

City of SeaTac

Regular Council Meeting Minutes

April 11, 2023
6:00 PM

City Hall
Council Chambers

CALL TO ORDER: Mayor Jake Simpson called the SeaTac City Council Regular Meeting to order at 6:00 p.m.

COUNCIL PRESENT (in-person): Mayor Jake Simpson, Councilmembers (CMs) Peter Kwon, Mohamed Egal, and Iris Guzmán; **(remote):** Deputy Mayor (DM) Senayet Negusse, CMs Takele Gobena, and Erin Sitterley.

STAFF PRESENT (in-person): City Manager Carl Cole, City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, Multimedia Video Specialist David Inman; **(remote):** Deputy City Manager (DCM) Gwen Voelpel, Public Works (PW) Director William Appleton, Emergency Management (EM) Coordinator Wilfredo Lugo, City Engineer Florendo Cabudol, PW Programs Coordinator Mason Giem, Senior Civil Engineer Brenton Cook, Community & Economic Development (CED) Director Evan Maxim, Economic Development (ED) Manager Aleksandr Yeremeyev, Principal Planner Kate Kaehny, Government Relations & Communications Manager Kyle Moore, Park Projects and Operations Manager Mike Fitzpatrick, PW Maintenance Operations Supervisor Dan Smith, Human Resources (HR) Director Mei Barker

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

AGENDA REVIEW:

- A. Hybrid Meeting: Broadcast on SeaTV Government Access Comcast Channel 21, Live-streamed on the City's website <https://www.seatacwa.gov/seatvlive>, in-person and remote options for public participation.
- B. Agenda Bill #6105 related to the Otak, Inc. Contract for the SeaTac 2044 Major Comprehensive Plan Update was moved to the Consent Agenda.

PUBLIC COMMENTS:

The following people commented on the Renter Protections Ordinance: in person - Sherry Yapp, Earl Gipson, Bree Nicaello, Carol Haythorne, and Frank Portmann; remotely - Devin Glaser and Sosna Woldemariam; and written - B. Hagar, Phil Combs, Dana Knickerbocker, Joe Vinson, Amy Kangas, Dennis O'Neil, Ryan Makinster, Po Chau, and Gordon Haggerty.

PRESENTATIONS:

Introduction of new City Employee: Water Quality Technician John Harry.

City Manager Cole introduced Mr. Harry.

Key City Issues and Requests for Direction

City Manager Cole commented on the following items:

- Grants Acceptance:
 - Washington Traffic Safety Commission (WTSC) King County (KC) Distracted Driving Campaign - \$2,500
 - Washington State Department of Ecology (WSDOE) stormwater capacity grant - additional \$25,000
- Other items:
 - Tyee High School student Harmony Grace received AWC's Center for Quality Communities scholarship of \$2,500
 - March 2023 Real Estate Excise Tax (REET) Report
- Calendar

Council discussion ensued regarding the AWC grant.

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

CM Kwon: Transportation & Public Works (T&PW) Committee; Special Streetscape & Gateway Ad Hoc Committee Meeting

CM Egal: Planning & Economic Development (PED) Committee

CONSENT AGENDA:

Approval of claims vouchers (check no. 135565 - 135672) in the amount of \$728,547.23 for the period ended March 23, 2023.

Approval of March 2023 EFT's in the amount of \$57,099.54 for the period ended March 27, 2023.

Approval of claims vouchers (check no. 135673 - 135753) in the amount of \$155,250.46 for the period ended April 6, 2023.

Approval of payroll vouchers (check no. 56243 - 56248) in the amount of \$8,337.66 for the period ended March 15, 2023.

Approval of payroll electronic fund transfer (check no. 111476 - 111641) in the amount of \$514,934.73 for the period ended March 15, 2023.

Approval of payroll wire transfer in the amount of \$175,097.53 for the period ended March 15, 2023.

