

ORDINANCE NO. 16-1027

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending Ordinance No. 16-1023 related to the City's 2017 property tax levy.

WHEREAS, the City Council adopted Ordinance No. 16-1023 on November 22, 2016 related to the City's 2017 property tax levy; and

WHEREAS, the City is amending Ordinance No. 16-1023 to include the dollar amount and percentage of the increased property tax levy amount from the previous year; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON DO ORDAIN as follows:

SECTION 1. Section 2 of Ordinance No. 16-1023 is hereby amended to read as follows:

Increase in Property Tax Revenue From the Previous Year.

The 2017 regular levy amount includes increases from (1) new construction and improvements to property, (2) increase in the value of state-assessed property, and (3) amounts authorized by law as a result of any annexations that have occurred, as well as applicable refunds (\$10,652) already made, and (4) an increase in the regular property tax levy from the previous year of One-Hundred Thirty Two Thousand Fifty Three Dollars (\$132,053), or nine-tenths of one percent (0.90%). ~~There is an increase authorized using the allowable Implicit Price Deflator limit factor for 2017; effectively setting the RCW 84.55.0101 limit factor at 100.95% for 2017 (or a 0.95% increase in the limit factor).~~

SECTION 2. This Ordinance shall be in full force and effect five (5) days after passage and publication as required by law.


ADOPTED this 13th day of December, 2016, and signed in authentication thereof on this 13th day of December, 2016.

CITY OF SEATAC



Michael J. Siefkes, Mayor

ATTEST:



Kristina Gregg, City Clerk

Approved as to Form:



Mary E. Mirante-Bartolo, City Attorney

[Effective Date: 12/24/16]

[Amending Ordinance No.16-1023-2017 Property Tax Levy]

ORDINANCE NO. 16-1028

AN ORDINANCE of the City Council of the City of SeaTac, Washington amending Sections 3.70.010 and 3.70.020 of the SeaTac Municipal Code relating to local option transportation taxes.

WHEREAS, the State Legislature has authorized cities to levy certain "local option transportation taxes", one of which is the commercial parking tax as set forth at RCW 82.80.030; and

WHEREAS, the use of all local option transportation tax revenues is restricted to transportation purposes, consistent with each city's comprehensive transportation plan, including repayment of bonds issued for such purposes; and

WHEREAS, the City Council imposed and levied a commercial parking tax, now codified at Chapter 3.70 of the SeaTac Municipal Code, for each parking transaction which is paid by the owner or operator of the vehicle; and

WHEREAS, the commercial parking tax levied upon owners or operators of vehicles engaging in commercial parking transactions was amended in 2005, including charging a different rate for "short stay parking"; and

WHEREAS, traffic impacts are generated by vehicle trips and not by parking duration; and

WHEREAS, by maintaining separate taxes levied upon long term and short stay parking customers, the long term customers are paying a disproportionate share thereby subsidizing short term customers; and

WHEREAS, the City wishes to eliminate the imbalanced and inequitable tax structure currently imposed on long term and short stay customers; and

WHEREAS, parking tax revenue since 2005 has fallen significantly below projections and has declined more rapidly since the reduction of “short stay parking” rates in 2007 through 2010; and

WHEREAS, adequate funding of the City’s Transportation Master Plan, which benefits all business and residents within the City, is highly dependent upon commercial parking tax revenue; and

WHEREAS, the commercial parking tax rate was last adjusted in 2010; and

WHEREAS, the commercial parking tax rate has never been annually adjusted to account for inflation;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON, DO ORDAIN as follows:

Section 1. Section 3.70.010 of the SeaTac Municipal Code is hereby amended to read as follows:

3.70.010 Definitions.

For the purposes of this chapter, the following definitions shall apply:

A. Commercial parking business” means the ownership, lease, operation, or management of a commercial parking lot in which fees are charged, and includes parking service operations of municipal corporations of the State of Washington and other governmental entities, where a fee is charged for parking services or for use of parking spaces.

B. Commercial parking lot” means any covered or uncovered area with parking stalls or spaces used by a commercial parking business for the purpose of parking motor vehicles or allowing motor vehicles to be parked.

