

City of SeaTac
Regular Council Meeting Minutes
Virtual Meeting

June 8, 2021
6:00 PM

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 (*left at 6:43 p.m.*), 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, Deputy City Manager (DCM) Gwen Voelpel, Community & Economic Development (CED) Director Evan Maxim, Planning Manager Jenn Kester, Public Works (PW) Director William Appleton, Parks, Community Programs and Services (PCPS) Director Lawrence Ellis, Parks Projects & Operations Manager Michael Fitzpatrick, Government Relations and Communications Manager Kyle Moore, Digital Communication Strategist Angie Millar

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 2 p.m.
- C. Agenda Bill #5729 (Interlocal Agreement (ILA) with the City of Tukwila for the construction of the 2021 Overlay Project) was reviewed by the T&PW Committee on June 3, 2021. The Committee provided a recommendation to forward this item to the Consent Agenda, however, the packet was prepared prior to the committee review. This item will be moved from Action Items to Consent Agenda.

PUBLIC COMMENTS:

Remote Public Comments

- Julien Loh – Puget Sound Energy (PSE) COVID Bill Assistance Program

PRESENTATIONS:

Introduction of new City Employee: Digital Communication Strategist Angie Millar.

City Manager Cole introduced Ms. Millar.

SCORE response to the COVID-19 Pandemic.

SCORE Executive Director Devon Schrum stated SCORE (South Correctional Entity) opened in 2011 and is the first regional jail of its type. Its state-of-the-art design helped them get through COVID. She reviewed how SCORE responded to the pandemic.

Council discussion ensued regarding vaccination of inmates.

Final Acceptance of the Riverton Heights Park Phase II Improvements.

Parks Projects & Operations Manager Fitzpatrick reviewed the improvements. The final acceptance is on tonight's Consent Agenda.

CM Negusse left at this point in the meeting.

Council discussion ensued regarding committee review and recommendation, age range for play area, and history of the project. The committee recommended approval.

Key City Issues and Requests for Direction

City Manager Cole commented on the following items:

- (1) July 6 is the target date for opening City Hall, but the city is still waiting for requirements
- (2) the police presentation will continue with future discussions with Council

PRESENTATIONS (continued):

Key City Issues and Requests for Direction (continued):

- (3) Requested the following items be referred to the Administration & Finance (A&F) Committee: copier leases, what to do with surplus aid car, and P-Card policy. Council concurred.
- (4) Grant Application with King County (KC) to allow the City to hire Recology to perform increased litter clean-up on highway on/off ramps - \$40,000
- (5) Calendar: Hotel/Motel Tax Advisory Committee (HMAC) and Public Safety & Justice (PS&J) Committee meetings cancelled, June 12 - Riverton Heights Park ribbon cutting

Council discussion ensued regarding litter pickup, police presentation, and police services.

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

CM Tombs: HMAC - Canceled June 9; Planning & Economic Development (PED) Committee – Housing Action Plan

CM Hill: Parks & Recreation (P&R) Committee –SeaTac Arts and Culture Master Plan, mid-summer park programs will be moved to Riverton Heights Park, Lifeguards are returning to Angle Lake Park, and SeaTac Rental Assistance Program

CM Fernald: June 10 PS&J cancelled

DM Kwon: June 2 Special Streetscape and Gateway Committee Meeting – to create a cohesive design; Transportation & Public Works (T&PW) Committee – Agenda Bill #5729, Solid Waste Flow Control, Transportation Improvement Program (TIP)

Mayor Sitterley: A&F Committee meeting June 10; 509 Gateway Executive Committee meeting – 509/167 project is on target to be completely open by 2028; Sound Cities Association (SCA) Public Issues Committee (PIC) is meeting June 9

CONSENT AGENDA:

Approval of claims vouchers (check no. 130709 - 130816) in the amount of \$287,061.18 for the period ended June 4, 2021.

Approval of payroll vouchers (check no. 55835 - 55843) in the amount of \$12,028.99 for the period ended May 31, 2021.

Approval of payroll electronic fund transfer (check no. 104876 - 105019) in the amount of \$665,437.96 for the period ended May 31, 2021.

Approval of payroll wire transfer in the amount of \$166,852.07 for the period ended May 31, 2021.

Final Acceptance of public works projects: Riverton Heights Park Phase 2 Improvements - \$288,829.92.

Approval of Council Meeting Minutes:

Administration & Finance Committee meeting held April 8, 2021

Regular Council Meeting held May 25, 2021

The following item was reviewed at the June 3, 2021 Transportation & Public Works Committee meeting and recommended for placement on this Consent Agenda:

Agenda Bill #5729; A Motion authorizing the City Manager to execute an Interlocal Agreement (ILA) with the City of Tukwila for the construction of the 2021 Overlay Project (Public Works Project No. ST-901).

