



City Council Meeting Minutes Archive

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SEATAC CITY COUNCIL REGULAR MEETING MINUTES

January 11, 2005
6:30 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Council Meeting was called to order by Mayor Frank Hansen at 6:36 p.m.

COUNCIL PRESENT: Mayor Frank Hansen, Deputy Mayor Terry Anderson, Councilmembers Gene Fisher, Chris Wythe, Ralph Shape, Joe Brennan, and Don DeHan.

ADMINISTRATIVE STAFF: Bruce Rayburn, City Manager; Judith Cary, City Clerk; Craig Ward, Assistant City Manager; Mary Mirante Bartolo, City Attorney; Kit Ledbetter, Parks & Recreation Director; Bob Meyer, Fire Chief; Brian Wiwel, Assistant Fire Chief; and Greg Dymerski, Chief of Police Services.

FLAG SALUTE: City Attorney Mirante Bartolo led the Council, staff and audience in the Pledge of Allegiance.

PUBLIC COMMENTS: Joe Dixon, 19211 35th Avenue South, expressed his opposition to the Resolution requesting Council passage of the City's portion of the Regional Hazard Mitigation Plan (RHMP) to which he understood the Plan requires the replacement of all three Fire Stations or provides seismic upgrades to these facilities and City Hall bringing them up to Code in the case of a major disaster. He recommended Council really understand the issue before voting on it.

Councilmember (CM) Fisher stated he was on the committee to update the Plan and receive the Federal Emergency Management Authority (FEMA) approval. If anything major goes wrong, the City will not receive FEMA funding. This Plan is not saying this is what the City is going to do; it is part of the package the City has to submit to FEMA in order to be on a list for funding if any major disaster occurs. If the Plan is not up to date as required by FEMA, there will be no FEMA funding. The City would have to incur the costs for any destruction occurring in a disaster.

Lengthy Council and staff discussion ensued as to the wordage in this Plan in order to receive FEMA approval of grant funding to the City in case of a major disaster.

City Manager Rayburn stated this item came before him for review earlier this week and due to time constraints, he has not been able to thoroughly read the Plan. He already had some concerns as to statements in the back up paperwork. This was on the agenda and taken off the Regular Council Meeting (RCM). He was not at the Public Safety and Justice (PS&J) Committee Meeting today where it was discussed due to attending another meeting. If he had been, he would have said it was not his preference to bring this forward at this RCM. He would like time to contact FEMA as to whether the City would be held liable for repayment of any FEMA funding.

Mayor Hansen would also like to review the Plan and have it presented at the January 25 RCM.

City Attorney Mirante Bartolo cautioned the Council to take the time to read the Resolution, in which the Plan is part of, before passage of it.

Council concurred to further discuss this issue this evening under New Business and consider its passage.

CONFIRMATION OF MAYORAL APPOINTMENTS:

•Confirmation of Mayoral Re-Appointment of Darleene Thompson to the Senior Citizen Advisory Committee, and Mayoral Appointments of Richard Forschler and Meli Saofaigalii to the HS Advisory Committee, and Alice Belenski and Tony Scoccolo to the Senior Citizen Advisory Committee

MOVED BY DEHAN, SECONDED BY SHAPE TO RE-APPOINT DARLEENE THOMPSON TO THE SENIOR CITIZEN ADVISORY COMMITTEE, AND APPOINT RICHARD FORSCHLER AND MELI SAOFAIGALII TO THE HUMAN SERVICES ADVISORY COMMITTEE, AND ALICE BELENSKI AND TONY SCOCCOLO TO THE SENIOR CITIZEN ADVISORY COMMITTEE.

MOTION CARRIED UNANIMOUSLY.

Presentation of Certificates of Appointment will be given to the newly appointed committee members at the January 25 RCM.

CONSENT AGENDA:

- **Approval of claims vouchers** in the amount of \$1,892,093.08 for the period ended December 27, 2004.
- **Approval of claims vouchers** in the amount of \$448,375.36 for the period ended December 30, 2004.
- **Approval of employee vouchers** in the amount of \$409,102.53 for the period ended December 15, 2004.
- **Approval of employee vouchers** in the amount of \$618,827.86 for the period ended December 31, 2004.
- **Approval of summary of \$5,000 - \$25,000 purchase requests** for the period ended January 7, 2005.

Approval of Council Meeting Minutes:

- **Land Use & Parks Committee Meeting** held December 13, 2004.
- **Administration & Finance Committee Meeting** held December 14, 2004.
- **Public Safety & Justice Committee Meeting** held December 14, 2004.
- **Regular Council Meeting** held December 14, 2004.

Acceptance of Advisory Committee Meeting Minutes:

- **HS Advisory Committee Meetings** held November 9 and December 6, 2004 (Committee approved January 3, 2005).
- **Planning Commission Meeting** held November 15, 2004 (Commission approved December 20, 2004).
- **Senior Citizen Advisory Committee Meeting** held November 18, 2004 (Committee approved December 16, 2004).

The following Agenda Items were recommended at the January 11, 2005 Study Session for placement on this Consent Agenda:

Agenda Bill #2501

A Motion authorizing the City Manager to enter into a Professional Services Contract between L. Stephen Rochon and the City for Public Defense Services

Summary: The United States Constitution and the Constitution of the State of Washington, laws and court rules require that indigent defendants charged with a crime, for which a jail penalty may be imposed, are entitled to legal representation by a public defender. The City, through its Municipal Court Budget, has contracted with L. Stephen Rochon for public defender services since 1993.

The contract will end July 31, 2005, but can be extended through December 31, 2006 upon mutual agreement. The contract specifies that the City will pay the following for public defense services: \$110 per appointment for all phases of representation except for jury trials; \$225 for each jury trial; and \$225 for each appeal to Superior Court.

Agenda Bill #2487

A Motion recommending the allocation of 1.5 percent of the 2005 General Fund Budget for specified HS (HS) and authorizing the City Manager to enter into Contracts with the selected HS Agencies

Summary: This Motion authorizes the City Manager to allocate \$244,803 from the 2005 General Fund budget in support of the HS programs. Council increased the 2005 allocation to 1.5 percent of the General Fund, raising the total available for HS to \$302,212, of which \$57,409 will be held in reserve to meet emerging needs.

Every two years, SeaTac accepts requests from HS agencies for HS General Funds. This year the City received 41 applications. Those applicants chosen for funding requested a total of \$335,828. The HS Advisory Committee has endorsed a funding package that recommends maintaining 2004 funding levels for eight contracted agencies that are meeting or exceeding their performance goals; increasing funding for 14 contracted agencies that have demonstrated an increased demand for services; and providing funding for seven new requests to fill a gap in services.

There is an opportunity to free up \$13,000 in General Fund dollars by shifting the Highline Area Food Bank to Community Development Block Grant (CDBG) funding. This opportunity was created by the withdrawal of the Emergency Feeding Program request for \$13,000 in 2005 CDBG funds, which was approved by Council on September 14, 2004. Staff and the HS Advisory Committee are recommending that \$10,000 of CDBG funding be programmed to the Highline Area Food Bank, with the remaining \$3,000 to be used for emergency feeding supplies for City residents placed in a motel shelter by the City's Community Service Officers and Domestic Violence Advocate staff. If Council does not reallocate CDBG funds as recommended, then these dollars will default to the King County (KC) Major Housing Repair program.

CONSENT AGENDA (Continued):

Agenda Bill #2498

A Motion authorizing the City Manager to enter into an Agreement with Serve Our Dog Areas (SODA) to operate an Off-Leash Dog Area at Grandview Park

Summary: In January 2001, several South King County (SKC) Cities, in partnership with the KC Parks Department, formed a task force in response to public demand for an off-leash dog park site in SKC. Cities represented on the Task Force included Auburn, Burien, Des Moines, Federal Way, Kent, Renton, SeaTac, Tukwila and KC.

The SKC Task Force worked closely with SODA to provide an off-leash dog park over the past year at Grandview Park. SODA paid all operating costs for the dog park at Grandview Park and has agreed to pay and operate the park for the next 10 years. The dog park has been a great success and staff recommends approval of the agreement.

Agenda Bill #2503; Resolution #05-001

A Resolution authorizing entry into a Development Agreement between the City of SeaTac and Enterprise Leasing Company and E&R Investment Properties, LLC.

Summary: SeaTac and the property owners, Enterprise Leasing Company and E&R Investment Properties, LLC, propose to enter into a Development Agreement that will allow departures from some frontage and interior landscaping requirements, in exchange for enhanced landscaping along International Boulevard (IB). E&R Investment owns property located at 19031 IB, which is located primarily behind the Seven-Eleven store. Enterprise currently has a lease with E&R Investment for use of the property. Enterprise has proposed development of a rental car facility with associated accessory uses, including 152 parking spaces. Because of the topography of the property, the parking spaces are not visible from IB so Enterprise has proposed that the City permit a departure from interior parking lot landscaping standards pursuant to SMC 15.14.090 B-D in exchange for the City receiving an Asian landscaping along the frontage area along IB. This would join the entire frontage area along IB with Asian landscaping and dry beds to highlight the City and region as the "Gateway to Asia and the Pacific Rim". Additionally, Enterprise's proposal for interior landscaping at the property would exceed the minimum 10 percent requirement under SMC 15.14.090A. As an additional public benefit, Enterprise's proposal for construction of four free-standing canopies will provide shade and cooling for impervious surfaces of the property.

In order to provide flexibility, to permit creativity of design, style and technique, and to provide for some public benefit, Development Agreements may be entered into by and between the City and property owners or developers pursuant to the Revised Code of Washington (RCW) and the SeaTac Municipal Code, provided that the terms of any such Development Agreement shall be generally consistent with the purposes and standards of the City's Comprehensive Plan and development regulations in existence.

Staff and Enterprise made a presentation to Land Use & Parks (LUP) Committee on October 14, 2004. Enterprise submitted the Development Agreement application on November 18, 2004. Staff and Enterprise negotiated the terms of the Development Agreement pursuant to City Codes. A Public Hearing was held before the Council on December 14, 2004. This Agreement will be in the best interests of Enterprise and the City; and it will provide a demonstrable public benefit.

Enterprise recently entered into a five-year lease with five successive renewal options at three years each for use of the property. The term of the Agreement shall remain in effect contemporaneous with the term of Enterprise's lease of the property.

Agenda Bill #2497

A Motion authorizing the purchase of a replacement Staff Vehicle and declaring a 1993 Ford Crown Victoria surplus

Summary: The 1993 Ford Crown Victoria, currently utilized as the Fire Department Training Officer's vehicle, is no longer reliable. This purchase will allow the replacement and surplus of this vehicle, with an upgrade for a 2005 Chevrolet Tahoe. This purchase is included in the Capital Improvement Plan (CIP) and the 2005 budget.

A Chevrolet Tahoe will be placed in service as the first-line emergency response vehicle for the Training Officer. In addition to the daily duties, the Training Officer is on call 24-hours a day for emergency response and callbacks.

CONSENT AGENDA (Continued):

Agenda Bill #2497 (Continued): The larger vehicle with four-wheel drive capability will allow space for the necessary protective equipment and tools, and allow for safer response in adverse weather conditions. The department has a seven-year replacement cycle as identified in the CIP, and conforms to the City's replacement cycle. The actual replacement for this existing vehicle will be 12 years, exceeding the City's Plan.

The new vehicle will be purchased utilizing the Washington State contract award process. The State has gone to bid and has awarded a contract for utility vehicles with an estimated total worth of \$1,800,000. This allows the City to purchase vehicles at substantial savings and eliminates the need to go to formal bid.

Agenda Bill #2466; Ordinance #05-1001

An Ordinance amending certain Sections of Chapters 7.10, 7.25 and 1.15 of the SeaTac Municipal Code (SMC), related to Litter Control and Junk Vehicles

Summary: This Ordinance amends certain Sections of the SMC in order to correct inconsistencies between the State law and the SMC.

The City's Litter Code is codified under SMC 7.10, and regulation of junk vehicles is codified under SMC 7.25. These Codes were based on State law at the time the Ordinances were passed. However, the relevant Sections of RCW were not adopted by reference, and thus the City would need to amend its Code in order to remain consistent with State Law.

Specifically, the Ordinance: 1) updates the definitions in SMC 7.10.020 and SMC 7.25.020, by adopting the State Law definitions by reference; 2) increases the penalties for littering and abandonment of junk vehicles by adopting RCW 70.93.060 by reference; 3) repeals SMC 7.10.070, the requirement that all vehicles contain a litter bag; and 4) makes other housekeeping changes in SMC 7.10, 7.25, and 1.15.025 (A), consistent with the updated penalties and the intent to adopt the provisions of State Law.

MOVED BY BRENNAN, SECONDED BY ANDERSON TO ACCEPT THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY.

NEW BUSINESS:

Agenda Bill #2489; Resolution #05-002

A Resolution accepting and approving the City of SeaTac's Designated Portion of the Regional Hazard Mitigation Plan (RHMP), as accepted by the FEMA, and authorizing the City Manager to enter into the Agreement on behalf of the City

Summary: This Resolution accepts and approves SeaTac's portion of the RHMP, as accepted by FEMA, and authorizes the City Manager to enter into the Plan on behalf of the City.

The City participates in the KC RHMP. The Plan is required by FEMA in order to receive funding for a declared disaster, and to be eligible for grant funding for hazard mitigation associated with potential natural and technological disasters within the City.

A task force, representing many governmental agencies in KC, worked on this Plan. City Staff from Fire, Public Works, Police, and Planning developed the City's portion of the Plan.

Council, by Resolution No. 03-025, indicated its' intent to adopt the City's portion of the RHMP once it was approved by FEMA in final form. FEMA accepted the Plan on July 9, 2004. FEMA now requires that the City adopt the final Plan, as accepted by FEMA, and any future administrative amendments that may occur.

Mayor Hansen re-opened the discussion regarding this agenda bill first discussed during Public Comments section earlier in this meeting. He expressed his concern about passing this bill when he has not had a chance to read it. He understood that this was a housekeeping item with minor changes to the bill. After listening to the previous discussion, he felt strongly that the Resolution and Plan need to be studied before voting on it, recommending it be considered for passage at the January 25 RCM.

NEW BUSINESS (Continued):

Agenda Bill #2489; Resolution #05-002 (Continued): Further Council discussion ensued with debate as to the urgency and requirements of the Plan. Some of the Councilmembers and the City Manager wanted to be able to further study the Plan and Resolution before voting on this agenda bill.

Assistant Fire Chief Wiwel briefed the Council on the above summary and gave a further in-depth overview of the need for the revised Plan. After the 9-11 terrorist attack, the Federal Government required all jurisdictions to have a HMP to prevent or lessen the severity of a disaster. The Plan insures that passage of a HMP, FEMA may, in the future, have grant money available to assist the City in the case of a disaster. Cities may receive the funding if their Plan addresses the possible disaster concerns. The Plan does not obligate the City to perform the issues of concern. The Plan is more like a Transportation Improvement Plan or a Growth Management Plan. The priorities are set out, the hazards are identified, vulnerabilities believed to be, and establishment of priority ones that need to be taken care of first, assuming funding becomes available. But the assumption is that the City would work towards getting these issues accomplished at some point in the future, if funding becomes available. FEMA had approved the Plan but needed some wordsmithing to further explain the Plan. FEMA then adopted the Plan and then it goes before Council to pass in case of an emergency. The intent to adopt a Plan was passed in 2003 and the City was required to adopt a Plan in 2004.

Fire Chief Meyer added that this Plan saved the City money by joining forces with KC to establish a RHMP. KC did the major work on the Plan.

Assistant Fire Chief Wiwel stated that the Council could adopt the Plan as amended and then send it to FEMA to re-review and hopefully, approve. The Plan actually calls for Cities to update it every year; usually done in December but it can be done, technically, anytime.

Mrs. Mirante Bartolo stated that this Resolution is to adopt the City's portion of the RHMP. She proceeded to read the agenda bill.

MOVED BY WYTHE, SECONDED BY FISHER TO PASS RESOLUTION NO. 05-002.

UPON A ROLL CALL VOTE, THE MOTION CARRIED WITH FISHER, WYTHE, ANDERSON, SHAPE, AND BRENNAN VOTING YES AND HANSEN AND DEHAN VOTING NO.

PUBLIC COMMENTS: There were no public comments at this time.

CITY MANAGER'S COMMENTS: City Manager Rayburn stated he will contact FEMA tomorrow as to the particulars of the Plan. Secondly, he mentioned that on January 14 at 10:00 a.m., a KC promotion ceremony will be held at the Police Academy at which time SeaTac Chief of Police Services Somers will be promoted to KC Special Operations Officer and Captain Dymerski will be promoted to KC Major/SeaTac Chief of Police Services. There will be an article in the Friday Letter.

CITY COUNCIL COMMENTS: CM Wythe applauded Assistant City Manager Ward and Senior Projects Coordinator Soyara Lowry for their diligent work on the SeaTac Economic Development Plan. He stated he intends to work to implement it in a timely fashion. He added he appreciates the support and vision of the rest of the Council in bringing this item forward.

Deputy Mayor Anderson stated that while she was in Alaska last month, she read an article in an Alaskan newspaper that stated the City of Anchorage, as well as other Cities, are receiving funds from corporate sponsors for their parks system. She gave the article to Parks & Recreation Director Ledbetter who contacted the City of Anchorage, and he received an email response which has been forwarded to the Council. They stated their willingness to assist SeaTac in establishing the same system.

CM Shape congratulated City Clerk Cary for achieving the rank of First Level Membership in the Master Municipal Clerk Academy. He also congratulated Major Dymerski for his promotion and stated he is confident he will do a great job for the City.

CM Brennan also congratulated Major Dymerski and thanked KC Special Operations Officer Somers for the excellent job he performed as the City's Chief of Police Services. He noted that this is the fourth Major to be

CITY COUNCIL COMMENTS (Continued): promoted through the City to higher KC ranks. That is a positive reflection on the City. Secondly, he reminded Council that the Hotel/Motel (H/M) Tax Advisory Committee / Economic Development Committee will meet tomorrow at 10:00 a.m. at City Hall. He stated he, too, was impressed with the work that Mr. Ward and Mrs. Lowry performed on the Economic Development project.

CM DeHan added his congratulations to KC Major Dymerski and KC Special Operations Officer Somers. He looks forward to working with Major Dymerski.

ADJOURNMENT:

MOVED BY DEHAN, SECONDED BY BRENNAN TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 7:30 P.M.

MOTION CARRIED UNANIMOUSLY.

Frank Hansen, Mayor

Judith L. Cary, City Clerk

SEATAC CITY COUNCIL REGULAR MEETING MINUTES

January 25, 2005
6:30 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Council Meeting was called to order by Mayor Frank Hansen at 6:33 p.m.

COUNCIL PRESENT: Mayor Frank Hansen, Deputy Mayor Terry Anderson, Councilmembers Gene Fisher, Chris Wythe, Ralph Shape, Joe Brennan, and Don DeHan.

ADMINISTRATIVE STAFF: Bruce Rayburn, City Manager; Judith Cary, City Clerk; Mary Mirante Bartolo, City Attorney; Steve Butler, Planning Director; Jack Dodge, Principal Planner; Bob Meyer, Fire Chief; and Greg Dymerski, Chief of Police Services.

FLAG SALUTE: (The Flag Salute was performed at the preceding Study Session.)

PRESENTATIONS:

● **Certificates of Appreciation to Jon Ancell and Bill Blazer for their service to the Senior Citizen Advisory Committee, and Patricia Crocker and Janelle McCray for their service to the Human Services Advisory Committee**

Mayor Hansen read the Certificates of Appreciation to the outgoing members of the Senior Citizen Advisory Committee: Jon Ancell and Bill Blazer and the Human Services Advisory Committee: Patricia Crocker and Janelle McCray. Deputy Mayor (DM) Anderson presented the certificates to the retiring members and Mayor Hansen, on behalf of the Council, thanked them for their excellent service to the City on these committees.

Councilmember (CM) Shape gave a special thanks to Mr. Ancell who has been extremely valuable on the Senior Citizen Advisory Committee and hopes he will continue to be active in their programs.

● **Certificate of Re-Appointment to Darleene Thompson, Senior Citizen Advisory Committee, and Certificates of Appointment to Richard Forschler and Meli Saofaigalii, Human Services Advisory Committee, and Alice Belenski and Tony Scoccolo, Senior Citizen Advisory Committee**

Mayor Hansen read the Certificates of Appointment to the re-appointed Senior Citizen Advisory Committee member: Darleene Thompson, appointed members: Tony Scoccolo and Alice Belenski and Human Services Advisory Committee members Richard Forschler and Meli Saofaigalii. Mayor Hansen, on behalf of the Council, stated his appreciation of these SeaTac residents for volunteering to serve the City on the committees.

PUBLIC COMMENTS: There were no public comments.

CONSENT AGENDA:

- **Approval of claims vouchers** in the amount of \$767,023.28 for the period ended January 17, 2005.
- **Approval of claims vouchers** in the amount of \$495,529.64 for the period ended January 20, 2005.
- **Approval of employee vouchers** in the amount of \$422,658.89 for the period ended January 15, 2005.
- **Approval of summary of \$5,000 - \$25,000 purchase requests** for the period ended January 21, 2005.

Approval of Council Meeting Minutes:

- **Study Session** held December 14, 2005.
- **Public Safety & Justice Committee Meeting** held January 11, 2005.
- **Joint Administration & Finance and Public Safety & Justice Committees Meeting** held January 11, 2005.
- **Administration & Finance Committee Meeting** held January 11, 2005.
- **Regular Council Meeting** held January 11, 2005.
- **Land Use & Parks Committee Meeting** held January 13, 2005.

Acceptance of Advisory Committee Meeting Minutes:

- **Library Advisory Committee Meeting** held November 9, 2004 (Committee approved January 18, 2005).
- **Senior Citizen Advisory Committee Meeting** held December 16, 2004 (Committee approved January 20, 2005).

The following Agenda Items were recommended at the January 25, 2005 Study Session for placement on this Consent Agenda:

Agenda Bill #2496

A Motion authorizing the City Manager to enter into a Local Hazardous Waste Management Grant Program Agreement with Seattle-King County (KC) Department of Public Health for continued funding of the City's Waste Reduction and Recycling (WR/R) Programs

CONSENT AGENDA (Continued):

Agenda Bill #2496 (Continued):

Summary: SeaTac is eligible to receive \$8,587.69 from the Seattle-KC Department of Public Health's Local Hazardous Waste Management Program (LHWMP) Grant for continued funding of the City's WR/R Programs for a one-year period in 2005.

This funding will further the development and/or enhancement of local WR/R projects including residential and commercial WR/R education programs, business assistance programs and Special Recycling Events. SeaTac has entered into similar agreements with the Seattle-KC Department of Public Health since 1997. These funds will provide the revenue that was projected as part of the budget process for the proposed programs and staff salaries from January 1, 2005 through December 31, 2005.

The Special Recycling Events are 100 percent funded by the Seattle-KC Department of Public Health, Coordinated Prevention and/or KC Solid Waste Division Grants to the City. The City would not incur any additional costs by accepting this grant.

Agenda Bill #2502

A Motion adopting Operating Policies for Government Access Television

Summary: The City anticipates taking responsibility for government access television programming on Comcast Channel 21 in the near future. The purpose of these operational policies is to define the function of the SeaTac Government Cable Access Channel 21 (SeaTV), provide direction to City staff, and assist the public and staff in understanding the services offered by SeaTV.

The immediate use of SeaTV is expected to be limited to a text-based reader board supplemented by City-approved video programs. If programming is expanded beyond such programming to include broadcasting meetings, these policies should be expanded to address anticipated related issues.

Agenda Bill #2507; Resolution #05-003

A Resolution amending Resolution No. 05-002 to accept and approve the Revised Designated Portion of the King County (KC) Regional Hazard Mitigation Plan (RHMP)

Summary: On January 11, 2005, Council passed Resolution No. 05-002 accepting and approving the City of SeaTac's portion of the RHMP. This plan was approved by the Federal Emergency Management Agency (FEMA) on July 9, 2004, but was not received by the City until the end of November 2004. Council is now requested to pass this Resolution amending Resolution No. 05-002 due to some revisions to the plan. The main revisions are noted as follows:

Page 2, last paragraph of Hazards – delete “and does not have adequate standby power”;

Page 3, paragraph 1 – delete “significant”;

Page 4, paragraph 2 – add “possible”; Page 4, paragraph 4, No. 3 – add “additional” and delete “adequate”;

Page 5, paragraph 2 of Mitigation Action Prioritization – delete “not built to” and add “do not meet”;

Page 5, paragraph 4 – add “any” and delete “While the same seismic hazards face this building as the fire stations, as it is newer it received a lower vulnerability score.”;

Page 6, paragraph 1 – add “additional”; add “all”; add “possible”; Page 6, paragraph 1 of First Priority – add “or provide seismic upgrades”;

Page 7, paragraph 2 – add “or seismically upgraded”; delete “would actually”; add “may”;

Page 7, paragraph 1 of Second Priority – add “any”; Page 7, paragraph 1 of Third Priority – add “additional”; add “all”;

Page 7, paragraph 2 of Third Priority – add “portions”; add “Some”;

Page 8, paragraph 2 of Benefit Cost Review – delete “not built to”; add “do not meet”; add “priority”;

Page 9, paragraph 2 – add “additional”; delete “generator”;

Page 10, paragraph 1, No. 9 of Implementing the Mitigation Action Plan – add “46 and 47”;

Page 10, paragraph 3 – delete “would like”; add “may propose”; delete “provide standby power at City Hall adequate to maintain continuity of service”; and

Page 11, paragraph 2 of Timelines – delete “staff in Building and Facilities departments”; add “structural engineering consultants”

CONSENT AGENDA (Continued):

Agenda Bill #2507; Resolution #05-003 (Continued): Additionally, a designee of the State, in the Emergency Management Division, has reviewed the revised plan and determined that the revisions do not need to be submitted to FEMA for additional review due to the fact that the revisions are not substantial.

CM Shape requested the removal of the Administration and Finance (A&F) Committee Meeting Minutes of January 11, 2005, to be placed under New Business, for the purpose of a correction.

MOVED BY BRENNAN, SECONDED BY DEHAN TO ACCEPT THE CONSENT AGENDA AS PRESENTED WITH THE REMOVAL OF THE ADMINISTRATION & FINANCE COMMITTEE MEETING MINUTES OF JANUARY 11, 2005.

MOTION CARRIED UNANIMOUSLY.

NEW BUSINESS:

Agenda Bill #2488; Ordinance #05-1002

An Ordinance amending the Zoning Code clarifying the Parking Garage Standards within the City Center

Summary: This Ordinance amends the Zoning Code to clarify a provision within the City Center Standards that limits the number of parking spaces for a stand-alone commercial park-n-fly structure to 300 spaces – the proposed amendment clarifies that the 300 spaces applies to one development site, not to individual parcels within a development.

Parking Garage Standards: One of the goals of the City Center Standards is to create a mixture of uses within the City Center. Given the proximity to the airport, commercial park-n-fly parking is currently one of the most dominant uses. In order to encourage a variety of uses, a limit was placed on the number of parking spaces within the City Center, and that number tied to the use on the property. The current regulations, however, stipulate that public or private commercial park-n-fly structures (as opposed to surface parking) are permitted up to 300 spaces as a stand-alone structure. Additional spaces may be added, only via the incentive method defined in the SeaTac Municipal Code (SMC).

The intent of the proposed amendments is to avoid a proliferation of individual parking structures on one development site within the City Center. The proposed Ordinance defines stand-alone structure and states that only one stand-alone parking structure shall be allowed per development site. A development site is then defined as the sum total of all parcels of property incorporated into the development at any point of time. This is intended to ensure that a development covering multiple parcels is allowed 300 spaces for the entire site, not per parcel.

At the November 9, 2004 Study Session (SS), there was discussion regarding the limitation of 300 spaces for stand-alone parking structures in the City Center. This limitation was adopted by Council when they were originally approved in May 1998. Staff suggests a two pronged approach regarding stand alone parking structures: 1) adopt the proposed Code changes now to close a loophole in the current regulations; and 2) have the Station Area Planning Process examine the issue of the number of parking spaces allowed in a stand alone structure, and then send this issue to the Land Use & Parks (LUP) Committee for further discussion with a recommendation to the full Council.

CM Brennan stated he asked for this to be under New Business so that he could vote no on this agenda item.

MOVED BY DEHAN, SECONDED BY ANDERSON TO ADOPT ORDINANCE NO. 05-1002.

MOTION CARRIED WITH BRENNAN VOTING NO.

Added Item:

Correction on the January 11, 2005 A&F Committee Meeting Minutes:

CM Shape, A&F Committee Chair, stated that Item No. 3, regarding the Mt. Rainier Pool Interlocal Agreement (ILA), indicates that the committee recommended approval of the amendment. The committee did not approve the amendment.

Added Item (Continued):

Correction on the January 11, 2005 A&F Committee Meeting Minutes (Continued)::

MOVED BY SHAPE, SECONDED BY BRENNAN TO CORRECT THE JANUARY 11, 2005 ADMINISTRATION AND FINANCE COMMITTEE MEETING MINUTES, ITEM NO. 3, REFLECTING THAT THE COMMITTEE DID NOT APPROVE THE AMENDMENT TO THE MT. RAINIER POOL INTERLOCAL AGREEMENT.

MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENTS: There were no public comments.

CITY MANAGER'S COMMENTS: City Manager Rayburn announced the new title of the Highline Forum which is an organization comprised of the Cities surrounding Sea-Tac International Airport, as well as the City of Federal Way (in the southern most flight path) and the Highline School District will be meeting, Thursday afternoon, January 27 at the airport with POS staff and commissioners. Mayor Hansen and he will be attending the meeting.

CITY COUNCIL COMMENTS: Mayor Hansen added that the other Cities are dropping their law suits and the Port of Seattle (POS) is making a concerted effort to draw in the Cities to the Highline Forum. There has been one preliminary meeting and the Thursday meeting will set up the forum structure. This is a real step forward in getting the Cities and the POS together for the betterment of the south end communities.

ADJOURNMENT:

MOVED BY DEHAN, SECONDED BY BRENNAN TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 6:49 P.M.

MOTION CARRIED UNANIMOUSLY.

Frank Hansen, Mayor

Judith L. Cary, City Clerk

SEATAC CITY COUNCIL REGULAR MEETING MINUTES

February 8, 2005
6:30 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Council Meeting was called to order by Mayor Frank Hansen at 6:46 p.m.

COUNCIL PRESENT: Mayor Frank Hansen, Deputy Mayor Terry Anderson, Councilmembers Chris Wythe, Ralph Shape, Joe Brennan, and Don DeHan. Excused absence: Councilmember Gene Fisher.

ADMINISTRATIVE STAFF: Bruce Rayburn, City Manager; Craig Ward, Assistant City Manager; Judith Cary, City Clerk; Mary Mirante Bartolo, City Attorney; Mark Johnson, Assistant City Attorney; Tom Gut, City Engineer; Bob Meyer, Fire Chief; and Greg Dymerski, Chief of Police Services.

FLAG SALUTE: (The Flag Salute was performed at the preceding Study Session.)

PUBLIC COMMENTS: David Whitney and Hal Hewitt, NorthStar Casino owners, 15221 International Boulevard (IB) introduced themselves as the owners of the new business located in SeaTac. The current Sign Ordinance rules their portico sign as non-conforming. They requested Council allow the sign to remain.

City Manager Rayburn explained that the Sign Ordinance was revised approximately three years ago and one of the changes was the loss of a non-conforming status sign. If a sign is to be changed in the future, it must be by the owner of the property when the sign was first installed. If the property changes owners or if a change in the business occurred, the sign becomes non-conforming and must conform to the current Sign Code.

Mr. Whitney stated he understood the Ordinance as meaning if the business kept the Funsters name, the sign could stay. He also mentioned that the reader board is too large according to the current Sign Code. Mr. Whitney mentioned that an appeal has been filed with the City by the property landlords and the appeal period is scheduled to end February 22.

After much discussion, City Attorney Mirante Bartolo advised that the Council should not engage in any conversation specifically related to the NorthStar Casino sign issue because of a possible pending appeal. Mrs. Mirante Bartolo will verify whether there was, in fact, an appeal pending and whether the NorthStar Casino owners are being represented by Counsel. She indicated to Councilmember (CM) Wythe, Land Use & Parks (LUP) Committee Chair, that if he wanted to discuss signs or the Sign Code at the committee meeting, that would be permitted. However, she cautioned not to discuss the specifics of the NorthStar Casino case.

Mayor Hansen stated the Council will adhere to the City Attorney's advice and wait for direction after she researches the sign issue in question.

CONSENT AGENDA:

- **Approval of claims vouchers** in the amount of \$174,172.55 for the period ended January 28, 2005.
- **Approval of employee vouchers** in the amount of \$568,734.84 for the period ended January 31, 2005.
- **Approval of summary of \$5,000 - \$25,000 purchase requests** for the period ended February 4, 2005.

Approval of Council Meeting Minutes:

- **Study Session** held November 9, 2004.
- **Transportation & Public Works Committee Meeting** held January 25, 2005.
- **Study Session** held January 25, 2005.
- **Regular Council Meeting** held January 25, 2005.

Acceptance of Advisory Committee Meeting Minutes:

- **Planning Commission Meeting** held December 20, 2004 (Commission approved January 24, 2005).

The following Agenda Item was recommended at the February 8, 2005 Study Session for placement on this Consent Agenda:

Agenda Bill #2506

A Motion authorizing 2005 Computer Hardware Replacement and declaring Replaced Equipment as Surplus, allowing for its disposal

Summary: This Motion authorizes replacement of computer hardware as provided for in the 2005 Annual City Budget and disposal of replaced equipment as surplus property.

In the City's Six-Year Capital Improvement Plan (CIP), computer hardware is projected for replacement on the

CONSENT AGENDA (Continued):

Agenda Bill #2506 (Continued): following schedule: computers - four years, monitors - five years, and printers - eight years. The budget provides for scheduled replacement of the following equipment: 41 computers, four laptop computers, 41 monitors, and one laser printer. Also the budget provides for one new computer for use by the new Geographic Information System (GIS) Technician. The computers will have a three-year on site warranty. The total cost of the equipment is not to exceed \$69,500. Approval is requested to authorize purchase of equipment based on competitive quotes obtained, as needed, throughout the year. Computers are replaced based on a methodology established in 2004.

This Motion also declares the replaced equipment as surplus, allowing for its disposal. As previously directed by the City Council, surplus property would be disposed of in the following priority order: 1) sale by government auction, 2) donated to service agencies serving SeaTac citizens, 3) donated to other service agencies, and lastly, 4) donated to a refurbishing or recycling center.

MOVED BY BRENNAN, SECONDED BY DEHAN TO ACCEPT THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY.

NEW BUSINESS: There were no new business items.

CITY MANAGER'S COMMENTS: City Manager Rayburn stated the draft agenda for the March Council Retreat has been distributed to Council for their review and any suggestions and/or comments are welcomed.

CITY COUNCIL COMMENTS: CM Wythe mentioned that the hauling trucks (for the third runway dirt hauls) were over the weight limit by approximately 47 percent. He stated he has been working with City Engineer Tom Gut regarding reducing this percentage to meet acceptable limits. He requested staff obtain the numbers from the contractors in order to see if the trucks are in compliance. He thanked staff and all those involved for making his end of town a little bit safer.

CM Brennan, Hotel/Motel (H/M) Tax Advisory Committee Chair, stated the committee will meet tomorrow, February 9 at 10:00 a.m. Secondly, he mentioned he has another meeting tomorrow at 1:00 p.m. with Mr. Rayburn, Mrs. Mirante and Mr. McCarty regarding the H/M Tax Ordinance adopted in 1994 and another Ordinance for a \$5 million bond to keep the State from canceling the tax. The 1994 Ordinance mentions SeaTac receiving more of the tax funding. One percent more would be almost \$1 million a year.

Mayor Hansen stated he met with Mr. Rayburn and the Council Retreat facilitator, Dee Endelman, Agreement Dynamics, to review the agenda items for the Retreat to be held on March 5 at the Washington Mutual CedarBrook Training Center. He requested if Councilmembers have additions or suggestions to the agenda, to forward them to the City Manager's Office.

Deputy Mayor Anderson had previously mentioned an article in the Anchorage newspaper regarding their City receiving funds through private dollars for parks. Parks & Recreation Director Kit Ledbetter is researching this possibility for SeaTac and he thinks it may be a favorable opportunity for the City.

PUBLIC COMMENTS: (Mayor Hansen allowed a public comment at this time.) Referencing CM Wythe's comments, John Thompson, 2504 South 148th Street, stated the hauling trucks have to pass over a scale every time they make a run to ensure they are at the legal weight limit. He requested documentation of truck over-weights.

ADJOURNMENT:

MOVED BY DEHAN, SECONDED BY BRENNAN TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 7:10 P.M.

MOTION CARRIED UNANIMOUSLY.

SEATAC CITY COUNCIL REGULAR MEETING MINUTES

February 22, 2005
6:30 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Frank Hansen at 6:30 p.m.

COUNCIL PRESENT: Mayor Frank Hansen, Deputy Mayor Terry Anderson, Councilmembers Gene Fisher, Chris Wythe, Ralph Shape, Joe Brennan, and Don DeHan.

ADMINISTRATIVE STAFF: Bruce Rayburn, City Manager; Craig Ward, Assistant City Manager; Judith Cary, City Clerk; Mary Mirante Bartolo, City Attorney; Pat Patterson, Facilities Director; Steve Butler, Planning Director; Holly Anderson, Senior Planner; Bob Meyer, Fire Chief; and Greg Dymerski, Chief of Police Services.

FLAG SALUTE: (The Flag Salute was performed at the preceding Study Session.)

PUBLIC COMMENTS: Lyle Gulling, 4004 South 181st Street, reiterated his objection of last year regarding the ice cream vendors operating in the City. He stated in his neighborhood, Bow Lake and McMicken Heights area, the vendors drive through several times a day, targeting the apartment complexes and the music from the vehicle is loud and constant. He applauded the police for their enforcement of the noise and trespassing of these vendors last summer. However, the problem is continuing. He stated he is compiling residents' signatures with their comments regarding this problem. He urged Council to consider enacting strong restrictions on these vendors.

PRESENTATIONS:

●Proclamation honoring Rotary International

Mayor Frank Hansen introduced Gene Tonnemaker, current Rotary member and Past District Manager of Rotary. Mayor Hansen read the proclamation declaring February 23, 2005 as Rotary International Day in SeaTac on its 100th Anniversary honoring their contribution and dedication in providing humanitarian services throughout the world. The Rotary Club of SeaTac sponsors service projects addressing critical issues such as poverty, health, hunger and illiteracy in the local community.

Mayor Hansen added that the Rotary Program was instrumental in the eradication of Polio around the world. Today, only three or four small Countries account for about 100 cases a year.

Councilmember (CM) Brennan mentioned that Mr. Tonnemaker was the Co-Chair on the City of SeaTac Incorporation Committee.

