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City of SeaTac

Special Council Meeting Minutes

January 13, 2009
5:15 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Special Meeting was called to order by Mayor Shape at 5:15 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Deputy Mayor (DM) Gene Fisher, Councilmember (CMs) Chris Wythe, Terry Anderson, Anthony (Tony) Anderson, Barry Ladenburg and Mia Gregerson.

ADMINISTRATIVE STAFF: City Manager Craig Ward, City Attorney Mary Mirante Bartolo, Deputy City Clerk Marcia Rugg, Human Resources Director Steve Mahaffey, Finance Director Mike McCarty and Public Works Maintenance Supervisor Sean Clark.

RECESSED: Mayor Shape recessed the Special Council Meeting to an Executive Session on Personnel Issues at 5:17 p.m.

EXECUTIVE SESSION: Personnel Issues (45 minutes) (RCW 42.30.110 [1][g])

RECONVENED: Mayor Shape reconvened the Special Council Meeting at 6:06 p.m.

ADJOURNMENT:

MAYOR SHAPE ADJOURNED THE SPECIAL MEETING OF THE SEATAC CITY COUNCIL AT 6:07 P.M.

Ralph Shape, Mayor

Marcia Rugg, Deputy City Clerk

City of SeaTac

Regular Council Meeting Minutes

January 13, 2009
6:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Shape at 6:07 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Deputy Mayor (DM) Gene Fisher, Councilmembers (CMs) Chris Wythe, Terry Anderson, Anthony (Tony) Anderson, Barry Ladenburg and Mia Gregerson.

FLAG SALUTE: CM Terry Anderson led the Council, audience and staff in the Pledge of Allegiance.

ADMINISTRATIVE STAFF: City Manager Craig Ward, City Attorney Mary Mirante Bartolo, Deputy City Clerk Marcia Rugg, Assistant City Manager (ACM) Todd Cutts, Economic Development (ED) Manager Jeff Robinson, Senior Assistant City Attorney Mark Johnsen, Planning Director Steve Butler, Human Resources (HR) Director Steve Mahaffey, Principal Planner Jack Dodge, Finance Director Mike McCarty, Parks and Recreation (P&R) Director Kit Ledbetter, Assistant P&R Director Lawrence Ellis, Public Works (PW) Director Tom Gut, Fire Chief Bob Meyer, Chief of Police Services Jim Graddon, and Fire Training Officer John Gallup.

PUBLIC COMMENTS: Earl Gipson spoke on the flood near the Sunrise View bypass project. He thanked the PW Department for the clean-up. He stated City Hall was closed on December 14, 2008 and it was not advertised on the website to notify the public of its closure.

CM T. Anderson inquired about getting a message onto the website from City Manager Ward's computer during City Hall closures.

City Manager Ward stated the building was posted at 8:30 a.m. The City's answering machine was changed, but nothing was posted on SeaTV or the website, but stated the City probably has that capability.

PRESENTATION:

•Introduction of New Employee: Assistant City Engineer Daren Grilley

City Manager Ward introduced Mr. Grilley.

SUSPENSION OF THE RULES:

MOVED BY T. ANDERSON, SECONDED BY LADENBURG TO SUSPEND THE RULES TO BRING FORWARD THE PUBLIC COMMENTS AND COUNCIL ACTION RELATED TO AGENDA BILL #3042 AND THE PUBLIC HEARING AND COUNCIL ACTION RELATED TO AGENDA BILL #3028.

MOTION CARRIED UNANIMOUSLY.

NEW BUSINESS:

Agenda Bill #3042; Resolution #09-001 expressing appreciation to Public Works (PW) Maintenance, Parks Maintenance and Facilities Maintenance employees for their efforts during the December, 2008 snow event

Summary: The December, 2008 snow event was unprecedented in the City's 18 year history with approximately 14 inches (IN) of snow recorded at Sea-Tac International Airport between December 13 and December 26, 2008. The persistent cold weather kept the snow around for over two weeks and was challenging in managing the responses to the road conditions. The snow fall was variable throughout the region, as well as within the City's boundaries. The persistent cold temperatures allowed snow to remain in significant amounts for 14 days.

The maintenance crews are expected to be the first responders and they demonstrated their dedication, sacrifice and a high level of performance. The trucks accrued about 5,100 miles. Six out of ten of the maintenance crew cancelled their vacations during this time and traditional family gatherings were postponed. The regular sand supplier was interrupted by the City of Seattle's need of materials and SeaTac had to obtain another supplier. The City received over sixty calls for snow and ice removal requests and efforts were made to meet these while keeping the priority streets clear. Comments regarding our road conditions were positive in comparison to areas outside the City. To date, only two inquires for claim forms have been received and none have been filed.

The storm serves as an important reminder to the City and the crews that they can be called upon as first responders. Mr. Gut thanked the police and fire departments in providing information.

PW Director Gut and PW Maintenance Supervisor Clark reviewed the above summary.

Mayor Shape thanked the crews and read the full Resolution to the audience.

NEW BUSINESS (Continued):

Agenda Bill # 3042 (Continued):

Upon a question by DM Fisher, Mr. Clark stated that the City does not have a contract with an official sand supplier.

Upon a question by CM Ladenburg, Mr. Clark stated the repairs to the equipment are almost complete.

CM T. Anderson stated the crews did excellent work during the snowstorm.

CM A. Anderson stated the PW crews did such a good job of keeping the routes clear into and out of the Sea-Tac International Airport for travelers.

MOVED BY A. ANDERSON, SECONDED BY T. ANDERSON TO PASS RESOLUTION #09-001.*

PUBLIC COMMENTS: There were no public comments.

*MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARING (PH):

•Port of Seattle (POS) Street Vacations in North SeaTac Park (NSTP) – PW

Mayor Shape opened the PH at 6:20 p.m.

PW Director Gut reviewed Agenda Bill #3028.

Upon a question by CM Wythe, PW Director Gut stated there are a great number of streets involved in the NSTP area. The City has been working with the POS staff in making sure the City has done everything legally and fulfilling the requirements of the 2007 Interlocal Agreement (ILA). He is not aware of any developments that are pending connected to the 55 acres.

Mr. Gut stated that the non POS property is individually owned.

Mayor Shape stated it had been discussed by the Administration & Finance (A&F) and Transportation & Public Works (T&PW) Committees.

Earl Gipson stated that this PH was just a formality.

Mayor Shape closed the PH at 6:38 p.m.

NEW BUSINESS:

Agenda Bill #3028; Ordinance #09-1002 vacating portions of the Right of Way (ROW) within the NSTP area

Summary: The POS is seeking this street vacation in accordance with the terms of the City of SeaTac and POS 2005 ILA-2.

The procedures for vacating a public ROW are defined in the Revised Code of Washington (RCW), Chapter 35.79. The PH was held to consider the merits of the application to vacate the ROW in question. The date of the PH was set as January 13, 2009 by Resolution #08-022, passed by the City Council on November 25, 2008. All utilities serving this area were given notice of the vacation request. This Ordinance will not be in full force and effect until the City receives written confirmation from the affected utilities that the requested easements have been granted by the POS.

Compensation for these streets, and others, to be vacated was previously set in Amendment #2 of the 1997 ILA. As noted in ILA-2, the POS has made payment in full plus interest.

MOVED BY LADENBURG, SECONDED BY T. ANDERSON TO ADOPT ORDINANCE #09-1002.

MOTION CARRIED UNANIMOUSLY.

DISCUSSION ITEM:

•Summary of \$5,000 - \$25,000 Purchase Requests for the period ended January 9, 2009

City Manager Ward reviewed the requests:

<u>Item Description</u>	<u>Department</u>	<u>Original Budget</u>	<u>Amended Budget</u>	<u>Estimate</u>
Association of Washington Cities (AWC)	Non-Departmental	\$17,790	\$17,790	\$17,400
Puget Sound Clean Air Agency	Non-Departmental	\$15,367	\$15,367	\$15,367
Suburban Cities Association (SCA)	Non-Departmental	\$13,900	\$13,900	\$15,404
will absorb with savings in other line items				
City of Des Moines	City Manager's Office (CMO)	\$18,250	\$18,250	\$18,250
		\$ 5,000	5,000	\$5,000
Southwest King County Chamber (SWKC) 2009 Contract	CMO	\$20,000	\$20,000	\$20,000
State Lobbyist Services	CMO	\$21,000	\$21,000	\$21,000
Repair Parts for Apparatus #117	Fire	\$11,000	\$11,000	\$10,998
Angle Lake Water Quality Monitoring	PW	\$7,500	\$7,500	\$7,125
Neighborhood Litter Control Program	PW	\$18,500	\$18,500	\$18,456

Council consensus: Referred to the 01/13/09 RCM Consent Agenda

AGENDA BILL PRESENTATIONS:

Agenda Bill #3017 - An Ordinance authorizing the City Manager to enter into an ILA relating to the South Correctional Entity Facility (SCORE) and approving the formation of the SCORE Facility Development Authority

Summary: This Ordinance authorizes the City Manager to enter into an ILA with the Cities of Auburn, Burien, Des Moines, Federal Way, Renton, and Tukwila relating to the SCORE Facility. This Ordinance also approves the formation of a Public Development Authority (PDA), the SCORE Facility PDA, to finance, construct, improve, and equip the construction of a 668 bed jail in South King County (SKC).

The King County (KC) Jail contract expires December 31, 2012, and the Yakima County Jail contract expires December 31, 2010. KC has indicated that they may have limited availability for the various cities' inmates in 2013 and 2014, but they are projecting only about 100 total beds to be available in 2014. These 100 beds are insufficient to meet the needs of the KC cities. KC has also expressed a desire to increase housing rates to include full medical costs for each inmate, which could result in the cost increasing to upwards of \$300 to \$400 per day for some inmates. Maintenance costs at the KC Jail are currently \$109.10 per day for each inmate, including medical costs.

Most of the cities in KC have also contracted with Yakima County for misdemeanor jail services. While Yakima County has indicated a willingness to renegotiate a contract with individual cities, in contrast to the multijurisdictional contract that they currently have, some jurisdictions have found the level of service level of service (LOS) to be problematic.

At this time, Yakima is unwilling to identify a contract price for 2011. They have indicated that until cities commit to a specific number of beds, they will not identify a daily rate. However, they have indicated a range of rates from \$105 - \$125 per day. Similar to KC, Yakima County will be passing through any medical costs associated with treatment provided outside its jail.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3017 (Continued):

In 2006, the KC cities collectively hired Ricci-Greene and Associates (RGA) to do a study identifying long term jail needs. The study identified that the KC cities need a total of 1,450 beds to meet misdemeanor jail needs in the next 20 years. Of those 1,450 beds, 700 are needed to accommodate the jail needs in SKC. Based upon the results of the RGA study, the SKC cities formed a working group to explore the possibility of establishing a sub-regional misdemeanor jail facility.

In 2007, the working group explored local jails, identified possible budgets, staffing plans, and potential sites in which to locate a SKC jail. In order to validate the work that had to be done, the cities in the working group also hired DLR Group to complete a feasibility study. This feasibility study looked at these six elements: jail programming, site description, conceptual design, staffing, budgets for construction and operations, and a final cost/benefit analysis. The City of Renton served as the lead agency for the feasibility study. The study revealed that an 808 bed misdemeanor jail facility was required. This was resized to 668 beds in June 2008, when the City of Kent decided to withdraw from the jail project.

Currently, the cities of Auburn, Burien, Des Moines, Federal Way, Renton, SeaTac and Tukwila are members of the working group. SeaTac and Burien are the two most recent additions, each having joined in the past few months. It is intended that the current working group will evolve into a separate legal entity, to be known as SCORE, which would oversee the day to day operation of a new SKC jail facility. It is also intended that all current members of the working group will be members of SCORE.

An ILA has been drafted that needs to be adopted by all member cities. This ILA, once adopted by all member cities, will create the legal entity responsible for the creation and the operation of the new SKC Jail. The administrative affairs of SCORE will be governed by an administrative board. Each member city will have one representative on the SCORE Administrative Board, and will have an equal vote and voice in all board decisions. The ILA also states that a PDA will be created to issue the necessary bonds to construct the facility, and establishes the governance and financial models noted above.

Each member city will pay an allocable portion of all aggregate capital and operating costs related to the SCORE Facility. The base percentage allocable to each city is defined as a percentage equal to the 2007 average daily population allocable to the member cities in all correctional facilities. SeaTac's portion is 3% of the total. The financial model also assumes building a facility with enough beds to rent a portion of them to contract agencies. The financial model identifies a contract rate that is 125% of the member cities' rate, but the actual amount and the determination of what non-member jurisdictions will be able to utilize the facility will be determined by the SCORE Governing Board.

In order to finance costs of acquiring, constructing, improving and equipping the SCORE Facility, the City of Renton has agreed to form a public corporation pursuant to Revised Code of Washington RCW 35.21.730 - 35.21.755 that will be known as the SCORE Facility PDA. The purpose of the SCORE Facility PDA is to provide an independent legal entity under State law to issue debt to finance and refinance the acquisition, construction, improvement and equipping of this facility.

One of the challenges with building a multijurisdictional jail has been finding a location in which to site the facility. However, the cities have now identified a 13.75 acre parcel in the City of Des Moines as a possible site on which to locate the jail facility. The property is currently held by another governmental entity. The member cities plan to send a letter to that agency expressing their desire to negotiate and make a good faith offer to acquire the property.

As soon as SCORE is formalized, the member cities will begin the design work on the facility. Under the current project schedule, groundbreaking is projected for September 2009, with project completion in July 2011.

Currently, the City pays approximately \$510,000 annually for jail services. The annual projected expenditure for SeaTac once the SCORE Facility is operational is between \$418,000 and \$450,000, depending upon the number of beds that will be available and rented to contract agencies. This cost includes SeaTac's share of the capital contribution (repayment of bonded debt) as well as the costs of maintenance and operation of the SCORE Facility. Depending on the final decision as to when to issue bonds, SeaTac may be required to pay our portion of the debt

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3017 (Continued):

service prior to actually being able to use the facility. At this point, SeaTac has no projected cash contribution requirement in 2009 toward this project.

SeaTac has limited options to address the impending deadlines for the jail contracts. These options are as follows:

1. Continue to contract with KC and Yakima County Jails until those contracts expire, and then attempt to replace those contracts with new contracts. However, there currently are no other facilities in the State that can take the number of inmates that will be displaced with the expiration of the existing contracts.
2. Do not join SCORE and seek to rent beds from SCORE at a contract rate that currently is estimated will be 125% of the member cities' rate. However, SeaTac would not be guaranteed that beds would be available for arrestees and sentenced offenders, even though staff would make every attempt to guarantee space for offenders through contracting.

Finance Director McCarty introduced Renton Police Department Certified Jail Manager (CJM) Penny Bartley.

Ms. Bartley stated there will be a SCORE website for community information – SCOREjail.org, and it will identify on the regional jail needs, allow for comments and questions and provide a lot of good information.

CM T. Anderson stated her concern that the ingress and egress off South 200th Street would be a problem for fire and police traffic. Ms. Bartley stated the final location of the facility has not been determined.

CM Gregerson stated that the Jail Advisory Group (JAG) was created in 2002 as a response from a 2000 letter from KC stating that they are going to stop servicing the cities in 2012. Ms. Bartley clarified that the JAG exists as part of the agreement with KC, but JAG replaced the former Jail Advisory Committee and SCORE was organized with no official status, but working cooperatively since 2006.

Upon a question by CM Gregerson, Ms. Bartley stated that SeaTac and Burien City have been part of these jail discussions since 2007. The City of Kent participated in the feasibility study in 2007, but since they operate their own jail they remain an independent facility, but reserved the right to come back to SCORE in the future. Kent capped their participation at 150 beds or about 30%.

CM Gregerson stated a concern that building and operating a SKC jail is less cost effective than working with KC in trying to get a bigger regional jail. The issue could potentially affect SeaTac residents getting taxed twice, once for the jail to be built in our area and any expansion from KC. Ms. Bartley stated that right now KC is able to provide the service for the group of cities; but their own studies indicate that the City of Seattle will construct a multi-story facility and their projected cost is \$174 million or more than twice the cost of a SCORE facility. The projected daily rate is estimated at \$185, in comparison to \$104 a day for a new facility. KC is proposing significant increases to all of the cities for an extension of the contract. Presently, the cities are requesting a one or two year extension to complete jail planning process and reporting the jail daily rates at \$115. That is significantly higher than the \$104 that SCORE is anticipating.

CM Gregerson stated her concerns regarding a jail site that appears to be pre-determined and questioned how that came about so quickly with a groundbreaking due in September 2009. Ms. Bartley stated discussions have been at a variety of City Council meetings of the owner cities and numerous articles have been written in a variety of newsletters. There will be future public permitting and environmental processes.

CM Wythe stated his concern is the predetermined POS property adjacent to SeaTac south end residents. By joining this organization, the City is endorsing the facility location. The result will create reduced property values.

Upon questions by CM Ladenburg, Ms. Bartley stated that being a facility owner, there is a guarantee that inmates will always be accepted into the facility. Once the terms are identified in the agreement and the bond has been issued, an owner is committed.

DM Fisher stated the jail costs are going up 6% and the City has a chance to buy in at 3%.

Mayor Shape stated it would be a money saver for the City in the future even though it will be outside of SeaTac. If KC had come forward to offer some mitigation, this offer wouldn't have been as appealing.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3017 (Continued):

CM Gregerson stated JAG cities in KC were signing a Memorandum of Understanding (MOU) to work out some alternative solutions by the area or the region of the County, but the City may be reducing an opportunity in working out a future deal with KC and possibly eliminate the ability to join SCORE later.

Ms. Bartley stated the cities requested a two year contract extension at the KC Jail. Collectively the cities are using 900 beds between the KC Jail, Seattle Division and Yakima County Jail (which will be eliminated in 2010). KC stated they could provide 220 beds in 2013. There is no other jail in Washington State that can accommodate the anticipated increases. The MOU has not been signed by KC.

Council consensus: Referred to the 01/13/09 RCM New Business

Agenda Bill #3043 – A Motion authorizing the City Manager to execute a Contract with Bruce Dees and Associates, LLC for the Sunset Playfield Soccer Field Renovation project design

Summary: The City was awarded \$324,000 from KC Community Development Block Grant (CDBG) to renovate the Sunset Playfield soccer field playing surface. The project will replace the existing surface with natural grass, install an irrigation system and improve the existing drainage system. The landscape and engineering fees will not exceed \$32,400, which is 10% of the project budget. The amount will be reimbursed through the KC CDBG program that was accepted by the City Council on December 9, 2008.

P&R staff interviewed four landscape architect firms on Wednesday, January 7 to select the most qualified firm for the project. The interviews were conducted early in the year to allow the City time to hire a landscape architect firm to begin the design process and to obtain the best possible construction bids. The design and construction plans are scheduled to go out to bid for construction by early March, 2009, and the City Council will be asked to approve the construction contract at that time. The target date for completion of the project is fall 2009.

Assistant P&R Director Ellis reviewed the agenda bill summary. He introduced Project Manager Brian Patnode.

Upon a question by Mayor Shape, Mr. Ellis stated the grant from KC will cover the construction and design costs.

Council consensus: Referred to the 01/13/09 RCM Consent Agenda

Agenda Bill #3033 - A Motion authorizing the City Manager to execute an amendment to a contract with Murase Associates for the Valley Ridge Park (VRP) Interactive Water Feature design services

Summary: At the Regular Council Meeting (RCM) on February 12, 2008, the City Council approved a contract with the landscape architectural firm Murase Associates to complete the design for the VRP Interactive Water Feature. Since that contract was approved, the maximum contract amount was \$34,500.

The scope of the project's Maximum Allowable Construction Costs (MACC) increased from \$175,000 to \$300,000, which will result in an increased design fee by the architect. The new design fee for this project will increase to \$48,750 plus a 10% contingency for a total of \$53,625. This results in an increase in design costs of \$14,250 plus contingency.

Once the design work is complete, the project will be competitively bid and the City Council will be asked to award the contract for the construction. It is anticipated that this will occur in either March or April, 2009.

Increase of the project costs was approved. The design fee was increased and ready for the design in February. Originally the costs were introduced as lower when sent to Council.

P&R Director Ledbetter reviewed the agenda bill summary.

DM Fisher stated it would be best to re-evaluate the design and obtain the costs for the construction.

Upon a question by CM Wythe regarding maintenance costs, Mr. Ledbetter stated staffing will be able to manage the maintenance. Initial water costs for construction would be higher for the filtration system, but lower because the water would be recycled and not put into the sewer system. The costs would be approximately \$10,000 annually and operated 4 months out of the year.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3033 (Continued):

CM Gregerson stated the budget should be set and should be done as originally quoted. Mr. Ledbetter stated the costs are calculated by comparing other city water features. He stated it would be better a nice system if the City had the money to hire a designer to get a good cost estimate and then come back with the project costs, but it doesn't work that way with a package.

Upon a question by CM Ladenburg, Mr. Ledbetter stated design costs incurred are about \$15,000 to \$20,000.

Upon a question by CM A. Anderson, Mr. Ledbetter stated if the City doesn't approve this additional money, the City would try to complete it within the design, delay it or end it completely.

Mayor Shape suggested delaying this Agenda Bill.

CM Wythe suggested taking it back to Land Use and Parks (LUP) Committee.

DM Fisher stated the City should not have the design and architect fees tied to the percentage of the overall project. The City should never get into this position.

Council consensus: Referred to the 01/13/09 New Business

Agenda Bill #3037 – An Ordinance authorizing the City Manager to execute a Contract with 4Culture to complete a Performing Arts Center Feasibility Study, and amending the 2009 Annual City Budget

Summary: This project idea was developed over the past year from tours of the possible Entertainment District. This study will be funded and supported by KC 4Culture. It is expected that this planning process will identify and assess the best size, location, and confirm whether it would be a good idea to build a Performing Arts Center in the City of SeaTac. The City and 4Culture are seeking proposals from firms interested in providing research, planning, cost estimating, and revenue cost estimates for a proposed SeaTac Performing Arts Center (SPAC). The best location to eventually construct a Performing Arts Center is near the Sea-Tac International Airport Light Rail Station. This process will include research meetings with local community's arts groups and municipalities. It is the intent to build a high quality facility that will be as close to self sustaining as possible. Staff is interested in further examining options for providing arts spaces in the proposed SPAC development, and determining what types of possible mixed uses can make the inclusion of a Performing Arts Center feasible.

The City's vision for a Performing Arts Center is to work closely with local Hotel/Motel (H/M) managers, meeting organizers, community arts organizations, arts presenters familiar with touring opportunities, and the larger commercial arts community to design and develop a venue that will be appropriately sized and located in the new SeaTac Entertainment District. The venue should have high quality amenities and provide both community and economic benefits to SeaTac visitors and residents. The Performing Arts Center would be owned by the City of SeaTac and operated by a non-profit group. The non-profit group would be better able to manage, program and rent the facility; and involve citizens and the business community in supporting a Performing Arts Center. The primary use should be performing arts, though other arts uses, meetings, and entertainment uses can be provided as part of an overall operating strategy.

P&R Director Ledbetter reviewed the above agenda bill summary.

CM A. Anderson stated it is a good use of other people's monies.

CM Gregerson questioned whether there were other options regarding a feasibility study. Mr. Ledbetter stated KC came to the City with the idea of funding this project.

Mayor Shape stated the money actually comes from SeaTac's H/M taxes which goes to KC and then is distributed to other cities. SeaTac never gets a share of it until 4Culture recently approached SeaTac.

Council consensus: Referred to the 01/13/09 RCM Consent Agenda

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3034 – A Resolution approving and authorizing the 2009-2011 collective bargaining agreement between the City of SeaTac and American Federation of State, County and Municipal Employees (AFSCME) Local 3830

Summary: The major elements of the agreement are the Cost of Living Adjustment (COLA), medical benefits and salary reviews. A COLA retroactive to January 1, 2009 of 95% of the Consumer Price Index of Washington (CPI-W) for the Seattle-Tacoma-Bremerton region (6.2%) with a 2% minimum and a 5% maximum has been negotiated with the AFSCME bargaining group. This agreement will result in the maximum 5.0% increase for the 79 employees of the City of SeaTac who are represented by AFSCME Local 3830. The COLA for the years 2010 and 2011 is also 95% of the CPI-W, with a 2% minimum and a 5% maximum.

Medical Benefits: Effective 01/01/2010, AFSCME members will transition from the current AWC medical Plan B to the AWC HealthFirst Plan. This is a lower cost plan to the City. The amount that AFSCME employees contribute towards medical premiums will not change during the life of the bargaining agreement. The following employee contribution amount for AWC medical insurance during this agreement:

Coverage	2009 through 2011 Medical Premium (mo.)
Employee Only	\$41
Employee & Spouse	\$91
E, S + 1 Dependent	\$115
E, S + 2 or > Dependents	\$135
Employee and 1 Dependent	\$64
Employee and 2 Dependents	\$84

As part of the bargaining agreement, the City agreed to perform a salary survey of certain AFSCME positions that had not been reviewed in some time. Four positions are to be reviewed at the present time to determine if a salary grade change is warranted. If a salary change is appropriate based on the salary survey, the change shall be retroactive to January 1, 2009. Twenty positions are to be reviewed in 2009 for a possible salary adjustment effective January 1, 2010 and eight positions are to be reviewed in 2010 for a possible salary adjustment effective January 1, 2011. The implementation of any salary adjustments in 2010 and 2011, due to the salary surveys, are subject to approval by the City. This provision was part of the agreement because of the negotiation management team's concern about the City's economy during the term of the agreement over the next three years.

In addition to the major changes noted above, a number of smaller changes were made in the bargaining agreement to address Union and City issues and to continue to clarify the contract language.

The budget impact for 2009 of the proposed COLA is approximately \$250,300. This figure includes all associated increases in mandatory payroll costs such as City paid retirement, unemployment and Medicare contributions. The budget impact for the years 2010 and 2011 will be dependent upon the CPI-W index for the Seattle-Tacoma-Bremerton area over the next two years.

HR Director Mahaffey reviewed the agenda bill summary.

CM T. Anderson stated this item was discussed at the A&F Committee meeting.

CM Ladenburg commended the City in negotiating the contract in several months. KC has considered going toward four ten hour work days to save fuel and transportation and questioned if the City had considered this type of work week. Mr. Mahaffey stated many employees already work a four/ten week in PW and some employees do work a nine/eighty week schedule.

Council consensus: Referred to the 01/13/09 RCM Consent Agenda

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3035 – An Ordinance amending the Classification and Compensation Plan for non-represented employees of the City to provide a cost of living adjustment for 2009

Summary: This Ordinance provides a COLA increase of 5.0% effective January 1, 2009 to non-represented SeaTac employees. This increase is the same as the increase that will be provided to members of the AFSCME, Local 3830 in 2009 under the terms of the new 2009-2011 collective bargaining agreement. In 1993 the SeaTac City Council established a policy of providing the same COLA increase to both AFSCME and non-represented employees. The new AFSCME bargaining agreement provides a COLA based upon a formula of 95% of the June to June CPI-W, Seattle-Tacoma-Bremerton index (6.2%) with a 2% minimum and a 5% maximum. The budget impact of the proposed COLA is approximately \$217,900. The COLA is budgeted in the 2009 City budget.

HR Director Mahaffey reviewed the agenda bill summary.

Council consensus: Referred to the 01/13/09 RCM Consent Agenda

Agenda Bill #3036 – An Ordinance increasing the City’s monthly contribution to the 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 CMs effective January 1, 2009. The VEBA plan is a medical savings plan provided to CMs in lieu of health care insurance that is provided to other employees of the City. In 1996 Council determined that the City contribution to VEBA would be a 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. The increased contribution from \$1,023.77 to \$1,100.46 per month reflects the increase in health insurance rates from AWC for 2009 and the corresponding City contribution under the formula noted above.

HR Director Mahaffey reviewed the agenda bill summary.

Council consensus: Referred to the 01/13/09 RCM Consent Agenda

Agenda Bill #3029 – A Motion approving the low bidders for painting, casework, and suspended ceilings for Fire Station 46

Summary: Advertisements for bids for painting, suspended ceilings, and casework were placed in the Seattle Times during the weeks of November 23 and 30. Bids were opened on December 9. Bid Tabulations as follows:

Painting:

Adrenaline Coatings, Inc	\$46,100.00 (withdrawn-bid error claimed)
Progressive Wall Covering	\$60,693.00 (lowest responsive bid)
VP Painting	\$65,500.00
Picture Perfect Painting	\$84,577.00
DeLeon Painting LLC	\$98,400.00
Total cost w/tax (9.5%) & contingency (10%)	\$73,104.72

Casework:

Westmark Products	\$51,396.00 (lowest responsive bid)
Nick’s Special Woodcraft, Inc	\$58,000.00
W.W. Wells Millwork	\$77,371.00
Total cost w/tax (9.5%) & contingency (10%)	\$61,906.48

On December 9, there were also bids for the suspended ceilings. However, because of a problem with the fax server at City Hall, several did not make it through. In an effort to be fair to the contractors involved, it was decided to reject all bids and to rebid that category. An advertisement was placed in the Seattle Times the weeks of December 11 and 18. Bids were opened on December 30 and the results are as follows:

Suspended Ceilings:

Acoustics Northwest, Inc	\$27,887.00 (lowest responsive bid)
Acoustical Design, Inc	\$29,394.00
Mehrer Drywall, Inc	\$31,443.00
Total cost w/tax (9.5%) & contingency (10%)	\$33,589.89

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3030 (Continued):

Facilities Director Patterson reviewed the agenda bill summary.

Council consensus: Referred to the 01/13/09 RCM Consent Agenda

Agenda Bill #3030 – A Motion approving a renegotiated lease with Pan International Realty

Summary: In October 2008, Pan International Realty approached the City requesting termination of their lease due to the downturn in the real estate market and their inability to continue monthly payments. They did suggest they would be able to afford about half of the space they currently occupy. An agreement was reached whereupon they will retain 1,000 square feet (SF) of the 1,980 SF they now rent at their current SF cost of \$18 per SF. The amended lease term runs through July 31, 2012 with a 3% increase per year, the same as their current lease.

Facilities Director Patterson reviewed the agenda bill summary.

Council consensus: Referred to the 01/13/09 RCM Consent Agenda

Agenda Bill #3032 – An Ordinance authorizing the City Manager to enter into a contract with TCA Architects for the design of Fire Station 45, and amending the 2009 Annual City Budget to include a 2008 Budget Carryover

Summary: This Ordinance approves a budget carryover from the 2008 Budget for \$275,000 to pay for the design work. At the RCM on October 14, 2008, the City Council authorized the City Manager to execute a contract with TCA Architects for the design of Fire Station 45, in an amount not to exceed \$190,000. Since that time, it was determined that additional engineering and design work will need to be done that will increase the cost of the design. The new cost for the design work is \$289,809. This Motion limits the amount not to exceed \$289,809.

As discussed previously, it is anticipated that the City will use the same design for Fire Station 47, should the City Council decide to rebuild that station in the future. Fire Station 45 will be designed with this in mind, which will reduce the cost of designing Fire Station 47.

The 2008 Annual Budget had an appropriation of \$325,000 for the design of Fire Station 45, and \$50,000 was appropriated in the 2009 Budget. Less than \$120 has been spent (which was for Request For Proposal [RFP] advertising). This Ordinance will carryover \$275,000 from the 2008 to the 2009 Budget. This means that there will be \$325,000 in the 2009 Annual Budget for design of Fire Station 45. This total amount is less than the proposed contract amount.

Facilities Director Patterson reviewed the agenda bill summary.

DM Fisher stated he is not in favor of tying the architect's fee to a percentage. This same thing happened to the construction of the new Fire Station 46 design work.

Upon a question by CM A. Anderson, Mr. Patterson explained why there was such a large cost difference and the increase of the 10% contingency.

CM Ladenburg inquired if the architect fee was typical. Mr. Patterson stated it could be anywhere from 10-14 % and it cannot be based upon just fees per State requirements.

Mayor Shape is concerned about the possibility of a grant opportunity that may entail a considerable additional expense to the Fire Department.

Council consensus: Referred to the 01/13/09 RCM New Business

Agenda Bill #3039 – A Motion authorizing the City Manager to enter into a contract with Twins Concrete for a portion of the foundation work on Fire Station 46, and accepting the work as complete

Summary: Quality Construction and Concrete, Inc entered into a contract with the City on April 10, 2008 to do the concrete foundation work for Fire Station 46 project. The contractor failed to perform timely and satisfactorily and their contract expired. Because their work was on the critical path and there was a delay claim by the site work contractor and the threat of further delay claims by other contractors, it was deemed emergent to complete the foundation work. There was a portion of this foundation concrete work that was completed by GenCon Pacific

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3039 (Continued):

and, because they were on site doing other concrete work and they were hired to complete the first floor slab so the project could continue. This work was contracted through a change order, and GenCon Pacific has been paid for the work.

Bids were solicited for a second part of the critical path foundation work from three contractors, GenCon Pacific, Twins Concrete, and Construct Co. Twins Concrete had the lowest price. They were requested to proceed immediately and completed the work timely. They were also directed to proceed, to complete the wall infills around the structural steel and completing that portion of the apparatus bays necessary to house the fire equipment during Phase 2 of the project. There is still remaining foundation concrete work that needs to be completed for the apparatus bays, which will be bid out at a later time. This contract with Twins Concrete will total \$138,682.81 plus tax (for a total of \$151,164.26) for their portion of the foundation work.

Finally, the work under this contract with Twins Concrete has already been completed satisfactorily. Therefore, it is prudent to accept the work as complete. This will start the 30-day statutory lien period for this contract.

Original bid for foundation work

Quality Construction's foundation bid (with tax) \$487,563.30

Foundation costs to date

Quality Construction (and suppliers) \$259,575.51

Gen Con Pacific (change order) \$46,952.84

Twins Concrete \$151,164.26

Total foundation costs to date (with tax) \$457,692.61

Remaining costs for foundation work

Estimate to complete remaining foundation work \$93,000

Total estimated cost for foundation work \$550,692.61

It is estimated that the foundation work will cost approximately \$63,129.31 more than the original bid. However, it should be noted that if the low bidder, Quality Construction & Concrete, had been rejected at the start, the next bid was \$211,126.70 more than Quality Construction.

Facilities Director Patterson reviewed the agenda bill summary.

CM Gregerson stated that this item was discussed at A&F and Public Safety and Justice (PS&J) Committee meetings.

Council consensus: Referred to the 01/13/09 RCM Consent Agenda

Agenda Bill #3031 – A Motion authorizing the City Manager to execute an agreement with the Washington State Patrol (WSP) regarding reimbursement for Fire Department costs incurred under the Washington State Fire Services Resource Mobilization Plan (WSFSRMP)

Summary: This ILA between the WSP and the City of SeaTac allows the Fire Department to respond resources and personnel, at the request of the State of Washington, to any emergency throughout the state and recover those costs associated with sending equipment and personnel. The agreement also gives the City ac the ability to request assistance through this agreement, in the event the City needs additional resources for a large scale disaster or fire.

Fire Chief Meyer reviewed the agenda bill summary.

Council consensus: Referred to the 01/13/09 RCM Consent Agenda

CONSENT AGENDA:

•**Approval of claims vouchers** (check nos. 82923 – 83091) in the amount of \$2,603,780.58 for the period ended December 5, 2008.

•**Approval of claims vouchers** (check nos. 83092 – 83269) in the amount of \$621,291.37 for the period ended December 19, 2008.

CONSENT AGENDA (Continued):

- **Approval of claims vouchers** (check nos. 83270 – 83375) in the amount of \$986,653.83 for the period ended December 31, 2008.
- **Approval of payroll vouchers** (check nos. 47331 – 47365) in the amount of \$177,067.43 for the period ended December 15, 2008.
- **Approval of payroll electronic fund transfers** (check nos. 57773 - 57954) in the amount of \$324,461.59 for the period ended December 15, 2008.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$58,803.17 for the period ended December 15, 2008.
- **Approval of payroll vouchers** (check nos. 47366 – 47408) in the amount of \$443,210.86 for the period ended December 31, 2008.
- **Approval of payroll electronic fund transfers** (check nos. 57955 - 58137) in the amount of \$342,137.07 for the period ended December 31, 2008.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$66,467.54 for the period ended December 31, 2008.
- **Summary of \$5,000 - \$25,000 Purchase Requests** for the period ended January 9, 2009.

Approval of Council Meeting Minutes:

- **Regular Council Meeting** held October 28, 2008.
- **Land Use and Parks Committee Meeting** held November 20, 2008.
- **Administration and Finance Committee Meeting** held December 9, 2008.
- **Public Safety and Justice Committee Meeting** held December 9, 2008.
- **Regular Council Meeting** held December 9, 2008.
- **Land Use and Parks Committee Meeting** held December 11, 2008.

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

Agenda Bill #3043; Motion authorizing the City Manager to execute a Contract with Bruce Dees and Associates, LLC for the Sunset Playfield Soccer Field Renovation project design

Agenda Bill #3033; Motion authorizing the City Manager to execute an amendment to a contract with Murase Associates for the Valley Ridge Park Interactive Water Feature design services

Agenda Bill #3037; Ordinance #09-1002 authorizing the City Manager to execute a Contract with 4Culture to complete a Performing Arts Center Feasibility Study, and amending the 2009 Annual City Budget

Agenda Bill #3034; Resolution #09-002 approving and authorizing the 2009-2011 collective bargaining agreement between the City of SeaTac and American Federation of State, County and Municipal Employees Local 3830

Agenda Bill #3035; Ordinance #09-1003 amending the Classification and Compensation Plan for non-represented employees of the City to provide a cost of living adjustment for 2009

Agenda Bill #3036; Ordinance #09-1004 increasing the City's monthly contribution to the Voluntary Employee Beneficiary Association expense fund

Agenda Bill #3029; Motion approving the low bidders for painting, casework, and suspended ceilings for Fire Station 46

Agenda Bill #3030; Motion approving a renegotiated lease with Pan International Realty

Agenda Bill #3039; Motion authorizing the City Manager to enter into a contract with Twins Concrete for a portion of the foundation work on Fire Station 46, and accepting the work as complete

Agenda Bill #3031; Motion authorizing the City Manager to execute an agreement with the Washington State Patrol regarding reimbursement for Fire Department costs incurred under the Washington State Fire Services Resource Mobilization Plan

CONSENT AGENDA (Continued):

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

PUBLIC COMMENTS (related to the Consent Agenda): There were no public comments.

*MOTION CARRIED UNANIMOUSLY.

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

UNFINISHED BUSINESS: There were no unfinished business items.

NEW BUSINESS:

Agenda Bill #3017; Ordinance #09-1005 authorizing the City Manager to enter into an Interlocal Agreement (ILA) relating to the South Correctional Entity Facility (SCORE) and approving the formation of the South Correctional Entity Facility Development Authority

MOVED BY WYTHE, SECONDED BY LADENBURG TO ADOPT ORDINANCE #09-1005.

MOTION CARRIED WITH GREGERSON VOTING NO, AND A. ANDERSON ABSTAINING.

Agenda Bill #3033; Motion authorizing the City Manager to execute an amendment to a contract with Murase Associates for the Valley Ridge Park (VRP) Interactive Water Feature design services

MOVED BY A. ANDERSON, SECONDED BY GREGERSON TO PASS AGENDA BILL #3033.*

P&R Director Ledbetter stated it would be helpful to get Council's direction in regards to the four options: end the contract, go ahead as projected, reduce the scope or size to the original plan, or table the project.

CM A. Anderson stated it was originally driven by former CM Brennan, but now the dollar amounts have doubled.

CM T. Anderson requested it be sent back to the appropriate committee. Mr. Ledbetter stated it should be reviewed by the LUP Committee.

CM Gregerson stated it should be discussed by the T&PW Committee.

Mayor Fisher requested this item be referred to both committees for further discussion.

*No formal action was taken on the main motion to pass Agenda Bill #3033, rather Council concurred to refer Agenda Bill #3033 to the LUP and T&PW Committees for further discussion.

Agenda Bill #3032 – Ordinance authorizing the City Manager to enter into a contract with TCA Architects for the design of Fire Station 45, and amending the 2009 Annual City Budget to include a 2008 Budget Carryover

MOVED BY A. ANDERSON, SECONDED BY WYTHE TO PASS AGENDA BILL #3032.*

Facilities Director Patterson suggested this agenda bill go back to the A&F and PS&J Committees to re-approach the architect.

**No vote was taken on the main motion to pass Agenda Bill #3032 due to the following motion to postpone which took precedence.*

MOVED BY SHAPE, SECONDED BY T. ANDERSON TO POSTPONE AGENDA BILL #3032 TO THE JULY 14, 2009 REGULAR COUNCIL MEETING.

MOTION CARRIED WITH A. ANDERSON AND GREGERSON VOTING NO.

CITY MANAGER'S COMMENTS: City Manager Ward commented on the following items: (1) January 14 - Pizza party to recognize the Fire Explorers; (2) January 19 – All City Facilities closed in observation of Martin Luther King Day; and (3) January 26 - 4 p.m. Council Retreat with a joint meeting with the Planning Commission (PC) at 7 p.m.

COUNCIL COMMENTS: DM Fisher stated he read the article in the SeaTac News and SeaTac Report regarding former CM Brennan. Former CM Brennan requested before passing VRP be named after him. SeaTac Ordinance states that two years must pass after death before this could occur. He is requesting from staff that if it could be done sooner.

CM Ladenburg stated he took a tour of Fire Station 46 and was very impressed with it.

CM Gregerson commented on the following: (1) January 21 at 5:30 p.m. all of the schools in the City are coming together and creating one Parent Teacher Student Association (PTSA) meeting at the Lutheran Family Resource Center, with a potluck at 6:30 p.m.; and (2) January 22 at 1:30 p.m. and again 6:30 p.m. - Sound Transit meeting in the Council Chambers.

Mayor Shape commented that CM Ladenburg will present certificates to two recipients for the Youth Art Exhibit at City Hall on January 15.

EXECUTIVE SESSION: There was no Executive Session.

ADJOURNMENT:

MOVED BY T. ANDERSON, SECONDED BY LADENBURG TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 8:33 P.M.

MOTION CARRIED UNANIMOUSLY.

Ralph Shape, Mayor

Marcia Rugg, Deputy City Clerk

City of SeaTac

Regular Council Meeting Minutes

January 27, 2009
6:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Shape at 6:22 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Deputy Mayor (DM) Gene Fisher, Councilmembers (CMs) Chris Wythe, Terry Anderson, Barry Ladenburg and Mia Gregerson. Excused Absence: CM Anthony (Tony) Anderson.

FLAG SALUTE: Economic Development (ED) Manager Jeff Robinson led the Council, audience and staff in the Pledge of Allegiance.

ADMINISTRATIVE STAFF: City Manager Craig Ward, Senior Assistant City Attorney Mark Johnsen, City Clerk Kristina Gregg, Assistant City Manager (ACM) Todd Cutts, ED Manager Jeff Robinson, Planning Director Steve Butler, Principal Planner Jack Dodge, Public Works (PW) Director Tom Gut, Building Official Gary Schenk, Neighborhood Coordinator Trudy Olson, Fire Chief Bob Meyer, and Chief of Police Services Jim Graddon.

PUBLIC COMMENTS: James Cassan spoke in regards to the SeaTac Bonus Parking Incentive Program. Dollar Development Co. feels Ordinance #08-1027 should be amended to reflect realistic bonus parking numbers that really do create a development incentive prior to Council voting to pass Agenda Bill #3049.

PRESENTATIONS:

•Certificates of Appreciation: Tyee Heights Estates Community Volunteers, Angle Lake Court and Chinook Middle School Students Community Garden Volunteers and McMicken Heights Community Volunteers

Mayor Shape presented the following groups of volunteers with certificates of appreciation for their efforts in beautifying the City:

- McMicken Heights Community Volunteers: Residents Terry Farden, Clarence Verador, Rachel Mentzos, Hayden and Clair Verador-Mentzos, and David Rose.
- Angle Lake Manor Pea Patch Volunteers: Family Resource Center Program Manager Claudia Dickinson, Rotary member Dave Bush, Angle Lake Court senior resident Norma Knott, AmeriCorp volunteer Megan Mattas.
- Tyee Heights Estates Volunteers: Residents Gary and Kathie Torgison.

•Tyee Heights Estates Signage – Neighborhood Grant Project

Neighborhood Coordinator Olson introduced Tyee Heights Estates Residents Mr. and Mrs. Torgison.

Mr. Torgison stated the project began because of the Military Road upgrade. It required the community to remove the old sign because of the changes to the corner at South 186th Street and Military Road. The sign was rotting and therefore the neighborhood decided to do something more permanent.

Ms. Torgison stated they were encouraged by the McMicken Heights project. The month they began working on their project was the month that the Neighborhood Grant Program was written up in the SeaTac Report. The Tyee Heights Estates had a progressive dinner, got neighbors involved, and came up with an idea. 30% of the neighbors got out with tools and provided the ground work. The final result is a great accent for the neighborhood and the Military Road project. She stated that working with Ms. Olson was a wonderful experience.

•Angle Lake Manor Pea Patch – Neighborhood Grant Project

Neighborhood Coordinator Olson stated the pea patch is a two year grant recipient program. In 2007, the garden was started. In 2008, the garden was enhanced by adding raised beds, designating a compost bin area, and building a shed.

Ms. Dickinson stated they are proud to bring this project together with the different community partners to build something that benefits the community.

Ms. Mattas stated she has been in charge of helping out with the garden since September 2008. Last year 12 middle school students volunteered and they were able to donate vegetables to the food bank and also sold some at the farmers market.

Ms. Knott stated she has been working on the garden since it started. The garden is wonderful to have for all ages. Last year there were a lot of vegetables and flowers. The garden is good to have and she hopes for a bigger and better garden in 2009.

PRESENTATIONS (Continued):

Angle Lake Manor Pea Patch (Continued): Mr. Bush stated it was a pleasure to be able to assist this group. The Neighborhood Life Center Church and Pastor Gary Vanderhoff also helped with this project as well as the Rotary Club of SeaTac and the Riverton Men's Group in Tukwila.

● **McMicken Heights**

Code Enforcement Officer and McMicken Heights resident Terry Farden thanked staff for all of their efforts and stated he hopes to expand on what's been accomplished so far.

Ms. Olson stated that the McMicken Heights project has been used by other cities as an example of what can be accomplished with a neighborhood grant.

● **Farmers Market Update**

Building Official Schenk stated that tonight's presentation was to communicate the 2008 Farmers Market results and the proposal for 2009. This information was presented to the Transportation & Public Works (T&PW) Committee in October 2008.

Neighborhood Coordinator Olson stated it has been determined that the best time for the Farmers Market is Sundays, Noon – 4 p.m., due to input from the vendors, community members and staff. The market is suggested to run from July 12, to come after the 4th of July weekend and International Festival, to October 11, to allow going into the fall for the fall produce and vegetables. The market has also been proposed to be moved to the Valley Ridge Park (VRP) parking lot. Any overflow parking that may happen is capable of going over to the Tyee High School or City Hall parking lots.

Ms. Olson reviewed the market site comparisons for Angle Lake Park, City Hall, and VRP.

Ms. Olson clarified that the number of parking stalls utilized at VRP does not indicate how many vendors, but how many parking spots would be lost to other uses.

Upon a question posed by CM T. Anderson, Ms. Olson stated she would look into the option for reusable bags.

● **Draft Subdivision Code**

Principal Planner Dodge stated the draft Subdivision Code is being proposed to comply with Revised Code of Washington (RCW) 58.17. He reviewed the background of the proposed update to the code:

- SeaTac has been operating under the King County (KC) Subdivision Code since incorporation, which is geared towards KC development, not SeaTac's.
- The Subdivision Code update process began in 2000.
- Since 2002, the Planning Commission (PC) has met 16 times, the Land Use & Parks (LUP) Committee has met seven times and the stakeholders have met 11 times regarding the proposed code.
- The draft Subdivision Code has been sent to the Master Builders Association, but to date, no comments regarding the proposed code have been received.

The proposed scheduled for adoption is as follows: February 9 – Final review and recommendation by the PC; February 12 – review by LUP; and February 24 – review by City Council and potential adoption.

Mr. Dodge summarized the major points of the draft code.

Upon a question posed by CM Wythe regarding panhandle lots, Mr. Dodge stated the PC recommends neither discouraging nor prohibiting them. Staff recommends not allowing them.

DM Fisher questioned the different road widths for the different number of lots. Five lots require a 30 foot road and four lots require a 20 foot road. Mr. Dodge clarified that the 30 foot road standard applies to side-by-side short plats which are five to eight lots.

Council discussion ensued regarding the proposed code that states "survey only when necessary". Mr. Dodge stated it is on a site-by-site basis when staff does a site inspection of the proposed project to determine if off-site surveying is necessary. Mr. Dodge stated that a mandatory requirement to survey outside the property lines could be a waste of money based on site conditions. Unless the property is completely flat, a survey will always be needed on the property itself. The code does not require any survey beyond the property boundaries unless site conditions determine it to be necessary. This is determined by staff reviewing the property.

PRESENTATIONS (Continued):

Draft Subdivision Code (Continued): Mayor Shape stated that the staff and PC are in agreement with every issue except the panhandle lots. The PC will discuss this at their next meeting.

PC Member Roxie Chapin stated staff and the PC worked hard to come to agreement on the issues. She clarified that while there is disagreement between staff and the PC on the panhandle lots, there is also disagreement within the PC on the issue.

●Legislative Update

ACM Cutts stated that he presented the 2009 Legislative Agenda to Council at the December 9, 2008 Regular Council Meeting (RCM). As a policy, staff comes to Council when other issues come up that might be outside the parameters of the agenda. Last week, four bills were brought to staff's attention which need Council concurrence on handling them.

He reviewed the following bills, with Council discussion, and received Council consensus on how to handle them:

1. Senate Bill 5393: Emergency Management, Preparation and Assistance Account
Staff recommendation: support.
Council consensus: oppose.
2. An act amending RCW restricting gambling establishment
Staff recommendation: neutral.
Council consensus: oppose.
3. An act relating to permitting local governments to limit house banked social card games within their jurisdictions
Staff recommendation: support.
Council consensus: support.
4. House Bill (HB) 1490: Reducing Greenhouse Emissions through Land Use and Transportation requirements
Staff recommendation: monitor. Association of Washington Cities is working with the bill sponsor and committee to create a bill that takes into account the unique dynamics of each transit station.
Council consensus: monitor.

DISCUSSION ITEM:

●Summary of \$5,000 - \$25,000 Purchase Requests for the period ended January 23, 2009

City Manager Ward reviewed the requests:

<u>Item Description</u>	<u>Department</u>	<u>Original Budget</u>	<u>Amended Budget</u>	<u>Estimate</u>
Surveyor for Sunset Park	Parks & Recreation	\$10,000	\$10,000	\$7,900
Soccer Field Renovation	(P&R)			

Council consensus: Referred to the 01/27/09 RCM Consent Agenda

AGENDA BILL PRESENTATIONS:

Agenda Bill #3041 – A Resolution adopting the South County Area Transportation Board (SCATBd) 2009 - 2012 Agreement

Summary: This Resolution adopts a revised agreement extending the activities of the SCATBd through 2012. The revisions to the previous agreement are intended to provide more consistency and clarity for the board's operations, and more opportunities for coordination among the regional transportation subareas. Highlights of the proposed changes include clarifying voting and non-voting memberships, clarifying voting rights on all issues and promoting broad overall discussion but limiting voting to those jurisdictions located within the geographic boundaries of the subarea.

The revised agreement increases membership dues for the City from \$50 to \$100 annually. These dues will be used to hold at least one joint meeting annually between transportation subareas, to promote discussion of transportation issues that cross subarea boundaries.

PW Director Gut reviewed the agenda bill summary.

Council consensus: Referred to the 01/27/09 RCM Consent Agenda

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3044 – A Motion authorizing the City Manager to enter into a Local Hazardous Waste Management Grant Program Agreement with Public Health – Seattle and King County (KC) Local Hazardous Waste Management Program (LHWMP) for continued funding of the City’s Waste Reduction and Recycling (WR/R) Programs

Summary: The City of SeaTac is eligible to receive \$10,740.70 from the Seattle-KC Department of Public Health’s LHWMP Grant for continued 2009 funding of the City’s WR/R Programs. The grant funds from the 2009 Public Health – Seattle & KC LHWMP will further the development and/or enhancement of local WR/R projects including Special Recycling Events. The City of SeaTac has entered into similar agreements with Public Health – Seattle & KC since 1997. These funds will provide the revenue that was projected as part of the City’s budget process for the proposed programs in 2009.

Entering into this Agreement with Public Health – Seattle & KC would provide \$10,740.70 of funding over a one-year period to support the City’s WR/R Programs. The Special Recycling Events are 100% 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.

PW Director Gut reviewed the agenda bill summary.

DM Fisher stated this is one of the best services the City provides to the citizens.

Council consensus: Referred to the 01/27/09 RCM Consent Agenda

Agenda Bill #3045 – An Ordinance authorizing the City Manager to enter into an Agreement with King County (KC) for Phase II Habitat Restoration along Des Moines Creek and Associated Storm Water Management work in connection with the Des Moines Creek Basin Restoration Plan, and amending the 2009 Annual City Budget

Summary: The work conducted under this agreement will be done on behalf of the Des Moines Creek Basin Committee (DMCBC), and the Committee will reimburse the City for the costs associated with this project. This agreement is similar as previously approved by the City for the years of 2007/2008. The Ordinance also amends the 2009 annual budget for the Surface Water Management (SWM) Construction Fund.

The City of SeaTac is acting as Treasurer for the DMCBC. As Treasurer, SeaTac approves Capital Improvement contracts on behalf of the Committee.

This habitat restoration work will be designed and constructed by KC. In order to contract the work in an expeditious manner, City Staff proposes that the City continue in agreement with the County for the restoration work and other storm water management work associated with the Des Moines Creek Basin Project. The Basin Committee has already paid the City for the cost of the work. All costs are pass-through costs which the Basin Committee pays to the Treasurer, so there is no net cost to the City of SeaTac beyond the City’s contribution.

The cost is estimated to be \$1,069,598 plus a 10% contingency, for a total amount not to exceed \$1,176,557. The work is scheduled to occur in 2009 and 2010. All costs are currently funded in the Basin Committee Capital Plan. This Agreement will be accomplished in conjunction with a 1992 Interlocal Agreement (ILA) between the City and KC for SWM related services. The scope and cost has been reviewed and approved by the DMCBC.

All costs for KC’s services are already included in the Basin Committee Budget. The City is acting as Treasurer and costs are pass-through.

<u>Work Element</u>	<u>Amount</u>	<u>10% Contingency</u>	<u>Total</u>
Maintenance and Operations (M&O)	\$ 80,124	\$ 8,012	\$ 88,136
Habitat Restoration	<u>\$989,474</u>	<u>\$ 98,947</u>	<u>\$1,088,421</u>
Totals	\$1,069,598	\$106,959	\$1,176,557

This Ordinance will provide additional expenditure appropriation authority of \$1,176,557 in the 2009 Budget in the SWM Construction Fund as detailed above.

PW Director Gut reviewed the agenda bill summary.

CM Gregerson stated the T&PW Committee recommended this item for approval.

Council consensus: Referred to the 01/27/09 RCM Consent Agenda

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #2956 – An Ordinance reenacting Section 15.35.950 of the SeaTac Municipal Code (SMC) regarding Parking Bonus incentives in the City Center

Summary: Ordinance #08-1014 amended SMC Section 15.35.950 by changing the requirements of the Parking Bonus Incentives in the City Center. That Ordinance also had a provision that repealed the amendments created by the Ordinance 120 days after the effective date. At the time, it was thought that 120 days would be enough time for the PC to further study the issue. The Ordinance became effective April 5, 2008, and the amendments would have been repealed on August 3, 2008.

Council and staff heard objections regarding the amended incentives. In addition, the PC requested additional time to study the issue. Therefore, on July 22, 2008, Council adopted Ordinance #08-1027 reenacting the previous amendments and establishing a new sunset date of February 1, 2009. This Ordinance reenacts the parking bonus incentives adopted in Ordinance #08-1014 and reenacted by Ordinance #08-1027. While staff understands that there are objections by at least one party to these parking bonus incentives, it is recommended to reenact the incentives without another sunset date. The City Council can revisit the issue at a later time if deemed appropriate.

The parking bonus incentives can be summarized as follows:

- One additional parking stall for each 150 square feet (SF) of interconnected public right-of-way (ROW) dedicated according to the City Center vehicular and pedestrian access plan;
- One additional parking stall for each 150 SF of publicly accessible on-site open space greater than the minimum 10% of net site area required. To receive parking bonus in lieu of additional on-site open space, developments may contribute to the City Center open space fund in increments of equivalent monetary value;
- Except for hotel/motel (H/M) uses, one additional parking stall for each 250 SF of retail/commercial, service, or residential space, in addition to the required minimum ground floor retail/commercial or service space;
- H/M uses shall be awarded 0.5 parking spaces per H/M unit, in addition to the minimum ground floor retail/commercial, or service space required by the code; and/or
- Up to 60 additional parking stalls may will be awarded for a water feature or public art display of equivalent value incorporated into publicly accessible on-site open space, as approved by the Director of Planning and Community Development. Value shall be determined by the per-SF market value of the underlying land multiplied by the square footage of the additional parking stalls.

Prior to the April 2008 changes in the parking bonus incentives, the code provided a bonus of 1 space per 25 SF of extra retail/commercial space. In addition, H/M uses were also awarded 1 parking space per 25 SF of hotel space. Staff and the PC believed that such parking bonuses were too generous, and would lead to development that was not consistent with the City Center regulations.

Planning Director Butler reviewed the agenda bill summary.

CM Wythe stated this reduces the number of parking spaces to reasonable numbers and does not preclude the City from entering into Development Agreements (DAs). The LUP Committee recommended this for approval.

Upon a question posed by CM Ladenburg, Mr. Butler clarified that the original Ordinance had a sunset clause in order to give staff more time to attempt to find a compromise with the developers. If Council does nothing tonight, the parking bonus will go away all together.

Mayor Shape questioned the PC's position on this issue. Mr. Butler stated the Ordinance presented tonight is what the PC approved months ago.

Discussion ensued as to the affects of this Ordinance and the options.

Council consensus: Referred to the 01/27/09 RCM Consent Agenda

Agenda Bill #3049 – An Ordinance authorizing the City Manager to sign agreements regarding enhanced animal control services, and amending the 2009 Annual City Budget to include a 2008 Budget Carryover

Summary: The City currently has an ILA with KC for animal services and programs. The proposed amendment to the ILA will provide for an additional animal control officer dedicated to the City for an extra 20 hours per week. The officer will be stationed within the City limits to respond to specific calls for service, perform routine patrols, communicate with City officials, and handle other related tasks. The proposed Mutual Aid Agreement between the Cities of Tukwila and SeaTac, and KC will provide priority response and mutual aid to SeaTac and Tukwila for additional/enhanced animal control services in the event of an emergency animal control incident.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3049 (Continued): The contract amount for these enhanced animal control services will not exceed \$60,000. The 2009 Budget has \$40,000 appropriated for these services. Therefore, this Ordinance amends the 2009 Budget by including a \$20,000 carryover from 2008.

Chief of Police Services Graddon reviewed the agenda bill summary.

Mayor Shape questioned whether this agreement is outside of the KC budget problems. Chief Graddon stated in the present climate, KC wants to be responsive in the animal control arena and also wants to protect the basic level of services.

Council discussion ensued regarding the Animal Control Officer position, including supervision of and training.

Council consensus: Referred to the 01/27/09 RCM Consent Agenda

CONSENT AGENDA:

- **Approval of claims vouchers** (check nos. 83376 - 83573) in the amount of \$2,051,728.39 for the period ended January 20, 2009.
- **Approval of payroll vouchers** (check nos. 47409 - 47443) in the amount of \$183,682.25 for the period ended January 15, 2009.
- **Approval of payroll electronic fund transfers** (check nos. 58138 – 58319) in the amount of \$339,662.31 for the period ended January 15, 2009.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$64,720.69 for the period ended January 15, 2009.
- **Summary of \$5,000 - \$25,000 Purchase Requests** for the period ended January 23, 2009.

Approval of Council Meeting Minutes:

- **Joint City Council/Planning Commission Workshop** held December 9, 2008.
- **Administration and Finance Committee Meeting** held January 13, 2009.

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

Agenda Bill #3041; Resolution #09-003 adopting the South County Area Transportation Board 2009 - 2012 Agreement

Agenda Bill #3044; Motion authorizing the City Manager to enter into a Local Hazardous Waste Management Grant Program Agreement with Public Health – Seattle and King County Local Hazardous Waste Management Program for continued funding of the City’s Waste Reduction and Recycling Programs

Agenda Bill #3045; Ordinance #09-1006 authorizing the City Manager to enter into an Agreement with King County for Phase II Habitat Restoration along Des Moines Creek and Associated Storm Water Management work in connection with the Des Moines Creek Basin Restoration Plan, and amending the 2009 Annual City Budget

Agenda Bill #2956; Ordinance #09-1007 reenacting Section 15.35.950 of the SeaTac Municipal Code regarding Parking Bonus incentives in the City Center

Agenda Bill #3049; Ordinance #09-1008 authorizing the City Manager to sign agreements regarding enhanced animal control services, and amending the 2009 Annual City Budget to include a 2008 Budget Carryover

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

PUBLIC COMMENTS (related to the Consent Agenda): Earl Gipson stated his opinion that the City should not support HB 1490.

*MOTION CARRIED UNANIMOUSLY.

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

UNFINISHED BUSINESS: There were no unfinished business items.

NEW BUSINESS: There were no new business items.

