

City of SeaTac

Regular Council Meeting Minutes

December 13, 2011
6:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Terry Anderson at 6:02 p.m.

COUNCIL PRESENT: Mayor Terry Anderson, Deputy Mayor Gene Fisher, Councilmembers (CMs) Rick Forschler, Anthony (Tony) Anderson, Ralph Shape, Pam Fernald, and Mia Gregerson.

STAFF PRESENT: City Manager Todd Cutts, City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, Human Resources (HR) Director Anh Hoang, Court Administrator Paulette Revoir, Interim Finance Director Joyce Papke, Assistant Finance Director Brenda Rolph, Community & Economic Development (CED) Director Cindy Baker, Planning Manager Barbara Nelson, Senior Planner Mike Scarey, Economic Development (ED) Manager Jeff Robinson, Police Administrative Captain Annette Louie and Fire Chief Jim Schneider.

FLAG SALUTE: Highline Times Editor Eric Mathison led the Council, audience and staff in the Pledge of Allegiance.

PUBLIC COMMENTS: Mike Condon, representing a group, reviewed job descriptions for three City employees he feels are not doing their job. He asked for their resignation.

Ray McCullah, Global Connections High School student, discussed his senior project which is to raise awareness about teenage prostitution.

CM A. Anderson stressed the importance of raising awareness about teenage prostitution with the younger students.

PRESENTATIONS:

•Child Care Resources Annual Update

Family Services Director of Child Care of Resources Mary Jacobs introduced Provider Services Assistant Director Caroline Shelton. Ms. Jacobs shared a story of how their services assisted a parent in SeaTac. Child Care Resources vision is that every child has a great start in school and life. The mission is to lead efforts to promote equity for children, community stability, and school readiness by helping families access and choose high quality child and after school care, partnering with providers and caregivers to offer excellent care, and advocating for child care solutions that strengthen communities. She detailed services provided by Child Care Resources.

Provider Services Assistant Caroline Shelton stated that they provide training and technical services to providers, closely in partnership with Family Services. She shared an example of a way they provide technical assistance to the licensed childcare community.

Ms. Shelton thanked Council and the City for support with funding.

•Civil Service Commission Annual Update

Commissioner Erin Sitterley stated that the Civil Service Commission ensures that hiring and promotions are fair and competitive and that all personnel rules are fairly administered for the City's Firefighters. She briefed on the Civil Service Commission 2011 accomplishments, including: established an eligibility register for Battalion Chief for a two year period, enhanced the tactical examination portion, and added a behavioral examination component. 2012 goals include a promotional period for Captains to establish an eligibility register with an enhanced exam.

•Planning Commission (PC) Annual Report

Commissioner Barry Ladenburg reviewed progress made during 2011 towards implementation of the goals and requirements of state law, including Comprehensive Plan (CP) Amendments and Area Rezones. He also briefed Council on the Zoning Code Update accomplishments to date which began in 2008. He reviewed the City Council Goals for 2012 and how the PC will assist with meeting those goals.

DISCUSSION ITEM:

•Summary of \$5,000 - \$35,000 Purchase Requests for the period ended December 6, 2011

City Manager Cutts reviewed the requests:

<u>Item Description</u>	<u>Department</u>	<u>Amended Budget</u>	<u>Estimate</u>
Contract for Jail Public Defense Services	Municipal Court	\$140,000	\$15,600
Purchase of Tranben Vouchers for City's Employee Trip Reduction (ETR) program	HR	\$15,400	\$5,418
Street Trees	Public Works (PW)	\$34,782	\$5,174
Computerized Research and Publications	Legal	\$17,600	\$22,900

Council consensus: Referred to the 12/13/11 RCM Consent Agenda

AGENDA BILL PRESENTATIONS:

Agenda Bill #3385 – A Resolution adopting the City of SeaTac 2012-2017 Capital Improvement Program (CIP)

Summary: The City of SeaTac 2012 – 2017 CIP is the third comprehensive capital projects and equipment plan that has been developed by the City. The proposed 2012 – 2017 CIP was reviewed by the City Council at Budget Workshop #4 on October 21, 2011. Since that review, only one change has been made to the proposed CIP and that is the addition of electronic document sharing software for the Municipal Court in the amount of \$75,000. Justice Assistance Grant (JAG) funding in the amount of \$15,000 will be used to offset a portion of this cost. Additionally, PW was notified in late-November that the City was not awarded the \$1.7 million Transportation Improvement Board (TIB) grant which was included as part of the Military Road S (S 150th to S 152nd) and S 152nd Street (Military to International Boulevard [IB]) project. The draft CIP document was not modified to reflect this funding change due to the late notice and to maintain consistency with both the adopted 2012 Budget and the Capital Facilities Plan in the CP. The project will either be fully funded with parking taxes and Transportation CIP fund balance or will be moved out to 2013. The City Council will have an opportunity to readdress the timing and funding for this project in early 2012.