Approval of payroll vouchers (check no. 56249 - 56258) in the amount of \$319,076.37 for the period ended March 31, 2023.

Approval of payroll electronic fund transfer (check no. 111642 - 111809) in the amount of \$525,337.56 for the period ended March 31, 2023.

Approval of payroll wire transfer in the amount of \$178,492.12 for the period ended March 31, 2023.

Approval of Council Meeting Minutes:

Administration & Finance Committee meeting held January 12, 2023

Planning & Economic Development Committee meeting held February 23, 2023

Transportation & Public Works Committee meeting held March 2, 2023

Council Study Session held March 14, 2023

Regular Council Meeting held March 14, 2023

The following items were reviewed at the March 9, 2023 Administration & Finance Committee meeting and recommended for placement on this Consent Agenda:

Agenda Bill #6158; A Motion authorizing the City Manager to execute a contract with The Imagine Institute to implement a SeaTac FastTrack Childcare Initiative program funded by ARPA/SLFRF.

Agenda Bill #6189; An Ordinance #23-1006 authorizing the addition of five new Recreation Leader 3 positions within the Parks and Recreation Department and amending the 2023-2024 Budget.

Agenda Bill #6190; An Ordinance #23-1007 authorizing the City Manager to execute a professional services agreement between the City of SeaTac and ARC Architects for design improvements to the SeaTac Maintenance Facility and amending the 2023-2024 Biennial Budget.

Agenda Bill #6207; An Ordinance #23-1008 establishing the Human Services Manager position and amending the 2023-2024 Biennial Budget.

The following item was reviewed at the March 23, 2023 Planning & Economic Development Committee meeting and recommended for placement on this Consent Agenda:

Agenda Bill #6105; A Motion authorizing the City Manager to enter into a contract with Otak, Inc. for the SeaTac 2044 Major Comprehensive Plan Update project.

MOVED BY NEGUSSE, SECONDED BY GUZMÁN TO ACCEPT THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY.

SUSEPND THE RULES:

MOVED BY SIMPSON, SECONDED BY NEGUSSE TO SUSPEND THE RULES TO ADVANCE AGENDA BILL #6165 TO THE TOP OF THE ACTION ITEMS.

MOTION CARRIED UNANIMOUSLY.

ACTION ITEMS:

Agenda Bill #6165; An Ordinance #23-1009 adopting a new Title 4, Rental Housing, and a new Chapter 4.05 within Title 4, Rental Housing Protections, amending Chapter 1.15 Code Enforcement, providing for severability, and establishing an effective date.

Summary: On November 29, 2022, the PED Committee passed a motion directing staff to draft an ordinance for the committee's review and discussion at the January PED meeting. The purpose of the ordinance was to establish specific protections for renters entering into rental agreements with landlords in the City of SeaTac.

The PED committee requested staff review Burien Ordinance 804 and other applicable law. Staff prepared a draft ordinance modeled on the relevant sections of Burien Ordinance 804. The PED committee reviewed the draft ordinance on January 26, 2023, and recommended that the City Council adopt the draft ordinance as an action item.

On February 14, 2023, the City Council referred the draft ordinance to the March 14, 2023, Council Study Session (CSS) and directed staff to provide an opportunity for community outreach before the CSS.

Community Outreach: On March 10, the City hosted a community meeting regarding the draft Renters' Protection ordinance. The meeting was focused on achieving two goals: (1) informing the community of the regulations contained in the draft ordinance, and (2) soliciting public comments. In advance of the community meeting, the City heavily published the event on social media, worked with community-based organizations, and contacted known interested parties. Multiple opportunities for public comment were provided, including hardcopy comment cards, online comment cards, and virtual verbal comment. City staff solicited community input through 4:00PM on March 14, 2023. Public comment received as part of the community meeting event has been compiled for City Council reference.