CITY MANAGER'S COMMENTS: City Manager Ward commented on the following: (1) acknowledged the great work done by the City's emergency responders to the fire at the Emerald Place apartments on January 17; (2) January 28 – 5:30 p.m. Open House on South 154th Street project; (3) Friday, January 30 – 12:00 a.m. (midnight) Sound Transit pedestrian bridge installation; and (4) February 3 – 5 - CMs A. Anderson and Gregerson and Mr. Ward will be in Washington D.C. to lobby for funding.

COUNCIL COMMENTS: DM Fisher stated that one of the Suburban Cities Association (SCA) 2009 goals is to encourage citizens to be more reliant upon themselves and neighbors during emergencies. The Neighbors Without Borders group appears to be ahead of the curve, and therefore was able to help the recent fire victims.

CM Wythe suggested that the City needs to be more prepared to operate community centers as warming shelters. These need to be run as a community and not just as an emergency action. The City could begin by looking into cooperative ventures with surrounding cities and training citizens in facility management. He will present this suggestion to the LUP Committee and recommend it to the Public Safety & Justice (PS&J) Committee.

CM T. Anderson questioned the cost of using the City's cell phone plan. City Manager Ward clarified that there is only a cost if it is used for personal calls. The law requires the City to be reimbursed for those calls. This allows employees to only have to carry one phone.

CM T. Anderson stated the Council Committee representative list was presented to Council at the January 26 Council Retreat. She requested that the Council consider having the A&F and PS&J committees meet at the same time (2nd Tuesday at 3:30 p.m.) in different rooms.

CM Ladenburg stated that CM Gregerson and he met with the Silver Dollar Casino. The casino will be hosting a fundraiser to benefit the Emerald Place apartment fire victims. It is scheduled for Friday, February 6 with dinner from 4 – 7 p.m. and recognition of citizens who assisted the victims from 7 – 10 p.m. He encouraged everyone to attend.

CM Gregerson stated there will be an Empty Bowls fundraiser Friday, January 30 from 11:30 a.m. – 1:30 p.m. and also from 4 – 8 p.m. at the Mosier Community Arts Center to help the Highline Food Bank.

Mayor Shape stated the City will celebrate its 20th birthday on March 1, 2010.

RECESSED: Mayor Shape recessed the Regular Council Meeting to an Executive Session on Litigation and Lease of Property at 8:34 p.m.

EXECUTIVE SESSION: Litigation (RCW 42.30.110 [1][i]) / Lease of Property (RCW 42.30.110 [1][c]) (15 minutes)

RECONVENED: Mayor Shape reconvened the Regular Council Meeting at 9:17 p.m.

ADJOURNMENT:

MOVED BY SHAPE, SECONDED BY LADENBURG TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 9:17 P.M.

MOTION CARRIED UNANIMOUSLY.

Ralph Shape, Mayor

Kristina Gregg, City Clerk

City of SeaTac

Special Council Meeting Minutes

January 27, 2009
5:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Special Meeting was called to order by Mayor Shape at 5:11 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Deputy Mayor (DM) Gene Fisher, Councilmembers (CMs) Chris Wythe, Terry Anderson, Anthony (Tony) Anderson (*participated by conference phone*), Barry Ladenburg (*arrived during the Executive Session*), and Mia Gregerson.

ADMINISTRATIVE STAFF: City Manager Craig Ward, Senior Assistant City Attorney Mark Johnsen, City Clerk Kristina Gregg, Assistant City Manager Todd Cutts, Economic Development (ED) Manager Jeff Robinson, and Planning Director Steve Butler.

RECESSED: Mayor Shape recessed the Special Council Meeting to an Executive Session on Property Acquisition at 5:12 p.m.

EXECUTIVE SESSION: Property Acquisition (60 minutes) (RCW 42.30.110 [1][b])

City Clerk Gregg announced that Council requested an additional five minutes.

RECONVENED: Mayor Shape reconvened the Special Council Meeting at 6:21 p.m.

ADJOURNMENT:

MAYOR SHAPE ADJOURNED THE SPECIAL MEETING OF THE SEATAC CITY COUNCIL AT 6:22 P.M.

Ralph Shape, Mayor

Kristina Gregg, City Clerk

City of SeaTac

Regular Council Meeting Minutes

February 10, 2009
6:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Shape at 6:10 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Deputy Mayor (DM) Gene Fisher, Councilmembers (CMs) Chris Wythe, Terry Anderson, Anthony (Tony) Anderson, Barry Ladenburg and Mia Gregerson.

FLAG SALUTE: Parks & Recreation (P&R) Director Kit Ledbetter led the Council, audience and staff in the Pledge of Allegiance.

ADMINISTRATIVE STAFF: City Manager Craig Ward, City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, Assistant City Manager (ACM) Todd Cutts, Economic Development (ED) Manager Jeff Robinson, Finance Director Mike McCarty, Public Works (PW) Director Tom Gut, Assistant City Engineer Darren Grilley, P&R Director Kit Ledbetter, Fire Chief Bob Meyer and Chief of Police Services Jim Graddon.

PUBLIC COMMENTS: Earl Gipson stated the tree retention was discussed at the February 9 Planning Commission (PC) meeting. The original intent of the tree retention plan was to close a loophole regarding clear cutting. If the loophole can't be closed without compromising the citizens' rights, the issue should be dropped.

Angle Lake Shore Club President Lonnie Guilet thanked the Council for their 2008 contribution towards the fireworks display. He requested the budget be increased by another \$2,000 to allow for contrast fireworks during the show. The club will also commitment to increasing their budget by \$1,000.

Stewart Battle and Ken Morikawa presented the Homeowners and Bank Protection Act of 2007 Resolution that they want Congress to pass. They requested Council support. Mr. Morikawa detailed the legislation: (1) freeze on all foreclosures for four or more years and the debt obligations that those mortgages are responsible for would be cancelled; (2) call to set up monthly rental payments that are lower than mortgage payments; and (3) states would be running the details of this program.

Patricia Carter stated she is obtaining signatures on a petition to deny the Residence Inn easement request. CMs are the guardians of the parks and City and shouldn't be giving away property.

PRESENTATIONS:

•Certificates of Recognition to the Neighbors Without Borders Action Committee (NWOBAC) and the Silver Dollar Casino

Mayor Shape read and presented the certificates to representatives of the committee and casino. NWOBAC members in attendance: Co-Chairs Pam Fernald and Mary Koontz, George Fernald, Donna Thomas, and Barbara Bader. Silver Dollar Casino representatives in attendance: Kristie Aman and Jennifer Webber.

Ms. Fernald thanked the Council for the recognition. The NWOBAC is comprised of Tukwila and SeaTac residents that usually focus on code enforcement and traffic issues. However, this experience in assisting the fire victims has been unforgettable. She stated that the Silver Dollar Casino has great employees.

Fire Chief Meyer stated that both groups did an outstanding job assisting the victims.

Ms. Aman stated that the fundraiser held February 6 raised over \$4,500 for the fire victims.

•King County (KC) 2008 Recap and 2009 Goals

KC CM Julia Patterson highlighted KC's 2008 accomplishments.

KC anticipates a \$93 million budget shortfall in 2009; 14% of the general fund. For the first time in history, all nonessential employees will take 10 mandatory unpaid days off in 2009, including KC Council. This will reduce building and staffing costs without laying off staff.

In December 2008, Mrs. Patterson unveiled a plan that would give pedestrians and bicyclists in South King County (SKC) the ability to travel to Lake Washington and Puget Sound. This proposed 17-mile regional trail, Lake to Sound Trail, will connect five cities (Renton, Tukwila, SeaTac, Burien and Des Moines).

Mrs. Patterson listed the committees she will be a member of and detailed her 2009 goals: (1) Services for Animals and People - Protect Public Health and Human Services, Increase Affordable Housing, Improve Animal Services; (2) Building Infrastructure - Expand SKC trails, Develop New Ferry Service, Plan for Regional Jail Capacity; and (3) Protecting Natural Resources - Improve Lake Safety and Health, Strengthen Flood Infrastructure.

PRESENTATIONS (Continued):

KC 2008 Recap and 2009 Goals (Continued): Council questioned the following: (1) process for replacing KC Executive Ron Sims - Mrs. Patterson stated the rules leave the replacement up to the KC Council. It is being suggested that a caretaker be appointed to allow the Council time to find a replacement; (2) establishing relationships with other organizations when considering cuts for public health and human services - Mrs. Patterson stated KC will need assistance from the organizations in order to do the least amount of harm; and (3) bus services proposed changes – Mrs. Patterson stated community forums are currently being conducted to discuss this issue. She stated she will continue to ask questions about the proposed changes.

Mrs. Patterson stated all government entities budgets are in the same situation. Many colleges and services are also in jeopardy. Some counties are ready to go bankrupt. Washington State is sinking faster than KC.

Mrs. Patterson stated she has lived her entire life in SeaTac and she is proud to be a citizen of SeaTac. The Council is doing a fantastic job.

●Residence Inn request for Easement

P&R Director Ledbetter stated at the January Council retreat, several questions were raised about the Residence Inn's request. He introduced Planning Consultant Mike Aippersbach and Ariel Development Owner Eitan Alon who were in attendance to address the questions.

Mr. Aippersbach detailed the hotel project and the easement request which includes Ariel Development agreeing to pay for maintenance of the easement and also developing a management plan to deal with heavy traffic use times. Ariel Development is also proposing a cash donation to the City.

Council discussion ensued as to a potential path along Angle Lake for citizens to use.

Mr. Alon stated that they currently have no intentions of building close to the lake and have no plans to modify the office building, however, access to the water increases property value.

Mayor Shape clarified that the City doesn't want to be given the property, but to be allowed an easement.

Mr. Ledbetter stated items still need to be negotiated. He will present an item for Council action at the February 24 Regular Council Meeting (RCM).

●Lakes to Sound Bike Trail

KC CM Julia Patterson stated that the trail is an opportunity to connect all other major trails in the area in such a way to make it possible for someone to go to Puget Sound, Coulon Park at Lake Washington, or Maple Valley. She detailed the potential funding sources.

P&R Director Ledbetter, PW Director Gut, and Parametrix Representatives Jenny Bailey and Ryan Abbotts detailed interim solutions where cost and other constraints could delay construction, potential grants to be pursued, and trail connections.

Mr. Ledbetter stated that the trail will cost approximately \$1 million per mile. The two sections proposed to be built at this time are about 1.5 miles and 1 mile.

Mr. Gut stated that if the Puget Sound Regional Council (PSRC) grant is obtained, design work will occur through early 2010, followed by construction on the SeaTac/Burien piece.

Mr. Ledbetter stated that this is potentially a 20-year project.

Mrs. Patterson requested the SeaTac Council send a letter of support to the PSRC.

●2008 Annual Southwest King County Chamber of Commerce (SWKCC) Report

SWKCC President and CEO Nancy Damon introduced boardmembers Cathy Heiberg and Natalie Elert.

Ms. Damon highlighted the 2008 achievements and milestones.

In 2009, the Chamber will continue its participation in regional transportation issues, monitor projects and issues in our region, and strengthen the chamber through increased memberships and member promotions. The SWKCC will be celebrating its 20th anniversary in 2009. Plans are underway for a party sometime in October.

PRESENTATIONS (Continued):

●2009 Pedestrian Improvement Program Update

PW Director Gut proposed an opportunity to construct a pilot sidewalk program and then a sustainable annual program. In 2006, Council expressed strong interest in launching a sidewalk program particularly in residential neighborhoods. Challenges are how to fund it and set priorities. The Sidewalk Ad Hoc Committee developed a community-based sidewalk program.

\$1.4 million is available this year for the pilot project, however, stable and predictable revenue is needed for an ongoing sidewalk program.

Assistant City Engineer Grilley detailed the potential pilot sidewalk projects: South 135th Street, South 138th Street, 42nd Avenue South, and South 179th Street (42nd Avenue South to Military Road). 42nd Avenue South received the highest priority score. He detailed the reasons for the high score.

Mr. Gut discussed the options for moving forward. Staff is recommending a pilot project in 2009 and reconvening the Sidewalk Ad Hoc Committee with Council representation to discuss funding proposals. He suggested options of concurrently designing the pilot project while the committee meets or delaying the pilot project until the committee has adjourned.

Once the annual program is running, construction for the current year would occur at the same time that design for the following year is happening.

CM Gregerson stated that the Transportation & Public Works (T&PW) Committee discussed the options. The committee recommended reconvening the ad hoc committee with Council support.

Council discussion ensued as to the options.

Council concurred designing the pilot program concurrently with the ad hoc committee meeting. Mr. Gut stated staff will present a consultant agreement for design of sidewalks along 42nd Avenue South for Council approval.

DISCUSSION ITEM:

●Summary of \$5,000 - \$25,000 Purchase Requests for the period ended February 6, 2009

City Manager Craig Ward reviewed the requests:

<u>Item Description</u>	<u>Department</u>	<u>Original Budget</u>	<u>Amended Budget</u>	<u>Estimate</u>
Two Rad-57c Handheld CO-Oximeters for diagnosing carbon monoxide poisoning	Fire	\$15,400	\$15,400	\$8,183
Angle Lake July 4 th Fireworks Show	P&R	\$8,000	\$8,000	\$8,000
Business Waste Reduction and Recycling (WR/R) Outreach Program	PW	\$10,000	\$10,000	\$10,000

Council consensus: Referred to the 02/10/09 RCM Consent Agenda with removal of the Angle Lake July 4th Fireworks Show request to be discussed under new business.

AGENDA BILL PRESENTATIONS:

Agenda Bill #3051 – A Motion authorizing the City Manager to execute a contract with GreenRubino (formerly HadleyGreenCreates) to implement the Economic Development (ED) Marketing Action Plan for 2009

Summary: This Motion would facilitate the execution of the marketing action plan that was jointly created by the City's ED staff and GreenRubino to further the City's ED branding strategy – "everywhere's possible". This comprehensive marketing plan will primarily target the recruitment of new business and industry, development and new private sector investment in the community. The plan has been endorsed by the Hotel/Motel (H/M) Tax Advisory Committee as part of the 2009 budget process. The following components are included in the 2009 scope of services: Public Relations, Advertising and Creative Services, Direct Mailers, Photographic Services, Search Engine Optimization, Maintenance of the City's Media Kit and List, Media Relations as Needed, and Development and Dissemination of Media Releases and Photo Opportunities as warranted.

It is anticipated the majority of the funding (\$109,000) will come from the H/M Tax Fund (Fund 107). However, GreenRubino may also provide minimal public relations services that are not related to tourism promotion, which is a requirement for the use of H/M funds. Therefore, any expenses in which H/M funds cannot be used will come from the General Fund (\$6,000).

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3051 (Continued): ED Manager Robinson reviewed the agenda bill summary.

DM Fisher stated he had no argument if the H/M is in agreement.

Upon a question posed by CM Gregerson, Mr. Robinson stated the 2008 contract was for \$94,000 from H/M only.

CM Ladenburg questioned how many hits have been received on this website. Mr. Robinson stated there were 210 hits in July and 340 hits in December.

Council consensus: Referred to the 02/10/09 RCM Consent Agenda

Agenda Bill #3046 – A Motion authorizing the City Manager to sign a contract with Olympic Environmental Resources (OER) to coordinate special recycling collection events for the City

Summary: OER has expertise coordinating and promoting City recycling collection events for 24 jurisdictions in KC. Staff checked with both the KC and Department of Ecology (DOE) grant coordinators and OER is the only consultant providing this service. OER has long standing relationships with recycling vendors and works closely with KC and the DOE grant coordinators who fund these events. OER maintains a policy of comprehensive liability insurance with policy limits of not less than \$1 million dollars, as well as each of the vendors.

Because of the large number of events that OER operates, it can procure an economy of scale discount for event services. This includes discounts on printing and mailing services, as well as event vendor services. OER has all the necessary equipment, signage, and event safety apparatus to carry out events in a safe and orderly way. OER is very efficient at reporting for grant reimbursement on behalf of the City. The work described will be performed during 2009 in preparation for the April 11 and October 10 special recycling events at Tyee High School.

Compensation for this consultant contract is based on labor and expenses not to exceed \$31,935. The 2009 budget has \$26,000 budgeted for this expense. The difference of \$5,935 will be funded by anticipated savings from other line items in this fund, including staff overtime.

PW Director Gut reviewed the agenda bill summary.

DM Fisher stated the A&F Committee recommended this for approval.

Upon a question posed by CM A. Anderson, Mr. Gut clarified how recycling events have been done in the past.

Council consensus: Referred to the 02/10/09 RCM Consent Agenda

Agenda Bill #3054 – A Motion authorizing ten percent contingencies and adding sales tax for certain contracts associated with the construction of Fire Station 46

Summary: When the City requests authorization for contracts associated with construction projects, staff usually requests that the Council authorize a contingency in the amount of 10%. This request is made so that staff has the ability, if unforeseen circumstances arise, to increase the contract amount without the need to request additional Council approval. Furthermore, the approved contracts did not authorize expenditure of required sales tax.

While reviewing the contracts and budget for Fire Station 46, it was determined that some contracts may exceed the Council authorized amount. And at the time that these contracts were approved, Council did not authorize expenditure of a contingency or sales tax. The Legal and Finance Departments suggested that in order to ensure that contracts do not exceed the amount authorized by the City Council, it is prudent to request that a contingency and sales tax be approved on all contracts which have already been approved by the Council. Therefore, this Motion authorizes a contingency and the payment of sales tax on all outstanding contracts associated with the Fire Station 46 project in which the contract payments have not exceeded the amount approved. A separate agenda bill will request approval for contracts in which the amount authorized by the City Council has already been exceeded.

Approving the contingency does not mean that such a contingency will be used. Rather, this only means that Staff has the ability to exceed the contract amount by no greater than 10%.

The budget for the Fire Station Project includes amounts for contingency that was not assigned to a particular contract. The total with contingency and sales tax is \$689,590.

Facilities Director Patterson reviewed the agenda bill summary.

Council consensus: Referred to the 02/10/09 RCM Consent Agenda

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3056 – A Motion authorizing ten percent contingencies and adding sales tax for certain contracts for the construction of Fire Station 46 in which the contract approval amount has been exceeded

Summary: When the City requests authorization for contracts associated with construction projects, Staff usually requests that the City Council authorize a contingency in the amount of 10%. This request is made so that Staff has the ability, if unforeseen circumstances arise, to increase the contract amount without the need to request approval by the Council.

While reviewing the contracts and budget for the Fire Station 46 Project, it was determined that there were some contracts in which the expenditures have already exceeded the amount approved by the City Council. Each contract subject to this Motion is listed below.

Construct Co.: The City Council approved the fuel system contract on April 8, 2008 (Agenda Bill #2935). The City Council authorized expenditure of \$162,234 for the fuel system. To date, Construct Co. has been paid \$174,262.61 because the sales tax was not approved. There will also be additional expenditures to complete the project. Staff is asking for an increase of the authorized contract amount to \$194,518, which includes sales tax of \$16,061 and a 10% contingency of \$16,223.

Gen Con Pacific: The City Council approved the off site concrete contract on February 12, 2008 (Agenda Bill #2902). The City Council authorized expenditure of \$41,056 for the off site concrete. In addition, Gen Con Pacific was asked to complete a portion of the foundation concrete due to Quality Construction not completing the work. The uncompleted foundation work was partially completed by Gen Con Pacific, and partially by Twins Concrete. The City Council approved a contract with Twin Concrete on January 10, 2009 (Agenda Bill #3039). However, the City Council has not approved the increased payment to Gen Con Pacific for their work on the foundation concrete. The cost for Gen Con Pacific to complete the foundation work was \$46,952.84 including sales tax.

To date, Gen Con Pacific has been paid \$82,941.58, which includes payments for the off site concrete and foundation work. There will also be additional expenditures to complete the off site concrete work. Staff is asking for an increase of the authorized contract amount to \$96,177.84. This includes the total cost of the foundation work (including sales tax), off site concrete work sales tax of \$4,064, and a 10% contingency on the off site concrete work of \$4,105.

Pro Steel: The City Council approved the web joist and metal decking supply contract on April 22, 2008 (Agenda Bill #2939). The City Council authorized expenditure of \$112,172. To date, Pro Steel has been paid \$127,639 due to change orders. No additional expenditures under this contract are needed to complete the project. Staff is asking for an increase of the authorized contract amount to \$127,639, which includes sales tax of \$10,539 and a cost increase of \$4,928 due to a change order.

Totem Steel: The City Council approved the Steel Supply contract on April 22, 2008 (Agenda Bill #2939). The City Council authorized expenditure of \$343,055. To date, Totem Steel has been paid \$401,163.65 due to change orders. There will be additional expenditures to complete the project. Staff is asking for an increase of the authorized contract amount to \$411,322, which includes sales tax of \$34,305 and a 10% contingency of \$33,962.

In addition to the above contracts, the City Council will be asked to approve contingencies and sales tax on contracts in which the approval limit has not been exceeded.

If carried, this Motion will raise the limit of the Construct Co. contract by \$32,284, the Gen Con Pacific contract by \$51,245, the Pro Steel contract by \$15,467, and the Totem Steel contract by \$68,267, for a total of \$167,263.

Facilities Director Patterson reviewed the agenda bill summary.

Council consensus: Referred to the 02/10/09 RCM Consent Agenda

Agenda Bill #3055 – A Motion authorizing the purchase of hollow metal doors and frames, wood doors, and door hardware for Fire Station 46

Summary: The City has purchased hollow metal doors and frames, wood doors, and door hardware from Benson Industries LLC. Quotes were received for each item as separate categories. None of these categories were over the \$50,000 limit as authorized by the Council. One supplier was lowest for all three categories. Because their billings have totaled more than the approved Council limit, it was determined that the purchase of these items should be approved by the Council.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3055 (Continued): This Motion authorizes the purchase of hollow metal doors and frames, wood doors, and door hardware from Benson Industries LLC. Prior to purchase, the Facilities Director obtained quotes for these items, and the results are listed below:

Hollow Metal Doors and Frames

Benson Industries LLC	\$20,000.00
Architectural Building Supply	\$22,600.00
Cascade Door & Hardware	\$23,150.00

Wood Doors

Benson Industries LLC	\$16,000.00
Olympia Door	\$18,320.00

Door Hardware

Architectural Building Supply	\$57,250.00
Benson Industries LLC	\$47,000.00
Cascade Door & Hardware	\$52,425.00

The total cost of these items, including tax and delivery is \$90,470.00. The budgeted amount for all items with tax is \$107,261.45.

Facilities Director Patterson reviewed the agenda bill summary.

Council consensus: Referred to the 02/10/09 RCM Consent Agenda

CONSENT AGENDA:

- **Approval of claims vouchers** (check nos. 83574 - 83575) in the amount of \$228.75 for the period ended January 23, 2009.
- **Approval of claims vouchers** (check nos. 83576 - 83727) in the amount of \$531,068.37 for the period ended January 29, 2009.
- **Approval of payroll vouchers** (check nos. 47444 – 47482) in the amount of \$387,489.63 for the period ended January 31, 2009.
- **Approval of payroll electronic fund transfers** (check nos. 58320 - 58504) in the amount of \$337,813.87 for the period ended January 31, 2009.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$64,077.08 for the period ended January 31, 2009.
- **Summary of \$5,000 - \$25,000 Purchase Requests** for the period ended February 6, 2009.

Approval of Council Meeting Minutes:

- **Land Use and Parks Committee Meeting** held January 8, 2009.
- **Special Council Meeting** held January 13, 2009.
- **Transportation and Public Works Committee Meeting** held January 27, 2009.
- **Special Council Meeting** held January 27, 2009.
- **Regular Council Meeting** held January 27, 2009.

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

Agenda Bill #3051; Motion authorizing the City Manager to execute a contract with GreenRubino (formerly HadleyGreenCreates) to implement the Economic Development Marketing Action Plan for 2009

Agenda Bill #3046; Motion authorizing the City Manager to sign a contract with Olympic Environmental Resources to coordinate special recycling collection events for the City

Agenda Bill #3054; Motion authorizing ten percent contingencies and adding sales tax for certain contracts associated with the construction of Fire Station 46

Agenda Bill #3056; Motion authorizing ten percent contingencies and adding sales tax for certain contracts for the construction of Fire Station 46 in which the contract approval amount has been exceeded

CONSENT AGENDA (Continued):

Agenda Bill #3055; Motion authorizing the purchase of hollow metal doors and frames, wood doors, and door hardware for Fire Station 46

MOVED BY CM T. ANDERSON, SECONDED BY GREGERSON TO ACCEPT THE CONSENT AGENDA AS PRESENTED.*

PUBLIC COMMENTS (related to the Consent Agenda): There were no public comments.

*MOTION CARRIED UNANIMOUSLY.

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

UNFINISHED BUSINESS: There was no unfinished business.

NEW BUSINESS:

\$5,000 - \$25,000 Purchase Request – Angle Lake July 4th Fireworks Show - \$8,000

MOVED BY A. ANDERSON, SECONDED BY FISHER TO APPROVE ANGLE LAKE JULY 4TH FIREWORKS SHOW AT \$8,000.*

MOVED BY SHAPE, SECONDED BY T. ANDERSON TO AMEND THE MOTION TO \$10,000.**

Upon a question posed by CM Wythe, Mr. Guilet stated that the Angle Lake Shore Club will not be requesting additional funds in 2010.

**AMENDED MOTION PASSED WITH GREGERSON AND A. ANDERSON VOTING NO.

*MOTION AS AMENDED PASSED WITH GREGERSON AND A. ANDERSON VOTING NO.

CITY MANAGER'S COMMENTS: City Manager Ward commented on the following: (1) appreciation for ability to support CMs Gregerson and A. Anderson while lobbying in Washington DC; and (2) February 16 – City facilities will be closed the Presidents' Day holiday.

COUNCIL COMMENTS: DM Fisher recognized Mayor Shape for being selected for the National League of Cities (NLC) Energy, Environment and Natural Resources (EENR) Policy and Advocacy Committee.

CM A. Anderson stated that the trip to Washington DC was productive.

CM Ladenburg stated he attended the Silver Dollar Casino fundraiser with CMS A. Anderson, T. Anderson and Gregerson. It was great to see the community come together.

Upon a request by Mayor Shape, Ms. Mirante Bartolo reviewed with the Council the ruling on the September 2008 pit bull bite case. The dog owner pled guilty and prosecutors are recommending 11 years in jail.

EXECUTIVE SESSION: There was no Executive Session.

ADJOURNMENT:

MOVED BY T. ANDERSON, SECONDED BY FISHER TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 9:26 P.M.

MOTION CARRIED UNANIMOUSLY.

Ralph Shape, Mayor

Kristina Gregg, City Clerk

City of SeaTac

Regular Council Meeting Minutes

February 24, 2009
6:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Shape at 6:05 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Deputy Mayor (DM) Gene Fisher, Councilmembers (CMs) Chris Wythe, Terry Anderson, Anthony (Tony) Anderson, Barry Ladenburg and Mia Gregerson.

FLAG SALUTE: Police Administrative Captain Annette Louie led the Council, audience and staff in the Pledge of Allegiance.

ADMINISTRATIVE STAFF: City Manager Craig Ward, City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, Assistant City Manager (ACM) Todd Cutts, Senior Assistant City Attorney Mark Johnsen, Finance Director Mike McCarty, Facilities Director Pat Patterson, Parks & Recreation (P&R) Director Kit Ledbetter, Fire Chief Bob Meyer and Police Administrative Captain Annette Louie.

PUBLIC COMMENTS: Michael Kovacs commented on the following: (1) construction within neighborhood - He stated he is experiencing the third project within the last 10 years. Each project is a potential traffic hazard. He questioned what the City plans to do to take care of this issue; and (2) Agenda Bill #3061 – He stated his opposition to the Council approving this item.

Earl Gipson, regarding Agenda Bill #3061, stated his opinion that this issue should be presented as a public hearing for citizen input.

Taryn Hill presented a letter to the Council regarding proposed King County (KC) Metro changes. She requested Council submit a letter to Metro in support of route 127 being reinstated.

DISCUSSION ITEM:

● Summary of \$5,000 - \$25,000 Purchase Requests for the period ended February 20, 2009

City Manager Ward reviewed the requests:

<u>Item Description</u>	<u>Department</u>	<u>Original Budget</u>	<u>Amended Budget</u>	<u>Estimate</u>
Fire hose replacement	Fire	\$13,080	\$13,080	\$10,184
Yard debris collection events	Public Works (PW)	\$25,000	\$25,000	\$25,000

Council consensus: Referred to the 02/24/09 RCM Consent Agenda

AGENDA BILL PRESENTATIONS:

Agenda Bill #3059 – A Motion approving the low bidder for asphalt repair for Fire Station 46

Summary: Advertisement for bids for asphalt repair work was placed in the Seattle Times the weeks of January 19 and 23. The results are as follows:

Lakeridge Paving	\$39,985.00
Evergreen Asphalt & Concrete	\$66,137.00
Construct Co.	\$82,940.00

Lakeridge had given an earlier estimate of \$28,931.25. The increase in cost is because of the existing condition of the streets on both 35th and 37th Avenues South. The asphalt will need to be overlaid to the center of each street to meet the curb and gutter effectively.

Total cost with tax (9.5%) & contingency (10%) \$48,161.93

It is recommended that the City Council accept the lowest responsive bid for the asphalt repair work. It is also recommended that the City Manager be authorized to execute a contract for this work for the total cost indicated above, including the sales tax and contingency.

The 2009 Budget has \$2,500,000 for completion of Fire Station 46.

Facilities Director Patterson reviewed the agenda bill summary.

CM Gregerson state that the Transportation & Public Works (T&PW) Committee recommended this item for approval.

Council consensus: Referred to the 02/24/09 RCM Consent Agenda

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3060 – A Motion approving the low bidder for landscape work for Fire Station 46

Summary: Advertisements for landscaping bids were placed in the Seattle Times the weeks of January 19 and 23.

The results are as follows:

Outdoor Concepts, LLC	\$95,000.00
Tri Fall Construction	\$108,250.73
Legacy Landscaping	\$122,530.00
Controlled Rain	\$122,750.00
Construct Co.	\$127,271.00

Total cost with tax (9.5%) & contingency (10%) \$114,427.50

The current landscaping budget is \$35,000, originally based on the assumption that drought resistant “green” plantings could be used. Unfortunately these do not meet the current Planning codes and the landscaping had to be upgraded with added irrigation.

It is recommended that the City Council accept the lowest responsive bid for the landscape work. It is also recommended that the City Manager be authorized to execute a contract for this work for the total cost indicated above, including the sales tax and contingency.

The 2009 Budget has \$2,500,000 for completion of Fire Station 46.

Facilities Director Patterson reviewed the agenda bill summary.

CM Wythe stated that using drought resistant plants would eliminate the need for a sprinkler system, which wastes water and money. He stated he would like to see this issue revisited. He feels that if some additional design work is done with potential code revisions that the City may not have to invest as much money.

CM Gregerson stated that the T&PW Committee discussed this issue and felt that if this was redesigned, it may cost the City the \$25,000 needed to put the sprinkler system in. She stated she is hopeful that the sprinkler system will actually save labor and time, and it will be environmentally friendly because only the plants that need it will be watered. Also, if the City waits too long, this will not be completed in a timely manner.

Upon a question posed by CM A. Anderson, Mr. Patterson stated it would cost approximately \$3,000 - \$5,000 to redesign the irrigation.

Mayor Shape clarified that in order to avoid the extra costs, it would require changing the code, which would take additional time.

CM A. Anderson requested this item be referred to the March 10, 2009 Administration & Finance (A&F) and Public Safety & Justice (PS&J) Committee meetings and the Regular Council Meeting (RCM).

Mayor Shape requested Mr. Patterson discuss with the bidder potential ways to save money.

Council consensus: Referred to the 03/10/09 PS&J/A&F joint meeting and RCM.

Agenda Bill #3061 – A Motion authorizing the City Manager to execute a Memorandum of Understanding (MOU) with Ariel Development for a proposed access easement at Angle Lake Park

Summary: This MOU formalizes an understanding between the City and the developer for the granting of an access easement from Angle Lake Park, so that the developer can access a hotel that is being proposed on the property. Once a formal understanding is reached, the City and the developer will expend additional resources to finalize an agreement, which will include drafting of easements and other related documents.

The City agrees to grant an access easement to the developer, via the current signalized access road located at the southern portion of Angle Lake Park which will include a driveway to the hotel and fire access from Angle Lake Park to the eastern portion of the proposed hotel. The City also agrees to allow fire hydrants to be located in the adjoining park landscaping and for the construction of a fire access only driveway from the access easement through the adjoining landscaping to the hotel property.

The developer agrees to grant an easement for the City to design, construct and maintain a pedestrian path not greater than ten feet in width from the north edge to the south edge of said property. The path will be parallel to the lake bank at a distance from the waterline to be determined. The developer also agrees to pay the City \$32,000, which will be used by the City to construct a band shell over an existing stage at Angle Lake Park. The

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3061 (Continued): developer also agrees to provide special traffic control measures during high impact events such as the International Festival and the Fourth of July, and pay a portion of the maintenance costs for the access easement based on use load.

This MOU is intended to create a framework so that a final, binding agreement can be created. It is also understood that any final agreement, including the granting of any easements to the developer, are subject to further action by the City Council. Therefore, once a final agreement has been completed, and the easement documents are finalized, staff will request final action to approve the easements and the agreement.

Staff has spent a great deal of time negotiating the framework of this agreement. The proposed hotel development will provide approximately 180 rooms, is estimated to cost \$22.5 million dollars, and will result in needed redevelopment of a parcel along Angle Lake and International Boulevard (IB). In addition, it is estimated that the hotel will employ between 60-70 fulltime employees, as well as additional part-time employment. Finally, the park will benefit as the developer has committed to fund a portion of the band shell at Angle Lake Park.

The approval of the MOU will have no direct fiscal impact. Once the final agreement and easements are completed, the City would receive a portion of the funds necessary to construct the band shell at Angle Lake Park. Also, if the City Council wants to construct the pedestrian path along Angle Lake, the City would be responsible for design and construction of the path. Finally, the project will generate approximately \$190,000 in sales tax revenue, plus additional sales tax and lodging tax revenue on an ongoing basis.

P&R Director Ledbetter reviewed the agenda bill summary.

DM Fisher requested this item be placed on new business.

Council consensus: Referred to the 02/24/09 RCM New Business

Agenda Bill #3058 – A Resolution amending Resolution No. 08-006, changing the meeting times of the Administration and Finance (A&F) and Public Safety and Justice (PS&J) Council Committees

Summary: By Resolution No. 08-006, the City Council established the schedule and start times for the meetings of Council Committees. A&F is currently scheduled to start at 2:00 p.m. on the second Tuesday of each month and PS&J is currently scheduled to start at 3:30 p.m. The proposed Resolution changes the start time of A&F from 2:00 p.m. to 3:00 p.m. Additionally, PS&J is currently scheduled to start at 3:30 p.m. on the second Tuesday of each month. The proposed Resolution changes the start time of PS&J from 3:30 p.m. to 4:00 p.m.

City Attorney Mirante Bartolo reviewed the agenda bill summary.

Council consensus: Referred to the 02/24/09 RCM Consent Agenda

Added Item:

COUNCIL COMMENT: Upon a request by CM T. Anderson, citizen Dick Jordan updated Council on citizen Art Thompson's health. He was really sick, but is feeling better again.

CONSENT AGENDA:

- **Approval of payroll vouchers** (check nos. 47483 – 47515) in the amount of \$187,892.98 for the period ended February 15, 2009.
- **Approval of payroll electronic fund transfers** (check nos. 58505 - 58686) in the amount of \$352,505.13 for the period ended February 15, 2009.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$68,453.10 for the period ended February 15, 2009.
- **Summary of \$5,000 - \$25,000 Purchase Requests** for the period ended February 20, 2009.

Approval of Council Meeting Minutes:

- **Regular Council Meeting** held November 25, 2008.
- **City Council Retreat Meeting** held January 26, 2009.
- **Public Safety and Justice Committee Meeting** held February 10, 2009.
- **Administration and Finance Committee Meeting** held February 10, 2009.
- **Land Use and Parks Committee Meeting** held February 12, 2009.

CONSENT AGENDA (Continued):

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

Agenda Bill #3059; Motion approving the low bidder for asphalt repair for Fire Station 46

Agenda Bill #3058; Resolution #09-004 amending Resolution No. 08-006, changing the meeting times of the Administration and Finance and Public Safety and Justice Council Committees

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

PUBLIC COMMENTS (related to the Consent Agenda): There were no public comments.

*MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENTS (related to the following Unfinished and New Business): Pat Carter stated that she is still obtaining signatures on a petition requesting that the Residence Inn easement request not be granted. The citizens do not want the City giving away park property.

John Thompson stated his opinion that the Council should approve the easement request. If it is not approved, the City will lose additional business.

UNFINISHED BUSINESS: There was no unfinished business.

NEW BUSINESS:

Agenda Bill #3061; Motion authorizing the City Manager to execute a Memorandum of Understanding (MOU) with Ariel Development for a proposed access easement at Angle Lake Park

MOVED BY A. ANDERSON, SECONDED BY FISHER TO PASS AGENDA BILL #3061.*

DM Fisher stated the citizens want something more tangible. The easement will increase the value of the Residence Inn property at the citizens expense.

Mayor Shape clarified that the path will be used by the City all of the time, while the road easement will only be used a quarter of the time by the Residence Inn. This business will be important to the City because it will bring jobs to the City.

Council discussion ensued as to whether the easement stays with the property regardless of who owns the building. Senior Assistant City Attorney Johnsen stated the MOU is intended to create a framework so that a final, binding agreement can be created. The final agreement is subject to further action by the Council. The final agreement could state the easement is only granted for hotel use.

CM A. Anderson stated that the signal to the park is the only signal near the hotel site. It is far safer to allow them an easement to use the signal then to have their customers doing U-turns on IB. He clarified that the City wouldn't be giving up its ownership to the property, just allowing others to use the driveway. He stated he supports this item.

Mayor Shape stated that this is an economic plus for the City. He reiterated that the City is not giving away property, but allowing them to use the City's property.

Upon a question posed by CM Wythe, Mr. Ledbetter stated that the requirements for the path easement have yet to be written.

CM Wythe requested a timeframe be provided to Council and that the project not take years to begin. He also requested that the access not be used for construction purposes.

DM Fisher requested a public hearing be conducted to allow citizen input.

Upon a question posed by CM Ladenburg, Mr. Ledbetter stated the developer first submitted a monetary amount of \$25,000 while Mr. Ledbetter requested \$50,000. They were able to compromise at \$32,000. CM Ladenburg stated he feels \$32,000 is too low.

*UPON A ROLL CALL VOTE, MOTION CARRIED WITH WYTHE, A. ANDERSON, SHAPE, AND GREGERSON VOTING YES AND FISHER, T. ANDERSON, AND LADENBURG VOTING NO.

CITY MANAGER'S COMMENTS: City Manager Ward commented on the following: (1) stimulus package and potential City projects. Currently there is no opportunity for the City to receive funding for a project because no project is "shovel ready". He explained potential ways the City does stand to benefit from the stimulus package; (2) Mayor Shape, ACM Cutts and he attended the Association of Washington Cities (AWC) Legislative Action Conference in Olympia where they lobbied for a variety of items; (3) February 25 - 6 p.m. Airport Plaza Convention Center opening; (4) March 4 - 6 p.m. Community Schools Leadership Forum; and (5) March 5 – workshop on Homelessness in SeaTac and Tukwila.

COUNCIL COMMENTS: CM T. Anderson stated that the Highline Historical Society (HHS) will be meeting on March 1 at 3 p.m. in the City Hall Council Chambers. There will be a presentation by a lady dressed from the 1900's detailing life during that time. She invited everyone to attend.

CM A. Anderson stated he received a phone call from a citizen concerned about South 160th Street. The barricades on the north side are so close to the road that the pedestrians have to walk in the street and the south side is overgrown. He requested the City look into this issue.

CM Ladenburg, regarding the proposed Metro bus route changes stated CM Gregerson and he have been expressing the City's concerns to Metro. They also let Metro know that SeaTac still wants bus service to downtown after the Light Rail is operating.

CM Gregerson commented on the following: (1) Land Use and Parks (LUP) Committee meeting minutes state that the proposed fee schedule changes for Valley Ridge Park (VRP) were discussed, but it doesn't say what the proposed change is; and (2) January 26 Council retreat minutes – (a) SeaTac/Tukwila Cooperative Committee: she feels the March 5 Homelessness meeting might be a great opportunity to start that committee, (b) Rick Lucas requested Council direction and the Council did not give any direction. She suggested direction be given, (c) DM Fisher stated that the block watch groups are ready to meet with the Council, but the Council felt additional discussion was needed. She suggested this item be discussed at a future PS&J Committee meeting; and (d) Transportation Benefit District – to be discussed at an A&F Committee meeting, but she also requested it be discussed at a T&PW Committee meeting.

Mayor Shape stated that while at the AWC Legislative Action Conference he had an opportunity to hear from the Governor and members from the Governor's Office and the State Budget Office. They were all concerned and frustrated with the State budget. Mr. Ward, Mr. Cutts and he were able to express the City's desires and lobbied for and against various bills.

EXECUTIVE SESSION: There was no Executive Session.

ADJOURNMENT:

MOVED BY T. ANDERSON, SECONDED BY LADENBURG TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 7:18 P.M.

MOTION CARRIED UNANIMOUSLY.

Ralph Shape, Mayor

Kristina Gregg, City Clerk

City of SeaTac

Regular Council Meeting Minutes

March 10, 2009
6:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Shape at 6:04 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Deputy Mayor (DM) Gene Fisher, Councilmembers (CMs) Chris Wythe, Terry Anderson (*left at 8:00 p.m.*), Anthony (Tony) Anderson, Barry Ladenburg and Mia Gregerson.

FLAG SALUTE: Parks & Recreation (P&R) Director Kit Ledbetter led the Council, audience and staff in the Pledge of Allegiance.

ADMINISTRATIVE STAFF: City Manager Craig Ward, City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, Assistant City Manager (ACM) Todd Cutts, Facilities Director Pat Patterson, Public Works (PW) Director Tom Gut, P&R Director Kit Ledbetter, Assistant P&R Director Lawrence Ellis; Planning Director Steve Butler, Principal Planner Jack Dodge, Fire Chief Bob Meyer and Chief of Police Services Jim Graddon.

PUBLIC COMMENTS: Earl Gipson stated he attended the Planning Commission (PC) Stakeholder meeting regarding tree retention. This has been discussed for about two years. It appears the draft is back to where the City was two years ago. Citizens will not tolerate their property rights being compromised.

Stewart Battle and Ken Morikawa reiterated their comments made at the February 10, 2009 Regular Council Meeting (RCM) regarding the Homeowners and Bank Protection Act of 2007 Resolution that they want Congress to pass. They requested Council support.

Rick Forschler commented on the following: (1) the PC has requested their meeting packets be placed on the City's website; and (2) community member Donna West passed away. The Southwest King County (KC) Chamber of Commerce's Success Foundation is setting up a Donna West Scholarship to be awarded to a high school student in June 2009 for continuing education.

PRESENTATION:

●Comcast's Network Enhancement

Director of Government Affairs Franchising Terry Davis detailed Comcast's conversion to digital broadcasting. Comcast's transition is different than the Federal Government's Digital Broadcast Transition. For the government transition, Comcast customers won't need to make any changes. For Comcast's conversion, Comcast customers with any television that receives cable from a cord plugged into the back of the TV directly from the wall will need an adapter. All households already receiving digital cable will be given two free adapters to use on TV's that don't already have boxes. Any additional adapter will cost \$1.99 per month, or \$5.10 per month for the digital box offering On Demand. Comcast customers not already receiving digital cable will be offered one free digital box and two free adapters if they upgrade to the lowest digital package.

For more information check Comcast's website at www.comcast.com/digitalnow or call 1-877-634-4434.

DISCUSSION ITEM:

●Summary of \$5,000 - \$25,000 Purchase Requests for the period ended March 6, 2009

City Manager Ward reviewed the requests:

<u>Item Description</u>	<u>Department</u>	<u>Original Budget</u>	<u>Amended Budget</u>	<u>Estimate</u>
Fire Apparatus #112 parts for repair	Fire	\$6,400	\$6,400	\$6,328
Reinvesting in Youth – 2009 Contribution	Non-Department	\$5,000	\$5,000	\$5,000

Council consensus: Referred to the 03/10/09 RCM Consent Agenda with removal of the Reinvesting in Youth request to be discussed under new business.

AGENDA BILL PRESENTATIONS:

Agenda Bill #3062 – A Motion approving the City Manager to execute a Consultant Agreement with Gray & Osborne, Inc. for design of the 42nd Avenue South Pedestrian Improvement Project

Summary: The Citywide Pedestrian Improvement Program is identified in the City's Transportation Improvement Program (TIP). 42nd Avenue South has been selected as the pilot project for the Pedestrian Improvement Program. The project limits extend on the east side of 42nd Avenue South from South 176th to 188th Streets. Staff is requesting approval to contract with a consultant who will provide project development services including preparation of detailed plans, specifications and estimates required to bid and construct the project.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3062 (Continued): A statement of qualifications was requested from three consultants selected from the Municipal Research and Services Center (MRSC) Consultant Roster in February 2009. The following firms submitted statements of qualifications; David Evans and Associates, Gray & Osborne, Inc., and Otak, Inc. The firms were evaluated based on their qualifications, experience with similar projects, and resources to complete the project on schedule. Gray & Osborne was selected as the most qualified firm for this project due to their extensive experience on similar projects. Staff then negotiated the scope and fees with Gray & Osborne. The scope of work includes surveying, design, cost estimating, possible right-of-way (ROW) or easement acquisition, public involvement, and coordination with affected utilities. The negotiated scope and fee for Gray & Osborne is reasonable for the level of effort and work anticipated. The City of SeaTac's standard consultant services agreement form will be used.

The amount paid is not to exceed \$177,620 unless authorized by the City. The Street Fund (102) has a current budget balance of \$1,432,000 for this line item.

PW Director Gut reviewed the agenda bill summary.

DM Fisher stated that the Administration & Finance (A&F) Committee recommended this item for approval.

Council discussion ensued regarding the responsibilities and membership for the Sidewalk Ad Hoc Committee.

Council consensus: Referred to the 03/10/09 RCM Consent Agenda

Agenda Bill #3048 – A Motion authorizing the City Manger to enter into agreements related to the purchase of services and memberships at the new YMCA

Summary: This Motion authorizes the City Manager to enter into agreements related to the purchase of services and memberships at the new YMCA. There are two separate agreements. First, there is a Master List of Services Agreement, which establishes the type of services and memberships available to the City, with the value of each in 2009 dollars. Second, there is a October 2009-June 30, 2011 services agreement that specifies what services the City will be purchasing for the first years of YMCA operation.

In 2006 the City Council approved a payment of \$1,031,105 to the YMCA for the prepayment of 20 years worth of services and low income memberships (Agenda Bill #2625). That payment allows the City to purchase services at a 10% discount and allows the City to lock-in 2009 prices for these services. The City's payment will be made in 2009 upon City Council approval of the first year's list of proposed purchase services. As part of the City's agreement with the YMCA, the City Parks and Recreation Director will meet with the YMCA Executive Director on a yearly basis to determine if any changes are appropriate in the purchase of YMCA programs and activities. The City Council will then approve or modify any changes made in the purchase of service for that year.

The parties to this agreement recognize the need for flexibility in determining the specific services to be provided by the YMCA on a yearly basis. In order to allow for maximum flexibility, the City shall receive \$57,314 worth of services and low income memberships per year during the 20 plus years of this Agreement. Said dollar amount shall remain constant during the term of this Agreement, shall not be adjusted for inflation, and shall not be modified except by written agreement and approval of the SeaTac City Council. The value of services or memberships not utilized by the City during a particular year shall be carried forward to future years, and shall not be forfeited. The 20 year term of this Agreement shall be extended in order for the City to utilize any unused services or low income memberships, unless other mutually agreeable written arrangements are made. The YMCA shall not be obligated to provide more than \$57,314 worth of services in any year. In return for these funds, the City will supplement its recreational services through use of the YMCA.

This Motion authorizes the City Manager to execute two separate agreements with the YMCA, which have been negotiated between the Parks and Recreation Department and the YMCA. The first agreement sets forth the Master List of Services. This Master List of Services will set forth the services and memberships available to the City on a yearly basis, along with the prices in 2009 dollars. This list can be modified upon mutual agreement between the City and the YMCA, but any prices for the services on the list will remain in 2009 dollars. This agreement will remain in effect until all services have been received by the City, over a period of at least 20 years.

The second agreement sets forth the services that the City will receive for 2009-2011 (October 1, 2009 – June 30, 2011). The proposed services have been selected by the City from the Master List of Services. Usually, the City would complete this second agreement on a yearly basis. Since the YMCA is scheduled to open in September, 2009, Staff and the YMCA felt it would be prudent to have an agreement through June 30, 2011. This will have

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3048 (Continued): the effect of the City selecting 24 months worth of services to cover a 21 month period of time. Therefore, the total value of services to be received by the City during this 21 month time period will be \$114,628. During this time period, the City and the YMCA will have a chance to determine the success of the programs selected, which will assist the City in selecting programs for upcoming years. Services not used will be rolled over to the following year. Then, prior to June 2001, and each subsequent year, staff will bring forth a new agreement for the upcoming one year period.

Upon passage of this Motion, the City will pay the YMCA \$1,031,105 from the 2009 fiscal year, pursuant to the 2006 agreement with the YMCA.

P&R Director Ledbetter introduced Highline YMCA Branch Executive Claudia Tanis.

Ms. Tanis detailed the YMCA project which is scheduled to open on-time and on-budget.

Council discussion ensued as to the details of the facility.

P&R Director Ledbetter reviewed the agenda bill summary. He reviewed the list of programs staff is recommending the City purchase. He clarified that staff is not currently recommending the City purchase any memberships from the YMCA because the YMCA already offers low-income memberships.

Council consensus: Referred to the 03/10/09 RCM Consent Agenda

Agenda Bill #3040 – A Motion approving the completion and acceptance of the Parks, Recreation and Open Space (PROS) Plan

Summary: The City Council approved the funding of the PROS Plan in the 2008 Budget. PROS are key elements of a community's quality of life. This PROS Plan will assist in prioritizing City investments in these facilities and programs for all incorporated land within the City of SeaTac. The intent of this PROS Plan is to build the framework for the future development of SeaTac's parks and recreation programs and facilities. It discusses community resources, recreation goals and policies, needs concerning parks, recreation, and open space, and strategies for implementing the plan. The City of SeaTac developed its first PROS Plan in 1998, about five years after the City assumed responsibility from KC of the parks and recreation programs within the City limits. The PROS Plan should be evaluated each year but should be revised every ten years. This Plan updates the 10 year old plan adopted in 1998. The next PROS Plan will need to be completed in 2016.

The PROS Plan will serve as a companion document to the SeaTac Comprehensive Plan (CP). Goals and policies identified through this PROS Plan will fold into the SeaTac CP.

Adoption of the Plan has no direct fiscal impact. The 2008 Budget included \$15,000 to complete the project, which was completed under budget by approximately \$4,000.

P&R Director Ledbetter reviewed the agenda bill summary. This is a 10-year plan.

Mr. Ledbetter stated that this document can be modified every year dependent on budget and priorities. The Valley Ridge Park (VRP) improvements are currently in the six-year plan. Prioritizing will happen as part of the capital budget process each year.

Council consensus: Referred to the 03/10/09 RCM Consent Agenda

Agenda Bill #3038 – A Motion authorizing additional architectural fees for Fire Station 46 and a one year contract extension

Summary: On May 9, 2006, Council approved the design of Fire Station 46 with architectural fees set at \$529,640 which was 13.8% of the estimated construction costs. The contract duration was 24 months. Mr. Clark's contract was to have ended in May of 2008 but he has continued to perform on the project with the understanding that he will be compensated fairly for his additional time.

Due to the increased scope of work, and the increased time for construction of Fire Station 46, the architect has requested an increase in compensation in the amount of \$110,506.55. This increase in compensation covers all additional design changes, as well as any additional architect time to complete the fire station project to date. With the exception of landscape scope changes, there are no other further anticipated costs to Mr. Clark's contract. At this point the design costs of Station 46 are 12.8%.

The 2009 Budget for Fire Station 46 has \$2,500,000 to pay for construction and associated costs.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3038 (Continued): Facilities Director Patterson reviewed the agenda bill summary.

CM A. Anderson stated that the Public Safety & Justice (PS&J) recommended this item for approval.

Council consensus: Referred to the 03/10/09 RCM Consent Agenda

Agenda Bill #3064 – A Motion approving the low bidder for flooring installation for Fire Station 46

Summary: This Motion authorizes the City Manager to enter into a contract with a flooring contractor for installation of the carpet and supply and installation of the vinyl, stair treads and risers, and rubber base for Fire Station 46.

Advertisements for bid for flooring were placed in the Seattle Times the weeks of November 24 and December 1, 2008. No bids were received which then allows the City to negotiate directly with a flooring contractor of our choice. Quotes were requested from reputable contractors anyway and the results are as follows:

Commercial Floor Distributors, Inc.	\$78,977.07
Prime Flooring, LLC	\$74,999.24
Exquisite Dimensions	\$65,665.31

The low bid with 9.5% sales tax and 10% contingency is \$79,093.87.

The 2009 Budget for Fire Station 46 has \$2,500,000 to pay for construction and associated costs.

Facilities Director Patterson reviewed the agenda bill summary.

Upon a question posed by CM A. Anderson, Mr. Patterson stated that even once this agenda bill is approved, he will still be able to negotiate into the contract guidance provided by the PS&J Committee.

Council consensus: Referred to the 03/10/09 RCM Consent Agenda

Agenda Bill #3065 – A Motion approving Commercial Sound & Video for Audio/Visual (A/V) – Emergency Operation Center (EOC) equipment for Fire Station 46

Summary: Advertisements for requests for proposals for the A/V and EOC equipment for Fire Station 46 were placed in the Seattle Times the weeks of February 8 and 15. One proposal was received from Commercial Sound & Video, who is also the low bidder for the alerting system. Their proposal for supply and installation of all equipment is \$97,150. With tax and contingency the total amount for approval is \$116,482.85.

The 2009 Budget for Fire Station 46 has \$2,500,000 to pay for construction and associated costs. The engineer's estimate for this work with tax and contingency is \$143,962.73.

Facilities Director Patterson reviewed the agenda bill summary.

CM A. Anderson stated that the PS&J Committee recommended this item for approval.

Council consensus: Referred to the 03/10/09 RCM Consent Agenda

Agenda Bill #3052 – An Ordinance amending the SeaTac Municipal Code (SMC) related to utility substations in residential zones, monument signs in multifamily zones, and dumbbell lots

Summary: The proposed code amendments would amend the Zoning Code as follows:

Utility Substations in Residential Zones: The Highline Water District (HWD) has proposed to construct a water treatment facility on their property near McMicken Heights Park, which is in a single-family residential zone. The water treatment facility falls under the definition of a "Utility Substation" which is not allowed in the residential zones. The land use charts are proposed to be amended to allow utility substations as a "conditional use" in the residential zones, which would require a public hearing (PH) before the Hearing Examiner (HE) and allow for review of any potential impacts.

Both staff and the PC recommend approval of the proposed code change.

Monument Signs in Multifamily Zones: A multifamily developer has indicated that they would like flexibility to design additional architectural features into their monument signs to provide an identity for their developments. The proposed code amendments would provide some flexibility, as follows:

- The monument sign is located on the primary access road to a multifamily development exceeding 30 dwelling units;

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3052 (Continued):

- Auxiliary projections or attachments provide a single architectural feature unique to the multifamily development;
- The monument sign and auxiliary projections and attachments are on a scale commensurate with the size of the development; and
- Auxiliary projections or attachments shall be reviewed and approved by the Director of Planning and Community Development.

Both staff and the PC recommend approval of the proposed code changes.

Dumbbell Lots: A property owner has recently proposed a lot resembling a “dumbbell”. The lots were proposed in an attempt to create one additional lot. In staff’s opinion, dumbbell lots should not be allowed for the following reasons:

- Dumbbell lots are poorly designed and they do not foster an orderly layout of the land. Well designed lots have the house, garage, and yard in the same area and are not significantly separated from each other.
- Dumbbell Lots could increase emergency response times (due to a difficulty in finding the proper residence), which could result in a safety issue.
- Dumbbell lots may be more difficult to sell, due to their odd shape and the separation of the house from the garage and the yard.
- Dumbbell lots could lead to neighborhood disputes through difficult to determine or unclear property lines (resulting in arguments of property ownership and trespassing).

Both staff and the PC recommend approval of the proposed code change not to allow “dumbbell lots”.

Planning Director Butler reviewed the agenda bill summary.

CM T. Anderson left at this point in the meeting.

Council discussion ensued regarding dumbbell lots. The land should be used to its highest potential.

PC Member Roxie Chapin stated that the PC and staff recommendations concur.

Council consensus: Referred to the 03/10/09 RCM Consent Agenda

CONSENT AGENDA:

- **Approval of claims vouchers** (check nos. 83728 – 83997) in the amount of \$1,053,898.32 for the period ended February 20, 2009.
- **Approval of claims vouchers** (check nos. 83998 – 84170) in the amount of \$689,150.24 for the period ended March 5, 2009.
- **Approval of payroll vouchers** (check nos. 47516 – 47552) in the amount of \$389,831.09 for the period ended February 28, 2009.
- **Approval of payroll electronic fund transfers** (check nos. 58687 - 58871) in the amount of \$329,068.68 for the period ended February 28, 2009.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$62,233.54 for the period ended February 28, 2009.
- **Summary of \$5,000 - \$25,000 Purchase Requests** for the period ended March 6, 2009 (as amended).

Approval of Council Meeting Minutes:

- **Regular Council Meeting** held January 13, 2009.
- **Transportation and Public Works Committee** meeting held February 24, 2009.
- **Regular Council Meeting** held February 24, 2009.

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

Agenda Bill #3062; Motion approving the City Manager to execute a Consultant Agreement with Gray & Osborne, Inc. for design of the 42nd Avenue South Pedestrian Improvement Project

Agenda Bill #3048; Motion authorizing the City Manger to enter into agreements related to the purchase of services and memberships at the new YMCA

CONSENT AGENDA (Continued):

Agenda Bill #3040; Motion approving the completion and acceptance of the Parks, Recreation and Open Space Plan

Agenda Bill #3038; Motion authorizing additional architectural fees for Fire Station 46 and a one year contract extension

Agenda Bill #3064; Motion approving the low bidder for flooring installation for Fire Station 46

Agenda Bill #3065; Motion approving Commercial Sound & Video for Audio/Visual – Emergency Operations Center equipment for Fire Station 46

Agenda Bill #3052; Ordinance #09-1009 amending the SeaTac Municipal Code related to utility substations in residential zones, monument signs in multifamily zones, and dumbbell lots

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

PUBLIC COMMENTS (related to the Consent Agenda): There were no public comments.

*MOTION CARRIED UNANIMOUSLY.

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

UNFINISHED BUSINESS: There was no Unfinished Business.

NEW BUSINESS: There was no new business.

\$5,000 - \$25,000 Purchase Request – Reinvesting in Youth – 2009 Contribution - \$5,000

MOVED BY A. ANDERSON, SECONDED BY FISHER TO ACCEPT THE REINVESTING IN YOUTH PURCHASE REQUEST.*

CM Wythe stated that it is his understanding that this group does not document how the funds are being used to serve SeaTac citizens and serve Renton citizens more. He encouraged the Council to not support this request.

ACM Cutts clarified that this request also did not go through the City's Human Service Grant process.

CM A. Anderson stated that he has supported this in the past but since there is no direct link to SeaTac, he would not support the request this time.

*MOTION FAILED UNANIMOUSLY.

CITY MANAGER'S COMMENTS: City Manager Ward commented on the following: (1) several CMs and he will be attending the National League of Cities (NLC) Congressional City Conference next week; and (2) March 23 – 5 p.m. Open House regarding the annual CP amendments.

COUNCIL COMMENTS: CM Gregerson commented on the following: (1) attended the Homelessness meeting between the cities of SeaTac and Tukwila where she learned many interesting facts; (2) suggested that the City be divided into seven areas that each CM could be delegated to cover so all areas of the City are taken care of. She suggested this could be discussed during the next Council retreat.

Mayor Shape stated that at the January Council retreat the PC asked for guidance. He asked for Council input. Council discussion ensued with the following items mentioned: land issues, transportation issues, visioning process, long range plans for the City, regional issues, and community outreach. The need for quarterly joint meetings between the City Council and the PC was also mentioned.

EXECUTIVE SESSION: There was no Executive Session.

ADJOURNMENT:

MOVED BY WYTHE, SECONDED BY FISHER TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 8:27 P.M.

MOTION CARRIED UNANIMOUSLY.

City of SeaTac

Regular Council Meeting Minutes

March 24, 2009
6:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Shape at 6:04 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Deputy Mayor (DM) Gene Fisher, Councilmembers (CMs) Chris Wythe, Terry Anderson, Anthony (Tony) Anderson, Barry Ladenburg and Mia Gregerson.

ADMINISTRATIVE STAFF: City Manager Craig Ward, City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, Assistant City Manager (ACM) Todd Cutts, Senior Assistant City Attorney Mark Johnsen, Economic Development (ED) Manager Jeff Robinson, Human Services (HS) Manager Colleen Brandt-Schluter, Public Works (PW) Director Tom Gut, City Engineer Susan Sanderson, Municipal Court Judge Elizabeth Bejarano, Municipal Court Administrator Mary Pederson, Planning Director Steve Butler, Finance Director Mike McCarty, Fire Chief Bob Meyer and Chief of Police Services Jim Graddon.