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

MOTION CARRIED UNANIMOUSLY.

ACTION ITEMS:

Agenda Bill #5739; A Motion supporting and authorizing SeaTac Parks, Community Programs & Services staff to complete a grant application for consideration to King County (KC) Community Block Grant (CDBG) program in the amount of \$275,000 for construction of a spray park at Riverton Heights Neighborhood Park.

Summary: PCPS staff submitted a grant application, which was due May 31, 2021, for a 2022 funding request of \$275,000 to construct a spray park at Riverton Heights Neighborhood Park. The addition of a spray park will provide residents local access in their neighborhood. Construction of a spray park in the north end of SeaTac supports goal #3 and goal #5 of the 2020-2030 Parks, Recreation and Open Space Plan (PROS).

- Goal #3: "Provide a balanced, quality park and recreational system and offer a wide range of park and recreational facilities to community members and visitors of various ages and physical capabilities, cultural backgrounds, abilities, incomes, and participation levels."
- Goal #5: "Ensure safe and convenient access to recreational lands, facilities, and programs."

The grant application requires Council support be reflected in the Council meeting minutes.

In 2018, the City was awarded \$338,400 through the CDBG program in order to complete Phase II improvements at Riverton Heights Neighborhood Park. These improvements included additional playground equipment for preschool aged children, a second half-court basketball court, and installation of an irrigation system. The grant fully funded these recently completed improvements.

In 2017, construction of Riverton Heights Neighborhood Park was completed and included construction of a half-court basketball court, park signage, picnic tables, benches, asphalt pathway, playground equipment for school aged children, and upgrades to the existing parking lot. The City was awarded funds through the 2016 KC CDBG program to design and construct the park.

Parks Projects & Operations Manager Fitzpatrick reviewed the agenda bill summary.

MOVED BY HILL, SECONDED BY FERNALD TO PASS AGENDA BILL #5739.*

Council discussion ensued regarding the spray park.

*MOTION CARRIED UNANIMOUSLY.

Council moved this item to the Consent Agenda at the beginning of the meeting:

Agenda Bill #5729; A Motion authorizing the City Manager to execute an Interlocal Agreement (ILA) with the City of Tukwila for the construction of the 2021 Overlay Project (Public Works Project No. ST-901).

Agenda Bill #5638; An Ordinance #21-1015 adopting a new Chapter 18.10 to SeaTac Municipal Code (SMC) related to Flood Hazard Areas, repealing Chapter 12.40 of SMC related to Flood Damage Prevention, and amending portions of Chapter 15.700 Critical Areas to comply with the National Flood Insurance Program (NFIP) Flood Damage Prevention Ordinance as required by the Federal Emergency Management Agency (FEMA).

Summary: In 2020, the City was required to amend its flood hazard and floodplain regulations to comply with the National Flood Insurance Program (NFIP) Flood Damage Prevention Ordinance as required by the Federal Emergency Management Agency (FEMA). Due to the time sensitive nature of the FEMA requirement, the City adopted interim regulations on August 11, 2020 (Ord. 20-1013). These interim regulations were extended in December 2020 (Ord. 20-1027) and are in effect until June 30, 2021.

Adoption of interim regulations kept the City in compliance with the NFIP, thus allowing renewal and issuance of property owners' floodplain insurance policies within SeaTac. FEMA required adoption by August 19, 2020, to coincide with the effective date of new countywide flood insurance maps identifying a floodplain hazard along Miller Creek. The City's compliance with NFIP ensures that property owners can receive or renew floodplain insurance policies within SeaTac. According to FEMA, there are six (6) active floodplain policies within the city. As interim regulations, they need to be replaced with permanent regulations or the City will no longer be compliant with the NFIP.

ACTION ITEMS (continued):

Agenda Bill #5638; An Ordinance #21-1015 (continued):

The proposed code amendments include all the specific FEMA required language and regulations for the minimum protection of properties in special flood hazard areas. Staff did not recommend increasing these minimum standards, as these regulations will affect a small area of the City, generally within or near Port and park property. Furthermore, all flood hazard related regulations have been combined into a new and park property. Furthermore, all flood hazard related regulations have been combined into a new Flood Hazard Areas chapter in Title 18, our Environmental Code, with necessary edits to the existing Municipal Code to allow for one unified chapter.

This topic was before the PED Committee on April 22, 2021. The Committee forwarded the item to full Council for consideration with a recommendation of approval. The Planning Commission (PC) discussed the proposed regulations on February 16, 2021 and March 16, 2021. After the public hearing (PH) on March 16, 2021, the PC approved forwarding the package to the City Council with a recommendation of approval.

Planning Manager Kester reviewed the agenda bill summary.

