

**City of SeaTac**  
**Regular Council Meeting Minutes**  
**\*Virtual Meeting\***

March 23, 2021  
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 (left 6:38 – 6:45 p.m.), 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, Senior Assistant City Attorney Mark Johnsen, Information Systems (IS) Manager Bart Perman, Deputy City Manager (DCM) Gwen Voelpel, Government Relations & Communications Manager Kyle Moore, Community & Economic Development (CED) Director Evan Maxim, Planning Manager Jennifer Kester, Senior Planner Dennis Hartwick, Public Works (PW) Director William Appleton, City Engineer City Engineer Florendo Cabudol

**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.
- B. Public comment opportunities to commenters who signed-up or provided written comments prior to 4 p.m.

**PUBLIC COMMENTS:** None

**PRESENTATIONS:**

**South King County (SKC) Fund by Port of Seattle (POS).**

Government Relations & Communications Manager Moore stated the POS representatives will explain how the funds have been awarded.

POS Senior Data & Policy Analyst Alison Beason provided background on this project, which began in 2018. The fund was divided into three groups: Economic Development (ED), Environmental Grants, and Economic Recovery.

POS Senior Program Manager Community Engagement Andy Gregory reviewed the Environmental Grants Program; 16 proposals submitted, 14 proposals recommended, \$218,000 awarded.

POS Environmental Engagement Program Coordinator Ilays Aden highlighted two of the Environmental Grant Programs – Highline Botanical Garden Foundation and Partner in Employment.

Next round of funding will be summer 2021 – Economic Recovery Program, and fall 2021 – Environmental Grants Program.

Council discussion ensued regarding the proposals and funding.

*Mayor Sitterley left, and DM Kwon took over the meeting, at this point in the meeting.*

Council discussion continued regarding this program.

**Key City Issues and Requests for Direction**

City Manager Cole commented on the following items:

(1) Requested Gambling Tax and Human Services be referred to the April 13, 2021 Council Study Session (CSS). Council concurred.

(2) Requested the topic of acquiring expansion space next to Angle Lake Park be referred to the Parks & Recreation (P&R) Committee. Council discussion ensued regarding the process for items reviewed at an advisory committee meeting. Council requested the Administration & Finance (A&F) Committee first discuss the process for citizen committees to provide advice to the City Council, then consider referring the Angle Lake Park topic.

**PRESENTATIONS (continued):**

**Key City Issues and Requests for Direction (continued):**

(3) 2021 Town Hall meetings – staff requested Council input by end of day March 25, 2021

(4) Calendar, including drive through Easter Egg Hunt

*Mayor Sitterley returned during the Key City Issues.*

Council discussion ensued regarding vaccines and the mailbox program.

*Mayor Sitterley took over the meeting at this point in the meeting.*

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

CM Tombs: Hotel/Motel Tax Advisory Committee (HMAC) meeting – travel projections, grant application process

DM Kwon: Transportation & Public Works (T&PW) Committee meeting – the only items is on tonight's agenda

CM Hill: Arts, Culture & Library Advisory Committee (ACLAC) meeting - updated status on items and continued discussions on master plan; Puget Sound Regional Council (PSRC) Transit Oriented Development (TOD) Advisory Committee meeting – voted in favor of forwarding restructuring plan to the growth management policy board for approval, Sound Transit presentation regarding policies and land disposition of surplus property near high capacity transit stations; KC Joint Recommendations Committee will meet March 25

Mayor Sitterley: A&F Committee meeting –two items on tonight's consent agenda, financial status and investments; also have one vacancy on Planning Commission (PC) with applications due March 26

**CONSENT AGENDA:**

**Approval of claims vouchers (check no. 130091 - 130230) in the amount of \$771,327.16 for the period ended March 18, 2021.**

**Approval of payroll vouchers (check no. 55786 - 55795) in the amount of \$10,853.86 for the period ended March 15, 2021.**

**Approval of payroll electronic fund transfer (check no. 104160 - 104304) in the amount of \$441,900.15 for the period ended March 15, 2021.**

**Approval of payroll wire transfer in the amount of \$172,302.00 for the period ended March 15, 2021.**

**Approval of Council Meeting Minutes:**

**Administration & Finance Committee meeting held February 11, 2021**

**Regular Council Meeting held March 9, 2021**

**The following items were reviewed at the March 11, 2021 Administration & Finance (A&F) Committee Meeting and recommended for placement on this Consent Agenda:**

**Agenda Bill #5662; An Ordinance authorizing the use of outside legal services and amending the City's 2021-2022 Biennial Budget.**

**Agenda Bill #5646; An Ordinance #21-1007 adding a new Chapter 2.03 to the SeaTac Municipal Code relating to Risk Management.**

Councilmember Gobena requested Agenda Bill #5662 be removed from the Consent Agenda to be discussed under unfinished business.