FLAG SALUTE: City Manager Craig Ward led the Council, audience and staff in the Pledge of Allegiance.

PUBLIC COMMENTS: Earl Gipson stated that in regards to tree retention, citizens can't seem to get their point across about their property rights versus City control. He read a verse he wrote titled "Oh for the Trees."

PRESENTATIONS:

● **State of the Court Address**

Judge Bejarano discussed the many cost savings efforts and new programs she has implemented or participated in during her first year of service to the City. This included the following:

1. Participating in: the regional jail effort, State amnesty program and warrant amnesty program;
2. Decreasing Jail Costs by: changing the court docket schedule, and personally contacting the King County (KC) Jail on the weekends;
3. Implementing: the SCRAM device to monitor alcohol consumption, use of laptops instead of paper in courtroom, use of new forms, and certificates and questionnaires for jurors; and
4. Future goals: allowing forms to be submitted online, and accepting payment online.

Council stated their appreciation of Judge Bejarano and the cost saving changes she made.

● **Child Care Resources**

Provider Services Director Faye Milton stated the Child Care Resources mission. In 2008, Child Care Resources coordinated professional development opportunities for 53 licensed child care providers living or working within the City. In addition, 20 hours of onsite coaching was provided to SeaTac's home and center child care providers.

Family Resources Director Marty Jacobs stated that SeaTac funds are also used to help parents in their search for safe and high quality child care. Child Care Resources served 72 SeaTac families in 2008 and 20 so far in 2009. They provide information on what to look for in a child care provider and also how to get a child ready for school.

Ms. Jacobs stated they are working with the Red Cross and Highline Community College (HCC) to train teenagers in child development.

DISCUSSION ITEM:

● **Summary of \$5,000 - \$25,000 Purchase Requests for the period ended March 20, 2009**

City Manager Ward reviewed the requests:

<u>Item Description</u>	<u>Department</u>	<u>Original Budget</u>	<u>Amended Budget</u>	<u>Estimate</u>
Support for the Small Business Development Center (SBDC) at HCC	City Manager's Office (CMO)	\$10,000	\$10,000	\$10,000
Annual Fire Hose Testing	Fire	\$5,000	\$5,000	\$5,036
will absorb with savings in other line items				
Active Network "Membership" Software Proposal	Parks & Recreation (P&R)	\$5,250	\$5,250	\$6,156
Mosquito Larvicide Application	PW / P&R	\$18,000	\$18,000	\$16,800
Move Video Recorders at City Hall to 3 rd Floor IT Server Room	Facilities	\$0	\$0	\$15,977
will absorb with savings in other line items				

DISCUSSION ITEM (Continued):

Summary of \$5,000 - \$25,000 Purchase Requests (Continued): Mr. Ward requested the Active Network Membership Software Proposal be removed from the purchase requests.

Council consensus: Referred to the 03/24/09 RCM Consent Agenda with removal of the Active Network Membership Software Proposal

SUSPENSION OF THE RULES:

MOVED BY A. ANDERSON, SECONDED BY LADENBURG TO SUSPEND THE RULES TO BRING FORWARD THE PUBLIC HEARING AND COUNCIL ACTION RELATED TO AGENDA BILL #3066.

MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARING (PH):

●Amending the Development Agreement (DA) with Washington Mutual (WAMU) – Planning

Mayor Shape opened the PH at 6:38 p.m.

Planning Director Steve Butler and Cedarbrook General Manager John Murphy reviewed the summary below for Agenda Bill #3066.

DM Fisher stated that the Administration & Finance (A&F) Committee recommended this for approval.

Upon a question posed by CM A. Anderson, Mr. Murphy stated there would not be any additional impact on the neighborhood.

CM Ladenburg questioned the four day limit. Mr. Murphy stated it is their intent to keep it as a training package which is usually two to four days.

Upon a question posed by CM Ladenburg, WAMU Corporate Property Services First Vice President Lane Premo stated that JPMorgan Chase will not be holding on to this property for the long term. It will eventually be sold.

Also in attendance was WAMU Vice President Steve Salyer.

There was no public input.

Mayor Shape closed the PH at 6:47 p.m.

NEW BUSINESS:

Agenda Bill #3066; Resolution #09-005 authorizing the City Manager to execute the First Amendment to a Development Agreement (DA) with Washington Mutual (WAMU)

Summary: In April 2001, the City entered into a DA with WAMU for development of the Cedarbrook conference and training center. Currently, the DA provides that the primary use of the facility will be a corporate training facility. Overnight lodging would also be allowed only if in connection with a conference or training center use. Incidental uses such as weddings, family reunions, and governmental events are also allowed, but cannot last more than two consecutive days.

WAMU has requested an amendment to the existing development agreement that would allow for a greater amount of incidental use of the facility. These incidental uses would continue to include functions such as weddings and family reunions. However, overnight lodging not associated with a conference or training event would be allowed. Under the amendment, no single incidental use of the facility can exceed four consecutive days.

The amendment provides that no less than 60% of the facilities use, on average, will be for conference and training facility uses, or other corporate, government, or academic conferences. Overnight lodging would continue to be allowed as well if in connection with these events. The remaining 40% can be incidental uses not related to the use of the facility for conferences and training.

WAMU has indicated that without this amendment, the continued viability of the Cedarbrook facility is in jeopardy. Staff as worked with WAMU to draft an amendment that will allow Cedarbrook to remain viable, but also limit the impact of the surrounding community.

MOVED BY T. ANDERSON, SECONDED BY FISHER TO PASS RESOLUTION #09-005.

MOTION CARRIED UNANIMOUSLY.

AGENDA BILL PRESENTATIONS:

Agenda Bill #3067 – A Motion authorizing final acceptance of the Westside Trail Improvements Project (South 134th Street to South 156th Street) and establishing a 45-day lien period

Summary: This project was awarded on June 10, 2008 to Archer Construction, Inc. The contract amount was \$1,398,710. An additional 10% contingency in the amount of \$139,871 was approved for a total contract budget of \$1,538,581. Construction began on June 30, 2008 and was substantially complete on December 12, 2008. The project created a shared use trail from South 136th to 156th Streets. Included in the contract were the construction of a 10-foot wide paved pathway, retaining walls, fencing, storm drainage improvements, curbs, and striping. Twenty-eight disease resistant, hybrid, American elm trees were planted to enhance the existing World War I Memorial.

The contract work was completed for an amount of \$1,330,837 which was 4.9% under the contract amount.

<u>Expenditure</u>	<u>Budget</u>	<u>Actual</u>
Construction Contract	\$ 1,398,710	\$ 1,330,837
Contingency (10%)	139,871	0
Materials Testing	15,000	11,678
Inspection Overtime	<u>10,000</u>	<u>950</u>
Total Expenditure	\$ 1,563,581	\$ 1,343,465

<u>Revenue</u>	<u>Budget</u>	<u>Actual</u>
Federal Aid Grant	\$737,000	\$ 737,000
City Fund 307	<u>826,581</u>	<u>606,465</u>
Total Revenue	\$ 1,563,581	\$ 1,343,465

PW Director Gut and City Engineer Sanderson reviewed the agenda bill summary, detailing the project.

CM Gregerson stated that the Transportation & Public Works (T&PW) Committee recommended this for approval.

Council consensus: Referred to the 03/24/09 RCM Consent Agenda

Agenda Bill #3057 – A Motion authorizing the City Manager or their designee to be the “Designated Representative” of the City for purposes of the South Correctional Entity (SCORE) Interlocal Agreement (ILA)

Summary: The City Council adopted Ordinance #09-1001 at the January 13, 2009, Regular Council Meeting (RCM), authorizing the City Manager to enter into an ILA with the cities of Auburn, Burien, Des Moines, Federal Way, Renton and Tukwila relating to the SCORE Facility, and approving the formation of the SCORE Facility Public Development Authority. Bond counsel from the law firm of K&L Preston Gates Ellis LLP drafted the proposed language each of the seven cities would include in their city’s respective Ordinance. This document was reviewed and changed many times before being finalized.

The version adopted by the SeaTac City Council on January 13, 2009, however, was not the final draft of the proposed Ordinance. It did not contain one key sentence that bond counsel believes can be addressed by passage of this Motion rather than requiring an amendment to the Ordinance. This sentence should have been included in Section 1 (Approval of ILA) of Ordinance #09-1001. The sentence inadvertently left out would read “The City Manager, or their designee, is hereby designated as the “Designated Representative” of the City for purposes of the Interlocal Agreement”. The ILA itself defines “Designated Representative” as meaning the Mayor or City Manager, as selected by each Member City, or his or her designee. Ordinance #09-1001 did include language that “The City Manager and other appropriate officers of the City are authorized and directed to take any and all such additional actions as may be necessary or desirable to accomplish the creation of SCORE”.

Finance Director McCarty reviewed the agenda bill summary.

Council discussion ensued as to the details of this change.

Mayor Shape stated that CM A. Anderson will be abstaining from discussing and voting on this item due to a conflict of interest.

Mr. Ward clarified that Council action in January created the Public Development Authority (PDA) which SeaTac is a 3% partner. This is a housekeeping item because the original wording was too vague.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3057 (Continued): Upon a question posed by CM Gregerson, Mr. Ward stated that the ILA does not allow for alternates because it would be unfair to send an alternate that may not be as informed.

Council consensus: Referred to the 03/24/09 RCM New Business

Agenda Bill #3050 – An Ordinance Amending the 2009 Annual City Budget for 2008 Carryovers

Summary: Each year, the City 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 #001

Upgraded City Website Project - \$52,110: This carryover request from the Finance & Systems Department is for professional services to complete the City's revised website project started in 2008.

Scanning/Digitizing Services - \$45,236: This is a request to carry over the unspent \$45,236 in the City Clerk's Office 2008 Budget to digitize documents, making them accessible to staff and the public. Due to issues with the current company, Imagenet, documents did not get scanned as planned in 2008. Therefore, there is a backlog of documents to be scanned. In 2009, the City Clerk's Office will be researching other companies in the event Imagenet is not able to correct the issues.

Special Legal Service - \$25,000: This carryover is for \$25,000 from the Legal Department's 2008 Budget to be used as needed for outside legal assistance for various legal issues in 2009.

Human Resources (HR) Consulting Services - \$4,500: This carryover request is for \$4,500 from the 2008 Budget to pay for HR consulting planned at the end of 2008 and implemented in 2009.

Police Professional Services - \$780: This carryover request is for the remaining \$780 unspent in the 2008 Budget to be used in 2009 to help pay for Guardsmark courtroom security and Community Services Officer contracts.

Criminal Justice Area #1-3 and Auto Theft Initiative Funds - \$74,814: The City is required to carry over unspent Criminal Justice Area #1, Area #2 and Area #3, and Auto Theft Initiative funds received and unspent, or return the funds to the State.

Parks, Recreation & Open Space (PROS) Plan - \$11,355: The P&R Department is requesting to carry over the remaining \$11,355 from the 2008 Budget to complete the PROS Plan in 2009.

Long Range Planning Contracted Professional Services - \$7,605: This carryover request from the Planning Department is for \$7,605 from the 2008 Budget to pay for the Parking Bonus Analysis.

Planning Development Review Contracted Professional Services - \$20,465: This request from the Planning Department is to carry over \$14,275 from the 2008 Budget to be used for additional Permit Plan software training and consultation, and \$6,190 for Cedarbrook wetland weeding not accomplished in late 2008 due to weather conditions.

Street Fund #102

Uniforms - \$1,250: This carryover request is for \$1,250 from the 2008 Budget to pay for uniforms ordered late in 2008 and not received until early 2009.

Port of Seattle (POS) Parking Tax Payments - \$1,535,690: This request is to carry over the remaining \$1,535,690 for payment to the POS for their share of the parking tax revenue. Only \$589,310 of the \$2,125,000 budgeted in 2008 was billed by and paid to the POS. This amount will be added to the \$1.2 million appropriated in the 2009 Budget to help cover additional billings that are anticipated to come from the POS this year.

Hotel/Motel (H/M) Tax Fund #107

Redevelopment Coordination Program - \$32,100: This carryover request is for the remaining amount from the 2008 Budget to fund continued assistance with property owner negotiations.

Retail Recruitment Program - \$25,000: This request is to carry over the unspent \$25,000 from 2008 to fund analysis of retail "leakage" in SeaTac, and potential commercial and entertainment uses within the Station Areas.

Commuter Access Point (CAP) Plaza Art Enhancement - \$73,000: This request is to carry over the unspent \$73,000 from 2008 to assist in the public art component at the CAP.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3050 (Continued):

Municipal CIP Fund #301

Computer Software - \$12,075: This carryover request is for \$12,075 unspent in the 2008 Budget for the SQL Server Upgrade (\$8,255) and the GeoCollector GIS software (\$3,820), both 2008 Decision Cards that weren't completed last year.

Computer Hardware - \$11,080: This request is to carry over \$11,080 unspent in the 2008 Budget for the backup tape library replacement (\$4,300) and the GeoCollector GIS hardware (\$6,780).

Sunset Park Restroom Building Improvements - \$25,495: This request is to carry over the remaining amount from the 2008 Budget to complete the Sunset Park Restroom Building improvements.

Japanese Garden Rockery - \$13,500: This request is to carry over \$13,500 of 2008 unspent funds to complete work on the rockery at the Japanese Garden.

Angle Lake Stage Concert Band Shell - \$72,938: This carryover request is for the \$72,938 appropriation in the 2008 Budget to be added to additional funds from a KC grant and possible Residence Inn mitigation funds to install a concert band shell over the stage at Angle Lake Park.

Sunnydale Memorial Plaza - \$184,300: This request is to carry over the remaining \$184,300 of 2008 unspent funds from this project, which will be used to develop a plan for the Sunnydale Plaza. A State of Washington Community Trade and ED (CTED) grant revenue carryover in the amount of \$197,500 for full reimbursement of costs incurred on this project also applies.

Fire Equipment Reserve Fund #303

Fire Vehicles - \$15,751: This carryover request is for \$15,751 unspent in the 2008 Budget to pay for a second command light tower with back light for Apparatus 120 (Rescue Truck) ordered in 2008, but not received until 2009.

Municipal Facilities CIP #306

City Center Property Acquisition - \$4,739,564: This request is to carry over the remaining unspent funds allocated in the 2008 Budget to purchase this property.

New Fire Station #45 Design - \$275,000: This request is to carry over \$275,000 of the amount appropriated in the 2008 Budget to be added to the \$50,000 included in the 2009 Budget for architect design work on new Fire Station #45.

Transportation CIP Fund #307

International Boulevard (IB) / South 152nd to 154th Streets Utility Underground - \$364,116: This request is to carry over \$364,116 of unspent funds from the 2008 Budget to pay for the utility undergrounding work on this project.

South 192nd Street / 37th Avenue South - \$120,306: This request is to carry over the remaining unspent amount from the 2008 Budget to be added to the \$1 million included in the 2009 Budget for work related to this project.

Westside Trail - \$120,000: This request is to carry over \$120,000 of the unspent amount from the 2008 Budget to pay for costs associated with this project.

Surface Water Management (SWM) Fund #403

Uniforms - \$1,223: This carryover request is for \$1,223 from the 2008 Budget to pay for uniforms ordered late in 2008 and not received until early 2009.

Spot Drainage Improvements - \$99,768: This request is to carry over the remaining unspent amount from the 2008 Budget to perform drainage repairs near the intersection of South 152nd Street and IB.

SWM Construction Fund #406

Sunrise View Bypass Pipeline Project - \$200,000: This carryover request is for \$200,000 of unspent funds from the 2008 Budget to be added to the \$1.6 million in the 2009 Budget to complete this project.

Equipment Rental Fund #501

Equipment - \$81,103: This carryover request is for \$81,103 of unspent funds from the 2008 Budget to pay for a dump truck and hot box patcher ordered in 2008, but not received until 2009.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3050 (Continued): This Ordinance increases the appropriations in the applicable funds, but will have no effect on year-end fund balance for 2009. These expenditures were anticipated to occur in 2008, and the January 1, 2009 fund balance projections were reduced accordingly. Therefore, these amendments simply allow the expenditures to occur in the current fiscal year instead of 2008.

Finance Director McCarty reviewed the agenda bill summary.

DM Fisher stated that the A&F Committee recommended this item for approval.

Council consensus: Referred to the 03/24/09 RCM Consent Agenda

Agenda Bill #2968 – An Ordinance repealing Chapter 3.30 of the SeaTac Municipal Code (SMC) and adding a new Chapter 3.31 to the SMC related to Purchasing

Summary: This Ordinance significantly updates the City's Purchasing Code. Currently, the City's Purchasing Code is codified in SMC 3.30, which was originally adopted in 1990. The current code is unclear in many areas, which has led to many questions about the proper way to obtain products and services for the City. After reviewing the current code, it was determined by the Finance and Legal Departments that it would be better to repeal the current code and replace it with a new Chapter, rather than attempt to amend the current code. Therefore, this Ordinance repeals the existing Purchasing Code currently codified under SMC 3.30, and creates a new Purchasing Code under SMC 3.31.

This Ordinance creates four separate sections that address purchases of supplies and services. These sections include: (1) purchase of supplies and equipment, (2) purchase of professional services, (3) PW contracts, and (4) architectural and engineering services. By creating four separate sections to address each of these areas it will make it easier to determine what procedures need to be followed, depending on what is being acquired. In addition, this Ordinance changes the contract approval limits, and outlines procedures for contract amendments.

Finance Director McCarty and Senior Assistant City Attorney Johnsen reviewed the agenda bill summary.

DM Fisher stated that the A&F Committee recommended this item for approval.

DM Fisher requested the City review the option of bulk ordering through the National League of Cities (NLC).

Upon a question posed by CM A. Anderson, Mr. Johnsen stated that some of the concepts were developed from experiences other jurisdictions encountered.

City Attorney Mirante Bartolo stated that this new code also promotes consistency internally between departments.

Council consensus: Referred to the 03/24/09 RCM Consent Agenda

Agenda Bill #2932 – A Resolution amending the City Council Administrative Procedures, amending the format for agendas for Council meetings

Summary: On August 11, 1992, the City Council approved and authorized the City Council Administrative Procedures in connection with the orderly handling of business before the Council and processing of items during Council meetings. Throughout the years, the Administrative Procedures have been amended.

The primary purpose of this change will result in PHs and subsequent new business related to the PH being addressed closer to the beginning of the meeting. Currently, PHs are scheduled near the end of the meeting. This requires a motion to suspend the rules if the Council wants to move the PH earlier in the meeting.

In addition, other housekeeping items are addressed, including the acceptance of donations made to the City, combining the introduction of new employees and certificates of appreciation and appointment with the Council presentations, and changing the upper dollar amount for the purchase requests from \$25,000 to \$35,000.

Senior Assistant City Attorney Johnsen reviewed the agenda bill summary.

DM Fisher stated that the A&F Committee recommended this item for approval.

Council consensus: Referred to the 03/24/09 RCM Consent Agenda

CONSENT AGENDA:

- **Approval of claims vouchers** (check nos. 84171 – 84367) in the amount of \$507,786.78 for the period ended March 20, 2009.
- **Approval of payroll vouchers** (check nos. 47553 – 47584) in the amount of \$185,114.69 for the period ended March 15, 2009.
- **Approval of payroll electronic fund transfers** (check nos. 58872 – 59050) in the amount of \$341,372.27 for the period ended March 15, 2009.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$60,633.39 for the period ended March 15, 2009.
- **Summary of \$5,000 - \$25,000 Purchase Requests** for the period ended March 20, 2009.

Approval of Council Meeting Minutes:

- **Administration & Finance Committee** meeting held March 10, 2009.
- **Public Safety & Justice Committee** meeting held March 10, 2009.
- **Regular Council Meeting** held March 10, 2009.
- **Land Use & Parks Committee** meeting held March 12, 2009.

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

Agenda Bill #3067; Motion authorizing final acceptance of the Westside Trail Improvements Project (South 134th Street to South 156th Street) and establishing a 45-day lien period

Agenda Bill #3050; Ordinance #09-1010 amending the 2009 Annual City Budget for 2008 Carryovers

Agenda Bill #2968; Ordinance #09-1011 repealing Chapter 3.30 of the SeaTac Municipal Code and adding a new Chapter 3.31 to the SeaTac Municipal Code related to Purchasing

Agenda Bill #2932; Resolution #09-006 amending the City Council Administrative Procedures, amending the format for agendas for Council meetings

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

PUBLIC COMMENTS (related to the Consent Agenda): There were no public comments.

*MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENTS (related to the following New Business): Mr. Gipson, regarding Agenda Bill #3057, stated his opinion that there should be a backup designee in case the main designee is not able to attend.

UNFINISHED BUSINESS: There was no Unfinished Business.

NEW BUSINESS:

Agenda Bill #3057; Motion authorizing the City Manager or their designee to be the “Designated Representative” of the City for purposes of the South Correctional Entity (SCORE) Interlocal Agreement (ILA)

MOVED BY WYTHE, SECONDED BY GREGERSON TO PASS AGENDA BILL #3057.

MOTION CARRIED WITH A. ANDERSON ABSTAINING.

CITY MANAGER'S COMMENTS: City Manager Ward commented on the following: (1) March 23-27 – Sound Transit will be conducting emergency drills for the light rail system at the South 154th Street Station; (2) March 26 – 10 a.m. function at the Aviation High School. Council needs to RSVP if they plan to attend; (3) April 7 – 7 p.m., Representative Adam Smith will be conducting a Town Hall Meeting in the SeaTac City Hall Council Chambers; (4) April 10 – Emergency Preparedness Committee meeting may be rescheduled; and (5) April 14 – PHs on the draft Subdivision Code and the Residence Inn easement request during the RCM.

COUNCIL COMMENTS: DM Fisher requested that an article be placed in the SeaTac Report regarding the items the City lobbied for during the NLC Conference and possibly what classes the elected officials attended.

CM T. Anderson questioned a payment in the claims vouchers for crime victims compensation.

COUNCIL COMMENTS (Continued): CM A. Anderson commented on the following items: (1) Judge Bejarano's initiative has saved the City money; (2) Public Issues Committee Meeting reviewed the State's 2009-2011 biennial budget with a proposal to cut critical funding for homeless housing and services by \$1 billion; (3) topics discussed at the NLC Conference included succession planning within City services; and (4) City vision – the Council needs to reconsider developing a City vision.

CM Ladenburg stated that he attended the City sponsored *Getting to Know Your Community* speaker series today with students from the Tyee High School Complex. He stated it was a good event and he is looking forward to more events like this.

CM Gregerson stated that one of the discussions at the speaker series today was about going to the doctor. The kids agreed that the school based health clinic at the Tyee High School Complex is a great service. CM Gregerson requested that the health clinic give a presentation to the Council about how they provide services to the students.

Mayor Shape reviewed his experience at the NLC conference stating that it was a successful visit with the Legislators. The NLC, Association of Washington Cities (AWC) and SeaTac's primary objective is supporting infrastructure.

EXECUTIVE SESSION: There was no Executive Session.

ADJOURNMENT:

MOVED BY A. ANDERSON, SECONDED BY GREGERSON TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 7:48 P.M.

MOTION CARRIED UNANIMOUSLY.

Ralph Shape, Mayor

Kristina Gregg, City Clerk

City of SeaTac

Regular Council Meeting Minutes

April 14, 2009
6:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Shape at 6:17 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Deputy Mayor (DM) Gene Fisher, Councilmembers (CMs) Chris Wythe, Terry Anderson, Anthony (Tony) Anderson, Barry Ladenburg and Mia Gregerson.

ADMINISTRATIVE STAFF: City Manager Craig Ward, Senior Assistant City Attorney Mark Johnsen, City Clerk Kristina Gregg, Assistant City Manager (ACM) Todd Cutts, Economic Development (ED) Manager Jeff Robinson, Human Services (HS) Manager Colleen Brandt-Schluter, Parks and Recreation (P&R) Director Kit Ledbetter, Assistant P&R Director Lawrence Ellis, Building Official Gary Schenk, Planning Director Steve Butler, Principal Planner Jack Dodge, Finance Director Mike McCarty, Fire Chief Bob Meyer and Police Administrative Captain Annette Louie.

FLAG SALUTE: Planning Director Steve Butler led the Council, audience and staff in the Pledge of Allegiance.

PUBLIC COMMENTS: Taryn Hill discussed the Metro Bus changes. She encouraged Council to continue discussions with Metro to either restore Route 170 or the proposed Route 127.

Ann Martin stated that the new Animal Control Officer Pam McLaren began working in the City on April 1. Ms. McLaren stated that the City does not have a sanitation law (otherwise known as the "pooper scooper" law). She requested Council consider implementing a sanitation law similar to Tukwila's. She also requested that Ms. McLaren's contact information and hours be posted in the SeaTac Report and Highline Times.

Earl Gipson suggested the City adopt a code of ethics. He feels there have been some issues the citizens have had dealing with City staff in expressing their points of view.

PRESENTATIONS:

•Introduction of new Employees – Associate Planner Anita Woodmass and Judicial Support Specialist Lynn Sutherland

City Manager Ward introduced the new employees.

•Somali Community Services Coalition (SCSC)

Executive Director Ahmed Jama explained the SeaTac social services program. SCSC assists refugees/immigrants and other citizens who have limited English speaking skills and do not have access to the services of the mainstream. The funding for this program is provided by the Cities of Tukwila and SeaTac and both cities combined and the increased budget for 2009/2010 allowed SCSC to increase the working hours of the case worker from part-time to full-time to help families and individuals navigate their needs in the social service areas.

Community Education Coordinator Mohamed Hassan detailed the need for advocacy services. There are many barriers that exist, including language, laws and customs. SCSC assists the Somali community in learning the American customs and laws.

•Council consideration of Mayoral appointments to the Human Services (HS) Advisory Committee

Mayor Shape stated his selection of Dave Bush as a member, and Humberto Mendez and Phyllis Byers as alternates for appointment to the HS Advisory Committee.

Council consensus: Referred to the 04/28/09 RCM for confirmation of appointments.

PUBLIC HEARING (PH):

•A proposed new Subdivision Code – Planning

Mayor Shape opened the PH at 6:41 p.m.

Planning Director Butler and Principal Planner Dodge reviewed the summary below for Agenda Bill #3019.

Planning Director Butler stated that the Planning Commission (PC) and staff are in agreement. He briefed on the background of the proposed subdivision code.

Principal Planner Dodge discussed differences between the King County (KC) Code and SeaTac Municipal Code (SMC). He also detailed the major points of discussion between staff and the PC.

PC Chair Rick Forschler summarized the process and ways to shorten the process in the future.

PUBLIC HEARING (Continued):

A proposed new Subdivision Code (Continued): PC Member Roxie Chapin stated she hopes that this code is something residents will be happy with.

Discussion ensued regarding the distribution of fencing costs. Mr. Forschler stated that if the total burden is on the developer, there is no motivation for the existing land owner to not have the fence because they'd get a free fence.

Upon a question posed by DM Fisher, Mr. Forschler stated that staff and the PC decided road widths would be a future topic.

Mr. Gipson stated that the process for subdivisions and short plats has not been handled fairly for the adjacent property owners. The proposed code now states that all short plats and subdivision actions are subject to Notice of Decision, notifying residents of the right to appeal. While this is a good change, he feels the code still needs to be fine tuned.

Mayor Shape closed the PH at 7:04 p.m.

NEW BUSINESS:

Agenda Bill #3019; Ordinance #09-1012 amending the SeaTac Municipal Code (SMC) regarding short and long subdivisions, binding site plans, and lot line adjustments

Summary: SeaTac has operated under the KC Subdivision Code since incorporation, with only minor amendments having been made to the Subdivision Code. The KC Subdivision Code was written to deal with development issues commonly found with KC short plats and long subdivision proposals. The proposed SeaTac Subdivision Code is written to address the issues that staff and developers have wrestled with since SeaTac incorporated in 1990.

RCW (Revised Code of Washington) 58.17 sets out uniform standards which cities and counties must use in the platting of new lots in the State. Cities must adopt regulations and procedures for the administration and approval of short plats and long subdivisions subject to these standards (RCW 58.17.060), which allows some variability based upon local conditions. This has resulted in a fairly uniform set of standards for creating new lots across the State.

The City has relied upon the regulations and procedures of the KC Subdivision Code, adopted by reference upon incorporation. The KC Code applies regulations and procedures taking into account the type of issues for land development within all of the KC urban growth area. The proposed new SeaTac Subdivision Code will apply standards and regulations that are very similar to the standards of KC, with some changes that are based upon the local conditions in SeaTac. City staff and officials have been reviewing the proposed Subdivision Code for the past eight years and with stakeholders since 2006. The PC has met 20 times regarding the proposed code, the Land Use & Parks (LUP) Committee 10 times, and the stakeholders 11 times.

Following is a summary of the major changes proposed in the new SeaTac Subdivision Code:

- **Fencing (14.19.060)** - A six foot fence would be required between a new private access road and an adjacent residential structure. The adjacent property owner would be responsible for 1/3 of the cost of the fence. The fence would not be required, however, if specific criteria were met.
- **Binding Site Plans (14.22)** - The Binding Site Plan process would be allowed as an option for commercial and industrial short plats and subdivisions.
- **Separate Tax Lot Determination Criteria (14.26.040)** - Provides criteria to decide if a separate tax lot determination shall be granted. The criteria are based upon two State Attorney General opinions.
- **Recreation/Open Space (14.21.010 E)** - 7% recreation/open space would be required in new subdivisions of 10 lots or more.
- **Panhandle Lots (14.17.030 F)** - In plats of three or more lots, panhandle lots could not be located adjacent to each other. This would avoid multiple access points, being situated side-by-side when connecting to the public right-of-way (ROW).
- **Other Subdivision Code Issues (14.18.060 10. & 14.18.060 13.)** - These code sections require that off-site trees or physical structures, such as rockeries or retaining walls within 25 feet of the property line, be shown on the face of the plat. Off-site information would only be required based upon a site inspection by staff. The information is necessary to determine whether proposed improvements and utilities would be impacted by the trees or structures, or that proposed structures would impact adjacent trees and physical structures.

The PC and staff recommend approval of all of the above requirements.

NEW BUSINESS (Continued):

Agenda Bill #3019; Ordinance #09-1012 (Continued):

Related Code Issues - While not contained within the proposed Subdivision Code, private road standards under SMC 11.05 are linked with the platting requirements within the proposed Subdivision Code. The private road standards within 3 to 4 lot short plats and side-by-side short plats between 5 and 8 lots were discussed by the PC. The PC and staff, in conjunction with the stakeholders, have agreed upon the following road standards:

- **3 to 4 Lot Short Plats** - A minimum 20-foot wide private access easement is required and the private road shall be 15 feet of pavement and 5 feet of gravel.
- **5 to 8 Lot Side-by-side Short Plats** - A minimum 30-foot wide private access easement is required and the private road shall be 22 feet of pavement with a 5-foot sidewalk on one side.

MOVED BY A. ANDERSON, SECONDED BY GREGERSON TO ADOPT ORDINANCE #09-1012.

MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARING (PH):

•Angle Lake Park easement for a proposed hotel development project – City Manager

Mayor Shape opened the PH at 7:05 p.m.

ED Manager Robinson reviewed the summary below for Agenda Bill #3070, detailing the proposed project.

DM Fisher stated that if in the future this building is no longer used for a Residence Inn, the traffic could increase. Mr. Robinson stated that those details could be worked out during the negotiation process.

CM Ladenburg stated he is more comfortable with this agreement as it is proposed now.

CM Wythe stated that he feels the City is giving up more than it is receiving and will therefore vote no.

Pat Carter stated that construction on this project will go on forever. She encouraged Council to make the best decision for the City.

Mr. Gipson stated that the appraisal for this property was done and paid for by the Residence Inn. The City should have done its own appraisal to have a fair estimate. He agreed with CM Wythe that the City is not getting its money's worth. He stated that he does not feel this was handled professionally.

Mayor Shape closed the PH at 7:29 p.m.

NEW BUSINESS:

Agenda Bill #3070; Motion authorizing the City Manager to execute an agreement with Ariel Development for a proposed access easement at Angle Lake Park

Summary: On February 24, 2009, Council authorized the City Manager to execute a Memorandum of Understanding (MOU) with Ariel Development for a proposed easement at Angle Lake Park (Agenda Bill #3061). The purpose of that MOU was to formalize an understanding between the City and the developer for the granting of an access easement from Angle Lake Park, so that the developer can access a hotel that is being proposed on the property. Once a formal understanding was reached, the City and the developer would expend additional resources to finalize an agreement, which would include drafting of formal easements and other related documents.

At the February 24, 2009, City Council meeting several issues were raised regarding the agreement and its lack of specificity. Rather than sign the MOU approved by the Council on February 24, staff and the developer have discussed these issues, and both parties are seeking to enter into a more specific agreement.

The proposed agreement still provides that the City agrees to grant an access easement to the developer, via the current signalized access road located at the southern portion of Angle Lake Park which will include a driveway to the hotel and fire access from Angle Lake Park to the eastern portion of the proposed hotel. The City also agrees to allow fire hydrants to be located in the adjoining park landscaping and for the construction of a fire access only driveway from the access easement through the adjoining landscaping to the hotel property.

The proposed agreement still provides that the developer agrees to grant an easement for the City to design, construct and maintain a pedestrian path not greater than ten feet in width from the north edge to the south edge of the adjacent parcel to the south. The general location of the path easement is not identified, and the path will be parallel to the lake bank as generally shown in Exhibit A to the agreement. The developer also agrees to pay the City \$32,000, which will be used by the City for Angle Lake Park purposes. This money will be paid to the City

NEW BUSINESS (Continued):

Agenda Bill #3070; Motion (Continued): prior to the commencement of construction. The developer further agrees to pay for a police officer to conduct traffic control for the International Festival and the Fourth of July, and pay a portion of the cost of maintenance for the access easement based on use load.

One change with the proposed agreement is that the developer has also requested that the entrance to Angle Lake Park be used for construction related activity, upon being granted a temporary construction easement by the City. While it is understood that this issue was raised at the February 24 Council Meeting, the developer has determined that it will be necessary to request a temporary construction easement. Conditions related to a temporary construction easement would be decided by staff at a later time, once the details of the project are determined. The proposed agreement provides that the granting of a temporary construction easement will not be unreasonably withheld by the City.

The proposed agreement also provides that if the developer chooses to develop a non-hotel use or a use that is not consistent with the size and scope identified in Exhibit A to the agreement, then the agreement will terminate. The proposed agreement also expires on March 31, 2011 unless the developer has applied for permits. Both the Path Easement and the Access Easement will be executed prior to issuance of the building permits, but will expire within 36 months after the developer has been granted building permits if they have not commenced construction.

Staff has spent a great deal of time negotiating the framework of this agreement. The proposed hotel development will provide approximately 180 rooms, is estimated to cost \$22.5 million dollars, and will result in needed redevelopment of a parcel along Angle Lake and International Boulevard (IB). In addition, it is estimated that the hotel will employ between 60-70 fulltime employees, as well as additional part-time employment.

The approval of the agreement will have no direct fiscal impact. If the developer moves forward with the project, the City will receive \$32,000 for Angle Lake Park purposes. Also, if the City Council wants to construct the pedestrian path along Angle Lake, the City would be responsible for design and construction of the path. Finally, the project will generate approximately \$400,000 in sales tax revenue and fees, plus additional ongoing sales tax and lodging tax revenue.

MOVED BY A. ANDERSON, SECONDED BY GREGERSON TO PASS AGENDA BILL #3070.*

CM A. Anderson stated that when this request was first presented, he did not support it, but has changed his position based upon additional information presented. The City will receive many additional benefits besides the path easement and money. The first year alone the City will receive close to \$.5 million in construction costs.

CM Ladenburg stated his support of this request.

CM Gregerson stated that she visited the park and realized that people don't walk in the area of the requested easement because there are other pedestrian friendly entrances to the park.

*UPON A ROLL CALL VOTE, MOTION CARRIED WITH WYTHE VOTING NO, AND FISHER, T. ANDERSON, A. ANDERSON, LADENBURG, GREGERSON, AND SHAPE VOTING YES.

DISCUSSION ITEM:

•Summary of \$5,000 - \$25,000 Purchase Requests for the period ended April 10, 2009

City Manager Ward reviewed the requests:

<u>Item Description</u>	<u>Department</u>	<u>Original Budget</u>	<u>Amended Budget</u>	<u>Estimate</u>
LEOFF 1 Disability Board Medical Expense	Fire	\$5,000	\$5,000	\$5,800
		will absorb with savings in other line items		
Dollars for Scholars	City Manager's Office	\$20,000	\$20,000	\$20,000

Council consensus: Referred to the 04/14/09 RCM Consent Agenda

AGENDA BILL PRESENTATIONS:

Agenda Bill #3076 – A Motion authorizing staff to apply for a 2009/2010 Community Development Block Grant (CDBG) for design and construction for a skate park at the SeaTac Community Center (STCC)

Summary: The design and construction of a skate park will become a part of the neighborhood park located at the STCC. This addition will enhance the neighborhood park with another recreational activity. The neighborhood park currently has two half court basketball courts, climbing boulder, swing set, playground equipment for children less than 12 years old, and benches and picnic tables. There are many children in the community who are

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3076 (Continued): interested in skateboarding and the design will be more accommodating for beginners as it will be very basic. Staff conducted an inventory of parks in the City, and it was decided that placing the proposed skate park at the STCC was the best location. The proposed size of the skate park will be approximately 7,500 - 8,200 square feet, depending on the design.

The design and construction of the proposed skate park is not budgeted, and this project will not proceed without grant funding. Therefore, this Motion authorizes staff to apply for grant funding to design and construct the skate park. The estimated cost for design and construction is \$307,000. If the grant funding is received, Council will be asked to formally accept the grant and award contracts for design and construction of the skate park.

Assistant P&R Director Ellis reviewed the agenda bill summary.

CM Wythe commended Larry for his work in the North SeaTac Park (NSTP). He stated that the LUP Committee recommended this item for approval.

DM Fisher stated that the Administration & Finance (A&F) Committee recommended this item for approval.

CM Ladenburg suggested a directional sign to the new park be placed at Valley Ridge Park (VRP).

Council consensus: Referred to the 04/14/09 RCM Consent Agenda

Agenda Bill #3072 – A Motion approving the low bidder for phase II foundation work for Fire Station 46

Summary: The original foundation contractor for the Fire Station 46 project failed to perform and the contract was terminated. The remaining foundation concrete work for the second phase of the project was advertised for bid the weeks of March 5 and 12 in the Seattle Times. One bid was received from Twins Concrete. They performed some of the remaining foundation work on phase I of the project. Their bid is \$62,668.00. The total amount with contingency and tax is \$75,483.61. The estimated amount for this work with contingency and tax was \$102,382.50.

The 2009 budget has \$2,550,000 for completion of Fire Station 46.

Facilities Director Patterson reviewed the agenda bill summary.

DM Fisher stated that the A&F Committee recommended this item for approval.

CM A. Anderson stated that the Public Safety & Justice (PS&J) Committee recommended this item for approval.

Council consensus: Referred to the 04/14/09 RCM Consent Agenda

Agenda Bill #3073 – A Motion approving a contingency for hollow metal doors and frames, wood doors, and door hardware supplied by Benson Industries for Fire Station 46

Summary: On February 10, 2009, Council approved contract amounts for Benson Industries for \$90,470, with the amount including tax totaling \$107,261.45 (Agenda Bill #3055). When this item was approved, a change to the number of doors and the amount of door hardware was accidentally omitted from the original amount. After bids were received for the doors and hardware, an additional door frame, door, and door hardware was added at the base of the front stairwell as a security precaution. The cost of these additional items is \$3,552.18.

Also, when Agenda Bill #3055 was approved, no contingency was requested. Therefore, this Motion approves a 10% contingency for the hollow metal doors and frames, wood doors, and door hardware supplied by Benson Industries for Fire Station 46. The contingency amount being requested will be \$9,047.00 and the total breakdown for the doors and hardware will be as follows:

Original quote	\$90,470.00
Contingency (10%)	\$9,047.00
Sales Tax (9%)	\$8,956.53
Total approved amount	\$108,473.53

The additional \$3,552.18 stated above will be paid for through the approved contingency.

The contingency will be absorbed in the Fire Station 46 budget, which has \$271,565 allocated for contingencies.

Facilities Director Patterson reviewed the agenda bill summary.

Council consensus: Referred to the 04/14/09 RCM Consent Agenda

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3077 – A Motion approving a change order with Commercial Sound & Video for the alerting system at Fire Station 46

Summary: This Motion approves a change order for additional control panels for the alerting system in several of the lower floor offices in the new Fire Station 46. The increased cost for this work will total \$18,716.41 including tax. The City Council previously awarded the alerting system contract to Commercial sound and Video on October 14, 2008 (Agenda Bill #3006). Since this change order exceeds the 10% contingency authorized by the Council, it is necessary to seek approval for this additional work.

Currently, Commercial Sound & Video has a contract of \$112,517. Council has approved a 10% contingency to that contract. The requested work is valued at \$18,716.41 with tax. The contingency will not cover that amount.

Facilities Director Patterson reviewed the agenda bill summary.

CM A. Anderson stated that the PS&J Committee recommended this item for approval.

Council consensus: Referred to the 04/14/09 RCM Consent Agenda

Agenda Bill #3069 – A Resolution amending the City of SeaTac Schedule of Development Fees, Permit Fees and other Fees and Charges for City Services

Summary: This Resolution amends portions of the City's Schedule of Fees to increase certain Public Works (PW), Parks, City Clerk, and Planning fees. Adoption of the Resolution will increase the anticipated permit, document, and usage fee revenues projected for 2009.

The City currently uses fee tables that, in many cases, have not experienced an increase for inflation since 2003. Since that time, inflation has increased over 18%, according to the Consumer Price Index (CPI) for the Seattle, Tacoma, and Bremerton region. The minimum fee amounts for most of the services addressed by this proposal are currently less than the hourly fee upon which we base our services. The City needs to recoup more of the expenses for administering various permits and other fee-based services in order to bring these back up to the equivalent of what the effects that inflation has had upon them. The PW Building Division is proposing to condense the fee tables for the Electrical, Mechanical, Plumbing, Signs, and Fire Suppression Systems into one schedule that has been adjusted for inflation and increase the minimum hourly rate to \$75 per hour. A new fee reduction program is being proposed for owner-occupied residents on smaller projects that are maintenance and repair related. The PW/Engineering Division is proposing to increase their minimum hourly rate to \$75 per hour and adjust fees for plan submittal, drainage reviews, and revocable ROW use permits. The Planning Department is changing the way it charges for copies of the Zoning and Comprehensive Plan (CP) to reflect actual costs from Code Publishing. The Parks Department is proposing adjusting fees related to field rentals. The City Clerk's Office is proposing to adjust the way Passport Fees are charged.

The additional funding from these changes will provide the necessary revenue to more closely recover the costs for services by the departments aforementioned.

CM A. Anderson requested this item be postponed for two weeks.

Council consensus: Referred to the 04/28/09 RCM

Agenda Bill #3071 – A Motion authorizing the City Manager to execute a contract to employ Murase Associates Landscape Architects for the Sunnydale Plazas Project

Summary: The City Council on March 11, 2008, approved Murase Associates not to exceed \$22,000 for the Sunnydale Plaza program study. Murase Associates has completed the program study and are ready to start on the construction drawings. This Agenda Bill authorizes the Sunnydale Plazas construction design. The fees are \$163,500 to complete the construction drawings for the Sunnydale Plazas project. This project is funded by the Washington State Department of Community Trade and Economic Development (CTED). The City Council accepted the State grant on November 6, 2007.

The 2008 Budget for Sunnydale Plaza Project has \$197,500. In March, 2008, \$22,000 was approved for the program study leaving \$175,500 to pay for landscape architect fees for the construction drawings.

P&R Director Ledbetter reviewed the agenda bill summary. He introduced Principal Designer Scott Murase.

Mr. Murase detailed the proposed plazas.

Upon a question posed by DM Fisher, Mr. Ledbetter stated that the cities are seeking grants to fund the plazas.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3071 (Continued): Mr. Ledbetter stated that the goal is to complete the plazas by June 31, 2009.

CM A. Anderson suggested that the Police Department be involved in the design to make sure Crime Prevention through Environmental Design (CPTED) requirements are met.

Council consensus: Referred to the 04/14/09 RCM Consent Agenda

CONSENT AGENDA:

- **Approval of claims vouchers** (check nos. 84368 – 84533) in the amount of \$650,825.00 for the period ended April 3, 2009.
- **Approval of payroll vouchers** (check nos. 47585 – 47625) in the amount of \$449,663.11 for the period ended March 31, 2009.
- **Approval of payroll electronic fund transfers** (check nos. 59051 – 59234) in the amount of \$345,230.35 for the period ended March 31, 2009.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$62,193.90 for the period ended March 31, 2009.
- **Summary of \$5,000 - \$25,000 Purchase Requests** for the period ended April 10, 2009.

Approval of Council Meeting Minutes:

- **Council Workshop** held February 10, 2009.
- **Regular Council Meeting** held February 10, 2009.
- **Transportation and Public Works Committee** meeting held March 24, 2009.
- **Regular Council Meeting** held March 24, 2009.

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

Agenda Bill #3076; Motion authorizing staff to apply for a 2009/2010 Community Development Block Grant for design and construction for a skate park at the SeaTac Community Center

Agenda Bill #3072; Motion approving the low bidder for phase II foundation work for Fire Station 46

Agenda Bill #3073; Motion approving a contingency for hollow metal doors and frames, wood doors, and door hardware supplied by Benson Industries for Fire Station 46

Agenda Bill #3077; Motion approving a change order with Commercial Sound & Video for the alerting system at Fire Station 46

Agenda Bill #3071; Motion authorizing the City Manager to execute a contract to employ Murase Associates Landscape Architects for the Sunnydale Plazas Project

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

PUBLIC COMMENTS (related to the Consent Agenda): Mr. Gipson, regarding Agenda Bill #3069, requested a summation of the revenues the City generates now through fees versus the proposed fees as an annual revenue reflection.

*MOTION CARRIED UNANIMOUSLY.

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

UNFINISHED BUSINESS: There was no Unfinished Business.

NEW BUSINESS: There was no New Business.

CITY MANAGER'S COMMENTS: City Manager Ward commented on the following: (1) April 16 – he will be attending a meeting at the Highline Community College (HCC) to discuss Regional ED; (2) April 17 – 24 – He will be on vacation; (3) April 18 – YMCA Healthy Kids Day at the Tye campus; (4) April 22 – 6 p.m. Public Meeting on Shoreline Protection Plan; and (5) April 28 – PH on Tree retention.

COUNCIL COMMENTS: CM A. Anderson commented on the following: (1) requested a listing of unfilled decision cards for potential budget savings; and (2) He is a table captain for a free breakfast by the Domestic Abuse Women's Network (DAWN). He invited the Council to help support DAWN by attending the breakfast. He will email the details to the Council.

CM Gregerson commented on the following: (1) April 25 – 10 a.m. Grandview Park work program by the Stay out of Drug Areas (SODA) group; (2) May 29 - Brightwater Plant tour for staff and Council. Attendees must RSVP; and (3) She attended Fire Operations 101 sponsored by the Washington State Council of Fire Fighters where she spent 24-hours running drills with City Fire Fighters. The Fire Fighters want the Council to know that the drills are labor intensive, time critical, and technically demanding. She encouraged Council to participate next year.

Mayor Shape stated that Comcast Director of Government Affairs Franchising Terry Davis spoke to the Council in March about the Comcast change over and said the set up was easy to do. Mayor Shape stated that it is not as easy to hook up and doesn't work as advertised.

EXECUTIVE SESSION: There was no Executive Session.

ADJOURNMENT:

MOVED BY FISHER, SECONDED BY WYTHER TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 8:14 P.M.

MOTION CARRIED UNANIMOUSLY.

Ralph Shape, Mayor

Kristina Gregg, City Clerk

City of SeaTac

Special Council Meeting Minutes

April 14, 2009
5:30 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Special Meeting was called to order by Mayor Shape at 5:36 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Deputy Mayor (DM) Gene Fisher, Councilmembers (CMs) Chris Wythe, Terry Anderson, Anthony (Tony) Anderson, Barry Ladenburg and Mia Gregerson.

ADMINISTRATIVE STAFF: City Manager Craig Ward, Senior Assistant City Attorney Mark Johnsen, City Clerk Kristina Gregg, Assistant City Manager (ACM) Todd Cutts, and Planning Director Steve Butler.

RECESSED: Mayor Shape recessed the Special Council Meeting to an Executive Session on Property Acquisition at 5:36 p.m.

EXECUTIVE SESSION: Property Acquisition (30 minutes) (RCW 42.30.110[1][b])

City Clerk Gregg announced that Council requested an additional 5 minutes.

RECONVENED: Mayor Shape reconvened the Special Council Meeting at 6:17 p.m.

ADJOURNMENT:

MOVED BY T. ANDERSON, SECONDED BY A. ANDERSON TO ADJOURN THE SPECIAL MEETING OF THE SEATAC CITY COUNCIL AT 6:17 P.M.

MOTION CARRIED UNANIMOUSLY.

Ralph Shape, Mayor

Kristina Gregg, City Clerk

City of SeaTac

Regular Council Meeting Minutes

April 28, 2009
6:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Shape at 6:04 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Deputy Mayor (DM) Gene Fisher, Councilmembers (CMs) Chris Wythe, Terry Anderson, Anthony (Tony) Anderson, Barry Ladenburg and Mia Gregerson.

ADMINISTRATIVE STAFF: City Manager Craig Ward, City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, Assistant City Manager (ACM) Todd Cutts, Economic Development (ED) Manager Jeff Robinson, Senior Assistant City Attorney Mark Johnsen, Systems Administrator Bart Perman, Building Official Gary Schenk, Principal Planner Jack Dodge, Facilities Director Pat Patterson, Fire Chief Bob Meyer and Chief of Police Services Jim Graddon.

FLAG SALUTE: Chief Meyer led the Council, audience and staff in the Pledge of Allegiance.

PUBLIC COMMENTS: Pam Fernald reported that the Neighbors Without Borders Group coordinated an earth day clean up at North SeaTac Park. There was a decrease in the amount of trash picked up this year compared to 2008.

Wendy Morgan, Highline SeaTac Botanical Garden Board representative, encouraged everyone to come to the plant sale on May 2 from 10 a.m. – 3 p.m. at the garden.

PRESENTATIONS:

•Council Confirmation of Mayoral Appointments to the Human Services Advisory Committee of Member Dave Bush and Alternate Members Phyllis Byers and Humberto Mendez

MOVED BY T. ANDERSON, SECONDED BY GREGERSON TO CONFIRM MAYORAL APPOINTMENT OF DAVE BUSH AS A MEMBER, AND PHYLLIS BYERS AND HUMBERTO MENDEZ AS ALTERNATE MEMBERS TO THE HUMAN SERVICES ADVISORY COMMITTEE.

MOTION CARRIED UNANIMOUSLY.

Mayor Shape read and presented the certificates of appointment.

•Library Advisory Committee 2008 Annual Report

Library Advisory Committee Chair Cheryl Forbes commented on the following: (1) increased circulation system wide, especially at Valley View (VV) Library; (2) Talk Time allows native non-English speaking citizens to practice their English; (3) the Military Road project did not affect circulation at VV; (4) VV is a regional library and is able to get books on loan from other libraries, even out of state; (6) May 1 – 8, the library is hosting special how-to demonstrations on the latest job-search and financial tools; (7) challenged the Council to visit the library in person or at www.kcls.org; and (8) a concerned resident contacted the Library Advisory Committee about the light rail affecting bus access to the library. The committee wants to make sure residents are able to access the library.

Upon a question posed by CM T. Anderson, Valley View Library Managing Librarian Bruce Greely stated that the library specializes in three of the major languages, Spanish, Somali, and Tagalog, but can also order books in other languages from other branches. The library also offers some tools and services in other languages.

CM Gregerson thanked the library for participating in the back to school fair.

Upon a question posed by Mayor Shape, Mr. Greely stated that VV Library is scheduled to be reviewed by the King County Library System (KCLS) Board this year. A community study will be conducted this fall.

•enterpriseSeattle (eS) and Regional Economic Opportunities

Director and CEO Tom Flavin detailed eS's services. SeaTac is at the Innovator level (\$5,000 - \$9,999) which provides the following for SeaTac: (1) City's profile on the eS website, (2) access to eS research and industry cluster studies, (3) inclusion in all regional marketing materials, (4) presentation as a potential site for eS clients, (5) discounted investor pricing to all eS events, (6) ability to post economic announcements on eS website, and (7) special project services provided at \$65 per hour.

Executive Vice President & COO Jeff Marcell detailed the following activities specific to SeaTac: (1) partnered with Hainan Airlines; (2) contributed to ED coalition with SeaTac, Tukwila, and Burien; (3) sponsored an ad highlighting Seattle Southside Visitors Bureau; (4) served on an advisory panel for SeaTac's branding exercise; and (5) participated in an interview board for ED Manager. eS has also been working to develop industry clusters within the region and the State and have advocated for multiple industry conferences to be in this community.

PUBLIC HEARING (PH):

•Zoning Code regarding Retention of Significant Trees and Related Standards – Planning

Mayor Shape opened the PH at 6:35 p.m.

Principal Planner Dodge reviewed the Agenda Bill #2893 summary below. He stated that if either staff or Planning Commission's (PC) proposed regulations are adopted, staff will prepare a form letter allowing the expiration of existing covenants' on lots of less than 14,400 square feet (sq. ft.). Also, new proposed code changes regarding the methodology to measure the caliper of trees will be forwarded to the Council in the near future.

PC Chair Rick Forschler stated that this has been a frequent topic at the PC meetings. The PC has put a lot of effort into this issue and believes the PC recommendation is the best recommendation.

He reviewed the PC goals in relation to tree retention. He referred to the staff recommendation as option 1, PC recommendation as option 2, and resident Daryl Tapio's recommendation as option 3.

The PC feels that the real problems with clear cutting didn't occur until after the staff administrative policies were established. The policies motivated residents to cut their trees down because they became liabilities by restricting their ability to develop the property.

Mr. Dodge stated that the City found developers clear cutting, which was then the motivation for the administrative policies.

Mr. Dodge, Mr. Forschler and PC Member Roxie Chapin reviewed the differences between the PC and staff recommendations.

CM A. Anderson questioned how many lots these guidelines will affect. Mr. Dodge stated there are approximately 800 single-family lots that could be short platted based on lot size. However, due to property circumstances, there could be less.

CM Wythe, Land Use & Parks (LUP) Committee Chair, stated the LUP Committee considered this at length. It is not the City's intention to disturb or remove residents' rights, but to preserve the quality of neighborhoods and enhance development that occurs adjacent to homes.

The following citizens stated their opposition to the proposed Tree Retention Ordinance, detailing their personal situations, and their concerns regarding the recommendations: Daryl Tapio, Roger Kadeg, Pam Fernald, Earl Gipson, Val Tannenbaum, Carol O'Neal, John Discher, Greg Ritter, Joann Hill, Lundun Knight, Don Brown, and Daniel Forschler.

CM T. Anderson stated that she has 54 Douglas Fir Trees on her property. These regulations will affect her. She stated that the regulations should be left alone.

Mr. Dodge stated that there seems to be some misconceptions in terms of how the regulations would be imposed. He addressed some of the issues mentioned tonight and how they would not be affected by the regulations.

Mr. Forschler clarified that there is a portion of Mr. Tapio's recommendation that everyone agrees with regarding implementing a tree program to promote the planting of trees City wide. He stated that this should be implemented no matter what is decided in regards to tree retention. Mr. Forschler encouraged the Council to consider the PC recommendation.

Jean Clare questioned how either recommendation would affect a significant tree on a neighbors property that is encroaching into his property. Mr. Dodge and Mr. Forschler both responded by stating that this is an issue dealt with by the adjacent property owners and not the City.

Judy Williams stated that there are some people, including her that do not oppose these regulations.

Mayor Shape closed the PH at 8:26 p.m.

NEW BUSINESS:

Agenda Bill #2893; Ordinance amending the SeaTac Municipal Code (SMC) related to Tree Retention

Summary: The proposed code amendments clarify and add to the existing tree retention regulations, as well as codify administrative procedures that had been developed by staff regarding tree retention.

The City's tree retention regulations were originally adopted in November of 1992. The current regulations require at least 12% of the healthy significant trees (eight inches [in.] for evergreens, 12 in. for deciduous) be

NEW BUSINESS (Continued):

Agenda Bill #2893 (Continued): saved in new multifamily, commercial, and industrial development and in new plats (both short and long plats). Areas where trees are allowed to be removed, as determined by the City Manager, included the house foot print, access road, required parking area, utilities, storm drainage facilities, septic system (where applicable), and all trees within 15 ft. of a building foundation. No tree retention was required for existing single-family lots.

In the current regulations, there are no specific requirements for tree covenants or mitigation for significant trees required to be saved that were removed; however under SMC 15.14.180, the City Manager or designee can, through administrative procedures, require mitigation based on site conditions. For the first few years after code adoption, there was little need to institute the administrative procedures, due to the overall conformance to the tree retention requirements by developers.

Approximately six years ago, with the upswing in the housing market, new developers started to plat and build in SeaTac. Some of the new developers, however, discovered loopholes in the current tree retention regulations, or just ignored the tree retention regulations altogether. Staff received many phone calls from property owners adjacent to new plats complaining about the number of significant trees being removed that were required to be saved. In some cases, the purchasers of new lots within newly recorded plats were unaware that a significant tree was required to be saved on the lot and removed the tree. As a result of these complaints, staff began to institute administrative procedures to address the following:

- Where significant trees were to be retained, how to notify prospective buyers of the lots that there were trees to retain. Requiring “tree covenants” on lots in new short plats alerted the prospective new property owners.
- Instituting “mitigation” requirements where significant trees were removed from the lot without City approval.

Realizing the need to close loopholes in the code and to codify the administrative procedures and with direction from the LUP and Transportation & Public Works (T&PW) Committees and input from the PC, staff proceeded to develop the proposed code standards.

Proposed Tree Retention Regulations: Staff first discussed proposed code revisions with LUP in January and March of 2007. Afterwards, staff presented the first edition of proposed revisions to the tree retention regulations to the PC in June of 2007. Since that time, the PC has met 20 times (including three PH’s) regarding the proposed regulations, the LUP committee 12 times and T&PW once. There has also been one joint Council/PC discussion regarding proposed regulations. There has been considerable discussion regarding the extent and degree of tree retention within SeaTac. Initially, tree retention regulations put forward by staff and the PC contained many major differences. The Council instructed the staff and the PC to craft compromise tree retention regulations. Both the staff and PC have come a long ways towards a compromise recommendation; however, a compromise recommendation fully supported by both staff and the PC was not possible. The differences between the proposed regulations as recommended by the PC and staff include:

- The staff recommendation allows the removal of significant trees in the following areas without mitigation.
 - Trees within the building footprint and accessory structures
 - Within the private access easement
 - Within utility easements

The PC’s recommendation contains the following additional exception.

- Trees that are inconsistent with the overall plans for the development
- Both the staff and PC recommendation requires a “temporary” covenant on the lot. Under the staff proposal, the covenant expires when the house and lot is transferred to a new property owner. The PC recommendation allows the covenant to expire when the “final plat” is recorded.
- Both the staff and PC’s recommendation require mitigation for the removal of significant trees prior to the expiration of the covenant; however, the recommended size and number of the mitigation trees is different.

Staff	PC
3 trees per tree removed	1 tree per tree removed
<ul style="list-style-type: none"> • Deciduous - 2 in. (recent staff proposal) • Evergreen – 8 ft. 	<ul style="list-style-type: none"> • Deciduous - 1 ½ in. • Evergreen – 6 ft.

- In all zones, except single family residential, significant trees are required to be retained in both recommendations. Staff’s proposal requires 12% of significant tress, or three trees, whichever amount is greater to be preserved. PC’s recommendation is 12% or three trees, whichever is the lesser amount.

NEW BUSINESS (Continued):
Agenda Bill #2893 (Continued):

- The staff’s proposal contains criteria regarding the removal of significant trees from single-family lots of 14,400 sq. ft. or greater. The PC’s proposal does not contain this requirement.
- Staff’s proposal requires a “no fee” permit to remove significant trees on single-family lots of 14,400 sq. ft. The PC’s proposal does not contain this requirement.

The proposed Ordinance contains the staff’s proposed tree retention regulations.

A third option was proposed by Mr. Daryl Tapio at the last PC and LUP meetings. His option would be to retain the existing tree retention regulations, but restrict staff from developing any administrative procedures (such as mitigation for significant trees removed). In the staff’s opinion, this option would significantly weaken the current regulations and essentially leave the City without any effective tree retention regulations. This option is also counter to the Council’s direction to the staff and PC to craft compromise regulations. Mr. Tapio has suggested that the City should implement a tree program to promote the planting of new trees Citywide. This is a good suggestion that could go hand in hand with regulations that encourage retention of mature significant trees to provide a varied tree canopy and wildlife habitat in the City.

There may be a \$6,000 potential annual cost for a City Consultant Arborist, if this budget proposal is adopted for Fiscal Year 2010.

MOVED BY WYTHE, SECONDED BY SHAPE, TO PASS AGENDA BILL #2893.*

MOVED BY GREGERSON, SECONDED BY LADENBURG TO AMEND AGENDA BILL #2893 TO ONLY INCLUDE THE FOUR ITEMS THAT THE STAFF AND PLANNING COMMISSION AGREE ON.*

MOVED BY FISHER, SECONDED BY GREGERSON TO AMEND THE ORIGINAL MOTION TO INCLUDE OPTION #3 (MR. TAPIO’S PROPOSAL).*

DM Fisher stated that since he owns a tree farm, these regulations will not affect him, but he is a property rights advocate. He stated that he feels staff implemented overly restrictive tree retention administrative policies instead of incentives on tree retention that resulted in a loss of trees. Adding more restrictions is wrong and a violation of rights. He suggested the City use the current tree retention Ordinance and remove the administrative policies.