●King County (KC) District 8 Presentation

KC CM Dow Constantine, representing District 8, stated with the redistricting of KC Districts, a northerly portion of SeaTac will be included in that District. All of West Seattle, White Center, South Park, and most of Burien, Vashon and Maury Island are in District 8. Also to be included in District 8 are Normandy Park and the northern portion of Tukwila. With this extended District, he stated he will be more involved with the South End Cities' collaborative efforts. CM Constantine briefed on his political background. He has been on the KC Council since January 2002, and before that, the State Senate and State House of Representatives, representing approximately the same geographic area for five years. He added that most of SeaTac is in District 5 represented by KC Councilmember Julia Patterson. The two Districts will continue collaboration.

Deputy Mayor (DM) Anderson mentioned that North SeaTac Park (NSTP) is one of the areas that will be in District 8.

CM Constantine stated there will be approximately 200,000 people in each reassigned District and each will be dealing with regional and local issues. He added that he is looking forward to taking on these new challenges. His core issue will be to coordinate between the different agencies to combine issues, saving time and expenses.

CM Shape mentioned he has been working with Councilmember Constantine on the Regional Transit Committee.

KC CM Constantine stated one of the main issues District 8 will be dealing with is the potential White Center/Boulevard Park annexation. Burien has been very involved in studies on the economic and social factors of an annexation. As more people become involved in this process, it will be clearer for White Center and Boulevard Park to make their own decisions about their future government.

KC is anxious to see City incorporations on one hand. However, KC has a duty to the constituents. Infrastructure has been slow in being invested in the south end area and this year, he proposed \$1.2 million in the budget for new

PRESENTATIONS (Continued):

KC District 8 (Continued): sidewalks in downtown White Center rather than having that money wait for a governance issue. He added that urban unincorporated areas need to be in Cities for economic reasons.

CM Brennan stated that SeaTac uses the services of the KC Police Department. He invited KC CM Constantine to take a tour of the City's state-of-the-art Police Department, as well as the rest of City Hall.

In closing, KC CM Constantine stated the reality about SeaTac is that everyone feels they know it in some way. In many ways it is the hub of the region and is unique in being an International Airport City.

Mayor Hansen and Council thanked KC CM Constantine for addressing the City Council as the City's District 8 representative.

CONSENT AGENDA:

- **Approval of claims vouchers** in the amount of \$167,635.17 for the period ended February 4, 2005.
- **Approval of claims vouchers** in the amount of \$1,501,038.50 for the period ended February 17, 2005.
- **Approval of employee vouchers** in the amount of \$435,566.14 for the period ended February 15, 2005.
- **Approval of summary of \$5,000 - \$25,000 purchase requests** for the period ended February 18, 2005.

Approval of Council Meeting Minutes:

- **Administration & Finance Committee Meeting** held February 8, 2005.
- **Public Safety & Justice Committee Meeting** held February 8, 2005.
- **Study Session** held February 8, 2005.
- **Regular Council Meeting** held February 8, 2005.

The following Agenda Items were recommended at the February 22, 2005 Study Session for placement on this Consent Agenda:

Agenda Bill #2514

A Motion authorizing the City Manager to execute a Contract for Earthwork and Utilities for the New Senior Center

Summary: This Motion authorizes the City Manager to execute a contract with RoyAl Construction, the lowest responsive bid for earthwork and utilities for construction of the New Senior Center.

Contractors from the Public Works Small Works Roster were selected to bid the work. Two contractors returned bids as follows:

	<u>Base Bid</u>	<u>Plus Contingency & Tax</u>
State Construction Inc.	\$79,600.00	\$95,266.00
RoyAl Construction Inc.	\$82,600.00	\$98,856.00

After discussions with the respective bidders, State Construction admitted they had failed to include a portion of the work in their bid as prescribed in the specifications. Therefore, they were ruled non-responsive and RoyAl was declared the apparent low bidder.

City Council approved a budget of \$1,487,176.00 for the Senior Center Construction. The amount allocated for earthwork & utilities is \$106, 651.00.

Agenda Bill #2512; Resolution #05-004

A Resolution amending the Fee Schedule related to Fees collected by the Department of Planning and Community Development

Summary: This Resolution changes several fees within the Planning & Community Development section of the City's Fee Schedule related to the following:

- 1) Rezone Fees: a) add a fee category for a change in property-specific conditions; and b) list of zones needs to be updated to reflect the current zones;
- 2) Consultant Fees: a) add a deposit for Radio Frequency (RF) Engineering Review of Wireless Communications Facilities (WCF);

CONSENT AGENDA (Continued):

Agenda Bill #2512; Resolution #05-004 (Continued):

3) Site Plan Review Fees: a) site plan review fees need to be updated to reflect the Type I and Type II site plan review. Additionally, it is recommended that the fees be based on the type of action being reviewed, rather than project cost;

4) Re-addressing associated with Short Plats: a) the creation of new lots through short plats sometimes requires that existing houses are re-addressed to facilitate the creation of named private roads, and sequential addresses. This often comes as an unexpected expense to a neighbor who is required to change their address. It is proposed that in such cases, \$100 per house that is required to be re-addressed, be collected from a short plat applicant and provided to the affected neighbor(s) to cover costs associated with re-addressing; and

5) Elimination of Fees no longer applicable: a) certain fees listed in the fee schedule are no longer applicable: 1) the "Unclassified Use" permit has been eliminated; 2) a Conditional Use Permit is no longer required for a manufactured home in a single family zone; and 3) Sign Permit Review Fees are collected by the Building Division.

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

MOTION CARRIED UNANIMOUSLY.

NEW BUSINESS: There was no new business.

CITY MANAGER'S COMMENTS: City Manager Rayburn reminded Council to submit their Council Retreat dinner selections to the City Manager's Office.

CITY COUNCIL COMMENTS: CM Shape added to the ice cream trucks item brought forth by Mr. Gulling during Public Comments. He stated it is also a problem in his neighborhood. The truck circles the neighborhood repeatedly during the day with loud music constantly being played.

Mayor Hansen stated that Sound Transit will hold the first of several Open Houses on the Airport Link Light Rail on March 3 at City Hall, 6:00 to 8:00 p.m. The public is invited.

ADJOURNMENT:

MOVED BY BRENNAN, SECONDED BY DEHAN TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 7:00 P.M.

MOTION CARRIED UNANIMOUSLY.

Frank Hansen, Mayor

Judith L. Cary, City Clerk

SEATAC CITY COUNCIL REGULAR MEETING MINUTES

March 8, 2005
6:30 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Frank Hansen at 6:30 p.m.

COUNCIL PRESENT: Mayor Frank Hansen, Deputy Mayor Terry Anderson, Councilmembers Gene Fisher, Chris Wythe, Ralph Shape, Joe Brennan, and Don DeHan.

ADMINISTRATIVE STAFF: Bruce Rayburn, City Manager; Judith Cary, City Clerk; Mary Mirante Bartolo, City Attorney; Mike McCarty, Finance Director; Kit Ledbetter, Parks & Recreation Director; Bob Meyer, Fire Chief; and Greg Dymerski, Chief of Police Services.

FLAG SALUTE: (The Flag Salute was performed at the preceding Study Session.)

PUBLIC COMMENTS: Joe Dixon, 11192 36th Avenue South, stated he had previously read an article that he felt spoke to Councilmembers and citizens as to their duty to honorably serve their local government for which they represent and reside.

Patricia Carter, 3041 South 201st Street, stated she would like to know what the Council has decided to do with the Hughes property and what the price was to make it into a park. She still feels the property should be made into a park for use by the citizens of SeaTac and not for additional parking for Angle Lake Park.

Lyle Gulling, 4004 South 181st Street, reiterated his concern regarding ice cream vendors and their loud music played in neighborhoods. He applauded the police for educating the ice cream vendors but suggested the need for City Hall to impose strict guidelines on these vendors. He submitted a petition from residents with their comments regarding the vendors' noise disturbance to the neighborhood. He questioned whether a vendor or vendors have requested a variance. Mayor Hansen stated staff will research this issue and will contact Mr. Gulling.

CONSENT AGENDA:

- **Approval of claims vouchers** in the amount of \$50,329.48 for the period ended February 23, 2005.
- **Approval of employee vouchers** in the amount of \$584,660.00 for the period ended February 28, 2005.
- **Approval of summary of \$5,000 - \$25,000 purchase requests** for the period ended March 4, 2005.

Approval of Council Meeting Minutes:

- **Transportation & Public Works Committee Meeting** held February 22, 2005.
- **Study Session** held February 22, 2005.
- **Regular Council Meeting** held February 22, 2005.

Acceptance of Advisory Committee Meeting Minutes:

- **Planning Commission Meeting** held February 14, 2005 (Commission approved February 28, 2005).
- **Senior Citizen Advisory Committee Meeting** held January 20, 2005 (Committee approved February 17, 2005).

The following Agenda Items were recommended at the March 8, 2005 Study Session for placement on this Consent Agenda:

Agenda Bill #2508

A Motion authorizing the City Manager to execute a Second Amendment to the Interlocal Agreement (ILA) between Yakima County and the Contracting Cities for Jail Services

Summary: The amendment clarifies the responsibilities of the parties with respect to billing and payment, the annual reconciliation, the daily fee for unused beds, and the medical premium.

Under the current ILA, the 35 contracting Cities are obligated to a 440-bed commitment per day (the City of SeaTac's share is 4.1). Any unused beds are charged at the full rate. The proposed amendment will reduce the fee for up to 100 unused beds of the 440-bed commitment. This fee reduction will result in an annual savings of approximately \$1.3 million total for all consortium Cities in 2005. The savings could increase to more than \$1.8 million of annual savings by 2010. In addition, this amendment creates a process for quarterly and annual reconciliation, and establishes appropriate medical and therapeutic charges.

On March 16, 2004, Council entered into an ILA with the other contracting Cities to manage the Yakima County (YC) and King County (KC) jail contracts. That ILA provides for certain committees: Jail Oversight Committee (JOC), Jail Administration Group (JAG), and Jail Operations Group (JOG) to carry out the administration and

CONSENT AGENDA (Continued):

Agenda Bill #2508 (Continued): implementation of the contracts, including negotiating any necessary amendments. Under the direction of the committees, this amendment was negotiated on behalf of the consortium Cities during the past 18 months in response to the current low usage of the Yakima beds.

All of the representatives recommended approval of this amendment. YC Commissioners approved the amendment on November 9, 2004. The Jail Oversight Assembly of elected officials from KC consortium Cities met on November 10, 2004 and unanimously recommended approval of this agreement by the membership. As of this date, the following Cities have acted upon the amendment: Auburn, Burien, Clyde Hill, Covington, Des Moines, Duvall, Issaquah, Kenmore, Mercer Island, Renton, Sammamish, Seattle, Shoreline, Tukwila, Yarrow Point, Bellevue, and Redmond.

Agenda Bill #2510

A Motion authorizing the City Manager to purchase one Automatic External Defibrillator (AED) / Monitor from a Sole Source Bid, accept a Medic One Foundation Grant for 75 percent of the Unit's Cost and invoice the Foundation for reimbursement of that Cost

Summary: This Motion allows for the purchase of one LifePak 12 AED from a local vendor, Medtronic Physio-Control. Second, it authorizes the acceptance of a grant of up to \$8,775 or 75 percent of the unit's total cost from the Medic One Foundation.

The Fire Department's existing four AEDs were purchased in 2004 with the assistance of a similar grant. One AED is assigned to the engine at each Fire Station and the fourth is assigned to the aid unit at Station 45. The purchase of one additional AED will allow for an AED to be placed on the Station 46 Aid Unit. Although infrequently staffed, Aid 46, like Aid 45, is used for call-backs on major alarms and for special events. By acquiring a fifth AED, the department can equip each of its first-line Basic Life Support apparatus with this device.

The bid from Medtronic Physio-Control is for \$9,972, with the addition of sales tax for a total cost of \$10,829.59. The device includes all accessories, software and a one-year warranty.

A sole source bid from Medtronic is being recommended for several reasons. The LifePak 12 is the unit currently used by the SeaTac Fire Department, by KC Medic One paramedics and by surrounding Fire Departments, improving the continuity of patient care and eliminating the need for training on multiple devices. This vendor can provide immediate service and product support. The price quoted for the unit is in line with competing defibrillator monitors offering similar features and is less than the amount spent per unit last year. The fiscal impact is \$10,829.59 (less \$8,122.19 from the Medic One Foundation Grant).

Agenda Bill #2511; Ordinance #05-1003

An Ordinance amending the 2005 Annual City Budget for 2004 Carryovers

Summary: This Ordinance amends the 2005 Annual City Budget to carry over appropriations included in the 2004 budget, but not completed.

Each year, Council receives requests to carry over appropriations from the prior year's budget that were not completed due to a variety of reasons. Some carryovers are legally required due to a contractual obligation or grant funding requirement. Following is a detailed explanation of each carryover request:

General Fund: Employee Training Programs - \$5,843; Criminal Justice Area #1-3 Funds - \$101,448; Local Enforcement Block Grant (LLEBG) Funded Capital Outlay - \$22,073; Valley Communications Upgrade - \$15,540; Federal Emergency Management Authority (FEMA) Fire Equipment Grant - \$18,182; HEPA Filter Masks - \$770; and North SeaTac Park Community Center (NSTPCC) Improvements - \$34,025.

Fire Equipment Capital Reserve Fund: AED - \$11,000.

Municipal Facilities Capital Improvements Program (CIP) Fund: Senior Center - \$5,601.

Transportation CIP Fund - \$1,172,783: The total carryover request relates to multi-year capital projects.

SWM Construction Fund - \$587,243: The total carryover request relates to multi-year capital projects.

CONSENT AGENDA (Continued):

Agenda Bill #2513; Resolution #05-005

A Resolution amending and revising the City of SeaTac Travel Policies, Regulations and Procedures

Summary: The current Travel Policies, Regulations and Procedures were adopted in 1994 and subsequently amended in 1999 and 2003. The purpose of this document is to identify and provide guidelines regarding the City's travel policies and to further delineate those valid business expenses for which public officials and employees of the City may qualify for payments or reimbursements. This policy applies to all SeaTac employees and appointed and elected public officials.

A recent review of the existing policy resulted in a few recommended changes. Resolution No. 03-015, passed by Council on July 8, 2003, eliminated the provision that reimbursement for alcoholic beverages could be approved by the City Council or City Manager. The intent of that Resolution was to make the prohibition against reimbursement for such beverages absolute. The resulting amending language currently contained in Article III, Section (1)(B) of the City of SeaTac Travel Policies, Regulations and Procedures is ambiguous and does not clearly state this intent, and this Resolution endeavors to provide additional clarification.

Changes are also recommended to increase the maximum daily meal allowance in connection with City-related travel from \$42.00 to \$51.00, and the maximum percentage allowed for tips or gratuities on meals from 15 percent to 20 percent. In addition, breakfast (\$13.00), lunch (\$15.00) and dinner (\$23.00) single meal rates for meetings and seminars, where the meal is not provided as a part of the meeting or seminar cost, have been specified in the policy. All these suggested allowance amounts correspond with rates recommended by both Municipal Research & Services Center (MRSC) of Washington and the State Administrative and Accounting Manual issued by the Office of Financial Management.

MOVED BY ANDERSON, SECONDED BY DEHAN TO ACCEPT THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY.

NEW BUSINESS: There was no new business presented.

CITY MANAGER'S COMMENTS: City Manager Rayburn had the following items of business: 1) Retreat Facilitator's Flip Chart Summary have been submitted to Council in their packet; 2) he will be out of the office from Tuesday, March 15 through Friday, March 18 to attend the Washington State City Managers Association Conference; 3) the next Highline Forum Meeting will be hosted in City Hall Council Chambers on Thursday, March 31, 9:00 - 11:30 a.m.; and 4) Fire Chief Meyer just informed him that late this afternoon, Mt. St. Helen erupted with a large cloud of volcanic dust that headed south.

CITY COUNCIL COMMENTS: Councilmember (CM) Brennan stated the Joint Economic Development and Hotel/Motel Tax Advisory Committees will meet on Wednesday, March 9 starting at 10:00 a.m. in City Hall.

CM Shape inquired if the City bans the operation of ice cream vendors, whether that can legally be enforced. City Attorney Mirante Bartolo stated she is confident that there is stricter enforcement that could be applied to these vendors.

DM Anderson questioned whether the City could legally state the hours of operation that are more suitable to residential neighborhoods. Mrs. Mirante Bartolo stated she will review the Code on this issue.

CM Fisher stated the City should require background checks on these vendors as they are catering mostly to children. He commented he has been to five Council Retreats and he felt the March 5 Retreat was the most beneficial. Council directions are in the hands of the City Manager to assign to staff.

Mayor Hansen stated he agreed that this past retreat was very productive with good discussions and plenty of items for the City Manager and staff to work on.

DM Anderson stated she attended the local Volunteer Appreciation Dinner in Burien on March 5 where Mauricio Ayon, a SeaTac citizen, received the Community Leader of the Year Award. The dinner was an outstanding event.

ADJOURNMENT:

MOVED BY DEHAN, SECONDED BY FISHER TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 6:50 P.M.

MOTION CARRIED UNANIMOUSLY.

Frank Hansen, Mayor

Judith L. Cary, City Clerk

SEATAC CITY COUNCIL REGULAR MEETING MINUTES

March 22, 2005
6:30 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Council Meeting was called to order by Mayor Frank Hansen at 6:32 p.m.

COUNCIL PRESENT: Mayor Frank Hansen, Deputy Mayor Terry Anderson, Councilmembers Chris Wythe, Ralph Shape, Joe Brennan, and Don DeHan. Excused absence: Councilmember Gene Fisher.

ADMINISTRATIVE STAFF: Bruce Rayburn, City Manager; Judith Cary, City Clerk; Mary Mirante Bartolo, City Attorney; Mark Johnsen, Assistant City Attorney; Dale Schroeder, Public Works Director; Tom Phillips, Building Official; Jack Dodge, Principal Planner; Bob Meyer, Fire Chief; and Greg Dymerski, Chief of Police Services.

FLAG SALUTE: (*The Flag Salute was performed at the preceding Study Session.*)

PUBLIC COMMENTS: Mike Kelly, 2420 South 135th Street, stated his opposition to the City's Residential Parking Ordinance on two items in the document which he feels do not exist: 1) preserve property values to which he stated his property value has increased \$50,000 in five years with no improvements; and 2) aesthetics he defined as beautiful, to which he stated so a vehicle is beautiful unless it is parked in his yard. He added that the dimensions of 800 square feet is not enough to park four cars and is not wide enough to open the car doors.

Mayor Hansen stated the City conducted great effort and time studying the issue and committee work to create an equitable Ordinance. If the Ordinance is re-visited, staff will inform Mr. Kelly.

PRESENTATION:

●Introduction of Suburban Cities Association (SCA) Executive Director

SCA Executive Director Karen Goroski introduced herself to the Council and public, stating she has been in this position since August 2, 2004 and was charged with the responsibility of reorganizing the SCA and getting new bylaws adopted by the fall of 2004. In November 2004, the new bylaws were enacted and changed the SCA substantially. She explained the changes made. By January 2005, SCA had a new board and the Primary Public Policy Issues Committee was started with Pete Lewis, Mayor of Auburn, elected Chair. She was pleased to announce that Deputy Mayor (DM) Anderson is on the Board of Directors and on the Executive Committee and Councilmember (CM) Shape serves on the new Public Issues Committee. Ms. Goroski noted that each of the 36 member Cities gets a vote, no matter the size. The SCA will continue to be a social networking and public policy organization. Ms. Goroski distributed a flyer inviting the Council to attend the next SCA business dinner being held at the Tukwila Embassy Suites at 5:30 p.m. Ron Sher, Third Place Company, is the Keynote Speaker.

Ms. Goroski stated the SCA ask for a first-cut request for top three issues from each member City. The unfunded mandates, in general, are a large issue. A Small Cities Sub-Committee of the Public Issues Committee is starting work on their issues and unfunded mandates their priority. Most of the mandates submitted are State-wide issues and would require State legislative action. SCA will be working with AWC to ensure the Cities' issues are on the forefront of the AWC agenda, allowing the focus to be on the Puget Sound area and King County (KC).

CM Shape commented that during this past year, he feels the SCA has real direction. He complimented Ms. Goroski on her leadership.

Ms. Goroski stated that the SCA is the Cities' organization and invited the entire Council to come to one of their dinner meetings.

CONSENT AGENDA:

- **Approval of claims vouchers** in the amount of \$320,254.65 for the period ended March 4, 2005.
- **Approval of employee vouchers** in the amount of \$430,731.99 for the period ended March 15, 2005.
- **Approval of summary of \$5,000 - \$25,000 purchase requests** for the period ended March 18, 2005.

Approval of Council Meeting Minutes:

- **Administration & Finance Committee Meeting** held March 8, 2005.
- **Public Safety & Justice Committee Meeting** held March 8, 2005.
- **Study Session** held March 8, 2005.
- **Regular Council Meeting** held March 8, 2005

CONSENT AGENDA (Continued):

The following Agenda Items were recommended at the March 22, 2005 Study Session (SS) for placement on this Consent Agenda:

Agenda Bill #2520

A Motion declaring Vehicles and Miscellaneous Equipment Surplus and approving same to be sold at Public Auction

Summary: Due to the purchase of previously approved vehicles and an attempt to reduce operating costs, the City now has nine vehicles that have exceeded their useful life and have become more expensive to operate and maintain and other miscellaneous equipment to declare surplus. With Council approval, staff will arrange with an auctioneer specializing in vehicle sales to sell these vehicles. There is one slope mower which will be traded in at Western Power and Equipment for a total of \$19,750 which also helped reduce the sales tax on the purchase of the new one. As part of the 2005 equipment rental fund budget, \$354,995 was approved for replacement.

The proceeds from a public auction or trade in will be placed in the equipment rental fund. The salvage value for the surplus vehicles is \$19,149.59. However, after sales costs are deducted from the amount offered at the auction, the payment to the equipment rental fund will likely be less than this amount.

Agenda Bill #2517 – Ordinance #05-1004

An Ordinance adopting a new Chapter 2.85 of the SeaTac Municipal Code (SMC), relating to acceptance of Donations made to the City

Summary: This Ordinance authorizes the City Manager to accept monetary and non-monetary donations made to the City, with a value less than \$500.00. A designee of the City Manager would be authorized to accept non-monetary donations valued at less than \$25.00. All donations made to the City with a value of \$500 or greater would need to be approved by the City Council. The City Manager could request City Council approval before accepting a particular donation.

The Revised Code of Washington (RCW) 35.21.100 states that a City may, by Ordinance, accept donations made to the City. In order to comply with State law, the City Council can adopt an Ordinance that establishes a process for accepting donations made to the City.

Prior to acceptance of a non-monetary donation, the City Manager shall make a recommendation to the City Council whether the donation should be accepted by the City. Approval of the donation by the City Council can be made by Motion.

Agenda Bill #2516 – Resolution #05-006

A Resolution adopting the Federal National Incident Management System (NIMS) for the City of SeaTac

Summary: This Resolution approves the Federal NIMS for the City of SeaTac and incorporates NIMS into the City's Emergency Operations Plan. Adoption of NIMS is required by the Federal government (per Homeland Security Presidential Directive Five) as a condition for receiving Federal fiscal year 2005 preparedness assistance and homeland security grant funds.

The Department of Homeland Security developed the Federal NIMS, a comprehensive nationwide framework for incident management that enables responders at all levels to work together more effectively to manage an incident. NIMS incorporates the best practices currently used by Incident Managers at all levels and was developed through extensive outreach to State and local officials, the emergency response community, and the private sector.

NIMS establishes Federally recognized standard incident management processes, protocols, and procedures that all responders will use to coordinate and conduct response actions for incidents including terrorism and natural disasters. In addition, National preparedness and readiness in responding to and recovering from an incident is enhanced if all of the Nation's emergency teams and authorities are using a common language and set of procedures.

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

MOTION CARRIED UNANIMOUSLY WITH THE EXCEPTION OF DEPUTY MAYOR ANDERSON ABSTAINING FROM THE VOTE ON AN ITEM UNDER THE \$5,000 TO \$25,000 PURCHASE REQUESTS. "THE DONATION TO THE HIGHLINE HISTORIAL SOCIETY" DUE TO THE FACT THAT SHE IS A MEMBER OF THAT ORGANIZATION.

NEW BUSINESS: There was no new business presented.

PUBLIC COMMENTS: There were no public comments at this time.

CITY MANAGER'S COMMENTS: City Manager Rayburn stated that at the March 5 Council Retreat, the status of the closed Riverton Heights Elementary School site was discussed. Today, the City faxed a letter to the Highline School District (HSD) on this subject, requesting that the District enter into good faith negotiations with the City to provide the City with a right-of-first refusal regarding sale or possible lease of the property. This is the first step in working with the HSD on what their plans are for the site.

CITY COUNCIL COMMENTS: CM Wythe stated South 154th Street has been closed since March 6 due to construction. Since that time, the detour has increased substantially traffic on 24th Avenue South and South 144th and 142nd Streets. He is concerned that it will become an unsafe area for vehicles and pedestrians.

City Manager Rayburn stated he would appreciate any comments from the Council and the public regarding this closure as the road will be under construction throughout the summer and into the fall months. If this detour does not work for the City, an alternative may need to be considered.

DM Anderson asked if the Port of Seattle (POS) has been assisting in traffic control to which Mr. Rayburn stated not to date. Staff has discussed this with the POS.

CM Brennan stated, at the Council Retreat, Council agreed that items that did not receive adequate attention at the Retreat could be considered for a Special SS. He requested a SS be set for economic development, adding there have been sufficient consultant reports and studies on economic development in the City and now it is time to put the recommendation into action.

CM DeHan stated earlier today he attended the South County Area Transportation Board (SCATB) Meeting at which Sound Transit gave a presentation on: 1) looking at their role as an interface between the three County Transits, King, Pierce, Snohomish and the Washington State Department of Transportation (WSDOT). Of those agencies, two are transit-oriented and one is automobile-oriented. Trying to get all of these agencies in concert so they can move the public is the goal of Sound Transit; and 2) the Regional Transit Long-Range Plan is scheduled for review and renewal as is Sound Transit's. They plan to put out their Environmental Impact Statement (EIS) this spring with the intent of updating the Long-Range Plan and evaluation of Sound Transit's, finalize those projects and possibly going to public vote in 2006. SeaTac will be instrumental in giving input in to what Sound Transit is planning.

Mayor Hansen stated that CM DeHan attended the National League of Cities (NLC) Conference in Indianapolis last week and he brought back a Statement of Support for the National Guard and Reserve from the National Committee for Employer Support asking Cities for their Statement of Support as essential to the strength of our nation and the well-being of our communities by pledging to job agreements for employees serving the Nation in time of need; and 2) regarding the March 5 Council Retreat, he does not recall any Council commitment to purchase the vacated Riverton Heights School property to which City Manager Rayburn stated the letter is intended to get the HSD's attention that the City is interested in this property. Mayor Hansen replied as long as the HSD understands that the Council is not agreeing, at this time, to purchase the property.

CM DeHan added that the letter leaves the City's option open in case the City becomes interested in the property.

ADJOURNMENT:

MOVED BY DEHAN, SECONDED BY BRENNAN TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 7:00 p.m.

MOTION CARRIED UNANIMOUSLY.

Frank Hansen, Mayor

Judith L. Cary, City Clerk

SEATAC CITY COUNCIL REGULAR MEETING MINUTES

April 12, 2005
6:30 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Council Meeting was called to order by Mayor Frank Hansen at 6:45 p.m.

COUNCIL PRESENT: Mayor Frank Hansen, Deputy Mayor Terry Anderson, Councilmembers Gene Fisher, Chris Wythe, Ralph Shape, Joe Brennan, and Don DeHan.

ADMINISTRATIVE STAFF: Bruce Rayburn, City Manager; Judith Cary, City Clerk; Julie Elsensohn, Assistant City Attorney; Larry Ellis, Assistant Parks and Recreation Director; Jack Dodge, Principal Planner; Bob Meyer, Fire Chief; and Annette Louie, Police Administrative Captain.

FLAG SALUTE: (The Flag Salute was performed at the preceding Study Session.)

PUBLIC COMMENTS: Steve Pinto, 3741 South 197th Street, stated he received an invitation from the developer, Todd McKindrick to an open house held for the Angle Lake sub-division now being constructed. Mr. McKindrick informed him that the invitations were sent to homes within a 600-foot radius. He requested from the City information on the source and accuracy of the mailing labels used for this project notification, specifically questioning whether the list used was from the 600' radius of the proposed development and whether the names of the petitioners were included. He requested notifications include all of the attachments mentioned in the letters and that there is a longer lead time for responses to the notices.

Principal Planner Jack Dodge met with Mr. Pinto at length after his comments.

Joe Dixon, 19211 35th Avenue South, stated: 1) he attended the developer's open house but was not a signer on the petition opposing the project; 2) he would appreciate the Executive Sessions be held before the Study Session (SS) or after the Council Meetings rather than after the SS and he would also appreciate the meetings starting on time; and 3) regarding the seismic evaluation performed by a consultant, he stated he was a member of the Fire Facilities Adhoc Committee. He asked fire staff of the need for all three new Fire Stations, which they affirmed.

City Manager Bruce Rayburn stated that there was a seismic study made but only on Station 45. Mr. Dixon urged Council to not vote for another study of the Fire Stations at a cost of \$22,100.

CONSENT AGENDA:

- **Approval of claims vouchers** in the amount of \$1,381,193.32 for the period ended March 21, 2005.
- **Approval of claims vouchers** in the amount of \$343,794.57 for the period ended April 5, 2005.
- **Approval of employee vouchers** in the amount of \$637,933.80 for the period ended March 31, 2005.
- **Approval of summary of \$5,000 - \$25,000 purchase requests** for the period ended April 8, 2005.

Approval of Council Meeting Minutes:

- **Council Retreat** held March 5, 2005.
- **Land Use & Parks Committee Meeting** held March 10, 2005.
- **Study Session** held March 22, 2005.
- **Regular Council Meeting** held March 22, 2005.

Acceptance of Advisory Committee Meeting Minutes:

- **Planning Commission Meeting** held February 28, 2005 (Commission approved March 7, 2005).
- **Planning Commission Meeting** held March 7, 2005 (Commission approved April 4, 2005).
- **Senior Citizens Advisory Committee Meeting** held February 17, 2005 (Committee approved March 17, 2005).

The following Agenda Item was recommended at the April 12, 2005 Study Session for placement on this Consent Agenda:

Agenda Bill #2526; Ordinance #05-1005

An Ordinance amending Section 15.12.030 of the SeaTac Municipal Code (SMC) to allow "Recreational Centers" as a permitted use in the Residential Zones

Summary: Under the current Code provisions, a Recreational Center is allowed in the residential zones through the Conditional Use Permit (CUP) process. This process requires a public hearing before the City's Hearing Examiner (HE) with the HE making the decision to approve or deny the CUP. This Code amendment would allow a Recreational Center as a permitted use in the residential zones. A Recreational Center in these zones would then only require administrative approval by the City.

CONSENT AGENDA (Continued):

Agenda Bill #2526; Ordinance #05-1005 (Continued): A Recreational Center is defined as a recreational use building or event maintained and operated by a nonprofit club, or an organization whose membership is for a specified group such as a YMCA, YWCA or an Eagles Club. It does not include uses such as for profit sports clubs, gyms, or like facilities.

MOVED BY DEHAN, SECONDED BY ANDERSON TO ACCEPT THE CONSENT AGENDA AS PRESENTED.*

Councilmember (CM) Wythe requested the \$5,000 to \$25,000 purchase request for Seismic Evaluation of SeaTac Fire Stations under the Consent Agenda be moved to New Business.

*MOTION CARRIED UNANIMOUSLY WITH THE REMOVAL OF THE \$5,000 TO \$25,000 PURCHASE REQUEST FOR SEISMIC EVALUATION OF SEATAC FIRE STATIONS.

NEW BUSINESS:

Agenda Bill #2499; Ordinance #05-1006

An Ordinance amending Chapter 5.35 of the SeaTac Municipal Code (SMC), relating to Fireworks

Summary: The current provisions of the SMC provide restrictions and limitations on the sale, purchase, and use of fireworks within the City (between the hours of 9:00 a.m. and 9:00 p.m. on the fourth of July). At all other times during the year, fireworks are prohibited. The current Code also allows for public displays of fireworks at any time within the City if a permit has been issued by the Fire Chief or his designee authorizing the public display. However, the current Code does not specifically address religious displays as required by State law.

This Ordinance prohibits the sale, purchase, possession, and use of fireworks within the City at all times. However, public or religious displays would be allowed at any time if a permit is obtained from the Fire Department at least 30 days prior to the event. The SMC would continue to regulate the issuance of permits for public displays, in order to ensure the safety of the event.

The Municipal Court does not have jurisdiction to address violations of the Fireworks Ordinance when committed by persons under the age of 18 years old. Furthermore, the Juvenile Court typically will not prosecute violations of the SMC. Therefore, the Ordinance holds parents of children under the age of 18 years old accountable should they allow their children to violate the provisions of the City Fireworks Ordinance.

Under this Ordinance, the penalty for unlawful purchase, possession, or use of fireworks within the City is a civil infraction, punishable by a fine of \$250. It would also be a civil infraction, punishable by a fine of \$250 for parents of children under the age of 18 to authorize or permit their children to violate the City's Fireworks Ordinance. All other violations of Chapter 5.35 would be a misdemeanor. Both the Police Department and the Fire Department would be authorized to enforce the Ordinance.

This Ordinance also makes several housekeeping amendments to Chapter 5.35, consistent with the prohibition on fireworks. These changes include updating the definitions, adopting the provisions of State law regarding the reckless discharge of fireworks, and updating the requirements for public display permits.

State law requires that local fireworks regulations that are more restrictive than State law have an effective date no sooner than one year from adoption. Therefore, this Ordinance would not go into effect until May 1, 2006.

MOVED BY DEHAN, SECONDED BY SHAPE TO ADOPT ORDINANCE NO. 05-1006.

UPON A ROLL CALL VOTE, THE MOTION CARRIED WITH FISHER, WYTHER, ANDERSON, SHAPE, AND DEHAN VOTING YES AND HANSEN AND BRENNAN VOTING NO.

ADDED NEW BUSINESS ITEMS:

Seismic Evaluation of SeaTac Fire Stations

CM Wythe stated he opposed the cost of \$22,000, adding, however, the study would strengthen the City's Bond Issue request for funding the replacement and/or repair of the Fire Stations.

Mayor Hansen stated this item was discussed in the March Council Retreat. Council wanted to have accurate information on this multi-million dollar project. He added that he was pleased the study is only \$22,000.

ADDED NEW BUSINESS ITEMS (Continued):

Seismic Evaluation of SeaTac Fire Stations (Continued): CM Shape mentioned that CM DeHan stated in the previous SS that during the retreat, the reason why Council wanted to have this done was that the City is planning on going to the public to ask them to pass a Bond Issue to fund this project. This study would give evidence of the need to replace the Fire Stations.

City Manager Rayburn stated the previous study was conducted on Fire Station (1) 45 five years ago. He added that the condition of that station may have changed since that time. The study will show what could be done to upgrade the stations to meet the current Seismic Code. This cost to fund the hiring of the same consultant to perform a seismic analysis of the three buildings would be less money due to the work he previously conducted.

MOVED BY HANSEN, SECONDED BY DEHAN TO AUTHORIZE THE CITY MANAGER TO PRECEDE WITH THE SEISMIC EVALUATION OF THE SEATAC FIRE STATIONS.

UPON A ROLL CALL VOTE, THE MOTION CARRIED WITH FISHER, ANDERSON, HANSEN, SHAPE, BRENNAN, AND DEHAN VOTING YES AND WYTHE VOTING NO.

Agenda Bill #2534 (Assigned after the meeting.)

A Resolution resolving to support the community's efforts to lawfully celebrate the 4th of July in its traditional fashion within the City limits.

Whereas, the City, by Ordinance, has restricted the use of fireworks within its jurisdiction;

Whereas, the City recognizes the importance of celebrating our Nation's independence on the Fourth of July;

Whereas, the City supports its citizens' efforts to cooperatively and safely celebrate this event as a community;

We resolve to assist the community to the extent our Council or its designee sees fit, in obtaining locations, necessary permits or personnel to lawfully celebrate this holiday in its traditional fashion within the City limits.

CM Wythe commented on the Fireworks Ordinance, Agenda Bill No. 2499, and the City's role in the celebration of the 4th of July and not just the restriction of fireworks. CM Wythe proposed and read the above Resolution into the record.

MOVED BY WYTHE, SECONDED BY ANDERSON TO PASS A RESOLUTION RESOLVING TO SUPPORT THE COMMUNITY'S EFFORTS TO LAWFULLY CELEBRATE THE FOURTH OF JULY IN ITS TRADITIONAL FASHION WITHIN THE CITY LIMITS.*

CM DeHan stated he is reluctant to obligate the City to find and pay personnel to locate a site and to manage a fireworks display. He felt that was not the intent of the Council. There is a policy in place where the Fire Department and the City can authorize a permit, but the intent was not for public to ask for assistance in finding and running a place.

CM Shape agreed with CM DeHan's comment. He could not support the proposed Resolution as stated, obligating the City to find, arrange and manage a fireworks show. He felt this was not the intent of the Resolution and suggested a rewrite of the Resolution to further clarify the intent.

CM Brennan agreed with CM Wythe's proposed Resolution but felt this issue was already in the SMC without the City taking the active role. People can put on a display with a pyrotechnist on the scene. It would be the same authorization as Angle Lake residents have for their display.

DM Anderson suggested sending this issue back to the committee.

CM Wythe stated what he intended to accomplish by his proposed Resolution was to simply resolve to support the community's efforts to celebrate this holiday. Any changes to this draft will certainly be appreciated. He suggested it be sent to the Public Safety and Justice (PS&J) Committee. He agrees with the comments made on this issue. In writing it, he did not intend for the City to be obligated to sponsor a display but rather permit one if it followed the City's requirements on firework displays.

ADDED NEW BUSINESS ITEMS (Continued):

Agenda Bill #2534 (Continued):

*WITH COUNCIL CONSENSUS, MAYOR HANSEN RULED THAT THE RESOLUTION BE REFERRED TO THE PUBLIC SAFETY AND JUSTICE COMMITTEE TO BE CONSIDERED AT AN UPCOMING REGULAR COUNCIL MEETING.

CITY MANAGER'S COMMENTS: City Manager Rayburn had the following items of business: 1) a Special Council Meeting (SCM) is scheduled for next Tuesday, April 19 to discuss Economic Development as requested by Council. Also at that meeting, staff is proposing for Council consideration, an Executive Session on the status of the Port of Seattle (POS) Interlocal Agreement (ILA) II currently in negotiations; and 2) the previous Coldwell Banker site on South 188th Street underwent a Fire Burn Exercise participated by several Fire Departments, including the POS and SeaTac. The additional demolition work, under a City permit issued to the POS contractor, should commence no later than next week.

CITY COUNCIL COMMENTS: CM Fisher brought the issue of the closure of South 154th Street to the PS&J Committee Meeting. Staff explained to him the reason for this street closure, the connection between SeaTac and Burien at the north end of the runway. He stated there have been many complaints about the safety hazards it is causing. Staff stated they have not had many complaints. He stated he feels the City should not let the POS close a major arterial between the two Cities. The POS promised they would move South 154th Street to the north end of the runway. He asked the POS several times as to why they would not consider running a tunnel such as is in the south end. The POS stated it was not feasible. The closure is inconveniencing all the north end citizens, is causing illegal turnarounds and running cars through the neighborhood to get on to the westbound freeway. The City gave a variance to the POS that is a detriment to the north end citizens. CM Fisher added the public needs to be informed of the timeline of this project.