MOVED BY TOMBS, SECONDED BY FERNALD TO PASS AGENDA BILL #5638 (ORDINANCE #21-1015).*

Council discussion ensued regarding the proposed revisions.

*MOTION CARRIED UNANIMOUSLY.

Agenda Bill #5718; A Motion authorizing the City Manager to enter into negotiations with the Port of Seattle (POS) to provide court services for cases occurring on Seattle-Tacoma International Airport property.

Summary: Airport Acting Chief of Police Mike Villa recently inquired into the City's openness to negotiating an ILA with the Port of Seattle (POS) for the City to provide municipal court services. The Chief requested consideration of both a short-term agreement for one to three repeat offender cases per month for the remainder of 2021 and a longer agreement beginning in 2022. Before opening negotiations with the POS, staff seeks authorization from the City Council.

The Seattle-Tacoma International Airport currently files cases with KC District Court. Under state law (RCW 3.50.020), the City has original jurisdiction over traffic infractions and criminal violations of ordinances arising within its borders.

The SeaTac Municipal Court is a court of limited jurisdiction. The judge is authorized to preside over civil infractions, traffic infractions, criminal misdemeanors gross misdemeanors, and civil orders for protection. The Municipal Court cannot hear felony cases, which are first heard in Superior Court, or civil lawsuits that are first heard in District Court.

The City also has the authority to establish joint agreements to benefit citizens and property within its borders per the Interlocal Cooperation Act (RCW 39.34).

The Acting Chief of Police indicates that the Port's interest in seeking an agreement with the City of SeaTac is in prosecution of cases, including repeat offenses of trespassing and breaking and entering. KC has been declining to prosecute many cases. Chief Villa shared that many of those the Port Police trespass or arrest remain in the area—including in SeaTac—because they cannot be detained at the KC Correctional Facility. Many if not most of the subjects apprehended for criminal activity at the airport are released at the scene due to KC policies that either do not allow for prosecution in District Court, if prosecuted do not allow for meaningful penalties, or a combination of these. A potential benefit of undertaking this contract could be the opportunity to hold offenders accountable for criminal activity at the airport (booking at time of crime and sentencing down the road if appropriate) and not allow them to be released on the streets of SeaTac.

The City requested citation numbers from airport police staff to gain an initial understanding of the potential impact on staffing. Given the impact of COVID on the traveling public in 2020, the City referred to 2019 data for City and airport cases.

ACTION ITEMS (continued):
Agenda Bill #5718 (continued):
2019 Cases

Type of Case	City of SeaTac	Sea-Tac International Airport
Traffic	3,116	947
Criminal Non-traffic	443	207
Criminal Traffic	247	49
Infraction Non-traffic	73	248
Other (primarily parking)	1,261	N/A

Preliminary calculations indicate that additional staffing in the Legal Department and Municipal Court, as well as contract funding for public defense and interpretation, would be required to process claims arising at the airport. Because the Legal Department and Court staff are both relatively small, adding redundancies to both departments should be a benefit to the City as staff need to be absent for one reason or another. The airport has its own agreement with SCORE for detention that will be unaffected by these negotiations.

The City and Port will negotiate an agreement that reimburses the City for all of its costs and includes appropriate inflators for cost-of-living increases for staff, caseloads, and complexity of cases as appropriate.

The agreements will incur additional expenses and receipt additional revenues to the City. The impacts will be adjusted in the budget as the amounts are known.

The A&F Committee voted on May 13, 2021, to recommend proceeding with negotiations to the City Council.

DCM Voelpel reviewed the agenda bill summary.

MOVED BY HILL, SECONDED BY FERNALD TO PASS AGENDA BILL #5718.*

Council discussion ensued regarding tonight's decision which is to begin negotiations, full cost recovery, and whether there's a benefit to the City.

*MOTION CARRIED WITH GOBENA VOTING NO.

UNFINISHED BUSINESS: None

COUNCIL COMMENTS: CM Hill commented on the following items: (1) SeaTac Community Center activities can be reserved by appointment, (2) SeaTac Art Attack is back, and (3) SeaTac's Got Talent.

CM Gobena commented on the following items: (1) COVID vaccines, and (2) outdoors activities.

CM Fernald commented on the following items: (1) Veteran's Memorial on Memorial Day, and (2) August 3 National Night Out (NNO).

DM Kwon commented on the following items: (1) ribbon cutting, (2) yard art, and (3) ways to be informed - blog, twitter, Facebook pages.

Mayor Sitterley commented on the following items: (1) May 28 Micro-X grand opening and (2) June 14 is Flag Day.

EXECUTIVE SESSION: None

ADJOURNED:

MAYOR SITTERLEY ADJOURNED THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 8:52 P.M.


Erin Sitterley, Mayor


Kristina Gregg, City Clerk