Upon a question posed by CM A. Anderson, Mr. Dodge and Mr. Forschler detailed why replacement of certain trees on Mr. Tapio’s property would have required so many trees.

Council discussion ensued regarding the regulations with some CMs feeling that the PC recommendation allows flexibility and is the least restrictive while some feel that the PC recommendation leaves loopholes.

Mayor Shape read portions of the cities of Burien and Tukwila’s tree retention regulations which are more restrictive than what is being considered tonight.

*The makers of the motions withdrew their motions.

Council concurred to postpone this item to the May 12, 2009 Regular Council Meeting.

DISCUSSION ITEM:

•Summary of \$5,000 - \$25,000 Purchase Requests for the period ended April 28, 2009

City Manager Ward reviewed the purchase requests:

<u>Item Description</u>	<u>Department</u>	<u>Original Budget</u>	<u>Amended Budget</u>	<u>Estimate</u>
FlexPass Commute Trip Reduction (CTR) Benefit	Public Works (PW)	\$14,875	\$14,875	\$9,660
HR Training Programs on Diversity and Preventing Harassment to City Employees	Human Resources (HR)	\$8,000	\$8,000	\$5,400
Commercial Washer and Dryer for Maintenance Facility	Facilities	\$0	\$0	\$14,305

****will absorb with savings in other line items****

Council consensus: Referred to the 04/28/09 RCM Consent Agenda

AGENDA BILL PRESENTATIONS:

Agenda Bill #3078 – A Motion authorizing the City Manager to execute a contract with Extend Networks for server virtualization hardware, software and installation

Summary: In 2008, the City Council approved budget requests for \$68,995 for file server virtualization and additional network attached storage. The City issued a Request for Proposals (RFP) for this project and received responses from three vendors. These responses were reviewed by Information Systems (IS) staff. Based on completeness of response, vendor qualifications and overall costs for the City, two of these vendors were selected as finalists for consideration. Both of these vendors were interviewed and given an opportunity to refine their bids to match our intended scope of work as well as required hardware/software configuration. Based on these refined quotes, IS staff chose to recommend Extend Networks as the preferred vendor for this project. Based on Extend Network's response, the total cost for this project will be approximately \$75,635. The increase from the budgeted amount is due to refinement in the scope of work as well as the required hardware/software for this project. The excess cost over budget will be absorbed within other line item savings.

The City will still show overall cost savings as compared to continuing with our existing system. The Total Cost of Ownership (TCO) is lowered with a virtualized environment in multiple areas, most notably in hardware replacement costs, server administration costs, physical server space, and power consumption. The ultimate goal of virtualization is to reduce costs associated with the overhead of maintaining and administering the City's network and Information Technology (IT) infrastructure. The consolidation of multiple physical servers into more efficient virtual servers and fewer physical servers, reduction of overall power consumption, ensuring Disaster Recovery preparedness with more recovery points and increased redundancy, and the ability to provision new servers on-the-fly for development, testing and production are just some of the benefits of our proposed system.

Initial savings will be more apparent as the system transitions over the next few months from all physical to partial physical and mostly virtual (some applications will require standalone physical boxes). Hard number calculations will be more apparent over the next year to four years as the City goes from having to replace many servers to just replacing a couple. The environmental impact will be just as large with over a 50% smaller carbon footprint.

As SeaTac moves into 2010 and beyond, our proposed system will be able to evolve and include a "hot site" that has similar hardware as our proposed system but offer the following benefit: Almost seamless Disaster Recovery/Preparedness in the event that the City Hall datacenter goes completely offline. The proposed system will lay the foundation for a fully redundant environment that replicates to an offsite location (Emergency Coordination Center [ECC] Fire Station 46) for maximum availability in the event of a catastrophic failure.

The City will also see a more dynamic storage environment. Currently there are multiple servers, each with their own finite storage space that can be allocated locally and then distributed through 'network shares'. As the City runs out of disk space on any one server, staff has to either delete or move files. There simply is no way to just "add new drives" to get more space reliably. A fail point for this type of patchwork fix is that new drives cannot be added to an existing array. This makes it unsafe from a failover point of view. If that drive has any data when it fails, the data will probably be lost. The new system will have sufficient storage space available that can be dynamically modified (grown or shrunk) to accommodate the need. In addition, the Storage Area Network (SAN) solution is highly redundant ensuring an extremely highly available system.

Systems Administrator Perman reviewed the agenda bill summary.

DM Fisher stated that the Administration & Finance (A&F) Committee recommended this item for approval.

Council consensus: Referred to the 04/28/09 RCM Consent Agenda

ADDED PUBLIC COMMENTS: Lyle Gulling stated his concern regarding ice cream vendors. There have been four vendors travelling throughout the City within the last four weeks and there is no indication whether they are licensed in the City or had background checks done. He reminded the Council of a petition three years ago signed by apartment owners and managers asking for a complete ban of ice cream vendors. He requested Council consider a complete ban or to make the vendors more traceable. He questioned whether the public has the right to approach these vendors and ask them if they have the right to sell in SeaTac.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3060 – A Motion approving the low bidder for landscape work for Fire Station 46

Summary: Advertisements for landscaping bids were placed in the Seattle Times the weeks of January 19 and 23. The results are as follows:

Outdoor Concepts, LLC	\$95,000.00
Tri Fall Construction	\$108,250.73
Legacy Landscaping	\$122,530.00
Controlled Rain	\$122,750.00
Construct Co.	\$127,271.00
Low bid total cost w/tax (9.5%) & contingency (10%)	\$114,427.50

In an attempt to lower costs, the landscaping plan was reviewed for possible value engineering. Potential cost savings were thought to be near \$16,000. However, it was determined that the quality of the landscaping would suffer at various times throughout the year and the value engineering was rejected.

It is recommended that the City Council accept the lowest responsive bid for the landscape work. It is also recommended that the City Manager be authorized to execute a contract for this work for the total cost indicated above, including the sales tax and contingency.

The 2009 Budget has \$2,500,000 for completion of Fire Station 46.

Facilities Director Patterson reviewed the agenda bill summary.

CM A. Anderson stated that the Public Safety & Justice (PS&J) Committee recommended this item for approval.

DM Fisher stated that the A&F Committee recommended this item for approval.

Council consensus: Referred to the 04/28/09 RCM Consent Agenda

CONSENT AGENDA:

- **Approval of claims vouchers** (check nos. 84534 – 84730) in the amount of \$465,970.77 for the period ended April 20, 2009.
- **Approval of payroll vouchers** (check nos. 47626 – 47658) in the amount of \$183,503.68 for the period ended April 15, 2009.
- **Approval of payroll electronic fund transfers** (check nos. 59235 – 59414) in the amount of \$338,339.51 for the period ended April 15, 2009.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$60,934.33 for the period ended April 15, 2009.

Approval of Council Meeting Minutes:

- **Land Use and Parks Committee** meeting held April 9, 2009.
- **Administration and Finance Committee** meeting held April 14, 2009.
- **Public Safety and Justice Committee** meeting held April 14, 2009.
- **Special Council Meeting** held April 14, 2009.
- **Regular Council Meeting** held April 14, 2009.

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

Agenda Bill #3078; Motion authorizing the City Manager to execute a contract with Extend Networks for server virtualization hardware, software and installation

Agenda Bill #3060; Motion approving the low bidder for landscape work for Fire Station 46

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

PUBLIC COMMENTS (related to the Consent Agenda): There were no public comments.

*MOTION CARRIED UNANIMOUSLY.

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

UNFINISHED BUSINESS: There was no Unfinished Business.

NEW BUSINESS:

MOVED BY T. ANDERSON, SECONDED BY LADENBURG TO RESCIND THE MOTION TO POSTPONE AGENDA BILL #3032 TO THE JULY 14, 2009 REGULAR COUNCIL MEETING.

MOTION CARRIED UNANIMOUSLY.

Agenda Bill #3032; Ordinance #09-1013 authorizing the City Manager to enter into a contract with TCA Architects for the design of Fire Station 45, and amending the 2009 Annual City Budget to include a 2008 Budget Carryover

Summary: This Ordinance authorizes the City Manager to enter into a contract with TCA Architects for the design of Fire Station 45. Also, this Ordinance approves a budget carryover from the 2008 Budget for \$275,000 to pay for the design work. However, it would be appropriate to amend the Ordinance to strike the budget carryover (Section 1) because this funding has already been carried forward by Ordinance #09-1010, which was adopted on March 24, 2009.

At the October 14, 2008 RCM the City Council authorized the City Manager to execute a contract with TCA Architects for the design of Fire Station 45, in an amount not to exceed \$190,000. Since that time, it was determined that additional engineering and design work will need to be done that will increase the cost of the design. The new cost for the design work is \$289,809. Therefore, this Ordinance authorizes the City Manager to execute a contract with TCA Architects for design of Fire Station 45, in an amount not to exceed \$289,809.

As discussed at previous Council Meetings, it is anticipated that the City will use the same design for Fire Station 47, should the City Council decide to rebuild that station in the future. Thus, Fire Station 45 will be designed with this in mind, which will reduce the cost of designing Fire Station 47.

In addition to approving a contract with TCA Architects, this Ordinance also approves a budget carryover to pay for the design work. The 2008 Annual Budget had an appropriation of \$325,000 for the design of Fire Station 45, and \$50,000 was appropriated in the 2009 Budget. Ordinance #09-1010 carried forward \$275,000 under the BARS account listed above for Fire Station design. This means that there is \$325,000 in the 2009 Annual Budget for design of Fire Station 45. This total amount is less than the proposed contract amount. Since the budget carryover has already occurred, it would be appropriate to strike Section 1 of this Ordinance that addresses the budget carryover.

Facilities Director Patterson introduced TCA Architecture and Planning Principal Architect Eric Schaer.

Mr. Schaer detailed the proposed project and the increased costs.

Council questioned the various fees with Mr. Schaer detailing the costs.

*A Motion to pass Agenda Bill #3032 was previously moved by A. Anderson and seconded by Wythe at the January 13, 2009 Regular Council Meeting prior to the motion to postpone and therefore did not need to be moved again.**

Upon a question posed by CM A. Anderson, Mr. Patterson stated that this item is being discussed now because the City is trying to take advantage of possible stimulus money that could be available to the City.

Upon a question posed by DM Fisher, Mr. Ward clarified that this is only a contract for an architect to design the station. Before construction, those bid documents and process will be laid out for Council review.

Mr. Patterson clarified that the agreement price has increased significantly due to the need to add the cost of a Civil Engineer since in-house staff would not be able to do this project.

City Attorney Mirante Bartolo stated that the amount Council is voting on tonight is \$289,809.

MOVED BY WYTHE, SECONDED BY SHAPE TO AMEND ORDINANCE (#09-1013) BY STRIKING SECTION 1.**

PUBLIC COMMENTS (related to Agenda Bill #3032): There were no public comments.

**AMENDED MOTION CARRIED UNANIMOUSLY.

*ORIGINAL MOTION CARRIED UNANIMOUSLY, AS AMENDED.

CITY MANAGER'S COMMENTS: City Manager Ward commented on the following: (1) May 6 – Highline School District (HSD) Summit at Cedarbrook; (2) May 14 LUP Committee meeting has been changed to May 7; (3) emergency preparedness in relation to the Swine Flu. The City has pandemic procedures and a continuity of government plan in place allowing the flexibility to address the emergency and ongoing operations. However, the flu does not appear to be particularly dangerous at this time; and (4) permitting notices for construction of the jail in Des Moines have begun. Written notices may be sent out this week. Any questions from SeaTac citizens should be routed to the City of Des Moines because they are responsible for permitting.

COUNCIL COMMENTS: CM T. Anderson informed everyone of a scam involving car remotes for unlocking cars.

CM A. Anderson commented on the following events that recently occurred within the City: (1) YMCA Healthy Kids event with high school and junior high school students staffing rides voluntarily; and (2) Yard Waste Event put on by the City.

CM Ladenburg commented on the following: (1) Global Connections school had eight students attend the State solo and ensemble contest which he attended with one student taking first place in the tuba, a duet taking second place, and another one taking third place; and (2) Metro had another meeting on their bus route changes. Metro is still proposing dropping routes 170 and the proposed 127. He is still working on the issue.

CM Gregerson commented on the following: (1) Shoreline Management Act is beginning the restoration phase; (2) Thursday, August 27 – 10:30 a.m. – 2 p.m., Back to School Fair; (3) Suggestions for Council Corner in SeaTac Report – rotating column, announce coffee and chat session.

Mayor Shape stated that the deadline for the summer SeaTac Report issue is Friday, May 1. CM Gregerson stated that she would work on a coffee and chat session with the City Council to be announced in the Council corner.

Mayor Shape commented on the following: (1) Council and staff are preparing for the City's 20th anniversary in 2010. He stated that it was suggested Council consider having a time capsule. However, the City does have a time capsule that was put together at incorporation. He requested if Council has any thoughts or ideas on what to include as part of the 2010 celebration that they contact Executive Assistant Lesa Ellis or Administrative Assistant 3 Kristin Boone in the City Manager's Office; (2) attended the April 25 Fire Explorers muster in Skyway at KC Fire District 20's training center. SeaTac had several teams involved; and (3) received a letter from the Supreme Master Ching Hai International Association which specifies that the largest single contributor to global warming is meat consumption. The association requested the City adopt a policy of becoming vegetarians.

EXECUTIVE SESSION: There was no Executive Session.

ADJOURNMENT:

MOVED BY T. ANDERSON, SECONDED BY A. ANDERSON TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 10:02 P.M.

MOTION CARRIED UNANIMOUSLY.

Ralph Shape, Mayor

Kristina Gregg, City Clerk

City of SeaTac

Special Council Meeting Minutes

April 28, 2009
5:30 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Special Meeting was called to order by Mayor Shape at 5:32 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Deputy Mayor (DM) Gene Fisher, Councilmember (CMs) Chris Wythe, Terry Anderson, Anthony (Tony) Anderson, Barry Ladenburg (*arrived during the Executive Session*) and Mia Gregerson.

ADMINISTRATIVE STAFF: City Manager Craig Ward, City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, Assistant City Manager Todd Cutts, City Engineer Susan Sanderson, and Senior Assistant City Attorney Mark Johnsen.

RECESSED: Mayor Shape recessed the Special Council Meeting to an Executive Session on Potential Litigation at 5:32 p.m. for 30 minutes.

EXECUTIVE SESSION: Potential Litigation (RCW 42.30.110[1][i])

RECONVENED: Mayor Shape reconvened the Special Council Meeting at 6:04 p.m.

ADJOURNMENT:

MOVED BY T. ANDERSON, SECONDED BY A. ANDERSON TO ADJOURN THE SPECIAL MEETING OF THE SEATAC CITY COUNCIL AT 6:04 P.M.

Ralph Shape, Mayor

Kristina Gregg, City Clerk

City of SeaTac

Regular Council Meeting Minutes

May 12, 2009
6:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Shape at 6:19 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, DM Gene Fisher (*participated by phone from 6:56 p.m. to 7:36 p.m.*), Councilmembers (CMs) Chris Wythe, Terry Anderson, Anthony (Tony) Anderson, Barry Ladenburg. Excused Absent: CM Mia Gregerson.

ADMINISTRATIVE STAFF: City Manager Craig Ward, City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, Assistant City Manager (ACM) Todd Cutts, Economic Development (ED) Manager Jeff Robinson, Senior Assistant City Attorney Mark Johnsen, Public Works (PW) Director Tom Gut, Planning Director Steve Butler, Facilities Director Pat Patterson, Fire Chief Bob Meyer and Chief of Police Services Jim Graddon.

FLAG SALUTE: Facilities Director Patterson led the Council, audience and staff in the Pledge of Allegiance.

PUBLIC COMMENTS: Rick Forschler stated the difference between the Planning Department staff and the Planning Commission (PC), which is comprised of SeaTac citizens and business owners. He stated that the PC met last night and discussed tree retention with some additional opinions.

Daniel Forschler stated that the tree retention ordinance may have some additional unforeseen consequences, including some trees only being available for purchase during certain seasons and the potential for City liability.

Roger Kadeg stated that the staff recommendation on tree retention keeps changing; however, both the staff and PC recommendations seize property rights. He stated that Daryl Tapio's option is the best option and allows property owners to manage their trees. He urged the Council to take the time to hear the PC additional options.

PRESENTATIONS:

●School Based Health Center

HealthPoint Resource Development Manager Faith Wimberly reviewed the programs and services the center provides. She detailed the school based health clinic which is open Monday through Friday from 7 a.m. to 3:30 p.m. with two part-time medical providers (Nurse Practitioners) and one full-time office assistant, enrollment specialist and care coordinator.

She detailed how the patients were served in the past 12 months, insurance status and a comparative analysis of clinical care provided for school based services in Seattle and Oregon.

CM A. Anderson stated that when the City was first approached with this concept, there were a high percentage of students who had never seen a doctor. This clinic has increased the amount of students seeing doctors.

Upon a question posed by CM Ladenburg, Ms. Wimberly stated that the health center has an office coordinator that is bilingual and contracts with several interpreter services that allows them to bridge the language gap.

Mayor Shape stated that the statistics always include a high number of pregnancies. He questioned how the center deals with maternity care. Ms. Wimberly stated that they do provide obstetric services. During the 2007 school year the center had six pregnant students use their services. There were none in 2008.

●Catholic Community Services (CCS)

Emergency Assistance Regional Director of Program Development Tracy Myers stated the CCS mission, and the type of assistance they provide. January – March 2009, CCS served 40 SeaTac families.

Volunteer Chore Services Supervisor (VCS) Kizzie Funkhouser stated that the VCS helps its clients remain living safely and independently in their homes. VCS serves low-income elders as well as people over 18 years. During the first quarter of 2009, VCS assisted 15 individuals, providing over 300 volunteer hours.

Ms. Funkhouser invited everyone to volunteer their services.

DM Fisher joined the Council Meeting by phone at 6:56 p.m.

SUSPENSION OF THE RULES:

MOVED BY WYTHE, SECONDED BY A. ANDERSON TO SUSPEND THE RULES TO BRING FORWARD COUNCIL ACTION AND PUBLIC COMMENTS RELATED TO AGENDA BILL #2893.

MOTION CARRIED UNANIMOUSLY.

UNFINISHED BUSINESS:

Agenda Bill #2893; Ordinance #09-1014 amending the SeaTac Municipal Code (SMC) related to Tree Retention

Summary: The proposed code amendments clarify and add to the existing tree retention regulations, as well as codify administrative procedures that had been developed by staff regarding tree retention.

The City’s tree retention regulations were originally adopted in November of 1992. The current regulations require at least 12% of the healthy significant trees (eight inches [in.] for evergreens, 12 in. for deciduous) be saved in new multifamily, commercial, and industrial development and in new plats (both short and long plats). Areas where trees are allowed to be removed, as determined by the City Manager, included the house foot print, access road, required parking area, utilities, storm drainage facilities, septic system (where applicable), and all trees within 15 ft. of a building foundation. No tree retention was required for existing single-family lots.

In the current regulations, there are no specific requirements for tree covenants or mitigation for significant trees required to be saved that were removed; however under SMC 15.14.180, the City Manager or designee can, through administrative procedures, require mitigation based on site conditions. For the first few years after code adoption, there was little need to institute the administrative procedures, due to the overall conformance to the tree retention requirements by developers.

Approximately six years ago, with the upswing in the housing market, new developers started to plat and build in SeaTac. Some of the new developers, however, discovered loopholes in the current tree retention regulations, or just ignored the tree retention regulations altogether. Staff received many phone calls from property owners adjacent to new plats complaining about the number of significant trees being removed that were required to be saved. In some cases, the purchasers of new lots within newly recorded plats were unaware that a significant tree was required to be saved on the lot and removed the tree. As a result of these complaints, staff began to institute administrative procedures to address the following:

- Where significant trees were to be retained, how to notify prospective buyers of the lots that there were trees to retain. Requiring “tree covenants” on lots in new short plats alerted the prospective new property owners.
- Instituting “mitigation” requirements where significant trees were removed from the lot without City approval.

Realizing the need to close loopholes in the code and to codify the administrative procedures and with direction from the Land Use & Parks (LUP) Committee and Transportation & Public Works (T&PW) Committees and input from the PC, staff proceeded to develop the proposed code standards.

Proposed Tree Retention Regulations: Staff first discussed proposed code revisions with LUP in January and March of 2007. Afterwards, staff presented the first edition of proposed revisions to the tree retention regulations to the PC in June of 2007. Since that time, the PC has met 20 times (including three Public Hearing’s [PH’s]) regarding the proposed regulations, the LUP committee 12 times and T&PW once. There has also been one joint Council/PC discussion regarding proposed regulations. There has been considerable discussion regarding the extent and degree of tree retention within SeaTac. Initially, tree retention regulations put forward by staff and the PC contained many major differences. The Council instructed the staff and the PC to craft compromise tree retention regulations. Both the staff and PC have come a long ways towards a compromise recommendation; however, a compromise recommendation fully supported by both staff and the PC was not possible. The differences between the proposed regulations as recommended by the PC and staff include:

- The staff recommendation allows the removal of significant trees in the following areas without mitigation.
 - Trees within the building footprint and accessory structures
 - Within the private access easement
 - Within utility easements

The PC’s recommendation contains the following additional exception.

- Trees that are inconsistent with the overall plans for the development
- Both the staff and PC recommendation requires a “temporary” covenant on the lot. Under the staff proposal, the covenant expires when the house and lot is transferred to a new property owner. The PC recommendation allows the covenant to expire when the “final plat” is recorded.
- Both the staff and PC’s recommendation require mitigation for the removal of significant trees prior to the expiration of the covenant; however, the recommended size and number of the mitigation trees is different.

Staff – 3 trees per tree removed: Deciduous – 2 in., Evergreen – 8 ft.	PC - 1 tree per tree removed: Deciduous - 1 ½ in., Evergreen – 6 ft.
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UNFINISHED BUSINESS (Continued):
Agenda Bill #2893; Ordinance #09-1014 (Continued):

- In all zones, except single family residential, significant trees are required to be retained in both recommendations. Staff's proposal requires 12% of significant trees, or three trees, whichever amount is greater to be preserved. PC's recommendation is 12% or three trees, whichever is the lesser amount.
- The staff's proposal contains criteria regarding the removal of significant trees from single-family lots of 14,400 sq. ft. or greater. The PC's proposal does not contain this requirement.
- Staff's proposal requires a "no fee" permit to remove significant trees on single-family lots of 14,400 sq. ft. The PC's proposal does not contain this requirement.

The proposed Ordinance contains the staff's proposed tree retention regulations.

A third option was proposed by Daryl Tapio at the last PC and LUP meetings. His option would be to retain the existing tree retention regulations, but restrict staff from developing any administrative procedures (such as mitigation for significant trees removed). In the staff's opinion, this option would significantly weaken the current regulations and essentially leave the City without any effective tree retention regulations. This option is also counter to the Council's direction to the staff and PC to craft compromise regulations. Mr. Tapio has suggested that the City should implement a tree program to promote the planting of new trees Citywide. This is a good suggestion that could go hand in hand with regulations that encourage retention of mature significant trees to provide a varied tree canopy and wildlife habitat in the City.

There may be a \$6,000 potential annual cost for a City Consultant Arborist, if this budget proposal is adopted for Fiscal Year 2010.

MOVED BY WYTHE, SECONDED BY LADENBURG TO ADOPT ORDINANCE #09-1014.*

MOVED BY LADENBURG, SECONDED BY T. ANDERSON TO AMEND THE ORDINANCE BY AMENDING SECTIONS 1 AND 4 AND REPEALING SECTION 3.**

Council discussion ensued clarifying the amendment with each CM stating their support of the amendment as an acceptable alternative.

CM A. Anderson suggested the City still consider tree incentives.

**AMENDED MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENTS (related to Agenda Bill #2893): Earl Gipson stated this is the first time he heard the amendment. He requested the PC be given the opportunity to review it.

Gene Klier stated he supports the amendment as long as it doesn't restrict removal of trees, but instead requires the replacement of trees.

Daryl Tapio stated he hasn't seen the proposal and the PC has not had a chance to review it. He stated the residents are not being given enough time to review the new proposal.

Larry Tannenbaum stated that even with the amendment, there are still questions that need to be answered.

Steven Beck stated his opposition to the tree retention ordinance. The City should be implementing a tree enhancement program. He reviewed property he owns and how the number of trees has increased over the years.

*MOTION CARRIED UNANIMOUSLY, AS AMENDED.

DM Fisher left the Council Meeting at 7:36 p.m.

DISCUSSION ITEM:

• **Summary of \$5,000 - \$35,000 Purchase Requests for the period ended May 8, 2009 (5 minutes)**

City Manager Ward reviewed the following purchase requests:

<u>Item Description</u>	<u>Department</u>	<u>Original Budget</u>	<u>Amended Budget</u>	<u>Estimate</u>
Three Radios for Station 46 Emergency Coordination Center (ECC) and Department Operating Center (DOC). One 800 MHZ and two VHF radios.	Fire	\$5,500	\$5,500	\$5,329

DISCUSSION ITEM (Continued):

Summary of \$5,000 - \$35,000 Purchase Requests (Continued):

<u>Item Description</u>	<u>Department</u>	<u>Original Budget</u>	<u>Amended Budget</u>	<u>Estimate</u>
Property Appraisals	City Manager's Office	\$0	\$0	\$12,000
will absorb with savings in other line items				
Repair DVR System in City Hall	Facilities	\$0	\$0	\$5,625
will absorb with savings in other line items				

Council consensus: Referred to the 05/12/09 RCM Consent Agenda

AGENDA BILL PRESENTATIONS:

Agenda Bill #3080 – A Motion establishing an Ad-Hoc Farmers Market Committee and appointing its members

Summary: During the 2008 SeaTac Farmers Market season, the market continued to develop through its first season with initial direction from the Washington State Farmers Market Association and a supportive surrounding area market manager's network. There are numerous influences on the viability of a farmers market that include vendor availability, market location, surrounding area customer base, marketing, and community involvement. Farmers markets thrive with a good committed volunteer base formed by community members that have a vested interest in the market venue in their area.

Development of a temporary Ad-Hoc Farmers Market Committee is designed to gather direct community involvement with residents from different market interests coming together to give recommendations for the Market Director to consider implementing enhancements to the SeaTac Farmers Market viability to the south sound community and Washington State vendors.

The following residents have volunteered and are recommended to serve on the committee: Kathie Timmerman, Nancy Jerominski, and Linda Wright.

There are no direct expenses anticipated related to establishing the temporary committee. Existing staff resources will be necessary to coordinate the committee's progress.

PW Director Gut reviewed the agenda bill summary.

Council consensus: Referred to the 05/12/09 RCM Consent Agenda

Agenda Bill #3082 – A Motion approving the low bidder for rollup doors for Fire Station 46

Summary: This Motion allows the City Manager to execute a contract for the rollup bay doors for Fire Station 46.

Advertisements for rollup door bids were placed in the Seattle Times the weeks of April 27 and May 4. The results are as follows:

A Better Door LLC	\$104,000.00
Specialty Door Service	\$102,498.00
Engineered Products	\$ 71,962.50
Crawford Roll-Lite Door of Oregon	\$ 59,975.00

Crawford Roll-Lite Door of Oregon was ruled non-responsive for not bidding the specified product and not including the controls.

Lowest responsive bid total cost w/tax (9.5%) & contingency (10%) is \$86,678.83.

It is recommended that the City Council accept the lowest responsive bid for the rollup doors. It is also recommended that the City Manager be authorized to execute a contract for this work for the total cost indicated above, including the sales tax and contingency.

The 2009 Budget has \$2,500,000 for completion of Fire Station 46.

Facilities Director Patterson reviewed the agenda bill summary.

Council consensus: Referred to the 05/12/09 RCM Consent Agenda

CONSENT AGENDA:

- **Approval of claims vouchers** (check nos. 84731 – 84906) in the amount of \$659,265.05 for the period ended May 5, 2009.
- **Approval of payroll vouchers** (check nos. 47659 – 47696) in the amount of \$401,560.83 for the period ended April 30, 2009.
- **Approval of payroll electronic fund transfers** (check nos. 59415 – 59597) in the amount of \$362,901.66 or the period ended April 30, 2009.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$66,934.77 for the period ended April 30, 2009.
- **Summary of \$5,000 - \$35,000 Purchase Requests** for the period ended May 8, 2009.

Approval of Council Meeting Minutes:

- **Transportation and Public Works Committee** meeting held April 28, 2009.
- **Special Council Meeting** held April 28, 2009.
- **Regular Council Meeting** held April 28, 2009.

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

Agenda Bill #3080; Motion establishing an Ad-Hoc Farmers Market Committee and appointing its members

Agenda Bill #3082; Motion approving the low bidder for rollup doors for Fire Station 46

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

PUBLIC COMMENTS (related to the Consent Agenda): There were no public comments

*MOTION CARRIED UNANIMOUSLY.

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

UNFINISHED BUSINESS: There was no Unfinished Business.

NEW BUSINESS: There was no New Business.

CITY MANAGER'S COMMENTS: City Manager Ward commented on the following: (1) May 20 – 5:30 p.m. Zoning Code Update Public Meeting; (2) May 25 – Memorial Day Holiday, City facilities closed; (3) May 27 – 6:30 p.m. King County (KC) Emergency Preparedness Seminar for elected officials at the KC Regional Emergency Coordination Center in Renton; (4) May 27 - Laws and Paws graduation; and (5) May and June - Statewide Amnesty Program to forgive some debts for driving offense fines.

COUNCIL COMMENTS: CM A. Anderson: (1) SeaTac needs to do what it can to increase the City's tree canopy; (2) June 11 - DAWN Breakfast; and (3) the Seattle Police Department stated their appreciation for SeaTac's Fire Department response to an aid call.

CM Ladenburg thanked Mayor Shape for inviting Metro to present proposed changes at the Special Council Meeting (SCM).

Mayor Shape commented on the following: (1) May 27 – Laws and Paws graduation is an impressive program to see at risk kids and potentially euthanized dogs coming together. He encouraged a CM to attend; (2) June 5 and 6 – Council Retreat. He requested Council provide suggested topics to the Mayor or City Manager by the May 26 Regular Council Meeting (RCM); and (3) May 13 – 11 a.m. – 1 p.m. joint meeting of the three subarea transportation committees. He encouraged a CM to attend.

EXECUTIVE SESSION: There was no Executive Session.

ADJOURNMENT:

MOVED BY T. ANDERSON, SECONDED BY LADENBURG TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 7:55 P.M.

MOTION CARRIED UNANIMOUSLY.

City of SeaTac

Special Council Meeting Minutes

May 12, 2009
5:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Special Meeting was called to order by Mayor Shape at 5:10 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Councilmember (CMs) Chris Wythe, Terry Anderson, Anthony (Tony) Anderson, and Barry Ladenburg. Excused Absence: Deputy Mayor (DM) Gene Fisher and CM Mia Gregerson.

ADMINISTRATIVE STAFF: City Manager Craig Ward, City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, Assistant City Manager (ACM) Todd Cutts, and Senior Assistant City Attorney Mark Johnsen.

PRESENTATION:

•Proposed Changes to South King County (SKC) Transit Services

Metro Lead Service Transit Planner and Link Transit Connections Project Manager Jack Lattemann introduced Sound Transit Service Planning and Development Program Manager Mike Bergman. Mr. Latteman discussed proposed changes that will affect SeaTac, including replacing and enhancing the I-5 South service, connecting neighborhoods to Link stations, and maintaining and enhancing the east/west service. He also discussed the outreach process and results.

He detailed the Sound Transit Regional Express Service Proposals for February 2010, I-5 South changes, and KC Metro Service Proposals which focus on link stations.

The KC Metro September 2009 proposals include a proposed split of Route 174: (1) new route 124, downtown Seattle to the Tukwila International Boulevard (IB) Station, and (2) revising Route 174 and consolidating it with Route 191, Tukwila IB Station to Federal Way.

Other proposals include a new Route 129 replacing Route 170 in SeaTac, revising peak Routes 154 and 179, and discontinuing Routes 170 and 191.

Proposed bus connections to Link SeaTac / Airport Station include revising routes 128, 140 and 180; adding Route 156 in McMicken Heights, and Link and ST Express service replacing Metro Route 194.

Mr. Lattemann detailed the proposed transportation for the SeaTac/Airport Station: four Routes serving this station (156, 174, 180, and 574) with neighborhood connections to Des Moines, Federal Way, Kent, McMicken Heights, SeaTac, and Star Lake, and replacing Route 194 south of Sea-Tac Airport on Sound Transit Routes 574, 577, and 578.

The next steps are: May 7 – Sound Transit Board Finance Committee discussion & action; May 12 – KC Council Physical Environment Committee; May 28 – action by full Sound Transit Board; mid/late May – KC Council discussion and action.

Mr. Bergman stated that there has been a tremendous amount of coordination between KC Metro and Sound Transit regarding these proposed changes.

Discussion ensued regarding the proposed changes and concerns that the CMs have heard from SeaTac residents.

Mr. Latteman stated that route cancellations are not being considered this year. The stimulus funding that Metro is in the process of receiving has allowed Metro to delay having to consider service reductions this year. Discussions will occur during the summer into the fall regarding priorities and policies as the KC Council considers the 2010 Transit Budget.

ADJOURNMENT:

MAYOR SHAPE ADJOURNED THE SPECIAL MEETING OF THE SEATAC CITY COUNCIL AT 6:05 P.M.

MOTION CARRIED UNANIMOUSLY.

Ralph Shape, Mayor

Kristina Gregg, City Clerk

City of SeaTac

Regular Council Meeting Minutes

May 26, 2009
6:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Shape at 6:09 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Deputy Mayor (DM) Gene Fisher, Councilmembers (CMs) Chris Wythe, Terry Anderson, Anthony (Tony) Anderson, Barry Ladenburg and Mia Gregerson.

FLAG SALUTE: CM Gregerson led the Council, audience and staff in the Pledge of Allegiance.

ADMINISTRATIVE STAFF: City Manager Craig Ward, City Attorney Mary Mirante Bartolo, Deputy City Clerk Marcia Rugg, Assistant City Manager (ACM) Todd Cutts, Economic Development (ED) Manager Jeff Robinson, Senior Assistant City Attorney Mark Johnsen, Human Resources (HR) Director Steve Mahaffey, Public Works (PW) Director Tom Gut, Planning Director Steve Butler, Fire Chief Bob Meyer, Chief of Police Services Jim Graddon and PW Facilities Supervisor Sean Clark.

PUBLIC COMMENTS: Rick Forschler spoke in behalf of a group of residents and read to the Council a statement from the Revised Code of Washington (RCW) 42.30.010 as follows: "The people of this state do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created." The citizens will duplicate the banner to a plaque with any specifications that Council requests. Upon completion, the citizens request that it be placed in the Council Chambers behind the public podium. Mr. Forschler stated the citizen's sovereign right to be informed has been violated by the Council's recent act of drafting and approving a tree retention code amendment without public examination. The City Council was not aware of what it contained before it was voted into law. CM T. Anderson requested at the last City Council meeting that it go back to the Planning Commission (PC) for review. DM Fisher was misinformed that everything he wanted was included in the amendment. Mr. Forschler stated several other examples of a repeating pattern of Council either resisting citizen input or disdain of their rights.

Roger Kadege spoke about the Storm Water Compliance Manager position. He described his qualifications and background as a water quality manager. This position is now slated at the senior director level of \$114,000 a year which is too high for this type of work. This position is entirely a waste of money and unnecessary. Monitoring the water bodies is simple and even he could train someone with his training and background. He requested that Council reconsider this position.

PRESENTATION:

•Certificates of Appreciation for Global Connection High School Earth Heroes

Mayor Shape presented the certificates to the Earth Heroes students from the Global Connection High School to Ravyn Guy, Sara Flores, Dayna Decker, Crystal Rivera, Kidst Tasisa, Annie Araya, and Joy Hungi.

Mayor Shape read the certificates as CMs Gregerson and A. Anderson presented them. Global Connections Principal Rick Harwood spoke about the Earth Heroes school program. The program was given to their school by King County (KC) for students to develop marketing programs. It has established itself to teach students sustainable and fair business practices and work experiences. The school's students run an espresso store "The Hot Spot" and apply those practices to this as well as with other projects.

DISCUSSION ITEM:

•Summary of \$5,000 - \$35,000 Purchase Requests for the period ended May 22, 2009

City Manager Ward reviewed the following purchase requests:

<u>Item Description</u>	<u>Department</u>	<u>Original Budget</u>	<u>Amended Budget</u>	<u>Estimate</u>
Tennis and basketball courts resurfacing at McMicken, North SeaTac, and Valley Ridge Parks	Parks & Recreation (P&R)	\$13,462	\$13,462	\$13,885
ORCA Business Passport - Commute Trip Reduction (CTR) Benefit	PW	\$6,600	\$6,600	\$6,558

Council consensus: Referred to the 05/26/09 RCM Consent Agenda

AGENDA BILL PRESENTATIONS:

Agenda Bill #3093 – An Ordinance amending Ordinance #09-1014 and Section 15.14.160 of the SeaTac Municipal Code (SMC) related to Tree Retention

Summary: This proposed Ordinance amends Ordinance #09-1014 to remove a reference to a tree covenant in a single family residential zone to properly reflect the City Council's intent.

Prior to adoption of Ordinance #09-1014, it was amended to remove references to tree covenants in single family residential zones. There was one particular subsection in which a reference to a tree covenant was not removed as intended. This Ordinance amends Ordinance #09-1014 to properly reflect the City Council's intent by removing SMC 15.14.160(C).

Planning Director Butler reviewed the above summary.

CM Ladenburg stated he overlooked the section regarding single family homes.

Council consensus: Referred to the 05/26/09 RCM Consent Agenda

Agenda Bill #3092 – An Ordinance amending the City's Classification and Compensation Plan by adding the position of Stormwater Compliance Manager

Summary: As part of the 2009 Budget process, the City Council approved a decision card presented by PW to fund the position of Stormwater Compliance Manager. This position would be funded out of the Surface Water Management (SWM) Utility Fund (Fund 403), so that the City can meet the requirements of the National Pollutant Discharge Elimination System (NPDES) Phase II Municipal Stormwater Permit. This non-represented position will be part of the PW Department, and the salary range would be 62A.

Compliance with the NPDES Permit is required by the State. Non-compliance will subject the City to third-party lawsuits. This new position will be responsible for developing, implementing and coordinating the City's stormwater management program.

HR Director Mahaffey and PW Director Gut reviewed the above summary.

DM Fisher stated he was not able to vote on this decision card. He stated this position is another way the City is going to create bigger government and wasteful spending. He questioned whether this position could be shared with another city or if it would qualify as a temporary position and then be re-assessed after a year. This position could develop into a new department with added staff being hired. He will be voting against it and would have declined this during the decision card process.

Mr. Mahaffey stated the intention is to fill the manager's position and access some of the needs and then evaluate alternatives of how to save some money. That is partly the reason to delay the technician position.

Mayor Shape stated this was discussed at the Transportation and Public Works (T&PW) Committee meeting.

CM Gregerson stated this had been discussed thoroughly during the 2009 budget process.

PW Director Gut detailed the background of this position. A consultant was hired last year to evaluate the City's existing operations and discover if the City was compliant. The results of the study stated a manager and technician are needed to be compliant in a phased approach.

Council discussion ensued regarding salary, job sharing with other cities and comparable positions.

Mr. Gut stated that the City intends to share a position when possible with other cities, but the main problems are the organizational differences and most cities don't share common streams or creeks. Part of this position's duties is to seek out opportunities to partner with neighboring jurisdictions.

CM Wythe stated that many studies showed that many of the streams and creeks are polluted and it becomes the City's responsibility. A program design must be implemented with someone who is knowledgeable on the subject.

Mr. Gut stated the deadlines are coming up quickly before the modifications and compliances are needed. He explained that there are many qualified people who could meet these specific job qualifications.

DM Fisher requested this position be temporary, such as a consultant, and later reduce the hours.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3092 (Continued):

Mr. Gut stated the permit aspect affects the City's maintenance, engineering, building divisions, P&R Department and the Fire Department.

Council consensus: Referred to the 05/26/09 Unfinished Business

Agenda Bill #3074 – A Motion authorizing the purchase of vehicles and equipment for 2009

Summary: This Motion authorizes the purchase of the following: 2 - 3/4 ton trucks, 1- utility trailer, 1- utility cart, 1- batwing mower, and 1- skid sprayer. This equipment is included in the City's 2009 Annual Budget.

The 2009 Annual Budget includes a \$236,500 appropriation in the Equipment Rental Fund for 2009 scheduled vehicle and equipment replacements. This fund has accumulated sufficient funds from the user departments over the useful life of the equipment as listed to finance their replacement. The trucks will be covered by a 3-year / 36,000 mile, whichever comes first, warranty. It was earlier decided that three vehicles would not be replaced this year. Also, the purchase prices are less than 2009 Budget amounts resulting in the 2009 expenditure to be \$109,300 less than budgeted. To reduce the City fleet where possible, a flat bed truck has been identified as underutilized and will be surplus and not be replaced. The money from the sale of this vehicle will be put back into the Equipment Rental Fund. These vehicles and equipment will be purchased from the State contract, competitive bidding, or a "piggy-back" bid and will be received in 2009.

<u>Department</u>	<u>Description</u>	<u>Cost</u>
PW	Ford Pickup	\$27,500
PW	Ford Pickup	\$27,500
Parks	Utility Trailer	\$3,700
Parks	Utility Cart	\$9,500
Parks	Batwing Mower	\$55,000
PW	Nifty Skid Sprayer	<u>\$4,000</u>
	Total	127,200

PW Director Gut reviewed the above summary and stated a savings of \$109,000.

CM Gregerson stated the T&PW Committee recommended this item for approval.

Council consensus: Referred to the 05/26/09 RCM Consent Agenda

Agenda Bill #3086 – A Motion approving an Interlocal Cooperation Agreement (ICA) with King County (KC) Flood Zone District for an Opportunity Fund grant

Summary: An ICA with the KC Flood Control District would disburse grant funds from the District's Sub-Regional Opportunity Fund to the City of SeaTac.

The Sub-Regional Opportunity Fund was established by the KC Flood Control Zone District Board of Supervisors to provide jurisdictions within KC financial resources to support local flood control, stormwater control, or cooperative watershed management projects or programs. Ten percent of the district's annual levy revenues are allocated to this fund, and funds are distributed based on municipalities' proportional share of KC total assessed valuation.

This ICA authorizes the disbursement of 2008 and 2009 opportunity funds to the City. The City's combined 2008 and 2009 opportunity fund allocation is \$89,120. Upon execution of the ICA, the district will distribute ten percent of the allocated funds with the remainder of funds distributed on a reimbursement basis. The City applied for these funds for use on construction of the Sunrise View Bypass Pipeline project, which is currently being advertised for bids.

PW Director Gut reviewed the above summary.

CM Gregerson stated the T&PW Committee recommended this item for approval.

Council consensus: Referred to the 05/26/09 RCM Consent Agenda

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3087 – A Motion approving an Interlocal Agreement (ILA) with Highline Water District #75 for construction of waterline replacement as part of the Sunrise View Bypass Pipeline Project (SD-062)

Summary: Highline Water District #75 desires to abandon an existing 6-inch waterline and upgrade to an 8-inch ductile iron waterline on 53rd Avenue South from South 170th Street to South 172nd Lane. The district is responsible for all costs associated with its waterline improvement. Highline will reimburse the City for 100% of the actual water line costs incurred. Combining the two work efforts reduces the overall construction cost by sharing items such as traffic control, erosion control, and construction surveying. It will also minimize disruption to the neighborhood and traveling public.

PW Director Gut reviewed the above summary.

CM Gregerson stated the T&PW Committee recommended this item for approval.

Council consensus: Referred to the 05/26/09 RCM Consent Agenda

Agenda Bill #3089 – A Motion authorizing the City Manager to enter into a contract for construction of the South 192nd Street & 37th Avenue South Sidewalk Improvements Project

Summary: The South 192nd Street & 37th Avenue South sidewalk improvements project was advertised for bids on April 30 and May 7, 2009. The bid opening was held on May 15, 2009, and seven bids were received. The engineer's estimate was \$1,360,000. Archer Construction, Inc. submitted the low bid at \$867,129.10. The South 192nd Street & 37th Avenue South project consists of erosion control, clearing and grubbing, excavation and grading, and installation of approximately 3,500 lineal feet of new curb, gutter, and pervious concrete sidewalk and 1,100 lineal feet of 5-foot wide asphalt walkway. The project also includes storm drain conveyance and water quality improvements, Americans with Disabilities Act (ADA) curb ramps, retaining walls, fencing, and property restoration. Following the construction of the sidewalk improvements, the roadway within the project limits will receive a full-width asphalt overlay. The overlay is funded as the 2009 Annual Street Overlay. The project limits extend on South 192nd Street from 33rd Avenue South to 37th Avenue South and on 37th Avenue South from South 188th Street to South 192nd Street. References for Archer Construction are positive and this firm also successfully completed the City's Westside Trail Project earlier this year.

The total construction cost, including construction contract, contingency, material testing and inspection overtime, is \$963,842.01. The project will be funded primarily with City funds (parking tax), and partially by YMCA fee in lieu of frontage improvements at their new building site. The construction cost and revenue breakdown is as follows:

Expenditure Estimate:

Construction Contract	\$ 867,129.10
Contingency (10%)	\$ 86,712.91
Materials Testing (est.)	\$ 5,000.00
Inspection Overtime (est.)	<u>\$ 5,000.00</u>
Total	\$ 963,842.01

Revenue Estimate:

YMCA Frontage Improvements	\$ 118,034.61
2009 Annual Overlay Funds	\$ 300,000.00
City Fund 307 (Parking Tax)	<u>\$ 545,807.40</u>
Total	\$ 963,842.01

PW Director Gut reviewed the above summary.

CM Gregerson stated the T&PW Committee recommended this item for approval.

Upon questions by Council, Mr. Gut described the new concrete product, its contents, long term cost savings and use, water retainage characteristics and infiltration qualities.

Upon a question by Mayor Shape, Mr. Gut stated the warranty is one year and the concrete was applied at Fire Station 45 and is saving the City over 33 percent below the engineers estimate.

Council consensus: Referred to the 05/26/09 RCM Consent Agenda

CONSENT AGENDA:

- **Approval of claims vouchers** (check nos. 84907 – 85058) in the amount of \$316,725.19 for the period ended May 20, 2009.
- **Approval of payroll vouchers** (check nos. 47697 – 47731) in the amount of \$186,193.09 for the period ended May 15, 2009.
- **Approval of payroll electronic fund transfers** (check nos. 59598 – 59781) in the amount of \$341,737.95 for the period ended May 15, 2009.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$61,387.10 for the period ended May 15, 2009.
- **Summary of \$5,000 - \$35,000 Purchase Requests** for the period ended May 22, 2009.

Approval of Council Meeting Minutes:

- **Regular Council Meeting** held May 12, 2009.

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

Agenda Bill #3093; Ordinance #09-1016 amending Ordinance #09-1014 and Section 15.14.160 of the SMC related to Tree Retention

Agenda Bill #3074; Motion authorizing the purchase of vehicles and equipment for 2009

Agenda Bill #3086; Motion approving an ICA with KC Flood Zone District for an Opportunity Fund grant

Agenda Bill #3087; Motion approving an ILA with Highline Water District #75 for construction of waterline replacement as part of the Sunrise View Bypass Pipeline Project (SD-062)

Agenda Bill #3089; Motion authorizing the City Manager to enter into a contract for construction of the South 192nd Street & 37th Avenue South Sidewalk Improvements Project

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

PUBLIC COMMENTS (related to the Consent Agenda): There were no public comments.

*MOTION CARRIED UNANIMOUSLY.

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

UNFINISHED BUSINESS:

Agenda Bill #3092; Ordinance #09-1015 amending the City's Classification and Compensation Plan by adding the position of Stormwater Compliance Manager

MOVED BY A. ANDERSON, SECONDED BY GREGERSON TO ADOPT ORDINANCE #09-1015.*

Upon a question by CM Wythe, HR Director Mahaffey stated the City of Burien is staffing this position as a Civil Engineer II and the salary is slightly lower than our position. Other cities fill it at a much higher level including cities of Federal Way, Issaquah and Kent. The City of Tukwila has not yet defined a position.

PW Director Gut stated the position has five basic components and must meet the compliance areas: (1) education and outreach - meaning the City must have an identifiable developed program to provide education to change behaviors about stormwater; (2) develop a plan to elicit discharge and elimination mapped which includes any KC systems the City inherited and everything that has been built since or redeveloped; (3) permits and regulatory issues that meet the minimum requirements of the Department of Ecology (DOE); (4) operations and maintenance techniques need to be developed to control stormwater; and (5) develop techniques to test erosion control to eliminate tracking on construction sites, and addressing pollutants that go into the catch basin systems before they go into the streams. Currently, the PW Department does not have the resources or training to fulfill this position in house.

Council discussion ensued regarding the Stormwater Compliance Manager's position.

*UPON A ROLL CALL VOTE, MOTION PASSED WITH SHAPE, WYTHE, LADENBURG, AND GREGERSON VOTING YES AND FISHER, T. ANDERSON AND A. ANDERSON VOTING NO.

NEW BUSINESS: There was no New Business.

CITY MANAGER'S COMMENTS: City Manager Ward commented on the following: (1) Stormwater Compliance Manager - will speak to other surrounding cities and the Port of Seattle (POS) before completing the hiring process to seek other opportunities for potential job sharing as a cost savings measure.; (2) May 27 the following events: 3 p.m. - Laws and Paws Pet Therapy graduation ceremony at Chinook Middle School, and 6:30 p.m. - 47th Avenue South Sidewalk project Open House at Bow Lake Elementary School's Community Center 6:30 p.m. - KC Regional Emergency Coordination Center on emergency preparedness for elected officials at the Renton KC Regional Coordination Center; (3) June 5 - 1 p.m. Council Retreat and June 6 - 9 a.m. at Cedarbrook; and (4) June 9 - 9 a.m. South County Area Transportation Board (SCATBd) will hold a special public meeting regarding Metro Transit Service Changes at City Hall.

COUNCIL COMMENTS: CM T. Anderson stated a SeaTac veteran citizen needs dialysis treatments but cannot utilize a local facility due to certain rules. It is her crusade to contact State representatives to seek treatments locally for this individual.

DM Fisher stated he will obtain a form needed for this SeaTac citizen to transfer his medical treatments.

CM A. Anderson commented on the following: (1) May 29 - Gold Star Awards Benefit luncheon to raise money for the Highline School District (HSD) at the Doubletree Hotel with television host John Keister; (2) attended the Global Connections School senior projects; and (3) June 11 - DAWN breakfast to raise money for the organization.

CM Ladenburg invited everyone to attend a Bow Lake fundraiser science fair to replace expensive projector bulbs on May 29 at 6 p.m.

CM Gregerson thanked everyone for their concern regarding her daughter's surgery; and she stated she attended a City Summit at HSD in support of the schools and learned that 3 out of 4 students receive either free or reduced lunches.

Mayor Shape commented on the following: (1) May 29 - 6:30 p.m. a science fair at Bow Lake Elementary. All Council is invited and they are requesting dimes; and (2) May 25 - Memorial Day service at Washington Memorial cemetery and thanked DM Fisher for participating.

CM T. Anderson stated that June 13 at 9:30 a.m., KC CM Pete von Reichbauer invited the Council to the South KC annual Flag Day celebration at the KC Aquatic Center. Colonel George Abbott of the Washington State Army Reserve will be the keynote speaker.

EXECUTIVE SESSION: There was no Executive Session.

ADJOURNMENT:

MOVED BY A. ANDERSON, SECONDED BY GREGERSON TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 7:37 P.M.

MOTION CARRIED UNANIMOUSLY.

Ralph Shape, Mayor

Marcia Rugg, Deputy City Clerk

City of SeaTac

Regular Council Meeting Minutes

June 9, 2009
6:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Shape at 6:07 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Deputy Mayor (DM) Gene Fisher, Councilmembers (CMs) Chris Wythe, Terry Anderson, Anthony (Tony) Anderson, Barry Ladenburg, and Mia Gregerson.

ADMINISTRATIVE STAFF: City Manager Craig Ward, City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, Assistant City Manager (ACM) Todd Cutts, Senior Assistant City Attorney Mark Johnsen, Assistant City Attorney Julia Yoon, Public Works (PW) Director Tom Gut, Building Official Gary Schenk, Planning Director Steve Butler, Senior Planner Mike Scarey, Facilities Director Pat Patterson, Parks & Recreation (P&R) Director Kit Ledbetter, Human Services (HS) Coordinator Colleen Brandt-Schluter, Fire Chief Bob Meyer and Chief of Police Services Jim Graddon.

FLAG SALUTE: Resident John Thompson led the Council, audience and staff in the Pledge of Allegiance.

PUBLIC COMMENTS: Michael Kovacs reiterated his comments from the May 26, 2009 Regular Council Meeting (RCM) regarding the request for the Council to accept the donation of a plaque stating a section of the Revised Code of Washington (RCW) and requesting a staff coordinator to work with regarding this issue.

Earl Gipson requested that people whose properties zoning classification will be changed as part of the upcoming major zoning changes be informed prior to implementing the new classifications.

Rick Forschler, speaking for the Planning Commission (PC) regarding Agenda Bill #3083, stated that the PC unanimously agreed that if this Ordinance is approved that an ombudsman will be needed. The budget request for an ombudsman was originally denied, however there are other alternatives such as a volunteer citizen committee or the PC could act as an interim ombudsman. He encouraged the Council to consider these options.

Michael Kovacs regarding the Des Moines Creek commented on the following: (1) May 30 while walking the trail, he noticed white foam in the creek possibly due to the fire fighting efforts that day; and (2) signs were left along Des Moines Creek stating that the blackberries were being treated. It appears that some trees and shrubs may have been damaged in the process. He requested additional information regarding these two issues.

PRESENTATIONS:

•Best Sport Complex Award from Washington Recreation and Parks Association

Mayor Shape presented the award to P&R Director Ledbetter for the Valley Ridge Sports Park.

•Multi-Service Center

Housing Program Director Manuela Ginnett stated that their mission is to help people become independent and discover the power of their choices. Services they provide are: energy, rent, and emergency assistance, employment and education programs, clothing bank, housing, and family shelter.

Upon a question posed by CM T. Anderson, Ms. Ginnett stated that those in need seem to need a little of everything. Multi-Service Center tries to help people learn where they can cut and how to budget. Food and employment are ongoing needs.

•City Tree Enhancement

SeaTac Resident Pam Fernald detailed the requirements, benefits and costs related to becoming a Tree City USA. It is sponsored by the Arbor Day Foundation in cooperation with the USDA Forest Service and National Association of State Foresters. It provides a framework for the City to create tree enhancement. There are four requirements: (1) tree board or forestry department; (2) tree care Ordinance; (3) community forestry program with an annual budget of \$2 per capita (SeaTac = \$50,000 per year); and (4) Arbor Day observance and proclamation.

Staff will move forward with the process for implementing this program.

•Potential Growth Targets for SeaTac and Other King County (KC) Cities

Senior Planner Scarey explained planning for growth under the Growth Management Act (GMA). Local Comprehensive Plans (CP) must be updated every seven years with the next required update in 2011. The update will include the new 20-year growth projections (2011-2031).

PRESENTATIONS (Continued):

Potential Growth Targets for SeaTac and Other KC Cities (Continued): KC is working with cities to allocate the County's 20-year growth project. SeaTac went through this process in 2003. Mr. Scarey reviewed the Office of Financial Management (OFM) population trends/forecasts for KC. SeaTac's current targets are: households – 4,478, and jobs – 9,288. The new targets are: households – 5,500 – 6,100, and jobs - 12,220 – 19,958. The new targets have SeaTac absorbing up to 6,000 households during the next 22 years.

Planning Director Butler stated that SeaTac will be able to accommodate the new growth targets without affecting single-family neighborhoods. The new numbers roughly reflect the City's current plans. There may be potential to add additional growth capacity for the South 200th Street Station Area.

The next steps are: July 2009 - KC Growth Management Planning Council (GMPC) considers draft targets; September 2009 - GMPC adopts housing/job targets; and 2010– 2011 - KC cities incorporate the new target numbers into their major CP update efforts.

Council discussion ensued as to how these numbers may affect the City. Mr. Butler stated that SeaTac just needs to show the ability to accommodate the growth and have the plans embrace it.

DM Fisher stated that the City already does a great deal to encourage businesses development. However, SeaTac needs to improve the residential neighborhoods so those that work in the City also want to live here.

Upon a question posed by CM Ladenburg, Mr. Butler stated that the actual growth will most likely be less than the growth targets.

DISCUSSION ITEM:

•Summary of \$5,000 - \$35,000 Purchase Requests for the period ended June 9, 2009

City Manager Ward reviewed the purchase request:

Item	Department	Original Budget	Amended Budget	Estimate
Fire Department Rescue Boat	Fire	\$0	\$25,000	\$25,000

****future budget amendment will be necessary****

Council consensus: Referred to the 06/09/09 RCM Consent Agenda

AGENDA BILL PRESENTATIONS:

Agenda Bill #3094 – A Motion authorizing the City Manager to execute a Memorandum of Understanding (MOU) with the South Correctional Entity (SCORE)

Summary: The proposed MOU is being requested by SCORE. SCORE is currently in the development review process in the City of Des Moines for construction of a new misdemeanor jail facility. As part of the jail facility's plan, access to the site will occur along the current 18th Avenue South from South 200th to 208th Streets. This access is along a road that the City intends to vacate to the Port of Seattle (POS) pursuant to the 2005 Interlocal Agreement (ILA). Once vacated, it is intended that access to the SCORE jail site would be permitted by the POS. However, in order to grant access to SCORE's jail facility, the Port needs to possess the property that will be used for the access. Additionally, SCORE would like to start construction by August 1, 2009. However, it will not be possible for the property transfers to the POS to be completed prior to that date. Therefore, SCORE has requested to execute an MOU with the City, to address the City's plans to transfer 18th Avenue South to the POS. It is anticipated that the execution of the MOU will allow the City of Des Moines to issue the grading permits, so that construction can start by August 1, 2009. Without an MOU, the SCORE project will be significantly delayed.

18th Avenue South has not been open to road traffic since prior to the City's incorporation. Currently, the south portion of 18th Avenue South from approximately South 203rd to 208th Streets is designated as right-of-way (ROW) by the City. The north portion of 18th Avenue South from approximately South 203rd to 200th Streets is designated as the old SR 509 ROW by the Washington State Department of Transportation (WSDOT).

The 2005 ILA states that 18th Avenue South will be vacated to the POS. The Port compensated the City for the vacation at that time, but a vacation Ordinance has not yet been processed. A title search conducted by SCORE revealed that a portion of the road is owned by the City in fee, and thus vacation is not the appropriate method of transferring that portion of the road. In order to transfer 18th Avenue South to the Port, the City will need to vacate the road to itself, and then surplus the property to the Port. The proposed MOU sets forth the steps that the City agrees to take with regard to transferring 18th Avenue South to the Port.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3094 (Continued): South Portion of 18th Avenue South: The proposed MOU states that the City will take the necessary steps to allow the City Council to consider and vote upon a street vacation Ordinance. If adopted, the south portion of 18th Avenue South will no longer be considered ROW. Then, the City Council will consider an Ordinance to surplus the property that was vacated to the POS.

North Portion of 18th Avenue South: As stated earlier, the north portion of 18th Avenue South from approximately South 203rd to 200th Streets has been designated as old SR 509 ROW by WSDOT. The alignment of SR 509 has changed since this designation, and thus WSDOT no longer needs to keep this designation. Therefore, it is anticipated that SCORE or the POS will seek to have the north portion of 18th Avenue South vacated. In order for WSDOT to accommodate this request, the City will need to relinquish its right of first refusal to acquire the property from WSDOT. Therefore, the MOU states that the City Council will consider relinquishing its right of first refusal if the southern portion of 18th Avenue is surplus, or at some earlier time if deemed appropriate by the City. Once the City relinquishes its right of first refusal, SCORE or the Port can discuss with WSDOT the transfer of the northern portion of 18th Avenue South.

Other MOU Provisions: In addition, the MOU does not guarantee any particular outcome by the City Council. The three potential Council actions listed in the MOU are legislative and within the sole discretion of the City Council. However, SCORE will be relying on the MOU to obtain permits and commence construction. Furthermore, the MOU explicitly does not alleviate the need for SCORE to obtain any permits from the City related to the project, including any ROW permits or pay traffic mitigation fees. The MOU also states that the City can condition ROW permits, including the requirement of fencing along the access road. Finally, the MOU states that SCORE will agree to indemnify and hold the City harmless for use of the road. An indemnity agreement will be drafted by the City and SCORE prior to the start of construction. It is anticipated that such an indemnity agreement will be completed administratively and will not require Council action.

CM A. Anderson recused himself from this issue.

Senior Assistant City Attorney Johnsen reviewed the agenda bill summary.

DM Fisher stated that the Administration & Finance (A&F) Committee recommended this item for approval.

Upon a question posed by Mayor Shape, Mr. Johnsen explained the next steps: (1) City Council to set a public hearing (PH) date in July for the street vacation; (2) surplus the property in early September; and (3) POS needs to accept the property.

Mayor Shape questioned whether this process was already done in 1995. Mr. Johnsen stated it was not necessarily done properly. In order to make sure there aren't any legal issues, it needs to be redone.