C. Commercial parking transaction” means any transaction or arrangement whereby a vehicle is parked and a fee is charged for parking or allowing the vehicle to be parked. It shall constitute a parking transaction each time a fee is charged for parking or allowing a vehicle to be parked, irrespective of the length of time the vehicle is parked, including “short stay metered parking” ~~or “short stay parking”~~ as defined herein; provided that “local employee parking” as defined herein, shall not constitute a commercial parking transaction. A commercial parking transaction shall include instances where a fee is charged for the parking of a vehicle and that fee is included as a specific item in the fee or charge. A commercial parking transaction shall also include instances where a vehicle is parked or allowed to be parked for a certain period of time, and a fee is

charged in connection with other services. A commercial parking transaction shall also include instances where a guest of a hotel, motel or other lodging establishment is allowed to park or leave his/her vehicle at the hotel, motel or other lodging establishment after the guest has concluded his/her business at the hotel, motel or other lodging establishment and/or has checked out of the hotel, motel or other lodging establishment, so that the guest's vehicle is parked at the hotel, motel or other lodging establishment during days when the guest is not staying at the hotel, motel or other lodging establishment, regardless of whether a parking fee is included as a specific item listed or identified on the bill or charge for services by the hotel, motel or other lodging establishment. A commercial parking transaction shall also include instances where a vehicle is parked or allowed to be parked and where a fee would be charged for the parking unless validated by a business because a customer makes a purchase or otherwise transacts business for which a fee is paid. Each vehicle that is parked shall constitute a separate commercial parking transaction for which the tax shall be collected, even if the fees charged and/or arrangements made for vehicle parking includes more than one vehicle.

D. Local employee parking" refers to parking spaces provided or reserved for use by an employee who works within the City and where the employee parks his/her vehicle in connection with his/her employment, without regard to whether arrangements or payment for the parking is made by the employee or by his/her employer.

E. Short stay metered parking" refers to the parking of vehicles in spaces where payment for parking is made through parking meters and where the duration of the metered parking does not exceed two consecutive hours in length.

~~F. "Short stay parking" means any parking of vehicles in spaces where payment for parking is made, and where the duration of the parking does not exceed two consecutive hours in length.~~

Section 2. Section 3.70.020 of the SeaTac Municipal Code is hereby amended as follows:

3.70.020 Local option transportation tax imposed.

A. Pursuant to RCW 82.80.030, there is levied a special local option transportation tax to be imposed on the privilege of parking in commercial parking facilities within the City. The tax shall be imposed at the rate of ~~one three dollars~~ (\$1.00~~3.00~~) per commercial parking transaction, including "short-term metered parking," irrespective of the length of time that a vehicle is parked in connection with each transaction, ~~as follows:~~

- ~~1. Beginning January 1, 2006, a rate of \$1.75 shall apply, except a rate of \$1.00 shall apply for "short stay parking."~~
- ~~2. Beginning January 1, 2007, a rate of \$2.00 shall apply, except a rate of \$1.00 shall apply for "short stay parking."~~
- ~~3. Beginning January 1, 2008, a rate of \$2.50 shall apply, except a rate of \$0.95 shall apply for "short stay parking."~~
- ~~4. Beginning January 1, 2009, a rate of \$2.75 shall apply, except a rate of \$0.95 shall apply for "short stay parking."~~
- ~~5. Beginning January 1, 2010, a rate of \$3.00 shall apply, except a rate of \$0.90 shall apply for "short stay parking."~~

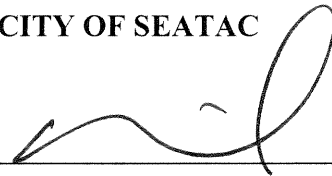
B. Beginning January 1, 2018, and each year thereafter, the tax imposed in Subsection A of this Section shall be adjusted based on the June to June Seattle-Tacoma-Bremerton Consumer Price Index for urban wage earners and clerical workers, CPI-W. The adjustment shall be calculated to the nearest cent. Notification of CPI-W based adjustments will be sent out to affected businesses by November 1 of the year preceding the adjustment.

Section 3. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances shall not be affected.

Section 4. This Ordinance shall be in full force and effect March 1, 2017.


ADOPTED this 15th day of December, 2016, and signed in authentication thereof on this 13th day of December, 2016.

CITY OF SEATAC



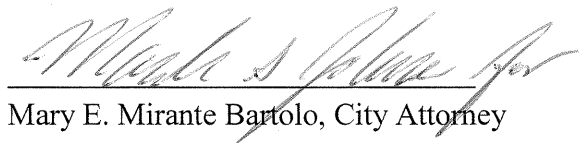
Michael Siefkes, Mayor

ATTEST:



Kristina Gregg, City Clerk

Approved as to Form:



Mary E. Mirante Bartolo, City Attorney

[Commercial Parking Tax Amendment]

ORDINANCE NO. 16-1029

AN ORDINANCE of the City Council of the City of SeaTac, Washington, setting forth a process to address employment complaints by City employees against the City Manager.

