

City of SeaTac

Regular Council Meeting Minutes

July 23, 2013
6:30 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Anthony (Tony) Anderson at 6:31 p.m.

COUNCIL PRESENT: Mayor Anthony (Tony) Anderson, Deputy Mayor (DM) Mia Gregerson, Councilmembers (CMs) Barry Ladenburg, Rick Forschler, Terry Anderson, Dave Bush, and Pam Fernald.

STAFF PRESENT: City Manager Todd Cutts, City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, Assistant City Manager (ACM) Gwen Voelpel, Stormwater Compliance Manager Don Robinett, Police Chief Lisa Mulligan, Community & Economic Development (CED) Director Joe Scorcio, Economic Development (ED) Manager Jeff Robinson, and Human Services (HS) Program Manager Colleen Brandt-Schluter.

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

Mayor A. Anderson asked the Council if there was any objection to postponing the public comments related to the initiative to just prior to Agenda Bill #3527. Council concurred.

PUBLIC COMMENTS: There were no public comments.

CONSENT AGENDA:

- **Approval of claims vouchers** (check nos. 103720 - 103944) in the amount of \$1,564,583.30 for the period ended July 19, 2013.
- **Approval of payroll vouchers** (check nos. 51572 – 51606) in the amount of \$217,698.23 for the period ended July 15, 2013.
- **Approval of payroll electronic fund transfers** (check nos. 77721 – 77920) in the amount of \$421,709.11 for the period ended July 15, 2013.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$83,111.49 for the period ended July 15, 2013.
- **Pre-approval or final approval of City Council and City Manager travel related expenses** for the period ended July 18, 2013.

Approval of Council Meeting Minutes:

- **Town Hall Meeting** held July 16, 2013

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

MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENTS (related to Action Items and Unfinished Business): There were no public comments.

ACTION ITEMS:

Agenda Bill #3523; A Motion accepting the City of SeaTac Surface Water Plan prepared by Herrera Environmental Consultants

Summary: The City of SeaTac Surface Water Plan is a detailed evaluation of the City's existing surface water programs and future needs. This programmatic document replaces and provides a needed update to the City's 1997 Surface Water Plan. This Plan, and the recommendations made within it, will assist in effective and efficient management of the utility, while providing a strategy for meeting regulatory requirements and community service levels. Furthermore, the Plan serves as a basis for evaluating the utility's finances.

The City entered into a contract with Herrera Environmental in 2012 to develop a new Surface Water Plan for the City. Since the last Surface Water Utility Plan was published in 1997, significant regulatory and programmatic changes have taken place making the existing plan out of date. The Plan includes: an evaluation of existing Surface Water programs, identification of future program needs, and recommendations to address utility services, new regulations, and maintenance, repair and replacement of existing infrastructure.

ACTION ITEMS (Continued):

Agenda Bill #3523 (Continued):

Some of the key issues that are addressed in the utility plan include:

- **Evaluation of Regulatory Impacts:** The 2013 – 2018 National Pollution Discharge Elimination System (NPDES) Phase II Municipal Stormwater permit includes new program requirements such as mandating the use of Local Improvement District (LID) where feasible, as well as expansion of water quality and stormwater maintenance programs. The Plan provides an assessment to identify program gaps, which need to be addressed, and makes recommendations to meet the new permit requirements.
- **Asset Management:** The City's existing stormwater infrastructure is aging. In some areas the system is 40 years old or more and is reaching the end of its life expectancy. The Plan describes scope and breadth of the City's essential stormwater infrastructure. It also makes recommendations on how to avoid system failure and potential damage to public and private property through the creation of an asset management program designed to thoroughly inspect and assess City stormwater assets and develop a proactive repair and replacement program.
- **Stormwater Capital Improvement Project (CIP) Program:** The Plan identifies and evaluates existing drainage issues within the City's municipal stormwater system. The Plan then proposes solutions to these issues and ranks these improvement projects. The Plan also makes a recommendation that the City develops a formal Stormwater CIP program and updates the program annually, or as necessary to respond to new stormwater issues with projects and funding plans. Stormwater Projects Identified – South 204th Street Pond – \$270,000, Des Moines Memorial Drive (DMMD) Manhole - \$270,000, South 182nd Street Catch Basins – \$13,000, South 138th Street Pipe - \$140,000, and Military Road South/South 150th - 152nd Streets Drainage Improvements - \$750,000.
- **Private Property Policy:** The City does not have a clear, written policy in regards to drainage problems on private property and there is a need for a policy so staff can fairly and consistently respond to requests from private property owners. The Plan identifies the factors limiting the utility's ability to spend public funds on private property and recommends a policy to clarify under what conditions the City may spend public funds to address stormwater issues on private property.