On the expenditure side, the proposed 2012 - 2017 CIP provides for \$76.2 million in capital projects and \$6.7 million in capital equipment for a total of \$82.9 million. The CIP includes land acquisitions, planning, design, engineering and construction of transportation infrastructure (projects over \$100,000), building improvements, park improvements, economic development projects (all over \$25,000) and equipment purchases over \$5,000. In addition to these capital expenditures, the CIP includes estimates on operating expenditure impacts including salaries, benefits, supplies, utilities, etc.

On the funding side, the proposed CIP includes \$20.4 million in Federal, State and local grants, \$20.6 million in parking taxes, \$16.0 million from ending fund balance accumulations, \$14.5 million from asset sales, \$3.2 million from construction sales taxes, \$2.9 million from real estate excise taxes, \$1.8 million from Valley Ridge Park turf field rentals, and the balance (\$1.7 million) is from impact fees, interest, lease revenues, and a settlement. Additionally, \$1.8 million remains in “funding to be determined” for sidewalk related projects. The CIP also includes estimates on operating revenues impacted by the capital projects.

It is important to remember that the 2012 – 2017 CIP is a six year plan only and is subject to change. Only the first year of the CIP is adopted by the City Council in its annual budget ordinance. As additional information becomes available during the year, the budget may be amended via ordinance by the City Council.

The proposed 2012 - 2017 CIP provides a listing of capital projects and equipment expenditures that total \$82,873,113 over the six year period.

Assistant Finance Director Rolph reviewed the agenda bill summary.

Council consensus: Referred to the 12/13/11 RCM Consent Agenda

Agenda Bill #3384 – An Ordinance repealing SeaTac Ordinance No. 11-1019 and reestablishing the 2012 property tax levy and rate

Summary: This Ordinance repeals SeaTac Ordinance #11-1019 and formally reestablishes the final 2012 property tax levy and rate, as was discussed at the Special Council Meeting (SCM) on November 29, 2011, and as was provided to King County (KC) by staff on November 30. This final property tax levy is based on the final new construction levy and assessed valuation of property in the City, as certified by the KC Assessor's Office.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3384 (Continued): On November 22, 2011, the Council approved Ordinance #11-1019, tentatively establishing the amount to be levied in 2012 by taxation on the assessed valuation of property in the City. This action was necessary because the City was required to submit its 2012 property tax levy to KC by December 2, 2011 (KC deadline), and the November 22 Regular Council Meeting (RCM) was the last meeting scheduled prior to this deadline. The approved tentative levy amount of \$12,797,316 was the maximum statutory levy at that time, as estimated by the KC Assessor's Office, and would typically have been expected to accommodate any anticipated increases in new construction and utility values, yet to be received from KC at that point.

However, the final new construction levy came in considerably higher than anticipated, due to a significant increase in utility value over 2011. On November 28, 2011, the City received certification of assessed valuations for the tax year 2012 from the KC Assessor's Office. The total valuation of the City for 2012, as certified by the KC Assessor, is \$4,500,240,659, representing a decrease from 2011 in general assessed valuation, but an overall increase in total assessed valuation, due to the significant increase in utility value within the City.

Initiative 747, approved by the voters on November 6, 2001, limited annual property tax increases to the lower of 1% or inflation, defined by the implicit price deflator (IPD), whichever is lower. On November 8, 2007, the Washington State Supreme Court ruled that Initiative 747 is unconstitutional. In a special legislative session held on November 29, 2007, the 1% property tax increase limitation was reinstated by the Legislature.

On November 22, 2011, Council elected not to take the allowable 1% over the previous year, thereby limiting any increase in 2012 property tax revenue to only that resulting from new construction and state-assessed property valuation increases, along with prior year refunds. On November 29, 2011, the City Council reviewed final numbers released by KC and reaffirmed this approach. Steps were taken by staff on November 30 to establish the 2012 Property Tax Levy with KC accordingly. This Ordinance formalizes these actions.