CM Wythe encouraged residents living near this area that are concerned about a jail in their neighborhood to attend the Council meetings so they can voice their concerns to Council. Information can also be found at www.scorejail.com.

Council consensus: Referred to the 06/09/09 RCM Unfinished Business

Agenda Bill #3079 – A Motion authorizing the purchase of furnishings for Fire Station 46

Summary: The Facilities Director has researched the possibilities for new and used furnishings for Fire Station 46. It is proposed that the City purchase used furniture when available due to the substantial cost savings. Three separate vendors will be used for the furniture purchase as follows:

JSI	\$12,445.00
Bank & Office	\$32,991.00
RT London	\$14,419.75
Total	\$59,855.75
10% Contingency	\$ 5,985.58
9.5% Sales Tax	\$ 6,254.93
Total Approved Amount	\$72,096.26

The Fire Station budget has \$80,000 allocated for furnishings. It is anticipated that acquisition of used furnishings will result in a significant savings to the City.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3079 (Continued): Facilities Director Patterson reviewed the agenda bill summary.

DM Fisher stated that the A&F Committee recommended this item for approval.

CM A. Anderson stated that well over half of the items are used, which is a considerable savings to the City.

Council consensus: Referred to the 06/09/09 RCM Consent Agenda

Agenda Bill #3091 – A Motion authorizing the City Manager to execute a contract with Heartland LLC to complete a Performing Arts Center (PAC) Feasibility Study

Summary: This project idea was developed over the past year from tours of the possible Entertainment District. This study will be funded and supported by KC 4Culture.

The team of ACM Todd Cutts, Assistant P&R Director Lawrence Ellis, P&R Director Kit Ledbetter and Debra Twersky, from 4Culture interviewed four consultant firms for the PAC study. The study will identify and assess the best size, the best location, construction cost estimates, operation and revenue cost estimates and confirm whether it would be a good idea to build a PAC in SeaTac. This process will include research meetings with local community's arts groups and municipalities. If the study determines that building a PAC is feasible, it is the City's intent to build a high quality facility that will be as close to self sustaining as possible. The City is interested in further examining options for providing arts spaces in the proposed SeaTac Entertainment District development, and determining what types of possible mixed uses can make the inclusion of a PAC feasible.

The vision for a PAC is to work closely with local Hotel/Motel (H/M) managers, meeting organizers, community arts organizations, arts presenters familiar with touring opportunities, and the larger commercial arts community to design and develop a venue that will be appropriately sized and located in the new SeaTac Entertainment District. The venue should have high quality amenities and provide both community and economic benefits to SeaTac visitors and residents. The PAC would be owned by the City of SeaTac and operated by a non-profit group. The non-profit group would be better able to manage, program and rent the facility and involve citizens and the business community in supporting a PAC. The primary use should be performing arts, though other arts uses, meetings, and entertainment uses can be provided as part of an overall operating strategy.

It is recommended that the City Council authorize the City Manager to execute a Contract with Heartland to complete a PAC Feasibility Study in an amount not to exceed \$20,000.

At the January 13, 2009 RCM, Agenda Bill #3037 provided additional appropriation authority for the General Fund in the amount of \$20,000, and increased estimated revenue to the General fund in the amount of \$20,000 for the reimbursement from KC 4Culture. There will be no net cost to the City.

P&R Director Ledbetter introduced Heartland Principal Matt Anderson. Mr. Ledbetter reviewed the agenda bill summary.

Mr. Anderson stated that the goal is to have a draft ready for Council review in September.

Council consensus: Referred to the 06/09/09 RCM Consent Agenda

Agenda Bill #3083 – An Ordinance amending Chapter 1.15 of the SeaTac Municipal Code (SMC) related to code enforcement

Summary: The City currently uses a two-prong process of code enforcement. Currently, violations related to business licenses, solicitors, property maintenance, junk vehicles, and vehicle storage are enforced through the notice of infraction (also referred to as civil infraction or citation) process. This process is similar to a parking ticket which is processed through the Municipal Court. Violations related to zoning, road standards, ROW use, storm water management, building and construction are enforced through the notice and order process. This process is an administrative letter and order issued by City staff. It has been found that the majority of the repeat violations under this process are due to the lack of response by the person responsible to the administrative letter and civil penalties. Conversely, it has been found that persons responsible for code violations are more likely to respond when violations are processed under the notice of infraction method. Thus, this ordinance adds the option of issuing notice of infractions for repeat violations of all code provisions. This ordinance does not eliminate the notice and order process but rather adds an enforcement tool for violations where the person responsible disregards either the administrative letter and/or the civil penalties.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3083 (Continued): In addition, this ordinance provides more specifics to definitions, monetary penalties for critical area violations, requires city staff to record all code enforcement contacts with more detail so that each violation may be sufficiently tracked, expands the authority of the City to issue stop work orders, and explicitly states the joint and several responsibility and liability for all city codes.

DM Fisher stated that he wants to vote for this item, but there are some issues that still need to be resolved. He explained his concerns related to sections 1.15.185 and 1.15.200. He suggested this be referred back to a Council committee for further review.

Assistant City Attorney Yoon stated that this Ordinance is being revised in response to an inquiry from the Land Use & Parks (LUP) Committee. Staff's proposal tonight didn't address the lien provision which DM Fisher has concerns about, except for some housekeeping issues. Mrs. Yoon stated that staff can review and revise the sections with concerns.

CM A. Anderson requested sample Ordinances from other cities.

Council concurred to refer this item back to the July 14 A&F Committee meeting and RCM.

Council consensus: Referred to the 07/14/09 A&F Committee Meeting and RCM

CONSENT AGENDA:

- **Approval of claims vouchers** (check nos. 85059 – 85235) in the amount of \$1,192,284.30 for the period ended June 5, 2009.
- **Approval of payroll vouchers** (check nos. 47732 – 47771) in the amount of \$398,148.42 for the period ended May 31, 2009.
- **Approval of payroll electronic fund transfers** (check nos. 59782 – 59971) in the amount of \$345,076.24 for the period ended May 31, 2009.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$62,583.62 for the period ended May 31, 2009.
- **Summary of \$5,000 - \$35,000 Purchase Requests** for the period ended June 9, 2009.

Approval of Council Meeting Minutes:

- **Public Safety and Justice Committee Meeting** held May 12, 2009.
- **Transportation and Public Works Committee Meeting** held May 26, 2009.

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

Agenda Bill #3079; Motion authorizing the purchase of furnishings for Fire Station 46

Agenda Bill #3091; Motion authorizing the City Manager to execute a contract with Heartland LLC to complete a Performing Arts Center Feasibility Study

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

PUBLIC COMMENTS (related to the Consent Agenda): There were no public comments.

*COUNCIL VOTE ON CONSENT AGENDA.

UNFINISHED BUSINESS:

Agenda Bill #3094; Motion authorizing the City Manager to execute a Memorandum of Understanding (MOU) with the South Correctional Entity (SCORE)

MOVED BY T. ANDERSON, SECONDED BY LADENBURG TO PASS AGENDA BILL #3094.*

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

*MOTION CARRIED WITH A. ANDERSON ABSTAINING.

NEW BUSINESS: There was no New Business.

CITY MANAGER'S COMMENTS: City Manager Ward commented on the following: (1) June 11 - 10 a.m., KC Executives Candidate Forum at the Criminal Justice Training Center in Burien; (2) June 11 – 6 p.m., meet and greet with elected officials and the KC Fire Chiefs at the Mercer Island Community Center; (3) June 13 – 10 a.m., Highline Historical Society (HHS) garden tour; (4) June 13 - 3 p.m., Team SeaTac is participating in the Highline Relay for Life at Highline Stadium; (5) June 15 – 7 p.m., City of Des Moines is convening a public meeting in the Des Moines City Hall Council Chambers on the permits necessary for the SCORE project; (6) June 17 - 6 p.m., Special Transportation & Public Works (T&PW) Committee meeting on the Sunrise View Bypass Project; (7) June 26-28 – International Festival; (8) July 13-14 – 8:30 a.m., Washington State Department of Commerce meeting; and (9) June 15-31 - he will be taking vacation, with the exception of one day each week.

COUNCIL COMMENTS: DM Fisher detailed training he received at the National League of Cities (NLC) Public Safety and Crime Prevention Policy Board in Florida.

CM T. Anderson encouraged everyone to attend the HHS presentation of a movie on the Seike Gardens at 4 p.m. on Saturday, June 13 at the SeaTac Community Center.

CM A. Anderson stated that he attended the laws and paws graduation at Chinook Junior High. All of the dogs were adopted. Students teach dogs life lessons which are in turn making the students more successful in school.

CM Ladenburg commented on the following: (1) CM Gregerson and he toured the Valley Communications Center where they heard the quote, “Seconds Count.” He stated that is a good reason to purchase the boat for the fire department; and (2) he attended the Bow Lake Elementary School science fair with other CMs and staff.

CM Gregerson commented on the following: (1) the science fair event raised \$700; (2) requested that a notice regarding the ban on fireworks in the City be placed on SeaTV in English and Spanish; (3) requested a presentation be scheduled by the Puget Sound Regional Council (PSRC) regarding the Transportation 2040 Draft Environmental Impact Statement (DEIS) Release; (4) June 16 – 9 a.m. – noon, pedestrian safety workshop at the Criminal Justice Center; (5) June 17 – 6 p.m., Special T&PW Committee meeting. The Council is invited to attend; (6) attended the PTA awards assembly with representation by the new SeaTac PTSA, which is the first community PTSA. She encouraged everyone to get involved; and (7) Co-Rec Soccer Association is hosting their first Saturday morning clinic for \$5 starting June 13.

CM A. Anderson reminded the Council about the Domestic Abuse Women’s Network (DAWN) breakfast June 11. Mayor Shape and CMs T. Anderson and A. Anderson will be attending.

CM T. Anderson stated that she attended the food bank dinner in downtown Seattle. There are many people with nothing to eat. She urged everyone to help out in anyway they can.

Mayor Shape commented on the following: (1) in an effort to reduce staff costs related to the International Festival, Council is being asked to staff the City’s booth; and (2) in order to mail out the fireworks notice as it’s been done for the last three years, it would cost over \$3,500. Instead, notice will be placed in the SeaTac Report and on SeaTV.

Upon a question posed by CM T. Anderson, Mr. Ward stated that staff will do their best to provide the fireworks information in some of the common languages in SeaTac. She also requested a letter be sent to the faith based organizations.

Mayor Shape stated there was a South County Area Transportation Board (SCATBd) Meeting this morning with a briefing about Metro’s budget. In 2010, they are estimated to have a \$17 million shortfall. 2011 is forecasted to be a \$165 million deficit, leading to a potential 20% cut in service and possible elimination of Transit Now that the citizens voted for and pay taxes for. Metro will make their proposal to the KC Executive in July. The KC Executive will then respond in September with the KC Council voting on their budget in November.

Mayor Shape thanked everyone who attended the retreat over the weekend and stated that the next Council meeting is scheduled for June 30.

EXECUTIVE SESSION: There was no Executive Session.

ADJOURNMENT:

MOVED BY WYTHE, SECONDED BY LADENBURG TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 8:04 P.M.

MOTION CARRIED UNANIMOUSLY.

Ralph Shape, Mayor

Kristina Gregg, City Clerk

City of SeaTac

Special Council Meeting Minutes

June 30, 2009
5:30 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac Special Council Meeting was called to order by Mayor Shape at 5:38 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Deputy Mayor (DM) Gene Fisher, Councilmembers (CMs) Chris Wythe (arrived at 5:40 p.m.), Terry Anderson, Anthony (Tony) Anderson, Barry Ladenburg, and Mia Gregerson. Chris arrived at 5:40 p.m.

ADMINISTRATIVE STAFF: City Manager Craig Ward, City Attorney Mary Mirante Bartolo, Deputy City Clerk Marcia Rugg, Assistant City Manager (ACM) Todd Cutts, Economic Developer (ED) Manager Jeff Robinson, Public Works (PW) Director Tom Gut, City Engineer Susan Sanderson, PW Programs Coordinator Desmond Machuca, Planning Director Steve Butler, Senior Planner Mike Scarey, Finance Director Mike McCarty, Program Manager Soraya Lowry, Chief of Police Services Jim Graddon and Assistant Fire Chief Brian Wiwel.

RECESSED: Mayor Shape recessed the Special Council Meeting to an Executive Session on Personnel Issues at 5:38 p.m.

EXECUTIVE SESSION: Personnel Issues (*30 minutes*) (RCW 42.30.110 [1] [g])

RECONVENED: Mayor Shape reconvened the Special Council Meeting at 6:18 p.m.

FLAG SALUTE: Mr. Butler led the Council, audience and staff in the Pledge of Allegiance.

PUBLIC COMMENTS: Earl Gipson stated many citizens have experienced SeaTac government by being ignored, having unbalanced code enforcement, and encroaching on property rights by a Council which mostly live in one small area of the City. As treasurer for "SeaTac Citizens for Elected Mayor" he stated that more than the required certified petition signatures were submitted to King County (KC) Elections, to place on the ballot in November whether to change the City's form of government from Council-Manager to Mayor-Council.

Don Brown stated his concern that SeaTac officials are not responsive to the citizens and was pleased when the concerned citizens of SeaTac informed the Council of their desire to present a plaque to post in the chambers with the wording from the Revised Code of Washington (RCW) 42.30.010. As volunteer coordinator to create and install the people's plaque, he questioned what actions the Council has taken to determine the specifications for the plaque.

Michael Kovacs requested a follow up on previously requested questions. He inquired about the use of foam and herbicides that was used to control the fire that ended up in Des Moines Creek, and what actions have been taken to prevent it from happening again. Mr. Ward stated a written response will be provided.

Mr. Kovacs stated he would volunteer to assist in developing a visioning statement and save the City \$5,000 on the proposed Agenda Bill #3102.

John Thompson requested the Council use lapel microphones in order to hear Council discussions. He also requested the meetings start on the time.

PRESENTATIONS:

● Association of Washington (AWC) Cities Wellness Award

Mayor Shape attended the AWC Conference in Spokane and the City was awarded the 2009 Well City Award of Excellence with a plaque and certificate from the National League of Cities (NLC) for the City winning this award. The AWC recognizes the success of the employee health promotion program. SeaTac was one of 34 cities to win the award. He recognized the members of the City's Wellness Committee.

● Residential Foodwaste and Organics Recycling Collection

Allied Waste Services General Manager Chris Guimond detailed how the City is involved in the organics and food waste program. About 4,000 residents in SeaTac are on this program, of which 1,000 have yard waste. Those with yard waste containers are considered suitable for a food and yard waste program. The billing cycles are July, August and September. Organics and food waste is put into a basket and then into the yard waste containers. On October 1 the baskets will be delivered with biodegradable bags. It is a bi-weekly service; 3 months of monthly service which will be changed to a bi-weekly year round at no additional cost. Information will be provided by a mailing, the website and by the delivery of these food waste tubs.

CM T. Anderson requested the delivery trucks come mid-day to avoid traffic congestion.

PRESENTATIONS (Continued):

Residential Foodwaste and Organics Recycling Collection (Continued):

CM Gregerson requested City hall incorporate this diversion program.

Upon a question by CM Ladenburg, Mr. Guimond stated acceptable items will be printed in several languages on the labels of the containers.

•Light Rail Art Update

Program Specialist Lowry introduced Sound Transit Art Program Manager Barbara Luecke. Ms. Lowry gave an update on the three major art projects that will be installed in coordination with the SeaTac-Airport Light Rail Station. The first project is at the station, second is the pedestrian bridge coming over into the City side of International Boulevard (IB) and the last one will be at the base of pedestrian bridge at the community access plaza. Ms. Luecke described the major art pieces by artists and videos created by Warner Clautz, Christian Moeller, Fernanda D'Agostino, and Mikyoong Kim.

•Preliminary Docket of Comprehensive Plan (CP) Amendments

Planning Director Butler described the annual CP Amendment process which is open to the public. The City is near the end of the first stage and ready to begin the final stage in July. The preliminary docket contains proposals to be amended in the CP. These projects get screened and then become the final docket. Mr. Butler reviewed the proposed schedule and background steps of the CP amendment process. The Planning Commission (PC) and staff concur on all recommendations which include all map amendments, and text amendments except Text amendment #9 regarding sustainability climate action elements.

Senior Planner Scarey summarized the following proposed amendments:

Map Amendment #A-1 – amends the urban center boundary line to run on West side of 28th Avenue South. The property east of revised the Urban Center would be rezoned to Aviation Operations (AVO) to Aviation Operations Commercial (AVC).

Map Amendment #A-2 – land exchange of property where the Highline Water District would trade approximately 11,400 square feet (sq ft) to accommodate an expansion of the McMicken Heights tower. This parcel of land would go to the water tower.

Map Amendment #A-3 – approximately 6 acres not being used by Washington Memorial Cemetery and would allow Masterpark to use it for some period of time. The lease would be about 25 years. This is a proposal of acreage change from approximately 7 acres to 6 acres.

Map Amendment #A-4 - a new parcel created from left over I-5 right of way (ROW) of about 0.8 acres in SeaTac and approximately 10 acres in Tukwila. Part of the southern half of the new parcel would be used for expansion of the KC Transfer Station. The designation on the map needs to be determined.

Map Amendment #A-5 - adds a category to the legend of residential high-mixed use.

Map Amendment # B-1- updates existing land use map with current information.

Map Amendment #B-2 - update wetland/streams map with current information.

Subarea Plan Amendment - removes the pedestrian connection to Bow Lake; carries the policy to the graphics to remove it.

Text Amendments Updates: specifies 3 light rail stations and states that subareas plans are components of the CP and update the Land Use Element related to Map Amendment A-5.; updates land use background report related to map amendment B-1; amends capital facilities background report to include a section for projects outside the 6-year time frame and updates the 6-year Capital Facilities Plan; update parks, recreation and open space elements; and updates environment management element based on completion of the Shoreline Master Program Update and develops sustainability and climate action element.

PC Chair Rick Forschler stated the PC agreed with the proposed map amendments.

Council discussion occurred regarding the proposed amendments.

Mayor Shape stated his objection to Map Amendment #A-3 due to the traffic increase onto South 160th Street.

Mr. Butler stated that by allowing a preliminary docket, it allows more time for review by Council, staff, the PC.

PUBLIC HEARING (PH):

●Amendment of an Existing Development Agreement (DA) between the City and SeaTac Airport Parking, LLC; L&R Investment Company; and 18613 International, LLC – Planning

Mayor Shape opened the PH at 7:23 p.m.

Planning Director Butler reviewed the summary below for Agenda Bill #3099.

Mr. Butler introduced Ann Lawler, attorney for L&R Investment Company and related entities. Ms. Lawler introduced L&R Investment Company Manager Michael Pace.

Mr. Butler stated the current DA requires L&R to complete the work within 24 months after commencement of construction. Due to the recent economic downturn, financing has created delays within the timelines. This agreement is proposing a 12-month extension of that requirement.

Mr. Pace stated the problems began with converging five different parcels to develop a site large enough for the development. There are contamination issues in the soil and the water. A condemnation proceeding while in the design process required redesigning it. The construction loan will close in approximately 35 to 45 days.

There were no public comments.

Mayor Shape closed the PH at 7:30 p.m.

NEW BUSINESS:

Agenda Bill #3099; Resolution #09-007 authorizing entry into an amendment of a Development Agreement (DA) between the City and SeaTac Airport Parking, LLC; L&R Investment Company; and 18613 International, LLC

Summary: The City entered into a Second Amended and Restated DA with SeaTac Airport Parking, LLC, L&R Investment Company, and 18613 International, LLC (L&R) in August, 2007. The DA allows L&R to construct a new parking structure with over 16,000 sq ft of ground floor retail and over 28,900 sq ft of open space at the old Airport Plaza Hotel site. L&R has submitted plans for the project, and the City is ready to issue permits for construction. L&R has already expended considerable resources demolishing the old hotel and grading the property. Due to the unexpected downturn in the economy, L&R has had difficulty obtaining financing for the remainder of the project. The DA provided that construction would need to be completed 24 months after commencement of construction. Construction commenced on November 20, 2008, which would mean that the project would need to be completed by November, 2010. The proposed amendment extends the timeframe for L&R to complete construction by one year until November 30, 2011. This extension will allow L&R enough time to obtain the necessary financing and complete the project.

CM Gregerson stated that the Land Use and Parks (LUP) Committee recommended this item for approval.

Mr. Butler stated the PC meeting recommended this item for approval.

MOVED BY T. ANDERSON, SECONDED BY GREGERSON TO PASS RESOLUTION 09-007.

MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARING (PH)

●2010 -2019 Ten-Year Transportation Improvement Program (TIP)

Mayor Shape opened the PH at 7:31p.m.

City Engineer Sanderson reviewed the summary below for Agenda Bill #3090.

Ms. Sanderson stated the TIP is a planning process that the department identifies regarding transportation improvement projects and plans internally and externally for future transportation projects. The effort is important for growth management, financial planning and ensuring a comprehensive and coordinated transportation system. Coordination involves neighboring jurisdictions, KC and Washington State Department of Transportation (WSDOT), Transportation Improvement Board (TIB) and Puget Sound Regional Council (PSRC).

During the adoption process, a draft of the TIP was discussed at the Transportation and Public Works (T&PW) Committee meetings on May 26 and June 30. A presentation was given to the PC on June 8.

Ms. Sanderson detailed the 2010 City projects which include annual Programs – Commute Trip Reduction (CTR), pedestrian improvements, and annual street overlays. Two projects continuing are South 154th Street from 24th

PUBLIC HEARING (PH) (Continued):

2010-2019 Ten-Year TIP (Continued): Avenue South to 32nd Avenue South to the Station Area. The Station Area Phase I project includes the South 173rd Street and 30th Avenue improvements.

New projects for 2010 include the Westside Trail Phase II, Transportation Plan Update, Des Moines Memorial Drive (DMMD) and South 200th Street intersection improvements, South 154th Street Transit Station Area improvements on South 152nd Street and Military Road South to IB.

Other projects on the proposed TIP with other jurisdictions that boundary with the City's border include Port of Seattle (POS) Rental Care facility, South 160th Street ramp to westbound SR 518 and road improvements to the frontage of the rental car facility on South 116th Street and IB. WSDOT has a proposed project of interim trail from I-5 to SR 509. The City of Des Moines has projects that may impact the City – Des Moines Creek Trail, 24th Avenue South from South 208th Street to South 216th Street, and South 216th Street from 19th Avenue South to I-5.

2011 annual City Projects include CTR, sidewalk improvements and street overlays. A 2011 project proposed is another phase of Military Road from South 160th Street to South 176th Street which extends Military Road improvement from the first phase north to South 160th Street.

Mr. Forschler stated the PC did not have the time to review the TIP.

Mayor Shape closed the PH at 7:45 p.m.

NEW BUSINESS (Continued):

Agenda Bill #3090; Resolution #09-008 adopting the Transportation Improvement Project (TIP) for 2010-2019

Summary: 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), Chapter 36.70A RCW, requires City adoption of a comprehensive 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 is tentative.

MOVED BY WYTHE, SECONDED BY T. ANDERSON TO PASS RESOLUTION #09-008.

MOTION CARRIED UNANIMOUSLY.

DISCUSSION ITEM:

•Summary of \$5,000 - \$35,000 Purchase Requests for the period ended June 26, 2009

City Manager Ward reviewed the following requests:

<u>Item Description</u>	<u>Department</u>	<u>Original Budget</u>	<u>Amended Budget</u>	<u>Estimate</u>
Firefighter Recruit to attend the Washington State Fire Training Academy	Fire	\$13,374	\$13,374	\$5,745
Payment to Department of Labor and Industries (L&I) for prevailing wage claims on Fire Station 46 project	Legal/Facilities	Charged to Fire Station 46 construction budget		\$8,920

Council consensus: Referred to 06/30/09 SCM Consent Agenda

AGENDA BILL PRESENTATIONS:

Agenda Bill #3102 – A Motion authorizing the City Manager to solicit consultant proposals to develop a visioning process

Summary: At the June 6, 2009 Council Retreat, the City Council directed staff to initiate Visioning Phase 1, which focuses on developing a visioning process. Having addressed many of the initial needs within the community, the City has an opportunity to chart its path for the next 20 years. The visioning helps communities figure out where they want to go and provides a framework for getting them there. It would also provide important public input for a major CP update to be undertaken in 2010-2011. A visioning decision card was submitted as part of the 2009 budget. Due to the economy, the City Council directed that visioning be reconsidered mid-year.

The proposed visioning consists of two phases. Phase 1 is to engage the City Council in a facilitated process to address the fundamental questions that will determine the specific goals and deliverables to achieve through visioning and how to structure the visioning process which would include a scope of work and budget to implement visioning in Phase 2. This information would support the Council's decision on whether to fund visioning implementation in the 2010 budget.

AGENDA BILL PRESENTATIONS:

Agenda Bill #3102 (Continued): Proposed next steps include: (1) bringing a short list of potential consultants to future Administration and Finance (A&F) and Public Safety and Justice (PS&J) Committee meetings to select a qualified consultant; and (2) requesting permission to hire the selected consultant as a \$5,000-35,000 item on a future Regular Council Meeting (RCM) agenda.

Program Manager Lowry reviewed the agenda bill summary.

DM Fisher stated the citizens should be involved in the process and hire non-residents to partake in the process. It is the Council's job to go out and find out what the citizens want.

CM A. Anderson presented this item at the Council Retreat. Vision statements are difficult to obtain and does not give the City guidance. This investment statement must be specific with citizen input.

DM Fisher advocates town hall meetings to involve appointed advisory committee citizens to develop visions and then decide who to hire for fair representation.

CM Ladenburg stated this issue was presented at the Council Retreat in that the consultants would inquire input from both citizens and Council.

CM Gregerson stated creating a business plan would provide more direction to the staff.

Mayor Shape stated he will not vote for this agenda bill because of the indefiniteness of the costs involving the second phase.

Council consensus: Referred to 06/30/09 SCM Unfinished Business

Agenda Bill #3101 - Resolution fixing the date and time for a Public Hearing (PH) on the proposed vacation of the Right-of-Way on 18th Avenue South from South 200th Street to South 208th Street to the City of SeaTac

Summary: The vacation is being sought by the City to change the status of the property from public ROW to real property of the City of SeaTac. Staff would then bring a request to the City Council to surplus the property to the POS. This issue was discussed at the June 9, 2009 RCM, when the City Council approved a Memorandum of Understanding (MOU) with South Correctional Entity (SCORE) Facility regarding access to the new jail facility.

The procedures for vacating a public ROW are defined in the RCW, Chapter 35.79. A PH is to be held to consider the merits of the application to vacate the ROW in question. The date of the PH is set by a Resolution passed by the City Council. The date of the PH 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 PH. The date of July 28, 2009, has been selected as the regularly scheduled City Council meeting that meets the criteria.

City Engineer Sanderson reviewed the agenda bill summary.

Council consensus: Referred to 06/30/09 Unfinished Business

Agenda Bill #3098 – A Motion authorizing the City Manager to enter into an Agreement with Washington State Department of Transportation 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, continuing implementation of the City's CTR plans and programs for a two-year period from July 1, 2009 to June 30, 2011. The Agreement provides \$26,073 per year to the City or \$52,146 for the two-year period to develop 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 has entered into similar agreements since 1993.

This Agreement with WSDOT will provide \$26,073 per year of funding to continue the City's CTR Program. This program is 65% grant funded; the remaining 35% is funded in the Arterial Street Fund (102).

PW Director Gut reviewed the agenda bill summary.

Council consensus: Referred to 06/30/09 SCM Consent Agenda

Agenda Bill #3068 – A Motion declaring City property surplus and authorizing its disposal

Summary: Various obsolete and/or inoperable items have been identified by City departments and are being recommended for Council declaration as surplus property. It includes computers, monitors, printers, cameras, tools, and maintenance equipment. The City last compiled a general surplus list in 2006. Some items will be

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3068 (Continued): service agencies serving SeaTac residents. PW and Park Maintenance will dispose of some of their items through a small equipment surplus and trade-in program with various vendors that have been used successfully in donated to human services agencies serving SeaTac residents. PW and Parks Maintenance will dispose some of their items through a small equipment surplus and trade-in program with various vendors that have been used in the past to the City's. Proceeds from any items sold at a public sale or auction will be deposited into the appropriate Fund. Items that are broken or inoperable and have no salvage value will be disposed of appropriately.

Finance Director McCarty reviewed the agenda bill summary.

DM Fisher stated that the A&F Committee recommends this item for approval in May 2009.

Council consensus: Referred to 06/30/09 SCM Consent Agenda.

Agenda Bill #3081; An Ordinance amending the 2009 Annual City Budget for miscellaneous items

Summary: The City entered into an agreement with the YMCA in August 2006, approving a payment in the amount of \$1,031,105 to the YMCA for the prepayment of 20 years worth of services and low income memberships. Payment was originally slated to occur in 2006, but moved to 2009. The 2009 Budget was adopted with the \$1,031,105 appropriated in the General Fund's Non-Departmental budget. Since this payment is a prepayment for services furnished by the YMCA over the next 20 years, the proper accounting treatment of this is to reflect only 1/20th of this amount as both a budget appropriation and expenditures for 2009, the first year the agreement pertains to. The amount is \$51,560. In accordance with generally accepted accounting principles (GAAP), only this amount should be recognized as an expenditure in 2009, and the remaining 19 years should be carried on the City's General Fund Balance Sheet as an asset, specifically as a prepaid item, and 1/20th of the \$1,031,105, or \$51,555, should be recognized as an expenditure in each of the following 19 years.

The City only recognizes \$51,560 of the expenditure in the year 2009, it is advisable to reduce the budget for this line item from the \$1,031,105 adopted in the 2009 Budget to \$51,560, in order to better reflect the budget vs. actual history of this item. It results in a 2009 General Fund budget amendment reduction in the amount of \$979,545 (\$1,031,105 minus \$51,560).

Visioning Process: At the June 30, 2009 Special Council Meeting (SCM), Agenda Bill #3102 authorizes the City Manager to solicit consultant proposals to develop a city-wide visioning process. Authorization to hire the selected consultant will be included as a \$5,000 - \$35,000 item on a future Council Meeting agenda. This budget amendment appropriates \$5,000 in the General Fund's 2009 Budget for this work.

Fire Department Rescue Boat and Trailer: The City Council approved the purchase of a rescue boat and trailer for use by the Fire Department on the Summary of Purchase Requests \$5,000 - \$35,000 at the June 9, 2009 RCM. The summary sheet indicted that a future budget amendment would be necessary to provide the necessary appropriation in Fund 301, the Municipal Capital Improvements Fund. This budget amendment appropriates \$25,000 in Fund 301 in the 2009 Budget.

This Ordinance decreases the 2009 General Fund budget by \$979,545 to reflect the change in the budgeting and accounting treatment of the YMCA Agreement payment and also increases the 2009 General Fund budget by \$5,000 to provide the necessary appropriation for the Visioning Process, and increases the 2009 Municipal Capital Improvements Fund #301 budget by \$25,000 to appropriate funding for the Fire Department rescue boat and trailer.

Finance Director McCarty reviewed the agenda bill summary.

Council consensus: Referred to 06/30/09 SCM Consent Agenda

Agenda Bill #3096 - An Ordinance establishing a New Des Moines Creek Basin Interlocal Agreement (ILA) Fund

Summary: The City entered into an ILA with the City of Des Moines, the POS, the WSDOT and KC for the purpose of constructing and operating several projects to implement the Des Moines Creek Basin Plan. SeaTac acts as the Treasurer for the construction, operation and maintenance aspects included in this Agreement.

The funding and construction management of the capital projects were recorded in Fund #406, the Surface Water Management Construction Fund, and the initial funding and managing of ongoing operation and maintenance of the projects have been recorded in Fund #406. These operation and maintenance revenues and expenditures

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3096 (Continued): should not be included in the reporting of a construction fund. Because the revenue sources for these activities are intergovernmental revenues (from the POS and the City of Des Moines) and an interfund transfer from Fund #403, the Surface Water Management (SWM) Fund (for SeaTac's share of the related costs), rather than a fee charged to external users for goods or services, it is recommended that a new Special Revenue Fund be established to account for this. The remaining construction activity will continue to be recorded in the SWM Construction Fund #406.

State law requires the City Council adopt an Ordinance to create a new City fund.

Finance Director McCarty reviewed the agenda bill summary.

DM Fisher stated that the A&F Committee recommended this item for approval.

Council consensus: Referred to 06/30/09 SCM Consent Agenda

Agenda Bill #3097 - An Ordinance amending the 2009 Annual City Budget to provide cost reductions

Summary: This Ordinance amends the 2009 Annual City Budget to provide cost reductions necessary due to projected decreases in 2009 revenue at December 31, 2009. A list of proposed areas of cost reductions was reviewed with the Council that would reduce this gap by \$939,272, leaving a remaining amount of approximately \$181,000 projected for 2009 expenditures in excess of revenue at December 31, 2009 to be covered by fund balance reserves in the General Fund. A list of proposed cost reductions in funds other than the General Fund totaling \$631,304 was also reviewed. The total proposed cost reductions for all funds are \$1,570,576.

Finance Director McCarty reviewed the agenda bill summary.

Council consensus: Referred to 06/30/09 SCM Consent Agenda

CONSENT AGENDA:

- **Approval of claims vouchers** (check nos. 85236 – 85421) in the amount of \$3,840,844.84 for the period ended June 19, 2009.
- **Approval of payroll vouchers** (check nos. 47772 – 47808) in the amount of \$196,258.66 for the period ended June 15, 2009.
- **Approval of payroll electronic fund transfers** (check nos. 59972 – 60155) in the amount of \$346,221.56 for the period ended June 15, 2009.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$63,745.92 for the period ended June 15, 2009.
- **Summary of \$5,000 - \$35,000 Purchase Requests** for the period ended June 26, 2009.

Approval of Council Meeting Minutes:

- **Regular Council Meeting** held May 26, 2009.
- **Administration and Finance Committee Meeting** held June 9, 2009.
- **Public Safety and Justice Committee Meeting** held June 9, 2009.
- **Regular Council Meeting** held June 9, 2009.

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

Agenda Bill #3098; Motion authorizing the City Manager to enter into an Agreement with WSDOT to accept grant funding to support the City's CTR Program

Agenda Bill #3068; Motion declaring City property surplus and authorizing its disposal

Agenda Bill #3081; Ordinance #09-1017 amending the 2009 Annual City Budget for miscellaneous items

Agenda Bill #3096; Ordinance #09-1018 establishing a New Des Moines Creek Basin ILA Fund

Agenda Bill #3097; Ordinance #09-1019 amending the 2009 Annual City Budget to provide cost reductions

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

PUBLIC COMMENTS (related to the Consent Agenda): There were no public comments.

*MOTION CARRIED UNANIMOUSLY.

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

UNFINISHED BUSINESS:

Agenda Bill #3101; Resolution #09-009 fixing the date and time for a Public Hearing on the proposed vacation of the Right-of-Way on 18th Avenue South from South 200th Street to South 208th Street to the City of SeaTac
MOVED BY WYTHE, SECONDED BY T. ANDERSON TO PASS AGENDA RESOLUTION #09-009.

MOTION CARRIED WITH A. ANDERSON ABSTAINING.

Agenda Bill #3102; Motion authorizing the City Manager to solicit consultant proposals to develop a visioning process

MOVED BY A. ANDERSON, SECONDED BY GREGERSON TO PASS AGENDA BILL #3102.*

ACM Cutts stated Phase I of this process is the planning for the visioning and will later provide a dollar amount for Phase II during the budgeting process as a Decision Card.

CM Wythe stated several positives of going forward on the visioning process.

DM Fisher stated there have been two studies and most neighboring cities have completed this process.

PUBLIC COMMENTS (related to Agenda Bill #3102): Mr. Gipson stated this is an expensive survey of which could be accomplished by the CMs reaching out to the community before completing the urban studies. There is no value in this at this point and should be re-evaluated after the November election.

Darlene Thompson stated the Senior Citizen Advisory Committee developed an advisory board to get input from the citizens regarding a Senior Center. The Council stopped the process because it wasn't developed by a consulting firm. The firm used the advisory board's questions and sent them out to the community. The City paid for what the seniors had already completed. It is money spent foolishly in these economic times.

CM T. Anderson stated a town meeting in the past was not successful due to lack of attendance.

CM Gregerson stated the coffee chats can assist in engaging the community to get public input. Mock questions can be developed prior to the chats

*UPON A ROLL CALL VOTE, MOTION PASSED WITH WYTHE, T. ANDERSON, A. ANDERSON, LADENBURG AND GREGERSON VOTING YES AND FISHER AND SHAPE VOTING NO.

CITY MANAGER'S COMMENTS: City Manager Ward commented on the following: (1) Ban on fireworks - public notices – posted on website on June 19 in English and Spanish; June 29 scrolling text on CTV in English and Spanish; SeaTac Report articles – spring and summer issues; June 23, June 30 and July 4 - Code Red message sent; posters and notices at public places and apartment complexes; (2) requested from KC emergency services to advise public to report people using fireworks to 296-3311 (3) July 3 – City Hall and community center are closed; and (4) park staff will turn on field lights to deter them to be used as a venue to shoot fireworks; and (4) PW and Police will work overtime at Angle Lake Park.

COUNCIL COMMENTS: CM T. Anderson stated the International Festival was very successful. She stated an incident where the Fire Department responded to her home in error due to a street address that is similar to hers. There must be some way to locate an address more efficiently.

CM A. Anderson commented on the following: (1) thanks to Dick Jordan for providing the horses at the International Festival parade and others who volunteered; (2) Officer Brady received a complimentary letter from some citizens who he treated kindly; (3) Neighbors without Borders hosted a well attended community meeting by Reverend Jan. Chief Graddon also represented the City; and (4) a citizen requested that the City check into ways to deter the speed and safety issues on South 200th Street near Madronna Elementary School.

CM Gregerson commented on the following: (1) donations are being collected for Ellen Burns; (2) participated in the co-op soccer clinic at Valley Ridge Park; (3) back to school boxes located in City Hall are for student supplies; (4) PTSA - business clothing closet for students who are going to obtain jobs or attend school. The Open Closet will be open from July 9-10, and 25-26.

Mayor Shape commented on the following: (1) attended a DAWN breakfast; (2) Highline for Life – track race to raise money for cancer prevention and; (3) plaque in chambers – the Council has taken an oath to obey laws of Washington and the City and to defend the constitution of the United States. No pictures or plaques are in the chambers as all rules apply and not just one rule.

RECESSED: Mayor Shape recessed the Special Council Meeting to an Executive Session on Property Acquisition and Potential Litigation at 8:52 p.m.

EXECUTIVE SESSION: Property Acquisition / Potential Litigation (*45 minutes*)
(*RCW 42.30.110 [1] [b], [i]*)

RECONVENED: Mayor Shape reconvened the Special Council Meeting at 9:44 p.m.

ADJOURNMENT:

MOVED BY WYTHE, SECONDED BY FISHER TO ADJOURN THE SPECIAL COUNCIL MEETING OF THE SEATAC CITY COUNCIL AT 9:44 P.M.

MOTION CARRIED UNANIMOUSLY.

Ralph Shape, Mayor

Marcia Rugg, Deputy City Clerk

City of SeaTac

Regular Council Meeting Minutes

July 28, 2009
6:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Shape at 6:05 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Deputy Mayor (DM) Gene Fisher, Councilmembers (CMs) Terry Anderson, Anthony (Tony) Anderson, Barry Ladenburg, and Mia Gregerson. Excused Absence: CM Chris Wythe.

ADMINISTRATIVE STAFF: City Manager Craig Ward, City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, Assistant City Manager (ACM) Todd Cutts, Economic Development (ED) Manager Jeff Robinson, Program Manager Soraya Lowry, Senior Assistant City Attorney Mark Johnsen, Assistant City Attorney Julia Yoon, Public Works (PW) Director Tom Gut, Principal Planner Jack Dodge, Senior Planner Dennis Hartwick, Associate Planner Kate Kaehny, Fire Chief Bob Meyer and Chief of Police Services Jim Graddon.

FLAG SALUTE: CM Ladenburg led the Council, audience and staff in the Pledge of Allegiance.

PUBLIC COMMENTS: Pam Fernald stated her concern that at the Council Coffee Chat, Council stated their opinions regarding the costs of an elected Mayor. She stated that Revised Code of Washington (RCW) 42.17.130 prohibits lawmakers from expressing their support or opposition to the ballot measure.

Earl Gipson stated that previously, a City Manager was fined when he was found to have violated public disclosure laws. He stated his opinion that the City should be careful to not make such a violation again.

Rick Forschler stated that he was misquoted regarding comments he made about an alternative Human Services (HS) funding suggestion. He stated that it is his desire to obtain funds without taking from those that need it. He detailed a voluntary funding solution that is utilized by the Valley View Sewer District, for which he is a commissioner.

PRESENTATIONS:

●Introduction of new employee - Fire Inspector Bobby May

City Manager Ward introduced Mr. May.

●Senior Services - Meals on Wheels (MOW) Program and Volunteer Transportation Program

Evaluation and Accountability Manager Farlis Lewis stated that Senior Services has been in business since 1967. The MOW and Volunteer Transportation Programs are utilized in SeaTac. She stated that the Mission statement is to promote the well-being of older adults. SeaTac has funded \$10,000 for the MOW program and \$20,000 for the Volunteer Transportation Program. She detailed how Senior Services has spent the funds and the recipients of these programs.

Outreach Specialist Dale Hoover reviewed the requirements for utilizing the MOW program and detailed the clients served. Without funding from SeaTac and staff time from Kathleen Cummings, Senior Services would not be able to provide MOW. The goal is to leave each client feeling cared about.

Upon a question posed by Mayor Shape, Mr. Hoover stated that the programs can always use volunteers. Ms. Lewis stated volunteers are especially needed for transportation and bi-lingual speakers.

●Major Zoning Code Update Project Overview

Associate Planner Kaehny presented an overview of the project goals: to improve consistency, organization, and usability; to provide a comprehensive update; and to provide focused revisions of, or create new chapters for Townhouse, City Center and SeaTac/Airport Station Area Development Standards, Residential Planned Unit Development, and Development Incentives.

She reviewed the phased schedule:

Phase 1: Analysis and Problem Defining – May 2008 – December 2008 (completed)

Phase 2: Drafting New Code and Stakeholder Briefings – December 2008 – September 2009

Phase 3: Public Review and Adoption of New Code – March 2009 – November 2009

Ms. Kaehny stated that the current status is that problems within the code have been identified, the code reorganization has been completed, the majority of content changes have been completed and the public review draft was made available at the May 20 public meeting.

PRESENTATIONS (Continued):

Major Zoning Code Update Project Overview (Continued): She also detailed the areas with significant content changes which include Definitions, Use Charts, Residential Planned Unit Development, City Center Overlay, SeaTac Airport Station Area Overlay, and Development Incentives.

Senior Planner Hartwick explained the proposed review schedule:

- Council Review: Major Zoning Code Update at the August 11 Regular Council Meeting (RCM), September 8 Council Work Session, September 22 RCM, October 13 Council Work Session, October 27 RCM, and November 3 RCM. Council action is anticipated to occur at the November 24 RCM.
- Public involvement will also occur at various meeting during this same time frame, August - November 2009.

PUBLIC HEARING (PH):

•Vacating 18th Avenue South from South 200th Street to 208th Street

Mayor Shape opened the PH at 6:39 p.m.

PW Director Gut reviewed the summary below for Agenda Bill #3106.

CM Gregerson stated that the Transportation & Public Works (T&PW) Committee recommended this for approval.

Mayor Shape closed the PH at 6:40 p.m.

NEW BUSINESS:

Agenda Bill #3106; Ordinance #09-1021 vacating 18th Avenue South from South 200th Street to South 208th Street

Summary: This Ordinance vacates the 18th Avenue South right-of-way (ROW) from South 200th to 208th Streets. The vacation is being sought by the City to change the status of the property from public ROW to real property of the City of SeaTac.

The City of SeaTac is seeking this street vacation in order to surplus the property. Once the ROW has been vacated to the City, it becomes the real property of the City. Staff will bring a proposed Ordinance to surplus the property to the Port of Seattle (POS) at the August 11, 2009 RCM. The property transfer was discussed at the June 9, 2009 RCM, when the City Council approved a Memorandum of Understanding (MOU) with South Correctional Entity (SCORE) regarding access to the new jail facility.

The procedures for vacating a public ROW are defined in the RCW, Chapter 35.79. A PH is to be held to consider the merits of vacating the ROW in question. The City Council passed Resolution #09-009 on June 30, 2009, which set the PH for July 28, 2009. All utilities serving this area were given notice of the vacation request. The City will grant easements to any utility which may have active facilities within the area to be vacated. The POS and the Washington State Department of Transportation (WSDOT) were notified, since they are the adjoining property owners. Notice was posted at the property location as required by state law.

The City is vacating the public ROW to itself; therefore, no compensation is due.

CM A. Anderson recused himself from this issue.

MOVED BY GREGERSON, SECONDED BY FISHER TO ADOPT ORDINANCE #09-1021.

MOTION CARRIED WITH A. ANDERSON ABSTAINING.

SUSPENSION OF THE RULES:

MOVED BY A. ANDERSON, SECONDED BY GREGERSON TO SUSPEND THE RULES TO BRING FORWARD COUNCIL ACTION AND PUBLIC COMMENTS RELATED TO AGENDA BILLS #3112, #3113, AND #3114.

MOTION CARRIED UNANIMOUSLY.

NEW BUSINESS:

Agenda Bill #3112; Resolution #09-011 calling for an election on the proposition of whether the City's present Council-Manager plan of government should be abandoned and the Mayor-Council plan of government be adopted

Summary: A petition to abandon the existing Council-Manager form of government and adopt a Mayor-Council form of government was submitted to KC Department of Elections on June 16, 2009. Pursuant to State law, the petition must be signed by registered voters in a number equal to not less than ten percent of the votes cast at the last general municipal election. The number of votes cast at the last general election was 3,832. Therefore, there must be at least 383 signatures to file a sufficient petition. On July 9, the Elections Director did determine the petition to be sufficient. Pursuant to RCW 35A.06.050, the proposal for a change of the plan of government must be voted upon at the next general election. The next general election is scheduled for November 3, 2009. This Resolution includes the language of the ballot proposition, as certified by the City Attorney, pursuant to law, which is limited to no more than 75 words.

Following adoption of the Resolution, a certified copy shall be transmitted by the City Clerk to the KC Department of Elections for review as to legality by the Office of the Prosecuting Attorney, and for placement upon the ballot of the general election.

In the event the voters approve the change of plan of government, all incumbent CMs will retain their seats for the balance of their respective terms of office and the Council will be required to call for a special election of the Mayor.

Since Council positions will be on the general election ballot, the addition of the subject proposition will not add any election costs.

MOVED BY A. ANDERSON, SECONDED BY FISHER TO PASS RESOLUTION #09-011.*

City Attorney Mirante Bartolo reviewed the agenda bill summary.

PUBLIC COMMENTS (related to Agenda Bill #3112): Earl Gipson reiterated that State law requires Council to pass this Resolution.

John Thompson stated his opposition to this proposed change.

Rick Forschler stated his agreement with this proposed change.

*MOTION CARRIED UNANIMOUSLY.

NEW BUSINESS (Continued):

Agenda Bill #3113; Motion appointing committee members to prepare the statements for and against Ballot Proposition No. 1 for the Local Voters' Pamphlet

Summary: RCW 29A.32.280 provides as follows: For each measure from a unit of local government that is included in a local voters' pamphlet, the legislative authority of that jurisdiction shall, not later than forty-five days before the publication of the pamphlet, formally appoint a committee to prepare arguments advocating voters' approval of the measure and shall formally appoint a committee to prepare arguments advocating voters' rejection of the measure. The authority shall appoint persons known to favor the measure to serve on the committee advocating approval and shall, whenever possible, appoint persons known to oppose the measure to serve on the committee advocating rejection. Each committee shall have not more than three members; however, a committee may seek the advice of any person or persons. If the legislative authority of a unit of local government fails to make such appointments by the prescribed deadline, the County auditor shall whenever possible make the appointments.

The City printed an advertisement in the July 15, 2009 Highline Times and Seattle Times which solicited volunteers to serve on the committees. In addition, a copy of this advertisement was posted outside City Hall, at the Community Center, at Fire Station 45, and at Valley View Library. The City provided a deadline of July 22, 2009 for individuals to file a letter of interest with the City Clerk's Office, requesting to serve on one of the two committees. The City received five letters requesting to be appointed to the committee advocating approval of Proposition No. 1 and five letters requesting to be appointed to the committee advocating rejection of Proposition No. 1. Letters of interest from the following individuals were received by the City:

NEW BUSINESS (Continued):

Agenda Bill #3113 (Continued): Persons wishing to advocate approval of Proposition No. 1: Earl Gipson, Pam Fernald, Cynthia Volkmann, Michael Kovacs, and Rick Forscherler.

Persons wishing to advocate rejection of Proposition No. 1: Oren Hadaller, Scott Gregerson-Dahle, Tom Layden, Deborah Anderson, and Darrell Marsolais.

Once appointed, the City Clerk will transmit the names of those appointed individuals to the KC Department of Elections, who will in turn make arrangements to receive copies of the committees' statements advocating approval or rejection of Proposition No. 1.

City Attorney Mirante Bartolo reviewed the agenda bill summary.

Mayor Shape stated that the statements are due to KC no later than 4:30 p.m. on August 19. Rebuttal statements must be submitted August 21.

PUBLIC COMMENTS (related to Agenda Bill #3113): There were no public comments.

Mayor Shape received Council consensus to appoint Earl Gipson, Pam Fernald, and Cynthia Volkmann to the committee for Ballot Proposition No. 1 and Oren Hadaller, Scott Gregerson-Dahle, and Tom Layden to the committee against Ballot Proposition No. 1.

MOVED BY A. ANDERSON, SECONDED BY T. ANDERSON TO PASS AGENDA BILL #3113, WITH EARL GIPSON, PAM FERNALD, AND CYNTHIA VOLKMANN APPOINTED TO THE FOR COMMITTEE, AND OREN HADALLER, SCOTT GREGERSON-DAHLE, AND TOM LAYDEN APPOINTED TO THE AGAINST COMMITTEE.

MOTION CARRIED UNANIMOUSLY.

NEW BUSINESS (Continued):

Agenda Bill #3114; Ordinance #09-1022 authorizing the King County (KC) Department of Elections to produce, publish and distribute a Local Voters' Pamphlet for the November 3, 2009 Election

Summary: The legislative authority may adopt an Ordinance authorizing the publication and distribution of a local voters' pamphlet. If this Ordinance is adopted, the pamphlet will provide information about City of SeaTac Proposition No. 1 that proposes abandoning the Council-Manager plan of government and adopting the Mayor-Council plan of government.

City Attorney Mirante Bartolo reviewed the agenda bill summary.

MOVED BY A. ANDERSON, SECONDED BY FISHER TO ADOPT ORDINANCE #09-1022.*

PUBLIC COMMENTS (related to Agenda Bill #3114): There were no public comments.

*MOTION CARRIED UNANIMOUSLY.

DISCUSSION ITEM:

•Summary of \$5,000 - \$35,000 Purchase Requests for the period ended July 24, 2009

City Manager Ward reviewed the requests:

<u>Item Description</u>	<u>Department</u>	<u>Original Budget</u>	<u>Amended Budget</u>	<u>Estimate</u>
Seal coat and restripe SeaTac Community Center parking lot	Parks & Recreation (P&R)	\$16,227	\$16,227	\$15,008
Consultant to conduct Value Engineering Study on South 154 th Street Improvement Project (ST-130)	PW	\$17,720	\$17,720	\$17,720
Investigation of personnel complaint	Human Resources (HR)	\$0	\$0	\$25,000
Visioning Process - Phase 1	City Manager's Office	\$0	\$5,000	\$5,000

****future budget amendment will be necessary****

Council consensus: Referred to the 07/28/09 RCM Consent Agenda

AGENDA BILL PRESENTATIONS:

Agenda Bill #3084 – A Resolution authorizing the City Manager to execute the Jail Administrative Group (JAG) Proceeds Distribution and Hold Harmless Agreement with the City of Bellevue

Summary: In 2002, SeaTac, and a number of other KC cities (collectively referred to as JAG Cities) entered into Interlocal Agreements (ILAs) with KC for jail services (hereinafter referred to as the Jail Services Agreement). Within these Jail Services Agreements, the JAG Cities each agreed to assist KC in its jail population reduction plan and have all City inmates out of KC jail facilities by the end of 2012. In consideration for the JAG Cities' promises to reduce its jail population, KC agreed to transfer ownership of land located in Bellevue to the JAG Cities' ownership for the specific purpose of funding alternative jail capacity for the JAG Cities.

In March 2009, the City of Bellevue, acting as fiscal agent for the JAG Cities, negotiated a sale price of \$13 million for the land located in Bellevue. The JAG Proceeds Distribution Agreement has been drafted to ensure that all JAG Cities must accept an appropriate share of potential liability/costs under various possible scenarios in the event KC makes a claim for return of any JAG Cities' proceeds.

Based on the formula approved by the Jail Oversight Assembly, SeaTac's final proceeds distribution is \$163,498.78 (this amount represents SeaTac's proportionate share of the proceeds, including interest minus City of Bellevue's administrative fee for acting as the fiscal agent for the JAG Cities). The formula for distribution is based on an average of each JAG City's assessed value and inmate average daily population.

In order to receive the designated amount of funds, the City must execute this agreement with the City of Bellevue. Staff is seeking Council approval for the City Manager to execute the JAG Proceeds Distribution and Hold Harmless Agreement to receive an apportionment of the estimated designated funds.

Assistant City Attorney Yoon reviewed the agenda bill summary.

DM Fisher stated that the Administration & Finance (A&F) Committee recommended this for approval.

CM T. Anderson stated that the City of Kent purchased extra property for future expansion of the Regional Justice Center (RJC). SeaTac and other cities also helped purchase that property. She questioned, now that the City would no longer be using the RJC, whether Kent would need to sell that property and reimburse the cities that contributed funding. Mrs. Yoon stated that she would look into this issue.

Council consensus: Referred to the 07/28/09 RCM Consent Agenda

This item was moved forward on the agenda:

Agenda Bill #3110 – A Motion authorizing the City Manager to enter into an Agreement with Sound Transit to augment funding for the Community Access Point Plaza art project

Summary: This Motion authorizes the City Manager to enter into an agreement with Sound Transit to provide \$73,000 in Hotel/Motel (H/M) funds to enhance a gateway art project at the public plaza on the northeast corner of International Boulevard (IB) and South 176th Street, adjacent to the SeaTac/Airport light rail station.

Sound Transit has provided a \$172,000 budget for the art project to be located at the SeaTac/Airport Station Community Access Point Plaza. Key project elements include a video projection system that will play a 90-minute video showcasing cultural and environmental features of the area and an 18-foot (ft) tall stainless steel and glass sculpture designed around the theme of celestial navigation. Additional elements were originally conceived of as part of the project but the baseline budget is inadequate to support them.

Since the art will be installed at a strategic location in the City Center and station area, it is believed that additional enhancements will benefit the public through increased use of the plaza and pedestrian traffic for neighboring hotels and related venues. Specifically, creation of this public gathering space will serve as a gateway to a new entertainment district east of IB that will serve as an amenity for overnight guests and may help increase hotel occupancy. Additionally, increased pedestrian activity may help attract more businesses to SeaTac. Overall, the plaza will help improve the City's image, which should help stimulate positive customer awareness for the lodging industry in the City.

It is proposed that the City provide \$73,000 in additional funding to enhance the art project including five 4 ft and two 10 ft diameter terrazzo and bronze paving inlays. The H/M Tax Advisory Committee reviewed this proposal in 2007 and recommended that \$36,500 be budgeted from the H/M Fund in 2007 and another \$36,500 in 2008. These funds have subsequently been carried over in the annual City budget awaiting billing by Sound Transit.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3110 (Continued): The 2009 budget includes a \$36,500 rollover from 2007 and an additional \$36,500 rollover from 2008. It is proposed that the City contribute the combined total of \$73,000 in H/M Funds to the Community Access Point Plaza Project.

Program Manager Lowry reviewed the agenda bill summary and detailed the plaza art.

Upon a question posed by CM T. Anderson regarding the ability to hide or disguise the Puget Sound Energy (PSE) sub station, Mrs. Lowry stated that is not included in this scope of work, but will be in the future as the project progresses.

Mayor Shape stated that the A&F and H/M Committees reviewed this item.

Council consensus: Referred to the 07/28/09 RCM Consent Agenda

Agenda Bill #3115 – 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 to reduce operating costs, the City now has vehicles and equipment to declare surplus. The following vehicles and equipment will be surplused to help reduce operating costs:

B-22	1998 Chevrolet Flatbed Truck
B-34	2002 Dodge Ram Pickup Truck
B-35	2002 Dodge Ram Pickup Truck
C-12	1999 5' X 10' Trailer
D-12	2001 John Deere Gator
D-23	2003 132" Toro Batwing Mower
S-8	1996 Skid Sprayer

B-22 has been identified as underutilized and will be surplused and not replaced. If approved, staff will arrange with an auctioneer specializing in vehicle and equipment sales to sell these assets.

As part of the 2009 equipment rental fund budget, \$236,500 was approved for replacement. The salvage value on the books for the surplus vehicles is \$13,100. However, auctioning this equipment is estimated to bring in between \$20,000 and \$25,000.

PW Director Gut reviewed the agenda bill summary.

CM Gregerson stated that the T&PW Committee recommended this item for approval.

Council discussion ensued regarding the low miles on these vehicles: B-22 – 49,500, B-34 – 59,000, B-35 – 62,500, D-12 – golf cart – 709 hours, and D-23 – 1200+ hours.

CM Gregerson stated that the T&PW Committee had a long discussion on this issue. The trucks are to the point that it would cost more to maintain them then to replace them.

Council consensus: Referred to the 07/28/09 RCM Consent Agenda

CONSENT AGENDA:

- **Approval of claims vouchers** (check nos. 85595 – 85801) in the amount of \$541,302.34 for the period ended July 20, 2009.
- **Approval of payroll vouchers** (check nos. 47859 - 47903) in the amount of \$180,769.13 for the period ended July 15, 2009.
- **Approval of payroll electronic fund transfers** (check nos. 60351 - 60542) in the amount of \$349,781.86 for the period ended July 15, 2009.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$64,368.83 for the period ended July 15, 2009.
- **Summary of \$5,000 - \$35,000 Purchase Requests** for the period ended July 24, 2009.

Approval of Council Meeting Minutes:

- **Land Use and Parks Committee** held July 9, 2009.
- **Special Council Meeting** held July 10, 2009.

CONSENT AGENDA (Continued):

Approval of Council Meeting Minutes (Continued):

- **Administration and Finance Committee** held July 14, 2009.
- **Public Safety and Justice Committee** held July 14, 2009.

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

Agenda Bill #3084; Resolution #09-012 authorizing the City Manager to execute the Jail Administrative Group Proceeds Distribution and Hold Harmless Agreement with the City of Bellevue

Agenda Bill #3115; Motion declaring vehicles and miscellaneous equipment surplus and approving same to be sold at public auction

Agenda Bill #3110; Motion authorizing the City Manager to enter into an Agreement with Sound Transit to augment funding for the Community Access Point Plaza art project

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

PUBLIC COMMENTS (related to the Consent Agenda): There were no public comments.

*MOTION CARRIED UNANIMOUSLY.

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

UNFINISHED BUSINESS: There was no Unfinished Business.

NEW BUSINESS: There was no New Business.

CITY MANAGER'S COMMENTS: City Manager Ward commented on the following: (1) SeaTac Community Center will be open as a cooling shelter this week until 10 p.m. each day; (2) August 4 – National Night Out (NNO); (3) August 10 – tentative 2 p.m. SCORE Jail ground breaking; and (4) he will be taking vacation time during August.

COUNCIL COMMENTS: DM Fisher stated that he would be missing the NNO and stated his appreciation of the block watch groups and all they do.

CM T. Anderson commented on the following: (1) August 16 – 1-4 p.m., 3rd Annual Ice Cream Social with Cisco at the Highline Botanical Gardens; (2) July 17 - attended the kick-off of the Light Rail System which eliminated any concerns she had; and (3) she will be out of town the last week of September and first week of October.

CM A. Anderson commented on the following: (1) NNO is a great event; (2) teen night out at Valley Ridge sponsored by Parent Teacher Student Association (PTSA); (3) Seafair – Navy ships arrived in town and there is a program where anyone can host sailors who are away from home and their families; and (4) Fire Department explorers were commended for their crowd and traffic control at Emerald Downs and helping at a Tukwila fire.

CM Ladenburg stated that the Fire Explorers is a great group led by Battalion Chief John Madson.

CM Gregerson commented on the following: (1) Thursday, July 30 – 6:30 p.m., KC Budget meeting at the Hall of Fauntleroy; (2) Madrona Elementary School teacher Michele Brees was awarded Highline's Teacher of the Year award; (3) August 27 – 10:30 a.m. – 2 p.m., Back to School Fair at Lutheran Resource Center; (4) the Business Clothing Closet by the PTSA was successful; (5) August 15 - 9 – 11 a.m., next Coffee Chat at Mike's Community Cup; and (6) questioned Council about continuing forward with scheduling a meeting with the City of Tukwila. She suggested the last week of September or first week of October. Mayor Shape stated that he had a conversation with Tukwila's Mayor Jim Haggerton and it will probably occur in late September.