In summary, this plan is a programmatic document for the Surface Water Utility, which does not establish new policies or create new laws. The program evaluations and recommendations contained within it are intended to serve as a strategic guide for the utility into the future.

The Plan will be completed within the \$205,334 authorized by City Council. The acceptance of the Plan, by itself, does not commit the City to any further financial expenditures. The surface water rate study will be used to evaluate the costs for implementing the recommendations identified in the plan.

Stormwater Compliance Manager Robinett introduced Herrera Environmental Project Engineer Rebecca Dugopolski and stated they were available to answer any additional questions.

CM Gregerson stated that she had a conversation with Mr. Robinett and all of her questions were answered.

MOVED BY T. ANDERSON, SECONDED BY GREGERSON TO PASS AGENDA BILL #3523.

MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENTS (related to Agenda Bill #3527):

The following people spoke in favor of the initiative: Minister Jan Bolerjack, Luis Escamillia, Nicole Vallesterio Keenan, Abdifatah Haashin, Taffy Maene, Yermane Gebremicael, Pascosie Mukaruziga, Roxan Seibel, Tim Doherty, Evelyn Orlano, Socrates Braro, Don Krueger, Jonathan Grant, Judy Volkers, Gordon Wilson, Kshama Sawant, and Tyler Henderson.

The following people spoke against the initiative: Vicki Lockwood, Kathleen Brave, Dick Jordan, Doris Cassan, Earl Gipson, Terry Wall, Mike West, Roger McCracken, Scott Ostrander, Louise Strander, Max Nelson, Chami Joe Ro, Jonathan Forschler, Jane Shin, Gary Smith, and Ronald Bensley (via email read by CM Fernald), and Ralph Nichols (via email read by CM Forschler).

ACTION ITEMS (Continued):

Agenda Bill #3527; A Resolution #13-010 calling for a special municipal election to be held on November 5, 2013 on the Ordinance proposed by an initiative petition entitled "Ordinance Setting Minimum Employment Standards for Hospitality and Transportation Industry Employers" and appointing committee members to prepare the statements for and against the measure for the Local Voters' Pamphlet

Summary: An Ordinance proposed by Initiative petition entitled "Ordinance Setting Minimum Employment Standards for Hospitality and Transportation Industry Employers" was received by the City and the Director of King County (KC) Department of Elections issued a Certificate of Sufficiency dated June 20, 2013. On June 28, 2013, City Clerk Kristina Gregg also issued a Certificate of Sufficiency dated June 28, 2013. If the City Council does not adopt the Ordinance as proposed, the proposed Ordinance must be placed on the ballot, and it will be referred to as "Ballot Proposition No. 1." This Resolution is being brought forward for Council action only if the City Council does not adopt, as written, the proposed Ordinance.

First, this Resolution calls for a special election to be held in conjunction with the November 5, 2013 general election, for voters to consider whether the proposed Ordinance should be adopted.