CM Wythe stated he attended a school board meeting on April 6 to hear how the boundary changes would be updated that will affect SeaTac citizens. There was much concern by the North Hill residents in Des Moines about their children going to Tyee High School, and wanting to keep them in their neighborhood schools which he supports. He sensed that the major concern of the parents is the students do not want to attend Tyee High School due to its lower academic level. CM Wythe added he examined Mt. Rainier, Evergreen and Tyee High Schools. The Washington Assessment of Students Learning (WASL) scores at Mt. Rainier are approximately 20 points higher than Tyee in reading, math and science. Tyee's difficulty is clearly the demographics; the bi-lingual element in the school. Tyee has 65 times more bi-lingual students than Mt. Rainier. Tyee needs to spend more time raising student grades. The City has made more investments in Tyee than many of the surrounding communities. He spoke with the Tyee principal and several of the school board members and they gave him a firm commitment to concentrate on Tyee. He would like them to speak before Council as to their plans. CM Wythe added that he is very hopeful as to what can be accomplished at Tyee in the next few years.

Mr. Pinto suggested that the City interview previous Tyee graduates as to the subjects that need to be upgraded for college entry.

CM Shape stated that at the Administration and Finance (A&F) Committee Meeting today, the Position Vacancy Review Board (PVRB) made a recommendation to fill the vacated Assistant Building Official position and the committee agreed with their recommendation.

Mayor Hansen reminded the audience and business community to attend the meeting which will actually be a Special Study Session (SSS) starting at 5:00 p.m.

ADJOURNMENT:

MAYOR HANSEN ADJOURNED THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 7:33 P.M.

MOTION CARRIED UNANIMOUSLY.

SEATAC CITY COUNCIL REGULAR MEETING MINUTES

April 26, 2005
6:30 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Council Meeting was called to order by Mayor Frank Hansen at 6:36 p.m.

COUNCIL PRESENT: Mayor Frank Hansen, Deputy Mayor Terry Anderson, Councilmembers Gene Fisher, Chris Wythe, Ralph Shape, Joe Brennan, and Don DeHan.

ADMINISTRATIVE STAFF: Bruce Rayburn, City Manager; Judith Cary, City Clerk; Mary Mirante Bartolo, City Attorney; Marcia Rugg, Administrative Assistant II; Mike McCarty, Finance Director; Kit Ledbetter, Parks & Recreation Director; Steve Butler, Planning Director; Holly Anderson, Senior Planner; Bob Meyer, Fire Chief; and Greg Dymerski, Chief of Police Services.

FLAG SALUTE: (The Flag Salute was performed at the preceding Study Session.)

PUBLIC COMMENTS: There were no public comments.

PRESENTATIONS:

•Native Plant Appreciation Week Proclamation

Mayor Hansen read a City of SeaTac proclamation acknowledging Governor Christine Gregoire declaring the week of May 1-7 as Native Plant Appreciation Week. Washington State has an amazing diversity of over 3,000 native plant species from rain forest plants on the Olympic Peninsula to the desert species in Eastern Washington. Preserving native plant ecosystems is critical for the protection of birds, fish, wildlife, and water quality; and preserving native plant ecosystems is equally critical for the long-term health and use of our natural resources, from passive recreation to agriculture.

•Library Advisory Committee Annual Report

Library Advisory Committee Chair Mel McDonald introduced the Committee Vice-Chair Marion Henry, Members Jackie Krutz, Donna Chavez, and Peter Kiewit IV (unable to attend), Staff Liaison Marcia Rugg, and Valley View Library Head Librarian Karen Hardiman. Mr. McDonald detailed some of the committee's achievements and goals. The library is of vital importance to the community. Being in the King County Library System (KCLS) allows access to information to people of all ages and diversity. One of the additions to the KCLS is the new library extension located at Southcenter, managed by Ms. Hardiman. It has become the 6th busiest branch in the system with SeaTac residents accounting for a large percentage of users. Valley View Library's usage has greatly increased over the last five years. He added he would like to see, in the near future, a new and larger library with adequate parking to accommodate the increase in users. The Book Sale scheduled for May 21 will be rescheduled for sometime in the fall. The committee is working on an Outreach Program for the Windsor Heights Apartment Complex. Many non-English speaking residents are housed in that complex. Lastly, Mr. McDonald added that the committee will, once again, be in the International Parade this year.

Deputy Mayor (DM) Anderson inquired as to whether the soon-to-be surplus Valley View School across the street from the library would adequately accommodate a larger library. Mr. McDonald replied that is an idea but he felt the building is too large for that use and renovation would probably be too expensive. DM Anderson mentioned that she visits a complex in Lake Forest Park that contains a library, book store, and a daycare. She would like to see something like that in SeaTac. The owner and designer of the complex would be willing to speak before Council on the complex as a possible project for SeaTac's economic development.

Councilmember (CM) Shape questioned a possible second story to the current library since it is so limited in ground space. Mr. McDonald replied that may be an idea if the building is structurally sound for a second story. The issue of parking would be questionable.

Mayor Hansen stated the City wants a larger library such as in some of the surrounding communities. He suggested KC Library Director Bill Ptacek, Ms. Hardiman and the Library Committee plan to come before Council on this issue.

CONSENT AGENDA:

- Approval of claims vouchers** in the amount of \$1,261,192.73 for the period ended April 20, 2005.
- Approval of employee vouchers** in the amount of \$431,734.58 for the period ended April 15, 2005.
- Approval of summary of \$5,000 - \$25,000 purchase requests** for the period ended April 22, 2005.

CONSENT AGENDA (Continued):

Approval of Council Meeting Minutes:

- **Joint City Council / Hotel/Motel / SeaTac Economic Partnership Study Session** held November 16, 2004.
- **Study Session** held January 11, 2005.
- **Administration & Finance Committee Meeting** held April 12, 2005.
- **Public Safety & Justice Committee Meeting** held April 12, 2005.
- **Regular Council Meeting** held April 12, 2005.

The following Agenda Items were recommended at the April 26, 2005 Study Session for placement on this Consent Agenda:

Agenda Bill #2532

A Motion authorizing the City Manager to execute a Contract with Dennis R. Craig Construction, Inc. for the 2005 Pedestrian Improvement Project (24th Avenue South and South 144th Street)

Summary: Plans, specifications and bid documents were provided to four contractors from the current Small Works Roster on March 21, 2005. Three contractors provided bids for the bid opening on April 7, 2005. The Engineer's estimate was \$56,204.50. Dennis R. Craig Construction, Inc. was the low bidder at \$46,867.42. This firm has successfully completed a number of large projects for the City.

The Engineering staff designed intersection improvements at South 144th Street and 24th Avenue South to allow for better sight distance for traffic traveling west bound on South 144th Street when stopped at 24th Avenue South thus improving pedestrian safety. Currently, the rockeries on the east side of 24th Avenue South limit the sight distance when cars are stopped on South 144th Street. This forces drivers past the stop sign to gain a clear view of oncoming traffic. The sidewalk on the east side of the intersection will be modified with traffic bulb-outs which will place the stop sign and stop bar 15 feet farther west. This will allow traffic on 24th Avenue South a better view. Crosswalks will also be installed for improved pedestrian safety.

It is recommended that the City Council move to authorize the City Manager to execute a contract with Dennis R. Craig Construction, Inc. in the amount of \$46,867.42 and authorize a 15 percent contingency of \$7,030 for a total contract budget of \$53,897.42. The project is proposed to be funded from the Pedestrian Improvement Program of the 102 Arterial Street Fund.

Agenda Bill #2535

A Motion authorizing the City Manager to enter into an Interlocal Agreement (ILA) for Waterfowl (Canada Geese) Management Program

Summary: In 2000, 2001 and 2002, the City of SeaTac was a member of the Waterfowl Management Program. In 2003, the Canada Geese population seemed to be under control at Angle Lake Park and Valley Ridge Park so the City opted out of the program. In 2004 and again in 2005, the City has seen a large increase in the number of Canada Geese at Angle Lake Park and would like to rejoin the Waterfowl Management Program. The program is administered by the Wildlife Services Program of the U.S. Department of Agriculture and the members are Bellevue, Kent, Kirkland, Mercer Island, Mountlake Terrace, Renton, Woodinville, Seattle and University of Washington. The annual cost to the City of SeaTac is \$2,410, of which the Port of Seattle (POS) will pay for half of that fee. The Waterfowl Management Program's purpose is to provide joint funding for an egg addling program, lethal control, and population monitoring and census; mainly of Canada Geese, within King County (KC).

Agenda Bill #2527; Ordinance #05-1007

An Ordinance amending the SeaTac Municipal Code (SMC) regarding Hobby Kennels/Hobby Catteries and Cross-referencing Title 6, the Animal Control Code, with the Zoning Code limits on Domestic Animals

Summary: This Ordinance adopts a section of the KC Code requiring a Hobby Kennel license for a property owner with four or more dogs, and a Hobby Cattery license for five or more cats. It also adds a reference to the Animal Control Code, SMC Title 6, regarding enforcement of the Zoning Code limits on domestic animals. The goal is: 1) to give clear direction to KC Animal Control (KCAC) to enforce the Zoning Code limits on animals; and 2) for KCAC to be able to use the Hobby Kennel/Cattery process and requirements to solve complaints related

to properties with many dogs and cats.

CONSENT AGENDA (Continued):

Agenda Bill #2527; Ordinance #05-1007 (Continued): The City of SeaTac contracts with KCAC for animal control services. This means that KCAC responds to any complaints from SeaTac citizens regarding dangerous animals, animal trespass, barking dogs, lost and found animals, and other concerns. The contract authorizes KC to enforce Title 6 of the SMC, the Animal Control Code.

Within the last year, the City adopted new regulations regarding the number of domestic animals allowed on a property. Previously, SeaTac did not allow more than three outside domestic animals. Thus, there was little need for the Hobby Kennel license provision. With the change in Code, however, KCAC requested a clarification as to whether the City would want KCAC to apply the Hobby Kennel/Cattery requirements. These requirements allow for setbacks of kennels and dog runs from property lines when needed, dog barking controls, and other measures to solve verified, legitimate concerns from neighbors about adjacent animals.

In KC, a Hobby Kennel license is triggered by four or more dogs; the Hobby Cattery license by four or more cats, and a combination Hobby Kennel/Cattery license for any combination of four or more dogs or cats. In SeaTac, a Hobby Kennel license will be required for four or more dogs; and a Hobby Cattery license will be required for five or more cats. No license would be required based on a combined number of dogs and cats.

The Planning Commission recommended that only the section of Code be adopted that cross-references the Animal Control Code and the Zoning Code's regulations on domestic animals. Their concerns related to the fees charged by KC for the hobby kennel license, which amount to \$50 per year, plus the cost of individual licenses for each animal. Staff assessment, however, is that since the City contracts with KCAC for the provision of these services, and the only compensation received by KC is the license fees, that the fees are reasonable, and the tool of the hobby kennel license should be available to enable KCAC to provide better resolution of neighbor complaints regarding properties with many animals.

The following Agenda Items were recommended at the April 19, 2005 Special Study Session for placement on this Consent Agenda:

Agenda Bill #2518

A Motion authorizing the City Manager to execute a Contract with the Southwest King County Chamber of Commerce (SWKCC) to Implement a Small Business Outreach Project

Summary: This Motion authorizes the City Manager to execute a contract with the SWKCC to develop and manage a project aimed at existing and former licensed SeaTac businesses to inform businesses of City initiatives and programs, and to enhance the City's understanding of business needs and issues.

The SWKCC is the City's most established outreach arm to City businesses, but there are many licensed businesses who are not SWKCC members. This project will apply the SWKCC's expertise to affirmatively reach out to 20 percent of the licensed businesses located in the City and survey them regarding their opinions of the SeaTac business climate, relationship with City government, and their plans and needs to expand their business in the City. For failed businesses, the interview questions will focus on investigating the reason for the failure and what the City can do to help businesses succeed. The businesses interviewed will represent a cross-sampling of at-home, small, medium and large businesses as well as freight forwarders and other airport related businesses. The City will assist in the selection/creation of the firms to be interviewed and in the design of the interview questions, but will not directly participate in the interviews unless requested by the involved business. Half of the interviews will be conducted in person by Nancy Damon, SWKCC Executive Director. The rest will be conducted by SWKCC staff by telephone. The SWKCC will also organize two business community meetings to present information to SeaTac businesses and introduce business owners and representatives to other owners and representatives in SeaTac, with City participation. Additionally, two self-mailer business newsletters, or inserts into the City newsletter, will be prepared by the Chamber addressing issues disclosed during the project as important for SeaTac business retention and expansion.

The project proposal provides the flexibility to revise specific tasks, with any additional SWKCC costs to be paid on an hourly basis. The project budget is \$16,750. The project contract will include a provision that the final project costs will not exceed \$23,000.

CONSENT AGENDA (Continued):

Agenda Bill #2519

A Motion authorizing the City Manager to execute Contracts to implement the 2005 Economic Development Workplan

Summary: This Motion authorizes the City Manager to hire consultants to conduct two projects as recommended in the SeaTac Economic Development Marketing Plan. The same consultant team of E. D. Hovee & Company, LLC and Barney & Worth, Inc., used in the 2004 project, is recommended for these two new projects.

The 2004 SeaTac Economic Development Project Final Report defined a marketing strategy to expand tourism through increased business travel in the City of SeaTac over the next 10 years. The plan recommended several near-term implementation steps, which have largely been merged into scopes of work for two projects: the Property Qualification Project and Business Ambassador Project.

The Property Qualification Project will result in a qualified site for which a Mixed Use Development Request for Proposal will be developed. This work will be supported by a menu of incentives the City is prepared to offer in exchange for predefined public benefits. The proposed project budget is \$50,000. Four firms submitted proposals for this project including Applied Communications, E. D. Hovee & Company, LLC, Heartland, and Siefkes & Associates. Interviews of the four teams were conducted on March 30, resulting in the recommendation that E. D. Hovee & Company, LLC be offered the contract. Barney & Worth, Inc. is a member of the E. D. Hovee & Company, LLC team, which offers the opportunity to create synergy of the products of both projects.

The Business Ambassador Program will develop an ongoing City program to identify and market existing and emerging business opportunities to real estate brokers, developers and end-users in targeted business clusters. The proposed project budget is \$35,000. The only firm submitting a proposal was Barney & Worth, Inc., who was interviewed on March 30, resulting in the recommendation that Barney & Worth, Inc. be offered the contract.

The SeaTac Economic Partnership (STEP) and the Hotel/Motel (H/M) Tax Advisory Committee has recommended that the City contract with consultants to implement these projects. Representatives of each group were involved in the screening of the firms which submitted proposals.

The Property Qualification Project is budgeted to cost \$50,000 and the Business Ambassador Project is budgeted to cost \$35,000.

MOVED BY DEHAN, SECONDED BY BRENNAN TO ACCEPT THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY.

NEW BUSINESS:

Agenda Bill #2536; Resolution #05-007

A Resolution ratifying Amendments to the King County (KC) Countywide Planning Policies

Summary: The City of SeaTac is being asked to ratify three proposed amendments to the KC Countywide Planning Policies (CPPs): In accordance with the recommendations of the Growth Management Planning Council (GMPC), the KC Council adopted the following Ordinances on February 14, 2005:

- 1) KC Ordinance No. 15121, ratifying GMPC Motion Nos. 04-1, 04-2, and 04-5, amending the urban growth boundary map by re-designating certain lands described in the KC Ordinance, amending the interim potential annexation areas (PAA) map by adding those lands to the PAAs of the above mentioned Cities, and amending the urban separator map by adding approximately 70 acres to Kirkland's PAA;
- 2) KC Ordinance No. 15122, ratifying GMPC Motion No. 04-4 revising targets for new household and job growth for the period 2001-2022 by amending Table LU-1, which will be located in Section III of the 2001-2022 Household and Growth Targets; and
- 3) KC Ordinance No. 15123, ratifying GMPC Motion 04-3, designating downtown Burien as an Urban Center.

All municipalities in KC are being asked to take action on ratification of these proposed amendments. If no action is taken by the City by May 16, 2005, the City will be deemed to have ratified the amendments by default.

NEW BUSINESS (Continued):

Agenda Bill #2536; Resolution #05-007 (Continued):

MOVED BY SHAPE, SECONDED BY BRENNAN TO PASS RESOLUTION NO. 05-007.*

MOVED BY SHAPE, SECONDED BY BRENNAN TO AMEND RESOLUTION NO. 05-007, OMITTING REFERENCE TO KING COUNTY ORDINANCE NO. 15121 AND EXHIBIT "A" AND ADDING A STATEMENT TO INCLUDE THAT THE CITY OF SEATAC DOES NOT APPROVE KC COUNCIL ORDINANCE NO. 15121.**

CM Shape explained his reasoning in adding the statement which was if the Council took no action, it would be deemed ratified. He stated the purpose is not to annex anything; it is simply to keep our options open depending on what occurs in the future. He added that in the past, the Council has been against this idea but at least this keeps the option open instead of forever giving up land to Tukwila.

CM DeHan stated it was his understanding of the amendment; that the Council would be rejecting all of the potential annexation areas in KC Ordinance No. 15121, not just the one with Tukwila. He questioned whether there was a disadvantage to selectively disagree with KC Ordinance No. 15121 with regard to all potential annexation areas even though they may be in Redmond or somewhere else.

Mr. Butler stated he did not think it would matter one way or another but the Council would clearly be sending the message that SeaTac is ratifying two of the KC Ordinances, but with the third one, there are some issues. He also reiterated that the City Council had already taken action, two or three years ago, to remove this potential annexation area from SeaTac's Comprehensive Plan, and it would be difficult now to add it back in the plan.

CMs Brennan and DeHan agreed that in earlier Councils, they discussed this particular Tukwila potential annexation area, and there were actually three factors, District 24, Collucio and Segale properties. The only advocate for entering into the City of SeaTac was Mr. Collucio. Since that time, now there are only two, District 24 and Segale, neither of which has even entertained the idea of coming into the City of SeaTac so annexing does not seem to be an option. It is actually an option for whoever lives in this potential annexation area.

MOVED BY WYTHE, SECONDED BY ANDERSON TO AMEND RESOLUTION NO. 05-007 TO REFLECT THAT THE PARAGRAPH THAT READS, "WHEREAS, ON FEBRUARY 22, 2005, THE KING COUNTY COUNCIL ADOPTED ORDINANCE NO. 15121, EXHIBIT A, AMENDING THE COUNTY-WIDE PLANNING POLICIES WITH REGARD TO THE URBAN GROWTH MAP, THE INTERIM POTENTIAL ANNEXATION AREAS MAP, AND THE URBAN SEPARATOR MAP;" BE DELETED AS WELL AS THE WORDAGE, "NEITHER KING COUNTY COUNCIL ORDINANCE NO. 15121...NOR" IN THE PARAGRAPH "WHEREAS NEITHER KING COUNTY COUNCIL ORDINANCE NO. 15121 NOR KING COUNTY COUNCIL ORDINANCE NO. 15123 WOULD HAVE A DIRECT EFFECT ON THE CITY OF SEATAC."

SECOND AMENDMENT CARRIED UNANIMOUSLY.

**FIRST AMENDMENT CARRIED UNANIMOUSLY.

*ORIGINAL MOTION AS AMENDED CARRIED UNANIMOUSLY.

ADDED ANNOUNCEMENT:

Mr. Butler informed the Council that Senior Planner Holly Anderson is leaving the City to take a position at the City of Seattle, adding that he thoroughly enjoyed working with Ms. Anderson; she has done great work for the City and Council. SeaTac's loss is Seattle's gain.

Ms. Anderson stated it was a hard decision but the new position presents a good career opportunity. She added that it has been a great pleasure to have worked with the Council, staff and community and to see the care and passion with which various important causes were championed. The City of SeaTac is fortunate to have such a good group working for them.

Mayor Hansen requested the City present Ms. Anderson with a Certificate of Appreciation. Council concurred. Mayor Hansen thanked Ms. Anderson for all her work and dedication to the City, it has been greatly appreciated.

PUBLIC COMMENTS: There were no public comments.

CITY MANAGER'S COMMENTS: City Manager Rayburn had no comments.

CITY COUNCIL COMMENTS: Mayor Hansen stated, along with City Manager Rayburn and Assistant City Manager Craig Ward, he will be attending the Highline Forum Meeting at Burien City Hall tomorrow at 3:00 p.m. He commented that the forum has had a couple of very constructive meetings to date.

ADJOURNMENT:

MOVED BY DEHAN, SECONDED BY ANDERSON TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 7:11 P.M.

MOTION CARRIED UNANIMOUSLY.

Frank Hansen, Mayor

Judith L. Cary, City Clerk

SEATAC CITY COUNCIL REGULAR MEETING MINUTES

May 10, 2005
6:30 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Frank Hansen at 6:50 p.m.

COUNCIL PRESENT: Mayor Frank Hansen, Deputy Mayor Terry Anderson, Councilmembers Gene Fisher, Chris Wythe, Ralph Shape, Joe Brennan, and Don DeHan.

FLAG SALUTE: (*The Flag Salute was performed at the preceding Special Study Session.*)

ADMINISTRATIVE STAFF: Bruce Rayburn, City Manager; Judith Cary, City Clerk; Mary Mirante Bartolo, City Attorney; Mike McCarty, Finance Director; Kit Ledbetter, Parks & Recreation Director; Steve Mahaffey, Human Resources Director; Pat Patterson, Facilities Director; Tom Gut, City Engineer; Bob Meyer, Fire Chief; and Greg Dymerski, Chief of Police Services.

PUBLIC COMMENTS: Tracy Wythe, 14204 24th Avenue South, a member of the group, the Association of Community Organizations for Reform Now, Inc. (ACORN), distributed a letter and photos from the group regarding the dangers of pedestrians crossing on 24th Avenue South and the need for a crosswalk at either South 142nd or 144th Streets and 24th Avenue South. Mrs. Wythe stated that she spoke with Councilmember (CM) DeHan, Transportation and Public Works (T&PW) Committee Chair, requesting to bring this issue before the committee. He agreed to put this matter on the May 24 T&PW Committee Meeting Agenda.

Rebecca Byers, 14208 24th Avenue South, also a member of ACORN, stated she has a daughter in high school and she has to cross the street at 24th Avenue South and the speeding vehicles make it difficult to cross this roadway. There is no sign or light to stop the traffic. She requested this safety issue be addressed by the City in order to make it safe for the school children and neighborhood, as well.

Joe Dixon, 19211 35th Avenue South, had two comments: 1) appreciates the fact that International Boulevard (IB) Phase III was under budget and completed on time, as this accomplishment is very difficult for any multi-million dollar project; and 2) regarding presentations made at Council Meetings requiring the screen, lighting is a problem. There are lights shining directly on the screen that hamper the viewing of the presented information. He suggested incorporating a switch that would control the lighting when the screen is lowered and raised.

Frank Portman, 20027 30th Avenue South, owner of a small apartment building, stated for the last five years, he has been having a problem with a band that practices with their window open at a high noise level as well as shouting obscene language at various times of the day and night. Recently, a citation was given to the band but the noise has continued. Mr. Portman requested assistance from the City addressing this noise nuisance in the vicinity of his apartment building.

PRESENTATION:

●Poverty Bay Boating Safety Proclamation

Mayor Hansen read the proclamation declaring the week of May 21-27, 2005 as National Safe Boating Week and the start of the year-round effort to promote safe boating. Over 700 people die each year in boating-related accidents in the United States. Nearly 70 percent of these are fatalities caused by drowning; and the vast majority of these accidents are caused by human error and not by the boat, equipment, or environmental factors. Mayor Hansen urges all to support the goals of the North American Safe Boating Campaign and the United States Power Squadron and practice safe boating habits.

Councilmember Fisher presented the proclamation to Ross Earnst, Poverty Bay Power Squadron Commander and Ross Heller, Poverty Bay Power Squadron member.

Mr. Earnst thanked the Council for issuing this proclamation. He stated that Poverty Bay is right off Redondo Beach. Poverty Bay Power Squadron is a sail and power boating organization which is dedicated to safe boating. The squadron teaches the American Boating Course which is offered to the public and other boating courses to its members. The last spring boat course is being held Saturday, May 14 in Des Moines. A certificate is awarded to the participants which generally allows for a discount on boating insurance. The squadron also provides vessel safety checks for pleasure craft.

Mayor Hansen thanked the men for their dedication and contribution to boating safety.

CONSENT AGENDA:

- **Approval of claims vouchers** (check nos. 66676 – 66888) in the amount of \$735,832.74 for the period ended May 5, 2005.
- **Approval of payroll vouchers** (check nos. 43660 – 43745) in the amount of \$329,946.22 for the period ended April 30, 2005.
- **Approval of payroll electronic fund transfers** in the amount of \$262,270.77 for the period ended April 30, 2005.
- **Approval of summary of \$5,000 - \$25,000 purchase requests** for the period ended May 6, 2005.

Approval of Council Meeting Minutes:

- **Transportation & Public Works Meeting** held April 26, 2005.
- **Regular Council Meeting** held April 26, 2005.

Acceptance of Advisory Committee Meeting Minutes:

- **Library Advisory Committee Meeting** held February 15, 2005. (Committee approved April 26, 2005.)
- **Planning Commission Meeting** held April 4, 2005. (Commission approved April 25, 2005.)
- **Planning Commission Meeting** held April 25, 2005. (Commission approved May 2, 2005.)

The following Agenda Items were recommended at the May 10, 2005 Special Study Session for placement on this Consent Agenda:

Agenda Bill #2541; Ordinance #05-1008

An Ordinance amending the Wellness Program and Policies of the City of SeaTac

Summary: This Ordinance amends the City of SeaTac's Wellness Program to reflect changes that have been made in the program as well as several housekeeping items.

This Ordinance updates the Wellness Program by deleting components that are no longer followed including a requirement that all Wellness Program participants undergo a fitness evaluation by the SeaTac Fire Department and the City's Recreation Activity Coordinator before engaging in exercise or fitness programs and activities. Also deleted is a requirement that all participants sign a waiver prior to participating in exercise or fitness programs and activities.

The revised Ordinance also includes several housekeeping measures including updating the Wellness committee membership and meeting schedule, designating the Human Resources Director as the Program Coordinator and minor changes to the language of the Ordinance.

Agenda Bill #2542

A Motion approving the Low Bidder for Concrete Work, Framing, Plumbing and Heating, Ventilation, and Air Conditioning (HVAC) for the SeaTac Senior Center

Summary: This Motion approves the low bidder for the concrete work, building framing, plumbing, and HVAC for the Senior Center project. A summary is listed below:

Concrete Work: Budgeted amount with 10 percent contingency and tax \$115,777.24

	<u>Base Bid</u>	<u>With Contingency & Tax</u>
Mayer Construction	\$155,835.00	\$186,503.33
Hilger Construction	\$130,500.00	\$156,182.40
Twins/ Caliber Concrete	\$ 96,920.00	\$115,993.86

Framing: Budgeted amount with 10 percent contingency and tax \$ 89,096.97

	<u>Base Bid</u>	<u>With Contingency & Tax</u>
Mayer Construction	No bid	
Hilger Construction	No bid	
Sengstock Construction	\$ 70, 244.00	\$ 84,068.02

Plumbing: Budgeted amount with 10 percent contingency and tax \$ 57,949.06

	<u>Base Bid</u>	<u>With Contingency & Tax</u>
Hawk Mechanical	\$75,080.00	\$89,855.74
MacDonald Miller	\$71,800.00	\$85,930.24
Blue Mountain Mech	\$47,600.00	\$56,967.68

CONSENT AGENDA (Continued):

Agenda Bill #2542 (Continued):

<u>HVAC:</u>	Budgeted amount with 10 percent contingency and tax	\$79,522.57
	<u>Base Bid</u>	<u>With Contingency & Tax</u>
Emerald Aire	\$70,000.00	\$83,776.00
MacDonald Miller	\$67,142.00	\$80,355.54
Blue Mountain Mech	\$61,800.00	\$73,962.24

Contractors were selected from the Public Works Small Works Roster. Originally, the Twins Concrete and Caliber Concrete bids were split and each were under \$50,000.00 base bid. It was later determined that sales tax should have been included in the amount which places each contract over the \$50,000 limit required for Council approval. The lowest bidder costs are within the Senior Center budget of \$1,487,176 approved by Council.

Agenda Bill #2540

A Motion authorizing Final Acceptance of the International Boulevard (IB) Phase III Improvement Project (South 152nd to 170th Streets)

Summary: This Motion formally accepts the construction and completion of improvements to IB between South 152nd and 170th Streets and establishes a 45-day lien period as required by State law.

This project was awarded on January 22, 2002 to SCI Infrastructure, LCC. The contract bid was \$8,303,893.58. An additional 15 percent contingency in the amount of \$1,245,584 was approved for a total contract budget of \$9,549,477. Construction began on February 25, 2002 and was substantially completed on May 13, 2004. The safety and capacity improvements were a complete renovation of IB and included new curb, gutter, sidewalks, street trees, landscaped median, illumination, underground utilities, improved storm drainage and signalization. A new southbound high occupancy vehicle (HOV) lane was constructed between South 160th and 170th Streets as well as a new northbound general purpose lane between the cemetery and SR 518. The work also consisted of infrastructure improvements that were funded by the Port of Seattle (POS).

The contract work was completed for an amount of \$9,113,504 which was 9.8 percent over the contract amount but within the contract budget of \$9,549,477.

Agenda Bill #2539

A Motion authorizing the City Manager to enter into an Agreement with the Highline School District (HSD) for Planning and Construction for a City Recreation Room

Summary: This Motion authorizes the City Manager to enter into an Agreement with the HSD for planning and construction for an approximately 1,000 square foot City Recreation Room in the new Bow Lake Elementary School. Staff has not developed an agreement with the HSD but with approval of this agenda bill, a formal agreement will be brought back to the City Council for review and approval. This Motion would commit the City to be part of the design process in 2005 and fund the project in 2006.

The approval is necessary because the HSD has hired an architect and has started the program planning process for the new school. The HSD has requested the City to receive approval and commitment by the end of June 2005.

Staff has been meeting with Alan Schmidt, HSD Facilities Services Director, to discuss the project. The HSD is interested in working with SeaTac to design and construct a City Recreation Room in the new Bow Lake Elementary School. BLRB Architects, the firm hired to design the new school, gave a presentation at the May 10 Study Session (SS) to show possible project ideas.

The new school building is scheduled to be completed for the September 2007 school year. Mr. Schmidt said to plan for the total cost to be approximately \$250 per square foot.

The Recreation Room would be used mainly for the Before- and After-School Childcare Program that is currently located at the North SeaTac Park Community Center (NSTPCC). This program has about 25 children per day and the fees pay for all costs of the program. The Recreation Room at the new school would cut transportation costs, and because of its central location, there would be an increase in participation. This project is a real opportunity to cooperate with the HSD and expands our community resources.

CONSENT AGENDA (Continued):

Agenda Bill #2539 (Continued): This Motion will impact the 2006 Capital Budget in the amount of approximately \$300,000.

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

MOTION CARRIED UNANIMOUSLY.

NEW BUSINESS:

Agenda Bill #2522

A Motion authorizing the City Manager to purchase one used Aid Car from Pacific Emergency Vehicles, and declaring Apparatus 18 surplus

Summary: The Fire Department is in need of a replacement aid car. Aid cars are staffed when personnel are available and during major emergencies. They are also staffed with overtime personnel when private ambulance companies cannot service the City. Replacement of the aid car is included in the Capital Improvement Plan (CIP) and approved in the 2005 budget. SeaTac Municipal Code (SMC) 3.30.050(E) allows the purchase of used equipment without going through the competitive bidding process.

This used aid car, a 2001 Ford Medtec Type III, will replace a 1985 Horton aid car, (Apparatus #110) which reached the end of its service life in 1995. It is obsolete and not reliable as an emergency apparatus. The current Explorer Post van, Apparatus 18, a 1984 Ford van, which has become totally unreliable and is in need of significant mechanical repairs, will be surplus.

The fiscal impact will be \$107,710 from the Fire Equipment Replacement fund. This includes \$70,178.40 for the purchase of the used aid car, with an additional \$37,531.60 for paint, striping, radios, siren, computer, Opticom, No Smoke, tools, and equipment purchases and installation.

Fire Chief Meyer briefed on the above summary, adding this agenda bill was brought before the Council at the April 26 SS without the known costs at that time. It went before the Administration and Finance (A&F) and Public Safety and Justice (PS&J) Committees today. The committees recommended the purchase. Per Council direction, the engine and transmission were inspected by an independent company in Pennsylvania and the results were positive. In addition, there is another year's warranty on the engine and the transmission was a rebuilt. Assistant Chief Wiwel researched the history of the aid car and it met all its warranty requirements.

MOVED BY FISHER, SECONDED BY BRENNAN TO ACCEPT AGENDA BILL NO. 2522.*

Assistant Chief Wiwel stated the aid car is located in Royal, Pennsylvania and will be delivered by the sales firm.

*MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENTS: There were no public comments at this time.

CITY MANAGER'S COMMENTS: City Manager Rayburn stated SeaTac's 24-hour Public Information Station (SeaTV-Channel 21) is scheduled to run its first airing on Thursday at midnight. Staff has been working on this venture for some time; and 2) the next Parking Tax Meeting is scheduled for Tuesday, May 17 at 3:30 a.m.

COUNCIL COMMENTS: CM Wythe stated the Riverton Heights Community Meeting was held where the ACORN group aired their concerns as to the crosswalk issue. The meeting was attended by a group of 100 residents. The residents wanted to see a reduction of crime and drug use, and a revitalization of the community. CM Wythe stated he would like to see the City partner with ACORN to deliver some of the change to the community. At this meeting, he spoke with a Habitat for Humanities representative about what could be done to improve SeaTac neighborhoods' aesthetics to demonstrate that residents have a stake in their community.

DM Anderson complimented Quick Stop in SeaTac for helping her with a car problem. She explained how their staff went way beyond what was expected to see that her car work was done to perfection. She highly recommended their business to all.

COUNCIL COMMENTS (Continued): CM Shape, A&F Committee Chair, reported that at their meeting, the Position Vacancy Review Board (PVRB) made a recommendation to fill the vacant Senior Planner position; and 2) CM Wythe and he attended a meeting at Madrona School which was a rally for a Spanish program. It was well attended by the community. At that meeting, CM Wythe gave a speech which was translated to the Spanish audience.

CM Brennan announced that the Hotel/Motel (H/M) Tax Advisory Committee is scheduled to meet Wednesday, May 12, at 10:00 a.m. in City Hall. All are welcome.

CM DeHan complimented the Fire Department for their thorough investigation of a used aid car. Secondly, he stated there is a development being proposed for South Tukwila titled South Tukwila Development project. They released a draft Environmental Impact Statement (EIS). Part of it relates to transportation and SeaTac felt that it did not adequately address SeaTac's concerns on the transportation impact. SeaTac is requesting from the City of Tukwila, an extension in its response and Tukwila, in turn, requested the response by May 5. He commended Planning Director Steve Butler and his staff as well as the T&PW Committee for drafting an extremely comprehensive response that adequately addressed the concerns of the City of SeaTac.

Mayor Hansen stated he visited the Elda Behm garden and the flowers are in bloom and the site is beautiful. The work is done mainly by volunteers. He highly recommended visiting the garden.

ADJOURNMENT:

MOVED BY ANDERSON, SECONED BY DEHAN TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 7:21 P.M.

MOTION CARRIED UNANIMOUSLY.

Frank Hansen, Mayor

Judith L. Cary, City Clerk

SEATAC CITY COUNCIL REGULAR MEETING MINUTES

May 24, 2005
6:30 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Frank Hansen at 6:45 p.m.

COUNCIL PRESENT: Mayor Frank Hansen, Councilmembers Chris Wythe, Ralph Shape, Joe Brennan, and Don DeHan. Excused absences: Deputy Mayor Terry Anderson and Councilmember Gene Fisher.

ADMINISTRATIVE STAFF: Bruce Rayburn, City Manager; Craig Ward, Assistant City Manager; Judith Cary, City Clerk; Mary Mirante Bartolo, City Attorney; Steve Mahaffey, Human Resources Director; Lawrence Ellis, Assistant Parks & Recreation Director; Steve Butler, Planning Director; Jack Dodge, Principal Planner; Bob Meyer, Fire Chief; and Greg Dymerski, Chief of Police Services.

FLAG SALUTE: (*The Flag Salute was performed at the preceding Special Study Session.*)

PUBLIC COMMENTS: No comments at this time.

PRESENTATION:

•Human Relations Advisory Committee Annual Report

Human Resources Director Mahaffey and Human Relations Advisory Committee Chair Lawrence Ellis presented the committee's annual report. Mr. Ellis stated the committee has met with diverse culture groups in the community as well as their teenagers to find out what the City could do to enhance their programs and goals. The groups brought forth good ideas for goals for 2005-6 and beyond.

Mr. Mahaffey stated the committee's current volunteers are Lawrence Ellis, Chair; Connie Lee Cook, Vice Chair; Members Margo Mineard and George Ishii. The committee's major undertaking in the past year has been to reach out to the minority community in the City and find ways to help resolve their needs and frustrations. SeaTac has a very high percentage of foreign born residents in the State, second only to Tukwila in diverse groups. Employment and school issues are the main concerns as well as becoming acclimated to the local culture.

Mayor Hansen stated the City is proud of this committee and take it very seriously.

Mr. Ellis stated one of the 2005 issues is transportation for teens for their activities, hopefully through Metro, as the diversified cultures have limited transportation options. Secondly, the adults are lacking an understanding of the English language and the committee would like to assist in the English as a Second Language (ESL) classes.

CONSENT AGENDA:

- Approval of claims vouchers** (check nos. 66889 - 67096) in the amount of \$1,139,281.99 for the period ended May 20, 2005.
- Approval of payroll vouchers** (check nos. 43746 - 43775) in the amount of \$129,847.35 for the period ended May 15, 2005.
- Approval of payroll electronic fund transfers** (check nos. 42621 - 42790) in the amount of \$271,924.28 for the period ended May 15, 2005.
- Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$53,815.24 for the period ended May 15, 2005.

Approval of Council Meeting Minutes:

- Study Session** held April 12, 2005.
- Administration and Finance Committee Meeting** held May 10, 2005.
- Public Safety and Justice Committee Meeting** held May 10, 2005.
- Land Use and Parks Committee Meeting** held May 12, 2005.
- Regular Council Meeting** held May 10, 2005.

Acceptance of Advisory Committee Meeting Minutes:

- Planning Commission Meeting** held May 2, 2005. (Commission approved May 16, 2005.)
- Senior Citizen Advisory Committee Meeting** held March 17, 2005. (Committee approved April 21, 2005.)