Public comments received on the City's comment cards are summarized in several graphs. The graphs do not summarize the written responses on each comment card. Please also note that emails sent directly to City Council, separate from the community meeting event, are not included in the attachments.

Summary of the ordinance: The PED Committee directed staff to develop an ordinance that incorporated specific regulations related to rental agreements between landlords and tenants. Each aspect of the PED committee's November 29, 2022, motion and the corresponding regulatory language in the ordinance is summarized in the table below.

PED Committee Direction	Draft Ordinance
120-day notice for rent increases greater than 3%	Page 10, line 5, 4.05.070
180-day notice for rent increases greater than 10%	Page 10, line 6, 4.05.070
Move in fees capped at the equivalent of one month's rent, payable in installments	Page 8, line 30, 4.05.050
Late fees capped at \$10 per month	Page 9, line 28, 4.05.060
A social security number cannot be required for application	Page 14, line 17, 4.05.100
Renters on fixed income can adjust rent due date	Page 10, line 23, 4.05.080
Renters protected from eviction or lease termination without just cause; including language outlining the definition of just cause, protecting other tenants and property owners	Page 10, line 32, 4.05.090
No rent increase for uninhabitable units	Page 10, line 15, 4.05.070

Ordinance revision from March 14: On February 14 and March 14, 2023, the City Council discussed provisions of the "just cause" eviction language, which had been the subject of a successful appeal in the City of Burien. The ordinance has been updated to remove this language.

On March 14, 2023, the City Council discussed the draft ordinance and confirmed that staff should remove language that had recently been subject to challenge in Burien. The City Council also discussed whether additional community engagement and policy analysis was necessary but did not come to a consensus. The City Council discussed whether an additional CSS was warranted but did not identify additional items for review. Following consultation with the Mayor, staff placed the draft ordinance on the April 11, 2023, RCM agenda as an action item.

ACTION ITEMS (continued):

Agenda Bill #6165; Ordinance #23-1009 (continued):

On January 26, 2023, the PED Committee recommended review and adoption of the Renters' Protection ordinance by the City Council. On March 14, 2023, during the City CSS, there was City Council consensus to remove the portion of the Renters' Protection ordinance that had been subject of a successful appeal in the City of Burien.

CED Director Maxim reviewed the agenda bill summary.

MOVED BY EGAL, SECONDED BY NEGUSSE TO PASS AGENDA BILL #6165 (ORDINANCE #23-1009).*

Council discussion ensued regarding the history of this item, each amendment, and the original motion, as amended.

MOVED BY NEGUSSE, SECONDED BY GUZMÁN TO AMEND SECTION 4.05.020 BY INSERTING "THE PROVISIONS OF THIS ORDINANCE SHALL NOT APPLY TO RENTAL AGREEMENTS BETWEEN AN OWNER AND TENANT WHERE THE OWNER SHARES THE DWELLING UNIT AS A PRIMARY RESIDENCE WITH THE TENANT." AT THE END OF THE SECTION.

MOTION CARRIED UNANIMOUSLY.

MOVED BY GUZMÁN, SECONDED BY NEGUSSE TO AMEND SECTION 4.05.100(1) BY STRIKING THE SECTION IN ITS ENTIRETY AND INSERTING "TENANTS MAY BE REQUIRED TO PROVIDE THE LANDLORD WITH A SOCIAL SECURITY NUMBER IF THEY HAVE ONE, AS PART OF THE APPLICATION PROCESS FOR A RENTAL AGREEMENT. IF THE TENANT DOES NOT HAVE A SOCIAL SECURITY NUMBER, THEN NO LANDLORD SHALL REQUIRE A TENANT TO PROVIDE A SOCIAL SECURITY NUMBER."

MOTION CARRIED WITH SITTERLEY VOTING NO.