WHEREAS, the City Council finds that there is no formal policy to address employment complaints by City employees against the City Manager; and

WHEREAS, the City Council believes that a formal process should be adopted;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC,

WASHINGTON, DO ORDAIN as follows:

Section 1. A new Chapter 2.95 of the SeaTac Municipal Code, entitled “Employment Complaints against the City Manager” is created as follows:

2.95.010. Purpose. The purpose of this Chapter is to set forth a process to address employment complaints against the City Manager by City employees.

2.95.020. Process. The following process is established to address employment complaints against the City Manager by City employees:

A. An employee may submit to the entire City Council or to their Department Director a written employment complaint against the City Manager. In addition, a copy of the written complaint shall be provided to the City Attorney and the Human Resources Manager. If a complaint is submitted to a Department Director, the Director shall forward the complaint to the City Council by the next business day after receipt.

B. Within two business days of receipt of the complaint, or as soon as practicable, the Mayor (or Deputy Mayor in the case of absence or temporary disability of the Mayor) shall acknowledge receipt of the complaint in writing to the complainant, which shall include a non-retaliation affirmation on behalf of the City Council. The City Attorney and/or the Human Resources Manager shall make attempts to notify the Mayor of any received complaints so an acknowledgement can be processed.

C. The employment complaint shall be addressed by the Council in executive session at the next regularly scheduled Council Meeting. However, a special meeting of the Council may be called by the Mayor to discuss the complaint in executive session. Alternatively, a majority of the City Council may call for a special meeting in accordance with RCW 42.30.080 (1) and Section 4 (D) of the City Council Administrative Procedures.

D. The Mayor may, but is not required, to place the City Manager on paid administrative leave until the next business meeting of the City Council following receipt of the complaint by delivering written notice to the City Manager. Written notice may be delivered by someone other than the Mayor, either in person, by mailing to the City Manager's home address that is on file with the City, or other reasonable means. Paid administrative leave is temporary leave, with pay and benefits, and with or without restrictions of duties.

E. At the next business meeting of the City Council following receipt of the complaint, the City Council may, but is not required, to place the City Manager on paid administrative leave by taking formal Council action, which may be accomplished by Motion or Resolution. If the Mayor placed the City Manager on paid administrative leave in accordance with SMC 2.95.020 (D), the City Council must take formal Council action in order for such leave to continue.

F. The City Council will, as soon as practicable, determine whether the complaint should be investigated, and who should conduct the investigation. Investigations may be conducted by the City staff (such as the City's Legal Department or Human Resources Department), or by someone not employed by the City. However, in no event shall a City Councilmember conduct an investigation.

G. After completion of the investigation, or within 30 calendar days if no investigation has been undertaken, the City Council shall make a final decision through formal Council action, including what, if any, steps should be taken with regard to the resolution of the complaint. If the City Council determines that removal of the City Manager is appropriate, the procedures set forth in RCW 35A.13 must be followed.

H. Once a final decision has been made by the City Council, the Mayor shall communicate to the complainant the resolution of the complaint.

2.95.030. Advice and assistance to the City Council. The Mayor and the City Council are encouraged to seek the advice and assistance of the Legal Department and/or Human Resources with any part of the process outlined in SMC 2.95.020.

2.95.040. Other remedies available. The provisions of this Chapter is not intended to limit any other remedies available by law.

Section 2. Effective Date. This Ordinance shall be in full force and effect five (5) days after passage and publication as required by law.

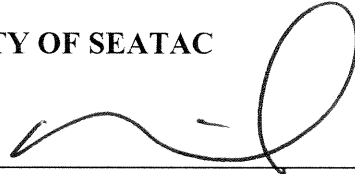
Section 3. Distribution of this Ordinance to City Employees. No later than seven (7) calendar days after the effective date of this Ordinance, the City Manager shall ensure that a copy of this Ordinance is distributed to all City employees. A copy of this Ordinance shall also be provided to all new employees.

Section 4. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or

otherwise invalid for any reason, the validity of the remaining portions of this Ordinance or its application to other persons or circumstances shall not be affected.

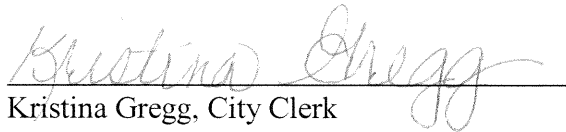
ADOPTED this 13th day of December, 2016, and signed in authentication thereof on this 13th day of December, 2016.

CITY OF SEATAC



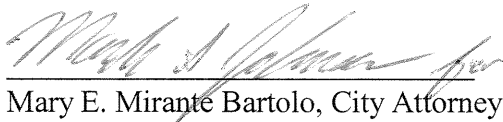
Michael Siefkes, Mayor

ATTEST:



Kristina Gregg, City Clerk

Approved as to Form:



Mary E. Mirante Bartolo, City Attorney

[Effective Date: 12/24/16]

[City Manager Employment Complaints]