CONSENT AGENDA (Continued):

The following Agenda Items were recommended at the May 24, 2005 Study Session for placement on this Consent Agenda:

Agenda Bill #2544

A Motion authorizing the Acceptance of 2005 Justice Assistance Grant (JAG) Funds

Summary: The City has received yearly Local Law Enforcement Block Grant (LLEBG) awards since the 1990's. The Bureau of Justice Assistance (BJA) has changed justice funding mid-year of 2005 and now offers JAG funding for fiscal year 2005. Under unusual circumstances, the notification to the City was made after the official application date (March 31, 2005) had expired. The JAG program is designed to streamline justice funding and grant administration. Local jurisdictions will be given upfront support of a broad range of activities to prevent and control crime. JAG blends the LLEBG program and other programs to provide agencies with the flexibility to prioritize and place justice funds where they are needed most. SeaTac Police can use these funds in partnership with the SeaTac Municipal Court to replace a video arraignment system that has been broken for months (\$9,000). Police will need continued support for technologies provided for under older LLEBG grants, such as Nextel phones, Tasers, and Active Shooter and Patrol (ASAP). Police is also researching programs such as a traffic school, which will need some initial financial support. This grant is awarded upfront. The City receives immediate control over the funds. There are no mandatory set-asides, and no required match. The award for fiscal year 2005 is \$24,130.

Agenda Bill #2547

A Motion approving Superior Electric as the Low Bidder for Electrical Work for the Senior Center Project

Summary: This Motion approves Superior Electric as the low bidder for electrical work for the Senior Center project. The budgeted amount with 10 percent contingency and tax is \$104,308.30.

<u>Bidders</u>	<u>Base Bid</u>	<u>w/Contingency & Tax</u>
Superior Electric	\$129,000.00	\$154,387.20
Veca Electric	\$138,657.00	\$165,944.70
Miller Electric	\$160,000.00	\$191,488.00

Contractors were selected from the Public Works Small Works Roster. The discrepancy between the estimated costs and the actual costs is due in part to additional lighting added to the banquet room subsequent to the creation of the estimate. Staff is engaged with Superior Electric in a value engineering exercise to bring the price down without sacrificing the quality of the project.

Agenda Bill #2538

A Motion expressing the City's Preference for the Name of the SeaTac City Center Light Rail Transit (LRT) Station

Summary: This Motion expresses the City Council's preference that the name of the SeaTac City Center LRT Station be "SeaTac City Center/Airport."

Sound Transit has requested the City express a preference for the name of the LRT Station to be located in the City Center area at approximately South 176th Street and International Boulevard (IB). The Sound Transit Board of Directors will take the City's preference under advisement, but is not obliged to honor the City's recommendation.

Agenda Bill #2505

A Motion accepting the Completion of the Des Moines Memorial Drive (DMMD) Study Report

Summary: The Study Report is the product of a cooperative multi-jurisdictional effort of King County (KC) and the Cities of Burien, Des Moines, Normandy Park and SeaTac, as authorized by the DMMD Interlocal Agreement (ILA) and executed on May 24, 2000. The objectives of the ILA were to develop street, landscaping and commemorative standards for DMMD, prepare grant applications for planning and improvements in the DMMD right-of-way (ROW), provide maintenance as needed to preserve the trees and landscaping along the drive, establish, coordinate and advocate through the DMMD Advisory Committee a plan to preserve the World War I Memorial aspects of DMMD, and coordinate with utilities using the DMMD ROW to assure preservation and replacement of trees.

CONSENT AGENDA (Continued):

Agenda Bill #2505 (Continued): The full report was provided to the City Council in February, 2005 and is available on the web at www.metrokc.gov/kcdot/roads/planning/desmoines. The Study Report provides a framework for rehabilitating and enhancing the "Living Road of Remembrance" established in 1921-22 to honor and memorialize men and women from Washington State who gave their lives during World War I. The original memorial, consisting of approximately 10 miles of an elm tree-lined brick road, has experienced many changes and challenges since the 1920s. Many trees have been lost due to disease, road and utility projects or improper pruning, and the remaining trees are reaching the end of their natural life span. The Study Report provides the history of DMMD, describes corridor issues and analysis by road segment, defines memorial rehabilitation and enhancement recommendations for the corridor as a whole and for each DMMD segment (including three affecting SeaTac – the North SeaTac segment, the Sunnydale segment and the Confluence segment), and makes specific recommendations for implementation and management.

The Study Report is intended to serve as a guide to development of the individual road segments, but is not binding on the affected jurisdictions. The Study Report also satisfies the requirements of a "Corridor Management Plan" for purposes of applying for Federal designation as a "Scenic Byway", which would qualify some project elements for partial Federal funding. In order to provide ongoing implementation of the report's elements, the DMMD ILA will be revised later this year.

MOVED BY DEHAN, SECONDED BY BRENNAN TO ACCEPT THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY.

NEW BUSINESS:

Agenda Bill #2515; Ordinance #05-1009

An Interim Ordinance amending the Zoning Code, requiring a Temporary Use Permit (TUP) for a Homeless Encampment and adopting criteria and standards to establish Homeless Encampments

Summary: Homeless Encampments have become increasingly prevalent in the Seattle area since 1990. Since that time, numerous encampments have located in Seattle, KC, Bothell, Woodinville, Tukwila, Shoreline, Kirkland, and Burien. Typically, they move to new locations with little or no notice, usually within residential areas. Two recent court cases have stated that Cities cannot prohibit encampments. Currently, SeaTac does not have any regulations regarding this issue. As a result, staff is recommending the adoption of interim regulations that would allow encampments subject to specific criteria through the TUP process. Approval of the TUP may be through an administrative or Council decision. Final standards will need to be adopted, after the City Council holds a Public Hearing within 60 days after the adoption of the interim regulations.

SHARE/WHEEL (Seattle Housing and Resource Effort and Woman's Housing Equality and Enhancement League) has been the sponsoring agency of the Homeless Encampments, working in conjunction with a host agency such as a church or municipality. This agency typically limits the time of its encampments to 90 days, moving to a new site every 90 days. One of the criticisms of this group moving to the new jurisdiction is moving with little or no notification given. This gives the new jurisdiction and adjacent residents little time to adjust and respond to the new encampment. In some cases, this has caused friction between the Homeless Encampment, adjacent residents, and the municipality.

Two court rulings have been made regarding Homeless Encampments. In one ruling, the City was allowed to require a permit for a temporary encampment and could not evict the Homeless Encampment. The ruling language does not require Cities to permit temporary encampments. The basic message both rulings provided is that a City could not prohibit a Homeless Encampment, but could regulate a Homeless Encampment through a permit process.

Municipalities and adjacent residents have also indicated that a Homeless Encampment has had little or no impact on services and adjacent properties. Homeless Encampments have adopted their own code of conduct and security, which has prevented a rise in crime as a result of encampments.

The interim regulations provide for certain criteria and standards outlined in the Ordinance. Two major criteria would be: 1) a Homeless Encampment is allowed for a maximum of 90 days and shall not exceed 180 days in any

NEW BUSINESS (Continued):

Agenda Bill #2515; Ordinance #05-1009 (Continued): two year period; and 2) approval of the TUP may be terminated if the sponsoring agency does not comply with the requirements of the TUP.

Staff is proposing that Homeless Encampments be regulated through the TUP process, as amended in the Interim Ordinance. The Ordinance states the City Manager or designee would make the decision whether to approve/deny the TUP. A public meeting in the neighborhood would have to be conducted prior to issuing the decision.

KC has recently adopted an Ordinance regulating Homeless Encampments through the TUP process (Ordinance No. 2004-0519). SeaTac's proposed Interim Ordinance is substantially similar to KC's Ordinance in scope regarding the criteria to regulate Homeless Encampments.

MOVED BY SHAPE, SECONDED BY BRENNAN TO ADOPT ORDINANCE NO. 05-1009.

MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENTS: There were no public comments at this time.

CITY MANAGER'S COMMENTS: City Manager Rayburn had the following items of business: 1) regarding the Highline Forum attended by the Mayor and City Manager, the next meeting is scheduled for Wednesday, May 25 at 2:30 p.m. at Highline Community College; and 2) per Council direction, staff hosted a Parking Tax (PT) Meeting on May 17 at City Hall. All park 'n fly operators in the City were invited and most attended. Mr. Rayburn presented the history of the PT at that meeting. The original PT started in 1993 when the City Council enacted the Ordinance, allowed by State law, enacting \$.50 PT per transaction. That tax was based on the Capital Plan for Transportation projects as outlined in the 1993 Transportation Comprehensive Plan (TCP). In the 1997 ILA, the Port of Seattle (POS) and the City of SeaTac agreed the PT could be increased to \$1 per transaction. Also in the ILA, there was an agreement to undertake a major transportation study called the Joint Transportation Study (JTS) to update the 1993 TCP. The two parties have been working on that subject for several years. To date, a Capital Plan has been agreed upon that includes a minimum of 28 projects totaling approximately \$100 million. There is also a Financial Plan to determine ways to arrive at that money over the next 10 years. All this information was presented at the PT Meeting. Three funding alternatives were presented: a) a combination of a transportation fee plus a revenue fee (\$1 transaction fee and adding a 2.5 percent of the total charge) dubbed the hybrid. Since then, the committee discovered that this alternative is probably not legal because the State statute for PT states it should be either a tax or a fee; b) indicated a 6.5 percent tax only; and c) was considering some combination to allow no charge for any PT on the first two hours of parking. The consensus of the committee was threefold: do not change the PT from a transaction fee to a percent tax; involve the parking operators in the process going forward; and take the time to analyze all the options. The next step would be to hold another meeting with all the parking operators, and per their request provide them with more detailed information conducted in the JTS work.

COUNCIL COMMENTS: Councilmember Shape stated he also attended the PT Meeting and complimented Mr. Rayburn on his conduct of the meeting. It was an excellent opportunity to meet with the business community to hear their opinions, which he felt the committee should consider.

Councilmember Brennan stated he also attended that meeting and complimented both Mr. Rayburn and Public Works Director Dale Schroeder on the excellent presentation. The atmosphere was positive and corporate executives, local operators and business persons were in attendance.

CM DeHan asked if it would be to the City and owners' advantage to hold another meeting and give them more information. Mr. Rayburn stated it would. However, he felt the best way is to ask one or two of the major operators to represent the entire group to discuss the PT issue. CM DeHan recommended this smaller group meeting to include a representative from the hoteliers and the POS as this is a very important revenue stream for all parties.

Mayor Hansen agreed that a smaller group would be more productive. Secondly, he stated he attended a SR 509 Executive Committee Meeting and discussed was the legislature's passage of a 9.5 cent gas tax for \$9 billion, with SR 509 only receiving \$30 million. This is the one State project that is ready to be constructed. However, the

COUNCIL COMMENTS (Continued): funding will provide for continuation of the property acquisition for the ROW and to finish some of the engineering. At that same meeting, KC Councilmember Julia Patterson spoke of the problems with the Regional Transportation Investment District (RTID), which will have to go on the ballot and hopefully, SR 509 will receive some funding from that tax if it passes.

ADJOURNMENT:

MOVED BY DEHAN, SECONDED BY BRENNAN TO ADJOURN THE REGULAR MEETING OF THE SEATAC COUNCIL AT 7:11 P.M.

MOTION CARRIED UNANIMOUSLY.

Frank Hansen, Mayor

Judith L. Cary, City Clerk

SEATAC CITY COUNCIL REGULAR MEETING MINUTES

June 14, 2005
6:30 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Frank Hansen at 6:55 p.m.

COUNCIL PRESENT: Mayor Frank Hansen, Deputy Mayor Terry Anderson, Councilmembers Gene Fisher, Chris Wythe, Ralph Shape, Joe Brennan, and Don DeHan.

ADMINISTRATIVE STAFF: Bruce Rayburn, City Manager; Craig Ward, Assistant City Manager; Judith Cary, City Clerk; Mary Mirante Bartolo, City Attorney; Mike McCarty, Finance Director; Steve Mahaffey, Human Resources Director; Kit Ledbetter, Parks & Recreation Director; Curt Brees, Parks Operation Supervisor; Steve Butler, Planning Director; Jack Dodge, Principal Planner; Dale Schroeder, Public Works Director; Bob Meyer, Fire Chief; and Annette Louie, Police Administrative Captain.

FLAG SALUTE: (*The Flag Salute was performed at the preceding Special Study Session.*)

PUBLIC COMMENTS: There were no public comments.

CONSENT AGENDA:

- **Approval of claims vouchers** (check nos. 67097 - 67297) in the amount of \$966,144.19 for the period ended June 3, 2005.
- **Approval of payroll vouchers** (check nos. 43777 - 43818) in the amount of \$276,790.56 for the period ended May 31, 2005.
- **Approval of payroll electronic fund transfers** (check nos. 42791 - 42962) in the amount of \$250,085.18 for the period ended May 31, 2005.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$48,068.66 for the period ended May 31, 2005.
- **Approval of summary of \$5,000 - \$25,000 purchase requests** for the period ended June 10, 2005.

Approval of Council Meeting Minutes:

- **Transportation and Public Works Committee Meeting** held May 24, 2005.
- **Study Session** held May 24, 2005.
- **Regular Council Meeting** held May 24, 2005.

Acceptance of Advisory Committee Meeting Minutes:

- **Human Services Advisory Committee Meetings** held January 3, February 28, March 22, and April 27, 2005. (Committee approved May 23, 2005.)
- **Planning Commission Meeting** held May 16, 2005. (Commission approved June 6, 2005.)

The following Agenda Items were recommended at the June 14, 2005 Study Session for placement on this Consent Agenda:

Agenda Bill #2521

A Motion authorizing the acceptance of West Coast Landscape as the Low Bidder to construct the Valley Ridge Park (VRP) Irrigation Improvements and approving the Participation Agreement between Seattle Public Utilities (SPU) and the City of SeaTac

Summary: In June 2004, Parks staff requested an audit of the existing irrigation at VRP, which was performed by SK Associates and paid for by SPU. The report identified that by replacing old equipment and making minor design changes, there is a potential annual water savings of approximately 15 percent. In 2003 and 2004, water usage charges for this irrigation totaled \$23,768 and \$24,399. Based on these figures, a 15 percent reduction in water consumption could save approximately \$3,612 in annual water cost at the park. This savings in water usage charges made the project eligible for a SPU grant in the interest of water conservation.

The preliminary estimate for the needed improvements was \$10,000. The Parks Department has \$5,000 for the improvements that is included in the 2005 budget. In December 2004, a grant application was submitted to SPU, and in March 2005, SPU agreed to reimburse the City \$6,787.75 for the improvements.

Quotes have been obtained from qualified contractors on the City's Small Works Roster and West Coast Landscape was the low bidder at \$16,105 including 10 percent contingency and sales tax. With this bid amount, the difference of \$11,105 in funding will be absorbed within the Parks budget.

CONSENT AGENDA (Continued):

Agenda Bill #2545; Ordinance 05-1010

An Ordinance amending the 2005 Annual City Budget for the Redemption of Local Improvement District (LID) Bonds

Summary: This amendment to the 2005 Annual City Budget will increase both revenues and expenditures in the Special Assessment Debt Fund for additional bonds redeemed on June 1, 2005.

As partial funding for the 28th/24th Avenue South Arterial project, the City levied special assessments against the benefiting property owners. These owners could prepay their assessment in full or pay in installments over a 15-year period. In 2000, the City issued LID No. 1 bonds in the amount of \$2,871,819 for the assessments to be paid in installments. The principal and interest on the bonds is paid by annual assessment installments billed by the City each year to the applicable property owners.

Although an estimated redemption schedule exists for these bonds, the bonds may be redeemed earlier or later than their stated maturity date, depending on the rate at which property assessments are paid. Due to several property owners that paid their remaining assessments in full this year, the City had sufficient collections to call \$10,000 in additional LID bonds on the June 1, 2005 interest date. The early redemption of additional LID No. 1 bonds results in reduced interest costs in future years.

This budget amendment has no fiscal impact in 2005, as it increases both revenues and expenditures in the Special Assessment Debt Fund by \$10,000. However, the amendment results in savings in future years by reducing interest costs on the bonds.

Agenda Bill #2554; Ordinance 05-1011

An Ordinance amending the City Budget and authorizing the City Manager to enter into an Agreement with the Museum of Flight (MOF)

Summary: This Ordinance amends the City Budget and authorizes entry into an Agreement for Grant and Acceptance of Funds for Promotion of Tourism with the MOF in the amount of \$25,000 for 2005. The MOF requested City funding to support the MOF's advertising program for the purpose of promotion of tourism.

The Agreement is proposed to be funded wholly from the Hotel/Motel (H/M) Tax Fund 107. Subject to approval of public recognition for the City's contribution, the City anticipates annual extensions of the proposed Agreement for a period of 10 years. The H/M Tax Advisory Committee endorsed this agreement on May 11, 2005.

Agenda Bill #2549; Ordinance 05-1012

An Ordinance amending SeaTac Municipal Code (SMC) 12.10.010 to adopt the 2005 King County (KC) Surface Water Design Manual as the City's Surface Water Management (SWM) Standard by reference

Summary: The Washington State Department of Ecology (DOE) has done a major update on their Stormwater Management Manual for Western Washington in 2001 with an additional minor update in April 2005. These updates required that KC revise the 1998 KC Surface Water Design Manual to comply with the 2001/2005 Ecology Manual updates. The new KC Manual was completed in April 2005.

SeaTac, as a National Pollutant Discharge Elimination System (NPDES) Phase II Municipality, is required by the DOE to adopt Ordinances, minimum requirements and best management practices (BMPs) equivalent to those in the 2001/2005 Ecology Manual. It is also a requirement to establish programs for post construction stormwater management in new development, redevelopment and construction site stormwater runoff control.

Any financial impacts to the City would be realized at the time of design and construction of Capital Projects for streets, storm drainage improvements and construction of City facilities. Quantifying these costs is not possible at this time and would only become known during the plans, specification and estimate process of project design.

Agenda Bill #2550

A Motion authorizing the City Manager to enter into a Schedule 74 Project Design Agreement with Puget Sound Energy (PSE) for the conversion of Overhead Power Lines on the Military Road South, South 176th to 188th Streets Project

Summary: The agreement includes the design of the underground conversion of the distribution power lines on Military Road South from approximately South 176th to 188th Streets.

CONSENT AGENDA (Continued):

Agenda Bill #2550 (Continued): The scope of the improvements to Military Road South includes relocating the existing aerial utilities underground. PSE currently owns and operates both transmission and distribution lines within the Military Road right-of-way (ROW). It is not feasible to relocate the transmission lines; they will remain overhead. The scope of work of the agreement includes preparation by PSE of plans, specification, cost estimates, and a schedule for the underground conversion of the distribution lines. A separate construction agreement will be required prior to the actual construction. The design and construction agreements are in the form that was negotiated by the Cities and approved by the Washington Utilities and Transportation Commission.

This Motion authorizes execution of the Schedule 74 Project Design Agreement in the amount of \$96,600 plus a 10 percent contingency for a total amount not to exceed \$106,260.

The City is required to reimburse PSE for all design costs upon receiving the final construction plans, specification, and construction cost estimate. Once the construction is complete, the total cost of the conversion including design, easements, construction, and inspection are shared in accordance with the terms of the Tariff. The City's share is 40 percent and PSE's share is 60 percent. The design costs would be paid from the Military Road South Project Fund, which has a current balance of \$805,289. Payment of the design costs will likely occur in 2006.

MOVED BY ANDERSON, SECONDED BY BRENNAN TO ACCEPT THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY.

NEW BUSINESS: There were no New Business items presented.

PUBLIC COMMENTS: There were no public comments.

CITY MANAGER'S COMMENTS: City Manager Rayburn had the following items of business: 1) there will be a City/POS Joint Advisory Committee (JAC) Meeting tomorrow morning, June 15 at Pier 69 in Seattle; and 2) A Sound Transit Phase II Light Rail Presentation is scheduled for Wednesday, June 15 at 6:00 p.m. in the City Hall Council Chambers; and 3) A Ribbon Cutting Ceremony for the Des Moines Creek Basin Project is scheduled for Thursday, June 16 at 11:00 a.m., at the Des Moines Beach Park.

COUNCIL COMMENTS: Councilmember (CM) Wythe stated he expressed sympathy, on behalf of the Council, for the family of the young girl who was killed in a vehicle/pedestrian accident at South 160th Street. He attended the memorial that took place at that location. Secondly, he applauded the Transportation and Public Works (T&PW) Committee and staff's efforts in making the City a safer place.

Deputy Mayor (DM) Anderson stated she attended the City of Burien Council Meeting on Monday, June 6. Their meetings are televised live. She mentioned that other local Cities are doing the same. There are many citizens who are only able to see these meetings on TV. She added that she collected information on Burien's Council Meetings.

CM Shape mentioned that the KC Council is holding their Council Meetings at various Cities in KC to get out to their constituents. Their next meeting is a Sound Transit Meeting at Auburn City Hall on June 15 to introduce the "Adopt a Stop" (Bus Stops) program for the 7,000 bus stops in KC. The program is a method where the community can adopt a bus stop and be responsible for keeping the area clean. In payment for their volunteering, each person will receive 10 free bus tickets.

CM DeHan commented on the Agenda Bill No. 2551 item adopted this evening to fund a program with the MOF. He stated this is an excellent program and will benefit the City in promoting tourism. He suggested to the staff that negotiate with the museum staff on the agreement, to be aware that they are an extremely persuasive group.

Mayor Hansen informed the audience that the City Council will be taking their summer recess starting August 10 and reconvening with the September 13 Study Session/Council Meeting. However, if it is deemed necessary, the City Council may call for meetings during that time.

RECESSED: Mayor Hansen recessed the Regular Meeting to an Executive Session on Potential Litigation at 7:06 p.m.

EXECUTIVE SESSION: Potential Litigation

City Clerk Cary announced to the audience that Council has extended the 30-minute Executive Session for 15 more minutes.

RECONVENED: Mayor Hansen reconvened the Regular Meeting of the SeaTac Council at 7:51 p.m.

ADJOURNMENT:

MOVED BY ANDERSON, SECONDED BY BRENNAN TO ADJOURN THE REGULAR MEETING OF THE SEATAC COUNCIL AT 7:52 P.M.

MOTION CARRIED UNANIMOUSLY.

Frank Hansen, Mayor

Judith L. Cary, City Clerk

SEATAC CITY COUNCIL REGULAR MEETING MINUTES

June 28, 2005
6:30 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Deputy Mayor Terry Anderson at 6:30 p.m.

COUNCIL PRESENT: Deputy Mayor Terry Anderson, Councilmembers Gene Fisher, Chris Wythe, Ralph Shape, Joe Brennan, and Don DeHan. Excused absence: Mayor Frank Hansen.

ADMINISTRATIVE STAFF: Bruce Rayburn, City Manager; Craig Ward, Assistant City Manager; Judith Cary, City Clerk; Mary Mirante Bartolo, City Attorney; Julie Elsensohn, Senior Assistant City Attorney; Steve Mahaffey, Human Resources Director; Pat Patterson, Facilities Director; Kit Ledbetter, Parks & Recreation Director; Kathy Black, Human Services Coordinator; Jack Dodge, Principal Planner; Mike Scarey, Senior Planner; Dale Schroeder, Public Works Director; Tom Gut, City Engineer; Bob Meyer, Fire Chief; and Greg Dymerski, Chief of Police Services.

FLAG SALUTE: (*The Flag Salute was performed at the preceding Study Session.*)

PUBLIC COMMENTS: Steve Pinto, 3741 South 192nd Street, spoke regarding the proposed Traditions at Angle Lake development. Recently there was a public hearing on this issue and the results were mostly negative amongst the attendees. He proposed a reconsideration of the Hearing Examiner's (HE) decision by the Council. Mr. Pinto stated to the HE that he would like to see a masonry or concrete wall on the south side of the proposed development which would separate the existing asphalt road from the existing property. A wood fence had been proposed which he felt would not be adequate and would not deter future development or access to the back of the property. Secondly, the bio-filtration system will not be acceptable. Mr. Pinto felt that with the developments happening, storm water runoff will flow into Angle Lake and pollute it. He requested Council to place a retention fee on developments to protect the lake.

Bob Stutz, 3742 South 192nd Street, stated regarding the Traditions at Angle Lake development, the HE approved conditions at Angle Lake. The builder has taken up the pavement on Access Road 78. He would like the City to address the issue of safety on this road. His family has lived on the lake for 56 years and now with Access Road 78 being eliminated, safety vehicles cannot go through to their home. Secondly, the issue of the fence Mr. Pinto addressed, the Planning Department said that if there is any ability from people from Traditions at Angle Lake to use Access Road 78 that would be a civil matter between the users and the residents. Mr. Stutz was surprised at the City's position on this issue. He urged Council to take action on the HE's decision.

PRESENTATIONS:

●Plaque of Appreciation and Proclamation to Bruce Rayburn, City Manager

Councilmember (CM) DeHan read the proclamation and Deputy Mayor (DM) Anderson presented Mr. Rayburn with the Proclamation and Plaque stating the Council's appreciation of his 15 years of service to the City of SeaTac.

City Manager Rayburn remarked on his fond memories of the original City Hall to the current City Hall. While he will enjoy his "temporary" retirement, he plans to take the summer off and then pursue other ventures. He added it has been a pleasure serving SeaTac, Council and working with the dedicated City staff throughout his 15-year tenure.

DM Anderson, on behalf of the Council, thanked Mr. Rayburn for all he has given to the City with his time and energy.

CM DeHan commented that in addition to the mentioned accomplishments of Mr. Rayburn's 15 years of service, he led the City through the 9-11 disaster, the following revenue slump to the City budget and put the budget back in balance with a positive cash carryover, saw the City through the loss of two Councilmembers which was a tremendous distress to the City, Council and staff. He well deserves his retirement and wished Mr. Rayburn well.

●Human Services Advisory Committee (HSAC) Annual Report

Human Services Coordinator Kathy Black introduced HSAC Chair Karyn Kuever, who has served for four years on the committee, three years as Chair.

Ms. Kuever explained the mission of the committee as: 1) identify human services needs, 2) select projects of value and visibility to the community, 3) represent the values and concerns of the citizens, 4) allocate funds to ensure successful and accountable delivery of human services, and 5) maintain and enhance the quality of life for

PRESENTATIONS (Continued):

HSAC Annual Report (Continued): all community members. She stated the committee has recommend funding for serving over 3,500 SeaTac residents in 2004 working with 23 agencies and several programs run by the City of SeaTac. She acknowledged the diverse attributes of the committee members: Trish Crocker, Janelle McCray, Jo Kraft, Darleene Thompson, Bruce Tonks, and Wendy Morgan. She stated over the years, the City Council has approved most of the committee's recommendation and she thanked the Council for respect for the work that they accomplish each year. Ms. Kuever detailed the services given to the City's citizens. The priorities are basic needs, housing, food and upward from there such as providing a platform for building success and mobility through the many available programs and the budget to invest in them. In 2004, the committee was able to recommend over \$300,000 in Community Development Block Grants (CDBG) from the Department of Housing and Urban Development (HUD) to provide for capital projects and public services to benefit the City's low and moderate income population. Beyond that, the committee was able to allocate the City's percent of the General Fund to human services which amounted to almost \$200,000 to support programs designed to meet human services needs in SeaTac, with \$150,000 remaining for 23 service agencies.

DM Anderson stated she has always been impressed with this committee, their goals and hard work. She stated she attended a Regional Human Services Business Luncheon today and was pleased to meet Ms. Kuever who has been doing a great job as Chair and as has the entire committee. The committee's work and time is sincerely appreciated by the Council.

CM Shape inquired as to whether the committee anticipates more or less work next year with the new system to which Ms. Kuever stated there would probably be a decrease. Hopefully, it will be a system that is able to better coordinate issues.

CONSENT AGENDA:

- **Approval of claims vouchers** (check nos. 67298 - 67495) in the amount of \$3,337,114.82 for the period ended June 20, 2005.
- **Approval of claims vouchers** (check nos. 67496 - 67509) in the amount of \$108,349.49 for the period ended June 21, 2005.
- **Approval of payroll vouchers** (check nos. 43819 - 43857) in the amount of \$151,886.16 for the period ended June 15, 2005.
- **Approval of payroll electronic fund transfers** (check nos. 42963 - 43133) in the amount of \$264,421.17 for the period ended June 15, 2005.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$50,447.37 for the period ended June 15, 2005.

Approval of Council Meeting Minutes:

- **Administration and Finance Committee Meeting** held June 14, 2005.
- **Public Safety and Justice Committee Meeting** held June 14, 2005.
- **Regular Council Meeting** held June 14, 2005.

Acceptance of Advisory Committee Meeting Minutes:

- **Planning Commission Meeting** held June 6, 2005. (Commission approved June 20, 2005.)

The following Agenda Items were recommended at the June 28, 2005 Study Session for placement on this Consent Agenda:

Agenda Bill #2561

A Motion approving Meyer Bros. Roofing as the Low Bidder for Roofing Work for the Senior Center Project

Summary: A summary is listed below:

Roofing Work: Budgeted amount with 10 percent contingency and tax: \$69,246.85		
<u>Contractor</u>	<u>Base Bid</u>	<u>w/Contingency & Tax</u>
Meyer Bros	\$57,298.00	\$68,574.25
Cobra Roofing	\$60,300.00	\$72,167.04
Centimark Roofing	\$63,305.00	\$75,763.00

Contractors were selected from the Public Works Small Works Roster. The low bidder, Meyer Bros. Roofing, is slightly under the estimated cost.

The roofing costs are within the Senior Center budget of \$1,487,176.00 approved by Council.

CONSENT AGENDA (Continued):

Agenda Bill #2546

A Motion authorizing the approval of an Interlocal Cooperation Agreement (ICA) with King County (KC) to participate in the Community Development Block Grant (CDBG) Consortium and HOME Investment Partnerships Program Consortium

Summary: This Motion authorizes the City of SeaTac to participate in an ICA for the KC's Consortium's CDBG program for 2006-2008.

The purpose of the ICA is to form an Urban County Consortium for the distribution and administration of CDBG, HOME and other federal funds received on behalf of the Consortium from HUD. The Consortium's inter-jurisdictional policy body, the Joint Recommendations Committee (JRC) has recommended a new agreement for the next three years, 2006-2008. The JRC has made significant changes to the CDBG program in response to declining CDBG funding and the need to save on administrative costs. The JRC has replaced the current "pass-through" system with a sub-regional approach. Instead of individual pass-through funds for each of the larger suburban Cities and pooled funds for the remaining unincorporated KC areas and small Cities, all funds will be pooled into two sub-regional funding sources, one for the north/east sub-region and one for the south sub-region; each based on its share of low and moderate-income population. Each sub-region will form its own sub-regional advisory committee to review and recommend projects and programs to the JRC. By choosing to participate in this new ICA, the City will continue to access CDBG-funded services, such as housing repair, housing stability for homeless prevention, and other CDBG-funded services that directly benefit City residents. KC will make funding available on a competitive basis and the JRC will monitor to ensure that all geographic areas and participating jurisdictions benefit fairly over the three-year agreement period. The KC Council will be the final authority and responsibility for all fund allocation matters.

Approval of this Motion permits the City to participate in CDBG programs providing services of monetary value to the City's low- and moderate-income residents. The City would also be permitted to make application for funds to address the needs of its residents. KC will no longer provide funds to reimburse the City for administration of the CDBG program; the total amount available to reimburse the City in 2005 is \$23,731.

Agenda Bill #2559

A Motion authorizing the City Manager to enter into a Contract with Western Asphalt, Inc. for construction of the 2005 Annual Overlay Project

Summary: This project was advertised for bids from June 6 to June 17, 2005. The bid opening was on June 17 and four bids were received. The Engineer's estimate was \$405,837. Western Asphalt, Inc. submitted the low bid at \$379,766.50.

This contract is for road repair and overlay of approximately 7,250 lineal feet of City streets. This contract will provide work on the following projects:

- A. 34th Avenue South – South 218th to 222nd Streets
- B. South 218th Street – Military Road South to 34th Avenue South
- C. South 221st Street – Military Road South to 34th Avenue South
- D. South 222nd Street – 34th Avenue South to Dead End
- E. 32nd Avenue South – South 198th to 200th Streets
- F. 32nd Avenue South – South 200th to 202nd Streets
- G. South 201st Street – 32nd Avenue South to Dead End
- H. South 198th Street – 32nd Avenue South to Military Road South
- I. (Additive/Alternate) South 128th Street – 24th Avenue South to Military Road South
- J. (Additive/Alternate) 32nd Avenue South – South 202nd to 204th Streets

Val Vue Sewer District agreed to reimburse the City for a half street overlay on a portion of South 128th Street as a result of their Cul-de-Sac Pump Station Elimination and Main Extension Project. Val Vue's portion is estimated at \$18,714.16.

This Motion authorizes execution of a contract to include all bid schedules with Western Asphalt, Inc. in the amount of \$379,766.50 with a 10 percent contingency of \$37,976.65 for a contract budget of \$417,743.15 and a total project budget of \$422,743.15. The current balance in BARS #102.000.11.595.30.63.086 is \$413,629.57.

CONSENT AGENDA (Continued):

Agenda Bill #2556

A Motion authorizing the City Manager to execute a Contract for Consultant Services to develop Light Rail Transit (LRT) Station Area Plans

Summary: Sound Transit has finalized the location of the Link Light Rail station that will serve the SeaTac City Center and the Airport, and has begun construction of the South 154th Street Station in Tukwila. With a decision on the location of the City Center/Airport Station, the City can proceed with the project of planning for Transit Oriented Development (TOD) around both of these stations.

It is now a widely accepted principle that the presence of a LRT station creates a demand for services and building/development types that support higher office, commercial, and residential densities, and increases pedestrian activity. Anticipating this demand and the increased development potential for services and facilities that could benefit SeaTac residents and businesses, the City will be conducting a public planning process to develop station area plans for the City Center/Airport and the South 154th Street Station areas.

In 2000, the City was engaged in station area planning studies, but uncertainty about the route and station locations caused that effort to be put on hold. Now that the route and station locations are firmly established, the City is once again taking up this project.

Sound Transit understands the importance of station area planning around its stations and has committed, through an Interlocal Agreement (ILA), to provide the City with \$120,000 to support that effort. Staff issued a Request for Proposals (RFP) and interviewed four prospective consultants, which resulted in the interview panel recommending the Makers Architecture and Urban Design team to provide consultant services for the Station Area Planning study. The consultant team includes Berk & Associates with expertise in financial and economic analysis, The Transpo Group with expertise in the transportation planning aspects of the study, and VanDevanter Associates to provide support for the public involvement and decision making processes through innovative graphics and animated simulations of possible future development scenarios. Makers has submitted a scope of work that is within the available funding grant from Sound Transit.

It is recommended that the City Council authorize the City Manager to enter into a consultant contract, not to exceed \$120,000, with Makers Architecture and Urban Design.

There is no fiscal impact to the City. The funding for the consultant services contract is provided by Sound Transit via a grant to the City.

Agenda Bill #2552

A Motion appointing Craig Ward as Interim City Manager pending the selection and appointment of the new City Manager and approving the Amendment to Employment Agreement between Assistant City Manager Craig Ward and the City of SeaTac

Summary: Current City Manager Bruce Rayburn will be retiring June 30, 2005. Pursuant to Revised Code of Washington (RCW) 35A.13.010, Council must appoint an Interim City Manager to properly administer the business of the City. The Council has decided to appoint the City's current Assistant City Manager Craig Ward as the Interim City Manager pending the selection and appointment of the new City Manager. This would take effect July 1, 2005. Since an Employment Contract currently exists between Craig Ward and the City of SeaTac, an Amendment to his Contract needs to be approved by the Council.

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

MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARINGS:

•Ten-Year Transportation Improvement Program (TIP) for 2006 – 2015 – Public Works

DM Anderson opened the Public Hearing at 7:05 p.m.

City Engineer Tom Gut stated he reviewed with Council at the previous Study Session, the summary stated under Agenda Bill No. 2548.

CM Fisher inquired about the Westside Trail and the funding source. Mr. Gut replied that it is jointly funded by the City of SeaTac and Federal funds.

Secondly, CM Fisher inquired about the trail on the west side that the POS was going to construct. Assistant City Manager Ward responded that the POS owes the City \$1.5 million and approximately \$205,000 for construction of

PUBLIC HEARINGS (Continued):

Ten-Year TIP for 2006 – 2015 (Continued): the trail pursuant to the agreement on the 55 acres a few years ago. The payment for that project is one of the items included in the TIP that the City is negotiating with the POS related to the parking tax. At this point, since the City does not have an agreement, there is no guarantee of payment for the funds the POS owes the City. That is the reason it is included in the 55 acres agreement.

CM Shape stated the TIP includes funds for design of the short portion of International Boulevard (IB), but not for construction. Mr. Gut stated this is pending mitigation from Sound Transit and the station area. The purpose of listing this project in the TIP for design is primarily to identify underground utility improvements between South 152nd and 154th Streets, hopefully to be paid by Sound Transit.

CM DeHan, Transportation and Public Works (T&PW) Committee Chair, stated this item came before the committee today. He reiterated that the 10-Year TIP plan is a plan and there may be circumstances that change the order items are scheduled for a given year.

DM Anderson closed the Public Hearing at 7:09 p.m.

NEW BUSINESS:

Agenda Bill #2548; Resolution #05-008

A Resolution approving the Ten-Year Transportation Improvement Program (TIP) for 2006-2015

Summary: Annually, the City is required to review its TIP. This review is to include a public hearing and formal adoption of the program by the City Council.

State law (RCW 35.77.010) requires the City to adopt a minimum Six-Year TIP to include arterial street construction. Also, the Growth Management Act (GMA) (RCW 36.70A) similarly requires City adoption of a comprehensive Ten-Year TIP to include a section that lists planned arterial street construction. At this time, the funding distribution and scheduling of projects beyond the first two years are tentative.

There are a number of sources for financing these TIP projects including local tax and mitigation fee, State gas tax and State and Federal grants. Adoption of the TIP does not obligate the City to expend any money.

The adoption of a TIP needs to be in place by July 1, 2005 and be submitted to the Washington State Department of Transportation (WSDOT) within 30 days after adoption. Failure to adopt a plan could result in gas tax revenues being withheld until a plan is adopted and submitted.

MOVED BY DEHAN, SECONDED BY SHAPE TO PASS RESOLUTION NO. 05-008.

MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARINGS (Continued):

•Development Agreement (DA) between the City and SeaTac Airport Parking, LLC; L&R Investment Company; and 18613 International, LLC – Legal

DM Anderson opened the Public Hearing at 7:10 p.m.

Senior Assistant City Attorney Julie Elsensohn reiterated the summary under Agenda Bill No. 2558 regarding this DA.

Attorney Anne Lawler, for owner Joe Lumer, stated the DA changes are essentially condensing the time frame and the obligations. As a result of market conditions, the property owner would like to accelerate the project into one phase commencing with the demolition of the Airport Plaza Hotel. That application for demolition should be filed tomorrow. The project is ready to go. There are slightly extended deadlines for filing the permit applications for the project since it will be for the entire garage as well as for the retail along IB.

Project Architect Susan Jones stated there has been extensive research being done by the contractors and Mr. Lumer has received bids from two demolition contractors, both which are very reasonable and reputable firms. Also, a bid for the asbestos review of the building has been received. If there is asbestos, a bid will go out for an asbestos abatement contractor. The abatement element will probably add six weeks to the demolition. The three levels of the building will be taken down.