MOVED BY GUZMÁN, SECONDED BY EGAL TO AMEND SECTION 4.05.090 BY INSERTING "IF THE REASON FOR THE EVICTION PROCEEDINGS IS DUE TO THE TENANT BEING PAST DUE ON RENT, THEN THE LANDLORD SHALL TERMINATE EVICTION PROCEEDINGS WHEN THE TENANT HAS PAID TO THE LANDLORD THE PAST DUE AMOUNT FOR RENT OR WHEN A PAYMENT PLAN HAS BEEN AGREED UPON BETWEEN THE LANDLORD AND THE TENANT." BETWEEN SUBSECTION 1 AND 2 AND RENUMBERING AS APPROPRIATE."

MOTION CARRIED WITH KWON AND SITTERLEY VOTING NO.

MOVED BY SIMPSON, SECONDED BY GUZMÁN TO AMEND SECTION 4.05.090 BY DELETING 4.05.090(3)(B) AND 4.05.090(3)(D).

UPON A ROLL CALL VOTE, MOTION CARRIED WITH EGAL, GUZMÁN, NEGUSSE, AND SIMPSON VOTING YES, AND KWON, GOBENA, AND SITTERLEY VOTING NO.

MOVED BY SIMPSON, SECONDED BY EGAL TO ADD A NEW SECTION 4.05.095 RIGHT OF REFUSAL.

MOTION FAILED 6 to 1.

MOVED BY KWON, SECONDED BY EGAL TO AMEND SECTION 4.05.060(1) AND (2) BY STRIKING \$10.00 AND INSERTING 2% OF MONTHLY RENT.

MOTION CARRIED UNANIMOUSLY.

*UPON A ROLL CALL VOTE, ORIGINAL MOTION CARRIED, AS AMENDED, WITH EGAL, GOBENA, GUZMÁN, NEGUSSE, AND SIMPSON VOTING YES, AND KWON AND SITTERLEY VOTING NO.

ACTION ITEMS (continued):

Agenda Bill #6124; A Motion adopting the City of SeaTac Disaster Debris Management Plan.

Summary: The Disaster Debris Management Plan covers the response and recovery to debris-creating disasters within the jurisdictional boundaries of the City of SeaTac. This plan also covers additional tasks required to maintain jurisdictional debris management readiness, including training, exercises, and plan maintenance.

The City of SeaTac does not currently have a Disaster Debris Management Plan in place and adopted for the managing of disaster debris in the aftermath of a disaster declared by the Federal Emergency Management Agency (FEMA). Without a plan in place, delays could occur in clearing of debris in the city as well as delay the recovery efforts after a major disaster. Additionally, without an adopted plan in place, FEMA Public Assistance reimbursements could be denied.

The adoption of this Plan will support emergency readiness and recovery and make the City eligible for reimbursement for FEMA-declared emergencies.

There are no significant pre-disaster budget impacts, but in the event of a major FEMA-declared disaster not having an established process and plan could lead to a delay or denial of FEMA Public Assistance reimbursement for debris clearing and removal.

On March 16, 2023 the T&PW Committee recommended the City of SeaTac Disaster Debris Management Plan be referred to the City Council as an action item.

EM Coordinator Lugo reviewed the agenda bill summary.

MOVED BY KWON, SECONDED BY GUZMÁN TO PASS AGENDA BILL #6124.*

Council discussion ensued regarding committee review and debris collection events.

*MOTION CARRIED UNANIMOUSLY.

Agenda Bill #6215; A Motion authorizing the City Manager to enter into an Interlocal Agreement (ILA) with the City of Tukwila to provide fleet and equipment maintenance services to the City of SeaTac.

Summary: The Cities of SeaTac and Tukwila developed an agreement allowing SeaTac to have all vehicle and heavy equipment maintenance work performed by the City of Tukwila at their maintenance facility.

This arrangement prevents SeaTac from having to rely on a variety of private repair shops located throughout the South Sound area. The City of Tukwila currently performs their equipment and vehicle maintenance in house, including heavy machinery maintenance, and has excess capacity that can be used to service the needs of the City of SeaTac.