Since the call for the special election will be concurrent with the general election, it is presumed by KC Elections that the City will want to have this measure listed in the voters' pamphlet. Therefore, this Resolution appoints members to serve on the committees who would write the pro and con statements for the voters' pamphlet. Revised Code of Washington (RCW) 29A.32.280 provides that the legislative authority shall:

"...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 posted notice on the City website and outside City Hall, at the Community Center, at Fire Station 46, and at Valley View Library which solicited volunteers to serve on the committees. The City provided a deadline of July 16, 2013 for individuals to submit their name to the City Clerk's Office, requesting to serve on one of the two committees. The City received three requests to be appointed to the committee advocating approval of Proposition No. 1 and five requests to be appointed to the committee advocating rejection of Proposition No. 1. A summary of the requests is outlined below:

Persons wishing to advocate approval of Proposition No. 1: Rev. Jan Bolerjack, Judy Volkers RN, and Sili Savusa

Persons wishing to advocate rejection of Proposition No. 1:

SeaTac Committee for Truth (Ralph Nichols, Erin Sitterley and Tom Payne)

Common Sense SeaTac Committee (Erin Sitterley, LeeAnn Subelbia and Mike West)

LeeAnn Subelbia

If the City Council does not want to have this measure appear in the voters' pamphlet, this Resolution would need to be amended prior to adoption indicating the decision not to participate. The City Council races would still be included in the voters' pamphlet regardless of the Council decision.

Following adoption of the Resolution, a certified copy shall be transmitted by the City Clerk to the KC Department of Elections. KC Elections will coordinate with the members of the two committees listed above to arrange for the statements to be prepared for the voters' pamphlet.

The exact fiscal impact is unknown at this time. However, the cost to place this measure on the general election ballot in November, and the inclusion in the voters' pamphlet, will be small since this will be voted on in conjunction with City Council elections.

City Attorney Mirante Bartolo reviewed the agenda bill summary. She reviewed actions that occurred during the past week: superior court and petition review board.

ACTION ITEMS (Continued):

Agenda Bill #3527; Resolution #13-010 (Continued):

MOVED BY GREGERSON, SECONDED BY LADENBURG TO PASS AGENDA BILL #3527 (RESOLUTION #13-010) WITH REVERAND JAN BOLERJACK, JUDY VOLKERS, AND SILI SAVUSA APPOINTED TO THE COMMITTEE TO ADVOCATE APPROVAL OF PROPOSITION NO. 1, AND COMMON SENSE SEATAC COMMITTEE (ERIN SITTERLEY, LEEANN SUBELBIA, AND MIKE WEST APPOINTED TO THE COMMITTEE TO ADVOCATE REJECTION PROPOSITION NO. 1.*

Council discussion ensued regarding the initiative being moved to the voters.

*MOTION CARRIED UNANIMOUSLY.

UNFINISHED BUSINESS: There was no Unfinished Business.

NEW BUSINESS: There was no New Business.

RECESSED: Mayor A. Anderson recessed the meeting for a 5-minute break at 8:30 p.m.

RECONVENED: Mayor A. Anderson reconvened the meeting at 8:36 p.m.

CITY MANAGER'S COMMENTS: City Manager Cutts commented on the following: (1) use of City funds and facilities in election campaigns memo is posted on the City's website; (2) grant application opportunities: (a) 2014 Local Hazardous Waste Management Program Grant - \$11,182, and (b) 2013-2015 Coordinated Prevention Grant Program - \$41,151 with a \$13,717 match; (3) July 24 - 2 p.m., skate park dedication; (4) July 24 - 6:30 p.m., North SeaTac Park Music in the Park; (5) July 26 - 7 p.m., Theatre in the Park; and (6) August 6 - 4 p.m., National Night Out (NNO).

COUNCIL COMMENTS: All CMs commented on the proposed initiative.

CM Fernald requested Code Compliance contact the Port of Seattle (POS) regarding overgrown vegetation at the L-shape property.

CM Gregerson requested Council support to have SeaTac staff discuss the Amtrak Station in Tukwila with Tukwila staff. Council concurred.


ADJOURNED:

MOVED BY T. ANDERSON, SECONDED BY LADENBURG TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 9:02 P.M.

MOTION CARRIED UNANIMOUSLY.



Tony Anderson, Mayor



Kristina Gregg, City Clerk