Sound Transit Light Rail Department representative Leonard McGhee stated Sound Transit would like to reiterate its commitment to the City of SeaTac to construct, maintain, and operate Link Light Rail (LLR) in the City from South 154th to 200th Streets and beyond. Sound Transit is currently in preliminary engineering on designs to extend LLR from the interim terminus of this initial segment that will serve Sea-Tac International Airport and the

PUBLIC HEARINGS (Continued):

DA between the City and SeaTac Airport Parking, LLC; L&R Investment Company; and 18613 International, LLC (Continued): City Center at South 176th Street. Sound Transit is closely coordinating this work with the POS and recently published an environmental assessment of the Airport Link Project. It was their intent, in including South 200th Street in the scope of work, that the funding, if available, environmental impacts previously identified in the Final Environmental Impact Statement (EIS) of the project, would have been updated. July 14, Sound Transit will take to the Board of Directors, a Resolution selecting the updated alignment, profile and station location north of the airport main terminal to South 154th Street, which includes a new City Center Station which combines the stations located at the previously planned North End Aviation Terminal (NEAT) and the future potential City Center located at South 184th Street (location of the subject DA). The LLR, from the north to the airport main terminal is to be constructed and operated as part of the Central LLR project. The Resolution will also maintain the project alignment profile at station locations south of the airport terminal to South 200th Street. That alignment is definitive upon the ultimate alignment and right-of-way (ROW) of the Airport South Link at the South Access Roadway Project. Sound Transit is concerned about the impact of the amendment to this DA on their planned future extension south to the airport terminal as the agreement moves up the schedule for converting surface parking to structured parking. It appears, although they have not seen the developer's latest plans, that as in the DA, the project may be in the path of either the POS future roadway project or Sound Transit's guideway linkage or both. Sound Transit does not have the authority to enter into negotiations with the property owners regarding future ROW and has no plans to seek such authority. Sound Transit is available to meet with City staff, the POS and the developer to better understand the development plans as they pertain to Sound Transit's planned future extension to the LLR.

Upon a question posed by CM Wythe, Mr. McGhee stated the City has kept them apprised of the project and the recent updated DA. They have met with the developers early on to review the initial DA but have not seen the changes made in the updated DA. They look forward to meeting with the City, POS and developers to move forward and have negotiations as the project evolves.

DM Anderson closed the Public Hearing at 7:21 p.m.

NEW BUSINESS (Continued):

Agenda Bill #2558; Resolution #05-009

A Resolution amending and restating the Development Agreement (DA) between the City and SeaTac Airport Parking, LLC; L&R Investment Company; and 18613 International, LLC

Summary: This Resolution amends an existing DA between the City and SeaTac Airport Parking, LLC; L&R Investment Company; and 18613 International, LLC (hereinafter "Owner") related to property located at 18445, 18601, and 18613 IB.

By Resolution No. 04-018, adopted on December 14, 2004, the Council authorized a DA with the owner. That DA allowed for phased development of the owner's property over approximately a 12-year period. The amendment to the DA will provide for the property to be fully developed in one phase. The owner will submit a demolition permit for the Airport Plaza Hotel by June 30, 2005, and the remaining permits for the retail, open space, and a parking garage by December 31, 2005. Commencement of construction shall be within 12 months of issuance of the permits and construction shall be complete within 24 months of commencement, or approximately June 2009. The amendment would allow interim surface parking on the site after the hotel demolition permit is complete until construction of the remaining development begins. The owner will still be required to pay a \$1,000,000 penalty to the City and also to terminate any surface parking other than the 222 pre-existing parking spaces if deadlines are not met. The design, landscaping, open space, and retail components remain generally the same as the prior DA.

Approval of this Resolution could result in extra parking taxes for the City. Additionally, \$1,000,000 will be paid to the City if the Owner does not timely commence or complete the development.

MOVED BY BRENNAN, SECONDED BY WYTHE TO PASS RESOLUTION NO. 05-009.*

CM Shape stated he understands the concerns of Sound Transit in wanting to stay abreast of development of the project but he felt the City could not delay a project based on the assumption that some day in the future Sound Transit will get funding to proceed to South 200th Street. He understands the developer is not willing to take that risk either. He assumes that it is the City's position to go forward with this Resolution.

Ms. Elsensohn replied that at this point, the way the garage proposes to meet all of the current City standards, there is no reason to deny the project.

NEW BUSINESS (Continued):

Agenda Bill #2558; Resolution #05-009 (Continued): CM Wythe added that he wanted assurance that the City has a reasonable ROW to locate the LLR.

CM DeHan agreed it is appropriate the City move forward with this project and he was glad to hear Sound Transit has a concern because this means to him that they are planning to go to South 200th Street.

*MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENTS: There were no public comments.

CITY MANAGER'S COMMENTS: City Manager Rayburn had the following items of business: 1) tomorrow, June 29, at noon, there will be funeral mass in Des Moines for Finance Director Mike McCarty's mother; and 2) regarding the draft letter addressed to KC Executive Ron Sims which was provided in the Council's Friday Packet on the subject of the public announcement regarding a potential relocation of Southwest (SW) Airlines from Sea-Tac Airport to KC Boeing Field. The POS has requested that Council support the airport's position by pointing out some of the financial impacts to the airport and surrounding area in a letter addressed to Executive Sims. He suggested Council discuss the letter and whether or not they want to send the draft letter.

Council discussion ensued as to the SW Airlines issue and the draft letter. Council concurred to sign and send the letter as drafted.

COUNCIL COMMENTS: CM Shape added his appreciation of Mr. Rayburn. In the short time he has been on the Council, he has enjoyed Mr. Rayburn's guidance and leadership and wished him the very best in his future endeavors.

CM Wythe stated with the appointment of Craig Ward to the interim City Manager position that has left a vacancy in City staff. The City has a lot of issues to handle and economic development needs to be kept on the front burner. He inquired as to Council's decision to hire an Economic Development Coordinator. Mr. Rayburn stated he understood that Council decided to wait until they select the new permanent City Manager, who would also have an opportunity to select that position.

CM Fisher questioned how the Federal Aviation Authority (FAA) expects to sort out air traffic from both the KC Airfield and Sea-Tac when both currently use the "outer Instrument Landing System (ILS) Marker" for navigation.

RECESSED: DM Anderson recessed the Regular Council Meeting to an Executive Session on Personnel Issues at 7:40 p.m.

EXECUTIVE SESSION: Personnel Issues

RECONVENED: DM Anderson reconvened the Regular Council Meeting at 8:40 p.m.

ADJOURNMENT:

MOVED BY BRENNAN, SECONDED BY DEHAN TO ADJOURN THE REGULAR COUNCIL MEETING OF THE SEATAC CITY COUNCIL AT 8:41 P.M.

MOTION CARRIED UNANIMOUSLY.

Terry Anderson, Deputy Mayor

Judith L. Cary, City Clerk

SEATAC CITY COUNCIL REGULAR MEETING MINUTES

July 12, 2005
6:30 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Frank Hansen at 6:32 p.m.

COUNCIL PRESENT: Mayor Frank Hansen, Deputy Mayor Terry Anderson, Councilmembers Gene Fisher, Chris Wythe, Ralph Shape, Joe Brennan, and Don DeHan.

ADMINISTRATIVE STAFF: Craig Ward, Interim City Manager; Judith Cary, City Clerk; Mary Mirante Bartolo, City Attorney; Dale Schroeder, Public Works Director; Steve Butler, Planning Director; Bob Meyer, Fire Chief; and Greg Dymerski, Chief of Police Services.

FLAG SALUTE: (*The Flag Salute was performed at the preceding Special Study Session.*)

PUBLIC COMMENTS: Mike Huseby, Manager, Scandia LLC, owner of property on International Boulevard (IB), PO Box 54048, Redondo, spoke regarding the placement of the "kiss 'n ride" lot at South 176th Street and IB and the negative impact it will have on his property. Scandia LLC owns the land that Park and Fly uses. Dollar Development is connected to the south and the two parcels together make up Park and Fly. Under the latest plan, Sound Transit wants roughly 37,000 feet of that land. This would mean a loss of approximately 140 parking spaces for his Park and Fly, translating into an annual loss of over \$620,000 in parking revenue at current rates. The City parking taxes lost annually and the loss of property tax are other costs that must be factored in. There is an alternative site available two blocks up South 176th Street and 32nd Avenue South, which is undeveloped and for sale. This site is across the street from residential housing and apartments, diagonally across from the Marriott Hotel and a short walk from the Hilton Hotel. He felt this site would serve the City residents better and would not become a major drop off spot for the general public accessing the airport.

Mayor Hansen thanked Mr. Huseby, adding staff will need to research this alternative and will be contacting him as to their findings.

CONSENT AGENDA:

- **Approval of claims vouchers** (check nos. 67510 - 67661) in the amount of \$1,829,943.24 for the period ended July 6, 2005.
- **Approval of payroll vouchers** (check nos. 43858 - 43915) in the amount of \$332,456.62 for the period ended June 30, 2005.
- **Approval of payroll electronic fund transfers** (check nos. 43134 - 43310) in the amount of \$262,444.19 for the period ended June 30, 2005.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$655,999.02 for the period ended June 30, 2005.

Approval of Council Meeting Minutes:

- **Transportation & Public Works Committee Meeting** held June 28, 2005.
- **Regular Council Meeting** held June 28, 2005.
- **Special Study Session** held July 7, 2005.
- **Special Study Session** held July 8, 2005.

The following Agenda Items were recommended at the July 12, 2005 Special Study Session for placement on this Consent Agenda:

Agenda Bill #2555; Ordinance #05-1013

An Ordinance amending Section 13.180.010 of the SeaTac Municipal Code (SMC) updating the Electrical Code by adopting the 2005 Edition of the National Electrical Code (NEC)

Summary: The NEC is revised every three years by the National Fire Protection Association. It is also amended and adopted by the State of Washington. The City must adopt it locally to legally enforce it and to provide consistency to the construction industry.

Agenda Bill #2562

A Motion authorizing Final Acceptance of the 2005 Pedestrian Improvements Project

Summary: On April 26, 2005, the City Council awarded the 2005 Pedestrian Improvements Project contract to Dennis R. Craig Construction, Inc. in the amount of \$46,867.42 plus a 15 percent contingency of \$7,030 for a total project budget of \$53,897.42. Work began on May 25, 2005 and was completed two weeks later on June 3, 2005.

CONSENT AGENDA (Continued):

Agenda Bill #2562 (Continued): The project included minor storm work, removal of sidewalk and replacement with concrete sidewalk with bulb-outs and crosswalk striping at the intersection of 24th Avenue South and South 144th Street. The actual cost of the project was lower than the contract amount.

It is recommended that the City Council approve the Motion authorizing final acceptance of the 2005 Pedestrian Improvements Project and establish a 45 day lien period as required by State law.

<u>Expenditures</u>	<u>Bid Amount</u>	<u>Final Cost</u>
Construction Contract	\$ 46,867.42	\$43,149.22
15 Percent Contingency	<u>\$ 7,030.00</u>	<u>\$0</u>
TOTAL	\$ 53,897.42	\$43,149.22

Agenda Bill #2551

A Motion authorizing the purchase and installation of Art Work for the New Senior Center

Summary: Requests for Qualification (RFQ) were sent out for glass artists for the new Senior Center. Staff and the Senior Center project architect, met with the most qualified artist and discussed his proposal for artwork at the new facility. Glass artist George C. Scott presented artwork that will work well for the new facility and will be placed in the lobby of the new center. The artwork will be funded within the Senior Center construction budget and covers the one percent for art allotted for the project. The total cost for the art project is \$10,800.

Agenda Bill #2560

A Motion approving the Airport/City Center Light Rail Station Design Theme

Summary: The City's Design Standards for High Capacity Transit (HCT) Facilities require that "each HCT Station within the City shall be consistent with a locally determined design theme". Sound Transit and City staffs have worked collaboratively on the station design for the SeaTac City Center/Airport Light Rail Station, and the theme of "Flight" is proposed as the design theme.

While the tangible expression of the theme will evolve as the SeaTac City Center/Airport Light Rail Station design matures and artwork is developed for the station, the initial design concept is ready for presentation to the City Council. Input and approval from the City Council at this juncture will help provide certainty to Sound Transit's design process as it progresses.

Compliance with the City's full HCT Design Standards will be ensured through a Conditional Use Permit (CUP), for which Sound Transit plans to submit an application later in 2005.

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

MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARING:

•Interim Homeless Encampment Standards – Planning

Mayor Hansen opened the Public Hearing at 6:38 p.m.

Planning Director Steve Butler summarized the following Agenda Bill No. 2564. Passage of the following Resolution will adopt Findings of Fact to justify the regulations and continue the Interim Standards for a period of up to six months from the effective date of May 24, 2005.

There was no public input.

Mayor Hansen closed the Public Hearing at 6:39 p.m.

NEW BUSINESS:

Agenda Bill #2564; Resolution #05-010

A Resolution adopting Findings of Fact in support of the Interim Development Regulations for Homeless Encampments

Summary: On May 24, 2005, Council adopted Interim Development Regulations for Homeless Encampments under Ordinance No. 05-1009. The standards became effective on that date and will remain in effect for a period of six months, providing that, pursuant to Statute, a public hearing held within 60 days and Findings of Fact are made in support of the Interim Standards. The criteria and conditions in the Interim Ordinance are typical of those required by other Cities and King County (KC) that have hosted Homeless Encampments.

NEW BUSINESS (Continued):

Agenda Bill #2564; Resolution #05-010 (Continued):

MOVED BY ANDERSON, SECONDED BY BRENNAN TO PASS RESOLUTION NO. 05-010.

MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENTS: There were no public comments at this time.

CITY MANAGER'S COMMENTS: Interim City Manager Ward had the following items of business: 1) the City was notified by the YMCA that their Board of Directors has approved their Capitol Campaign. That frees their staff to raise funds towards building the YMCA in SeaTac. Council may have been invited by the YMCA to a luncheon tomorrow, July 13 to promote the campaign. Staff has discussed with the YMCA forming a City staff team around this project to ensure that it is dealt with appropriately; 2) there is a team effort in progress with other jurisdictions interested in seeing the SR 509 project to go forward and be funded as part of the Regional Transportation Improvement District (RTID). Mayor Hansen has approved an invitation, along with other jurisdictions and the Port of Seattle (POS) for various elected officials and businesses, to attend a luncheon on July 25 at the Tukwila Double Tree Suites, sponsored by a business interest to further develop a strategy for obtaining widespread public support for the SR 509 funding; and 3) mentioned that Executive Assistant Lesa Ellis became a grandmother yesterday when her daughter, Cassie, delivered a baby boy named Rauleigh. All three are doing fine.

COUNCIL COMMENTS: Councilmember Shape, Administration and Finance (A&F) Committee Chair, stated at their meeting today, the Position Vacancy Review Board (PVRB) presented a recommendation to replace the Parks Operations Supervisor, Curt Brees, who has accepted a new position with the City of Mercer Island. The committee agreed to accept the recommendation.

Mayor Hansen requested a Certificate of Appreciation be presented to Mr. Brees for his service to the City. Council agreed.

Regarding the funding of the Mt. Rainier Pool, Councilmember Shape stated, at the A&F Committee Meeting today, the committee did not approve the requested amendment that was presented by City of Des Moines Mayor Bob Shackler and City Manager Tony Piasecki restating their request of January 2005 for a reduction in their City contribution of \$50,000 for pool operation, which the City of SeaTac had rejected. The committee was not entirely willing to give them the requested reduction. However, if Des Moines was acceptable to an agreement where they owe that amount and at the end of the Interlocal Agreement (ILA), would agree to pay it back, possibly an amendment of this nature could be made. The City of Des Moines will revamp the amendment and bring it back to the committee next month.

Councilmember DeHan stated an article in the Seattle Magazine lists the top 84 Seattle area neighborhoods. Some of the criteria were home price, resale value, diversity, nearby amenities, good schools, commute time, and crime rates to determine the ranking of neighborhoods. SeaTac ranks 20th in the analysis. The community should be proud of its City.

ADJOURNMENT:

MOVED BY ANDERSON, SECONDED BY DEHAN TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 6:45 P.M.

MOTION CARRIED UNANIMOUSLY.

Frank Hansen, Mayor

Judith L. Cary, City Clerk

SEATAC CITY COUNCIL REGULAR MEETING MINUTES

July 26, 2005
6:30 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Frank Hansen at 6:37 p.m.

COUNCIL PRESENT: Mayor Frank Hansen, Deputy Mayor Terry Anderson, Councilmembers Chris Wythe and Ralph Shape. Excused Absences: Councilmembers Gene Fisher, Joe Brennan, and Don DeHan.

ADMINISTRATIVE STAFF: Craig Ward, Interim City Manager; Judith Cary, City Clerk; Mary Mirante Bartolo, City Attorney; Mark Johnsen, Assistant City Attorney; Pat Patterson, Facilities Director; Lawrence Ellis, Assistant Parks & Recreation Director; Dale Schroeder, Public Works Director; Steve Butler, Planning Director; Jack Dodge, Principal Planner; Mike Scarey, Senior Planner; Bob Meyer, Fire Chief; and Greg Dymerski, Chief of Police Services.

FLAG SALUTE: (*The Flag Salute was performed at the preceding Study Session.*)

PUBLIC COMMENTS: Baljit Sohal, 24010 137th Avenue SE, Kent, spoke regarding Amendment 3 of Agenda Bill No. 2453, the 2005 Final Docket of Proposed Comprehensive Plan Amendments. Mr. Sohal requested to take his adjoining light-industrial property, plus additional property that is now zoned single-family, and create another parking lot for the airport.

Joe Dixon, 19211 35th Avenue South, Planning Commission (PC) member, clarified the PC's action at the last PC meetings. Mr. Sohal attended this meeting. From the start, the Planning Department has been opposed to Mr. Sohal's request per the Council desire for this property to remain Business Park. Mr. Dixon stated the PC recommended moving this issue forward to the Council. Their reasoning was there were a lot of questions that need to be answered, adding there should be public input on this issue.

City Attorney Mary Mirante Bartolo interjected that after Mr. Sohal made his comments, he wanted her to inform the Council that it was his attorney, Gerald Robison, who spoke at the preceding Study Session under Public Comments.

CONSENT AGENDA:

- **Approval of claims vouchers** (check nos. 67662 - 67859) in the amount of \$2,099,740.29 for the period ended July 20, 2005.
- **Approval of payroll vouchers** (check nos. 43916 - 43966) in the amount of \$138,597.15 for the period ended July 15, 2005.
- **Approval of payroll electronic fund transfers** (check nos. 43311 - 43479) in the amount of \$263,071.05 for the period ended July 15, 2005.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$451,517.02 for the period ended July 15, 2005.

Approval of Council Meeting Minutes:

- **Land Use and Parks Committee Meetings** held June 9 and 27, 2005.
- **Administration & Finance Committee Meeting** held July 12, 2005.
- **Public Safety & Justice Committee Meeting** held July 12, 2005.
- **Special Study Session (A)** held July 12, 2005.
- **Special Study Session (B)** held July 12, 2005.
- **Regular Council Meeting** held July 12, 2005.
- **Special Study Session** held July 21, 2005.
- **Special Study Session** held July 22, 2005

Acceptance of Advisory Committee Meeting Minutes:

- **Human Services Advisory Committee Meeting** held May 23, 2005 (Committee approved June 27, 2005).
- **Planning Commission Meeting** held June 20, 2005 (Commission approved July 18, 2005).

CONSENT AGENDA (Continued):

The following Agenda Items were recommended at the July 26, 2005 Study Session for placement on this Consent Agenda:

Agenda Bill #2566

A Motion approving Boxer NW as the Low Bidder for Kitchen Equipment Work for the Senior Center

Summary: This Motion approves Boxer NW as the low bidder for Kitchen Equipment Work for the Senior Center project.

A Bid Summary is listed below for Kitchen Equipment budgeted at \$65,464.96 including 10 Percent contingency & tax

<u>Contractor</u>	<u>Base Bid</u>	<u>w/Contingency & Tax</u>
Boxer N.W.	\$48,456.00	\$57,992.14
Restaurant Design	\$52,564.70	\$62,909.43
Dick's Restaurant Supply	\$53,499.00	\$64,027.60
Smith & Greene	\$56,283.15	\$67,359.67

The lowest bid costs are within the Senior Center budget of \$1,487,176.00 approved by Council.

Agenda Bill #2571

A Motion applying for a 2006 Community Development Block Grant (CDBG) for the SeaTac Community Center (STCC) Playground Project

Summary: This Motion authorizes application for the 2006 CDBG to design and construct a playground at STCC. The site is approximately one-half acre. The neighborhood park project will be located on the north side of the STCC which will include play equipment for children, tables with benches and a basketball court. The estimated cost for the project is \$300,000 - \$400,000. The STCC is currently being renovated by adding 5,000 square feet to house the senior program and to enhance the facility.

The park project will serve low- to moderate-low income SeaTac residents. In addition, the park will serve the many children who attend the City's Parks & Recreation's Before- & After-School and Teen Drop-in Programs, and other recreational activities. Many families from diverse populations visit the STCC and a neighborhood park would be an exceptional outdoor amenity for the citizens to enjoy. The addition of this park would complete the STCC renovation project which began in 2005.

It was recommended by the Administration and Finance (A&F) Committee to obtain a letter of support from the City of Burien and King County (KC) and attach with the CDBG application submittal.

This agenda bill has no direct fiscal impact.

Agenda Bill #2543; Resolution #05-011

A Resolution agreeing to the relocation of the Common Boundary with the City of Des Moines along a portion of vacated South 208th Street between the west margin of 12th Avenue South and the Centerline of (vacated) 11th Place South, and authorizing the City Manager to enter into an Agreement with the City of Des Moines to relocate the Common Boundary line along said Right-of-Way (ROW), pursuant to Revised Code of Washington (RCW) 35.13.340

Summary: The City received a petition from Scot and Liz Sanborn, requesting an adjustment of the common boundary between the Cities of SeaTac and Des Moines. The Sanborns make this request because, as a result of a street vacation of South 208th Street by the City of Des Moines, the common boundary now runs through the Sanborn's property. Thus, a small portion of the Sanborn's property is located within the City of Des Moines, while the bulk of their property is located within the City of SeaTac.

Revised Code of Washington (RCW) 35.13.340 provides a method for Municipalities to modify the common boundary between the two Cities when a parcel of land is located within two different Cities upon petition of an affected property owner. Both Cities can agree to modify the common boundary, so that the affected parcel will be located entirely within one City. Such agreement, by statute, is not subject to review by the Boundary Review Board.

CONSENT AGENDA (Continued):

Agenda Bill #2567

A Motion authorizing the City Manager to enter into an Agreement with the Washington State Department of Transportation (WSDOT) to accept Grant Funding to support the City's Commute Trip Reduction (CTR) Program

Summary: The City of SeaTac is eligible to receive funding through WSDOT in continuing implementation of the City's CTR plans and programs for a two-year period from July 1, 2005 to June 30, 2007.

The Agreement provides the City of SeaTac with \$29,284 for the first year to develop Ordinances, plans and programs to reduce Vehicle Miles Traveled (VMT) and Single Occupant Vehicle (SOV) commute trips and thereby reduce vehicle-related air pollution, traffic congestion and energy use. The City and KC have entered into similar agreements since 1993.

Entering into this Agreement with WSDOT will provide \$29,284 of funding to continue the City's CTR Program. This program is 65 percent grant funded and the remaining 35 percent is funded in the Arterial Street Fund (102).

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

MOTION CARRIED UNANIMOUSLY.

NEW BUSINESS:

Agenda Bill #2553

A Motion accepting for further consideration the 2005 Final Docket of Proposed Comprehensive Plan (CP) Amendments

Summary: The City of SeaTac procedures for amending the CP provide for consideration of proposed amendments for the 2005 calendar year in two stages. The first stage, the "Preliminary Docket," requires that all proposed amendments be evaluated according to the following criteria: 1) the proposal is consistent with requirements of the Growth Management Act and Countywide Planning Policies; 2) the proposal was not proposed in either of the previous two calendar years unless conditions have changed substantially in the immediate areas, or the proposal was eliminated in the previous year due to incomplete information; and is not in conflict with an adopted CP Policy; is not redundant with, or duplicative of, an adopted CP Policy; or is not clearly out of character with the goals of the adopted CP.

In addition to the above criteria, proposed map changes are evaluated against some additional criteria: 1) the proposal is or can be adequately served by sewer, water and roads; 2) the site affected is physically suited for anticipated development, and 3) the proposal will not create pressure to change the designations of other properties unless in the interest of the neighborhood, City and region.

All proposed amendments that satisfy these criteria are recommended to be included in the Final Docket. The Final Docket amendments will be subjected to the State Environmental Policy Act (SEPA) review and public notice requirements, and considered in a Public Hearing to be held by the PC, tentatively scheduled for November 7, 2005. The City Council is tentatively scheduled to act upon the Final Docket on November 22, 2005 and may elect not to adopt Final Docket proposals at that stage of the process.

It should be noted that the PC and staff concur on forwarding all proposals to the Final Docket, with one exception: Map Amendment No. 3. The Council decided to accept the PC's recommendation and bring the Motion forward as is written, to include Map Amendment No. 3, allowing for further discussion.

Council will have the opportunity to review all of the Final Docket proposals in October, and November, and make the decision to adopt each proposal or not at that time.

MOVED BY ANDERSON, SECONDED BY SHAPE TO ACCEPT AGENDA BILL NO. 2553 FOR FURTHER CONSIDERATION OF THE 2005 FINAL DOCKET PROPOSED COMPREHENSIVE PLAN AMENDMENTS WITH THE INCLUSION OF MAP AMENDMENT 3.D AS PROPOSED BY THE PLANNING COMMISSION.

MOTION CARRIED UNANIMOUSLY.

NEW BUSINESS (Continued):

Agenda Bill #2529; Ordinance #05-1014

An Ordinance amending SeaTac Municipal Code (SMC), Sections 15.12.020, 15.12.040, 15.13.010, 15.14.060, 15.14.130, 15.16.115, 15.35.130; and adding new Sections 15.14.240 and 15.19.770, revising the Use Charts to allow Home Occupancies and Day Cares in the Mobile Home Park (MHP) Zone, revisions to the Landscaping Charts allowing departures to Landscaping requirements, requirement for Street Trees, changing the time interval for Electronic Displays, allowing departures for Small Space Lot Development, Accessory Structure Setbacks, and applying Wireless Communication requirements in the City Center Zone

Summary: The following Zoning Code sections are proposed to be amended or added:

Section 15.12.020 Residential Uses – Allows “Home Occupations” in the MHP zone.

Section 15.12.040 General, Educational, Health Services – Allows “Day Cares” in the MHP zone.

Section 15.13.010 Standards Charts – Amends setbacks regarding “Accessory Structures”.

Section 15.14.060 Landscape Width and Type Charts – Changes landscape widths and densities

Section 15.14.130 Street Landscaping – Clarifies the requirement for street trees.

Sub-Section 15.16.115 B Electronic Signs – Changes the time interval for messages on electronic signs.

Section 15.35.130 General, Educational, Health Services Uses (City Center Uses) – Amends the City Center Standards for consistency with the Wireless Communication Facilities (WCF) regulations.

New Sections:

Section 15.14.240 Departure of Landscaping Standards – Crime Prevention through Environmental Design (CPTED) - A new section is added to allow departures to the landscape codes, subject to criteria, to implement CPTED principles.

Section 15.19.770 - Departures from the Small Lot Single-family Standards - A new section would allow departures from the Small Lot Single-family Standards subject to criteria.

Regarding Electronic Signs listed above, this is a proposed amendment to the timing of the interval of a display on an electronic sign. Currently, the standard is 1 ½ seconds, meaning the message must be displayed at least 1 ½ seconds before changing. The proposed change would not allow a change in display of less than two seconds. Under the current standard, the change in display can still appear to be a flashing sign, which is not allowed under the SMC. The two second interval would reduce the appearance of a flashing sign as well as provide easier enforcement of the Sign Code.

The PC is recommending that the time interval be changed to 10 seconds. This is based upon the fact it would completely reduce the effect of a flashing sign as well as providing easier enforcement of the electronic sign code. In staff’s opinion, the 10 second time interval would be too long and would not be reasonable for the operators of electronic signs.

MOVED BY SHAPE, SECONDED BY WYTHE TO ADOPT ORDINANCE NO. 05-1014.*

MOVED BY ANDERSON, SECONDED BY WYTHE TO DELETE FROM ORDINANCE NO. 05-1014, SECTION 6, CHANGING THE TIME INTERVAL FOR ELECTRONIC DISPLAYS.

MOTION CARRIED UNANIMOUSLY.

*ORIGINAL MOTION CARRIED UNANIMOUSLY, AS AMENDED.

PUBLIC COMMENTS: There were no public comments at this time.

CITY MANAGER'S COMMENTS: Interim City Manager Ward had the following items of business: 1) staff has continued to work on the property qualification project, one of the 2005 Economic Development projects. According to the schedule, the first screening of potential candidate properties for Requests for Proposal (RFP) has been completed. Next, staff needs to invite some specific property owners to discuss their property and determine their willingness to proceed with a partnership approach for a RFP. Letters of invitation have been created, monitored and ready for mailing by the Hotel/Motel (H/M) Tax Advisory Committee and the SeaTac Economic Development Partnership (STEP). E.D. Hovee & Co. Principal Eric Hovee and team will go before Council on August 9 to present a status report on the project.; 2) paving of International Boulevard (IB) Phase IV has been delayed until next week due to the contractor’s work load; and 3) National Night Out (NNO) Against Crime is scheduled for Tuesday, August 2, starting at 5:00 p.m. SeaTac residents are invited to attend. Also, on August 2, there is an Open House on SR 509, at Tyee High School Cafeteria, 5:00 to 7:30 p.m.

COUNCIL COMMENTS: Mayor Hansen stated: 1)the Transportation and Public Works (T&PW) Committee Meeting was held today. All the items discussed were presented at this evening's meetings. The Des Moines Creek Project has a substantial shortfall and staff is working on mitigation through other sources. However, the project is alive and going well; and 2) Councilmember (CM) Brennan is in the hospital. Prayers and thoughts are being sent to the Brennans during this time of concern. It is the City's hope that CM Brennan will be back in action soon.

ADJOURNMENT:

MOVED BY ANDERSON, SECONDED BY SHAPE TO ADJOURN THE REGULAR MEETING OF THE SEATAC COUNCIL AT 7:00 PM.

MOTION CARRIED UNANIMOUSLY.

Frank Hansen, Mayor

Judith L. Cary, City Clerk

SEATAC CITY COUNCIL SPECIAL MEETING MINUTES

August 2, 2005
4:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Special Council Meeting was called to order by Mayor Frank Hansen at 4:00 p.m.

COUNCIL PRESENT: Mayor Frank Hansen, Deputy Mayor Terry Anderson, Councilmembers Gene Fisher, Chris Wythe, Ralph Shape, Joe Brennan, and Don DeHan.

ADMINISTRATIVE STAFF: Craig Ward, Interim City Manager; Kristina Gregg, Deputy City Clerk; Julie Elsensohn, Senior Assistant City Attorney; and Steve Mahaffey, Human Resources Director.

RECESSED: Mayor Hansen recessed the Special Council Meeting to an Executive Session on Personnel Issues at 4:01p.m.

EXECUTIVE SESSION: Personnel Issues

Mayor Hansen extended the Executive Session for 20 minutes.

RECONVENED: Mayor Hansen reconvened the Special Council Meeting at 5:20 p.m.

FLAG SALUTE: Councilmember Fisher led the Council, staff and audience in the Pledge of Allegiance.

NOMINATIONS:

•Selection of SeaTac City Manager, contingent upon execution of an Employment Agreement

Mayor Hansen declared the nominations open for the City Manager position.

Councilmember Anderson nominated Craig Ward.

When there were no further nominations, Mayor Hansen declared the nominations closed.

MAYOR HANSEN CALLED FOR A VOTE FOR CRAIG WARD AS CITY MANAGER, CONTINGENT UPON EXECUTION OF AN EMPLOYMENT AGREEMENT.

COUNCIL UNANIMOUSLY SELECTED CRAIG WARD AS CITY MANAGER, CONTINGENT UPON EXECUTION OF AN EMPLOYMENT AGREEMENT.

Mayor Hansen announced that at the August 9, 2005 Council Meetings, a Motion will be brought before Council appointing Craig Ward as City Manager and authorizing an Employment Agreement.

ADJOURNMENT:

MOVED BY DEHAN, SECONDED BY FISHER TO ADJOURN THE SPECIAL MEETING OF THE SEATAC CITY COUNCIL AT 5:24 P.M.

MOTION CARRIED UNANIMOUSLY.

Frank Hansen, Mayor

Kristina Gregg, Deputy City Clerk

SEATAC CITY COUNCIL REGULAR MEETING MINUTES

August 9, 2005
6:30 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Frank Hansen at 6:30 p.m.

COUNCIL PRESENT: Mayor Frank Hansen, Deputy Mayor Terry Anderson, Councilmembers Chris Wythe, Ralph Shape, Joe Brennan and Don DeHan. Absent: Councilmember Gene Fisher.

ADMINISTRATIVE STAFF: Craig Ward, Interim City Manager; Judith Cary, City Clerk; Mary Mirante Bartolo, City Attorney; Julie Elsensohn, Senior Assistant City Attorney; Mark Johnsen, Assistant City Attorney; Pat Patterson, Facilities Director; Steve Butler, Planning Director; Brian Wiwel, Assistant Fire Chief; and Greg Dymerski, Chief of Police Services.

FLAG SALUTE: (*The Flag Salute was performed at the preceding Study Session.*)

PUBLIC COMMENTS: Steve Pinto, 3741 South 192nd Street, relayed the following regarding the proposed subdivision at Angle Lake: 1) concerned as to the lack of two egress/ingresses to Mrs. Stutz' property; 2) reiterated his opposition to a wood fence dividing the subdivision from the Angle Lake community. He supports a permanent concrete wall; and 3) regarding the retention pond, he supports 20 percent of the sale value of each home to maintenance the pond. He is concerned about contamination to the lake from the pond.

MAYORAL APPOINTMENTS AND REAPPOINTMENTS:

•Confirmation of Mayoral Appointment of Mark Manuel to the Human Services Advisory Committee and the Reappointments of Connie Cook to the Human Relations Advisory Committee and Donna Chavez to the Library Advisory Committee

MOVED BY SHAPE, SECONDED BY BRENNAN TO CONFIRM THE MAYORAL APPOINTMENT OF MARK MANUEL TO THE HUMAN SERVICES ADVISORY COMMITTEE AND THE REAPPOINTMENTS OF CONNIE COOK TO THE HUMAN RELATIONS ADVISORY COMMITTEE AND DONNA CHAVEZ TO THE LIBRARY ADVISORY COMMITTEE.

MOTION CARRIED UNANIMOUSLY.

Mayor Hansen read the Certificate and Deputy Mayor Anderson presented it to Ms. Cook. The other appointees were unable to attend this evening to receive their certificates. Mayor Hansen praised Ms. Cook and Donna Chavez for continuing on with their specific committees. He also stated his appreciation of the new appointee for his willingness to serve the City on a Citizens Advisory Committee.

CONSENT AGENDA:

- Approval of claims vouchers** (check nos. 67860 - 68023) in the amount of \$434,980.60 for the period ended July 20, 2005.
- Approval of payroll vouchers** (check nos. 43967 - 43999) in the amount of \$294,478.79 for the period ended July 31, 2005.
- Approval of payroll electronic fund transfers** (check nos. 43480 - 43654) in the amount of \$262,998.49 for the period ended July 31, 2005.
- Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$51,223.00 for the period ended July 31, 2005.
- Approval of summary of \$5,000 - \$25,000 purchase requests** for the period ended August 5, 2005.

Approval of Council Meeting Minutes:

- Land Use and Parks Committee Meeting** held July 14, 2005.
- Transportation and Public Works Committee Meeting** held July 26, 2005.
- Study Session** held July 26, 2005.
- Regular Council Meeting** held July 26, 2005.
- Special Council Meeting** held August 2, 2005.

Acceptance of Advisory Committee Meeting Minutes:

- Senior Citizen Advisory Committee Meeting** held April 21, 2005 (Committee approved June 16, 2005).

CONSENT AGENDA (Continued):

The following Agenda Items were recommended at the August 9, 2005 Special Study Session for placement on this Consent Agenda:

Agenda Bill #2500

A Motion amending the Interlocal Agreement (ILA) for Mt. Rainier Pool for years 2004 through 2006 by Mt. Rainier Pool Contributors (MRPC) and Mt. Rainier Pool Owners

Summary: The ILA adopted in December 2002 established a coalition of governmental entities, the MRPC, for the purpose of assembling adequate funds and coordinating subsidy payments to King County (KC) in order to permit the Mt. Rainier Pool to operate, and to develop a long-term financing and operating plan. The MRPC includes the Cities of Des Moines, Normandy Park, and SeaTac, and the Highline School District (HSD).

As experience managing the pool has increased, it has become possible to reduce operating expenses. Des Moines had been providing the majority of the annual subsidy, and the proposed amendment to the ILA would reduce Des Moines' 2005 contribution to the same amount SeaTac contributes. Des Moines will repay the \$50,000 they owe from 2005 no later than the termination of the ILA or if the funds are needed for a major capital expense.

Agenda Bill #2572

A Motion approving D.L. Henricksen for the Drywall and Resilient Channel Work for the Senior Center Project

Summary: Contractors from the Public Works Small Works Roster were contacted to bid the work. A summary of the bids is listed below for the drywall and resilient channel budgeted in the amount of \$66,496.60 including 10 percent contingency and tax:

<u>Contractor</u>	<u>Base Bid</u>	<u>W/Contingency & Tax</u>
DL Henricksen	\$57,789.00	\$69,161.88
Sessler Inc	\$59,125.00	\$70,760.80
ASAP Construction	\$59,660.00	\$71,401.09
Applied Construction Systems	\$68,372.00	\$81,827.61

Agenda Bill #2557; Resolution #05-012

A Resolution appointing the City Clerk as the City's Public Records Officer (PRO)

Summary: During this past State Legislative Session, Second Substitute House Bill 1758 was enacted requiring each State and local agency to appoint and publicly identify a PRO whose responsibility is to serve as a point of contact for members of the public requesting disclosure of public records and to oversee the agency's compliance with the public records disclosure requirements. The legislation also requires that the name and contact information of the PRO shall be made in a way reasonably calculated to provide notice to the public. The proposed Resolution appoints the City Clerk as the City's PRO, provides the contact information, and directs that the information be posted at City Hall and placed on the City's website.

Agenda Bill #2565

A Motion appointing Craig Ward to the Position of City Manager and authorizing an Employment Agreement

Summary: The former City Manager retired on June 30, 2005 and Craig Ward, Assistant City Manager, was appointed as Interim City Manager.

Revised Code of Washington (RCW) 35A.13.010 requires Council to appoint an officer whose title is City Manager to be the Chief Executive Officer and head of the administrative branch of the City government. Pursuant to RCW 35A.13.050, the City Manager shall be chosen by the Council solely on the basis of his executive and administrative qualifications with special reference to his actual experience in, or his knowledge of, accepted practice in respect to the duties of the Office of City Manager. Before entering upon the duties of office, the City Manager must sign an oath or affirmation for the faithful performance of his or her duties and a bond in favor of the City must be executed.