Mayor Shape commented on the following: (1) received a letter from the Renton Mayor commending SeaTac's Fire Department for assistance with recent fires; (2) questioned which CMs would be interested in sitting on the Fire Station 45 Design Committee. CMs T. Anderson and Gregerson volunteered; (3) the City will be moving forward with becoming a Tree City USA member; and (4) Council was given a visioning survey to fill out and return to the City Clerk.

The next RCM is scheduled for August 11 and then Council will be on summer recess until September 8.

EXECUTIVE SESSION: There was no Executive Session.

ADJOURNMENT:

MOVED BY A. ANDERSON, SECONDED BY GREGERSON TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 7:34 P.M.

MOTION CARRIED UNANIMOUSLY.

Ralph Shape, Mayor

Kristina Gregg, City Clerk

City of SeaTac

Regular Council Meeting Minutes

August 11, 2009
6:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Shape at 6:08 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Councilmembers (CMs) Chris Wythe, Terry Anderson, Anthony (Tony) Anderson, Barry Ladenburg, and Mia Gregerson. Excused Absence: Deputy Mayor (DM) Gene Fisher.

ADMINISTRATIVE STAFF: City Manager Craig Ward, Senior Assistant City Attorney Mark Johnsen, City Clerk Kristina Gregg, Assistant City Manager (ACM) Todd Cutts, Economic Development (ED) Manager Jeff Robinson, Public Works (PW) Director Tom Gut, Planning Director Steve Butler, Senior Planner Dennis Hartwick, Associate Planner Kate Kaehny, Facilities Director Pat Patterson, Fire Chief Bob Meyer, Police Captain Annette Louie, Community Services Officer (CSO) Eloise Kruger, and Community Advocate Chris Peterson.

FLAG SALUTE: Impact Studio Pro Video Specialist Nathan Bosseler led the Council, audience and staff in the Pledge of Allegiance.

PUBLIC COMMENTS: Maudette Richards stated that the SeaTac Community Parent Teacher Student Association (PTSA) started in January 2009 to represent any school in SeaTac without an active PTA or PTSA. She reviewed some of their accomplishments: Business Clothing Closet, Youth National Night Out (NNO), and the upcoming August 27 Back-to-School Fair at the Angle Lake Family School Resource Center. She requested support from the Council to fill the gap needed to fund the cost of buses to transport students home after participating in after school programs. The PTSA meets the third Monday of every month at 6:30 p.m. at the Angle Lake Family School Resource Center.

Michael Kovacs questioned who would be responsible at the City for responding to the Washington State Audit and if the City would be developing a work plan for resolving deficiencies identified in the audit.

Oren Hadaller, spokesperson for the committee against Proposition #1 to change the City's form of government, stated that the first draft of their statements was sent to the committee members today for review. A more active campaign is also being conducted to get the information out to the citizens. The first meeting was held two weeks ago with another meeting being held August 11 at 7 p.m.

PRESENTATIONS:

•Major Zoning Code Update: Initial presentation of proposed changes to the Use Charts

Senior Planner Hartwick reviewed general changes to the use chart, a sample of the existing use chart, the proposed user guide, and the proposed use chart.

Mr. Hartwick and Associate Planner Kaehny detailed the proposed changes to the individual zones.

Council discussion ensued regarding the individual zones. Staff stated that this is the first presentation and many items need to be further reviewed.

SUSPENSION OF THE RULES:

MOVED BY T. ANDERSON, SECONDED BY A. ANDERSON TO SUSPEND THE RULES TO BRING FORWARD PUBLIC COMMENTS AND COUNCIL ACTION RELATED TO AGENDA BILL #3121.

MOTION CARRIED UNANIMOUSLY.

NEW BUSINESS:

Agenda Bill #3121; Resolution #09-013 expressing the City Council's opposition of Initiative 1033 to be presented to the electorate on November 3, 2009

Summary: Initiative 1033 concerns State, County and City revenue. The official ballot summary states: "This measure would limit growth in State revenues deposited in funds subject to the State expenditure limit, and limit growth in County and City revenues deposited into the County and City current expense funds. The limit would be adjusted based on annual growth in inflation and population. The limit also would apply to revenues transferred out of these funds. The limit would exclude voter-approved revenue increases. Revenues above the limit would reduce property tax levies."

NEW BUSINESS (Continued):

Agenda Bill #3121; Resolution #09-013 (Continued): In sum, it appears that the Initiative is intended to do the following:

- The growth rate for State, County, and City general fund revenues would be limited to inflation and population growth.
- Any revenue collected in excess of these limits must be placed in a “Lower City Property Taxes” account.
- Any money that is deposited in the “Lower City Property Taxes” account must be used to lower property taxes the following year.
- The revenue subject to limitation under this Initiative is “the aggregate of revenues, taxes, fees, and other governmental charges received by the City that are deposited in the City’s current expense fund.” This appears to be any revenue that would be eligible to be deposited in the general fund.
- The revenue limits under this Initiative would not apply to restricted revenues, such as Lodging Tax, Real Estate Excise Tax, Gas Tax, Parking Tax, and Surface Water Management (SWM) fees, as these revenues cannot be deposited into the general fund.
- Sales tax, permit fees, activity fees, and licensing fees would count as revenue under the Initiative.
- New voter-approved revenue would not be subject to the revenue limits under the Initiative.
- In any City program or function is shifted from the general fund after January, 2009 to another source of funding, or if it is transferred from the general fund to another fund or account, the limit would still apply to the aggregate of the general fund plus the shifted and/or transferred revenue for that year and all subsequent years.
- The Initiative would be effective in 2010. If passed, the City would only be able to collect general fund revenue equal to revenue collected in 2009, plus an adjustment for inflation and population growth.
- This Initiative also has similar provisions for counties and State government. The Initiative does not apply to districts such as the Port of Seattle (POS), Highline Water District (HWD), Highline School District (HSD), and King County Library System (KCLS).

Revised Code of Washington (RCW) 42.17.130 prohibits the use of City facilities to assist in promotion of or opposition to any ballot proposition. However, RCW 42.17.130(1) allows the Council to adopt a Resolution in support of or opposition to a ballot proposition if certain mandatory procedural steps are taken, including providing notice that the Council will discuss taking a collective position regarding the ballot measure, and providing an opportunity for public comment prior to Council action. Therefore, public comments have been solicited for the Council Meeting of August 11, 2009, by notice published on the August 11, 2009 City Council Agenda. In addition, notice was posted at various locations around the City and at City Hall, indicating that the City Council would be seeking comment on this issue.

Adoption of this Resolution will not have a fiscal impact to the City. However, if the Initiative is passed, it would affect the amount of revenue the City would be able to collect in subsequent years, starting in 2010.

Senior Assistant City Attorney Johnsen reviewed the agenda bill summary.

Council discussion ensued regarding potential forms of revenue.

MOVED BY GREGERSON, SECONDED BY T. ANDERSON TO PASS RESOLUTION #09-013.*

PUBLIC COMMENTS (related to Agenda Bill #3121): There were no public comments.

*MOTION CARRIED UNANIMOUSLY.

DISCUSSION ITEM:

•Summary of \$5,000 - \$35,000 Purchase Requests for the period ended August 7, 2009

City Manager Ward reviewed the request:

<u>Item Description</u>	<u>Department</u>	<u>Original Budget</u>	<u>Amended Budget</u>	<u>Estimate</u>
Anti-spam and anti-virus software	Finance & Systems	\$4,420	\$4,420	\$11,052

Sole source - Proprietary software provider. Total amount of software is \$11,052, with three annual payments of \$3,684 each (2009, 2010 & 2011). Budget amount listed is for 2009 only. 2010 and 2011 annual payments will be budgeted in those years.

Council consensus: Referred to the 08/11/09 RCM Consent Agenda

AGENDA BILL PRESENTATIONS:

This item was moved to New Business prior to being presented.

Agenda Bill #3124 – A Motion authorizing the City Manager to execute a voluntary agreement with the South Correctional Entity (SCORE) regarding compensation to mitigate traffic impacts

Agenda Bill #3109 – A Motion approving a lease to Verizon Wireless for antenna space on City Hall

Summary: Verizon Wireless approached the City asking to rent space on top of City Hall in order to place three cellular antenna arrays and the associated equipment to power them. Because of the placement of these arrays, a request was made of Verizon to produce alternate screens for various possible locations for their antennas. Several suggestions were made. It was agreed by the Land Use & Parks (LUP) Committee earlier this year to recommend a full screen along the parapet wall the entire length of the front of the building and to place the antennas behind these screens. Verizon agreed to construct the wall at no cost to the City in return for reduced monthly payments. This screen wall will become the property of the City at the end of the lease term.

The proposed agreement gives Verizon an option to lease approximately 810 square feet (sq ft) of City Hall roof top area to house cellular antennas and tower equipment. Within 45 days of execution of the option agreement or of receipt of the rental documentation by Verizon, Verizon will pay the City \$1,000. Also, Verizon will have one year to exercise their option to lease City Hall rooftop space. If Verizon does not execute the option within one year, the option may be extended for one additional year in exchange for another \$1,000 payment to SeaTac.

If Verizon exercises their option to lease space from the City, the lease provides that Verizon will pay an annual lease rate of \$16,200 for the first five years. The lease also provides for four automatic five year extensions. The lease rate will increase 15% for each five-year extension.

The City will receive \$1,000 upon execution of the option agreement. If Verizon exercises the option to lease space for their antennas, the annual lease rate will be \$16,200 for the first five years. The annual lease rate will increase to \$18,630 for years six through ten, \$21,424.50 for years eleven through fifteen, \$24,638.18 for years sixteen through twenty, and \$28,333.91 for years twenty-one through twenty-five.

Facilities Director Patterson reviewed the agenda bill summary.

CM Wythe stated this item was reviewed by the LUP Committee in January.

CM T. Anderson stated that the Administration & Finance (A&F) Committee recommended this item for approval.

Council consensus: Referred to the 08/11/09 RCM Consent Agenda

Agenda Bill #3111 – An Ordinance adding a new Chapter 12.12 to the SeaTac Municipal Code (SMC) related to Surface and Stormwater—Illicit Discharge, Detection, and Elimination (IDDE)

Summary: The City of SeaTac was issued the National Pollution Discharge Elimination Standards (NPDES) Phase II Municipal Stormwater Permit by the State of Washington Department of Ecology (DOE), on January 17, 2007. The permit calls for SeaTac to develop and implement Stormwater Management Programs over a five-year period. Under the IDDE program component, the City is required to adopt an Ordinance to prohibit non-stormwater and illicit discharges. More specifically, the permit requires the SMC to reflect the following: prohibit non-stormwater and illicit discharges; identify allowable discharges; prohibit illicit connections (i.e. sanitary sewer) to the stormwater drainage system; make definitions/terms in the SMC consistent with the NPDES Phase II Municipal Stormwater Permit; include escalating enforcement and legal actions to remove sources of pollution to the stormwater drainage system; and provide administrative procedures to investigate and remove illicit discharges and/or illicit connections to the stormwater drainage system.

The proposed Code revisions are required to be adopted by August 16, 2009. Furthermore, the DOE provided jurisdictions with sample code language that meets the requirements of the permit. Proposed Sections 12.12.010 through 12.12.050 reflect the language suggested by DOE.

PW Director Gut reviewed the agenda bill summary.

Upon a question posed by CM Wythe, Mr. Gut stated that the City will develop the plan for which areas will be monitored, with public input, but that is not the requirement for this permit.

CM Gregerson stated that the Transportation & Public Works (T&PW) Committee recommended this item for approval.

Council consensus: Referred to the 08/11/09 RCM Consent Agenda

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3119 – A Motion authorizing the City to join the Cascade Land Conservancy’s (CLC) “Cascade Agenda Cities” program” as a Member City

Summary: To help implement *The Cascade Agenda*, the CLC created the “Cascade Agenda Cities” program to help local jurisdictions create complete, compact and connected communities. This agenda bill would have the City of SeaTac become a “Member City,” with no membership cost to the City.

In May 2005, the CLC published *The Cascade Agenda*, which is a 100-year collective vision for the central Puget Sound region with the goals of conserving 1.3 million acres of working farms, forests, and natural areas and creating vibrant and livable communities, while sustaining a strong regional economy. To help implement *The Cascade Agenda*, the CLC created the “Cascade Agenda Cities” program to help local jurisdictions create complete, compact and connected communities.

The Cascade Agenda Cities program “enlists the region’s cities to improve the livability of neighborhoods—making them complete, compact and connected—and spectacular enough that people choose to live there, saving the region’s natural and working lands from poorly planned development.” The program seeks to accomplish this by: (1) Educating partner cities about what it takes to become a truly livable city; (2) Helping these cities—and their residents—make smart choices about future growth; and (3) Providing a framework for continuous improvement and sharing best practices that enable cities to make their neighborhoods even better.

There are two levels of “Cascade Agenda Cities” program membership – Leadership City (\$5,000) and Member City (no cost). This agenda bill would have the City of SeaTac become a “Member City.” As a member, SeaTac would receive the following benefits: recognition as a regional leader in creating smart communities, general technical assistance on growth options, access to best practices through a region-wide learning network of peers, workshops with other innovative cities and regional experts, community outreach on how to create a better future for the region, and membership in the Cascade Agenda Coalition--directed at influencing state level policy.

By being a Member City, and not a Leadership City, SeaTac would not receive twenty hours of direct technical assistance from CLC staff. As a “Member City,” the City would be agreeing to pursue a partnership with the Cascade Land Conservancy to advance the vision articulated in *The Cascade Agenda* within SeaTac. In addition, the City would seek to align policies and programs on community development, housing, transportation, parks, open space, and sustainability with the objectives of The Cascade Agenda Cities Program, striving to make the City more complete, compact and connected. SeaTac would need to appoint a staff person to act as the City’s primary link with respect to Cascade Agenda Cities program-related activities.

Planning Director Butler introduced Cascade Agenda Cities Project Manager Jeff Aken.

Mr. Aken reviewed the Cascade Agenda Goals (save landscape, and enhance communities), and the Program’s mission (to enlist the region’s cities to improve the livability of neighborhoods – making them complete, compact and connected – spectacular enough for people to choose to live there, saving the region’s natural and working lands from poorly planned development).

They assist cities with four elements: (1) planning for walkable neighborhoods; (2) investing in infrastructure; (3) bringing good plans to fruition; and (4) getting everyone involved.

Mr. Aken stated that there are currently 14 participating cities with four of them joined as Leadership Cities.

He stated that the benefits for SeaTac are: (1) free membership; (2) a learning network; (3) resources available to assist with smart planning; (4) design for livability symposium; and (5) outreach and support around quality of life.

CM Wythe stated that the LUP Committee recommended this item for approval.

Council consensus: Referred to the 08/11/09 RCM Consent Agenda

Agenda Bill #3122 – An Ordinance adding Section 6.05.055 of the SeaTac Municipal Code (SMC) related to animal sanitation

Summary: This Ordinance seeks to hold persons responsible in the event their animal or the animal they currently have care and control over deposits fecal matter on public property, public easements, or another’s private property. This Ordinance makes it a civil infraction with a monetary penalty of \$100, not including statutory assessments, if such a person fails to pick up and remove the fecal matter from the property or fails to have in his/her possession equipment such as a plastic bag or other means of conveyance necessary to remove the fecal matter when the animal deposits fecal matter on public property, public easement or another’s private property.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3122 (Continued): Captain Louie reviewed the agenda bill summary.

CM A. Anderson stated that the Public Safety & Justice (PS&J) Committee recommended this item for approval.

Council consensus: Referred to the 08/11/09 RCM Consent Agenda

CONSENT AGENDA:

- **Approval of claims vouchers** (check nos. 85807 – 86001) in the amount of \$752,979.25 for the period ended August 5, 2009.
- **Approval of payroll vouchers** (check nos. 47904 – 47955) in the amount of \$409,547.29 for the period ended July 31, 2009.
- **Approval of payroll electronic fund transfers** (check nos. 60543 - 60738) in the amount of \$366,161.98 for the period ended July 31, 2009.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$73,231.46 for the period ended July 31, 2009.
- **Summary of \$5,000 - \$35,000 Purchase Requests** for the period ended August 7, 2009.

Approval of Council Meeting Minutes:

- **Special Council Meeting** held June 30, 2009.
- **Transportation and Public Works Committee Meeting** held July 28, 2009.
- **Special Council Meeting** held July 28, 2009.

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

Agenda Bill #3109; Motion approving a lease to Verizon Wireless for antenna space on City Hall

Agenda Bill #3111; Ordinance #09-1024 adding a new Chapter 12.12 to the SeaTac Municipal Code related to Surface and Stormwater-Illicit Discharge, Detection, and Elimination

Agenda Bill #3119; Motion authorizing the City to join the Cascade Land Conservancy's "Cascade Agenda Cities" program" as a Member City

Agenda Bill #3122; Ordinance #09-1025 adding Section 6.05.055 of the SeaTac Municipal Code related to animal sanitation

Mayor Shape requested the June 30 Special Council Meeting minutes be removed for further review and presented at the next Council meeting.

MOVED BY T. ANDERSON, SECONDED BY GREGERSON TO ACCEPT THE CONSENT AGENDA WITH REMOVAL OF THE JUNE 30 SPECIAL COUNCIL MEETING MINUTES.*

PUBLIC COMMENTS (related to the Consent Agenda): There were no public comments.

*MOTION CARRIED UNANIMOUSLY.

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

UNFINISHED BUSINESS: There was no Unfinished Business

NEW BUSINESS:

Agenda Bill #3124; Motion authorizing the City Manager to execute a voluntary agreement with the South Correctional Entity (SCORE) regarding compensation to mitigate traffic impacts

Summary: SCORE is in the process of developing a new jail facility in the City of Des Moines. The jail property abuts the SeaTac City limits at South 208th Street. The primary access for the jail facility will be through the City of SeaTac, via South 200th Street, onto what is currently 18th Avenue South.

Even though the jail facility is located in the City of Des Moines, City staff believed that it is appropriate for SCORE to compensate SeaTac for the transportation network impacts associated with the jail since almost all jail traffic will travel on City streets. Normally, this is accomplished through the collection of traffic impact fees. However, SeaTac is not the building permit authority and is therefore unable to collect these fees without a voluntary agreement with SCORE.

NEW BUSINESS (Continued):

Agenda Bill #3124 (Continued): The proposed agreement provides that SCORE will compensate SeaTac in the amount of \$84,660, which equals the amount of traffic impact fees the City would have collected had SeaTac been the building permit authority. Furthermore, the City Manager and PWs Director attended the SCORE Board Meeting on July 22, 2009 to discuss SeaTac's request for compensation and the Board indicated their support. It is anticipated that the SCORE Board will vote to approve this Agreement on August 26, 2009.

Senior Assistant City Attorney Johnsen stated that CM A. Anderson recused himself from voting on this item. He reviewed the agenda bill summary.

CM Gregerson stated that the T&PW Committee recommended this item for approval.

Upon a question posed by CM Ladenburg, Mr. Ward stated that the fees collected from non member cities will reduce SeaTac's (as a member city) costs.

THROUGH UNANIMOUS CONSENT OF THE COUNCIL (NO MOTION MADE), AGENDA BILL #3124 WAS PASSED.

CITY MANAGER'S COMMENTS: City Manager Ward commented on the following: (1) vacation schedule – August 14 through 21; (2) September 3 – 6 p.m., Shoreline Master Program Open Public Meeting; and (3) September 7 – Labor Day, City facilities closed.

COUNCIL COMMENTS: Council thanked the families and staff for participating in the National Night Out (NNO), which was a success.

CM A. Anderson also commended the PTSA for the Youth NNO.

CM Gregerson commented on the following: (1) August 15 – 9 a.m., Council Coffee Chat at Mike's Community Cup; (2) August 22 and 29 – noon to 4 p.m., Farmers Market; and (3) congratulated Captain Louie for successfully obtaining a grant.

Mayor Shape thanked the Council for their active participation in NNO.

RECESSED: Mayor Shape recessed the Council Meeting to an Executive Session on Property Acquisition at 8:16 p.m.

EXECUTIVE SESSION: Property Acquisition (30 minutes) (RCW 42.30.110 [1][b])

Senior Assistant City Attorney Johnsen announced that Council extended the Executive Session for 15 more minutes at 8:46 p.m., 15 more minutes at 9:01 p.m., and 10 more minutes at 9:16 p.m.

ADJOURNMENT:

MOVED BY GREGERSON, SECONDED BY A. ANDERSON TO ADJOURN THE REGULAR COUNCIL MEETING OF THE SEATAC CITY COUNCIL AT 9:26 P.M.

MOTION CARRIED UNANIMOUSLY.

Ralph Shape, Mayor

Kristina Gregg, City Clerk

City of SeaTac

Special Council Meeting Minutes

August 11, 2009
5:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac Special Council Meeting was called to order by Mayor Shape at 5:07 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Councilmembers (CMs) Chris Wythe, Terry Anderson, Anthony (Tony) Anderson, Barry Ladenburg, and Mia Gregerson. Excused Absence: Deputy Mayor (DM) Gene Fisher.

ADMINISTRATIVE STAFF: City Attorney Mary Mirante Bartolo and City Clerk Kristina Gregg.

RECESSED: Mayor Shape recessed the Special Council Meeting to an Executive Session to Review the Performance of a Public Employee at 5:08 p.m.

EXECUTIVE SESSION: Review the Performance of a Public Employee (*60 minutes*) (*RCW 42.30.110[1] [g]*)

RECONVENED: Mayor Shape reconvened the Special Council Meeting at 6:07 p.m.

ADJOURNMENT:

MOVED BY T. ANDERSON, SECONDED BY A. ANDERSON TO ADJOURN THE SPECIAL MEETING OF THE SEATAC CITY COUNCIL AT 6:07 P.M.

MOTION CARRIED UNANIMOUSLY.

Ralph Shape, Mayor

Kristina Gregg, City Clerk

City of SeaTac

Regular Council Meeting Minutes

September 8, 2009
6:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Shape at 6:01 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Deputy Mayor (DM) Gene Fisher, Councilmembers (CMs) Chris Wythe, Terry Anderson, Anthony (Tony) Anderson, Barry Ladenburg, and Mia Gregerson.

ADMINISTRATIVE STAFF: City Manager Craig Ward, City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, Senior Assistant City Attorney Mark Johnsen, Economic Development (ED) Manager Jeff Robinson, Human Services (HS) Coordinator Colleen Brandt-Schluter, Finance Director Mike McCarty, Public Works (PW) Director Tom Gut, Stormwater Compliance Manager Don Robinett, Assistant Parks & Recreation (P&R) Director Lawrence Ellis, Human Resources (HR) Director Anh Hoang, Fire Chief Bob Meyer, and Chief of Police Services James Graddon.

FLAG SALUTE: Assistant P&R Director Ellis led the Council, audience and staff in the Pledge of Allegiance.

PUBLIC COMMENTS: Earl Gipson stated that the Sunrise View Bypass Pipeline project construction has started. He thanked PW Director Gut and former PW Director Dale Schroeder for their work on this project.

PRESENTATIONS:

•Introduction of new employees: Human Resources (HR) Director Anh Hoang and Stormwater Compliance Manager Don Robinett

City Manager Ward introduced Mrs. Hoang and Mr. Robinett.

•Des Moines Area Food Bank

Associate Director Barb Schimizu introduced Executive Director Kris VanGaskin. Ms. Schimizu gave the following facts about the food Bank:

- started approximately 45 years ago
- serves SeaTac south of South 160th Street
- clients predominantly are single-parent families, elderly, disabled, and out of work
- funded primarily by grants from SeaTac, Des Moines, King County (KC), Washington State, Federal Government, and United Way
- 40% of the funding comes from donations and 10% from fundraising
- food is received from churches, stores, and individuals (equivalent to 1,000,000 meals)
- two full-time employees and 800 volunteers, which equals about 23 full-time employees
- working to expand backpack programs in schools to get food directly to children that don't have food during the weekends

Ms. Schimizu read a quote from a client thanking the Des Moines Area Food Bank for their support.

Council discussion ensued related to the increased need in SeaTac, how the Des Moines Area Food Bank attempts to help students during the summer, and the backpack program used during the school year.

•Highline Botanical Garden Foundation

President Board of Directors Wendy Morgan thanked the City for ongoing support of the Highline SeaTac Botanical Garden. She briefed on the history of the garden, what's happening in the garden now, and plans for the future. She encouraged the Council to seriously consider two decision cards being presented during the 2010 Budget process: (1) rose garden curbing and seating, and (2) completion of the fencing around the Japanese Garden. She also requested directional signage to the garden.

Council thanked the foundation for the work that they do and agreed that the garden is beautiful.

•Preview of SeaTac Economic Development (ED) Video

ED Manager Robinson stated that this new video being presented will be used with real estate and business brokers, individual businesses, developers and at conferences. It will also be playing on the City's website. He thanked everyone that was involved in producing this video. Council viewed the video.

DISCUSSION ITEM:

•Summary of \$5,000 - \$35,000 Purchase Requests for the period ended September 4, 2009

City Manager Ward reviewed the requests:

<u>Item Description</u>	<u>Department</u>	<u>Original Budget</u>	<u>Amended Budget</u>	<u>Estimate</u>
Amendment to Bruce Dees' Contract for Sunset Soccer Field Renovation Project	P&R	\$324,000	\$324,000	\$13,119
total project budget				
Televising City Council Meetings	City Manager's Office (CMO)	\$24,000	\$24,000	\$24,000
Custom Video Production for SeaTV	CMO	\$16,000	\$16,000	\$21,422
absorb within existing budget				
Allocation of 2009 HS Reserve Funds	CMO	\$40,000	\$40,000	\$15,000
total 2009 allocation				

Council consensus: Referred to the 09/08/09 RCM Consent Agenda

SUSPENSION OF THE RULES:

Mayor Shape stated that Agenda Bill #3128 would need to be moved to New Business due to CM A. Anderson recusing himself.

MOVED BY T. ANDERSON, SECONDED BY LADENBURG TO SUSPEND THE RULES TO BRING FORWARD COUNCIL ACTION AND PUBLIC COMMENTS RELATED TO AGENDA BILL #3128.

MOTION CARRIED UNANIMOUSLY.

NEW BUSINESS:

Agenda Bill #3128; Resolution #09-014 authorizing the City Manager to execute an amended and restated Interlocal Agreement (ILA) relating to the South Correction Entity (SCORE) facility

Summary: Issue 1: The SCORE cities (Auburn, Burien, Des Moines, Federal Way, Renton, SeaTac and Tukwila) signed an ILA in February 2009 that established a governmental agency of the seven cities known as SCORE to finance the acquisition, construction, and equipping of the SCORE Facility. Bonds issued to finance costs of the SCORE Facility will be issued by the SCORE Public Development Authority (PDA), a PDA created by the City of Renton. Under the original ILA, each of the seven cities agreed to pay its allocable portion of debt service due on bonds issued by the PDA.

Part of the process of issuing the bonds included each of the cities having presentations with the rating agencies. As part of the SCORE financing, the two leading credit agencies, Moody's and Standard and Poor's, reviewed the financial condition of each participating city. The City of Des Moines has traditionally used Moody's for their credit rating. Moody's downgraded Des Moines' Limited Tax General Obligation (LTGO) rating to Baa1. While this rating is investment grade, it is lower than any of the other cities participating in SCORE. Des Moines recently had a rating presentation with Standard and Poor's. Standard and Poor's will not indicate the actual rating prior to review. However, based upon the recent downgrade from Moody's, it is unlikely that it will be favorable.

Rating agencies use different methodologies for rating composite bond issues, such as the proposed financing for the SCORE facility. For instance, some rating agencies use the "weakest link" methodology, assigning the composite bond issue the rating of the lowest-rated municipality, while some use a blended rating. Moody's has indicated that they will use a blended rate, reviewing the credit of all of the owner agencies. However, Standard and Poor's has indicated that they will base SCORE's rating upon the weakest credit amongst all of the owner agencies, which we now believe will be Des Moines.

Early indications are that the negative rating from Standard and Poor's will add between 75 and 125 basis points to the interest rate for SCORE. An increase in this range is expected to add between \$500,000 and \$850,000 annually to the debt service obligation.

The SCORE Administrative Board, Finance Directors, and SCORE's financial advisors and underwriters met to review potential options. The available options and the benefits of each are listed below:

NEW BUSINESS (Continued):

Agenda Bill #3128; Resolution #09-014 (Continued):

Option 1 – Drop Standard and Poor’s as a rating agency and request a rating from Fitch’s rating company. As this option was explored further, it was learned that they use the same rating methods as Standard and Poor’s and the rating from the lowest agency would be applied to SCORE.

Option 2 – Establish a debt service reserve fund. This option was reviewed at length. SCORE’s financial advisor believes that creating a bond reserve fund would help lessen the negative impact of a single owner city’s rating. However, creating the bond reserve fund would require the cities to either issue additional bonds to finance the reserve (approximately \$6 million), or the cities would have to allocate a portion of their existing reserves to the bond fund, thus tying up those funds for the life of the bonds. Issuing additional bonds is expected to increase the annual debt service by approximately \$400,000 for the additional \$6 million in bonds issued. The annual increase in debt service would amount to a \$12 million increase over the life of the bonds.

Option 3 - Implementing a “step-up” provision. A step-up provision would require amending the ILA and would mean that each of the cities would be obligating themselves to paying 100% of the debt service should other cities default. The total bond amount exceeds the available bond capacity for many of the cities. The cities that could assume that full liability felt uncomfortable being responsible for the entire amount.

Additionally, there was mixed information about whether a limited step-up provision (such as each city agreeing to pay for its portion plus 20% of the bonds) would provide enough benefit to offset the risks or negative credit rating of one of the agencies.

Option 4 – Take no action. This would mean that the existing ILA would stand, which is believed to result in significant increase in costs as identified above.

Option 5 – Amend the ILA to remove Des Moines direct capital contribution to bondholders. This option requires amending the ILA to reallocate Des Moines’ 5% capital share of debt service due on bonds issued by the PDA. To accomplish this goal and to keep Des Moines as a party to the document and the overall project, the ILA would need to be amended to add a few new definitions, including "Host City" (which is Des Moines), and "Owner Cities" (Renton, Auburn, Federal Way, Tukwila, Burien, and SeaTac), and together they are "Member Cities." As the Host City, Des Moines will have all of the same rights and obligations as it currently has (including paying costs of maintenance and operation of the SCORE facility based on its use) with the exception of its obligation to pay debt service on bonds. The cities of Auburn, Federal Way and Renton would each increase their share of the debt burden by two, one, and two percent, respectively. In consideration of increasing their capital contribution, Auburn, Federal Way and Renton will enter into a separate agreement with Des Moines and SCORE pursuant to which Des Moines is obligated to pay a “Host City Fee” for the availability of the SCORE facility, which is equal to 5% of debt service due on bonds. From a bondholder perspective, however, only the Owner Cities are the source of payment and security for debt service on the bonds.

Issue 2: The existing ILA allocates revenue received from subscribing agencies (municipalities that enter into agreements with SCORE to house their inmates at the SCORE Facility) to each of the cities based solely on average daily population at the facility (the same methodology used to determine each city’s allocable costs of maintenance and operation). The methodology to allocate facility generated revenues currently does not consider a city’s capital investment. Because the basis of the fee is now expected to take into account the total cost of the providing correctional services, including the capital cost of the facility, the proposed amendment revises the revenue allocation methodology to state that fees will be allocated to the cities based on their use at the facility and based on their percentage of capital contribution.

Amending the existing ILA is not something that is considered lightly. However, it is the option that provides the most comfort for the credit ratings and it doesn’t require the cities incurring additional debt to create a reserve. Amendment of the existing ILA is the preferred option by the SCORE Administrative Board.

The purpose of the restatement is to provide all of the original terms, provisions, and agreements related to SCORE and the SCORE facility, and the new amendments, into one complete document.

Finance Director McCarty reviewed the agenda bill summary.

DM Fisher stated that the Administration & Finance (A&F) Committee recommended this item for approval.

NEW BUSINESS (Continued):

Agenda Bill #3128; Resolution #09-014 (Continued):

Upon a question posed by Mayor Shape, Renton Police Department Certified Jail Manager (CJM) Penny Bartley stated that all seven cities must unanimously approve this agreement.

CM Ladenburg questioned the construction time line. Ms. Bartley stated that the bid opening is scheduled for October 13, with bond sell on October 21. The General Contractor should be on board the first of November.

MOVED BY FISHER, SECONDED BY T. ANDERSON TO PASS RESOLUTION #09-014.*

PUBLIC COMMENTS (related to Agenda Bill #3128): There were no public comments.

*MOTION CARRIED WITH A. ANDERSON ABSTAINING.

AGENDA BILL PRESENTATIONS:

Agenda Bill #3125 – A Motion authorizing the City Manager to enter into an agreement with King County (KC) Metro Transit (Metro) for the purpose of implementing the Commute Trip Reduction (CTR) Efficiency Act

Summary: The purpose of this Agreement is to assign certain tasks to be performed by Metro on behalf of the City in implementing the CTR Efficiency Act for a two-year period from July 1, 2009 to June 30, 2011.

The Legislature passed the CTR Efficiency Act in 2006 which requires the City to develop and implement plans to reduce vehicle miles traveled per employee and single occupant vehicle commute trips with its fifteen major employers. The City can achieve cost efficiencies and administrative consistency by contracting with Metro for CTR implementation. The City and County have entered into similar agreements since 1993.

The total amount of this two-year contract is \$40,656. A two-year Washington State Department of Transportation (WSDOT) CTR grant in the amount of \$53,364 will reimburse the City for its payment to Metro.

PW Director Gut reviewed the agenda bill summary.

DM Fisher stated that the A&F Committee recommended this item for approval.

Council consensus: Referred to the 09/08/09 RCM Consent Agenda

Agenda Bill #3129 – A Resolution authorizing the creation of a Police Confidential Imprest Fund and a Farmers Market Imprest Fund

Summary: Historically, agencies use imprest funds to make a variety of payments to all classes of payment recipients. Agencies typically use imprest funds to reimburse employees for expenses, to make small purchases, to make emergency beneficiary payments, and to pay informants, among other uses. In other words, they are any sum of money or other resources set aside for specific purposes. SeaTac uses imprest funds for petty cash and for making change at various City facilities throughout SeaTac.

Two events have occurred in the recent past that requires the City Council to authorize the creation of two additional imprest funds to be used for specific purposes. They are as follows:

Police Confidential Imprest Fund: The City's most recent audit by the Washington State Auditor's Office revealed that the creation of the existing Police Confidential Imprest Fund was never officially authorized by the City Council as it should have been. This imprest fund was originally established by the City in 1996, and is used to record and account for the use of assets and funds resulting from seizure and forfeiture of property involved in transactions violating the Uniform Controlled Substances Act. Forfeited property and net proceeds received are to be used by the seizing law enforcement agency for expansion and improvement of drug enforcement activity.

Confidential funds are typically used for the following three types of law enforcement undercover operations:

1. Purchase of specific information from informants.
2. Purchase of evidence, including the purchase of contraband such as drugs, firearms, stolen property, etc., required to determine the existence of a crime, or to establish the identity of a participant in a crime.
3. Purchase of services such as travel or transportation of an undercover officer or an informant. Expenditures to establish the appearance of affluence, credibility and a general atmosphere conducive to the undercover role are included in this category. Meals, beverages, entertainment and similar expenses for undercover purposes, within reasonable limits, are also included here.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3129 (Continued): Currently, this imprest fund contains approximately \$93,000. This Resolution formally establishes the existing Police Confidential Imprest Fund as recommended in the Audit Exception issued by the State Auditor at the end of their most recent audit.

Farmers Market Imprest Fund: The SeaTac Sunday Farmers Market recently began providing coupons, good for \$2 off the purchase price at any of the participating vendor booths, to help draw more visitors to the Market. Because many of the participating vendors want to be reimbursed by the City on the same day for the coupons they have accepted at their respective booths, it was necessary to establish an imprest fund to accommodate this. This fund is also used to give change as necessary for cash payments received for Market space rentals. This Resolution establishes the Farmers Market Imprest Fund by the governing body as required under state law.

Finance Director McCarty reviewed the agenda bill summary.

DM Fisher stated that the A&F Committee recommended this item for approval.

Council consensus: Referred to the 09/08/09 RCM Consent Agenda

Agenda Bill #3134 – An Ordinance amending the 2009 Annual City Budget for miscellaneous items

Summary: Four items are included in this budget amendment as follows:

1. Payment of parking tax revenue due to the Port of Seattle (POS): Per Amendment No. 1 to the 2005 ILA between the City of SeaTac and the POS, the City is required to segregate 22% of the actual parking tax revenue received for the Port's use, transferring this revenue to them as reimbursement of project expenditures on the WSDOT "Third Lane" project, up to a total of \$5 million. To date, the City has transferred \$1,789,309.73 of this amount to the Port, based on the amounts of two invoices from the Port in 2007 and 2008.

Recently, the City received a third invoice requesting reimbursement in the amount of \$3,169,212.26. The City has received enough Port-dedicated parking tax revenue to pay this bill in its entirety. However, the 2009 Budget only has \$2,735,690 appropriation in Fund #102 (Street Fund) for this expenditure this year.

This third invoice brings the total requested from the Port for reimbursement for the three invoices to \$4,958,521.99, leaving an additional \$41,478.01 of the \$5 million total yet to be billed. The Port has assured City staff that they will incur sufficient additional expenditures between now and the end of 2009 to reach the \$5 million mark, and will be billing the City for this remaining \$41,478.01 in the next few months.

Therefore, this proposed budget amendment appropriates an additional \$475,001 in BARS #102.000.11.543.30.52.002, in order to be able to pay the full amount remaining to be paid to the POS this year.

2. Jail Service Costs: The 2009 Budget appropriated \$510,000 for jail service costs in the Non-Departmental budget in the General Fund, which was commensurate with the City's most recent annual historical jail cost expenditures. Through the first eight months of this year, the City has already spent \$487,808 of the total amount budgeted for the entire year, approximately 95% of the amount appropriated for all of 2009.

According to SeaTac Municipal Court Administrator Mary Pederson, a number of factors have contributed to our increased jail cost as follows:

- More people are being booked into custody with mental issues and remain held in KC jail due to waiting for an evaluation to be performed by Western State Hospital. This process can take many days or even weeks.
- Defendants are being held more accountable for their actions than in the past, and are not complying with the Judge's orders. Deferred jail time is revoked at the time of the review hearing and defendants are being taken directly into custody to serve their time.
- For various reasons, more people are being unable to renew their driver's licenses, resulting in more people driving with suspended licenses and being issued criminal citations. Inability to pay their fines or tickets can cause the individual to be booked into custody, which increases the City's booking, maintenance days, and commitment costs. A suspended license can involve impounding vehicles, which creates other costs associated with the cost of booking someone into custody.
- More people are being booked into jail and have no ability to post a bond or bail, resulting in them remaining in custody and incurring more jail costs.
- Increased availability of traffic safety grants that focus on DUI, speeding, seat belt enforcement, and school zone violations.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3134 (Continued):

- More individuals are being picked up with active warrants in the system and police officers are making a lot of traffic stops, which increases jail booking costs. Police have no tolerance on active criminal warrants.

The bottom line is more people are going to jail and sentenced for longer periods of time, resulting in a significant increase in the City's jail costs in 2009.

This proposed budget amendment appropriates an additional \$250,000 in BARS #001.000.99.523.20.51.000 in the General Fund's 2009 budget to pay for the anticipated additional jail costs this year.

3. Outside Professional Services for the HR Department: Council approved a request on the Summary of Purchase Requests \$5,000-\$35,000 at the July 28, 2009, Regular Council Meeting (RCM), to spend \$25,000 for investigation of personnel complaints. The summary sheet noted there wasn't adequate funding within the HR 2009 budget to absorb this cost, and that a future budget amendment would be necessary to provide the appropriation authority for this expenditure in the General Fund. This budget amendment appropriates \$25,000 in BARS #001.000.07.516.10.41.000 in the General Fund's HR 2009 budget to pay for these costs.

4. Transfer Ongoing Operation and Maintenance Revenues and Expenditures Related to the Des Moines Creek Basin Plan projects from the Surface Water Management (SWM) Construction Fund #406 to the new Des Moines Creek Basin ILA Fund #111: The City Council approved Ordinance #09-1018 on June 30, 2009, establishing a new Des Moines Creek Basin ILA Fund. This Fund was established to record the ongoing operation and maintenance of the projects that have been included in the reporting of the SWM Construction Fund #406 up until now. However, these revenues and expenditures should correctly be recorded and reported in a Special Revenue Fund rather than an Enterprise-type construction fund. This proposed budget amendment increases the revenue estimate for the Des Moines Creek Basin ILA Fund #111 by \$3,077,174 and increases the expenditure appropriation for Fund #111 by \$1,406,557. This budget amendment also increases the expenditure appropriation for the SWM Fund #403 by \$1,000,000, increases the revenue estimate for the SWM Construction Fund #406 by \$577,478, and increases the expenditure appropriation for Fund #406 by \$1,309,295.

Finance Director McCarty reviewed the agenda bill summary.

Upon a question posed by DM Fisher, Mr. McCarty stated that the City does not charge the POS an administration fee. The amount of work required is fairly minimal.

CM Wythe questioned whether the City of Seattle reimburses parking tax funds to the POS for capital projects along the waterfront. Mr. McCarty stated that he is not aware of any reimbursements.

Mr. Gut explained that the original parking tax agreement was part of the ILA in 2006. Leading up to that there was a revenue study done that predicted that 60% of the parking tax revenue was being generated at the airport. The agreement has about 36.9% of the revenue being assigned to POS related projects.

DM Fisher stated that the A&F Committee recommended this item for approval.

Council consensus: Referred to the 09/08/09 RCM Consent Agenda

Agenda Bill #3136 – A Motion authorizing the City Manager to enter into an agreement between Highline School District (HSD) and City of SeaTac for a School Resource Officer (SRO)

Summary: This proposed agreement would continue the HSD's contribution of \$50,000 to offset a portion of the annual cost for a SRO at the Tyee Educational Complex and Chinook Middle School for the 2009-2010 school year. The HSD provided partial funding at this level for the 2006-2007, 2007-2008 and 2008-2009 school years.

The agreement documents indemnification, the employment status of the officer, how a replacement would be selected, the work schedule and duties of the SRO and the facilities to be provided by the HSD. It requires payment of the full \$50,000 upon invoice in 2009. It is consistent with and documents current practices regarding the SRO at the Tyee Educational Complex and Chinook Middle School. This agreement does not commit to any additional staffing or enhancement of services at the schools. The term of the agreement is through June 30, 2010, and provides for termination of the contract within 60 days written notice by either party. In the event of early termination, the City would return to the HSD \$5,000 for each full month remaining in the 2009-2010 school year.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3136 (Continued): The City's 2009 annual budget includes a \$50,000 revenue estimate that anticipated the continuation of the HSD's participation in partially funding the \$151,216 full cost of the SRO position for the 2009-2010 school year.

Chief of Police Services Graddon reviewed the agenda bill summary.

CM A. Anderson stated that the Public Safety & Justice (PS&J) Committee recommended this for approval. He questioned what this officer does during the summer months. Chief Graddon stated that this officer returns to regular reactive patrol, takes vacation, and takes classes related to SRO work.

CM A. Anderson stated that any investment in this program is money well spent.

Upon a question posed by Mayor Shape, Chief Graddon stated that the SRO does receive assistance from the HSD security, however, the SRO has authority outside of school property while the HSD security does not.

CM Ladenburg commended the HSD for continuing this program too.

DM Fisher stated that this is the most beneficial investment the City can make for the tax payers.

Council consensus: Referred to the 09/08/09 RCM Consent Agenda

Agenda Bill #3137 – A Motion authorizing the City Manager to execute the Justice Assistance Grant (JAG) Program Interagency Agreement

Summary: The United States Congress authorized \$1,970,933,000 in the JAG Program as part of the American Recovery and Reinvestment Act of 2009. Eighteen jurisdictions in KC applied for funding with a single, joint application, and have been awarded \$4,882,208 by the Bureau of Justice Assistance. The Seattle Police Department is acting as Fiscal Agent in applying for this grant for the 18 jurisdictions, and will distribute grant funds to all co-applicants. SeaTac will receive \$83,396, which will be reimbursed on an actual cost basis. The four-year grant period is March 1, 2009 through February 28, 2013.

The City of SeaTac plans to use the JAG award to fund the following areas: law enforcement training, equipment purchases, and Municipal Court programs.

The City will receive \$83,396 in grant revenue that will be used for various law enforcement activities. This funding will be provided by 100% reimbursement for actual costs incurred, and no City match is required. Executing this agreement and accepting these grant proceeds results in an unbudgeted \$83,396 in additional revenue to the General Fund.

Chief of Police Services Graddon reviewed the agenda bill summary.

CM A. Anderson stated that the PS&J Committee recommended this item for approval.

Council consensus: Referred to the 09/08/09 RCM Consent Agenda

CONSENT AGENDA:

- **Approval of claims vouchers** (check nos. 86002 – 86213) in the amount of \$1,339,162.23 for the period ended August 20, 2009.
- **Approval of claims vouchers** (check nos. 86214 – 86450) in the amount of \$4,128,616.84 for the period ended September 4, 2009.
- **Approval of payroll vouchers** (check nos. 47956 – 48003) in the amount of \$181,171.59 for the period ended August 15, 2009.
- **Approval of payroll electronic fund transfers** (check nos. 60739 - 60929) in the amount of \$347,686.40 for the period ended August 15, 2009.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$63,132.13 for the period ended August 15, 2009.
- **Approval of payroll vouchers** (check nos. 48004 – 48054) in the amount of \$396,867.43 for the period ended August 31, 2009.
- **Approval of payroll electronic fund transfers** (check nos. 60930 - 61127) in the amount of \$360,519.20 for the period ended August 31, 2009.

CONSENT AGENDA (Continued):

- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$64,390.46 for the period ended August 31, 2009.
- **Summary of \$5,000 - \$35,000 Purchase Requests** for the period ended September 4, 2009.

Approval of Council Meeting Minutes:

- **Special Council Meeting** held June 30, 2009.
- **Regular Council Meeting** held July 28, 2009.
- **Administration and Finance Committee Meeting** held August 11, 2009.
- **Special Council Meeting** held August 11, 2009.
- **Regular Council Meeting** held August 11, 2009.
- **Land Use and Parks Committee Meeting** held August 13, 2009.

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

Agenda Bill #3125; Motion authorizing the City Manager to enter into an agreement with King County Metro Transit (Metro) for the purpose of implementing the Commute Trip Reduction Efficiency Act

Agenda Bill #3129; Resolution #09-015 authorizing the creation of a Police Confidential Imprest Fund and a Farmers Market Imprest Fund

Agenda Bill #3134; Ordinance #09-1026 amending the 2009 Annual City Budget for miscellaneous items

Agenda Bill #3136; Motion authorizing the City Manager to enter into an agreement between Highline School District and City of SeaTac for a School Resource Officer

Agenda Bill #3137; Motion authorizing the City Manager to execute the Justice Assistance Grant Program Interagency Agreement

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

PUBLIC COMMENTS (related to the Consent Agenda): There were no public comments.

*MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENTS (related to the following Unfinished Business): (2/5) There were no public comments.

UNFINISHED BUSINESS: There was no Unfinished Business.

NEW BUSINESS: There was no New Business.

CITY MANAGER'S COMMENTS: City Manager Ward commented on the following: (1) September 12 – 2:30 p.m., dedication of Fire Station 46 and 3 p.m., tours; (2) September 19 – 9 a.m., Budget Workshop 1; (3) September 21 – 4 p.m. Visioning Workshop; and (4) October 17 – 11 a.m., Steppin' Out against Domestic Violence Walk-a-thon.

COUNCIL COMMENTS: CM T. Anderson stated that speakers at the podium need to address the City Council only and not turn around and address the audience.

CM A. Anderson commented on the following: (1) August 15 – Council Coffee Chat was good with approximately 23 people in attendance; and (2) he will be recruiting CMs to participate in the Steppin' Out Against Domestic Violence Walk-a-thon.

CM Ladenburg commented on the following: (1) Coffee Chat; and (2) opening of the new YMCA.

CM Gregerson commented on the following: (1) Back to School Fair – great turnout; (2) September 26 – 9 a.m., work party at Grandview Off-Leash Dog Park; (3) Thursday evenings starting September 24, 7 – 9 p.m., ValleyCom – 9-11 citizen's academy; (4) KC CM Julia Patterson received a local hero award; and (5) Big Picture High School won 2nd prize from the Big Lots video contest. They won \$2,500. She requested they be asked to present to the City Council.

COUNCIL COMMENTS (Continued): DM Fisher stated that he attended the Emergency Management Advisory Council Meeting today. One topic was the upcoming flu epidemic. There are only 40,000 vaccines coming to this area to vaccinate pregnant women and some first responders that meet certain qualifications.

Mayor Shape stated that the YMCA had its preview opening. It is a real asset to the community. The YMCA is officially open for business today.

RECESSED: Mayor Shape recessed the Council Meeting to an Executive Session to Review the Performance of a Public Employee at 7:33 p.m.

EXECUTIVE SESSIONS: Review the Performance of a Public Employee (*30 minutes*) (*RCW 42.30.110 [1][g]*)

City Attorney Mirante Bartolo announced that Council extended the Executive Session for 30 more minutes at 8:00 p.m., and 30 more minutes at 8:30 p.m.

RECONVENED: Mayor Shape reconvened the Council Meeting at 9:11 p.m.

ADJOURNMENT:

MOVED BY T. ANDERSON, SECONDED BY WYTHE TO ADJOURN THE REGULAR COUNCIL MEETING OF THE SEATAC CITY COUNCIL AT 9:12 P.M.

MOTION CARRIED UNANIMOUSLY.

Ralph Shape, Mayor

Kristina Gregg, City Clerk

City of SeaTac Council Workshop Minutes Synopsis

September 8, 2009

5:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Workshop was called to order by Mayor Shape at 5:07 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Deputy Mayor (DM) Gene Fisher, Councilmembers (CMs) Chris Wythe, Terry Anderson, Anthony (Tony) Anderson, Barry Ladenburg, and Mia Gregerson.

PRESENTATION:

•Zoning Code Update

Associate Planner Kate Kaehny stated staff would be reviewing the following: (1) Overview of Zoning Code Update Project and Schedule; (2) Overview of Proposed Changes to Use Charts - Use Chart Outside Overlays, City Center Overlay Use Chart, SeaTac/Airport Station Area Use Chart, and South 154th Street Station Area Use Chart; and (3) Discuss Uses that May Become Non-Conforming Due to Changes to Use Charts.

Ms. Kaehny gave a project update: re-organized code, substantially completed content changes, still developing City Center and Station Area Overlays, and postponed work on new Incentives Chapter.

The proposed project schedule is: September 10 – Land Use & Parks (LUP) Committee, September 22 – Regular Council Meeting (RCM), September 29 - Public Meeting to review overlays, October 8 – LUP Committee, October 13 – Council Special Work Session, mid-October – Final Public Meeting, October 27 – RCM, November 3 – RCM, November 9 – Public Hearing (PH), and November 24 – RCM (anticipated Council action). The Planning Commission (PC) will review the Major Zoning Code Update throughout September and October.

Ms. Kaehny reviewed the major differences in the four use charts.

Upon a question posed by CM T. Anderson regarding storing rental cars, Planning Director Butler stated that currently they are being allowed, as they have been, outside the overlay area. A question for Council in the future will be how to deal with them.

Senior Planner Dennis Hartwick reviewed the proposed changes to the Land Use Chart and gave an overview of uses that may become non-conforming in the changes to the use charts are adopted.

Upon a question posed by CM T. Anderson, Mr. Butler clarified the differences between primary and secondary pedestrian-oriented streets in the SeaTac/Airport Station Area Overlay use Chart. Primary streets are expected to have more pedestrian activity, where as secondary is not expected to have the same level of pedestrian activity.

Mr. Butler stated that while developing the South 154th Street Station Area Plans, Council was very adamant that there be no park and fly parking lots. However, the light rail station is now presenting a new use where if the Sound Transit Parking Lot is full, businesses may want to charge for parking during events like the Mariners or Seahawks games. Right now, Commercial (non-park-and-fly) Parking is prohibited, but Council may want to make the distinction between Commercial Park and Fly versus Commercial Parking in the use charts.

Upon a question posed by DM Fisher, Mr. Hartwick stated that right now, staff is drafting modified standards to create livelier, more pedestrian friendly areas, and in some instances to increase density.

Mr. Fisher stated that on the two maps provided, his property shows two different zones. Mr. Hartwick stated that was incorrect and it would be corrected. Mr. Hartwick clarified that the Zoning Overlay maps are not the official Zoning Map, but were created for this exercise.

CM A. Anderson questioned about the Starbuck's drive-thru and if that would still be allowed. Mr. Butler stated that project was agreed to as part of a development agreement (DA), so if the project continues according to the DA, it would be allowed.

CM Wythe stated that it is his opinion that most areas are attempting to increase population and retail.

Upon a question posed by CM Ladenburg, Mr. Hartwick stated the general standards chart has received minimal changes. There have been some design related height changes, and there is a building step-back requirement.

Mr. Hartwick addressed potential non-conforming uses. The use may continue to operate provided it does not lapse for more than six months.

PRESENTATION (Continued):

Zoning Code Update (Continued):

Upon a question posed by Mayor Shape related to the Aviation Business Center (ABC) and changes in anticipation of the South 200th Street Station Area, Mr. Butler stated that the ABC Zone is questionable as to how much residential could occur there. Staff is attempting to make a distinction between the area north of South 204th Street to South 200th Street (with a higher density and more residential oriented development around the station) and the area south, outside the quarter to half-mile walking distance of the station (more appropriate for business park uses).

ADJOURNMENT: Mayor Shape adjourned the Council Workshop at 5:45 p.m.

City of SeaTac

Special Council Meeting Minutes

September 19, 2009
8:00 AM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac Special Council Meeting was called to order by Mayor Shape at 8:03 a.m.

COUNCIL PRESENT: Mayor Ralph Shape, Deputy Mayor (DM) Gene Fisher, Councilmembers (CMs) Chris Wythe, Terry Anderson, Anthony (Tony) Anderson, Barry Ladenburg, and Mia Gregerson.

ADMINISTRATIVE STAFF: City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, and Finance Director Mike McCarty.

RECESSED: Mayor Shape recessed the Special Council Meeting to an Executive Session to Review the Performance of a Public Employee at 8:03 a.m.

EXECUTIVE SESSION: *Review the Performance of a Public Employee (55 minutes) (RCW 42.30.110[1] [g])*

RECONVENED: Mayor Shape reconvened the Special Council Meeting at 8:58 a.m.

ADJOURNMENT:

MOVED BY A. ANDERSON, SECONDED BY LADENBURG TO ADJOURN THE SPECIAL MEETING OF THE SEATAC CITY COUNCIL AT 8:58 P.M.

MOTION CARRIED UNANIMOUSLY.

Ralph Shape, Mayor

Kristina Gregg, City Clerk

City of SeaTac

Special Council Meeting Minutes

September 22, 2009
5:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac Special Council Meeting was called to order by Mayor Shape at 5:07 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Deputy Mayor (DM) Gene Fisher, Councilmembers (CMs) Chris Wythe(*arrived during the Executive Session*), Anthony (Tony) Anderson, Barry Ladenburg (*arrived during the Executive Session*), and Mia Gregerson. Excused Absence: CM Terry Anderson.

ADMINISTRATIVE STAFF: City Manager Craig Ward, Senior Assistant City Attorney Mark Johnsen, City Clerk Kristina Gregg, Assistant City Manager (ACM) Todd Cutts, Economic Development (ED) Manager Jeff Robinson, and Planning Director Steve Butler.

RECESSED: Mayor Shape recessed the Special Council Meeting to an Executive Session ON Property Acquisition and Potential Litigation at 5:07 p.m.

EXECUTIVE SESSION: *Property Acquisition (RCW 42.30.110[1] [b]) / Potential Litigation (RCW 42.30.110 [1] [i]) (55 minutes)*

RECONVENED: Mayor Shape reconvened the Special Council Meeting at 6:02 p.m.

ADJOURNMENT:

MOVED BY A. ANDERSON, SECONDED BY LADENBURG TO ADJOURN THE SPECIAL MEETING OF THE SEATAC CITY COUNCIL AT 6:02 P.M.

MOTION CARRIED UNANIMOUSLY.

Ralph Shape, Mayor

Kristina Gregg, City Clerk

City of SeaTac

Regular Council Meeting Minutes

October 13, 2009
6:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Shape at 6:09 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Deputy Mayor (DM) Gene Fisher, Councilmembers (CMs) Chris Wythe, Terry Anderson, Anthony (Tony) Anderson, Barry Ladenburg, and Mia Gregerson.

ADMINISTRATIVE STAFF: City Manager Craig Ward, City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, Senior Assistant City Attorney Mark Johnsen, Assistant City Manager Todd Cutts, Economic Development (ED) Manager Jeff Robinson, Human Services (HS) Coordinator Colleen Brandt-Schluter, Facilities Director Pat Patterson, Principal Planner Jack Dodge, Senior Planner Al Torrico, Assistant Fire Chief Brian Wiwel, and Chief of Police Services James Graddon.

FLAG SALUTE: Facilities Director Pat Patterson led the Council, audience and staff in the Pledge of Allegiance.

PUBLIC COMMENTS: Wendy Morgan spoke in opposition to the change of form of government proposition (proposition no. 1).

Scott Gregerson Dahle thanked the City regarding the following: police response (quick and courteous), park improvements, community center improvements and events, YMCA, working with King County (KC) to better handle dangerous dogs, and City Center planning.

Michael Kovacs spoke in favor of proposition no. 1.

Michael Siefkes stated that he doesn't feel that the City has done much development for the people actually living in the City and has wasted taxpayers money. He detailed a few examples of ways he feels the City has misspent funds and stated that no one seems to be accountable for the City's problems.

Joe Van thanked the City for improvements over the years, especially the fields at Valley Ridge Park (VRP). He stated that he feels the Council is doing a great job.

Earl Gipson spoke in favor of proposition no. 1.

Pam Fernald spoke in favor of proposition no. 1.

PRESENTATIONS:

•Big Picture High School Video Presentation and Award Recognition

Principal Jeff Petty stated the Big Picture High School won second prize in the Big Lots Lots2give video contest. However, they didn't win because of the video, but because of the support for their program. The video can be seen on the Highline School District's (HSD) website or the Big Lots website

The Big Picture High School started in the HSD five years ago. He detailed the schools approach to learning. There are 70 schools internationally but this is the only one in Washington State. He shared survey results that show this school as being very highly rated by the students' parents.

Mayor Shape presented the certificate of recognition to Principal Petty.

•Healthpoint

Resource Development Manager Faith Wimberly stated that Healthpoint used to be Community Health Centers. The name was changed in 2007 and currently they have 12 clinics throughout KC. The newest facility is in SeaTac at the Lutheran Community Center. She detailed some of the programs offered by HealthPoint funded by SeaTac HS funds: behavioral health consultation, natural medicine, nutrition counseling, social work, maternal support services, family practice, interpreter services, and pharmacy services. Year to date Healthpoint has served 1,400 SeaTac citizens. She explained some of the contributions Healthpoint makes to the community. Healthpoint's mission is to improve the health of the community.

Upon a question posed by CM T. Anderson, Ms. Wimberly stated that their clinic provides services to anyone that wants to use the clinic. CM Gregerson stated that she uses Healthpoint for her primary care doctor while using Regence insurance.

Ms. Gregerson thanked Healthpoint for their participation in the Back-to-School Fair.

PRESENTATIONS (Continued):

●Shoreline Management Program (SMP) Update

Principal Planner Dodge introduced AHBL Project Manager Gabe Snedeker and Department of Ecology Shorelands and Environmental Assistance David Pater.

Mr. Snedeker reviewed the SMP timeline from the 1990 SeaTac incorporation to November/December 2009 – local and State adoption.

He stated that a SMP is a planning and regulation document that is used to implement the Shoreline Management Act (SMA). It serves as the local jurisdiction's and the State's plan for the management of shoreline areas based on science. It establishes goals, policies and regulations for shoreline protection, use and development. It also establishes a plan for restoring shoreline in those areas where it has been degraded.

He reviewed the major policies and requirements of the SMA and where the SMP applies.

Mr. Snedeker detailed the major required components: inventory, analysis and characterization of shoreline conditions; public participation; environments, policies and regulations; restoration plan; cumulative impacts; and local and State adoption.

He explained that Angle Lake is currently regulated as a Type II wetland under Environmentally Sensitive Areas Ordinance. Current regulations require 50-foot buffer and an additional 15-foot building setback for a total of 65 feet (ft). The proposed SMP clarifies Angle Lake is not a wetland and the City must demonstrate shoreline protections will result in no net loss of ecological function. Based on existing conditions and science, proposed flexible setback allows reductions for enhancement. Existing improvements don't need any improvements, but new additions and rebuilds must meet the new standards. 74% of Angle Lake properties have an existing structure greater than 75 ft, and most lots are deep with room for a setback. An owner can build a dock 75 ft away without doing any additional improvements, however, to build a structure 50 ft away, there will need to be a combination of in-water and upland improvements.

Council discussion ensued regarding the proposed program.

Mr. Snedeker clarified that State law is very specific about this issue. The proposed SMP is not any more strict than State guidelines.

Mr. Dodge clarified that Angle Lake is the only lake in SeaTac affected the SMP.

Upon a question posed by Mayor Shape, Senior Planner Torrico explained that citizens were presented a fact sheet summarizing the new rules at the City's second public open house.

Mr. Torrico stated that another presentation to Council is scheduled for the October 27 Regular Council Meeting (RCM) and then a Public Hearing (PH) and Council adoption is scheduled for the November 3 Special Council Meeting (SCM).