MOVED BY FERNALD, SECONDED BY TOMBS TO ACCEPT THE CONSENT AGENDA AS PRESENTED, WITH THE REMOVAL OF AGENDA BILL #5662.

MOTION CARRIED UNANIMOUSLY.

**ACTION ITEMS:**

**Agenda Bill #5560; An Ordinance #21-1008 amending portions of the SeaTac Municipal Code (SMC) related to the Subdivision Code, Zoning Code, and Development Review Code.**

**Summary:** As stated above, the majority of the amendments in this package are intended to improve the clarity, consistency, and organization of the codes.

Changes included in this Ordinance that are more substantial in nature include the following:

1. Allowing residential developments located within the City Center Overlay District to reduce the number of required parking spaces by up to 35%. Currently, the maximum reduction is 10%. The change is proposed to align the City Center Overlay District parking regulations with the South 154th Street Station Area and Angle Lake Station Area Overlay districts. Over the past few years, the South 154th Street Station Area and the Angle Lake Station Area have seen increased interest from multi-family developers due, in part, to the residential parking reduction. This includes two large-scale residential developments that are either in review or already approved in each of the station areas for a total of approximately 1,000 units. The City Center, meanwhile, has not seen much interest from multi-family developers and only has one development in the pipeline for approximately 182 units. All three of the overlay districts are served by a Sound Transit light rail station and the City Center and Angle Lake Station Area are served by King County Metro's RapidRide and thus meet the City's requirements for parking reductions. Expanding the residential parking reduction to the City Center Overlay District aligns with the Comprehensive Plan's (CP) Policy 3.4B to promote a variety of housing types near transit and Policy 3.6G to review and revise regulatory barriers to development.
2. The changes to SMC 15.465.600(H), Mobile Home Park (MHP) Relocation Standards, will eliminate processes already handled by the Washington State Department of Commerce (WSDOC). The City's regulations currently require the owner of a MHP that is closing to create a relocation plan and the City to review and approve or disapprove the plan. The process was intended to provide assistance to the tenants impacted by the park's closure. However, these relocation services are now provided by the WSDOC's Relocation Coordination Program, which was created in 2019. Thus, the City's current regulations are no longer needed.

The Planning Commission (PC) reviewed changes to the SMC on February 18, July 7, July 21, August 4, September 15, and December 15 of 2020, and on January 5, 2021. A public hearing (PH) was held on August 4 and continued to September 15, 2020. The PC recommended adoption of the amendments on January 5, 2021. The Planning and Economic Development (PED) Committee reviewed the proposed amendments at their meeting on January 28, 2021, and recommended that the amendments move forward to the full City Council.

Senior Planner Hartwick reviewed the agenda bill summary. Planning Manager Kester responded to questions.

MOVED BY TOMBS, SECONDED BY FERNALD TO PASS AGENDA BILL #5560 (ORDINANCE #21-1008).\*

Council discussion ensued regarding the amendments.

MOVED BY HILL, SECONDED BY FERNALD TO REMOVE SECTION 12 RELATED TO PARKING REDUCTIONS FROM THE ORDINANCE.\*\*

\*\*AMENDED MOTION CARRIED WITH TOMBS AND HILL VOTING NO.

\*MOTION CARRIED, AS AMENDED, UNANIMOUSLY.

**Agenda Bill #5628; An Ordinance #21-1009 awarding contract to Iron Creek Construction, LLC., authorizing the City Manager to execute the contract with Iron Creek Construction, authorizing project construction expenditures, and amending the City's 2021-2022 Biennial Budget.**

**Summary:** The scope of this project consists of removal and replacement of failing and or damaged storm drainage infrastructure at nine locations throughout the City. These locations were chosen with the help of our GIS team, maintenance staff, and construction inspectors.

Work will occur within both public right-of-way (ROW) and storm drainage easements over private property. The work generally consists of removing existing storm drains and junction structures in a state of disrepair, and replacing them in-kind; care will be taken to restore both private and public property after repairs are made. Locations in the

**ACTION ITEMS (continued):**

**Agenda Bill #5628; Ordinance #21-1009 (continued):** public ROW) will generally occur on local roads, except for one location on South 154th Street near the International Boulevard (IB) / State Route 99 intersection, which is designated as a principal arterial. Restoration activities will include landscaping, pavement repair, and re-seeding.