Craig Ward has been employed by the City since December 2, 1996 and has the administrative qualifications necessary to perform the duties of City Manager. Mr. Ward has agreed to accept the position. Accordingly, the City Council finds it appropriate to appoint Mr. Ward as City Manager.

Mayor Hansen and Deputy Mayor (DM) Anderson, as designees of the full Council, have negotiated an Employment Agreement with Mr. Ward which specifies compensation and conditions of employment as City Manager. The said Agreement is appropriate and Mayor Hansen should be authorized to sign the same on behalf of the Council and the City.

CONSENT AGENDA (Continued):

MOVED BY ANDERSON, SECONDED BY BRENNAN TO ACCEPT THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARING:

•Development Agreement (DA) with International Boulevard LLC – Planning / Legal

Mayor Hansen opened the Public Hearing at 6:44 p.m.

Planning Director Steve Butler stated this item was discussed at the previous Special Study Session (SSS). He called for questions regarding the DA.

Hearing none, Mayor Hansen closed the Public Hearing at 6:45 p.m.

NEW BUSINESS:

Agenda Bill #2569; Resolution #05-013

A Resolution authorizing entry into a Development Agreement (DA) with International Boulevard LLC

Summary: The City of SeaTac and the property owner (hereinafter “Developer”) propose to enter into a DA that will allow for future development of a parking structure and sets forth the applicable Development Code Standards. The property consists of two contiguous parcels located at 18400 and 18500 International Boulevard (IB) and includes a strip along IB that the Developer leases from the Washington State Department of Transportation (WSDOT). The DA will allow the Developer to construct a parking structure with some retail/office uses according to the applicable regulations related to uses and number of parking stalls in existence on the date of application of the DA, rather than at the time of construction. In exchange, the Developer agrees to dedicate property to the City along the Bow Lake shoreline for a pedestrian walkway and to create additional open space. Construction shall be complete within 10 years.

In order to provide flexibility, to permit creativity of design, style, and technique, and to provide for phased development and interim uses, the DA may be entered into by and between the City and property owners or Developers pursuant to RCW 36.70B.170 through .210 and SeaTac Municipal Code (SMC) 15.05.057, provided that the terms of any such DA shall be generally consistent with the purposes and standards of the Comprehensive Plan (CP) and development regulations in existence.

Meetings have been held with the Developer in this instance and appropriate terms of a DA have been worked out pursuant to City Codes. This DA will be in the best interests of the Developer and of the public and will provide demonstrable public benefit.

Upon the effective date of the DA, the Developer shall dedicate to the City, property located along the Bow Lake shoreline for a pedestrian walkway. The City shall permanently retain the property even in the event the Agreement terminates. Additionally, at such time as the City constructs the pedestrian walkway, the Developer will grant a permanent easement to the City from IB to the shoreline for purposes of pedestrian access. In the meantime, the City shall have a temporary easement for maintenance and construction.

The site plans for development of the property currently include that portion along IB which is leased from WSDOT. The Developer is currently in discussions with WSDOT to purchase the property. In the event the Developer is unable to acquire title from WSDOT, the Developer may submit a revised site plan that does not include that portion of the property, and if the revision does not cause significant adverse impacts, the City will consent to the revisions. Additionally, the Developer must accommodate the existing utilities located within the leased area.

MOVED BY DEHAN, SECONDED BY ANDERSON TO PASS RESOLUTION NO. 05-013.

MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENTS: There were no comments at this time.

CITY MANAGER'S COMMENTS: Interim City Manager Craig Ward had the following items of business: 1) stated his appreciation to Council, and the citizens of SeaTac for entrusting him with the position of City Manager; 2) Council passed a Resolution stating the City’s preference for the name of the City Center Light Rail Station to be called “SeaTac City Center/Airport Station.” Sound Transit staff is recommending “SeaTac/Airport Station.” The Sound Transit Board will be acting on the name at their August 11 meeting. The Port of Seattle (POS)

CITY MANAGER'S COMMENTS (Continued): Commission is in agreement with Sound Transit staff's preference. Unless there is a strong Council opposition, he will inform Council of the outcome of the Sound Transit Board Meeting; and 3) many citizens at the National Night Out (NNO) volunteered for the Citizens Academy. The NNO event had more participants than ever this year. He thanked the Police and Fire Departments and Code Enforcement staff for their work on this event and Council, for their participation.

COUNCIL COMMENTS: Councilmember (CM) Wythe welcomed Mr. Ward to his new position as City Manager. With the City/POS ILA, the Hovee Study, and the Light Rail Station plans, Mr. Ward will have a busy agenda.

DM Anderson congratulated Mr. Ward and stated she was sure Mr. Ward will continue to do a good job.

CM Shape also congratulated Mr. Ward. Secondly, he reported that at the Administration and Finance (A&F) Committee Meeting today, the Position Vacancy Review Board (PVRB) made the following recommendations: Senior Assistant City Attorney replacement, Assistant City Manager replacement, and a new position of Economic Development Manager. The committee agreed that all these positions are needed.

CM Brennan congratulated Mr. Ward on his promotion. Secondly, he mentioned that the NNO event was a huge success. He especially enjoyed riding in a SeaTac Fire Truck. It just so happened that there was a fire call during his ride. Fire Chief Bob Meyer and Assistant Chief Brian Wiwel quickly put out the fire and evacuated the apartment tenants who were unaware of the fire.

CM DeHan added his congratulations to Mr. Ward upon his appointment to the position of City Manager. He added he felt the City is in capable hands.

Mayor Hansen wished Mr. Ward well in his new position and looks forward to working with him.

ADJOURNMENT:

MOVED BY DEHAN, SECONDED BY BRENNAN TO ADJOURN THE REGULAR MEETING OF THE SEATAC COUNCIL AT 6:55 PM.

MOTION CARRIED UNANIMOUSLY.

Frank Hansen, Mayor

Judith L. Cary, City Clerk

SEATAC CITY COUNCIL REGULAR MEETING MINUTES

September 13, 2005
6:30 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Frank Hansen at 6:55 p.m.

COUNCIL PRESENT: Mayor Frank Hansen, Deputy Mayor Terry Anderson, Councilmembers Gene Fisher, Chris Wythe, Ralph Shape, Joe Brennan and Don DeHan.

ADMINISTRATIVE STAFF: Craig Ward, City Manager; Judith Cary, City Clerk; Mary Mirante Bartolo, City Attorney; Mark Johnsen, Assistant City Attorney; Dale Schroeder, Public Works Director; Tom Phillips, Building Official; Steve Butler, Planning Director; Mike Scarey, Senior Planner; Kathy Black, Human Services Coordinator; Kit Ledbetter, Parks & Recreation Director; Bob Meyer, Fire Chief; and Greg Dymerski, Chief of Police Services.

FLAG SALUTE: (*The Flag Salute was performed at the preceding Study Session.*)

PUBLIC COMMENTS: Joe Dixon, 19211 35th Avenue South, spoke regarding the Essential Public Facilities (EPF) presentation at the Study Session (SS). He was concerned about Planning staff not addressing the issue as it was discussed at the last Planning Commission (PC) Meeting. He stated the final draft will be brought to the PC Meeting one day before it will go before the Council at the September 27 Regular Council Meeting (RCM) which he felt is not adequate time for the PC to discuss this issue. Speaking as a private citizen, he stated he takes exception to the removal of the ad hoc committee and requirements for proponents to assess the suitability for the EPF site in the City or another jurisdiction. He explained he was appointed as the Light Rail Ad Hoc Committee Chair several years ago when Sound Transit (ST) was planning to run the light rail down International Boulevard (IB). The committee worked with ST and came up with alternate locations and the Council stated its preferred one which is much different than the one presented at the SS. He wondered what the purpose of an ad hoc committee is if its recommendations are not considered. He urged Council not to rush the vote on the PC's proposal.

CONSENT AGENDA:

- **Approval of claims vouchers** (check nos. 68024 - 68243) in the amount of \$1,804,243.84 for the period ended August 22, 2005.
- **Approval of claims vouchers** (check nos. 68244 - 68399) in the amount of \$806,401.91 for the period ended September 2, 2005.
- **Approval of payroll vouchers** (check nos. 44022 - 44070) in the amount of \$139,908.24 for the period ended August 15, 2005.
- **Approval of payroll electronic fund transfers** (check nos. 43655 - 43824) in the amount of \$262,728.53 for the period ended August 15, 2005.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$50,773.49 for the period ended August 15, 2005.
- **Approval of payroll vouchers** (check nos. 44072 - 44125) in the amount of \$291,376.43 for the period ended August 31, 2005.
- **Approval of payroll electronic fund transfers** (check nos. 43825 - 43997) in the amount of \$263,283.60 for the period ended August 31, 2005.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$49,840.47 for the period ended August 31, 2005.
- **Approval of Summary of \$5,000 - \$25,000 Purchase Requests** for the period ended September 13, 2005

Approval of Council Meeting Minutes:

- **Administration and Finance Committee Meeting** held August 9, 2005.
- **Public Safety and Justice Committee Meeting** held August 9, 2005.
- **Special Study Session** held August 9, 2005.
- **Regular Council Meeting** held August 9, 2005.

Acceptance of Advisory Committee Meeting Minutes:

- **Library Advisory Committee Meeting** held April 26, 2005 (Committee approved August 16, 2005).
- **Senior Citizen Advisory Committee Meeting** held June 16, 2005 (Committee approved August 17, 2005).

CONSENT AGENDA (Continued):

The following Agenda Items were recommended at the September 13, 2005 Study Session for placement on this Consent Agenda:

Agenda Bill #2578

A Motion authorizing the City Manager to apply for a 2006 Community Development Block Grant (CDBG) for a SeaTac Minor Home Repair Program

Summary: This Motion authorizes application for a joint Tukwila/SeaTac 2006 CDBG to provide minor home repairs for low- and moderate-income SeaTac residents. The application has tentatively been submitted to meet the King County (KC) application deadline. The application was submitted to increase each City's individual chances of being funded.

SeaTac has allocated CDBG funds since 1999 to provide for this service. The program has provided minor electrical, plumbing, carpentry, and disability access repairs for SeaTac's elderly, younger disabled, and low-income families to help them maintain their homes in a decent, livable, and safe condition. Past recipients have found the program to be a valuable resource when faced with the challenge of affording home repairs.

Due to the reorganization of the CDBG program, CDBG allocations will be made directly by KC. SeaTac requested \$22,000 and Tukwila requested \$18,000. Tukwila plans to act as fiscal agent for the Cities if the application is approved.

Agenda Bill #2584; Resolution #05-014

A Resolution amending Resolution No. 98-010 related to Citizens' Advisory Committees creating and providing for Advisory Committees to the City Council

Summary: Resolution No. 98-010 provides for the Mayoral appointment of committee members, subject to confirmation by the Council, to serve on various Citizens' Advisory Committees. This Resolution authorizes the Mayor to appoint voting alternate members to any Citizens' Advisory Committee. An alternate member would also be subject to Council confirmation. Should a vacancy occur on a Citizens' Advisory Committee, the Mayor may, but is not required, to appoint an alternate committee member to fill the vacancy.

Should the Mayor choose to appoint an alternate member to a committee vacancy, that member would already be up-to-date on committee business. This will provide for a smoother flow in filling vacancies, and provides an opportunity for the Mayor to appoint a citizen to serve in an alternate capacity and not be turned away due to lack of a committee vacancy.

Agenda Bill #2575

A Motion authorizing a Lease Agreement for a Nextel Wireless Antenna at Bow Lake Park

Summary: This Motion authorizes the City Manager to enter into a Lease Agreement with Nextel Wireless for a 35-foot pole antenna and 12-foot by 20-foot equipment shelter building at Bow Lake Park.

The proposed antenna would be visible from South 178th Street and the building would be slightly visible and located behind the vegetation that fronts South 178th Street. This proposal would provide an additional \$1,500 per month rental income for the City with little noticeable visual impact from the street. The City Attorney's Office developed a contract that will be used for this and any future wireless providers. The Parks and Planning Departments had several meetings with Nextel to insure that all of the City standards were met. Nextel would still need to receive approval from the Planning Department and Building Division.

Agenda Bill #2577

A Motion authorizing the City Manager to execute an Interlocal Agreement (ILA) with the City of Renton for Jail Services

Summary: In 2002, the City signed an ILA with the City of Renton for jail services. Renton recently informed SeaTac of their intent to terminate the existing ILA effective October 1, 2005. Therefore, it is necessary to execute a new ILA with the City of Renton for jail services.

Currently, SeaTac inmates are housed in either the KC Jail or Yakima County (YC) Jail. If possible, the City will house inmates in YC Jail as the cost is considerably less than the KC Jail. In order to facilitate the transfer of inmates to YC, the City must make arrangements to have inmates picked up at either the Renton Jail or the KC Regional Justice Center (RJC) in Kent. Under the existing ILA with Renton, SeaTac inmates can be booked into the Renton Jail awaiting transfer to YC. This ILA will continue to allow the City to transfer inmates to YC from Renton Jail.

CONSENT AGENDA (Continued):

Agenda Bill #2577 (Continued): The new ILA is similar to the current ILA, with the following differences:

- The new ILA changes Renton Jail from a “transfer location” to the YC Jail to a jail that allows for general bookings. Currently, SeaTac Police can only book inmates into the KC Jail. The new ILA will allow police, on a space available basis, to book inmates arrested on SeaTac charges into the Renton Jail instead of KC Jail. It is estimated that the cost savings per booking will be approximately \$198.50 per inmate. Furthermore, if space is available, inmates can be housed at the Renton Jail instead of being transported to YC. This will provide another alternative to the City for the housing of City inmates.
- The new ILA establishes a fixed daily rate of \$70 per inmate through 2006. Under the current ILA, the daily cost for each overnight stay at the Renton Jail is \$64.83. This compares to the 2005 daily rates of \$64.83 in YC, and \$92.28 in the KC Jail (and 2006 have yet to be established).
- The current ILA provides for a \$25 “short-stay” fee in the Renton Jail. This short-stay fee was charged when prisoners were held for less than 24 hours, and not overnight, while awaiting transfer to YC. The new ILA eliminates this fee, and thus all inmates booked into the Renton Jail awaiting transfer to Yakima will be charged the \$70 daily rate, regardless of the length of stay.

This ILA with Renton, if adopted, will supplement the jail services agreement with YC. This will allow greater flexibility for the housing of City inmates, as well as provide cost savings over utilization of the KC Jail.

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

MOTION CARRIED UNANIMOUSLY.

NEW BUSINESS: There were no new business items presented.

PUBLIC COMMENTS: There were no public comments at this time.

CITY MANAGER'S COMMENTS: City Manager Craig Ward stated the City was informed by the Highline School District (HSD) that they intend to publish a Request for Proposals (RFP) on October 1 for the Riverton Heights School site. The Council, in the past, expressed interest in this site and its redevelopment opportunities. Up until this week, the HSD had removed the surplus of this property. However, they have now decided to surplus it subject to a proposal from a developer. The City has requested a meeting with Al Schmidt, HSD Director of Facilities, to discuss the RFP and what the opportunities are for the City to participate in the situation.

COUNCIL COMMENTS: Councilmember (CM) Fisher commented on the recent Gulf disaster and all the negative publicity that has been generated. He stated his daughter, Robin Owford, a 20-year military person (Navy Air Reserve) was activated two years ago and her primary duty was flying military in and out of Iraq. However, she was diverted to the Gulf to fly evacuees into Texas. He mentioned the deplorable conditions the military personal and evacuees are enduring. His daughter told him she has been crying for two days helping hungry, scared people evacuate the area. The news out of the Gulf is not all bad. The military is doing a great job.

Deputy Mayor (DM) Anderson stated as of tomorrow at 4:00 p.m., the Highline Historical Society Museum will be temporarily located in SeaTac in the annex to the Angle Lake School. Once everything is organized, she will invite everyone to visit it.

CM Shape stated the Position Vacancy Review Board’s (PVRB) recommendation at the Administration & Finance (A&F) Committee Meeting today was for filling the Park Operation Lead position made vacant by Roger Chouinard after he was appointed to Park Operations Supervisor. This will also open up a Parks Operations Worker/Public Works Maintenance Worker position. The committee agreed to the hirings. Secondly, he stated DM Anderson and he attended a hearing at the Museum of Flight conducted by the KC Council to discuss the situation with Southwest Airlines. It was well attended by the Southwest Airlines CEO, Port of Seattle personnel, and community leaders. It appears that it will be difficult for Southwest to carry this off.

CM Brennan acknowledged CM Fisher’s daughter and her work in the military. He stated she will be in his prayers. Secondly, he stated the Hotel/Motel Tax Advisory Committee/Economic Development Committee Meeting tomorrow at 2:00 p.m. has been cancelled.

ADJOURNMENT:

MOVED BY DEHAN, SECONDED BY BRENNAN TO ADJOURN THE REGULAR MEETING OF THE SEATAC COUNCIL AT 7:12 P.M.

MOTION CARRIED UNANIMOUSLY.

Frank Hansen, Mayor

Judith L. Cary, City Clerk

SEATAC CITY COUNCIL REGULAR MEETING MINUTES

September 27, 2005
6:30 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Frank Hansen at 6:30 p.m.

COUNCIL PRESENT: Mayor Frank Hansen, Deputy Mayor Terry Anderson, Councilmembers Gene Fisher, Chris Wythe, Ralph Shape, Joe Brennan and Don DeHan.

ADMINISTRATIVE STAFF: Craig Ward, City Manager; Judith Cary, City Clerk; Mary Mirante Bartolo, City Attorney; Mark Johnsen, Assistant City Attorney; Mike McCarty, Finance Director; Dale Schroeder, Public Works Director; Steve Butler, Planning Director; Bob Meyer, Fire Chief; and Greg Dymerski, Chief of Police Services.

FLAG SALUTE: (*The Flag Salute was performed at the preceding Special Study Session.*)

PUBLIC COMMENTS: Steve Pinto, 3741 South 192nd Street, stated his opposition to the Traditions at Angle Lake housing development's plan to install a cedar fence around the development. Mr. Pinto said he would like to see the cedar fence taken out of the plan and replaced with a concrete and masonry fence. He requested Council's approval to take this issue to the Planning Department meeting tomorrow.

Planning Director Steve Butler stated staff will be working on the details of this plan. The preliminary subdivision plan went before the Hearing Examiner (HE) and was approved based primarily on staff recommendations. It will go before Council for final approval. Regarding the fence, staff will follow Council's decision. What was proposed and what staff supported was a well designed six-foot cedar fence. Mr. Butler added that the concerns of Mr. Pinto and some of his neighbors is that the residents of the subject housing development will remove the cedar fence and use that area as an access route.

City Manager Craig Ward stated Mr. Pinto's comments are noted and staff will take them into consideration at their meeting tomorrow.

PRESENTATION:

•Sound Transit (ST)

City Manager Craig Ward introduced ST CEO Joni Earl who gave an overview on ST Phase I and II of the light rail. Phase I will travel to the airport and Phase II will go to South 200th Street. In 1996, the voters approved the urban areas of the three largest Counties in a plan titled Sound Move. The purpose of the plan is to increase mobility around the region using ST Express Buses, and Sounder Commuter Rail in Tacoma and Seattle. Ms. Earl reported on its progress outlining the routes and the financial factors. The airport link is part of the \$816 million in the Regional Express Capital Program in which there are 41 different projects in the three Counties.

SeaTac is one of two subareas that have all three modes of ST travel. The only projects left to complete are in the Airport Link connection. South 200th Street Link will be accomplished in Phase II. The Tukwila Sounder Station is in preliminary engineering and design studies for the permanent station. Five more round trips of the Sounder Commuter Rail Service still need to be completed. The rest of the program is in good shape in South King County (SKC). The signature project that gets all the attention is the Light Rail Project. In the first 14 miles, ST is running six percent below engineer's estimate for all the contracts issued and 10 percent below overall project budget approved by the board in November 2001. ST is on schedule to commence service in 2009.

The South 154th Street Station is under construction with that segment traveling into SeaTac with 4.2 miles of elevated guideway. From that station, 1.7 miles will be added to serve Sea-Tac Airport. The Airport Link is definitely a strong partnership with the Port of Seattle (POS) and the City of SeaTac. The Federal Transit Administration issued a Record of the Decision which means the Final Environmental Impact Statement (EIS) has been completed and ST can now acquire property and proceed with final design.

In November, ST staff will be bringing to their board, an option to purchase the four additional Light Rail vehicles to allow the additional service to SeaTac.

Ms. Earl introduced Martin Schachenmayr, ST Project Manager for Airport Link.

With the pending decision as to whether Southwest Airlines will be moving to Boeing Field and the way that the Airport Link Project is structured, ST's ability to build it is contingent upon the POS doing the enabling project. At this point, the POS has stayed focused and has aggressively been meeting ST's schedule needs. The POS will be discussing this issue again in early November.

PRESENTATION (Continued):

Sound Transit (ST) (Continued): As ST looks ahead to 2030, the Puget Sound Regional Council (PSRC) projects a growth of another 1.2 million people, a 45 percent increase in jobs and in vehicle miles traveled. The 10-year plan is behind schedule due largely to lessons learned on service delivery in Phase I. ST Board approved continuing the plan (Phase II) with the goal to be on the ballot by November 2006.

In early July, the ST Board adopted a few changes to the long-range plan, most notable for SeaTac, a link to Burien as part of the I-405 corridor and a potential rail extension. Burien has just been declared an urban center by the PSRC. With that, KC Councilmember Julia Patterson sponsored an amendment to recognize Burien's efforts in their downtown. She detailed the schedule for the project and service delivery and future connections such as Sea-Tac/Airport Station to South 200th Street then to Kent and up to I-5.

ST has been working with various policy forums in the region such as South County Area Transportation Board (SCATBd) and the Eastside Transportation Partnership, and Pierce and Snohomish Counties to review the logical next steps in the program. The five subareas have by asked to prioritize their list of projects by end of this week. Then ST will start putting cost estimates and details to those ideas and put them through threshold criteria.

In terms of SeaTac, the two issues that have come up are: 1) extending the Light Rail to South 200th Street and then to Kent/Des Moines Road; and 2) ideas for expanded ST bus service, including the new route serving Burien, SeaTac, Kent and up I-405. Once the priority list is completed, the cost estimates will be listed. ST has only one financial source left to the agency, revenue from sales tax. SKC representatives Julia Patterson and Pete Von Reichbauer will have to weight each of the subareas' projects as to capitol and operating expenses.

Ms. Earl introduced Andrew Schmidt, ST Community Outreach and Government Relations Staff member.

Deputy Mayor (DM) Anderson inquired as to whether the Light Rail would go to Boeing field. Ms. Earl replied that ST does not have a plan to service Boeing Field. It is not an easy connection. ST did look at a spur line to Westfield Shoppingtown (Mall) in Tukwila.

Councilmember (CM) Shape inquired if the financing was available, what would be an approximate date for ST completion from Northgate to Tacoma. Ms. Earl replied that is not forecasted at this time, however, from Northgate to South 200th Street or Federal Way could possibly be completed by 2020.

CM DeHan stated a study done by ST listed alternative means of transportation with circular routes from the Airport to down in the valley and back up through the I-405 Corridor. Ms. Earl replied that the final report on the study has been completed and a copy will be provided to Council. ST considered Personal Rapid Transit (PRT), bus service, shuttle service, and Light Rail Spur options and decided on bus service and Light Rail Spur.

CONSENT AGENDA:

- **Approval of claims vouchers** (check nos. 68400 - 68564) in the amount of \$1,343,570.22 for the period ended September 20, 2005.
- **Approval of payroll vouchers** (check nos. 44126 - 44170) in the amount of \$186,474.14 for the period ended September 15, 2005.
- **Approval of payroll electronic fund transfers** (check nos. 43998 - 44167) in the amount of \$272,273.63 for the period ended September 15, 2005.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$53,100.40 for the period ended September 15, 2005.
- **Approval of summary of \$5,000 - \$25,000 purchase requests** for the period ended September 23, 2005.

Approval of Council Meeting Minutes:

- **Land Use and Parks Committee Meeting** held September 8, 2005.
- **Administration and Finance Committee Meeting** held September 13, 2005.
- **Public Safety and Justice Committee Meeting** held September 13, 2005.
- **Regular Council Meeting** held September 13, 2005.

Acceptance of Advisory Committee Meeting Minutes:

- **Planning Commission Meeting** held July 18, 2005 (Committee approved September 12, 2005).

CONSENT AGENDA (Continued):

The following Agenda Items were recommended at the September 27, 2005 Special Study Session for placement on this Consent Agenda:

Agenda Bill #2580; Ordinance #05-1015

An Ordinance amending the 2005 Annual City Budget for a Correction to the 2004 Carryovers

Summary: This Ordinance amends the 2005 Annual City Budget to correct the amount carried over from the 2004 Budget for expenditures related to the 2004 FEMA Fire Equipment Grant to complete the Mobile Data Computers project.

Ordinance No. 05-1003, adopted on March 8, 2005, amended the 2005 Annual City Budget and carried over appropriations included in the 2004 Budget that were not completed in 2004. One of the items included in this budget amendment was the carryover of the remaining amount to complete the Mobile Data Computers project in the Fire Department. This work was 90 percent funded by FEMA Grant revenue received in 2004.

The remaining amount that should have been carried over was \$52,119. This was the amount remaining from the 2004 appropriation amount of \$151,850. However, only \$18,182 was included in the 2004 Carryovers Ordinance, which was the remaining amount from a different line item, resulting in a 2005 appropriation deficit in the amount of \$33,937 that is necessary to complete the project. This budget amendment is necessary to increase the 2005 appropriation in this line item to provide the necessary appropriation authority to finish this work.

This Ordinance will increase the appropriations in the Fire Department budget in the General Fund, but will have no effect on the year-end fund balance for 2005. This expenditure was anticipated to occur in 2004, and the January 1, 2005 fund balance projections were reduced accordingly. Therefore, this amendment simply allows this expenditure to occur in the current fiscal year instead of 2004.

The City is contractually obligated for this expenditure.

Agenda Bill #2585

A Motion authorizing the City Manager to enter into a Local Hazardous Waste Management Grant Program Agreement with the Seattle-King County (KC) Department of Public Health for continued funding of the City's Waste Reduction and Recycling (WR/R) Programs

Summary: The City of SeaTac is eligible to receive \$8,535.68 from the Seattle-KC Department of Public Health's Local Hazardous Waste Management Program (LHWMP) Grant for continued funding of the City's WR/R Programs for a one-year period in 2006.

The \$8,535.68 budget for the grant will further the development and/or enhancement of local WR/R projects including residential and commercial WR/R education programs, business assistance programs and Special Recycling Events. The City of SeaTac has entered into similar agreements with the Seattle-KC Department of Public Health since 1997. These funds will provide the revenue that was projected as part of the budget process for the proposed programs and staff salaries from January 1, 2006 through December 31, 2006.

The Special Recycling Events are 100 percent funded by the Seattle-KC Department of Public Health, Coordinated Prevention Grant and/or KC Solid Waste Division grants to the City. The City would not incur any additional costs by accepting this grant.

Agenda Bill #2586

A Motion authorizing the City Manager to enter into a Waste Reduction/Recycling (WR/R) Grant Program Agreement with King County (KC) Solid Waste Division for continued funding for the City's WR/R Programs

Summary: The City of SeaTac is eligible to receive \$69,159 from the KC Solid Waste Division's WR/R Grant Program for continued funding of the City's WR/R programs for a two-year period 2006-2007.

The budget for the grant will further the development and/or enhancement of local WR/R projects including residential and commercial WR/R education programs, business assistance programs and Special Recycling Events. The City of SeaTac has entered into similar agreements with the KC Solid Waste Division since 1996. These funds will provide the revenue that is projected as part of the budget process for the proposed programs and staff salaries from January 1, 2006 through December 31, 2007.

The Special Recycling Events are 100 percent funded by the Seattle-KC Department of Public Health and KC Solid Waste Division grants to the City. The City would not incur any additional costs by accepting this grant.

CONSENT AGENDA (Continued):

Agenda Bill #2587

A Motion authorizing the City Manager to enter into a Coordinated Prevention Grant Agreement (CPG) with the Washington State Department of Ecology (DOE) for continued funding of the City's Waste Reduction and Recycling (WR/R) Programs

Summary: The City of SeaTac is eligible to receive \$28,632 from the Washington State DOE CPG Program for continued funding of the City's WR/R Programs for a two-year period 2006-2007.

The budget for the program will further the development and/or enhancement of local WR/R projects including residential and commercial WR/R education programs, business assistance programs and Special Recycling Events. The City of SeaTac has entered into similar agreements with the DOE since 1996. These funds will provide the revenue that is projected as part of the budget process for the proposed programs and staff salaries from January 1, 2006 through December 31, 2007.

The CPG program would provide 75 percent of the funding with the required 25 percent local match provided by KC Grants to the City. The City would not incur any additional costs by accepting this grant.

Agenda Bill #2589; Resolution #05-015

A Resolution fixing the Date and Time for a Public Hearing to consider the merits of vacating South 154th Street/South 156th Way from Des Moines Memorial Drive (DMMD) South to 24th Avenue South

Summary: This Resolution sets October 25, 2005 at 6:30 PM as the date and time to conduct a public hearing to consider the merits of vacating a portion of the South 154th Street/South 156th Way right-of-way (ROW).

The Port of Seattle (POS) has undertaken the Third Runway Project which includes the relocation of South 154th Street/South 156th Way from DMMD South to 24th Avenue South. The POS owns all of the property abutting the portion of the ROW it is requesting be vacated. The POS is reconstructing the roadway on POS property, which they will dedicate when the City has accepted the new roadway improvements for maintenance. The new alignment curves further to the north, adjacent to the north end of the Third Runway.

The procedures for vacating a public ROW are defined in the Revised Code of Washington (RCW), Chapter 35.79. A public hearing is to be held to consider the merits of the application to vacate the street in question. The date of the hearing is set by a Resolution passed by the City Council. The date of the hearing must not be more than sixty days, nor less than twenty days after the date of passage of the Resolution setting the date for the public hearing. The date of October 25, 2005 has been selected as the regularly scheduled City Council Meeting which meets these criteria. All the utilities serving the City would be given notice of the POS request to vacate this ROW.

MOVED BY DEHAN, SECONDED BY BRENNAN TO ACCEPT THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY.

NEW BUSINESS:

Agenda Bill #2588

A Motion to determine the Hearing Body for the Airport Link Conditional Use Permit (CUP)-Essential Public Facilities (EPF)

Summary: This Motion determines whether the Airport Link EPF application shall be heard by the Hearing Examiner (HE) or the City Council.

Earlier this year the Sound Transit Board adopted the final Airport Link route which modifies the route previously selected by the board in 1999, and approved plans for constructing the Airport Link in time for the 2010 Winter Olympics in Vancouver, B.C. The purpose of the Airport Link is to connect light rail directly to SeaTac City Center and Sea-Tac Airport, and ultimately extend the light rail south to South 200th Street.

On September 12, 2005, Sound Transit submitted a CUP-EPF Application for Airport Link to the City of SeaTac. Staff is reviewing this application to determine what conditions are needed to mitigate the impacts of this project on SeaTac. A public hearing will be conducted on January 10, 2006, and final ruling is expected by January 24, 2006.

In accordance with SeaTac Municipal Code (SMC) 15.22.035, which addresses the siting of EPF, the City Council shall determine if an EPF application shall be heard by the HE or City Council, based on the following factors: size of project; area of City affected by proposed project; environmental impact on sensitive areas; and time of project.

NEW BUSINESS (Continued):

Agenda Bill #2588 (Continued):

MOVED BY DEHAN, SECONDED BY BRENNAN TO AMEND AGENDA BILL NO. 2588 TO SELECT THE HEARING EXAMINER AS THE QUASI JUDICIAL BODY FOR THE AIRPORT LINK CONDITIONAL USE PERMIT ESSENTIAL PUBLIC FACILITIES.*

CM Shape stated this is such an important decision that the Council should keep control of this matter. To turn it over to the HE to have total control of the outcome, he felt, would be a mistake. He would prefer the Council exercise their responsibility to handle this matter.

CM DeHan stated the legislation is already in place that determines how a Hearing Body or Examiner would rule in favor or against this matter. The criteria are the same no matter who the Hearing Body is. He added the City Council would be freer to lobby and individually discuss without the concern of doing something that would adversely affect its position if the HE is the Hearing Body

Further Council discussion ensued on whether the Council or HE would be the right Hearing Body.

City Attorney Mirante Bartolo clarified that a Councilmember can testify as a citizen but cannot use his/her position as a Councilmember to influence the decision of the HE.

*MOTION CARRIED AS AMENDED WITH FISHER, WYTHE, ANDERSON, HANSEN, BRENNAN AND DEHAN VOTING YES AND SHAPE VOTING NO.

PUBLIC COMMENTS: There were no comments at this time.

CITY MANAGER'S COMMENTS: City Manager Craig Ward had the following items of business: 1) Two Stationary Planning Workshops are scheduled to be held on October 6 at the Airport Station (South 176th Street Station) and on October 7 for the South 154th Street Station. Place of workshops is not yet been determined; and 2) November 18 is the date set for the Dedication of the Senior Center. More details will be forthcoming.

COUNCIL COMMENTS: CM Shape stated a few weeks ago he attended a conference at the Double Tree for the refugees living in Washington State. It was celebrating 30-years of refugees being brought into Washington. Ex-Governor Dan Evans, who was the governor during that time, had personally invited the refugees to Washington State after California refused to do so.

DM Anderson mentioned that the Highline Historical Society (HHS) will be having the Lewis and Clark Exhibit Reception at City Hall on October 2. She welcomed everyone to attend.

ADJOURNMENT:

MOVED BY DEHAN, SECONDED BY BRENNAN TO ADJOURN THE REGULAR MEETING OF THE SEATAC COUNCIL AT 7:19 P.M.

MOTION CARRIED UNANIMOUSLY.

Frank Hansen, Mayor

Judith L. Cary, City Clerk

SEATAC CITY COUNCIL REGULAR MEETING MINUTES

October 11, 2005
6:30 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Frank Hansen at 6:50 p.m. due to the preceding Special Study Session extending beyond 6:30 p.m..

COUNCIL PRESENT: Mayor Frank Hansen, Deputy Mayor Terry Anderson, Councilmembers Gene Fisher, Chris Wythe, Ralph Shape, Joe Brennan and Don DeHan.

ADMINISTRATIVE STAFF: Craig Ward, City Manager; Judith Cary, City Clerk; Mary Mirante Bartolo, City Attorney; Mark Johnsen, Assistant City Attorney; Steve Mahaffey, Human Resources Director; Dale Schroeder, Public Works Director; Bob Meyer, Fire Chief; and Greg Dymerski, Chief of Police Services.

FLAG SALUTE: *(The Flag Salute was performed at the preceding Special Study Session.)*

PUBLIC COMMENTS: *(Public Comments was moved to directly after the following presentation.)*

PRESENTATION:

●Presentation on Tyee High School Health Clinic

King County Councilmember (KCCM), District No. 13 Representative Julia Patterson opened the presentation requesting the City Council consider investing in a school-linked health clinic at Tyee High School. She stated she has made a request of the KC Council to appropriate \$50,000 to plan and administer a one-year (pilot program) schooldays health facility for Tyee students. The allocation would be pending a funding match from SeaTac. If the City chooses to match at a lower rate, the remainder of that balance would be allocated to the Renton Area Youth and Family Services Organization. At the end of one year, the Community Health Clinic must provide a report to KC Council and SeaTac City Council with information documenting statistics: number of visits, types of illnesses and issues treated at the clinic, the number of students lacking insurance, and the percentage of students treated that live in the SeaTac City limits. She added that Tyee students are in great need of public health services. She shared information documenting the critical need for health care at Tyee in comparison to all other King County High Schools.

The other speakers on the panel were Executive Director of Community Health Centers Tom Tompeter, and Director of Operations Debbie Wilkinson, THS Principal Max Silverman, Catch 21 Program Manager Colleen Brandt-Schluter and Highline School Board Member Phyllis Byers, all expressing the need for the Health Care Clinic.

Mr. Silverman stated he has really appreciated the City's support in Tyee's programs. The role of the school is to educate our students and data shows the students' grade averages are elevating.

Ms. Byers relayed the Highline School Board's appreciation of SeaTac's support of their programs, bonds and levies. In 2002, a bond was passed with no cost to the taxpayers for the rebuilding of Bow Lake Elementary School. It will be real asset to the community and part of the reason is the collaboration with the City of SeaTac for the community use room. The school board's goal is to provide more community services. The board is prepared to support Tyee with space, staffing and support through the Tyee Community Engagement Office for the Health Care Clinic.

KCCM Patterson stated the panel wanted to convey was the real health care needs of SeaTac youth and to ask Council if they would be interested in partnering in this venture. She assured the Council that the Suburban Cities would join in this venture once they see the success of the clinic.

Deputy Mayor (DM) Anderson inquired whether the panel envisioned other high school students coming to Tyee for these services. Mr. Tompeter replied their priority in this pilot program is Tyee's health needs. At the end of the year, the usage and success of the program would indicate the degree of need.

Councilmember (CM) Wythe stated the City's goal is to make SeaTac a greater community. He would like to see other partners willing to contribute to the program in order to gain City support.

CM Brennan stated SeaTac is a diverse community now faced with the challenges of these needs. After the pilot year is ended, there has to be some other funding sources to sustain this program. He supports the City to help augment the starting of this program.

PRESENTATION (Continued):

●Presentation on Tyee High School Health Clinic (Continued):

Lengthy discussion ensued on the various costs associated with this program such as funding operating costs as well as funding sources. Mr. Tompeter stated the partners in the start up costs are the City of SeaTac, KC, Community Health Centers of KC, and the Highline School District.

KCCM Patterson stated the entire budget for the program will need to be shown to the Council.

Mayor Hansen and Council expressed their views on this noteworthy program. City Manager Craig Ward stated a Decision Card will be prepared for the 2006 Budget Workshop for Council to discuss this venture further.

PUBLIC COMMENTS: Dave Bush, 3315 South 191st Street, identified himself as the SeaTac Rotary President Elect and trustee for both the Highline Schools Foundation for Excellence and the YMCA, served as president of the Tyee High School PTA for the past 3 ½ years as well as other duties at the high school helping staff with the student needs. The school has made great strides. Last Wednesday, the Rotary Club sponsored a luncheon inviting many of the pastors in the area, with 11 attending. The pastors are working on a funding package to support this program. Other churches are interested in partnering with 11,000 local citizen advocates of this program. Lastly, Mr. Bush pointed out that property values increase where there are better schools.

Mauricio Ayon, a community organizer for 12 years, residing at 3727 South 164th Street, stated he has committed much time and work in the community and schools and has come before Council in the past to bring forth community issues. The low-income families need the City's support of the health care clinic, adding a basic human need is good health.

Gary Vanderhoff, Neighborhood Life Center pastor, 29640 55th Place South, Auburn, stated local pastors have met with the panel members to discuss the real need for those families that cannot get health service. He added he is pleased the Council will be considering partnering in this program. He added the pastors met again to determine how much each church could fund this clinic, as well as ways to help other health needs of the local area. It will take a community effort.