This Ordinance provides for a 2012 tax levy of \$12,954,786, the maximum allowable levy as determined by the KC Assessor's Office, excluding the allowable 1% increase over 2011. The resulting levy rate of \$2.88 per \$1,000 of assessed valuation represents an increase of \$.08 per \$1,000 over the 2011 levy rate. It has been determined that given the decrease in assessed valuation of the majority of unchanged properties in SeaTac for 2012, the City portion of the property tax bill should actually reflect a modest decrease in City property tax due for 2012. The 2012 proposed property tax levy is based on the City levying no increase over 2011, except that which results from the addition of new construction, increases in the value of state-assessed property, and applicable refunds made.

Interim Finance Director Papke reviewed the agenda bill summary.

Council consensus: Referred to the 12/13/11 RCM Consent Agenda

Agenda Bill #3386 – An Ordinance adopting a City-initiated rezone of parcels related to the South 200th Street LINK Light Rail Station

Summary: This Ordinance rezones six parcels of property at the site of the future South 200th Street LINK Light Rail Station (South 200th Street Station). The rezone is needed to facilitate the construction of the South 200th Street Station and related facilities.

Sound Transit is working with the City to permit and construct a LINK Light Rail station at South 200th Street in the City. Sound Transit plans to have the station open and operational by the end of 2016. The site includes two parcels of land currently owned by the Port of Seattle (POS) which are Zoned Aviation Operations (AVO) and Aviation Commercial (AVC). The site also includes three privately owned parcels in single family residential use which are Zoned UH-900, and one parcel owned by Puget Sound Energy (PSE) that is the site of an electrical substation and is also Zoned UH-900. All six of these parcels would be rezoned to Aviation Business Center (ABC). The current zoning of the Port-owned properties allows transit use, however the City's Interlocal Agreement (ILA) with the Port requires the change in zoning classification when the two Port parcels are acquired by Sound Transit. The rezoning of the Port-owned properties is more administrative than substantive in nature.

The South 200th Street Station will include a 700 stall (approximately) parking garage to serve transit users. The station and parking garage are expected to expand the demand for retail services in the area with 4,500 passengers estimated daily. The proposed rezone of the residential properties from UH-900 (a residential zone) to ABC (a commercial zone) will allow retail and service uses to locate on these portions of the site.

Sound Transit is currently in negotiations with both the POS and the private parties regarding acquisition of the subject parcels.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3386 (Continued): The rezone of the four parcels depicted in Exhibit A will be effective five days after passage and publication of the Ordinance. The rezone of the parcels depicted in Exhibit B will be effective upon transfer of the parcels from the POS to Sound Transit in order for the zoning to remain consistent with the City's ILA with the Port.

The PC made its recommendation on the proposed amendments at the November 1, 2011 PC meeting. The PC and staff concur in their recommendation that the proposed rezone be adopted.

Although not a direct impact of the rezone per se, Sound Transit's acquisition of the three residential properties will result in their being removed from the property tax rolls. According to the City's Finance Department, 2012 City property taxes for the three residential properties are estimated to total approximately \$1,700. The other three properties being in public ownership (Port and PSE), are tax exempt already. There will be some offsetting sales tax revenue from the retail uses that will be located in the new parking garage serving the light rail station's patrons; however it is not possible to make an estimate of that potential revenue at this time.

Senior Planner Scarey reviewed the agenda bill summary.

Council consensus: Referred to the 12/13/11 RCM Consent Agenda

Agenda Bill #3389 – A Motion adopting the City of SeaTac State and Federal Legislative Agendas

Summary: In 2011 the City Council directed the City Manager to develop and present a State and Federal Legislative Agenda for formal adoption by the full Council. In prior years the Legislative Agenda was presented to and endorsed only by the Administration and Finance (A&F) Committee. The 2012 agenda was developed during a process that included a presentation of the draft agenda to the A&F Committee and through the solicitation of legislative agenda items from both the City Council and department directors. A draft agenda was subsequently distributed for comment to the City Council and Department Directors. The agenda that is being proposed for adoption is the result of this process.

The agenda will serve as the directional instrument for the City's State Lobbyist and for communications with both the State and Federal legislative delegations.

ED Manager Robinson reviewed the agenda bill summary.

Council discussion ensued regarding the agendas with a few CMs requesting additional information be provided during a workshop in 2012 for the 2013 agendas.

