for consideration with a recommendation of approval. This topic was also brought before the PC on 9/17/2019 and 10/20/2020. A PH before the PC took place on 11/3/2020. The PC recommended approval of the proposed amendments. The Legal Department was asked to review the November 3, 2020 FCC ruling and wireless industry's comments, and incorporate any further necessary modifications.

Planning Manager Kester reviewed the agenda bill summary.

MOVED BY KWON, SECONDED BY FERNALD TO PASS AGENDA BILL #5429 (ORDINANCE # 20-1026).*

Council discussion ensued regarding public comment and the language regarding painting antennas.

*MOTION CARRIED UNANIMOUSLY.

UNFINISHED BUSINESS: None

COUNCIL COMMENTS:

The City Council wished everyone a Happy Thanksgiving and to stay home and safe.

DM Kwon also commented on testing sites and the Seattle Southside Chamber of Commerce small business support packages.

CM Hill also stated he participated as a volunteer in a six-week STEM program with the 5th Grade students from the White Center Heights Elementary School.

Mayor Sitterley also challenged everyone to donate money towards the Apple Cup ALS challenge.

EXECUTIVE SESSION: None

ADJOURNED:

MAYOR SITTERLEY ADJOURNED THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 8:31 PM.


Erin Sitterley, Mayor


Kristina Gregg, City Clerk