

City of SeaTac

Council Study Session Minutes Synopsis

February 14, 2017
5:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Study Session (CSS) was called to order by Mayor Michael Siefkes at 5:00 p.m.

COUNCIL PRESENT: Mayor Michael J. Siefkes, Deputy Mayor (DM) Pam Fernald, Councilmembers (CMs) Rick Forschler, Kathryn Campbell, Peter Kwon (*arrived at 5:02 p.m.*), Tony Anderson, and Erin Sitterley.

STAFF PRESENT: Acting City Manager Joe Scorcio, City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, Plans Examiner Inspector II Jim Adams, Acting Information Services Director Bart Perman, Parks, Community Programs and Services Director Lawrence Ellis, Senior Assistant City Attorney Mark Johnsen, Acting Community & Economic Development (CED) Director/Economic Development (ED) Manager Jeff Robinson, Public Works (PW) Director Will Appleton, and Acting Finance Director Gwen Pilo.

PUBLIC COMMENTS (related to the agenda items listed below): There were no public comments.

PRESENTATIONS - INFORMATION ONLY:

Introduction of New/Promoted City Employees: Plans Examiner Inspector II Jim Adams

Acting City Manager Scorcio introduced Mr. Adams.

CM Kwon arrived at this point in the meeting.

AGENDA BILLS:

Agenda Bill #4481; A Motion authorizing the City Manager to accept the competitive price proposal for copier lease from Canon Solutions America based on National IPA Program and Master Contract pricing.

Summary: The City currently leases photocopiers from Konica Minolta Business Solutions. The lease ended in July of 2016 and the City has leased these photocopiers on a month to month basis since that time. A Request for Proposals (RFP) was issued in October of 2016. Six vendors submitted proposals in response to the City's RFP, representing four copier manufacturers. A staff committee reviewed the proposals and eliminated three of the vendors due to duplicate manufacturers, price and service levels.

The staff committee then attended demonstrations of Konica Minolta, Sharp and Canon copiers, then met once more to review the proposals and features of these copiers. After this review, it is the opinion of the committee that Canon Solutions America would provide the best service to the City.

The City currently pays approximately \$46,100 per year for copier leases. The proposed agreement with Canon Solutions America will cost an estimated \$41,454 per year which will result in an estimated budgetary savings of \$4,646 per year.

Acting Information Systems Director Perman reviewed the agenda bill summary.

Council consensus: Refer to the 2/28/17 RCM Consent Agenda

Agenda Bill #4510; Motion authorizing the City Manager to execute a Contract with Nordvind Company LLC for the construction of the Riverton Heights Neighborhood Park project.

Summary: The City was awarded \$332,000 through a Community Development Block Grant (CDBG) to design and construct a neighborhood park at the Riverton Heights location (former site of the Riverton Heights Elementary School). The size of the neighborhood park is two acres on an eight acre parcel. The project will include a walking path, table and benches, half court basketball, playground equipment, open space, re-paving the existing parking lot and an entry sign. Bids went out on December 19, 2016 and were advertised in the Seattle Times and the Daily Journal of Commerce. The City received 10 competitive bids. With approval of the contract, construction is anticipated to begin in March, with an estimated completion date in June 2017.

AGENDA BILLS (continued):

Agenda Bill #4510 (continued):

The bid opening was on January 25 and the bid results are as follows:

Company Name	Base Bid	With 10% Contingency and Sale Tax
Nordvind Sewer Services LLC	\$167,200.00	\$201,392.40
Maroni Construction Inc.	\$238,551.00	\$287,334.68
Unique Gardens LLC	\$250,000.00	\$301,125.00
Hoffman Construction, Inc.	\$282,169.50	\$339,873.16
Harkness Construction, LLC	\$303,000.00	\$364,963.50
W.S. Contractors LLC	\$311,900.00	\$375,583.55
A-1 Landscaping and Construction, Inc.	\$321,000.00	\$386,644.50
Nordic Construction, Inc.	\$374,250.00	\$450,784.12
Westwater Construction Company	\$387,000.00	\$466,141.50
Wyser Construction Co. Inc.	\$419,300.00	\$505,046.85