Council consensus: Referred to the 12/13/11 RCM Consent Agenda

CONSENT AGENDA:

- **Approval of claims vouchers** (check nos. 96486 – 96616) in the amount of \$375,175.39 for the period ended December 5, 2011.
- **Approval of payroll vouchers** (check nos. 50254 – 50289) in the amount of \$393,140.71 for the period ended November 30, 2011.
- **Approval of payroll electronic fund transfers** (check nos. 70642 - 70822) in the amount of \$338,778.47 for the period ended November 30, 2011.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$68,081.06 for the period ended November 30, 2011.
- **Summary of \$5,000 - \$35,000 Purchase Requests** for the period ended December 6, 2011.

Approval of Council Meeting Minutes:

- **Land Use and Parks Committee Meeting** held November 22, 2011.
- **Special Council Meeting** held November 15, 2011.
- **Special Council Meeting** held November 29, 2011.

Agenda Items reviewed under Agenda Bill Presentations recommended for placement on this Consent Agenda:

Agenda Bill #3385; Resolution #11-008 adopting the City of SeaTac 2012-2017 Capital Improvement Program

Agenda Bill #3384; Ordinance #11-1021 repealing SeaTac Ordinance No. 11-1019 and reestablishing the 2012 property tax levy and rate

CONSENT AGENDA (Continued):

Agenda Bill #3386; Ordinance #11-1022 adopting a City-initiated rezone of parcels related to the South 200th Street LINK Light Rail Station

Agenda Bill #3389; Motion adopting the City of SeaTac State and Federal Legislative Agendas

MOVED BY GREGERSON, SECONDED BY SHAPE TO ACCEPT THE CONSENT AGENDA AS PRESENTED.*

PUBLIC COMMENTS (related to the Consent Agenda): Earl Gipson spoke regarding the Legislative Agendas, specifically requesting the items restricting the Initiative Process and Open Government be removed.

*MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENTS (related to the Unfinished Business): There were no public comments.

UNFINISHED BUSINESS: There was no Unfinished Business.

NEW BUSINESS: There was no New Business.

CITY MANAGER'S COMMENTS: City Manager Cutts commented on the following: (1) December 26 - City Hall will be closed in observance of Christmas; (2) December 27 - Land Use & Parks (LUP) Committee, Transportation & Public Works (T&PW) Committee and RCM have been cancelled; (3) January 2 - City Hall will be closed in observance of New Year's Day; and (4) January 10, 2012 - Council will resume meeting with the A&F Committee meeting, Public Safety & Justice (PS&J) meeting, and RCM.

COUNCIL COMMENTS: CM Shape commented on the following: (1) participated in the dedication of the new space gallery at the Museum of Flight, (2) attended a farewell party for POS Aviation Community Development Director Diane Summerhays, (3) the Council election process, including the fact that people don't appreciate the time it takes to serve as a CM and the sacrifices individual CMs make, and (4) thanked elected CMs and candidates for their service.

CM A. Anderson stated that the City received its exit conference by the State Auditor's Office today. This year no findings were made. He also stated that he will miss DM Fisher and CM Shape.

CM Forschler agreed with CM Shapes comments regarding the sacrifices CMs make when serving the City. He read a statement from the Unite Here Local website, adding that he hopes that the candidates that received donations from this group will not be influenced by them when it comes to making decisions for the City.

CM Gregerson commented on the following: (1) CM Shape received a Member Emeritus Award from the Suburban Cities Association (SCA), and (2) requested the "Where the Fun Begins" Parks & Recreation (P&R) Department video be shown at a future RCM.

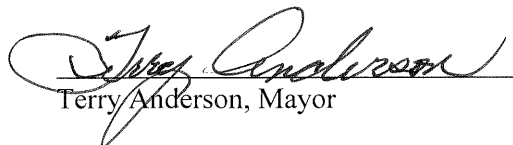
CM Fernald commented on the following: (1) a meat salesman is going door to door in the City without a permit, (2) attended the Fire Explorers appreciation event, (3) attended a community meeting for a proposed new skate park, (4) attended the City employee appreciation lunch, (5) thanked DM Fisher, and CM Shape for their service, and (6) invited all residents to attend and participate in meetings.

DM Fisher stated that he was targeted during the election process; he stated why he felt that was the case and explained false information that was given during the campaign. He also reviewed accomplishments he was a part of during his tenure on the Council.

ADJOURNED:

MOVED BY SHAPE, SECONDED BY TONY TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 7:57 P.M.

MOTION CARRIED UNANIMOUSLY.


Terry Anderson, Mayor


Kristina Gregg, City Clerk