For SeaTac, the ability to schedule and obtain all our fleet maintenance needs at one location that has staff highly qualified to work on all our equipment would be a significant improvement with respect to operational efficiencies and ensuring that service is available when needed. Tukwila owns, operates, and maintains similar, and in many cases identical, pieces of equipment. In short, entering into the agreement is seen to be an excellent opportunity for both cities to improve efficiencies and service levels for our communities while keeping costs low.

Key elements of the ILA include:

- Term: 10 years with the option to opt out upon one-year notice.
- SeaTac would be billed for services monthly.
- Planned maintenance needs would be scheduled in advance with Tukwila.
- Emergency maintenance needs would be accommodated.
- Tukwila maintenance staff would be available to make repairs at the SeaTac Maintenance Facility if required.

Funding for fleet maintenance is already programmed in the Fleet Fund (#501) of the current budget. No additional funding is necessary.

ACTION ITEMS (continued):

Agenda Bill #6215 (continued):

This item was reviewed at the March 16, 2023 T&PW Committee and recommended for placement on the Regular Council Meeting agenda as an action item.

PW Director Appleton reviewed the agenda bill summary.

MOVED BY KWON, SECONDED BY NEGUSSE TO PASS AGENDA BILL #6215.*

Council discussion ensued regarding committee review and the ILA.

*MOTION CARRIED UNANIMOUSLY.

Agenda Bill #6217; A Motion confirming appointments to the Seattle Southside Regional Tourism Authority (SSRTA) Board of Directors.

Summary: The SeaTac City Council passed Ordinance #14-1014 on October 14, 2014, chartering the SSRTA. The main purpose for creating the SSRTA was to allow hotels with 90 or more rooms to impose a special self-assessment of \$2.00 per room night, which would be used to expand tourism promotion services by SSRTA. When the SSRTA was formed, the SeaTac City Council was designated by the three participating cities (SeaTac, Tukwila, and Des Moines) as the Legislative Authority.

The SSRTA Charter provides that new appointments and re-appointments to the Board are to be made by the existing Board, subject to confirmation by the City Council. The Board is to be comprised primarily (but not exclusively) of ratepayer representatives of the lodging industry covering a variety of geographic locations, property sizes, and price points of lodging businesses within the defined tourism promotion area. The Board approved two nominations for appointment on December 12, 2022, and February 9, 2023, as follows:

New Proposed Board Members:

Position #5 - Cindy Messey, Marketing Director, Museum of Flight

Position #8 - Saman Kouretchian, Marketing Director, Westfield Southcenter

Approval of this Motion will confirm and ratify the above appointments to the SSRTA Board.

ED Manager Yeremeyev introduced SSRTA President & CEO Mark Everton. They reviewed the agenda bill summary.

MOVED BY GUZMÁN, SECONDED BY KWON TO PASS AGENDA BILL #6217.*

Council discussion ensued regarding the appointments.

*MOTION CARRIED UNANIMOUSLY.

UNFINISHED BUSINESS: None.

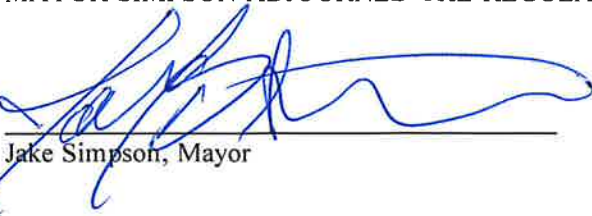
COUNCIL COMMENTS: CMs thanked everyone for their work on, and the process regarding, the rental housing Ordinance.

CM Kwon: Angle Lake annual egg hunt, National League of Cities (NLC) trip report


EXECUTIVE SESSION: None

ADJOURNED:

MAYOR SIMPSON ADJOURNED THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 8:15 P.M.



Jake Simpson, Mayor



Kristina Gregg, City Clerk