Joe Dixon, 19211 35th Avenue South, stated his concern with Agenda Bill No, 2598 regarding Motor Vehicle Fuel Taxes and the Council encouraging voter rejection on the November 8 ballot. He is opposed to elective officials encouraging voter rejection and would like Council to reconsider this part of the Resolution prior to its passage.

CONSENT AGENDA:

- Approval of claims vouchers** (check nos. 68565 - 68810) in the amount of \$370,666.34 for the period ended October 5, 2005.
- Approval of payroll vouchers** (check nos. 44171 - 44216) in the amount of \$296,780.85 for the period ended September 30, 2005.
- Approval of payroll electronic fund transfers** (check nos. 44168 - 44337) in the amount of \$278,740.65 for the period ended September 30, 2005.
- Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$55,448.67 for the period ended September 30, 2005.
- Approval of summary of \$5,000 - \$25,000 purchase requests** for the period ended October 7, 2005.

Approval of Council Meeting Minutes:

- Budget Workshop I** held September 13, 2005.
- Budget Workshop II** held September 20, 2005.
- Transportation & Public Works Committee Meeting** held September 27, 2005.
- Regular Council Meeting** held September 27, 2005.

Acceptance of Advisory Committee Meeting Minutes:

- Planning Commission Meeting** held September 12, 2005 (Committee approved September 26, 2005).

The following Agenda Items were recommended at the October 11, 2005 Special Study Session for placement on this Consent Agenda:

Agenda Bill #2570; Resolution #05-016

A Resolution amending the City Council Administrative Policies and Procedures providing for Telephonic Participation and Voting by Absent Councilmembers

Summary: This Resolution amends the City Council Administrative Procedures in order to allow Councilmembers

CONSENT AGENDA (Continued):

Agenda Bill #2570; Resolution #05-016 (Continued):

(CMs) to participate in and vote at Council Meetings in which they are unable to attend in person.

This issue was raised by CM Fisher. Currently, a CM must be physically present at a Council Meeting in order to participate in the meeting. However, there are times in which circumstances prevent a CM from attending a Council Meeting. This Resolution will permit a CM to participate in and vote at Council Meetings when they cannot be physically present at the meeting site due to circumstances and there are operational telecommunication means to allow full participation by the CM. This amendment to the Council Administrative Procedures does not require such participation by an absent CM.

RCW 35A.12.120 requires that a quorum of CMs must be present in person in order to transact business. This Resolution makes it clear that participation by telephone can only occur when a quorum of CMs is present at the meeting site.

While there is no authority that states that voting by telephone cannot be done, there is also no authority that says it can be done. It is advised that any such use of the vote by phone option should be used with caution, as it is unknown how the Courts would rule on this issue.

Agenda Bill #2568; Ordinance #05-1016

An Ordinance increasing the Monthly Contribution to the City's Voluntary Employee Beneficiary Association (VEBA) Expense Fund

Summary: This Ordinance increases the City's contribution to the VEBA medical, dental and vision expense plan for Councilmembers from \$577 to \$867 per month.

The VEBA plan is a medical savings plan provided to CMs in lieu of health care insurance that is provided to other City employees. In 1996, Council determined that the City contribution to VEBA would be a flat monthly sum equivalent to the premium paid by the City for the AWC Plan B medical coverage for an employee and spouse, together with the premium paid for full family dental and vision coverage. In 1996, this figure was \$351 per month. In 2002 (with an effective date of January 1, 2003), the figure was increased to \$577 based on the same formula. At that time, Council requested that the VEBA contribution be reviewed on a bi-annual basis and the contribution level increased to that of the City employees's AWC Plan B contribution for medical insurance for an employee and spouse together with full family dental and vision insurance premium.

Because the City's contribution to VEBA is considered compensation, any increase cannot take effect until after the next election for each Council position. If an increase is authorized as recommended in this Ordinance, the increase shall be effective on January 1, 2006 for Position Nos. 2, 4 and 6. The increase shall be effective on January 1, 2008 for Position Nos. 1, 3, 5 and 7.

The budget impact of the proposed VEBA increase for the years 2006 and 2007 is approximately \$10,422 per year. The total budget impact for 2008 and beyond is approximately \$24,319 per year.

Agenda Bill #2591

A Motion authorizing the City Manager to execute a One-year Extension of the Interlocal Agreement (ILA) among Participating Jurisdictions within the Green/Duwamish and Central Puget Sound Watershed Resource Inventory Area (WRIA 9)

Summary: This Motion authorizes the execution of a one-year extension of the ILA with the Green/Duwamish and Central Puget Sound Watershed Resource Inventory Area 9 (WRIA 9). This extension will commit SeaTac to its financial share of funding the watershed staff for one additional year (through 2006). SeaTac funds, along with the funding shares from 14 other participating Cities, will provide a reduced watershed staff whose charge is to: 1) prioritizing the recommended programs and projects; 2) transitioning from planning to funding and construction of the progress and projects; and 3) monitoring and oversight of the program implementation.

Participation in WRIA 9 will reduce the City's cost share for 2006 to \$15,506.92. A total of \$19,600 has been tentatively budgeted for 2006. The cost share is lower in 2006 than the yearly cost during the first five years of the ILA.

Agenda Bill #2592; Resolution #05-017

A Resolution ratifying the Green/Duwamish and Central Puget Sound Watershed, Watershed Resource Inventory Area (WRIA) 9 Salmon Habitat Plan, "Making our Watershed Fit for a King", dated August 2005

Summary: The watershed forum requests the City's formal adoption of the WRIA 9 Salmon Habitat Plan,

CONSENT AGENDA (Continued):

Agenda Bill #2592; Resolution #05-017 (Continued):

“Making our Watershed Fit for a King”. The City of SeaTac is one of the 15 South County Cities and three public agencies that make up the watershed forum.

Significant areas of the Green/Duwamish and Central Puget Sound Watershed, WRIA 9, are designated by the Federal government as critical salmon habitat. The City has participated at the WRIA level to set common priorities for actions among partners and to jointly fund development of this Salmon Habitat Plan.

(The following agenda bill was removed from the Consent Agenda and placed under New Business)

Agenda Bill #2598; Resolution #05-018 expressing Council opposition to Initiative (I) 912, which concerns Motor Vehicle Fuel Taxes at the November 8, 2005 General Election

Agenda Bill #2596

A Motion surplusing old Fire Hose to the U.S. Fire Administration for distribution to Fire Departments in areas damaged by Hurricanes Katrina and Rita

Summary: The Fire Department has four pallets of hose that are no longer useful for our mission and could be surplused to fire department(s) in dire need of equipment after the Gulf Coast Hurricanes.

The hose is usually disposed of at auction for a fraction of the initial cost or donated to the State of Washington Fire Academy. The SeaTac Fire Department has been asked, as every other fire department in the United States has been, to donate surplus, usable equipment to fire departments in the Gulf Region that lost most of their fire equipment in the recent hurricanes. This seems to be a very worthwhile request and consistent with past practice of the City in donating used equipment as needed. If the United States Fire Administration does not need the equipment, Fire staff requests to be able to donate it to some other organization in Washington State.

MOVED BY DEHAN, SECONDED BY BRENNAN TO ACCEPT THE CONSENT AGENDA AS PRESENTED.*

DM Anderson requested Agenda Bill No. 2598 to be removed from the Consent Agenda and placed under New Business.

*MOTION CARRIED WITH THE REMOVAL OF AGENDA BILL NO. 2598 TO NEW BUSINESS.

CM Shape stated, as a private citizen, he would like to be able to encourage citizens to reject the Motor Vehicle Fuel Taxes Ballot Measure.

NEW BUSINESS:

Agenda Bill #2598; Resolution #05-018

A Resolution expressing Council opposition to Initiative (I) 912, which concerns Motor Vehicle Fuel Taxes at the November 8, 2005 General Election

Summary: I-912 qualified for the November ballot and would repeal the 9.5 cent gas tax enacted by the Legislature during the 2005 session. The proposed Resolution expresses the Council’s opposition to I-912, and encourages rejection of the Initiative at the November 8, 2005 General Election.

The City of SeaTac will lose \$56,402,366 in funding of critical transportation capital improvement projects (CIPs) in the immediate SeaTac area if the initiative is passage. The capital projects at risk include approximately \$30,000,000 toward completion of SR-509, approximately \$20,000,000 dedicated to a third eastbound lane on SR-518 from the Airport to I-5, and approximately \$6,300,000 dedicated to improvements at the SR-509/SR-518 interchange. In addition, the City will lose over \$100,000 of annual gas tax distribution that would be directly allocated to the City for maintenance and operation of its arterial street system.

MOVED BY ANDERSON, SECONDED BY DEHAN TO PASS RESOLUTION NO. 05-018.*

MOVED BY ANDERSON, SECONDED BY DEHAN TO AMEND RESOLUTION NO. 05-018 DELETING THE WORDS “ENCOURAGES VOTER REJECTION AT THE NOVEMBER 8, 2005 GENERAL ELECTION.”

UPON A ROLL CALL VOTE, THE AMENDMENT PASSED WITH FISHER, WYTHE, ANDERSON, AND DEHAN VOTING YES AND HANSEN, BRENNAN AND SHAPE VOTING NO.

*ORIGINAL MOTION CARRIED UNANIMOUSLY AS AMENDED.

NEW BUSINESS (Continued):

Agenda Bill #2579

A Motion authorizing the City Manager to enter into an Interlocal Agreement (ILA) with the Port of Seattle (POS)

Summary: This Motion authorizes execution of the ILA between the POS and the City of SeaTac for the purpose of both jurisdictions jointly establishing a mutual and cooperative system for exercising their respective jurisdictional authority to avoid disputes or potential claims and to obtain fair and equitable resolution of any potential disputes or claims.

On or about September 1997, the POS and the City executed a 10-year ILA for the purpose of resolving the jurisdiction lawsuit and SEPA Appeals of the Airport Master Plan. The ILA provided a positive framework in which both parties could work out their issues and/or any conflicts. In January of 2005, the City and the POS began negotiating a new ILA which is intended to replace the 1997 ILA. The new ILA will be for a term of 10 years. This ILA addresses the manner by which both jurisdictions will resolve issues pertaining to Land Use, Surface Water Management (SWM), Interagency Cooperation & Development Commitments and Material Hauling. Dispute resolution shall apply to any disputes between the parties concerning these issues.

After nine months of intense negotiations between the parties, it is believed that the new ILA is a considerable improvement over the 1997 ILA, and is more advantageous and equitable to the City than the current ILA. It is in the best interest of the City to continue to improve the relationship with the POS by continuing to work cooperatively on the issues referenced above.

MOVED BY ANDERSON, SECONDED BY DEHAN TO PASS AGENDA BILL NO. 2579.*

CM Wythe made his argument regarding the ILA. The ILA states the City shall amend the Comprehensive Plan (CP) and Zoning Map according to the POS's needs. He felt it is up to the Council to determine how the CP and Zoning Map changes are made. Another concern is developer use of property that brings heavy use upon the streets requiring expansions or additional lights that are ordinarily the developer's cost for street improvements. Many of the projects that are being placed on the City's Transportation Improvement Program (TIP) are POS developments, such as the road across SR 518 to serve the rental car facility or expansions around the L-shaped ring road. Those projects represent the majority of the \$30 million that the POS is asking to be placed on the City's budget. In order to fund that, the City also has shifted the transaction fee to remove an economic burden on the POS and place it on the local businesses. He added he felt the City should have received substantial benefits in other areas.

*MOTION CARRIED WITH WYTHER VOTING NO.

PUBLIC COMMENTS: There were no public comments at this time.

CITY MANAGER'S COMMENTS: City Manager Ward thanked the Council for their appreciation of the year-long work staff performed on the ILA with the POS: 1) On Wednesday, October 12, at 6:00 p.m. at Tyee High School, the Tyee High School Academy of Citizenship will be holding an Open House. Council and public are invited; 3) also on Wednesday, October 12, at 6:15 p.m., the KC Council's Transportation Committee will be having a discussion on the proposed relocation of Southwest Airlines to KC Airport/Boeing Field. KC Executive Ron Sims will not be moving forward with the proposal from Southwest Airlines and associated proposals of other airlines. Therefore, it appears the issue is closed for the time being; and 4) seven senior staff, including the Chief of Police and himself, will be attending a FEMA training session on Earthquake Emergency Response on October 28 to November 5, 2005 in the State of Maryland. The Homeland Security Department will be funding the air fare, lodging, meals and training. The only City expense would be for meals in route to the training.

COUNCIL COMMENTS: CM Wythe announced that he and his wife, Tracy, are in the process of adopting a baby. The process has been very difficult and they are pleased it is in the completion stage.

DM Anderson stated on Sunday, October 2, the Highline Historical Society Open House was held at City Hall on the Lewis and Clark Exhibit. The event was well received by the 92 attendees. She expressed the society's appreciation for the loan of the building and staff's help in setting up the display.

CM Shape, Administration & Finance (A&F) Chair, stated the Position Vacancy Review Board (PVRB) recommended two positions to be filled due to the recent vacancies of a Fire Inspector and the Geographic Information System (GIS) Coordinator. The committee agreed with filling the two positions.

COUNCIL COMMENTS (Continued): CM Brennan stated the Hotel-Motel Tax Advisory Committee Meeting is set for 9:00 a.m. tomorrow, October 12 at City Hall.

Mayor Hansen stated his appreciation for the passing of the ILA and the dedicated effort of staff. He suggested the effective date of the ILA be activated as soon as possible after the POS's passage. Mr. Ward stated he will be happy to negotiate that process with the POS.

ADJOURNMENT:

MOVED BY DEHAN, SECONDED BY FISHER TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 8:28 P.M.

MOTION CARRIED UNANIMOUSLY.

Frank Hansen, Mayor

Judith L. Cary, City Clerk

SEATAC CITY COUNCIL REGULAR MEETING MINUTES

October 25, 2005
6:30 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Deputy Mayor Terry Anderson at 6:51 p.m.

COUNCIL PRESENT: Deputy Mayor Terry Anderson, Councilmembers Gene Fisher, Chris Wythe, Ralph Shape, and Joe Brennan. Excused absences: Mayor Frank Hansen and Councilmember Don DeHan.

ADMINISTRATIVE STAFF: Craig Ward, City Manager; Judith Cary, City Clerk; Mary Mirante Bartolo, City Attorney; Dale Schroeder, Public Works Director; Bob Meyer, Fire Chief; and Annette Louie, Administrative Police Captain.

FLAG SALUTE: (*The Flag Salute was performed at the preceding Study Session.*)

PUBLIC COMMENTS: Bob Stutz, 3742 South 192nd Street, stated his property borders on the southern boundary of the new development, "Traditions at Angle Lakes". Mr. Stutz expressed his concern about the process the City has set up for public comments regarding this development. He relayed five incidents where the public came to Council and only one of the concerns was addressed when the Fire Chief responded, who he publicly thanked the Chief for that action. Mr. Stutz urged the Council to keep the public informed as to what is being done with all public concerns presented to Council.

J.B. Freer, 18925 South 192nd Street, spoke in regards to four vehicles parked on her street that have not been moved in over two months. When Ms. Freer notified the Police Department, it took 10 days for one of the cars to be tagged. The vehicles were then moved across the street. She requested the City's assistance as the vehicles are unsightly in the neighborhood. Secondly, the traffic on South 188th Street is heavy and drivers continue to speed. She is also concerned that the proposed YMCA will only add more traffic and vehicles going through her neighborhood.

Linda Snider, 18700 37th Avenue South, stated concern that the Patterson property, which is adjacent to her property and is proposed for a mixed-use project to/from 36th Avenue South, would create a traffic hazard on 36th Avenue South. She requested a traffic study be required for any development. The developers deemed it necessary to have access to 36th Avenue South. They now state that they do not need the access, all they need is a right in and out. The proposed development is for an apartment complex with retail and parking. She felt it would have an adverse affect on the neighborhood as they do not have to have an egress and ingress to South 188th Street.

Mr. Butler stated the applicant has not gotten that far in the application process. Before any project goes forward and wastes money on architects and engineers, they are required to come to City Hall (Planning Department) and discuss with staff their conceptual plans, at no cost. That is all that this developer has done to date. The applicant will have to submit a building application to the Public Works Building Division; copies will be distributed for review to Building and Engineering Divisions and Fire and Police Departments. A project of this size would require a State Environmental Policy Act (SEPA) application, and a determination of completeness will be made as well as a decision to approve with conditions or disapprove the project.

Council discussion ensued as to whether this project would be in the best interest of the community. On the other hand, the City is in the process of encouraging economic development. CM Shape stated that based on the traffic intersections on South 188th Street, he felt the proposed development would be an added stress on the already busy road. The YMCA, once built, will also add to the traffic on that street.

PRESENTATIONS:

•Certificate of Appreciation to Nina Nelson for her service to the Senior Citizen Advisory Committee

Deputy Mayor Anderson stated that Nina Nelson was unable to attend this meeting to receive her certificate. It will be mailed to her. The Council appreciates her service to the City.

•Confirmation of Mayoral Re-Appointment of Della Schmitz to the Senior Citizen Advisory Committee and Appointment of Andy Sevaio as an alternate for the Human Services Advisory Committee

MOVED BY SHAPE, SECONDED BY FISHER TO CONFIRM THE MAYORAL RE-APPOINTMENT OF DELLA SCHMITZ TO THE SENIOR CITIZEN ADVISORY COMMITTEE AND APPOINTMENT OF ANDY SEVAO AS AN ALTERNATE FOR THE HUMAN SERVICES ADVISORY COMMITTEE.

MOTION CARRIED UNANIMOUSLY.

CONSENT AGENDA:

- **Approval of payroll vouchers** (check nos. 44271 - 44254) in the amount of \$149,297.77 for the period ended October 15, 2005.
- **Approval of payroll electronic fund transfers** (check nos. 44338 - 44505) in the amount of \$298,881.52 for the period ended October 15, 2005.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$57,783.62 for the period ended October 15, 2005.
- **Approval of summary of \$5,000 - \$25,000 purchase requests** for the period ended October 21, 2005.

Approval of Council Meeting Minutes:

- **Study Session** held September 13, 2005.
- **Administration & Finance Committee Meeting** held October 11, 2005.
- **Regular Council Meeting** held October 11, 2005.

Acceptance of Advisory Committee Meeting Minutes:

- **Planning Commission Meeting** held September 26, 2005 (Committee approved October 10, 2005).

The following Agenda Items were recommended at the October 25, 2005 Study Session for placement on this Consent Agenda:

Agenda Bill #2597

A Motion authorizing the City Manager to execute a Contract for Voice Services for the City

Summary: The City's contract for voice services with Electric Lightwave expires in November of 2005. A request for proposal (RFP) was issued in August 2005. Three proposals were received by the August 29 deadline. After reviewing the proposals and some follow-up information, staff is recommending a contract with Integra Telecom because they offered the lowest overall cost, and they can offer analog lines that the current provider cannot offer. This would allow us to transfer analog service from Qwest to Integra Telecom, thus having a single voice service provider for the City. The base monthly price for voice services will be \$988 for our primary digital phone service, plus \$807 for individual analog phone lines.

Agenda Bill #2600; Ordinance #05-1017

An Ordinance adopting the Final regulations regarding "Homeless Encampment", to include amending the Zoning Code, requiring a Temporary Use Permit (TUP) for a Homeless Encampment and adopting criteria and standards to establish Homeless Encampments

Summary: Interim Homeless Encampment regulations were adopted by the Council for six months on May 24, 2005. The regulations provided guideline and requirements to locate a Homeless Encampment in SeaTac through the TUP. Within six months, Council must take action on one of the following: formally adopt the regulations as currently written; amend and adopt the regulations; or do not adopt the regulations. The six-month time frame expires on November 25, 2005.

Summary of Regulations: The interim regulations would provide for the following criteria and standards:

1. Notification: all property owners within 1,000 feet of the encampment would be notified of the establishment of the encampment; and at least one public meeting/hearing would be required 30 days prior to establishment;
2. Site Criteria: The property must be of sufficient size to accommodate the Homeless Encampment; and no permanent structures are allowed.
3. Parking and Transportation: adequate parking is provided on-site for Homeless Encampment residents; and the Homeless Encampment must be within ¼ mile of public transportation.
4. Screening: the Homeless Encampment shall be screened from adjacent residential properties and rights-of-way (ROW); and portable toilets shall be screened.
5. Security: no persons with outstanding warrants would be allowed as inhabitants; and the Homeless Encampment shall be self-policed.
6. Timing: a Homeless Encampment is allowed for a maximum of 90 days and shall not exceed 180 days in any two-year period.
7. Health and Safety: all temporary structures must conform to all Building and Fire Codes.
8. Termination: approval of the TUP may be terminated if the sponsoring agency does not comply with the requirements of the TUP.

MOVED BY FISHER, SECONDED BY WYTHE TO ACCEPT THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARING:

●Vacating a portion of South 154th Street / South 156th Way from approximately Des Moines Memorial Drive South to 24th Avenue South – Public Works

Deputy Mayor Anderson opened the Public Hearing at 7:28 p.m.

City Engineer Tom Gut was available to answer any questions. He had reviewed this project at the preceding Study Session (SS). There were no public comments.

Deputy Mayor Anderson closed the Public Hearing at 7:29 p.m.

NEW BUSINESS:

Agenda Bill #2590; Ordinance #05-1018

An Ordinance vacating a portion of South 154th Street / South 156th Way from approximately Des Moines Memorial Drive (DMMD) South to 24th Avenue South

Summary: This ROW is being vacated to allow construction of the Port of Seattle's (POS) Third Runway project. The POS is replacing the roadway in a more northerly alignment. The POS will be dedicating a replacement ROW of approximately the same size.

The POS owns all of the property abutting the portion of the ROW it is requesting be vacated. The POS is constructing a replacement road on POS property. The POS will transfer ownership of the new ROW to the City as compensation for vacating the existing ROW. The new alignment curves further to the north, adjacent to the north end of the Third Runway. This Ordinance vacates the existing ROW with the condition that the Ordinance does not become effective until the transaction transferring ownership of the new ROW has been executed and recorded.

The procedures for vacating a public ROW are defined in the Revised Code of Washington (RCW), Chapter 35.79. A public hearing is to be held to consider the merits of the application to vacate the street in question. The date of the public hearing was set by Resolution passed by the City Council on September 27, 2005 with the notice being posted on October 4, 2005. The date of the public hearing must not be more than sixty days, nor less than twenty days, after the date of passage of the Resolution setting the date for the public hearing. All the utilities serving the City were given notice of the POS request to vacate this ROW. The utilities have responded, and either do not have facilities in the area or have already received easements from the POS.

The City Attorney is currently coordinating with the POS Attorney on the transfer of ownership of the new replacement ROW to the City. Staff will return to the Council to seek approval of the dedication in a separate Council action. This Ordinance will not be effective until the dedication is executed and recorded.

MOVED BY WYTHE, SECONDED BY FISHER TO ADOPT ORDINANCE NO. 05-1018.

MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENTS: Linda Snider reiterated her concern as to the proposed development on 36th Avenue South.

She stated that she is not against this project. She felt it would be easier to address concerns before it gets too far into the process. The residents should be considered as to their safety with the increase of traffic.

CITY MANAGER'S COMMENTS: City Manager Ward had the following items of business: 1) informed Council

that he received a message from the POS today that their Commissioners took the first step towards adopting the City/POS Interlocal Agreement 2 (ILA-2). Their final action on the ILA is scheduled for November 8; 2) Fire Chief Meyer reported on the four Firefighters who assisted in the relief efforts in the Gulf region due to Hurricane Katrina. One Firefighter came back on October 3, one on October 21 and both are back to work. The other two men are due back this Friday, October 28 and be back to work the first part of November. They were a tremendous help to the displaced residents; and 3) seven senior staff will be in Maryland for the FEMA training. He will be leaving this Friday, October 28, and will be back to work on November 7. He has appointed Public Works Director Schroeder to serve as Acting City Manager in his absence.

COUNCIL COMMENTS: CM Brennan stated he attended the Highline Historical Society (HHS) Forum on Sunday,

October 23 at City Hall. A panel of senior citizens, who have been long-time residents of SeaTac, discussed their war-time history and the City's history. It was very interesting.

CM Shape stated City Manager Ward and he attended a meeting at Tyee High School for the Grand Opening of Tyee Community Campus converting to the small school concept with help from nationwide network of exemplary small high schools. They toured the three schools involved and felt the concept will be successful.

COUNCIL COMMENTS (Continued): Tyee High School will no longer be at the end this school year. The campus has been divided into three small schools: Academy of Citizenship and Empowerment (ACE); 2) Odyssey; and 3) Global Connections. For more information on the Coalition of Essential Schools (CES) program go to the Internet: www.essentialschools.org.

CM Fisher mentioned Bob Stutz's earlier comments on the City having better response to citizens' comments. He would like to see a better system for responses to the citizens.

Deputy Mayor Anderson added to CM Brennan's comments on the HHS Forum stating it was a great event and she encouraged citizens to take time to check over items at home that may have historical value. She has done just that and came across some worthy historical photographs. The HHS appreciates any contributions to the museum's artifacts.

ADJOURNMENT:

DEPUTY MAYOR ANDERSON ADJOURNED THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 7:40 P.M.

Terry Anderson, Deputy Mayor

Judith L. Cary, City Clerk

SEATAC CITY COUNCIL REGULAR MEETING MINUTES

November 8, 2005
6:30 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Deputy Mayor Terry Anderson at 6:58 p.m.

COUNCIL PRESENT: Deputy Mayor Terry Anderson, Councilmembers Gene Fisher, Chris Wythe, Ralph Shape, Joe Brennan, and Don DeHan. Excused absence: Mayor Frank Hansen.

ADMINISTRATIVE STAFF: Craig Ward, City Manager; Judith Cary, City Clerk; Mark Johnsen, Assistant City Attorney; Dale Schroeder, Public Works Director; Bob Meyer, Fire Chief; and Greg Dymerski, Chief of Police Services.

FLAG SALUTE: (*The Flag Salute was performed at the preceding Study Session.*)

PUBLIC COMMENTS: Bob Stutz, 3742 South 192nd Street, asked the Council what authority they have over Public Comments. He stated his comments from two weeks ago have gone without a response.

City Manager Ward stated he was directed to address the issue of revising responses to Public Comments. He has been in Emergency Response training last week and has not had the time to address Mr. Stutz's concerns.

Secondly, Mr. Stutz added that his property is on the southern boundary of the Traditions at Angle Lake (TAAL). Housing Development. With the developer's removal of buffering trees and shrubs, the remaining eight poplar trees are exposed and will probably not survive a windstorm. He requested the Council be proactive regarding these trees so they do not endanger his home during a strong windstorm.

Deputy Mayor (DM) Anderson replied that staff would be investigating this issue.

Steve Pinto, 3741 South 192nd Avenue, referenced the April 2005 Planning Commission (PC) Public Hearing (PH) on the TAAL Housing Development, questioning whether the decisions made by the Hearing Examiner are binding and whether the City would adhere to his ruling. He read a Hearing Examiner's decision on the retention of a minimum 12 percent of the interior trees left after the contractor graded the property. He stated every tree in the interior of the property is gone.

Dale Gibson, 19205 39th Avenue South, stated he is not echoing Mr. Stutz and Mr. Pinto's remarks but along the same line of concern, a petition with 40 signatures was submitted to the City's public comment process. He stated that the property map does not line up with the Hearing Examiner's words as far as 12 percent of trees retained, adding he felt the Planning staff has done a good job during this issue.

Richard Jordan, 16060 Military Road South, reported on the McMicken Heights Community Club's Annual Halloween Party, which was a real success for the neighborhood community. He thanked the City of SeaTac Parks Department, along with the business community and the YMCA, for their contribution to this community event.

DM Anderson added that she has been attending these events for years and this was the best one yet.

CONSENT AGENDA:

- **Approval of claims vouchers** (check nos. 68811 - 69021) in the amount of \$2,200,076.98 for the period ended October 24, 2005.
- **Approval of claims vouchers** (check nos. 69022 - 69224) in the amount of \$387,437.63 for the period ended November 4, 2005.
- **Approval of payroll vouchers** (check nos. 44255 - 44296) in the amount of \$289,084.54 for the period ended October 31, 2005.
- **Approval of payroll electronic fund transfers** (check nos. 44506 - 44678) in the amount of \$269,853.34 for the period ended October 31, 2005.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$52,443.18 for the period ended October 31, 2005.

Approval of Council Meeting Minutes:

- **Special Study Session** held September 27, 2005.
- **Budget Workshop III** held October 4, 2005.
- **Public Safety & Justice Committee Meeting** held October 11, 2005.

CONSENT AGENDA (Continued):

Approval of Council Meeting Minutes (Continued):

- **Land Use & Parks Committee Meeting** held October 13, 2005.
- **Transportation & Public Works Committee Meeting** held October 25, 2005.
- **Joint City Council / Hotel/Motel Tax Advisory Committee / SeaTac Economic Partnership Workshop** held October 25, 2005.
- **Regular Council Meeting** held October 25, 2005.

Acceptance of Advisory Committee Meeting Minutes:

- **Planning Commission Meeting** held October 10, 2005 (Commission approved October 24, 2005).

The following Agenda Items were recommended at the November 8, 2005 Special Study Session for placement on this Consent Agenda:

Agenda Bill #2604; Ordinance #05-1019

An Ordinance authorizing acceptance of a State of Washington Grant and amending the 2005 Annual City Budget for the Japanese Garden

Summary: The purpose of this action is to develop a Japanese Garden within the existing area of the Highline SeaTac Botanical Garden. The State is providing grant funding in the amount of \$246,250 to acquire an existing Japanese garden that was developed by the Seike family and to relocate those portions that can be moved to the Highline SeaTac Botanical Garden. The Port of Seattle (POS) acquired the Seike Family Memorial Peace Garden as part of the third runway project and is selling the garden materials to the City of SeaTac. The Seike garden is approximately 11,000 square feet in size (.2 acre).

Like most Japanese families in the Puget Sound region, the Seike family was interned during World War II. Both of the Seike sons served in the U.S. Army, and one gave his life for his country. Friends of the Seike family in the Highline area preserved their property, which was subsequently returned to them after the war. In appreciation for their neighbor's actions and their family's sacrifice, the family developed the Seike Family Peace Garden, which was professionally designed to honor Japanese gardening culture. Thus, the Seike Garden merits preservation as a family memorial, as an artistic representation of Japanese culture, and as a stirring testament to the community spirit of the State, the Puget Sound region and the Highline area. It is unfortunate that the garden cannot be preserved in place, but by relocating the garden to a nearby location, the heritage that the garden represents can be memorialized.

This budget amendment will increase both Municipal Capital Improvement Program (CIP) Fund revenues and expenditures in the amount of \$246,250, and has no effect on the year-end fund balance estimated for 2005. Any remaining amounts at the end of 2005 will be carried over to the 2006 Budget as a part of the Ordinance in early 2006 to carry over appropriations included in the 2005 Budget, but not completed.

Agenda Bill #2599

A Motion authorizing Final Acceptance of the 2005 Annual Overlay Project

Summary: The 2005 Annual Overlay Project was physically completed on October 4, 2005. Staff is recommending final acceptance and closeout of the project.

On June 28, 2005, City Council awarded the 2005 Annual Overlay contract to Western Asphalt, Inc. for a contract amount of \$379,766.50 plus a 10 percent contingency of \$37,976.65 and a materials testing service fee of \$5,000 for a total project budget of \$422,743.15. Work began in late August 2005 and reached substantial completion on September 22, 2005. The project included road repair and overlay of approximately 7,250 lineal feet of residential streets throughout the City. The actual costs of the project were lower than the contract amount. Final acceptance establishes the beginning of the 45-day lien period as required by State law.

	BID AMOUNT	FINAL COST
Construction Contract	\$379,766.50	\$266,857.34
Contingency (10 percent)	\$37,976.65	\$0.00
Materials Testing Services	\$5,000.00	\$1,000.00
Total	\$422,743.15	\$267,857.34

CONSENT AGENDA (Continued):

Agenda Bill #2605; Resolution #05-019

A Resolution amending the City of SeaTac Schedule of License Fees, Permit Fees, and Other Fees and Charges for City Services

Summary: This Resolution amends the City's Schedule of Fees to increase certain Public Works and Planning & Community Development permit fees. Adoption of the Resolution will increase the anticipated permit fee revenue projected for 2006 to allow funding for a new full-time Associate Planner and a new part-time Planning Administrative Assistant.

The City currently uses the Building Permit Fee Schedule that was published in the 1997 Uniform Building Code (UBC). The UBC and the permit fee schedules are no longer being published, leaving jurisdictions on their own to create new fee schedules. In 1997, the City did not recoup all of its expenses for administering building permits and with inflation, that gap has grown. In an effort to bring the fee schedule back to the 1997 level, staff is proposing a 25 percent increase in building permit fees. Planning and Community Development Department permit fees have also been at the same level for many years. Therefore, the Planning Department is proposing to increase the fees for selected permits where the cost of processing those permits is not covered under the current fee schedule.

The additional revenue generated by these fee increases will provide the necessary funding for the additional staff and allow the departments to continue to provide timely review of development proposals. It is expected that this fee schedule increase will generate additional revenue of \$158,300 in 2006.

MOVED BY DEHAN, SECONDED BY WYTHE TO ACCEPT THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY.

NEW BUSINESS:

Public Meeting at Bow Lake Mobile Home Park on the new Medi-Care Plan for Seniors

DM Anderson requested that staff look into a workshop on the new Medi-Care Part D for the Bow Lake Mobile Home Park residents. She stated the government booklet of this issue is difficult for them to decipher.

Nomination of Linda Snider to the Planning Commission to fill a vacancy

MOVED BY ANDERSON, SECONDED BY FISHER TO CONFIRM THE MAYORAL APPOINTMENT OF LINDA SNIDER TO THE PLANNING COMMISSION TO FILL AN UNEXPIRED TERM TO END SEPTEMBER 13, 2006.

MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENTS: There were no public comments at this time.

CITY MANAGER'S COMMENTS: City Manager Ward had the following items of business: 1) he, along with five other staff attended the National Emergency Management Training Program on earthquake response last week. It was a rigorous and enlightening training exercise. He recommended this training to include Councilmembers and other City staff in future training sessions. The Federal Emergency Management Authority (FEMA) pays airfare and lodging; 2) City Hall will be closed on November 11, Veterans Day; 3) on November 18 at 10:30 a.m., the Senior Center dedication will be held and the public is invited to attend at the SeaTac Community Center (SCC). This event will be followed by the Seniors' Annual Thanksgiving Luncheon; and 4) the City received notice from the POS that they adopted the revised Interlocal Agreement (ILA) between the POS and the City today and will act on the ILA on November 22 when Mayor Hansen will have returned to the local area.

COUNCIL COMMENTS: Councilmember (CM) Fisher stated he received a call from Mr. Pinto regarding the tree issue, which he relayed to the City Manager. He felt most of the general public does not understand that the City Council is a policy-making body. The City Manager administers City business. It takes time for responses to be addressed.

CM Shape stated at the Administration & Finance (A&F) Committee Meeting today, the Position Vacancy Review Board (PVRB) recommended promoting Mark Johnsen as Senior Assistant City Attorney and Julia Yoon as Associate City Attorney (Prosecutor) effective November 9 leaving Mrs. Yoon's position vacant. The committee approved the filling of that vacancy; and 2) regarding the TAAL housing development, after discussing it with staff, he realized that the City rules and regulations passed by the City Council, were being closely followed by the

COUNCIL COMMENTS (Continued): builder. The builder followed the plan to leave 12 percent of the trees and is actually leaving 36 percent of the perimeter trees. The poplar tree situation should be addressed in order to preserve them.

CM Brennan stated the Public Safety & Justice (PS&J) Committee met today and the Police Chief arranged for a demonstration on the "Red Light Camera" which tracks vehicles running red lights. This is especially important near school areas. Violators are sent a photo violation ticket. Statistics in other jurisdictions have shown a reduction in violators. He hopes Council will agree to this action for SeaTac.

CM DeHan stated he was pleased to hear that the McMicken Heights Community Club Halloween Party was a success. He added he was out of town and unable to attend.

ADJOURNMENT:

MOVED BY SHAPE, SECONDED BY DEHAN TO ADJOURN THE REGULAR COUNCIL MEETING AT 7:30 P.M.

MOTION CARRIED UNANIMOUSLY.

Terry Anderson, Deputy Mayor

Judith Cary, City Clerk

SEATAC CITY COUNCIL REGULAR MEETING MINUTES

November 22, 2005
6:30 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Frank Hansen at 6:20 p.m.

COUNCIL PRESENT: Mayor Frank Hansen, Deputy Mayor Terry Anderson, Councilmembers Gene Fisher, Chris Wythe, Ralph Shape, Joe Brennan, and Don DeHan.

ADMINISTRATIVE STAFF: Craig Ward, City Manager; Judith Cary, City Clerk; Mary Mirante Bartolo, City Attorney; Mike McCarty, Finance Director; Dale Schroeder, Public Works Director; Steve Butler, Planning Director; Bob Meyer, Fire Chief; and Greg Dymerski, Chief of Police Services.

FLAG SALUTE: (The Flag Salute was performed at the preceding Special Study Session.)

PUBLIC COMMENTS: There were no public comments at this time.

CONSENT AGENDA:

- **Approval of claims vouchers** (check nos. 69225 – 69412) in the amount of \$1,004,069.28 for the period ended November 18, 2005.
- **Approval of payroll vouchers** (check nos. 44297 – 44335) in the amount of \$136,096.81 for the period ended November 15, 2005.
- **Approval of payroll electronic fund transfers** (check nos. 44679 – 44844) in the amount of \$253,694.36 for the period ended November 15, 2005.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$47,400.92 for the period ended November 15, 2005.
- **Approval of summary of \$5,000 - \$25,000 purchase requests** for the period ended November 18, 2005.

Approval of Council Meeting Minutes:

- **Budget Workshop IV** held October 11, 2005.
- **Budget Workshop V** held October 18, 2005.
- **Budget Workshop VI** held October 25, 2005.
- **Budget Workshop VII** held November 15, 2005.
- **Administration and Finance Committee Meeting** held November 8, 2005.
- **Public Safety and Justice Committee Meeting** held November 8, 2005.
- **Regular Council Meeting** held November 8, 2005.

Acceptance of Advisory Committee Meeting Minutes:

- **Planning Commission Meeting** held October 24, 2005 (Commission approved November 7, 2005).
- **Senior Citizen Advisory Committee Meeting** held August 17, 2005 (Committee approved October 26, 2005).

The following Agenda Items were recommended at the November 22, 2005 Special Study Session for placement on this Consent Agenda:

Agenda Bill #2607; Resolution #05-020

A Resolution supporting Mixed Use Development in the City Center, the use of Economic Development (ED) Incentives to encourage Development, and authorizing the City Manager to request Proposals for Qualified Mixed Use Developments

Summary: This Resolution is designed to stimulate mixed-use development in the City of SeaTac by stating the City Council's continued support for mixed-use development consistent with the vision of the City Center Plan; authorizing the preliminary reservation of up to \$18.3 million in funding for ED incentives to be applied to qualified mixed-use development projects along or in close proximity to the International Boulevard (IB) corridor; and authorizing issuance a request for proposals (RFP) for qualified mixed-use development projects to be located on or in close proximity to the IB corridor.