Upon a question posed by CM Wythe, Mr. Torrico stated that this has been presented to the PC at five different sessions. The PC recommended it go forward to the City Council.

Mr. Pater detailed the local and State review processes.

Mr. Torrico stated that the Community, Trade and Environmental Design (CTED) review is already in process and the State Environmental Protection Agency (SEPA) process is almost completed.

●Council Consideration of Re-appointments: Carl Anderson to the Hotel/Motel (H/M) Tax Advisory Committee and Mel McDonald and Rick Lucas to the Planning Commission (PC)

Mayor Shape announced his selections for reappointment.

Council consensus: Referred to the 10/27/09 RCM for Confirmation of Re-appointment

DISCUSSION ITEM:

•Summary of \$5,000 - \$35,000 Purchase Requests for the period ended October 9, 2009

City Manager Ward reviewed the requests:

<u>Item Description</u>	<u>Department</u>	<u>Original Budget</u>	<u>Amended Budget</u>	<u>Estimate</u>
SeaTac/Airport Station Hide & Ride Parking Study	City Manager's Office	\$0	\$0	\$22,000
		absorb within existing budget		
Electronic Document Management System (EDMS)	City Clerk's Office	\$0	\$0	\$26,979
		absorb within existing budget		

Council consensus: Referred to the 10/13/09 RCM Consent Agenda

AGENDA BILL PRESENTATIONS:

Agenda Bill #3146 – An Ordinance amending the 2009 Annual City Budget to increase expenditures in the Hotel/Motel (H/M) Tax Fund (Fund 107) to provide additional funding to Seattle Southside Visitor Services (SSVS)

Summary: This Ordinance increases expenditures in the H/M Tax Fund by \$40,000. This additional increase will be used to support SSVS.

SSVS is seeking additional funding in 2009, because they are planning on moving their operations to the City of SeaTac from their current location in Tukwila. The increase in funding will be used by SSVS to support their moving costs and expenditures for signage, stationary, equipment, and furnishings.

The City of SeaTac H/M Tax Advisory Committee made a recommendation on September 9, 2009 that lodging tax revenues be used to support this expenditure.

ED Manager Robinson reviewed the agenda bill summary.

DM Fisher stated that the Administration & Finance (A&F) Committee recommended this for approval.

Upon a question posed by CM Gregerson, Mr. Robinson stated the City is only reimbursing funds as actual invoices are received.

Council consensus: Referred to the 10/13/09 RCM Consent Agenda

Agenda Bill #3141 – A Motion accepting the work of several contractors for contracts on Fire Station 46

Summary: This Motion accepts the work for the five contractors listed below, for work done on the Fire Station 46 project. Acceptance of the work is required so that the contractors bonds can be released and retainage paid, so long as the City does not receive any claims within the 45 day lien period. The following contractors have successfully completed their contract work on Fire Station 46:

Contractor	Approved amount plus tax and 10% contingency	Final Contract amount including tax
Emerald Aire	\$399,738.00	\$358,003.33
Commercial Sound & Video (A/V)	\$116,482.85	\$101,521.75
D L Henricksen	\$781,242.00	\$658,237.62
Progressive Painting & Wallcovering	\$73,104.72	\$63,120.72
Reliance Fire Protection	\$138,976.00	\$120,667.20

The City Council will be asked to formally accept the work of the remaining contractors at a later time.

Facilities Director Patterson reviewed the agenda bill summary.

DM Fisher stated that the A&F Committee recommended this item for approval.

CM A. Anderson stated that the Public Safety & Justice (PS&J) committee also recommended this item for approval.

Council consensus: Referred to the 10/13/09 RCM Consent Agenda

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3147 – A Resolution authorizing the City Manager or Finance and Systems Director to designate certain expenditures for potential reimbursement from bonds that may be authorized and approved for issuance by the City Council in the future

Summary: The City has the ability to issue bonds to finance certain governmental expenditures. As a general rule, the decision to finance through the issuance of tax exempt bonds needs to be made at or before the time the expenditure is approved. Furthermore, the City would receive the bond funds, and then expend them. This Resolution gives the City the ability, in certain circumstances, to declare an intent to expend funds that will be reimbursed through the issuance of bonds. Thus, the City can expend funds, with the intent to be repaid back once bonds are issued.

This Resolution provides that either the City Manager or the Finance and Systems Director may complete an "Official Intent Certificate" when the costs of a particular capital project may be reimbursed from the proceeds of a tax exempt obligation(s) of the City. The completion of this certificate does not obligate the City to issue bonds. However, it allows the City Council to expend funds to start a capital project prior to the City's decision on the issuance of bonds.

Nancy Nearas, the City's bond counsel, recommends that the City Council pass the Resolution, so that the City has the maximum flexibility with regard to governmental expenditures. The City Council will still determine whether bonds should be issued.

Senior Assistant City Attorney Johnsen reviewed the agenda bill summary.

DM Fisher stated that the A&F Committee recommended this item for approval.

Upon a question posed by CM Ladenburg, Mr. Johnsen explained that this is being presented now because the Finance Department recently had a discussion with the City's bond counsel and this was presented as an option for the City.

Council consensus: Referred to the 10/13/09 RCM Consent Agenda

CONSENT AGENDA:

- **Approval of claims vouchers** (check nos. 86650 – 86799) in the amount of \$471,823.06 for the period ended October 5, 2009.
- **Approval of payroll vouchers** (check nos. 48103 – 48154) in the amount of \$454,748.01 for the period ended September 30, 2009.
- **Approval of payroll electronic fund transfers** (check nos. 61320 - 61507) in the amount of \$357,432.54 for the period ended September 30, 2009.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$66,800.88 for the period ended September 30, 2009.
- **Summary of \$5,000 - \$35,000 Purchase Requests** for the period ended October 9, 2009.

Approval of Council Meeting Minutes:

- **Special Council Meeting** held September 19, 2009.
- **Transportation and Public Works Committee Meeting** held September 22, 2009.
- **Special Council Meeting** held September 22, 2009.

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

Agenda Bill #3146; Ordinance #09-1030 amending the 2009 Annual City Budget to increase expenditures in the Hotel/Motel Tax Fund (Fund 107) to provide additional funding to Seattle Southside Visitor Services

Agenda Bill #3141; Motion accepting the work of several contractors for contracts on Fire Station 46

Agenda Bill #3147; Resolution #09-017 authorizing the City Manager or Finance and Systems Director to designate certain expenditures for potential reimbursement from bonds that may be authorized and approved for issuance by the City Council in the future

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

CONSENT AGENDA (Continued):

PUBLIC COMMENTS (related to the Consent Agenda): There were no public comments.

*MOTION CARRIED UNANIMOUSLY.

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

UNFINISHED BUSINESS: There was no Unfinished Business.

NEW BUSINESS: There was no New Business.

CITY MANAGER'S COMMENTS: City Manager Ward commented on the following: (1) October 20 – 5:30 p.m., Open House on Zoning Code Amendments, and (2) Viewporter apartment complex has been demolished.

COUNCIL COMMENTS: CM A. Anderson reminded everyone about the October 17 Steppin' Out to Stop Domestic Violence Walk-A-Thon.

CM Ladenburg reminded everyone that the Global Connections school will be selling Christmas trees again this year.

CM Gregerson commented on the following: (1) October 4 – Parks & Recreation Family Scramble was successful, (2) October 22 - meeting in Kent to discuss ending homelessness, (3) Domestic Violence Community Advocate Chris Peterson won the Ginny NiCarthy Excellence in Advocacy Award from the King County Coalition Against Domestic Violence, and (4) former SeaTac Chief of Police Services Greg Dymerski is ill and a Fire Fighter had major surgery. She requested staff extend the City's get well wishes to them.

Mayor Shape stated that the City hosted a successful Volunteer Appreciation lunch October 12. He complimented Executive Assistant Lesa Ellis and staff for putting it together. He also reminded everyone about the Council Coffee Chat scheduled for Saturday, October 17 at 9 a.m.

RECESSED: Mayor Shape recessed the RCM to an Executive Session on Potential Litigation/Litigation at 8:10 p.m.

EXECUTIVE SESSION: Potential Litigation/Litigation (15 minutes) (RCW 42.30.110 [1][i])

Senior Assistant City Attorney Johnsen announced that the Council requested 15 more minutes at 8:25 p.m., 20 more minutes at 8:40 p.m., and 10 more minutes at 9:00 p.m.

RECONVENED: Mayor Shape reconvened the RCM at 9:11 p.m.

ADJOURNMENT:

MOVED BY FISHER, SECONDED BY T. ANDERSON TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 9:12 P.M.

MOTION CARRIED UNANIMOUSLY.

Ralph Shape, Mayor

Kristina Gregg, City Clerk

City of SeaTac

Special Council Meeting Minutes

October 22, 2009 (Thursday)
5:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac Special Council Meeting was called to order by Mayor Shape at 5:04 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Councilmembers (CMs) Chris Wythe, Anthony (Tony) Anderson, Barry Ladenburg, and Mia Gregerson. Absent: Deputy Mayor (DM) Gene Fisher.

ADMINISTRATIVE STAFF: City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, and Finance Director Mike McCarty.

RECESSED: Mayor Shape recessed the Special Council Meeting to an Executive Session to review the performance and/or qualifications of a public employee at 5:04 p.m.

EXECUTIVE SESSION: Review the Performance and/or Qualifications of a Public Employee (60 minutes)
(RCW 42.30.110 [1] [g])

City Clerk Gregg announced that Council requested 20 more minutes at 6:05 p.m., and 5 more minutes at 6:25 p.m.

RECONVENED: Mayor Shape reconvened the Special Council Meeting at 6:32 p.m.

NEW BUSINESS:

Potential Council action(s) related to the performance and/or qualifications of a public employee

(The following agenda bill number was assigned for tracking purposes only. No agenda bill was created.)

Agenda Bill #3156; Resolution #09-018 removing Craig Ward from the Position of City Manager and Suspending Craig Ward from the Duties of City Manager

City Attorney Mirante Bartolo read the proposed Resolution.

MOVED BY T. ANDERSON, SECONDED BY GREGERSON TO PASS RESOLUTION #09-018.

MOTION CARRIED UNANIMOUSLY.

(The following agenda bill number was assigned for tracking purposes only. No agenda bill was created.)

Agenda Bill #3157; Resolution #09-019 designating Todd Cutts as the Acting City Manager

City Attorney Mirante Bartolo read the proposed Resolution.

MOVED BY T. ANDERSON, SECONDED BY LADENBURG TO PASS RESOLUTION #09-019.

MOTION CARRIED UNANIMOUSLY.

ADJOURNMENT:

MOVED BY LADENBURG, SECONDED BY T. ANDERSON TO ADJOURN THE SPECIAL MEETING OF THE SEATAC CITY COUNCIL AT 6:38 P.M.

MOTION CARRIED UNANIMOUSLY.

Ralph Shape, Mayor

Kristina Gregg, City Clerk

City of SeaTac

Regular Council Meeting Minutes

October 27, 2009
6:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Shape at 6:04 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Deputy Mayor (DM) Gene Fisher, Councilmembers (CMs) Terry Anderson, Anthony (Tony) Anderson, Barry Ladenburg, and Mia Gregerson. Excused Absence: CM Chris Wythe.

ADMINISTRATIVE STAFF: Acting City Manager (ACM) Todd Cutts, City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, Senior Assistant City Attorney Mark Johnsen, Economic Development (ED) Manager Jeff Robinson, Human Services (HS) Manager Colleen Brandt-Schluter, Public Works (PW) Director Tom Gut, Facilities Director Pat Patterson, Planning Director Steve Butler, Associate Planner Kate Kaehny, Associate Planner Anita Woodmass, Senior Planner Mike Scarey, Recreation Services Coordinator Marlon Olson, Fire Chief Bob Meyer, Chief of Police Services Jim Graddon, Assistant Parks & Recreation (P&R) Director Lawrence Ellis, and Recreation Services Coordinator Kathleen Cummings

FLAG SALUTE: Assistant P&R Director Ellis led the Council, audience and staff in the Pledge of Allegiance.

PUBLIC COMMENTS: Roger McCracken spoke regarding Comprehensive Plan (CP) Map Amendment #A-3, and encouraged the City Council to approve this change.

Wes Wood, representing the Cassan's, spoke about the proposed Zoning Code changes. He requested the Planning Commission (PC) and the Council take the time to consider closely what is being presented before voting.

Vicki Lockwood commended Council for their careful review of the proposed Shoreline Master Program (SMP) at the October 13, 2009 Regular Council Meeting (RCM), and requested they show that same respect to every citizen of SeaTac. She also questioned the need for an Entertainment District, urging Council to instead do something for the citizens, not the visitors.

Michael Siefkes stated his opinion that the City has made some poor decisions on many issues, including the Fire Station 45 and the Entertainment District.

Cathy Boysen Heiberg and Larry Heiberg spoke about the proposed major Zoning code changes, urging Council to give additional review time to the PC, property owners, and stakeholders.

Earl Gipson stated that he hopes that everyone can work together to make SeaTac a better place to live, no matter the outcome of the November 3 Election.

Doris Cassan detailed the history of surface parking in the City. She also stated that while their property is being condemned, another property owner is being approved to open more surface parking.

PRESENTATIONS:

●2009 Fine Art Exhibit Winners

Recreation Services Coordinator Olson announced the winners: Luis Anderson – “Water Lily”, Billie Andrews – “Bouquet Two”, and Nola Tresslar – “Musical Waters”. Mayor Shape presented the monetary award to Mr. Anderson who was in attendance.

●Council confirmation of re-appointments of Carl Anderson to the Hotel/Motel (H/M) Tax Advisory Committee and Mel McDonald and Rick Lucas to the Planning Commission (PC)

MOVED BY T. ANDERSON, SECONDED BY GREGERSON TO RE-APPOINT CARL ANDERSON TO THE HOTEL/MOTEL TAX ADVISORY COMMITTEE AND MEL MCDONALD AND RICK LUCAS TO THE PLANNING COMMISSION.

MOTION CARRIED UNANIMOUSLY.

Mayor Ralph Shape read and presented the certificate to Rick Lucas. Carl Anderson and Mel McDonald weren't in attendance. Their certificates will be mailed to them.

●Community School Collaboration (CSC)

Executive Director Deborah Salas stated CSC has established strong partnerships with the City of SeaTac HS Division, and P&R and Planning Departments. She invited the Council and citizens to attend CSC's first fundraiser breakfast to be held November 5 at 7:30 a.m. at the Raddison Hotel.

SeaTac Director Laurie Bohm summarized the programs provided by CSC.

PRESENTATIONS (Continued):

● **Senior Citizen Advisory Committee Annual Report (5 minutes)**

Chair Fred Geraldson reviewed programs and accomplishments. The annual holiday bazaar is scheduled for November 7 with 60+ vendors. He stated the following goals for 2010: Fundraising to help support the senior program, and program support to provide input, assistance and advice on matters pertaining to the programs and activities of the Senior Program. The Thanksgiving luncheon is Friday, November 20 and the holiday luncheon is Friday, December 18.

● **Highline Small Business Development Center (SBDC)**

ED Manager Robinson introduced Business Advisor Rich Shockley and Cha Cha Thai Restaurant Owner Lee Keoninh.

Mr. Shockley stated that the SBDC is a partnership with communities and cities they work in. The goal is to enhance and grow the economic community. SBDC offers three major services to businesses at no cost: training, advice, and research.

Mr. Keoninh stated that he is working with SBDC to market his restaurant. He encouraged everyone to visit the Cha Cha Thai Restaurant.

Mayor Shape thanked Mr. Shockley for their community involvement.

● **Major Zoning Code Update**

Planning Director Butler reviewed discussion items: overview of project (October 20 public meeting, City Council reviews to date, recommended process for final project reviews, and review of division IV development standards). He gave an overview of the project that started in May 2008, with Council action anticipated on Phase 1 for December 8, 2009.

Associate Planner Kaehny briefed on the October 20 public meeting, and listed the portions of the code that the City Council has reviewed to date.

She stated that from this point forward, staff is suggesting the PC review the code chapter by chapter and give preliminary support or specific comments on areas to be addressed further and then these same chapters will be presented to Council with the PC recommendation.

The proposed review schedule is: November 3 – Special Work Session, November 5 Land Use & Parks (LUP) Committee, November 24 – RCM, December 8 – RCM with anticipated Council adoption.

The PC already reviewed the Division IV Development Standards and a majority of the members gave preliminary approval to all chapters in Division IV. Staff requested Council comments or preliminary approval on 6 of 11 revised chapters in Division IV.

Associate Planner Woodmass presented a worksheet for Division IV Development Standards to be used as a tool to help review the revisions.

Upon a question posed by CM T. Anderson, Ms. Kaehny stated that staff has attempted to involve citizens and businesses by hosting public meetings, mailing flyers, and placing information on the City's website. The PC will have stakeholders discussion as well as an open house before the November 16 Public Hearing (PH).

Council discussion ensued regarding the timeline. Council concurred that this will affect citizens, businesses, and developers. Council requested the process allow more review time by everyone involved.

Ms. Woodmass reviewed section 15.400 - Dimensional Standards.

Mr. Forschler stated that the PC had majority agreement on this chapter. The major concern was that there should have been more involvement with stakeholders.

Ms. Woodmass reviewed section 15.405 – Accessory Dwelling Units (ADUs).

Mayor Shape requested the intent of the section be written clearer.

Mr. Forschler stated that the PC gave majority preliminary approval.

Council gave preliminary approval on both sections.

PRESENTATIONS (Continued):

●2009 Final Docket of Comprehensive Plan (CP) Amendments

Senior Planner Scarey detailed the proposed map, subarea plan, and text amendments.

The next steps are: November 3 – Council review (if requested), November 9 – continuation of PC PH and PC recommendations (proposed), and November 24 – Council action (proposed).

Mayor Shape requested the final briefing be presented to the City Council at the November 24 RCM and final Council action at the December 8 RCM.

CM Ladenburg stated that the LUP Committee reviewed this and considered most of the amendments to be housekeeping, except for amendment #A-3.

Discussion ensued regarding amendment #A-3. Mr. Scarey stated that Master Park has a 25-year written lease agreement with Washington Memorial Park.

Master Park Managing Partner Roger McCracken stated that this is a long-term, temporary use. Washington Memorial Park will convert the property back to cemetery use. Structured parking is not acceptable to them.

Mr. Forschler stated that the only real concern the PC had was with amendment #A-3. A letter was received voicing concern about visual appearance. The PC discussed the need for landscape screening which would be a result of the permit process. PC had a positive reaction.

Mr. Forschler stated that the PC will be ready to give their recommendation on all of the amendments at their November 9 meeting.

●Council consideration of appointment of Phyllis Byers to the Human Services Advisory Committee and re-appointments of Melvin McDonald to the Human Services Advisory Committee and Margaret Gray to the Senior Citizen Advisory Committee

Mayor Shape announced his committee selections.

Council consensus: Referred to the 11/03/09 SCM for Confirmation of Appointment

DISCUSSION ITEM:

●Summary of \$5,000 - \$35,000 Purchase Requests for the period ended October 23, 2009

ACM Cutts reviewed the requests:

<u>Item Description</u>	<u>Department</u>	<u>Original Budget</u>	<u>Amended Budget</u>	<u>Estimate</u>
Indigent Defense Jail Video Contract	Municipal Court	\$15,600	\$15,600	\$15,600
Commute Trip Reduction (CTR) Services Contract	PW	\$0	\$0	\$12,708

****absorb within existing budget****

Council consensus: Referred to the 10/27/09 RCM Consent Agenda

AGENDA BILL PRESENTATIONS:

Agenda Bill #3152 – A Motion authorizing the City Manager to sign an Agreement releasing Washington State Department of Transportation (WSDOT) from the Des Moines Creek Basin 2004 Interlocal Agreement (ILA)

Summary: WSDOT has fulfilled their obligations of the Des Moines Creek Basin Restoration Project ILA and has requested to be released of its rights and obligations. The Release and Termination Agreement will grant their request.

In June 2004, the Cities of Des Moines and SeaTac, the Port of Seattle (POS), King County (KC) and WSDOT entered into an ILA to construct and operate several projects in the Des Moines Creek Basin Plan, including the Regional Detention Facility, By-Pass Pipe and Marine View Drive Culvert Replacement. WSDOT has fulfilled their responsibility to fund a portion of these completed projects. It would be appropriate to release WSDOT from the ILA at this time. However, releasing WSDOT from the ILA requires Council approval.

PW Director Gut reviewed the agenda bill summary.

CM Gregerson stated that the Transportation & Public Works (T&PW) Committee recommended this item for approval.

Council consensus: Referred to the 10/27/09 RCM Consent Agenda

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3154 – A Motion authorizing the City Manager to execute a contract with Streetsense Consulting, LLC, for the completion of a retail, dining and entertainment market study for the SeaTac Airport Station Area

Summary: This Motion facilitates the completion of a market study for the SeaTac / Airport Station Area / Entertainment District. This information is critical as the City moves forward with the planning and implementation of the SeaTac/Airport Station Area Action Plan. The information from the study will help in understanding the types of retail, entertainment, dining and other uses that are viable within the City center, indicating the potential square footage to be absorbed for each type of use. This will, in turn assist the City in working with and recruiting the types of developers and businesses most likely to succeed in the station area and City center. A component of the study will be the identification of specific businesses that fit within the results of the analysis.

The key goals of the study are to:

- Develop potential cluster or niche opportunities for the station area capitalizing on current and future strengths of the business corridor.
- Recommend retail merchandizing and entertainment mix to improve upon existing offerings.
- Identify areas of opportunity for recruitment of new goods and services.
- Identify positioning for the SeaTac/Airport Station Area to identify strengths.
- Provide data analysis and “case for” so that the City and community can better communicate and promote its potential to developers, property owners and retailers.

The City requested proposals for the market study from sixteen pre-screened firms. Seven consulting firms submitted proposals and three finalists were selected and interviewed. Streetsense Consulting was deemed the best qualified. A contract was negotiated with Streetsense Consulting in the amount of \$55,000, which is less than the \$60,000 budgeted for this purpose. The funds will be paid from the Hotel/Motel (H/M) Tax Fund.

ED Manager Robinson reviewed the agenda bill summary.

CM T. Anderson stated that the H/M Tax Advisory Committee unanimously recommended approval of this item.

DM Fisher stated that the Administration & Finance (A&F) Committee recommended this item for approval.

CM Gregerson stated that the T&PW Committee also recommended this item for approval.

Council consensus: Referred to the 10/27/09 RCM Consent Agenda

Agenda Bill #3153 – A Motion adding \$31,992 for additional civil engineering work to the contract to TCA for new Fire Station 45

Summary: When the contract with TCA was originally proposed, it was believed that certain engineering work was not going to be performed by TCA. However, it now appears that TCA will need to do additional engineering work for the project, and thus the contract amount will need to be increased accordingly.

This will amend the total cost of the contract with TCA to \$321,737. There is \$325,000 appropriated for Fire Station 45 design in the 2009 budget.

Facilities Director Patterson reviewed the agenda bill summary.

DM Fisher stated that the A&F Committee recommended this item for approval.

CM A. Anderson stated that the Public Safety & Justice (PS&J) Committee also recommended this item for approval.

Council consensus: Referred to the 10/27/09 RCM Consent Agenda

Agenda Bill #3149 – A Motion renewing the lease with Guardsmark Inc. for space on the second floor of City Hall

Summary: This Motion renews the three year lease with Guardsmark LLC and modifies the rent amount for space on the second floor of City Hall.

Because of the decline in office rental rates locally, Guardsmark has asked for a rent reduction for their next three year lease period. The cost per foot will be a flat \$20.50, a reduction of \$3.00. The average rent for this type of space in the region is \$18.00. Monthly rent will be \$5,176.25.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3149 (Continued):

Fiscal Impact:

Accumulated rent for 3 years	\$ 186,345.00
Custodial services for 3 years	\$ -16,362.00
Estimated Utilities for 3 years	\$ -27,270.00
Net total	\$ 142,713.00

Facilities Director Patterson reviewed the agenda bill summary.

CM Gregerson stated that the T&PW Committee recommended this item for approval.

Council consensus: Referred to the 10/27/09 RCM Consent Agenda

CONSENT AGENDA:

- **Approval of claims vouchers** (check nos. 86800 – 87002) in the amount of \$1,610,923.28 for the period ended October 20, 2009.
- **Approval of payroll vouchers** (check nos. 48155 – 48198) in the amount of \$182,678.75 for the period ended October 15, 2009.
- **Approval of payroll electronic fund transfers** (check nos. 61508 - 61692) in the amount of \$350,488.84 for the period ended October 15, 2009.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$63,976.98 for the period ended October 15, 2009.
- **Summary of \$5,000 - \$35,000 Purchase Requests** for the period ended October 23, 2009.

Approval of Council Meeting Minutes:

- **Administration and Finance Committee Meeting** held September 8, 2009.
- **Land Use and Parks Committee Meeting** held October 8, 2009.
- **Administration and Finance Committee Meeting** held October 13, 2009.
- **Council Workshop** held October 13, 2009.
- **Regular Council Meeting** held October 13, 2009.

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

Agenda Bill #3152; Motion authorizing the City Manager to sign an Agreement releasing Washington State Department of Transportation from the Des Moines Creek Basin 2004 Interlocal Agreement

Agenda Bill #3154; Motion authorizing the City Manager to execute a contract with Streetsense Consulting, LLC, for the completion of a retail, dining and entertainment market study for the SeaTac Airport Station Area

Agenda Bill #3153; Motion adding \$31,992 for additional civil engineering work to the contract to TCA for new Fire Station 45

Agenda Bill #3149; Motion renewing the lease with Guardsmark Inc. for space on the second floor of City Hall

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

PUBLIC COMMENTS (related to the Consent Agenda): Doris Cassan reiterated her comments from earlier stating her opinion that the Council is favoring a competitor over her business.

*MOTION CARRIED UNANIMOUSLY.

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

UNFINISHED BUSINESS: There was no Unfinished Business.

NEW BUSINESS: There was no New Business.

CITY MANAGER'S COMMENTS: ACM Cutts commented on the following: October 29 – 4:30 p.m., Take Action against Domestic Violence (DV) Award Ceremony. SeaTac's DV Community Advocate Chris Peterson is this years recipient of the Ginny NiCarthy Excellence in Advocacy Award. She will receive this award at the ceremony.

COUNCIL COMMENTS: CM A. Anderson commented on the following: (1) Fine Arts Exhibit – encouraged everyone to view the art, and (2) Steppin’ Out to Stop Domestic Violence Walk-A-Thon – thanked Mayor Shape for joining him.

CM Ladenburg commended Finance Director McCarty and Assistant Finance Director Brenda Rolph for once again winning the Government Financial Officers Association (GFOA) Budget Presentation Award.

CM Gregerson commented on the following: (1) Southwest King County Chamber of Commerce (SWKCC) 20th anniversary – she presented the Council a certificate that was awarded to the City, (2) Communities Count – website provides information about the community www.communitiescount.org; (3) HS Manager Colleen Brandt-Schluter was awarded by the SeaTac Rotary for the Paul Harris Fellowship, and (4) Association of Washington Cities (AWC) State of the Cities – more information is available online at www.AWCnet.org.

Mayor Shape commented on the following: (1) received a letter from Crisis Clinic Executive Director Kathleen Southwick thanking the City for its support, (2) received a letter from the KC Sheriff’s Office after a bust on a SeaTac house. They were impressed with Plans Examiner/Inspector II Jerry Berndt, (3) Risk Benefits Coordinator Colleen Capestany graduated from the AWC Safety Certification Program on October 7, 2009, and (4) Programs Coordinator Desmond Machuca resigned from her position with the City.

RECESSED: Mayor Shape recessed the RCM to an Executive Session on Property Acquisition at 8:23 p.m.

EXECUTIVE SESSION: Property Acquisition (30 minutes) (RCW 42.30.110 [1] [b])

Senior Assistant City Attorney Johnsen announced that Council requested 15 more minutes at 8:53 p.m.

RECONVENED: Mayor Shape reconvened the RCM at 9:09 p.m.

ADJOURNMENT:

MOVED BY A. ANDERSON, SECONDED BY FISHER TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 9:11 P.M.

MOTION CARRIED UNANIMOUSLY.

Ralph Shape, Mayor

Kristina Gregg, City Clerk

City of SeaTac

Special Council Meeting Minutes

November 3, 2009
6:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Special Meeting was called to order by Mayor Shape at 6:16 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Deputy Mayor (DM) Gene Fisher, Councilmembers (CMs) CM Chris Wythe, Terry Anderson, Anthony (Tony) Anderson, Barry Ladenburg, and Mia Gregerson.

ADMINISTRATIVE STAFF: Acting City Manager (ACM) Todd Cutts, City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, Senior Assistant City Attorney Mark Johnsen, Economic Development (ED) Manager Jeff Robinson, Human Services (HS) Manager Colleen Brandt-Schluter, Public Works (PW) Director Tom Gut, City Engineer Susan Sanderson, Facilities Director Pat Patterson, Fire Chief Bob Meyer, and Chief of Police Services Jim Graddon.

FLAG SALUTE: Citizen Dave Bush led the Council, audience and staff in the Pledge of Allegiance.

PUBLIC COMMENTS: Cathy Boysen-Heiberg, with Chris and Larry Boysen, detailed her family's business over the years. She spoke about proposed Zoning Code changes to two Division IV sections, Incorporating Bow Lake as a Focal Point and Open Space Maintenance.

Betty Lou and Bob Kapela, Angle Lake Mobile Home Park Owners, commented about the proposed Zoning Code Changes stating that they had not received any notification of the changes. They requested Council not take any immediate action on this item.

Earl Gipson spoke regarding the proposed Zoning Code changes. He requested the changes be reviewed by a committee of citizens and community members prior to adoption.

PRESENTATIONS:

• **Council confirmation of appointment of Phyllis Byers and re-appointment of Mel McDonald to the Human Services Advisory Committee and re-appointment of Margaret Gray to the Senior Citizen Advisory Committee**
MOVED BY T. ANDERSON, SECONDED BY GREGERSON TO APPOINT PHYLLIS BYERS AND RE-APPOINT MEL MCDONALD TO THE HUMAN SERVICES ADVISORY COMMITTEE AND RE-APPOINT MARGARET GRAY TO THE SENIOR CITIZEN ADVISORY COMMITTEE.

MOTION CARRIED UNANIMOUSLY.

Ms. Byers, Mr. McDonald, and Ms. Gray were not in attendance. Their certificates will be mailed to them.

• **Lutheran Community Services Family Resource Center**

Area Director Janet Lazar stated that it has been a pleasure to work with the City of SeaTac.

Program Manager Claudia Dickinson thanked Council and staff for their support. The Family Resource Center's goal is to strengthen and empower families and community to foster the optimal development of children by partnering with the community. She mentioned some of the programs the center provides. Ms. Dickinson introduced Miriam Diego, Play and Learn program participant.

Miriam shared her story and Family Resource Center experiences.

DISCUSSION ITEM:

• **Summary of \$5,000 - \$35,000 Purchase Requests for the period ended October 30, 2009**

ACM Cutts reviewed the requests:

<u>Item Description</u>	<u>Department</u>	<u>Original Budget</u>	<u>Amended Budget</u>	<u>Estimate</u>
Annual Traffic Count Services	PW	\$12,000	\$12,000	\$8,960
Outside Legal Services	Legal	see note*	see note*	\$25,000

*The Legal Department's amended 2009 budget is \$78,750 and this same amount is being requested for 2010, for a two-year total of \$157,500.

The \$25,000 being requested will span the 2009-2010 period.

Council consensus: Referred to the 11/03/09 SCM Consent Agenda

AGENDA BILL PRESENTATIONS:

Agenda Bill #3105 – A Motion approving Interlocal Agency and Fiber Sharing Agreements with King County (KC) for the A-Line RapidRide project

Summary: This Motion authorizes the City Manager to enter into an agreement with KC for the Construction and Implementation of Intelligent Transportation System Improvements to support the A-Line RapidRide Project. This Motion also authorizes the City Manager to enter into an agreement on the design, construction, ownership, and maintenance of the fiber optic lines installed by the project.

The A-Line RapidRide project implements a bus rapid transit system along the International Boulevard (IB)/ Pacific Highway South corridor. The bus rapid transit program will provide a new transit service connecting the Tukwila IB Light Rail Station with the Federal Way Transit Center. Elements of this bus rapid transit program include new, low floor, hybrid diesel-electric buses, improved frequency of bus service, new traffic signal controllers at each intersection in SeaTac, improved traffic operations, and transit stations with real time passenger information signs.

The A-Line RapidRide project will be designed and constructed through contracts administered by KC. In SeaTac, this project includes construction of a new fiber optic network and improvements to the traffic signals from South 216th Street to the SR 518 interchange. These improvements will provide the data network to coordinate the frequency of bus service and share real time schedule information with passengers at designated RapidRide bus stops. The project also includes restoration of sidewalk, landscaping, and pavement as a result of construction. The Interlocal Agreement (ILA) establishes the roles and responsibilities of KC and the participating Cities, including SeaTac, regarding construction of this project.

The Fiber Sharing Agreement defines how KC and the participating Cities, including SeaTac, will work together to the benefit of all the Cities in implementing the fiber optic network in the A-Line RapidRide project. This agreement also establishes roles and responsibilities of the Cities and KC with respect to the design, use, maintenances, and financing of the fiber optic cables during the term of this agreement.

The work will be executed through a contract managed by KC and will be at no cost to the City. All costs for this project are at KC's expense. The estimated cost of the project is \$1,258,000. Once the improvements are installed, the new signal controllers and spare conduits become the property of SeaTac and therefore SeaTac is responsible for future maintenance and repairs. However, there will be no net increase in the number of signal controllers the City is responsible to maintain and repair.

PW Director Gut reviewed the agenda bill summary. He introduced KC Transportation Planner III David Cantey.

Mr. Cantey detailed the A-Line RapidRide project. The project schedule is as follows: begin construction in January 2010, begin construction of stations and stops in March 2010, and begin service in the summer of 2010.

CM Gregerson stated that the Transportation & Public Works (T&PW) Committee recommended this item for approval.

Council discussion ensued regarding this project. Mr. Cantey stated that these agreements are on the agenda for all of the entities, but no one has voted on them yet.

Mr. Cantey clarified that the RapidRide will replace Metro Route 174.

Council consensus: Referred to the 11/03/09 SCM Consent Agenda

Agenda Bill #3150 – A Motion approving an Interlocal Agreement (ILA) between the Cities of SeaTac, Tukwila, Covington, and Des Moines for the Minor Home Repair Program

Summary: This Motion authorizes the City Manager to enter into an ILA with the Cities of Tukwila, Covington, and Des Moines for utilization of Community Development Block Grant (CDBG) funds to plan, fund, and implement a Minor Home Repair program to benefit low and moderate-income SeaTac homeowners.

Under the proposed ILA the cities of Tukwila, SeaTac, Covington, and Des Moines will work together in the planning and implementation of a Minor Home Repair program. The City entered into a similar ILA for 2009, and the cooperation between three cities to administer this grant has been successful. The City of Covington is to be added in 2010.

The cities of SeaTac, Tukwila, Covington, and Des Moines joined together to make their 2010 application for CDBG grant funding more competitive and improve their overall chances of being funded. The City of Tukwila

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3150 (Continued): has offered to provide fiscal and administrative support for the joint Minor Home Repair program in 2010. The Minor Home Repair program will provide minor electrical, plumbing, carpentry, and disability access repairs for SeaTac's elderly, disabled, and low-income families to help them maintain their homes in a decent, livable, and safe condition.

The cities asked for \$91,000 and received \$100,000 (SeaTac at \$26,000, Tukwila \$25,000, Covington \$24,000, and Des Moines \$25,000). The County requires one fiscal agent to administer the grant, Tukwila being the agent again for 2010. The City of SeaTac will use its \$26,000 to provide minor home repairs that meet the criteria of the CDBG program. SeaTac will pay contractor invoices for work performed for the benefit of SeaTac's eligible homeowners. The City of Tukwila will submit invoices from all four cities to KC for reimbursement and will remit reimbursement to SeaTac. Neither city will use more funds than have been agreed upon. There are no other responsibilities for this ILA. Since the administration of these funds through the 2009 ILA has been successful, the proposed ILA will remain in effect on an ongoing basis as long as CDBG funds for Minor Home Repair are available.

HS Manager Colleen Brandt-Schluter reviewed the agenda bill summary.

DM Fisher stated that the Administration & Finance (A&F) Committee recommended this item for approval.

Council discussion ensued as to how the funds are awarded and dispensed.

Council consensus: Referred to the 11/03/09 SCM Consent Agenda

Agenda Bill #3155 – A Motion to accepting the work of several contractors for contracts on Fire Station 46 and requesting approval of additional costs

Summary: This Motion accepts the work for the seven contractors listed below, for work done on the Fire Station 46 project. Acceptance of the work is required so that the contractors bonds can be released and retainage paid, so long as the City does not receive any claims within the 45 day lien period. The following contractors have successfully completed their contract work on Fire Station 46:

Contractor	Approved amount plus tax and 10% contingency	Final Contract amount including tax
Lakeridge Paving	\$ 48,161.93	\$ 50,372.19
Architectural Sheet Metal	\$614,774.39	\$573,109.31
Arndt Masonry	\$141,397.46	\$137,203.52
Evergreen Erectors	\$172,002.60	\$184,605.14
Pervious Concrete Inc.	\$210,546.60	\$197,170.56
Definitive Construction	\$ 50,000.00	\$ 41,853.76
Outdoor Concepts	\$114,427.50	\$119,831.01

This Motion also requests approval of additional costs for the following contracts:

- Lakeridge Paving: \$2,210.26 for overlay of the entire street on 37th Avenue South.
- Evergreen Erectors: \$12,602.54 for additional labor and materials to make safe half of the apparatus bays to allow for the existing station to remain in operation during construction.
- Outdoor Concepts: \$5,403.51 for additional retaining walls on the South 170th Street side to lessen the steep slope for planting. The total additional amount for these contracts is \$20,216.31.

The City Council will be asked to formally accept the work of the remaining contractors at a later time.

Facilities Director Patterson reviewed the agenda bill summary.

DM Fisher stated that the A&F Committee recommended this for approval.

CM Gregerson stated that the PS&J Committee recommended this for approval.

Upon a question posed by CM Wythe, Mr. Patterson stated that the fire station was built for approximately \$217 a square foot (sq ft). The going rate for the same caliber of fire station is \$325 - \$350 a sq ft.

Council consensus: Referred to the 11/03/09 SCM Consent Agenda

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3142 – A Resolution ordering the cancellation of outstanding municipal checks

Summary: The City has a number of stale dated checks that need to be cancelled. Revised Code of Washington (RCW) 39.56.040 requires that stale dated checks be cancelled by Resolution. The Finance Department has made every reasonable attempt to resolve these outstanding checks and has been successful in some cases. However, 13 checks still remain unresolved. The Finance Department regularly follows this process to have outstanding, stale dated checks declared cancelled by Resolution.

Once the City cancels these outstanding items, the amounts will be returned to the respective funds they were originally drawn against. The total amount of these cancelled checks is \$804.71.

Finance Director McCarty reviewed the agenda bill summary.

DM Fisher stated that the A&F Committee recommended this item for approval.

Council consensus: Referred to the 11/03/09 SCM Consent Agenda

Agenda Bill #3143 – An Ordinance rescinding Resolution #09-015, and authorizing the creation of a Police Confidential Imprest Fund and a Farmers Market Imprest Fund

Summary: Resolution #09-015 was passed by the SeaTac City Council on September 8, 2009, with the intention of establishing the two aforementioned imprest funds for the City. Subsequently, it has been determined that this action should have been accomplished by Ordinance rather than by Resolution. Therefore, this Ordinance rescinds Resolution #09-015, and creates the two required imprest funds.

Historically, agencies use imprest funds to make a variety of payments to all classes of payment recipients. Agencies typically use imprest funds to reimburse employees for expenses, to make small purchases, to make emergency beneficiary payments, and to pay informants, among other uses. These funds are any sum of money or other resources set aside for specific purposes. SeaTac uses imprest funds for petty cash and for making change at various City facilities throughout SeaTac. The establishment of imprest funds by the governing body is required by state law.

Two recent events have occurred that require the City Council to authorize the creation of two additional imprest funds to be used for specific purposes, which are as follows:

Police Confidential Imprest Fund: The City's most recent audit by the Washington State Auditor's Office revealed that the creation of the existing Police Confidential Imprest Fund should have been officially authorized by the City Council. This imprest fund was originally established by the City in 1996, and is used to record and account for the use of assets and funds resulting from seizure and forfeiture of property involved in transactions violating the Uniform Controlled Substances Act. Forfeited property and net proceeds received are to be used by the seizing law enforcement agency for expansion and improvement of drug enforcement activity. The amount of the Police Confidential Imprest Fund is \$6,000.

Farmers Market Imprest Fund: The SeaTac Sunday Farmers Market provided coupons, good for \$2 off the purchase price at any of the participating vendor booths, to help draw more visitors to the Market. Because many of the participating vendors wanted to be reimbursed by the City on the same day for the coupons they had accepted at their respective booths, it was necessary to establish an imprest fund to accommodate this. This fund was also used to give change as necessary for cash payments received for Market space rentals. The amount of the Farmers Market Imprest Fund is \$200.

Finance Director McCarty reviewed the agenda bill summary.

DM Fisher stated that the A&F Committee recommended this item for approval.

Council consensus: Referred to the 11/03/09 SCM Consent Agenda

Agenda Bill #3145 – A Resolution confirming the appointment by the City Manager of Stephen K. Causseaux, Jr. as the City Hearing Examiner, providing for appointment of a Hearing Examiner Pro-Tem, and authorizing the City Manager to enter into contracts for Hearing Examiner services

Summary: Ordinance #90-1045 established the Hearing Examiner system, which is now codified SeaTac Municipal Code (SMC) Chapter 1.20. Section 1.20.030 provides for appointment by the City Manager, subject to confirmation by the Council of the Hearing Examiner to serve for a two-year term. Additionally, Section 1.20.060 provides for appointment of a Hearing Examiner Pro-Tem by the City Manager, subject to Council confirmation.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3145 (Continued): Stephen K. Causseaux, Jr. was appointed and provided excellent service as the City's Hearing Examiner since November 2004. The City Manager wishes to reappoint Mr. Causseaux as the City's Hearing Examiner for another term, and this Resolution confirms that appointment for calendar years 2010 and 2011.

Second, this Resolution provides that the Hearing Examiner be authorized to appoint a Hearing Examiner Pro-Tem, subject to the approval of the City Manager or designee, when necessary due to scheduling conflicts or conflicts of interest. While it is not possible to determine how many times the services of a Hearing Examiner Pro-Tem will be required, a Pro-Tem Examiner has only been needed one time since 2005.

Finally, the proposed Resolution authorizes the City Manager to enter into contracts for Hearing Examiner Services with Mr. Causseaux and any Pro-Tem Hearing Examiners.

ACM Cutts reviewed the agenda bill summary.

DM Fisher stated that the A&F Committee recommended this item for approval.

Council consensus: Referred to the 11/03/09 SCM Consent Agenda

Agenda Bill #3158 – A Resolution making clear the City of SeaTac's support of the City of Seattle's proposal to host the 2018/2022 *Fédération Internationale de Football Association (FIFA) World Cup™*

Summary: The USA Bid Committee is competing to receive the FIFA World Cup in 2018 or 2022. The Seattle Region is one of 27 cities currently being considered to be a USA Host City. The USA Bid Committee will narrow the list to 18 cities by the end of 2009, and if the USA is successful, the final host cities (10-14) will be determined 5 years before the event (2013 or 2017).

The USA Bid Committee is currently considering Qwest Field and Husky Stadium, and will ultimately select one venue for Seattle. The venue will be used for a 2-3 week period in June/July and will host 4-6 matches.

The City of Seattle, the Seattle Sports Commission, First and Goal and the University of Washington (UW) (the "Organizing Committee") submitted a proposal to the USA Bid Committee in July. Four training sites were selected for teams: Starfire Sports Complex in Tukwila, the Virginia Mason Athletic Center (Seahawks Training Facility) in Renton, The Seattle University Soccer Stadium, and the UW Soccer Stadium. If Seattle is selected, all four training sites will be used. Both Starfire and Virginia Mason Athletic Center will be signing agreements (due in November) with the USA Bid Committee.

Teams training at Starfire and Virginia Mason will set up a Team Base Camp at nearby hotels, likely to be in Bellevue, Renton, Tukwila and SeaTac. The City of SeaTac could expect to receive positive economic benefits through revenue generated at City hotels, restaurants, and retail locations. Staff expects receipt of an economic impact study shortly from the USA Bid Committee.

The Organizing Committee has requested support from the City of SeaTac in the form of a resolution. The Committee anticipates presenting signed resolutions to the USA Bid Committee in early November. At that time, Committee members will be traveling to New York City to make a formal presentation to the USA Bid Committee.

ACM Cutts reviewed the agenda bill summary.

Council consensus: Referred to the 11/03/09 SCM Consent Agenda

CONSENT AGENDA:

- **Approval of claims vouchers** (check nos. 85802 – 85806) in the amount of \$681,748.49 for the period ended July 24, 2009.
- **Summary of \$5,000 - \$35,000 Purchase Requests** for the period ended October 30, 2009.

Approval of Council Meeting Minutes:

- **Public Safety and Justice Committee Meeting** held October 13, 2009.
- **Special Council Meeting** held October 22, 2009
- **Regular Council Meeting** held October 27, 2009

CONSENT AGENDA (Continued):

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

Agenda Bill #3105; Motion approving Interlocal Agency and Fiber Sharing Agreements with King County for the A-Line RapidRide project

Agenda Bill #3150; Motion approving an Interlocal Agreement between the Cities of SeaTac, Tukwila, Covington, and Des Moines for the Minor Home Repair Program

Agenda Bill #3155; Motion to accepting the work of several contractors for contracts on Fire Station 46 and requesting approval of additional costs

Agenda Bill #3142; Resolution #09-020 ordering the cancellation of outstanding municipal checks

Agenda Bill #3143; Ordinance #09-1031 rescinding Resolution #09-015, and authorizing the creation of a Police Confidential Imprest Fund and a Farmers Market Imprest Fund

Agenda Bill #3145; Resolution #09-021 confirming the appointment by the City Manager of Stephen K. Causseaux, Jr. as the City Hearing Examiner, providing for appointment of a Hearing Examiner Pro-Tem, and authorizing the City Manager to enter into contracts for Hearing Examiner services

Agenda Bill #3158; Resolution #09-022 making clear the City of SeaTac's support of the City of Seattle's proposal to host the 2018/2022 *Fédération Internationale de Football Association (FIFA) World Cup™*

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

PUBLIC COMMENTS (related to the Consent Agenda): There were no public comments.

*MOTION CARRIED UNANIMOUSLY.

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

UNFINISHED BUSINESS: There was no Unfinished Business.

NEW BUSINESS: There was no New Business.

CITY MANAGER'S COMMENTS: ACM Cutts commented on the following: (1) November 11, 2009 – City Hall Closed; (2) November 11, 2009 – 2 p.m., Veteran's Day celebration at the SeaTac Community Center (STCC); (3) November 5 – 4:30 p.m., Land Use & Parks (LUP) Committee meeting; (4) November 7 – 9 a.m., Holiday Bazaar at the STCC; (5) November 16 – 5 p.m., Zoning Code Update Open House and Stakeholders Meeting; (6) November 17 – 5 p.m., Budget Workshop 5; and (7) the flags in front of City Hall will be at half-staff in honor of Seattle Police Officer Timothy Brenton until after his memorial service.

COUNCIL COMMENTS: CM Gregerson commented on the following: (1) November 7 – Holiday Bazaar, and (2) November 16 – 6:30 p.m., Parent Teacher Student Association (PTSA) Meeting.

Mayor Shape stated that he attended the Annual Take Action against Domestic Violence (DV) awards ceremony where SeaTac's DV Community Advocate Chris Peterson received the Ginny NiCarthy Excellence in Advocacy Award. He also congratulated the winners of today's election.

RECESSED: Mayor Shape recessed the Special Council Meeting (SCM) to an Executive Session on Potential Litigation at 7:24 p.m.

EXECUTIVE SESSION: Potential Litigation (15 minutes) (RCW 42.30.110 [1] [i])

RECONVENED: Mayor Shape reconvened the SCM at 7:41 p.m.

NEW BUSINESS:

Potential Council Action related to Potential Litigation

(The following agenda bill # was assigned for tracking purposes only. No agenda bill was created.)

Agenda Bill #3162; Motion to except the resignation agreement between Craig Ward and the City of SeaTac
City Attorney Mirante Bartolo summarized a proposed resignation agreement discussed during the Executive Session.

NEW BUSINESS (Continued):

Agenda Bill #3162 (Continued):

MOVED BY T. ANDERSON, SECONDED BY A. ANDERSON TO ACCEPT THE RESIGNATION AGREEMENT BETWEEN CRAIG WARD AND THE CITY OF SEATAC.

MOTION CARRIED UNANIMOUSLY.

ADDITIONAL COUNCIL COMMENTS:

Mayor Shape asked for Council consensus to have Council and staff negotiate an appropriate compensation for ACM Cutts, retroactive to October 23, 2009. Council discussion ensued. Council gave consensus to form a committee to negotiate the terms with Mr. Cutts. The committee consists of Mayor Shape, and CMs Ladenburg and T. Anderson.

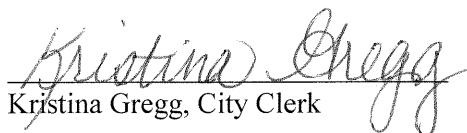
ADJOURNMENT:

MOVED BY T. ANDERSON, SECONDED BY DM FISHER TO ADJOURN THE SPECIAL MEETING OF THE SEATAC CITY COUNCIL AT 7:51 P.M.

MOTION CARRIED UNANIMOUSLY.



Ralph Shape, Mayor



Kristina Gregg, City Clerk

City of SeaTac

Special Council Meeting Minutes

November 17, 2009
5:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac Special Council Meeting was called to order by Mayor Shape at 5:07 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Deputy Mayor (DM) Gene Fisher, Councilmembers (CMs) Chris Wythe (*arrived during the Executive Session*), Terry Anderson, Anthony (Tony) Anderson, Barry Ladenburg, and Mia Gregerson (*arrived during the Executive Session*).

ADMINISTRATIVE STAFF: City Attorney Mary Mirante Bartolo, and City Clerk Kristina Gregg.

RECESSED: Mayor Shape recessed the Special Council Meeting to an Executive Session to Review the Performance and/or qualifications of a Public Employee at 5:07 p.m.

EXECUTIVE SESSION: Review the Performance and/or Qualifications of a Public Employee (*30 minutes*) (*RCW 42.30.110[1] [g]*)

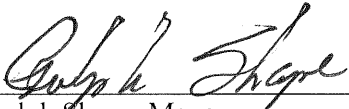
City Clerk Gregg announced that the Council requested 15 more minutes at 5:37 p.m. and 15 more minutes at 5:52 p.m.

RECONVENED: After a seven minute break, Mayor Shape reconvened the Special Council Meeting at 6:14 p.m.

ADJOURNMENT:

MOVED BY FISHER, SECONDED BY T. ANDERSON TO ADJOURN THE SPECIAL MEETING OF THE SEATAC CITY COUNCIL AT 6:14 P.M.

MOTION CARRIED UNANIMOUSLY.



Ralph Shape, Mayor



Kristina Gregg, City Clerk

City of SeaTac

Special Council Meeting Minutes

November 24, 2009
5:15 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac Special Council Meeting was called to order by Mayor Shape at 5:20 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Deputy Mayor (DM) Gene Fisher (*participated by phone*), Councilmembers (CM) Chris Wythe (*arrived during the Executive Session*), Terry Anderson, Anthony (Tony) Anderson, Barry Ladenburg (*arrived during the Executive Session*), and Mia Gregerson (*arrived during the Executive Session*). Incoming CM Pam Fernald was also in attendance.

ADMINISTRATIVE STAFF: City Attorney Mary Mirante Bartolo, Acting City Manager (ACM) Todd Cutts and City Clerk Kristina Gregg.

RECESSED: Mayor Shape recessed the Special Council Meeting to an Executive Session to review the performance and/or qualifications of a public employee at 5:20 p.m.

EXECUTIVE SESSION: Review the Performance and/or Qualifications of a Public Employee (30 minutes)
(RCW 42.30.110 [1] [g])

City Clerk Gregg announced that the Council requested 15 additional minutes at 5:50 p.m.

RECONVENED: Mayor Shape reconvened the Special Council Meeting at 6:08 p.m.

NEW BUSINESS:

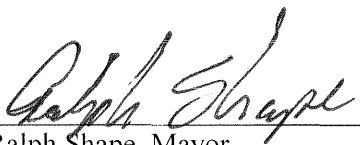
Potential Council Action related to reviewing the performance and/or qualifications of a public employee

No Council action was taken.

ADJOURNMENT:

MOVED BY T. ANDERSON, SECONDED BY A. ANDERSON TO ADJOURN THE SPECIAL MEETING OF THE SEATAC CITY COUNCIL AT 6:08 P.M.

MOTION CARRIED UNANIMOUSLY.



Ralph Shape, Mayor



Kristina Gregg, City Clerk

City of SeaTac

Regular Council Meeting Minutes

November 24, 2009

6:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Shape at 6:09 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Deputy Mayor (DM) Gene Fisher (*participated by phone from 7:29 p.m. to 9:24 p.m.*), Councilmembers (CMs) Chris Wythe, Terry Anderson (*left at 8:40 p.m.*), Anthony (Tony) Anderson, outgoing CM Barry Ladenburg, Pam Fernald and Mia Gregerson.

ADMINISTRATIVE STAFF: Acting City Manager (ACM) Todd Cutts, Senior Assistant City Attorney Mark Johnsen, City Clerk Kristina Gregg, Economic Development (ED) Manager Jeff Robinson, Human Services (HS) Manager Colleen Brandt-Schluter, Finance Director Mike McCarty, Judge Elizabeth Cordi-Bejarano, Municipal Court Administrator Mary Pederson, Building Official Gary Schenk, Stormwater Compliance Manager Don Robinett, Facilities Director Pat Patterson, Planning Director Steve Butler, Associate Planner Kate Kaehny, Senior Planner Mike Scarey, Parks & Recreation (P&R) Director Kit Ledbetter, Public Works (PW) Maintenance Supervisor Sean Clark, Parks Operations Supervisor Roger Chouinard, Fire Chief Bob Meyer, and Chief of Police Services Jim Graddon.

FLAG SALUTE: Senior Assistant City Attorney Johnsen led the Council, audience and staff in the Pledge of Allegiance.

PRESENTATIONS:

• **Key to the City to outgoing Councilmember (CM) Barry Ladenburg**

Mayor Shape presented a Key to the City to outgoing CM Ladenburg.

CM Ladenburg thanked the current City Council for appointing him. He also thanked the people who supported him, especially his family.

• **Public Swearing-in of Pam Fernald to Council Position No. 6 as a newly elected Councilmember (CM) to fill an unexpired term to end December 31, 2009**

Judge Bejarano administered the Oath of Office to the newly elected CM and Mrs. Fernald signed her Oath of Office.

RECESSED: Mayor Shape recessed the Regular Council Meeting (RCM) to a reception at 6:17 p.m.

RECEPTION: Honoring outgoing Councilmember Ladenburg and newly elected Councilmember Fernald

RECONVENED: Mayor Shape reconvened the meeting at 6:35 p.m.

PUBLIC COMMENTS: The following people spoke regarding the stakeholders meeting held by the Planning Commission (PC) and/or their concerns with the proposed Zoning Code changes: Cathy Boysen Heiberg, John Houlihan, Wes Wood, Jeff Williams, speaking on behalf of Gordan Tang (Jet Motel), and Earl Gipson.

Mr. Gipson also spoke regarding the November 3, 2009 RCM Council action to adjust suspended City Manager Craig Ward's contract and have a committee to adjust the ACM's contract.

Aaron Hipps commented on the imminent domain on the Park and Fly property off of International Boulevard (IB).

PRESENTATIONS:

• **YWCA Update**

South King County (KC) YWCA Regional Director June Wiley stated that the YWCA mission is to advance the quality of life for women of all ages, races and faith. The YWCA provides services to meet critical needs, promote self-sufficiency, reduce violence, eliminate racism, and achieve equal opportunities for all people. They have served SeaTac residents for many years. SeaTac provides the YWCA with money for emergency and transitional housing. They are contracted to serve four SeaTac residents and they have already served 18 in 2009. There is a dire need in SeaTac to assist the homeless, domestic violence victims and the unemployed.

She shared a story of a SeaTac man who benefitted from the YWCA.

PRESENTATIONS (Continued):

•National Pollutant Discharge Elimination System (NPDES) Phase II Permit Update

Stormwater Compliance Manager Robinett stated that NPDES is a component of the Federal Clean Water Act administered by the State Department of Ecology (DOE). He reviewed the potential consequences for non-compliance, and the benefits of compliance. Staff will be requesting Council approval at the December 8, 2009 RCM of an Ordinance adopting the 2009 KC Stormwater Manual (KCSWDM). The Ordinance includes SeaTac's Addendum to the KCSWDM. Staff will also be requesting approval of the revisions to Chapter 12.12 - Illicit Discharge and Detection Elimination (IDDE) code.

He explained why the City needs to adopt the KCSWDM: deemed equivalent to the DOE manual, required by City code and the easiest transition from the 2005 KCSWDM.

The two Ordinances need to be adopted and effective by February 15, 2010.

Mr. Robinett stated that staff have worked with the community to develop a development stakeholders committee composed of both local large and small scale developers, design engineers and industry representatives. The purpose of the committee is to raise awareness of NPDES requirements.

In an effort to reduce costs and efficiently implement the requirements, the City is partnering with other groups such as Stormwater Outreach for Regional Municipalities (STORM), ROADMAP, NPDES Permit Coordinators Forum and IDDE Program.

•2009 Comprehensive Plan (CP) Amendments

Planning Director Butler stated that initially Council action was proposed for November 24. However, two appeals of the State Environmental Protection Agency (SEPA) determination were filed on November 19. Council cannot act on amendments until appeals are resolved. The appeals will go to the Hearing Examiner.

Mr. Butler explained the next steps: set hearing date with Hearing Examiner (most likely in January), PC will wait for resolution of appeals before making recommendation, and after the PC makes their recommendation, Council may act.

Senior Assistant City Attorney Johnsen clarified that the City can only adopt amendments once per year, except with emergency situations. This is an emergency situation due to the appeals.

PC Chair Forschler stated that the only concern that the PC has right now is that the City does have to adopt the 2010 budget. One component of the CP is the CFP (Capital Facilities Plan). That portion will not be approved in advance of the 2010 budget being adopted. PC unanimously recommended eliminating any costs related to the station area roads and property acquisition for the garage in the 2010 budget.

(DM Fisher participated by phone at this point in the meeting.)

•Zoning Code Update

Planning Director Butler stated that the goals of the proposed overlay standards are to help create a downtown for SeaTac and take advantage of opportunities presented by the new Light Rail Station.

He explained what adopting the SeaTac/Airport Station Area Overlay District would mean to the City.

Mr. Butler listed the major differences between the proposed SeaTac/Airport Station Area Overlay District Standards and existing City Center Standards (CCS) with Associate Planner Kaehny detailing the differences: amount of required ground floor commercial space, required street network, building orientation, and parking structure standards.

Mayor Shape stated that a committee is going to be appointed and they will need time to review. Also, there is an Open House scheduled for December 7 regarding this issue.

Council discussion ensued regarding the SeaTac/Airport Station area Overlay District Standards.

CM Wythe proposed a development moratorium in this area until the Zoning Code Update Ad Hoc Committee can recommend interim standards to protect the City's ability to plan for pedestrian improvements.

Council discussion ensued regarding the pros and cons of imposing a moratorium.

Mayor Shape clarified that the moratorium can only be imposed for a maximum of six months, but can be less than that.

SUSPENSION OF THE RULES:

MOVED BY T. ANDERSON, SECONDED BY SHAPE TO SUSPEND THE RULES TO BRING FORWARD NEW BUSINESS RELATED TO A RESOLUTION IMPOSING A MORATORIUM.

MOTION CARRIED UNANIMOUSLY.

NEW BUSINESS:

(The following agenda bill number was assigned for tracking purposes only. No agenda bill was created.)

Agenda Bill #3175; Resolution #09-023 imposing a moratorium on acceptance of applications for rezones, land use permits, development permits, and building permits for new construction of commercial and multi-family structures, affecting certain parcels within the SeaTac/Airport Station Area to allow for creation of development standards for an overlay district

MOVED BY WYTHE, SECONDED BY T. ANDERSON TO PASS RESOLUTION #09-023.*

CM Wythe and Mr. Johnsen read the proposed Resolution into the record.

Council discussion ensued regarding the impacts of the moratorium. CM Wythe clarified that the purpose of the moratorium is to bring everyone together and allow time for review.

PUBLIC COMMENTS (related to Agenda Bill #3175): John Houlihan, representing the Cassan's stated that the moratorium is an interesting proposal. The Cassan's just met with Planning staff today to discuss development within the station area that may have initiated this moratorium. He thanked Council for concurring to take more time to review. He stated that his clients would consider withdrawing their permit applications if Council would rescind the condemnation Ordinance.

The following people spoke regarding the proposed moratorium: Jeff Williams, Earl Gipson, and Steve Pinto.

Council discussion ensued regarding the moratorium.

Mr. Johnsen stated that a public hearing (PH) is required within 60 days. The meeting that meets that requirement would be the January 12 RCM. The moratorium would be effective through May 15, 2010 unless rescinded earlier.