With Nordvind Company's bid coming in lower than the engineers' cost estimate and Maximum Allowable Construction Cost (MACC), it allows the City to include the two bid alternatives and the trench safety bid into the scope of work. The alternatives will upgrade the existing parking lot by installing a new asphalt surface. It will also upgrade and improve the existing lawn area by installing 2" thick topsoil and apply hydroseed lawn grass. With the addition of the bid alternatives, it increases the amount of the contract by \$45,000.

This project is 100% funded by the CDBG, so there is minimal fiscal impact to the City. On February 9, 2016, the City Council authorized the use of these CDBG funds for the Riverton Heights Neighborhood Park project.

Parks, Community Programs and Services Director Ellis reviewed the agenda bill summary.

Council discussion ensued regarding contingency, and timing. Mr. Ellis stated the project is expected to be completed within 90-120 days.

Council consensus: Refer to the 2/28/17 RCM Consent Agenda

Agenda Bill #4553; An Ordinance amending Section 6.05.110 of the SeaTac Municipal Code (SMC) to remove breed specific language within the definitions of Dangerous Dog and Potentially Dangerous Dog

Summary: Currently, SMC Section 6.05.110 defines dangerous dogs and potentially dangerous dogs with breed specific language. This ordinance removes breed specific language. The intent of the amendment is to focus on the dog's specific behavior rather than targeting a specific breed of dogs. Washington state law (RCW 16.08.070) does not use breed specific language in its dangerous dog definitions. Animal Control advises that other local cities are moving away from breed specific language. Additionally, the amendment will help Animal Control Officers enforce the ordinance because it will eliminate the difficult task of determining a dog's true breed and will simply focus on a dog's behavior. This topic has been before the Public Safety and Justice (PS&J) Committee on two occasions, most recently on January 12, 2017. At this meeting, the Committee recommended that this ordinance be presented to the whole Council with notice that the Committee recommends approval.

City Attorney Mirante Bartolo reviewed the agenda bill summary.

Discussion ensued regarding the purpose of this change.

Council consensus: Refer to the 2/28/17 RCM Consent Agenda

Agenda Bill #4549; A Resolution authorizing a settlement of a Complaint to Quiet Title in King County Superior Court between the City and Vicart, L.L.C.

Summary: Vicart, L.L.C. ("Vicart") owns real property in the City of SeaTac, located in the southeast quadrant of the intersection of South 200th Street and 28th Avenue South. When Sound Transit acquired real property from Vicart that was needed to construct road and pedestrian improvements in the vicinity of the Angle Lake Light Rail Station, a potential conflict was discovered between the legal documents that established the location for 28th Avenue South and the actual location of the road as it had been constructed prior to the City's incorporation.

AGENDA BILLS (continued):

Agenda Bill #4549 (continued):

With this conflict, a question arose as to the location of the boundary between the Vicart property and the edge of the City right-of-way (ROW). In order to resolve this issue, Vicart filed a "friendly" Complaint to Quiet Title and for Declaratory Relief in King County (KC) Superior Court (Cause #15-2-06721-4 KNT). While both parties were actively working towards a solution, it was necessary (and expected) that Vicart file this lawsuit against the City in order to protect its rights.

The parties agreed that once Sound Transit completed the road and pedestrian improvements associated with the light rail station, the boundary between the Vicart property and City ROW would be established at the back of the new sidewalk on the eastern side of 28th Avenue South. In essence, this closely reflects the location of the road as constructed by KC many years ago. Additionally, the City agreed to and has already issued Vicart a ROW permit that provides for sufficient space to allow vehicular traffic drive around the western side of Vicart's building. This ROW permit is revocable when Vicart or its successor in interest redevelops the property.