Over the past two years, the SeaTac Economic Partnership (STEP), Hotel-Motel (H/M) Tax Advisory Committee and City staff have worked with consultants to create a framework and process for stimulating ED in the City of SeaTac. As part of these efforts, a preliminary RFP concept has been shared with interested SeaTac property owners and development firms active locally and regionally. Their feedback indicates a clear need for economic incentives to generate the type of urban development that the City of SeaTac envisioned in the 1999 City Center

CONSENT AGENDA (Continued):

Agenda Bill #2607; Resolution #05-020 (Continued): Plan, (i.e., to include mixed-uses, increased density and conversion of surface parking to structured parking facilities) and on a basis that will be competitive with other jurisdictions in the Puget Sound region.

The City retains the right to approve, negotiate, modify, or disapprove the application of ED incentives as proposed by any private entity on a project-by-project basis.

Adoption of the proposed Resolution would involve reservation of up to \$13.3 million of the City's unused, non-voted debt capacity and up to \$5 million of available H/M capital funds.

The City's total non-voted debt capacity is \$51.2 million. To date, approximately \$7 million has been bonded, resulting in an unused, non-voted debt capacity of \$44.2 million. Of this, up to 30 percent or \$13.3 million would be reserved for qualified ED projects.

As per Washington State statute, any public investment of the City's \$5 million H/M capital funds must be exclusively applied toward tourism-related capital projects.

The City could additionally apply other local, regional, State and/or Federal incentives that may become available for qualified development projects with no impact to general fund resources.

Agenda Bill #2573; Ordinance #05-1020

An Ordinance tentatively establishing the 2006 Ad Valorem Property Tax Levy

Summary: This Ordinance establishes the 2006 ad valorem property tax levy, based on the assessed valuation of property in the City, as certified by the King County (KC) Assessor's Office.

Initiative 747, approved by the voters on November 6, 2001, limits annual property tax increases to the lower of one percent or inflation, defined by the implicit price deflator (IPD). The IPD for 2006 is 1.0254 percent, resulting in all regular property tax levies being limited to an increase of one percent over the previous year, excluding new construction and State-assessed property valuation increases. The 2006 Preliminary Budget is based on a property tax revenue estimate in conformance with the provisions of I-747.

As of November 16, the KC Assessor's Office has not certified assessed valuations, nor will they provide an exact date for this information to be released. However, a tax levy amount must be filed with the KC Assessor and KC Council by December 2. Staff plans to submit an estimated amount which represents the Assessor's estimate of the maximum statutory levy for 2006. Staff recommend that this levy Ordinance be adopted, which levies that amount - \$11,103,242 - for 2006, due to the fact that later revisions can only reduce, not increase the tax levy amount. The City Council will be required to revise the tax levy amount downward at the December 13, 2005 Council Meeting, once certified assessed valuations are received.

Agenda Bill #2581; Ordinance #05-1021

An Ordinance amending the Zoning Code regarding the siting of Essential Public Facilities (EPF)

Summary: This Ordinance amends the City's standards for siting EPF by removing language that is non-compliant with a recent Central Puget Sound Growth Management Hearings Board case regarding the siting of EPF. This Ordinance also clarifies the process for reviewing EPF permit applications.

EPF are defined in the Revised Code of Washington (RCW) 36.70A.200 as those facilities that are typically difficult to site, such as airports, State education facilities and State or regional transportation facilities as defined in RCW 47.06.140, State and local correctional facilities, solid waste handling facilities, and in-patient facilities including substance abuse facilities, mental health facilities, group homes, and secure community transition facilities as defined in RCW 71.09.020.

RCW 36.70A.200 requires that the comprehensive plan of each County and City shall include a process for identifying and siting EPF, and that no local comprehensive plan or development regulation may preclude the siting of EPF, although local governments may impose conditions and require mitigation when an EPF is proposed to be sited within their boundaries.

In October 2003, the Hearing Board issued a Final Decision and Order regarding a case involving KC and Snohomish County (SC) (Case # 03-3-0011). This case involved KC's desire to site an EPF (a sewage treatment plant) within unincorporated SC. However, SC's Code placed certain restrictions on the siting of EPF. Consequently, KC filed a case with the Hearing Board claiming that SC's Code imposed a process that effectively precluded the siting of the proposed EPF, and therefore, did not comply with the requirements of RCW

CONSENT AGENDA (Continued):

Agenda Bill #2581; Ordinance #05-1021 (Continued): 36.70A.200. In its decision, the Hearing Board held that it is not appropriate for a local government to create criteria that purport to revisit or second guess a siting decision that has been made by a regional or State entity.

SeaTac currently has a process to allow the siting of EPF. However, under SeaTac Municipal Code (SMC) 15.22.035(D)(5), 15.22.035(F)(1), and 15.22.035(H), the City may require the applicant to show that other possible locations may be more suitable, thereby second guessing the siting decision that resulted in a SeaTac site being chosen. These provisions of SeaTac's Zoning Code conflict with the decision rendered by the Hearing Board.

This Ordinance amends the existing regulations, deleting language inconsistent with the Hearings Board's decision, while retaining provisions that allow the City to require mitigation and impose conditions on a proposed EPF through a Conditional Use Permit (CUP) process.

This Ordinance also clarifies the role of the Ad Hoc Committee as an advisory body; specifies that the designated Hearing Body is the City's Hearing Examiner (HE), while providing that the Council may assume this role for itself if it so chooses; and clarifies the status of Development Agreements (DAs) as they may pertain to an CUP/EPF application.

Agenda Bill #2601

A Motion authorizing the City Manager to execute an Agreement for the Development of certain Port-owned Properties adjacent to North SeaTac Park (NSTP)

Summary: This Motion authorizes the City Manager to execute an Agreement for the development of certain Port-owned properties adjacent to NSTP, commonly described as the "55 Acres".

On February 12, 2002, the City Council authorized execution of an Agreement with the Port of Seattle (POS) allowing the POS to develop a site adjacent to NSTP of approximately 55 acres subject to development standards for POS-owned property and provisions of the Agreement addressing access to the property, acceptable truck routes, limiting permitted land uses, and Best Management Practices (BMP) for construction and development activities. Since that time, the POS has sought to market the subject property and has determined that certain land uses should be permitted in order to position the property most effectively. This new agreement amends one dated April 23, 2002 by permitting the following uses on the 55 acres that are not currently allowed: stand-alone office building (not to exceed 30 percent of developed building footprints), light manufacturing and assembly facilities, and Foreign Trade Zone. In addition, restaurants would be added to the description of uses allowed as Employee Support Facilities. Other housekeeping items are also changed, such as updating references to the 2005 Interlocal Agreement (ILA). No other substantive portions of the existing Agreement would be changed.

MOVED BY BRENNAN, SECONDED BY ANDERSON TO ACCEPT THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY.

NEW BUSINESS:

Agenda Bill #2609; Ordinance #05-1022

An Ordinance amending Section 3.70.010 and 3.70.020 of the SeaTac Municipal Code (SMC) relating to Local Option Transportation Taxes

Summary: This Ordinance changes the current Commercial Parking Tax rate, effective January 1, 2006, and provides for incremental changes to the parking tax rate on a yearly basis through 2010. The tax rate changes were agreed upon in the ILA with the POS enacted by the City Council October 11, 2005.

Over the past nine months, City staff have met with the POS staff, conducted two public meetings with the commercial parking lot operators and met with representatives of the commercial lot operators regarding the Commercial Parking Tax. The parking tax schedule as detailed in the Ordinance was accepted by the parties. The parking tax increase is incrementally stepped up from the current level of \$1 per transaction to \$1.75 in 2006, \$2 in 2007, \$2.50 in 2008, \$2.75 in 2009, and \$3 in 2010. For parking durations of less than two hours, the parking tax remains at \$1 per transaction in 2006 and 2007, \$ 0.95 in 2008 and 2009 and \$ 0.90 in 2010. Revenue over a 10-year period is estimated at \$84 million.

MOVED BY SHAPE, SECONDED BY DEHAN TO ADOPT ORDINANCE NO. 05-1022.*

NEW BUSINESS (Continued):

Agenda Bill #2609; Ordinance #05-1022 (Continued):

MOVED BY SHAPE, SECONDED BY DEHAN TO AMEND THE ORDINANCE, UNDER ITEM D OF THE DEVELOPMENT AGREEMENT, TO READ AS FOLLOWS "LOCAL EMPLOYEE PARKING" REFERS TO PARKING SPACES PROVIDED OR RESERVED FOR USE BY AN EMPLOYEE WHO WORKS WITHIN THE CITY AND WHERE THE EMPLOYEE PARKS HIS/HER VEHICLE IN CONNECTION WITH HIS/HER EMPLOYMENT, (REMOVING THE *COMMA* AFTER CITY AND ADDING *AND* IN ITS PLACE.)

AMENDMENT CARRIED UNANIMOUSLY.

*MOTION CARRIED AS AMENDED WITH WYTHE VOTING NO.

PUBLIC HEARINGS:

●2006 Annual City Budget

Mayor Hansen opened the Public Hearing on the 2006 Annual City Budget at 6:45 p.m.

Finance Director Mike McCarty addressed the 2006 Annual City Budget. He briefed on the background work involved and stated the Council reviewed the 2006 Preliminary Budget at the November 8 Study Session (SS) and at the November 15 Budget Workshop. The following uses of reserve balances were added to the budget: 1) \$5 million for the Riverton Heights School property purchase; 2) \$1,032,105 for prepayment of services from the YMCA; 3) \$2 million for replacement of Fire Station 46 (with approximately \$3.2 million to be budgeted in 2007 to complete project); 4) \$4.8 million for City Center property acquisition; and 5) \$10,651 for Emergency Preparedness Supplies.

The YMCA prepayment for services and the Emergency Preparedness Supplies are budgeted as direct expenses of the General Fund. The remaining \$11.8 million of expenditures are budgeted in the Municipal Facilities Capital Improvement Program (CIP) Fund 306, funded by transfers from the General Fund 001 (\$9,175,000) and the Municipal Capital Improvements Fund 301 (\$2,625,000).

New Positions for 2006: Part-time Geographic Information System (GIS) Technician in the Finance & Systems Department; the Recreation Program Specialist in Parks & Recreation Department; Associate Planner, Planning Intern, and Part-time Administrative Assistant I in the Planning Department; and an additional Detective Sergeant in the Police Department (contracted services with KC).

The effect of the above added expenditure is as follows:

General Fund: January 1, 2006 Fund Balance - \$18,681,587; Revenue - \$23,765,234; and Expenditures \$34,126,245 for a December 31, 2006 Fund Balance of \$8,320,576, leaving four months of operating expenditures reserved in this fund.

All Funds: January 1, 2006 Fund Balance - \$57,860,935; Revenue \$59,060,577; Expenditures \$74,841,042 for a December 31, 2006 Fund Balance of \$42,080,470.

Mayor Hansen stated this budget is, in general, a good budget, well thought out and balanced. However, he stated he will be voting no due to the fact that it contains \$5,176,099 for a new Fire Station in the McMicken Heights area. He stated he did not believe the neighboring community has had a chance to be heard on this issue. Four properties would have to be purchased at an excess of \$1million. He felt the main station should be right where the current one is now on South 200th Street. He suggested it would be better for the Council to have a deliberation at the 2006 Council Retreat on the locations of the Fire Station, the costs, and the long range plan.

Lengthy Council discussion ensued as to the location of the main Fire Station and the costs involved. Also discussed was the \$1,032,105 payment to the YMCA. Councilmember (CM) DeHan stated he spoke with Jim Miller, Executive Director of the Greater YMCA, and he was agreeable to three installment payments of \$344,035 in three years.

Council concurred to send the following agenda bill (Agenda Bill No. 2574) to the December 13 Regular Council Meeting and to place the issue of the Fire Stations on the early 2006 Council Retreat Agenda for Council discussion and consensus of locations.

Linda Snider, 18700 36th Ave South, questioned whether the \$50,000 for a medical clinic at Tyee High School was still in the budget. Mayor Hansen replied it is not in the 2006 budget.

PUBLIC HEARINGS (Continued):

2006 Annual City Budget (Continued): John Thompson, 2504 South 148th Street, stated he did not think the City has grown that much that it needs six more employees for City Hall. He exemplified an incident he felt proved his point.

Mayor Hansen closed the Public Hearing at 7:30 p.m.

NEW BUSINESS (Continued):

Agenda Bill #2574

An Ordinance establishing the 2006 Annual City Budget

MOVED BY HANSEN, SECONDED BY BRENNAN TO SEND AGENDA BILL NO. 2574; AN ORDINANCE ESTABLISHING THE 2006 ANNUAL CITY BUDGET TO THE DECEMBER 13 REGULAR COUNCIL MEETING.

UPON A ROLL CALL VOTE, THE MOTION CARRIED WITH FISHER, WYTHE, ANDERSON, HANSEN AND BRENNAN VOTING YES AND SHAPE AND DEHAN VOTING NO.

PUBLIC HEARINGS (Continued):

•Development Agreement (DA) with MADA LLC

Mayor Hansen opened the Public Hearing on the DA with MADA LLC at 7:34 p.m.

Planning Director Steve Butler addressed the proposed DA between MADA LLC and the City of SeaTac. The project is on the former "Washington Poster" site located on IB, south of South 170th Street, between the Red Roof Inn and the Ramada Inn Hotel. The applicant wants to start with a base of 600 parking stalls (vs. 300) and other minor departures from the draft DA.

Mr. Butler gave a summary of the recent revisions to the DA: 1) Two additional waivers being requested regarding: a) minimizing views into garage interiors; and b) future conversion of ground floor into retail/commercial. Given the topography of the site, staff does not feel those are needed; 2) Conceptual landscaping plan added; 3) modification of garage's eastern façade if 66 percent of the adjacent neighborhood is redeveloped into non-residential uses; 4) a maximum term of 20 years added to the left-turn access to site section; and 5) clarification that the MasterPark sign is attached to façade of elevator shaft and is not a "roof sign" as roof signs are not allowed under the SMC.

Roger McCracken, 19600 IB, Suite 102, stated the project is a 1,050 parking stall garage in which he (the applicant) is investing \$20 million into the development. The project is fully funded and they are ready to apply for permits on December 15, and once issued, they plan to fast track through the City and begin construction with PCL Contractors (the same firm that is constructing the Light Rail Station at South 154th Street). He stated he has had numerous meetings with staff over the last two weeks. At the last Council Meeting, Mr. McCracken briefed Council on the conceptual elements of the project. He asked City support when MADA applies to the Washington State Department of Transportation (WSDOT) for a permit for a left-turn lane, if and when the POS closes off South 170th Street.

CM Fisher stated he appreciated that there is no City funding on this project. His concern is to reduce surface parking.

Mr. McCracken replied that this is a market-driven project which is driving the numbers. In terms of the 66 percent that was recommended by Planning staff to set some type of criteria, MADA must change the rear elevator of the back of the building. It was only to add aesthetics value of the eastern elevation if that area becomes developed into a higher use.

CM Wythe stated he supports this project, but is concerned as to the 66 percent and how the structure will appear.

Mr. McCracken explained the eastern façade will have trees that will exceed the structure in height at full growth. MADA will change the façade if and when the zoning between South 31st Street and 32nd Avenue South is changed to 66 percent commercial medium density,

Deputy Mayor (DM) Anderson stated her concern as to the vehicle lights and noise affecting the neighborhood.

Mr. McCracken replied that all of interior lights are properly shielded on the eastern façade. The garage is valet parking, not self-parking, cutting down on the noise, but there will be some impact on the neighborhood. The trees will be 15 feet and will grow to maturity in two to three years. He added that if valet parking does not meet the market place, MADA needs the right to be changed to self-parking.

PUBLIC HEARINGS (Continued):

DA with MADA LLC (Continued): The first floor and the rear of the garage are required by Code to have retail if the parking garage is close to a public street. If the market changes, the first floor (lower grade than the street) could be converted from parking to retail. There is also the option to have more retail in the front.

Council agreed that this development will be a great addition to IB.

Mayor Hansen closed the Public Hearing at 7:57 p.m.

NEW BUSINESS (Continued):

Agenda Bill #2606; Resolution #05-021

A Resolution authorizing the City Manager to enter into a Development Agreement (DA) between the City and MADA LLC

Summary: This Resolution adopts a DA between with MADA LLC, related to property located at 16802 IB.

Background: The applicant submitted for a DA on September 27, 2005 as well as a related rezone request. Staff entered into negotiations with the applicant. A summary of the DA was presented at the November 8, 2005 SS.

Development Provisions and Applicable Standards (Sections 3.2 to 3.4 of the DA): An estimated 1,050 stall parking garage and 5,000 square feet of retail/office uses is proposed. The parking structure would be set back 100 feet from the right-of-way (ROW) of IB, except for a small section of the northwestern portion of the garage. The applicant is requesting the following departures from the City Code, which are listed below:

- A parking structure with a base of 600 parking stalls (versus 300 parking stalls allowed by Code).
- The use of 10 feet of ROW on 31st Avenue South to help meet the minimum 20-foot landscape strip required.
- To allow up to 30 percent of the parking stalls as compact stalls (this allows a one-foot reduction in the length of the stall). Under the current code, compact stalls are not allowed.

Vehicle Access (Section 3.5 of the DA): As proposed in the DA, the City agrees to support a break in the median on IB to allow a left turn into the site from southbound IB, should the present vehicle access now available to the site via the Airport Drive and South 170th Street become permanently unavailable in the future. MADA would need to do a traffic study and channelization plan. The traffic study must justify the need for a break in the median and will not negatively impact traffic flows on IB.

Benefits to the City (Section 4.1 of DA): Benefits to be provided to the City through the DA include:

- An enhanced design of the garage's western façade.
- The open space along IB would exceed City requirements.
- The front 100-foot area along IB would be able to be redeveloped.
- There would be remediation of environmental contamination.

Termination of Agreement (Sections 5.1 & 5.2 of the DA): The DA may be terminated, based upon the following:

- The DA is null and void, if not executed within 30 days after the agreement is approved by Council.
- The DA is terminated if the developer does not meet the following timelines: 1) The applicant fails to submit a complete application within 180 days of the DA approval; 2) The applicant fails to start construction within 90 days of final permit approvals; and 3) The applicant fails to complete construction of the proposed project within one year from the start of construction.

Approval of this Resolution would result in extra parking taxes for the City.

MOVED BY DEHAN, SECONDED BY BRENNAN TO PASS RESOLUTION NO. 05-021.

MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENTS: There were no public comments at this time.

CITY MANAGER'S COMMENTS: City Manager Ward had the following items of business: 1) the Station Area Planning Meeting, to discuss the preliminary alternatives for the two station areas, has been cancelled and will be rescheduled to mid- or late January; 2) the Annual Tree Lighting Ceremony is set for December 1 at 6:30 p.m. at City Hall. The public is encouraged to attend; 3) the Annual Employees Diversity Awards Banquet will be held on December 2; 4) he will be attending the National League of Cities (NLC) Conference December 7-12, along with CMs Fisher and Shape. Planning Director Steve Butler will be the Acting City Manager in his absence; and 5) The POS Commission authorized execution of the new City/POS ILA today.

COUNCIL COMMENTS: CM Fisher stated Roy Moore, a founding father of the City, has had a heart attack and is in the hospital. The City will send its regards to Mr. Moore.

CM Shape reported on the Suburban Cities Association (SCA) Monthly Meeting stating the same issues he brought to Council a month ago were further discussed. The Public Issues Committee meets monthly to consider common interest issues to the 37 Cities; 1) the issue on the Growth Management Act (GMA), the Cities could not agree upon the wording of the Initiative so it was postponed; 2) the water issue presented by Woodenville has been tabled to a future time; 3) the committee is asking SCA to support KC efforts to end homelessness in its 10-year plan. He asked Council for their input. Most of the funding will come from Federal monies.

Council discussion ensued as to human needs in this program. This is a huge project and the specifics have not been outlined. Federal funding is taxpayers' money and needs to be examined thoroughly.

CM Shape continued with SCA items: 4) regarding ED, SCA would like poorer Cities to have greater ability to obtain grants based on Cities' average family income and the ability for the City to raise revenue. There was not much support for this item but will be discussed further.

DM Anderson stated Burien is actively considering annexation of North Highline.

CM Shape stated the new Senior Center is a beautiful facility.

CM Brennan stated the H/M Tax Advisory Committee Meeting has been cancelled.

CM DeHan agreed with CM Shape's comment on the Senior Center. It is a real asset to the City. He then wished everyone Happy Thanksgiving.

PUBLIC COMMENTS: Marion Henry, 3208 South 198th Street, stated there is no covered area for the disabled to enter the Senior Center during inclement weather without getting wet.

Darlene Thompson, 2504 South 148th Street, stated the seniors had requested a covered area out to the road. What was done was to put parking for the Senior Van right next to the building but only the front portion of the van is sheltered, not the back where the wheelchairs are located. The seniors were told that the cost of the shelter exceeded the budget for this project. She added the center is a beautiful facility.

Mayor Hansen, on behalf of the Council, thanked Mrs. Thompson for all her work on the development of the Senior Center.

COUNCIL COMMENTS (Continued): Mayor Hansen stated he, along with City Manager Ward and City Attorney Mary Mirante Bartolo were invited to attend the second reading of the POS/City ILA at the airport. He added that the City and POS have developed a good working relationship and with this ILA, that should continue.

ADJOURNMENT:

MOVED BY ANDERSON, SECONDED BY BRENNAN TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 8:17 P.M.

MOTION CARRIED UNANIMOUSLY.

Frank Hansen, Mayor

Judith Cary, City Clerk

SEATAC CITY COUNCIL SPECIAL MEETING MINUTES

December 13, 2005
6:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Special Meeting was called to order by Mayor Frank Hansen at 6:59 p.m.

COUNCIL PRESENT: Mayor Frank Hansen, Deputy Mayor Terry Anderson, Councilmembers Gene Fisher, Chris Wythe, Ralph Shape, Joe Brennan, and Don DeHan.

ADMINISTRATIVE STAFF: City Manager Craig Ward, City Clerk Judith Cary, City Attorney Mary Mirante Bartolo, Finance Director Mike McCarty, Public Works Director Dale Schroeder, Planning Director Steve Butler, Fire Chief Bob Meyer, and Chief of Police Services Greg Dymerski.

FLAG SALUTE: (The Flag Salute was performed at the preceding Special Study Session.)

PUBLIC COMMENTS: Marion Henry, 3208 South 198th Street, stated her opposition to a medical clinic at Tyee High School (HS) when there is a clinic being built down the street that will give every person the same attention. From her past experience as a nurse, she stated, doctors and nurses are dedicated professionals.

John Thompson, 2504 South 148th Street, stated he recommended Council adopt the budget and accept the \$50,000 from King County (KC) for the medical clinic. He feels the youth deserve the clinic.

Joe Dixon, 19211 35th Avenue South, stated he agreed with Linda Snider's statement at the preceding SSS regarding a health clinic at Tyee HS. The Planning Commission (PC) has discussed the proposed clinic at length with a tied vote. He felt the students can walk to the medical clinic being built one block away. He suggested using the \$50,000 for medical supplies for the Lutheran Medical Clinic to be used for students. Secondly, regarding the Council Retreat in 2006, he suggested it be held locally so citizens can attend. The public should be aware of when and where it is going to be held. Thirdly, he added, in the last 13 years, he has rarely seen the City Budget reduced after it has been approved.

Billy Somal, 24010 137th Avenue Southeast, Kent, requested clarification of the status of his proposed Comprehensive Plan (CP) amendment (which was denied), and the subsequent rezone (which could not be approved as it would be inconsistent with the CP).

Mayor Hansen requested the City Manager speak with Mr. Somal on his issue.

Patricia Crocker, 3715 South 182nd Street a former SeaTac Human Services Committee member and a CATCH 21 volunteer at Tyee HS, stated she is very interested in seeing that the local youths have adequate health care. The Tyee Health Center will be operated the same as all KC Community Health Centers and as the Angle Lake facility. The quality of care will be the same. She urged Council to consider supporting this pilot project.

Terry Zimmerman, Community Health Programs Manager for KC, East 403 Meeker Street, #300, Kent, stated she has been with the Tyee CATCH 21 Cooperative since summer 2005 and has attended meetings of the Tyee HS providers which includes Social Services Agencies and the City of SeaTac Recreation Department staff. She has been asked to assist with students who have health problems which she exemplified one specific case in which the family has no insurance. She put the family in touch with resources that can help them. This is just one of many such cases of families of Tyee HS students. As of December 2005, such families are able to apply for Medicaid for uninsured students. They were also able to enroll the families in the basic health plan.

Tom Trompeter, CEO, Community Health Centers of KC, stated he understands the Council's need to balance their budget. Tyee HS has the higher statistics on the need for good health care. There is a very strong partnership between the Community Health Centers for KC, the KC Council, the Public Health Department, Ruth Dykeman Youth and Family Services along with a variety of other entities. The health providers are all State Board Certified. These youth are in serious need of medical attention as are their families. The agencies are about improving access to health care. He urged Council to support the Tyee HS Health Clinic.

CONSENT AGENDA:

•**Approval of claims vouchers** (check nos. 69413 - 69566) in the amount of \$2,513,044.84 for the period ended December 5, 2005.

•**Approval of payroll vouchers** (check nos. 44336 - 44377) in the amount of \$291,041.15 for the period ended November 30, 2005.

CONSENT AGENDA (Continued):

- **Approval of payroll electronic fund transfers** (check nos. 44845 - 45016) in the amount of \$253,502.76 for the period ended November 30, 2005.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$591,943.43 for the period ended November 30, 2005.
- **Approval of summary of \$5,000 - \$25,000 purchase requests** for the period ended December 9, 2005.

Approval of Council Meeting Minutes:

- **Regular Council Meeting** held November 22, 2005.
- **Transportation and Public Works Committee Meeting** held November 22, 2005.

Acceptance of Advisory Committee Meeting Minutes:

- **Planning Commission Meeting** held November 7, 2005 (Commission approved November 21, 2005).
- **Human Services Advisory Committee Meeting** held June 27, 2005 (Committee approved July 25, 2005).
- **Human Services Advisory Committee Meeting** held July 25, 2005 (Committee approved September 26, 2005).
- **Human Services Advisory Committee Meeting** held October 24, 2005 (Committee approved November 28, 2005).
- **Senior Citizen Advisory Committee Meeting** held October 26, 2005 (Committee approved November 17, 2005).

The following Agenda Items were recommended at the December 13, 2005 Special Study Session for placement on this Consent Agenda:

Agenda Bill #2611; Ordinance #05-1023

An Ordinance amending the 2005 Annual City Budget for Miscellaneous Items

Summary: This Ordinance amends the 2005 Annual City Budget as detailed below: This Ordinance increases expenditures to provide additional 2005 appropriation authority in the Equipment Rental Fund (Fund 501). This action is necessary to ensure that the City complies with State laws prohibiting any funds having expenditures in excess of the fiscal year appropriation authority.

Equipment Rental Fund: Vehicle operating and maintenance costs, primarily due to fuel price increases, are estimated to exceed the budget. A budget increase for this fund in the amount of \$25,000 is recommended to offset these expenditures and to provide a contingency for the remaining 2005 operation and maintenance costs.

Agenda Bill #2610; Ordinance #05-1024

An Ordinance repealing SeaTac Ordinance No. 05-1020 and setting the 2006 Property Tax Levy and Rate

Summary: This Ordinance repeals SeaTac Ordinance No. 05-1020, which tentatively established the 2006 ad valorem property tax levy, and establishes the final 2006 property tax levy and rate, based on the assessed valuation of property in the City, as certified by the KC Assessor's Office.

Ordinance No. 05-1020 was approved by Council on November 22, 2005. This action was necessary because the City was required to submit its 2006 property tax levy to KC by December 2, 2005, and the November 22 Council Meeting was the last meeting prior to this deadline. The approved tentative levy amount of \$11,103,242 was the maximum statutory levy at that time as estimated by the KC Assessor's Office, and any later revisions can only reduce, not increase, the tax levy amount.

Initiative-747, approved by the voters on November 6, 2001, limits annual property tax increases to the lower of one percent or inflation, defined by the implicit price deflator (IPD). The IPD for 2006 is 2.541 percent, resulting in all regular property tax levies being limited to an increase of one percent over the previous year, excluding new construction and State-assessed property valuation increases. The 2006 Budget was based on a property tax revenue estimate in conformance with the provisions of I-747.

Prior to I-747, the SeaTac City Council had approved reductions in the property tax levy rate, forgoing additional revenues that would have resulted if the rate had been maintained at the statutory maximum of \$3.10, as many other Washington Cities did.

On December 13, 2005, the City received certification of assessed valuations for the tax year 2006 from the KC Assessor's Office in the amount of \$3,585,486,735. This amount represents an increase of approximately 4.93 percent as compared to the 2005 assessed valuation total.

This Ordinance provides for a 2006 tax levy of \$9,922,670, the maximum allowable levy as determined by the KC Assessor's Office. The resulting levy rate of \$2.77 per \$1,000 of assessed valuation would be the lowest rate levied in the City's existence. The rate would decrease by \$.03 from the 2005 levy rate of \$2.80.

CONSENT AGENDA (Continued):

Agenda Bill #2603; Ordinance #05-1025

An Ordinance adopting the 2005 Comprehensive Plan Amendments

Summary: State law allows Cities to amend local Comprehensive Plan (CP) one time annually. The 2005 amendments were proposals from staff and the public, both to the CP Land Use Map and to the text of the CP document.

By Resolution No. 97-001, the City Council authorized the Planning Department to implement two-staged procedures for amending the CP, which provide for consideration of proposed amendments for the 2005 calendar year in the preliminary and the final dockets. The recommended amendments were evaluated according to the preliminary and final docket criteria.

The City's procedures for amending the CP include completion of environmental review (SEPA), review by the City Attorney, and consideration of public testimony by the PC in a public hearing.

The SEPA determination for the proposed CP amendments was issued October 27, 2005; the appeal period expired on November 21, 2005. The amendments reflect consideration of public comments received throughout the public review process. The PC held a public hearing on November 7, 2005, at which time the PC made its recommendation about the amendments.

Please note that the PC and staff concur in all their recommendations: 1) adopt all proposed map amendments, except Map Amendment No. 3; and adopt all proposed text amendments.

MOVED BY BRENNAN, SECONDED BY DEHAN TO ACCEPT THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY.

UNFINISHED BUSINESS:

Agenda Bill #2574; Ordinance #05-1026

An Ordinance establishing the 2006 Annual City Budget

Summary: The City Council and staff have been working on preparation of the 2006 Annual Budget since July. Seven Council Budget Workshops have been conducted and the 2006 Preliminary Budget document, detailing funding recommendations for the 2006 Annual City Budget, was filed with the SeaTac City Clerk on October 31, 2005. Copies were also distributed to the Council in their Friday Packet on November 4, 2005. A public hearing was held on November 22 and, after a lengthy discussion regarding the budget, the Council voted to send this agenda bill to the December 13 Regular Council Meeting (RCM) for further consideration.

The 2006 Preliminary Budget documents the decisions made by the City Council in its detailed budget review during the fall of 2005, presenting the City's resources as well as its programs and priorities in allocating those resources. These programs are necessary to protect the community's physical security and enhance the quality of life for all its citizens. It is designed to enhance the level of City services that support a healthy, secure, safe and livable community, while at the same time protecting the fiscal integrity of the City.

The 2006 Preliminary Budget recommends no significant reduction in service levels or staffing and no new taxes. General Fund operations continue to be supported by a property tax rate well below the statutory limit and without the implementation of several revenue sources available to Washington Cities, such as an employee head tax, a local Business and Occupation (B&O) Tax and utility taxes. Other funds, such as the Surface Water Management (SWM) Fund, are self-supporting as they are intended to be. Capital programs continue to be funded without significant debt.

The 2006 Preliminary Budget anticipates a few increases in service levels for General Fund operations. New positions in the 2006 Budget include a half-time Geographic Information System (GIS) Technician in the Finance & Systems Department, a Recreation Program Specialist in the Parks & Recreation Department, and an Associate Planner, a full-time Intern and a part-time Administrative Assistant I in the Planning & Community Development Department. Funding for an additional Detective Sergeant in the Police Department has been recommended in the budgeted amount for contract services with KC.

Beginning in 2006, a Facility Repair and Replacement Program will provide for ongoing renovation and major maintenance of City buildings and facilities. The maintenance component of the program will be funded through General Fund reserve funds, and for 2006, the amount necessary to complete the planned work is \$260,375. This

UNFINISHED BUSINESS (Continued):

Agenda Bill #2574; Ordinance #05-1026 (Continued): amount will be transferred from the General Fund to the new Facility Repair and Replacement Fund (Fund 110), where the necessary maintenance-related expenditures are appropriated. \$70,709 has also been funded in the Municipal Capital Improvement Plan (CIP) Fund (Fund 301) for the capital component of the program, for a grand total of \$331,084 in repair and replacement program expenditures for 2006.

The 2006 Preliminary Budget proposes total City-wide expenditures of \$74.8 million, of which \$29.1 million represents capital costs related to property acquisitions, construction of a new Fire Station, park improvements, transportation improvements, surface water management projects, completion of the new Senior Center Facility, and equipment and vehicle replacements. \$10.5 million of these capital costs are for projects related to the Des Moines Creek Restoration, for which the City of SeaTac is acting as the Treasurer. Revenue received from the Port of Seattle (POS), the Washington State Department of Transportation (WSDOT) and the City of Des Moines will pay for substantially all of the expenditures for these projects.

The City Council's General Fund target fund balance of four months of operating expenditures will be preserved with this budget, as the projected General Fund ending fund balance at December 31, 2006 will match the Council's target fund balance of \$8.3 million. The fund balance of the City's 23 funds at December 31, 2006 is projected to total \$42.1 million. Preparation of a six-year CIP is integrated in the annual budget preparation process, ensuring that attention is given to the long-term capital needs of the City. A copy of the 2006 – 2011 CIP has been included in the 2006 Preliminary Budget document.

The proposed budget for 2006 provides for total City revenues of \$59,060,577 and expenditures totaling \$74,841,042, resulting in projected fund balances at December 31, 2006, in the amount of \$42,080,470.

MOVED BY BRENNAN, SECONDED BY DEHAN TO AMEND ORDINANCE NO. 05-1026.*

Mayor Hansen stated he could generally support the budget. His only concern now was the use of the reserve balances. He thought the need to put the amendments in the budget was in case a bond issue would go to the voters and if there are too many funds in the reserve account, a bond issue may not pass. There have been bond issues in the past with roughly the same amount of funds in the reserve. He expressed his concern as to why some of the items are actually in the budget. The budget can always be amended. In general, the budget is a good one.

*UPON A ROLL CALL VOTE, MOTION CARRIED WITH WYTHE, ANDERSON, BRENNAN AND DEHAN VOTING YES AND FISHER AND HANSEN VOTING NO.

NEW BUSINESS:

MOVED BY SHAPE, SECONDED BY DEHAN TO ACCEPT THE OFFER FROM HIGHLINE SCHOOLS TO TRANSFER THE SCHOOL RESOURCE OFFICER FUNDING TO THE TYEE HEALTH CLINIC IN AN AMOUNT EQUAL TO THE KING COUNTY GRANT SUBJECT TO A MEMORANDUM OF UNDERSTANDING BEING NEGOTIATED.*

Council discussion ensued as to their concerns regarding the need to support this one-year pilot program for a health clinic at Tyee HS.

*UPON A ROLL CALL VOTE, THE MOTION PASSED WITH WYTHE, SHAPE, HANSEN, AND BRENNAN VOTING YES AND FISHER, ANDERSON AND DEHAN VOTING NO.

Mayor Hansen requested City Manager Ward to bring the MOU to Council so they are kept informed of the details.

PUBLIC COMMENTS: There were no public comments at this time.

CITY MANAGER'S COMMENTS: City Manager Ward had the following items of business: 1) there will be Suburban Cities Association (SCA) Dinner Meeting, Wednesday, December 14, at 5:30 with Governor Christine Gregoire at the Tukwila Embassy Suites; 2) a farewell party is planned for Mayor Hansen on Thursday, December 15, at 5:00 p.m. at the SeaTac Community Center, sponsored by the City and the Hansen family; and 3) City Hall will be closed on December 26, 2005 and January 2, 2006 due to the upcoming holidays.

COUNCIL COMMENTS: Councilmember DeHan reported on the South County Area Transportation Board (SCATB) Meeting held today. Topics discussed: 1) Regional Transportation Improvement District (RTID): there are discussions on partnership with Sound Transit to arrive at a package that would be acceptable to the public. They will be working with the State to get some changes made. They are planning to take it to a vote in 2006; and 2) Sound Transit Board membership: in the past, the South County had two representatives on the Sound Transit Board, Kent Mayor Jim White and Federal Way Councilmember Mary Gates. They are no longer on the board. Executive Sims has appointed KC Councilmembers Julia Patterson and Pete von Reichbauer. There will be an opening soon with a proposal to replace the third South County representative with KC Councilmember Dow Constantine who does not even live in the South County. There is a SCATB proposal to send a letter to KC Council requesting they not accept Executive Sims' recommendation and to consider an elective official from one of the SC Cities. With Council's permission, he requested the letter be drafted by the City Manager for the Mayor's signature.

CM Brennan stated on this Mayor Hansen's final meeting, he will truly miss him on the Council and will always refer to him as the Mayor.

CM Shape stated he, along with CM Fisher and Mr. Ward, attended the National League of Cities (NLC) Conference in Charlotte, North Carolina. The sessions were excellent. He enjoyed seeing Charlotte's Light Rail construction which is similar to Sound Transit's light rail. He read an editorial in a Charlotte newspaper regarding the office of a Councilmember. He thanked Mayor Hansen for his service on the Council and he added he has learned much from him.

Deputy Mayor Anderson stated Mayor Hansen will be on the YMCA Board and Council will surely continue to hear from him.

CM Wythe thanked Mayor Hansen for his time serving the City. He has always acted honorably. Secondly, he wished everyone a Happy Holiday.

CM Fisher thanked the citizens for financing the trip to the NLC Conference at which he is on the NLC Safety and Crime Prevention Policy Board. It was interesting to hear the Mayor of New Orleans holding FEMA responsible for all the problematic recovery efforts during the South Coast Hurricane tragedy. What impressed him most was the absolute reliance the citizens have on government and government has on government. He thanked the City Manager and the Public Works and Fire Departments for their disaster recovery planning for the City.

Mayor Hansen thanked Council for their accolades. There is much to be proud of over the 16 years since City incorporation for the proper use of taxpayers' money and its work with POS and KC. The end result has been worthwhile. He stated he loved every minute of being on the Council, even the debates on issues which served the City well. Good Luck to all.

ADJOURNMENT:

MOVED BY DEHAN, SECONDED BY ANDERSON TO ADJOURN THE SPECIAL MEETING OF THE SEATAC CITY COUNCIL AT 8:05 P.M.

MOTION CARRIED UNANIMOUSLY.

Frank Hansen, Mayor

Judith Cary, City Clerk