Sealed bids were opened on Wednesday, February 17, 2021. The City received a total of five bids. The lowest responsible, responsive bidder was Iron Creek Construction LLC, with a bid of \$339,775. The low bid was approximately 6 percent below the Engineer's estimate of \$359,965.

Based on current project funding and anticipated expenditures (shown below), an amendment to the 2021-2022 Biennial Budget, Surface Water Fund 403, is required to allocate an additional \$73,480 to the project.

**Project Funding**

2021 Project Fund Balance in Surface Water Utility Fund 403	\$64,400.00
2020 Requested Project Fund carry forward	\$298,161.00
Total Available Funding	\$362,561.00

**Project Expenditures**

Construction Bid (Iron Creek Construction LLC)	\$339,775.00
Construction Contingency (15%)	\$50,966.00
Public Works Inspection Overtime	\$10,000.00
Construction Management Services	\$35,300.00
Total Project Expenditures	\$436,041.00

The Drainage Spot Repair Project has been presented at several Transportation and Public Works (T&PW) Committee meetings. The project was first recommended for design and construction in December 2019. This construction contract and bid summary were presented at the March 18, 2021 T&PW Committee meeting. The Committee recommended forwarding this item to Council for approval.

City Engineer Cabudol reviewed the agenda bill summary.

MOVED BY KWON, SECONDED BY FERNALD TO PASS AGENDA BILL #5628 (ORDINANCE #21-1009).\*

Council discussion ensued regarding the project.

\*MOTION CARRIED UNANIMOUSLY.

**UNFINISHED BUSINESS:**

**Agenda Bill #5662; An Ordinance #21-1010 authorizing the use of outside legal services and amending the City's 2021-2022 Biennial Budget.**

**Summary:** When the Firs HOA filed a tort claim with the City in February 2019, it was submitted to Cities Insurance Association of Washington (CIAW), the City's risk pool. CIAW assigned the law firm of Menke Jackson Beyer, LLP to represent the City in its defense. The first \$100,000 of defense costs was applied to the City's deductible. CIAW was responsible for paying the next \$50,000 of defense costs per our risk pool agreement. Thereafter, defense costs would typically be covered through insurance coverage provided by Chubb. However, the City and Chubb are currently involved in a coverage dispute. Until some of the insurance coverage issues are resolved, the City is responsible for paying the defense costs as they are incurred.

There is \$70,000 budgeted in 2021 for outside legal services for claims and litigation expenses. As of March 1, 2021, the City has received two invoices totaling a little over \$35,000. There will also be additional expenses associated with filing and responding to several motions in this case. Therefore, the Legal Department requests an additional \$100,000 appropriation in order to cover additional invoices on this case, and to pay expenses related to other matters in which outside legal services may be needed.

**UNFINISHED BUSINESS (continued):**

**Agenda Bill #5662; Ordinance #21-1010 (continued):**

Adoption of this Ordinance authorizes the continued use of outside legal services with respect to pending litigation and other matters, as needed, and amend the 2021-2022 biennial budget to pay for these expenditures.

If this Ordinance is adopted, the City's 2021-2022 Biennial Budget would be amended to increase expenditures in the General Fund (Fund #001) by \$100,000, in order to pay for outside legal services associated with claims and litigation.

This agenda item was presented to the A&F Committee on March 11, 2021, and the committee recommended it be placed on the Consent Agenda at the March 23, 2021 Regular Council Meeting (RCM).

MOVED BY KWON, SECONDED BY HILL TO PASS AGENDA BILL #5662 (ORDINANCE #21-1010).\*

Council discussion ensued regarding the need to hire outside legal services versus using internal staff.

\*MOTION CARRIED UNANIMOUSLY.

**COUNCIL COMMENTS:**

CM Negusse commented on the following items: Highline School District (HSD) will be opening maritime school in the fall. Virtual Meeting will be held April 22. They will also be opening a virtual High School option; Housing Action Plan open house; and lots of violence lately, take care.

CM Tombs commented COVID rates are increasing.

DM Kwon commented on the following items: Asian hate crimes; still delivering food boxes to those in need; Parks & Recreation Guide; and coffee chat.

CM Gobena commented on the following items: had COVID; and affordable housing.

CM Fernald urged everyone to get along, and hug family members.

Mayor Sitterley commented on basketball; vacancy on Planning Commission (PC); and went into Bow Lake residential area with Fire Department to witness COVID-19 vaccinations.

**EXECUTIVE SESSION:** None

**ADJOURNED:**

MAYOR SITTERLEY ADJOURNED THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 8:26 P.M.

  
Erin Sitterley, Mayor

  
Kristina Gregg, City Clerk