*UPON A ROLL CALL VOTE, MOTION PASSED WITH FISHER, WYTHE, A. ANDERSON, SHAPE, AND GREGERSON VOTING YES AND T. ANDERSON AND FERNALD VOTING NO.

SUSPENSION OF THE RULES:

NEW BUSINESS:

(The following agenda bill number was assigned for tracking purposes only. No agenda bill was created.)

Agenda Bill #3176; Motion to amend the contract for Assistant City Manager Todd Cutts to provide additional compensation while performing the duties of Acting City Manager and authorizing the Mayor to enter into a revised contract

Senior Assistant City Attorney Johnsen summarized the terms of the agreement.

MOVED BY GREGERSON, SECONDED BY SHAPE TO PASS AGENDA BILL #3176.

MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARING (PH):

•Establishing the 2010 Annual City Budget –Finance

Mayor Shape opened the PH at 8:34 p.m.

Mayor Shape recessed the PH at 8:35 p.m. in order to deal with a technical difficulty.

SUSPENSION OF THE RULES:

MOVED BY A. ANDERSON, SECONDED BY GREGERSON TO BRING FORWARD AGENDA BILL PRESENTATIONS ON AGENDA BILLS #3173 AND #3174.

MOTION CARRIED UNANIMOUSLY.

AGENDA BILL PRESENTATIONS:

Agenda Bill #3173 – An Ordinance amending Section 2.10.090 of the SeaTac Municipal Code (SMC) related to appointment of the Municipal Court Judge

Summary: SMC 2.10.090 provides for the appointment of the Municipal Court Judge. When the City created its own Municipal Court, the Ordinance provided for appointing the Judge every four years as required by law. However, state law also sets a schedule for when the appointment of the Judge occurs. Under RCW 3.50.040, the appointment shall occur every four years, *commencing January 1, 1986 and every four years thereafter*. Therefore, the schedule set forth in the current SMC 2.10.090 is off by one year.

The proposed amendment corrects this discrepancy and aligns the schedule for appointing the Municipal Court Judge with state law. No other provisions of SMC 2.10.090 are changed. If adopted, this Ordinance would require the City Council to confirm a new four-year term for the Municipal Court Judge, commencing January 1, 2010, rather than wait until January 1, 2011. Therefore, Agenda Bill #3174 is also being presented for consideration.

Senior Assistant City Attorney Johnsen reviewed the agenda bill summary.

CM Gregerson stated that the Transportation & Public Works (T&PW) Committee recommended this item for approval.

Council consensus: Referred to the 11/24/09 RCM Consent Agenda

(CMT. Anderson left at this point in the meeting.)

Agenda Bill #3174 – An Ordinance confirming the appointment of Elizabeth Cordi-Bejarano as the Municipal Court Judge, affixing the compensation of the Municipal Court Judge and Judges Pro-Tem, and authorizing entry of a Professional Services Contract

Summary: This Ordinance confirms appointment of Elizabeth Cordi-Bejarano as Municipal Court Judge, affixes the salary of the Municipal Court Judge, and authorizes the City Manager to enter into a Professional Services Contract with Judge Cordi-Bejarano.

RCW 35A.13.080 (2) requires the City Manager to appoint a Judge of the SeaTac Municipal Court, subject to confirmation by the Council, to a four-year term. The City Manager has appointed Elizabeth Cordi-Bejarano as Municipal Court Judge for a four-year judicial term commencing January 1, 2010, subject to Council confirmation.

RCW 3.50.080 and .090 also provide that the salaries of Municipal Court Judges and Judges Pro-Tem be fixed by Ordinance. Therefore, this Ordinance also sets the compensation of the Municipal Court Judge and Judges Pro-Tem at \$65 per hour, unless a lower amount is specified in a Professional Services Agreement. This is the same compensation the Judge Cordi-Bejarano currently receives.

Finally, this Ordinance authorizes the City Manager to enter into a Professional Services Contract with Judge Cordi-Bejarano.

ACM Cutts reviewed the agenda bill summary.

CM Gregerson stated that the T&PW Committee recommended this item for approval.

Council consensus: Referred to the 11/24/09 RCM Consent Agenda

PUBLIC HEARING (PH) (Continued):

Establishing the 2010 Annual City Budget (Continued):

Mayor Shape reconvened the PH at 8:43 p.m.

Finance Director McCarty reviewed the summary for Agenda Bill #3132. He detailed the 2010 budget process, challenges, initiatives, and capital projects. He summarized the 2010 budget.

Council commended staff for their work on the 2010 budget.

The following people spoke against portions of the 2010 budget: John Houlihan, representing the Cassan's (funding for condemnation of the Cassan's property), and Earl Gipson (reducing reserves and Entertainment District).

PC Chair Forschler stated that the PC has not heard enough about plans in the City Center area relative to roads and parking garage to give a funding recommendation.

Mayor Shape closed the PH at 9:22 p.m.

NEW BUSINESS:

Agenda Bill #3132; Ordinance #09-1032 establishing the 2010 Annual City Budget

Summary: The City Council and staff have been working on preparation of the 2010 Annual Budget since July. Five Council budget workshops have been conducted and the 2010 Preliminary Budget document, detailing funding recommendations for the 2010 Annual City Budget, has been filed with the SeaTac City Clerk. A PH is scheduled for November 24, and adoption of the 2010 Annual City Budget by the Council is anticipated following the PH.

The 2010 Preliminary Budget documents the decisions made by the City Council in its detailed budget review during the fall of 2009, 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.

SeaTac's 2010 Budget was developed in the challenging climate of balancing ever increasing costs with slowing or declining revenue sources. Despite the economic downturn across the nation and in parts of our region, SeaTac is in a better position than many other municipalities. Years of fiscal restraint, a lean and efficient workforce, and targeting the most pressing needs has positioned the City well. Current national and regional conditions underscore the need to closely watch our local economy and make adjustments as necessary to ensure that SeaTac maintains its economic health and continues to provide a supportive environment for both its residents and its businesses.

The 2010 Budget strives to maintain current service levels, incurs no layoffs, and continues the City's commitment to address human service needs by allocating 1½% of General Fund expenditures for human service programs. Staffing additions in the General Fund include a Rule 9 Intern position in the Legal Department and increasing the Risk & Benefits Coordinator position in Human Resources from part-time to full-time.

The 2010 Budget provides the first year of a six-year Citywide Capital Improvement Program (CIP) (2010 - 2015) that integrates projects in the two new light rail station areas with other City projects. Projects funded are based on evaluation criteria that include maximizing direct benefits to residents and positioning the City for redevelopment opportunities. 2010 capital expenditures include building improvements, transportation and pedestrian improvements, property acquisitions, and various equipment and vehicle replacements.

SeaTac's 2010 Budget provides operating and capital budgets that are in keeping with the City's goal of delivering the highest level of city services possible while making necessary strategic investments for the future. The City's management team continues to be committed to improving customer service, the efficiency of operations, and the quality of services provided. The 2010 Budget reflects these philosophies along with the strategic direction from the City Council, and creates a sound expenditure plan for the year.

The proposed budget for 2010 provides for total City revenues of \$60,117,065 and expenditures totaling \$76,302,333, resulting in projected fund balances at December 31, 2010, in the amount of \$48,053,037.

The City is required to adopt a 2010 Budget by December 31, 2009. Amendments may be made to the proposed budget prior to adoption.

MOVED BY WYTHER, SECONDED BY GREGERSON TO ADOPT ORDINANCE #09-1032.*

ACM Cutts clarified that the proposed bond debt of \$30 million is called for in the CIP in 2011, not 2010. New taxes was only one option to pay for the debt.

*UPON A ROLL CALL VOTE, MOTION PASSED WITH WYTHER, A. ANDERSON, SHAPE, AND GREGERSON VOTING YES AND FISHER AND FERNALD VOTING NO. CM T. ANDERSON WAS ABSENT.

DM Fisher discontinued his participation in the meeting at this point.

DISCUSSION ITEM:

● **Summary of \$5,000 - \$35,000 Purchase Requests for the period ended November 20, 2009**

ACM Cutts reviewed the request:

<u>Item Description</u>	<u>Department</u>	<u>Original Budget</u>	<u>Amended Budget</u>	<u>Estimate</u>
Additional amount added to Facilities Evergreen Erectors contract (steel erection for Station 46 construction)		see note*	see note*	\$786

*The City Council has approved expenditure of \$183,819.54 for this contract. Per Agenda Bill #3155, a Motion accepting the work of several contractors for contracts on Fire Station 46 and approval of additional costs that was carried at the November 3, 2009 Special Council Meeting (SCM), the final contract amount for this work is \$184,605.14. The original contingency was based on a sales tax rate of 9.0%, and the sales tax rate was increased to 9.5% in April 2009. This action approves the \$785.60 additional amount.

Council consensus: Referred to the 11/24/09 RCM Consent Agenda

AGENDA BILL PRESENTATIONS:

Agenda Bill #3144 – An Ordinance authorizing the City to become a “Tree City USA” and establishing an advisory tree board

Summary: This Ordinance authorizes the City to continue to pursue the steps necessary to become a “Tree City USA” and the proposed Ordinance establishes an advisory tree board.

The City Council was approached to become a “Tree City USA.” Staff has been working on the four requisite steps to qualify as a “Tree City USA:”

1. Documentation of \$2.00 per capita on tree related items (the City meets this requirement already);
2. Tree care Ordinance;
3. Establishment of a Tree Board;
4. Arbor Day Observation and Proclamation to be held starting in 2010.

Washington State has 71 cities that are recognized by the Arbor Day Foundation (in cooperation with the USDA Forest Service and the National Association of State Foresters) as Tree Cities. Just a few of the many benefits that the City can expect from becoming a Tree City are: receiving preference over other communities when allocations of grant money are made for trees or forestry programs; building cooperation between public and private sectors to effectively manage urban forests; and telling visitors, through signage, that here is a community that cares about its environment.

If approved, the City will need to appoint a Tree Board that would meet about two times per year. The Board’s duties would include planning and implementing an Arbor Day Observation/Celebration and Proclamation developing a comprehensive tree care plan for the Parks and PW Departments.

If passed the cost would be absorbed in the Parks and PW 2010 Budget.

P&R Director Ledbetter and Parks Operations Supervisor Chouinard reviewed the agenda bill summary.

Council consensus: Referred to the 11/24/09 RCM Consent Agenda

Agenda Bill #3159 – An Ordinance making a declaration of substantial need for purposes of setting the limit factor for the property tax levy for 2010

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

The IPD limit factor for 2010 is 0.99152%, which means the property taxes levied in 2009 for 2010 will decrease except for the amounts resulting from new construction and state-assessed property valuation increases. Adopting an ordinance making a declaration of substantial need would allow the City to set the limit factor for the property tax levy increase for 2010 at 101%, rather than the lower IPD limit factor. Approval of the levy limit increase in this substantial need ordinance requires a majority plus one in governing boards made up of more than four members, which for SeaTac means five of the seven CMs voting in the affirmative. Based on the KC Assessor’s Office preliminary levy limit worksheet provided to the City on November 18, 2009, SeaTac would receive an estimated \$211,032 of additional property tax revenue in 2010 with a declaration of a finding of substantial need.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3159 (Continued): The annual property taxes on a house with an assessed value of \$300,000 would be approximately \$14.06 higher in 2010 using the 101% limit factor instead of the lower IPD factor, or about \$1.17 per month. The 2010 Preliminary Budget is based on a property tax revenue estimate that includes a declaration of substantial need and the higher 101% levy limit factor.

SeaTac's 2010 Budget was developed in the challenging climate of balancing ever increasing costs with slowing or declining revenue sources. The downturn in the economy resulted in a significant decrease in sales tax revenue, which provides approximately one-third of the annual funding source for the General Fund, the City's primary operating fund. Although a number of expenditure cuts and the City Council's decision to reduce their General Fund target fund balance of four months of operating expenditures to three months has significantly helped to bridge the projected gap between General Fund revenues and expenditures in 2010, this declaration of substantial need, and the resulting additional \$211,032 of property tax revenue it provides, assists the City in its effort to strive to maintain current service levels to the citizens of SeaTac.

Adopting this Ordinance declaring a finding of substantial need would result in the City receiving an additional \$211,032 of property tax revenue in 2010, which would be used to help maintain current service levels to SeaTac citizens.

Finance Director McCarty reviewed the agenda bill summary.

Council discussion ensued regarding the substantial need.

Council consensus: Referred to the 11/24/09 RCM Consent Agenda

Agenda Bill #3130 – An Ordinance tentatively establishing the 2010 ad valorem property tax levy

Summary: As of November 18, 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 4, and staff plans to submit an estimated amount which represents the Assessor's estimate of the maximum statutory levy for 2010. Staff recommend that this levy Ordinance be adopted, which levies that amount - \$14,316,202 - for 2010, 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 8, 2009 RCM, once certified assessed valuations have been received.

This Ordinance provides for a 2010 tax levy of \$14,316,202. The resulting levy rate cannot be determined until assessed valuations are certified. In 2009, the tax levy rate is \$2.34.

Finance Director McCarty reviewed the agenda bill summary.

Council consensus: Referred to the 11/24/09 RCM Consent Agenda

Agenda Bill #3168 – An Ordinance amending Section 15.20.020 and adding a new Section 15.20.047 to the SeaTac Municipal Code (SMC), adopting interim development standards to allow a temporary emergency animal shelter and Animal Control Offices in the Park (P) zone

Summary: This interim Ordinance adopts regulations that allow an emergency animal shelter and offices for Animal Control Officers at the KC Sunset Parks Maintenance Facility on a temporary basis, in the event of a flood emergency in the Green River Valley.

KC's Animal Shelter is located in Kent. With the potential flooding threat of the Green River Valley, due to the structural issues of the Howard Hanson Dam (which is the main flood control structure for the Green River), the County needs to find a back-up site for its animal shelter. KC also needs to also find an alternate site for a "storm stray animal shelter" and offices for their Animal Control Officers, should the Green River Valley flood.

KC has evaluated more than 50 sites, including 20 county owned sites to determine where the shelter could be potentially located. The maintenance facility at Sunset Park was determined by KC to be the primary choice for the emergency animal shelter. This determination is due to existing buildings on-site that could be modified for little cost to house the animals, plus room on the site to locate up to six trailers to house animals. Dogs would be the primary animal that would be housed at the site with up to 500 animals that could be potentially held there. In addition, offices and the storage of vehicles for Animal Control Officers will be located at the site. The site would only be used if there was flooding of the Green River Valley.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3168 (Continued): The existing maintenance shops are located in the P zone. The emergency animal shelter or offices for Animal Control Officers as proposed are not permitted uses in the P zone; therefore, a Zoning Code change must be adopted to allow the proposed temporary uses. The Land Use & Parks (LUP) committee reviewed the County's request at a special meeting on November 10, 2009. The committee recommended that an emergency animal shelter and offices for Animal Control Officers be allowed in the P zone either through a Temporary Use Permit (TUP) or through a change to the land use charts. After considering both approaches, staff is recommending that the emergency animal control shelter be regulated through a TUP as reflected in the Ordinance.

A Zoning Code change typically takes two to three months for adoption by Council (based upon local and state noticing requirements). The County has indicated that the use of the Sunset Park site for an emergency shelter is time-sensitive, since the normal rainy season has started with the attendant potential for flooding. They need to begin making preparations now and, in their opinion, waiting two to three months for the code change would be too long.

Staff is recommending that the code change be made by an "interim" ordinance, which would cause the proposed change to become effective within five days of passage and publication. The RCW 36.70A.390 allows the City Council to pass an interim Ordinance up to a period of six months. Within 60 days of the passage of the interim Ordinance, the Council must conduct a PH regarding the interim Ordinance.

Passing an interim Ordinance would allow KC to begin preparations at the Sunset Park Maintenance Facility to convert it to an emergency animal shelter.

Planning Director Butler and KC Regulatory Services Manager Al Dams reviewed the agenda bill summary.

PC Chair Forschler stated that the PC heard this issue at the November 23 PC meeting, but was not asked for their opinion, just given information. However, no opposition was heard.

Mr. Forschler stated that there was concern that this would become long term instead of temporary.

Mr. Dams clarified that this could last three to five years due to the dam, but each instance would most likely only be for a few weeks at a time.

Council discussion ensued regarding the use of the facility.

Mr. Dams clarified that this is a proposed site. If other options work, this site may not be needed.

Council consensus: Referred to the 11/24/09 RCM Consent Agenda

Agenda Bill #2845 – A Motion authorizing the City Manager to terminate the City's participation in the Interlocal Agreement (ILA) between the Cities of Burien, Des Moines, Normandy Park, and SeaTac for a Joint Emergency Preparedness Coordinator

Summary: In 2007 the City of SeaTac entered into an ILA with the Cities of Burien, Des Moines and Normandy Park for the services of a Joint Emergency Preparedness Coordinator. The cost for SeaTac was an annual contribution of \$30,000 at that time and has now increased to \$33,000. During 2008 and 2009 the City did not receive \$33,000 worth of services from the Coordinator. Rather, the Coordinator is spending her time working with the other cities in the ILA with projects that SeaTac has already completed. In fact, the City did not benefit except being able to meet collaboratively with our neighbors; which already occurs at the Zone 3 level. Beginning in 2008 and completed in 2009 the Coordinator only worked on the Continuity of Operations / Continuity of Government (COOP/COG) plan for the City and preliminary work on the City's Debris Management Plan for a consultant with KC Office of Emergency Management (OEM).

Fire Chief Meyer reviewed the agenda bill summary.

Council consensus: Referred to the 11/24/09 RCM Consent Agenda

CONSENT AGENDA:

- **Approval of claims vouchers** (check nos. 87003 – 87227) in the amount of \$1,379,800.49 for the period ended November 5, 2009.
- **Approval of claims vouchers** (check nos. 87228 – 87402) in the amount of \$1,100,764.77 for the period ended November 20, 2009.
- **Approval of payroll vouchers** (check nos. 48199 - 48246) in the amount of \$390,458.90 for the period ended October 31, 2009.
- **Approval of payroll electronic fund transfers** (check nos. 61693 - 61880) in the amount of \$355,692.40 for the period ended October 31, 2009.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$66,442.22 for the period ended October 31, 2009.
- **Approval of payroll vouchers** (check nos. 48247 - 48289) in the amount of \$177,840.71 for the period ended November 15, 2009.
- **Approval of payroll electronic fund transfers** (check nos. 61881 - 62064) in the amount of \$346,032.58 for the period ended November 15, 2009.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$62,678.43 for the period ended November 15, 2009.
- **Summary of \$5,000 - \$35,000 Purchase Requests** for the period ended November 20, 2009.

Approval of Council Meeting Minutes:

- **Council Budget Workshop 2** held September 28, 2009.
- **Council Budget Workshop 3** held October 10, 2009.
- **Transportation and Public Works Committee Meeting** held October 27, 2009.
- **Administration and Finance Committee Meeting** held November 3, 2009.
- **Public Safety and Justice Committee Meeting** held November 3, 2009.
- **Council Workshop** held November 3, 2009.
- **Special Council Meeting** held November 3, 2009.
- **Land Use and Parks Committee Meeting** held November 5, 2009.

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

Agenda Bill #3173; Ordinance #09-1033 amending Section 2.10.090 of the SeaTac Municipal Code related to appointment of the Municipal Court Judge

Agenda Bill #3174; Ordinance #09-1034 confirming the appointment of Elizabeth Cordi-Bejarano as the Municipal Court Judge, affixing the compensation of the Municipal Court Judge and Judges Pro-Tem, and authorizing entry of a Professional Services Contract

Agenda Bill #3144; Ordinance #09-1035 authorizing the City to become a “Tree City USA” and establishing an advisory tree board

Agenda Bill #3159; Ordinance #09-1036 making a declaration of substantial need for purposes of setting the limit factor for the property tax levy for 2010

Agenda Bill #3130; Ordinance #09-1037 tentatively establishing the 2010 ad valorem property tax levy

Agenda Bill #3168; Ordinance #09-1038 amending Section 15.20.020 and adding a new Section 15.20.047 to the SeaTac Municipal Code, adopting interim development standards to allow a temporary emergency animal shelter and Animal Control Offices in the Park (P) zone

Agenda Bill #2845; Motion authorizing the City Manager to terminate the City’s participation in the Interlocal Agreement between the Cities of Burien, Des Moines, Normandy Park, and SeaTac for a Joint Emergency Preparedness Coordinator

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

PUBLIC COMMENTS (related to the Consent Agenda): There were no public comments.

*MOTION CARRIED UNANIMOUSLY.

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

UNFINISHED BUSINESS: There was no Unfinished Business.

NEW BUSINESS: There was no New Business.

CITY MANAGER'S COMMENTS: ACM Cutts commented on the following: (1) November 26 and 27, City Hall will be closed for the Thanksgiving holiday; (2) December 3 – 6:30 p.m., Tree Lighting at City Hall; (3) December 7 – 5 p.m., Open House on the future downtown development within the SeaTac/Airport Station Area at the Holiday Inn; and (4) Fire Chief Bob Meyer has announced his retirement for the end of January 2010.

COUNCIL COMMENTS: CM Gregerson commented on the following: (1) attended the HealthPoint benefit dinner where HS Coordinator Colleen Brandt-Schluter was given the HealthPoint Hero award; (2) attended a community night out at the Lutheran Social Services Center; (3) December 5, 2009 – 9 a.m. – 4 p.m., Global High School Bazaar; and (4) December 2 - South Valley Caucus meeting through the Suburban Cities Association (SCA).

Mayor Shape commented on the following: (1) December 9 – Fire Explorer Appreciation night at Fire Station 45. He requested a CM volunteer to attend. CM Fernald will attend; (2) November 18 – attended the Highline Forum meeting. He briefed the Council on the discussions; (3) November 18 – attended the SCA meeting. He urged Council to consider participating on the regional committees; and (4) Council received a letter regarding the Zoning Code Update Ad Hoc Committee with some suggested occupations as to good candidates for that committee. He encouraged Council to suggest potential members to be appointed at the December 8 RCM.

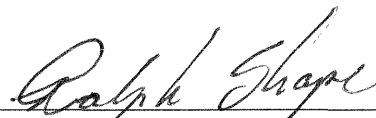
He welcomed CM Fernald to the Council, thanked Chief Meyer for his service to the City and wished everyone a Happy Thanksgiving.

EXECUTIVE SESSION: There was no Executive Session.

ADJOURNMENT:

MOVED BY GREGERSON, SECONDED BY A. ANDERSON TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 10:04 P.M.

MOTION CARRIED UNANIMOUSLY.



Ralph Shape, Mayor



Kristina Gregg, City Clerk

City of SeaTac

Special Council Meeting Minutes

December 8, 2009
5:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac Special Council Meeting was called to order by Mayor Shape at 5:01 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Deputy Mayor (DM) Gene Fisher (*arrived during the Executive Session*), Councilmembers (CM) Chris Wythe, Terry Anderson, Anthony (Tony) Anderson, Pam Fernald (*arrived during the Executive Session*), and Mia Gregerson (*arrived during the Executive Session*).

ADMINISTRATIVE STAFF: City Attorney Mary Mirante Bartolo, Acting City Manager (ACM) Todd Cutts, City Clerk Kristina Gregg, Senior Assistant City Attorney Mark Johnsen, City Engineer Susan Sanderson, and Planning Director Steve Butler.

RECESSED: Mayor Shape recessed the Special Council Meeting to an Executive Session on Litigation and Potential Litigation at 5:02 p.m.

EXECUTIVE SESSION: *Litigation and Potential Litigation (RCW 42.30.110 [1] [i]) (50 minutes)*

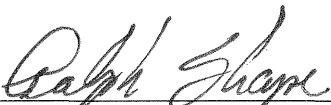
City Clerk Gregg announced that Council requested 5 additional minutes at 5:52 p.m.

RECONVENED: Mayor Shape reconvened the Special Council Meeting at 6:03 p.m.

ADJOURNMENT:

MOVED BY T. ANDERSON, SECONDED BY GREGERSON TO ADJOURN THE SPECIAL MEETING OF THE SEATAC CITY COUNCIL AT 6:04 P.M.

MOTION CARRIED UNANIMOUSLY.



Ralph Shape, Mayor



Kristina Gregg, City Clerk

City of SeaTac

Regular Council Meeting Minutes

December 8, 2009
6:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Shape at 6:04 p.m.

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

ADMINISTRATIVE STAFF: Acting City Manager (ACM) Todd Cutts, City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, Senior Assistant City Attorney Mark Johnsen, Economic Development (ED) Manager Jeff Robinson, Human Services (HS) Manager Colleen Brandt-Schluter, Program Manager Soraya Lowry, Finance Director Mike McCarty, System Administrator Bart Perman, Planning Director Steve Butler, Associate Planner Kate Kaehny, City Engineer Susan Sanderson, Stormwater Compliance Manager Don Robinett, Fire Chief Bob Meyer, and Chief of Police Services Jim Graddon.

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

PUBLIC COMMENTS: The following people stated their concerns regarding the proposed Zoning Code Update, Comprehensive Plan (CP) amendments, eminent domain related to the Cassan's property, and/or the December 7 Downtown Open House: Planning Commission (PC) member Rick Lucas; William Maurer (Executive Director, Institute for Justice Washington Chapter, Adjunct Scholar, Washington Policy Center, Member, Attorney General's Eminent Domain Task Force); Chris Boysen, PC Chair Rick Forschler, Earl Gipson, and John Houlihan, representing James and Doris Cassan, Cassan Enterprises, and 176th SeaTac LLC.

The following people spoke regarding a proposed hotel at the current Jet Motel site: Owner Gordon Tang, and Marriott International Senior Vice President of Development Eric Jacobs.

Vicki Lockwood stated that the government should support the residents and businesses.

PRESENTATIONS:

•Certificate of Recognition to Madrona Elementary School Teacher Michele Brees, recipient of a Presidential Award for Excellence in Math and Science Teaching

HS Manager Brandt-Schluter introduced Ms. Brees and gave background on this award.

Mayor Shape read and presented the Certificate of Recognition to Ms. Brees.

Michele Brees accepted the certificate on behalf of her students, their families and her colleagues.

•Council Confirmation of Mayoral Appointment of Daryl Tapio to the Tree Board

MOVED BY A. ANDERSON, SECONDED BY T. ANDERSON TO CONFIRM THE MAYORAL APPOINTMENT OF DARYL TAPIO TO THE TREE BOARD.

MOTION CARRIED UNANIMOUSLY.

Mayor Shape read and presented the Certificate of Appointment to Mr. Tapio.

Mayor Shape announced the Tree Board members: Park Maintenance Supervisor Roger Chouinard, PW Maintenance Supervisor Sean Clark, Principal Planner Jack Dodge, CM Pam Fernald, and SeaTac Resident Daryl Tapio.

•Literacy Source

Community Literacy Project Coordinator Cat Howell detailed the English as a Second Language (ESL) classes that Literacy Source is offering in the City of SeaTac, funded by SeaTac. Literacy Source's mission is to build a literate community by providing learner centered instruction to adults in English literacy and basic life skills. She introduced Angle Lake Family Resource Center Manager Claudia Dickinson and two ESL class students. She thanked the City for its support.

Ms. Dickinson explained the benefits of having this class at the Family Resource Center.

CM Gregerson congratulated Ms. Dickinson for winning the Janet Miller award in recognition of her innovation, inspiration and excellence in the field of family support.

DISCUSSION ITEM:

•Summary of \$5,000 - \$35,000 Purchase Requests for the period ended December 4, 2009

ACM Cutts reviewed the requests:

<u>Item Description</u>	<u>Department</u>	<u>Original Budget</u>	<u>Amended Budget</u>	<u>Estimate</u>
Commercial Recycling Outreach Consultant	PW	\$10,000	\$10,000	\$10,000
Neighborhood Litter Control Program	PW	\$19,750	\$19,750	\$19,750
Professional Services (Heartland)	Planning	\$4,405	\$4,405	\$4,405
Audio/Visual (A/V) Agreement for audio equipment in Council Chambers, Executive Conference Room, Courtroom and Lobby for the three year period 1/1/10 – 12/31/12	City Clerk's Office	\$10,605	\$10,605	\$5,392
Tenant Improvements for Seattle Southside Relocation	City Manager's Office	\$7,500	\$7,500	\$7,500

Council consensus: Referred to the 12/08/09 RCM Consent Agenda

AGENDA BILL PRESENTATIONS:

Agenda Bill #3178 – A Motion authorizing the City Manager to execute a contract with King County (KC) for Institutional Network (I-Net) Services

Summary: The City currently uses the KC I-Net as its Internet Service Provider (ISP). The services provided by KC are Internet connectivity, attachment to the Intergovernmental Network (IGN) and Domain Name services. The City’s contract for I-Net services with KC expires December 31, 2009. The new contract will extend the existing contract for another three years.

The base monthly price for I-Net services will be \$982 for the first year, \$1,012 for the second year, and \$1,043 for the third and final year of the contract. The total cost for the three years of the contract extension is \$36,444.

Systems Administrator Perman reviewed the agenda bill summary.

DM Fisher stated that the Administration & Finance (A&F) Committee recommended this item for approval.

Council consensus: Referred to the 12/08/09 RCM Consent Agenda

Agenda Bill #3169 – An Ordinance authorizing the issuance and sale of Limited Tax General Obligation Refunding Bonds to refund certain outstanding 1998 Limited Tax General Obligation Refunding Bonds and certain outstanding 1998 Limited Tax General Obligation (Hotel/Motel [H/M] Tax) Bonds

Summary: This Ordinance provides authorization to issue approximately \$4,215,000 of 2009 Limited Tax General Obligation Refunding Bonds for the purpose of refunding certain outstanding 1998 Limited Tax General Obligation Refunding Bonds and certain outstanding 1998 Limited Tax General Obligation (H/M Tax) Bonds.

A refunding bond issue is very similar to a homeowner refinancing a mortgage. Current bond market conditions provide the City with a unique opportunity to refund existing bonds and realize savings through lowered interest rates. A bond refunding involves the issuance of new bonds, the proceeds of which are placed in escrow to retire the debt service obligations of the original bonds on or about January 21, 2010. Savings are realized because the new bonds have a lower interest rate than the bonds that are being refunded.

Nancy Neraas of Foster Pepper PLLC served as the City’s bond counsel in connection with the issuance of these refunding bonds. Ms. Neraas has served as the City’s bond counsel for many years. The sale of the refunding bonds was negotiated by the underwriter, Seattle-Northwest Securities Corporation. Pricing on the bonds occurred December 7.

Bond proceeds, less all bond issue costs, will be deposited into escrow to pay debt service obligations on the refunded bonds on or about January 21, 2010. Principal and interest payments on the refunding bonds will be paid annually from property tax and hotel/motel tax collections, proportionally relative to the remaining outstanding debt of the two refunded bonds. The net present value savings related to this bond refunding are estimated at \$336,678.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3169 (Continued): Finance Director McCarty reviewed the agenda bill summary. He introduced Foster Pepper PLLC Bond Counsel Nancy Neraas and Seattle-Northwest Securities Public Finance Assistant Vice President Justin W. Mon Wai.

Mr. Mon Wai thanked Mr. McCarty and Assistant Finance Director Brenda Rolph for their work on this issue. The City's Standard and Poor's credit rating is AA+, with only three other cities in the state with a higher rating of AAA.

DM Fisher stated that the A&F Committee recommended this item for approval.

Council consensus: Referred to the 12/08/09 RCM Consent Agenda

Agenda Bill #3171 – An Ordinance repealing SeaTac Ordinance #09-1037 and setting the 2010 property tax levy and rate

Summary: On November 24, 2009, the SeaTac City Council approved Ordinance #09-1037, tentatively establishing the amount to be levied in 2010 by taxation on the assessed valuation of property in the City. This action was necessary because the City was required to submit its 2010 property tax levy to KC by December 4, 2009, and the November 24 Council Meeting was the last meeting prior to this deadline. The approved tentative levy amount of \$14,316,202 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, limited annual property tax increases to the lower of 1% or inflation, defined by the implicit price deflator (IPD). On November 8, 2007, the Washington State Supreme Court ruled that Initiative 747 is unconstitutional. In a special legislative session held on November 29, 2007, the 1% property tax increase limitation was reinstated by the Legislature.

The IPD limit factor for 2010 is 0.99152%, which means the property taxes levied in 2009 for 2010 will decrease except for the amounts resulting from new construction and state-assessed property valuation increases. With this in mind, the City Council adopted Ordinance #09-1036 on November 24, 2009, making a declaration of substantial need that allows the City to set the limit factor for the property tax levy increase for 2010 up to 101%, rather than the lower IPD limit factor. The declaration of substantial need was based on the downturn in the economy and the resulting significant decrease in sales tax revenue, which provides approximately one-third of the annual funding source for the General Fund, the City's primary operating fund. The adopted 2010 Budget is based on a property tax revenue estimate that includes a declaration of substantial need and the higher 101% levy limit factor.

On December 4, 2009, the City received certification of assessed valuations for the tax year 2010 from the KC Assessor's Office. The total valuation of the City of SeaTac for 2010, as certified by the KC Assessor, is \$4,516,292,185. This amount represents a decrease of approximately 7.58% as compared to the 2009 certified assessed valuation total of \$4,886,455,259.

This Ordinance provides for a 2010 tax levy of \$11,650,131, the maximum allowable levy as determined by the KC Assessor's Office, and based on the 101% levy limit factor allowed as the result of the City Council's declaration of substantial need. The resulting levy rate of \$2.58 per \$1,000 of assessed valuation would increase by twenty four (24) cents from the 2009 levy rate of \$2.34. The 2010 proposed property tax levy is based on the 1% increase limit plus new construction.

Finance Director McCarty reviewed the agenda bill summary.

Council discussion ensued regarding the increase, stating that the rate is still the lowest of the surrounding cities that also have a Fire Department.

Council consensus: Referred to the 12/08/09 RCM Consent Agenda

Agenda Bill #3180 – A Motion authorizing the City Manager to enter into a Memorandum of Understanding (MOU) with Sound Transit and the Port of Seattle (POS) for Police and Security Services within the City of SeaTac

Summary: Over the past year the City, POS and Sound Transit have worked together to identify roles and responsibilities related to how the three agencies will handle police and security incidents along the light rail system within the City's boundaries. The agreement asserts the City's primary responsibility for general law enforcement within the City limits, the POS's primary responsibility for general law enforcement on the Port property and ensures that Sound Transit police will take primary responsibility for customer safety and quality of

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3180 (Continued): life issues within the light rail system. This includes the SeaTac/Airport station mezzanine and platform, pedestrian bridge to the airport, pedestrian bridge to SeaTac's City center, public plaza on International Boulevard (IB), bus shelters directly adjacent to the station and the community access point; a pick-up and drop-off area.

Sound Transit will ensure customer safety and address quality of life issues through a mix of commissioned police officers and private non-commissioned security guards, contracted through Securitas. Sound Transit police will patrol the light rail system, including the SeaTac/Airport Station, during all operational hours. Additionally, a private security guard will be on site at the SeaTac/Airport Station during operational hours and patrol all light rail-related facilities including providing parking enforcement at the Community Access Point, which will be signed for 15-minute parking.

The parties agree to maintain regular, on-going contact to collaborate on and jointly discuss crime trends, incidents and issues.

Chief of Police Services Graddon reviewed the agenda bill summary, detailing the area to be serviced by each entity.

DM Fisher stated that the A&F Committee recommended this item for approval.

Council discussion ensued regarding the ability of the City to respond to issues on Sound Transit's service area and the jurisdictional boundaries.

CM Gregerson requested staff give quarterly updates to the City Council.

Council consensus: Referred to the 12/08/09 RCM Consent Agenda

Agenda Bill #3177 – A Motion establishing a Zoning Code Update Ad Hoc Committee to provide input, and assist with stakeholder outreach, for the Major Zoning Code Update project, and appointing its members

Summary: City staff has been working with the public, the City Council and the PC on the Major Zoning Code Update project since December 2008. In November 2009, the City Council directed that an ad hoc committee be formed to provide additional public input into the project, and to assist staff with stakeholder outreach. The Zoning Code Update Ad Hoc Committee will be comprised of a broad range of stakeholder interests including citizens from across the City, property owners, business owners and representatives from the City and PC. The City Council is expected to establish the ad hoc committee and appoint its members on December 8, 2009, with the ad hoc committee to commence meetings in early 2010.

Department of Planning and Community Development staff began work on a major update to the City's Zoning Code in May 2008. The project was initiated in order to address inconsistencies and other problems within the existing code.

The project's original scope included improving the organization and usability of the document, providing a comprehensive update of the code, and doing focused revisions of several chapters, including standards for the City Center, and the creation of new standards for the area now called the SeaTac/Airport Station Area Overlay District.

The anticipated completion and adoption date of Phase One of the project was December 2009. In November 2009, however, the City Council directed staff to present the SeaTac/Airport Station Area District standards for adoption in December 2009 and extend the timeline for the adoption of the remaining Phase One updates into 2010. This was to give the public more time to review the proposed changes to the Zoning Code. The Council also expressed interest in creating a citizens' Major Zoning Code Update Ad Hoc Committee that could provide additional input on the project and assist staff with stakeholder outreach.

After additional consideration, the City Council determined that further citizen and stakeholder input was also required for the SeaTac/Airport Station Area Overlay District standards. Consequently, the Council adopted, on November 24, 2009, a moratorium on development within the SeaTac/Airport Station Area Overlay District to prevent piecemeal development within the overlay district until such time as the development requirements for this area are ready to be adopted. The moratorium will be in effect until May 15, 2010, or until additional Council action is taken.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3177 (Continued): The City Council is expected to create the Major Zoning Code Update Ad Hoc Committee and appoint members on December 8, 2009. The Ad Hoc Committee will review and provide input on proposed standards for the SeaTac/Airport Station Area Overlay District, and proposed code changes within Phase 1 and Phase 2 of the Major Zoning Code Update Project.

Planning Director Butler reviewed the agenda bill summary.

Council discussion ensued regarding the proposed committee selection.

PC Chair Mr. Forschler stated that the PC felt there needed to be representation from anyone that wanted to participate. Mayor Shape clarified that the meetings will be open to the public.

DM Fisher agreed to participate as a co-chair on this committee.

CM Wythe declined membership, but stated that he will work with CM Fernald to find a Riverton Heights representative

Council concurred to continue to search for a Bow Lake representative also.

Council consensus: Referred to the 12/08/09 RCM Consent Agenda

Agenda Bill #3160 – A Resolution amending Section 13 of the City Council Administrative Procedures regarding Councilmember (CM) Travel Expenses and Reimbursement

Summary: This Resolution amends the Council Administrative Procedures related to CM Travel Expenses and Reimbursement. The proposed amendment provides that each CM would be allocated \$4,000 per calendar year for expenses related to conferences and meetings such as the National League of Cities (NLC), Association of Washington Cities (AWC), or Suburban Cities Association (SCA). Reimbursement would cover registration, pre-conference workshops, transportation, lodging, meals, and travel incidentals. Up to \$1,000 of the yearly limit could be carried over to the following year if unspent. Any travel in excess of the \$4,000 limit would be at the CMs own expense.

In addition, unforeseen training workshops, and conference opportunities would not be restricted by the \$4,000 limit if approved by the Council. Various local meetings and associated meal costs would also not be restricted by the limit. Furthermore, CM travel would still be subject to the provisions of the City Travel Policies, Regulations, and Procedures.

Senior Assistant City Attorney Johnsen reviewed the agenda bill summary.

DM Fisher stated that he would like to amend the Resolution by adding section 4 that states the following: Councilmembers belonging to national committees or boards requiring additional travel during the calendar year shall have their annual travel limit adjusted accordingly during the budget process.

Council discussion ensued regarding the amendment.

CM A. Anderson requested that state committees also be included.

Council consensus: Referred to the 12/08/09 RCM Unfinished Business

Agenda Bill #3161 – A Resolution amending the City Travel Policies, Regulations, and Procedures

Summary: This Resolution amends the City Travel Policies, Regulations, and Procedures. The changes are outlined below.

Approval of travel. Currently, the City Manager reviews and approves his own travel expenses. Furthermore, there is no written procedure for the review of City Council travel to ensure that expenses are consistent with the City travel policies. This Resolution specifies that City Manager travel and City Council travel will be reviewed and approved by the A&F Committee. The City Manager will continue to approve travel of Department Directors and any travel that exceeds \$350 or that requires overnight lodging. Other employee travel is approved by the Department Director.

Time for submitting receipts. Currently, there is no timeframe for the submittal of travel receipts. For certain expenses that are paid with a City credit card, said receipts are required to be submitted and reviewed prior to the date the credit card payment is due for the specific expenses. In order to have a consistent timeframe for reimbursement, it is proposed that all receipts must be submitted within 15 days of the completion of travel.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3161 (Continued): No Receipt Certification. The current policy provides that itemized receipts for travel expenses are required, unless a receipt is unavailable. The current policy does not provide a mechanism for lost or forgotten receipts. However, current practice has been to treat lost receipts in the same fashion as unavailable receipts. The State Auditor's Office issued an audit exception for the overuse of the no receipt certification form. Therefore, it is proposed to limit the amount of travel reimbursement to \$30 per calendar year when no receipt is provided. Any expenses in excess of \$30 per calendar year that are not substantiated with an itemized receipt will not be reimbursed. The proposed changes also specify that gratuities for services (such as bellhop or hotel maid service) are not subject to the \$30 limit.

Lodging Rates. Current policy outlines the maximum room rate reimbursement based upon the size of the City in which the lodging is located. However, current policy allows for higher room rates if there are "special or unusual circumstances" which warrant paying a higher room rate. In order to establish clear guidelines, it is proposed to eliminate language allowing for higher room rates due to special circumstances. However, it is recognized that there is some benefit to staying at an establishment that is connected to a conference facility, even though the rate at a conference hotel may be higher. Therefore, in such circumstances, the maximum allowable rate for staying at an establishment connected to a conference may be exceeded by 25%. The policy also clarifies that the lodging rates outlined in the travel policy do not include taxes or other mandatory hotel service charges.

It was also determined to increase the general lodging rate from \$100 per night to \$120 per night. It is believed that this higher allowance will better allow for reimbursement at in-state conference locations.

Upgraded Rooms. It is proposed to clarify that the City will only pay for lodging reimbursement for a basic room type. The City will not reimburse for the cost of upgraded rooms.

Hotel Internet Charges. Currently, there is no provision for the payment of optional hotel internet charges. These charges will be reimbursed up to \$12 per day plus tax when the employee/official can document the necessity of the use of the internet for business purposes.

Meal Allowances. Current policy provides that the meal allowances can be exceeded if there is a "satisfactory explanation" why meal costs exceed the maximum amounts outlined in the policy. It is proposed that this language be eliminated, as the meal allowances are generally consistent with General Services Administration (GSA) limits.

Multiple Employees/Officials on the same receipt. Current policy does not address multiple employee expenses on the same receipt. In order to ensure that the policies (such as meal allowances) are being appropriately followed, the proposed policy states that employees/officials shall attempt to obtain separate receipts. However, if separate receipts cannot be obtained, the itemized receipt shall specifically attribute each item on the receipt to a specific employee/official.

Credit Card Use. Revised Code of Washington (RCW) 42.24.115 provides that the City shall establish a lien against an employee/official salary for any expenses made with a City charge card that are not properly identified or are disallowed unless paid by the employee/official prior to the date the charge card billing is due. The proposed policy addresses this issue.

When revising the travel policy, staff reviewed policies from different cities, the State of Washington, the State Auditor's Performance Audit for School District travel, and the recommendations from the City's 2007 audit from the State Auditor. Staff believes the proposed policies are appropriate in order to ensure that City expenditures are spent in an economical and prudent manner.

Senior Assistant City Attorney Johnsen reviewed the agenda bill summary.

Council discussion ensued regarding the proposed changes, the potential to change to per diem accounting, and the timing for meals. Mr. Johnsen clarified that the timing for meals is not a proposed change, it is current policy.

Mr. McCarty stated that one concern with the per diem accounting is the use of the City's credit cards.

CM A. Anderson requested this item be held over to the January 12, 2010 RCM for further review.

Council consensus: Referred to the 01/12/10 RCM

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3167 – A Resolution waiving a public hearing (PH) on the proposed revisions to the Washington State Department of Transportation (WSDOT) Limited Access boundary needed as a result of the Port of Seattle’s (POS) Rental Car Facility Offsite Roads Improvement project

Summary: This Resolution waives the PH required by RCW 47.52.133 for changes in WSDOT limited access boundaries. Changes to the limited access boundary on State Route (SR) 518 are necessary due to the construction of a new ramp to SR 518 as part of the POS proposed Offsite Road Improvement project.

WSDOT has approved the POS’s plans for the construction of a new ramp to SR 518 from South 160th Street. The new ramp is part of the Offsite Roads Improvement project which is mitigation for the POS Consolidated Rental Car Facility development. The new ramp will make changes to the existing limited access area for SR 518 necessary. Prior to approving the revisions to the limited access boundary, WSDOT requires that a formal PH be conducted to hear input from the affected property owners and local jurisdictions. This section of SR 518 is located within SeaTac and POS jurisdictions. The POS is requesting that the requirement for a formal PH be waived since the only affected parties are the City and the POS.

The POS has worked with the City during the Interchange Justification Report process and channelization plan definition for the Offsite Road Improvement project. The changes in the boundary of the limited access area and the hearing waiver were discussed throughout the process. The POS has conducted several public meetings for this project. An Environmental review, with public notification and comment, was conducted in 2004. In addition, the POS recently completed a public information meeting on October 7, 2009. Notifications were sent to the Washington State Patrol, Ace Hardware, El Chorro Restaurant, Subway, Dollar Rent a Car, Avis/Budget Rent a Car, Loudon Realty, Master Park, and Bonney-Watson. Representatives from Avis/Budget Rent a Car and Loudon Realty attended the meeting.

City Engineer Sanderson introduced POS Project Manager Heather Bornhorst and POS Planner Tom Hooper.

Ms. Bornhorst briefed the Council on the project overview and status.

Mr. Hooper reviewed the Airport Roadway System with Council discussion ensuing.

Ms. Bornhorst explained the limited access revisions, which only affects the POS.

CM Gregerson stated that this was reviewed by the Transportation & Public Works (T&PW) Committee.

PC Chair Mr. Forschler stated that this issue was not discussed by the PC, but that he personally doesn’t have any concerns.

Council consensus: Referred to the 12/08/09 RCM Consent Agenda

Agenda Bill #3166 – An Ordinance amending Chapter 12.12 to the SeaTac Municipal Code (SMC), related to Surface and Stormwater - Illicit Discharge, Detection, and Elimination (IDDE)

Summary: This Ordinance amends Chapter 12.12 of SMC related to IDDE to allow for fair and equitable enforcement of the IDDE code and provide greater stewardship and protection of our natural waterways in order to ensure the sustainability of our natural resources.

While the existing IDDE Ordinance meets the minimum requirements of the National Pollutant Discharge Elimination System (NPDES) Phase II permit, it narrowly defines a few essential terms which could lead to inequitable enforcement of the code, as well as inhibit enforcement of illicit discharges and connections to natural waterways not owned or operated by the City of SeaTac. Additional revisions included in this Ordinance are primarily housekeeping in nature with the exception of Section 12.12.075 - Special Enforcement Provisions. This new section would allow the City to recoup the cost of laboratory analysis of water quality samples from the party responsible for the violation.

IDDE are programs that will be funded by the Surface Water Management (SWM) utility. There is no direct fiscal impact as a result of this Ordinance.

Stormwater Compliance Manager Robinett reviewed the agenda bill summary.

Council consensus: Referred to the 12/08/09 RCM Consent Agenda

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3063 – An Ordinance amending Chapter 12.10 of the SeaTac Municipal Code (SMC), related to Surface and Stormwater - Adoption of Surface Water Design Manual

Summary: This Ordinance amends Chapter 12.10 of the SMC related to Surface and Stormwater to adopt the KC Surface Water Design Manual (KCSWDM) and the City of SeaTac Addendum to the KCSWDM as they currently exist and hereafter amended to meet the NPDES Phase II Permit requirement deadline of February 15, 2010.

The proposed amendments update City of SeaTac's stormwater standards from the existing 2005 KCSWDM to the 2009 KCSWDM as modified by the City Addendum to the KCSWDM. In June of this year, the Department of Ecology (DOE) deemed the 2009 KCSWDM (with modifications) to be equivalent to the standards required in the NPDES Phase II Permit. The City of SeaTac Addendum to the KCSWDM addresses the modifications required to achieve equivalency, as well as code references, terminology and other administrative and procedural issues necessary to make the standards applicable to SeaTac. Adoption of this manual and addendum represents the easiest transition for both the development community and review staff when compared to alternative equivalent stormwater manuals such as the 2005 Stormwater Management Manual for Western Washington (a.k.a. the DOE manual). Documents referenced within the Addendum have been posted on the City's web page.

Stormwater development review is funded through permit fees. Stormwater maintenance and repairs are funded by the SWM utility. There is no direct fiscal impact as a result of this Ordinance.

Stormwater Compliance Manager Robinett reviewed the agenda bill summary.

CM Gregerson stated that this was reviewed by the T&PW Committee.

Council consensus: Referred to the 12/08/09 RCM Consent Agenda

CONSENT AGENDA:

- **Approval of claims vouchers** (check nos. 87403 – 87535) in the amount of \$2,362,788.83 for the period ended December 4, 2009.
- **Approval of payroll vouchers** (check nos. 48290 – 48336) in the amount of \$382,796.24 for the period ended November 30, 2009.
- **Approval of payroll electronic fund transfers** (check nos. 62065 - 62252) in the amount of \$354,207.20 for the period ended November 30, 2009.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$63,650.48 for the period ended November 30, 2009.
- **Summary of \$5,000 - \$35,000 Purchase Requests** for the period ended December 4, 2009.

Approval of Council Meeting Minutes:

- **Land Use and Parks Committee Meeting** held November 10, 2009.
- **Special Council Meeting** held November 17, 2009.
- **Transportation and Public Works Committee Meeting** held November 24, 2009.
- **Special Council Meeting** held November 24, 2009.

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

Agenda Bill #3178; Motion authorizing the City Manager to execute a contract with King County for Institutional Network Services

Agenda Bill #3169; Ordinance #09-1039 authorizing the issuance and sale of Limited Tax General Obligation Refunding Bonds to refund certain outstanding 1998 Limited Tax General Obligation Refunding Bonds and certain outstanding 1998 Limited Tax General Obligation (Hotel/Motel Tax) Bonds

Agenda Bill #3171; Ordinance #09-1040 repealing SeaTac Ordinance #09-1037 and setting the 2010 property tax levy and rate

Agenda Bill #3180; Motion authorizing the City Manager to enter into a Memorandum of Understanding with Sound Transit and the Port of Seattle for Police and Security Services within the City of SeaTac

Agenda Bill #3177; Motion establishing a Zoning Code Update Ad Hoc Committee to provide input, and assist with stakeholder outreach, for the Major Zoning Code Update project, and appointing its members

CONSENT AGENDA (Continued):

Agenda Bill #3167; Resolution #09-024 waiving a public hearing on the proposed revisions to the Washington State Department of Transportation Limited Access boundary needed as a result of the Port of Seattle's Rental Car Facility Offsite Roads Improvement project

Agenda Bill #3166; Ordinance #09-1041 amending Chapter 12.12 to the SeaTac Municipal Code, related to Surface and Stormwater - Illicit Discharge, Detection, and Elimination

Agenda Bill #3063; Ordinance #09-1042 amending Chapter 12.10 of the SeaTac Municipal Code, related to Surface and Stormwater - Adoption of Surface Water Design Manual

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

PUBLIC COMMENTS (related to the Consent Agenda): Earl Gipson commented on the Zoning Code Update Ad Hoc Committee.

John Thompson urged Council to not pass Agenda Bill #3171.

*MOTION CARRIED UNANIMOUSLY.

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

UNFINISHED BUSINESS:

Agenda Bill #3160; Resolution amending Section 13 of the City Council Administrative Procedures regarding Councilmember (CM) Travel Expenses and Reimbursement

CM Wythe requested this item be moved to the January 12, 2010 RCM.

NEW BUSINESS: There was no New Business.

CITY MANAGER'S COMMENTS: ACM Cutts commented on the following: (1) December 18 – 11:45 a.m., Senior Holiday Luncheon at the Community Center; (2) December 25 and January 1 – City Hall closed in observance of holidays; (3) January 7 – 5:30 p.m., 42nd Avenue South Sidewalk Project Open House at City Hall; and (4) December 19 – 9 a.m., SeaTac/Airport Light Rail Station opening and ribbon cutting.

COUNCIL COMMENTS: CM Wythe stated his appreciation for everyone that attended the December 7 Downtown Open House.

CM T. Anderson thanked CM Wythe for his time on the City Council.

CM A. Anderson commented on the Lakewood Police Officers funeral. He stated that he is encouraged by the outpouring of support and he is working on legislation to get tuition waivers for the kids of the slain officers.

CM Fernald commented on the following: (1) December 7 Open House; and (2) December 9 - Fire Explorers Appreciation Event.

CM Gregerson commented on the following: (1) December 7 Open House; (2) December 8 – 6 p.m., community night at Tyee; and (3) secure medicine return and fluorescent bulbs recycling legislative bills. Mr. Cutts stated that the City's Legislative Agenda could be amended to include these two items.

Mayor Shape stated that the Double Tree Hotel employees have been voluntarily conducting an education program for the 5th graders at Bow Lake Elementary School, teaching them environmental or human relations issues. This year it's about supplying food banks with food for the less fortunate. The program is scheduled for December 11 at 1 p.m.

RECESSED: Mayor Shape recessed the RCM to an Executive Session on Property Acquisition at 9:18 p.m.

EXECUTIVE SESSION: Property Acquisition (30 minutes) (RCW 42.30.110 [1] [b])

Senior Assistant City Attorney Johnsen announced that Council requested 15 more minutes at 9:53 p.m., 10 more minutes at 10:03 p.m., and 5 more minutes at 10:08 p.m.

RECONVENED: Mayor Shape reconvened the RCM at 10:12 p.m.

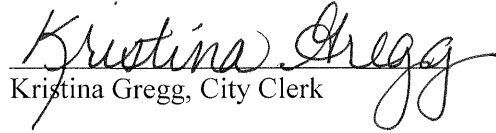
ADJOURNMENT:

MOVED BY WYTHE, SECONDED BY GREGERSON TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 10:13 P.M.

MOTION CARRIED UNANIMOUSLY.



Ralph Shape, Mayor



Kristina Gregg, City Clerk

City of SeaTac

Special Council Meeting Minutes

December 29, 2009
6:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Special Council Meeting was called to order by Mayor Fisher at 6:00 p.m.

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

ADMINISTRATION STAFF: Acting City Manager (ACM) Todd Cutts, Senior Assistant City Attorney Mark Johnsen, Deputy City Clerk Marcia Rugg, Economic Development (ED) Manager Jeff Robinson, Finance Director Mike McCarty and Planning Director Steve Butler.

NEW BUSINESS:

Agenda Bill #3192; Ordinance #09-1043 authorizing the purchase of real property located at 15247 International Boulevard (IB), SeaTac, WA 98188 (the SeaTac Center), authorizing the City Manager to execute documents necessary to effectuate the acquisition, and amending the City's 2009 Annual Budget

Summary: This Ordinance authorizes the purchase of real property identified as tax parcels 0043000013, 0043000015 and 0043000018, located at 15247 IB in SeaTac, authorizes the City Manager to execute any documents necessary to effectuate the purchase, and amends the City's 2009 Annual Budget.

The City Council adopted the South 154th Street Station Area Action Plan on December 12, 2006. Included in the plan were Action Steps that potentially could be accomplished in whole, or in part, through acquisition of this property. The applicable action steps shown in the plan as either short or medium term priorities are:

- PI- 4--Improve streetscape along South 152nd Street.
- PI-9--Encourage the redevelopment of the southwest corner of South 152nd Street and IB.
- PI-11--Construct a public access garage or enter into a public private partnership to provide public parking spaces in a private parking garage.
- RC-2--Facilitate the construction of public parks and open spaces.

Acquiring this property serves many potential purposes as envisioned in the South 154th Street Station Area Action Plan, including potential use as right-of-way (ROW) for street improvements, for public plaza, park or open space, or for public parking to enhance and encourage redevelopment of the light rail station area consistent with the Plan. In terms of circulation, the Plan proposed to improve access to properties in the central portion of the station area by providing a number of new pedestrian-friendly vehicular connections. These connections would be small in scale consisting of narrow streets with sidewalks and street trees, and would function to improve vehicular and pedestrian access, while providing additional street frontage for new businesses.

The City pursued acquisition from Centrum Financial Services, Inc., the holder of the first lien position on the property. Negotiations were completed on December 23, 2009, through the agent according to the terms on the Deed-in-Lieu-of-Foreclosure (DIL) document dated December 24, 2009. The terms of the Agreement provide that the City will acquire the property for \$11,350,000. In addition, the terms of the Agreement provide that the City will pay closing costs, past due property taxes, property liens and commissions totaling \$897,100, for a total of \$12,247,100. The 2010 Assessed Value of the three parcels is \$19,189,500. An appraisal of the property was completed by CB Richard Ellis Valuation and Advisory Services on June 24, 2009, and evidenced an as-is market value of \$16,500,000.

The subject properties are currently leased to sixteen businesses and will derive a projected net operating income in 2010 of approximately \$764,000.

Since the City pursued acquisition of this property through a real estate agent without disclosing that the City was the purchaser, the City Manager will need to execute documents transferring the rights to the property from the agent to the City. The City Manager will be authorized to sign any other documents necessary to effectuate the purchase of this property.

Closing of this transaction must be on or before December 31, 2009.

This Ordinance amends the City's 2009 Annual Budget in order to acquire this property.

ED Manager Robinson reviewed the agenda bill summary.

NEW BUSINESS (Continued):

Agenda Bill #3192 (Continued):

Mr. Robinson stated that in May, 2009 foreclosure proceedings were filed by K&S, LLC. The City worked with a commercial broker and determined that the most cost effective means was through a DIL. Negotiations with the current lenders were undertaken through the commercial broker on behalf of the City as an undisclosed buyer. The documents were then drafted for signature.

Mr. Robinson stated that the recorded property debt from four different lenders is \$14,120,000 and the proposed payoff is \$11,350,000. The estimated summary costs which includes real estate taxes, ALTA title insurance, escrow and recording fees totals \$582,332. The acquisition price is \$11,350,000 plus closing costs for a total of \$11,932,332. The City would transfer \$12,700,000 from the Port of Seattle (POS) Interlocal Agreement (ILA) Fund 105 to the Light Rail Station areas Capital Improvement Program (CIP) Fund 308.

Mr. Robinson presented various financing options including reserves and bonds to finance the purchase, and the overall process of transferring the property. This process needs to take place through escrow with the deadline of December 31, 2009. The next steps involved are third party property management firm, communicate with existing tenants, and engage in the community regarding future vision for development of the South 154th Street Station Area.

DM Fisher stated the City needs to evaluate the best direction to purchase property in order to benefit the best return of the investment. Mr. Robinson stated the \$12.4 million investment, at \$764,000 approximate net operating income, has approximately a 6% rate of return on investment.

Upon a question by DM Fisher, Mr. Robinson stated the City would go outside to get the best costs for a property management company upon approval of Council.

ACM Cutts stated if the City pays all cash for the property, bonds could be issued at a later date.

Senior Assistant City Attorney Johnsen stated the City has 18 months to issue bonds. It would be appropriate for Bond Counsel to discuss options with Council and Finance Department in making recommendations.

Upon a question by CM Fernald, Finance Director McCarty clarified that if passing this Ordinance is passed, the City would ensure using reserves to purchase the property.

MOVED BY SHAPE, SECONDED BY T. ANDERSON TO ADOPT ORDINANCE NO. 09-1043.*

Upon a question by CM A. Anderson, Mr. Robinson stated the tenants will hold to the same lease terms. The new property manager would be introduced to the tenants and letters would be sent to them with pertinent information.

CM Gregerson stated that she recalls a conversation where Council discussed that documentation for authorizing the use of these funds should show due diligence to ensure that these funds are being used to enhance the community.

Council discussion ensued regarding how profit could be used for other community improvements.

Mr. Cutts stated that the purpose of the acquisition is to enable the City to build an infrastructure within the station area. It would not need to be built to accommodate future development, but rather be sold as an RFP back to the development community after resident input. It also could be refunded to the Port ILA for other funds.

PUBLIC COMMENTS: Mr. Gipson inquired whether the City is going to keep the property which would best benefit the return on the investment.

Mr. Robinson stated the market will dictate the benefits of property ownership and the City would determine when the market is right for redevelopment and utilize the properties for the public infrastructure and sell the sections that would not be developed.

Mr. Cutts stated that the intention of the property purchase is to achieve the vision of the station area plans.

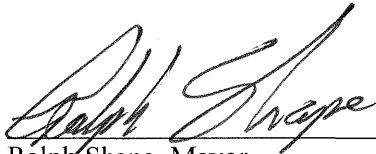
DM Fisher stated the \$750,000 profit should be targeted for a specific project such as into a future ED development project.

***UPON A ROLL CALL VOTE, MOTION CARRIED UNANIMOUSLY.**

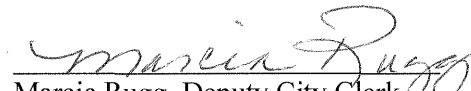
ADJOURNMENT:

MOVED BY T. ANDERSON, SECONDED BY FISHER TO ADJOURN THE SPECIAL MEETING OF THE SEATAC CITY COUNCIL AT 6:39 P.M.

MOTION CARRIED UNANIMOUSLY.



Ralph Shape, Mayor



Marcia Rugg, Deputy City Clerk