This Resolution approves a Stipulation and Order concluding this case by establishing the boundary between the Vicart property and the City ROW. Once the Resolution is passed, the documents will be filed with the Court to finalize this issue with respect to Vicart. However, the City still needs to resolve this property line overlap with respect to the other property owners along the eastern side of 28th Avenue South between South 200th Street and International Boulevard (IB) South (see Agenda Bill #4557). These will be resolved through separate agreements.

Senior Assistant City Attorney Johnsen reviewed the agenda bill summary.

Council consensus: Refer to the 2/14/17 RCM Consent Agenda

Agenda Bill #4557; A Resolution initiating the process for vacating a portion of 28th Avenue South right-of-way (ROW) generally between the 20100 block and International Boulevard (IB) South, and fixing the time for a public hearing (PH).

Summary: When Sound Transit acquired real property that was needed for construction of road and pedestrian improvements in the vicinity of the Angle Lake Station, it was discovered that there was a potential conflict between the legal documents that established the location for 28th Avenue South and the road's actual location as constructed long before the City incorporated. With this conflict, a question arose as to the location of the 28th Avenue South eastern row boundary between South 200th Street and IB South. Vicart L.L.C., one of the affected property owners, filed a quiet title lawsuit in KC Superior Court to resolve this issue with respect to their property which has been resolved (see Agenda Bill #4549). However, this issue still needed to be resolved with respect to the other parcels along the eastern side of 28th Avenue South.

The City and the remaining affected property owners determined that the best course of action was to wait until the pedestrian and road improvements were completed by Sound Transit, and then establish a new ROW boundary along the eastern side of 28th Avenue South based on the constructed improvements. The parties also agreed that the best mechanism to accomplish this result was through the street vacation process initiated by the City rather than a quiet title lawsuit. This agenda item is the first step toward accomplishing the desired result.

Staff proposes vacating a small portion of 28th Avenue South ROW generally between the 20100 block of 28th Avenue South and IB South to the abutting property owners. This Resolution initiates the street vacation process and sets the date and time for the required PH as March 14, 2017 at the Regular Council Meeting (RCM). The City Council will consider the merits of the street vacation and take action after the required PH on March 14. At this point, the City Council action on February 14, 2017 RCM is to set the PH date. If the Council wishes to delay action on this agenda item, the PH date will need to be scheduled for a later date.

Senior Assistant City Attorney Johnsen reviewed the agenda bill summary.

Mr. Johnsen clarified that this isn't a gifting of property but rather settlement of a potential lawsuit.

Council consensus: Refer to the 2/14/17 RCM Consent Agenda

AGENDA BILLS (continued):

Agenda Bill #4563; A Resolution extending Joseph Scorcio's service as City Manager, granting him additional management days in 2017 and 2018, and establishing a timeline for the recruitment and selection of the permanent City Manager position.

Summary: Joseph Scorcio has been serving as the City's City Manager and qualified administrative officer of the City since April 6, 2016, per Resolution No. 16-021. Mr. Scorcio has provided stability and consistency in this organization since April 2016, and it is in the best interest of the City and its citizens that he continue to serve in this capacity until his upcoming retirement.

Mr. Scorcio is willing to serve in this capacity until his projected retirement date of July 6, 2018. Additionally, Mr. Scorcio did not receive additional management days in 2016. Therefore, he is requesting additional management days in 2017 and 2018 to offset the extreme number of hours he has, and is expected to work. Specifically, 12 additional management days in 2017 and 6 additional management days in 2018.

Mr. Scorcio is committed to facilitating the Council's recruitment and selection process of the permanent City Manager. The timeline for completing the process is targeted for April 1, 2018.

Finally, the adoption of this resolution will allow his current CED Director position to be declared vacant so that Mr. Scorcio can also begin the selection process for that position.

Administration & Finance (A&F) Committee Chair, CM Sitterley reviewed the agenda bill summary.

Council discussion ensued regarding this Resolution with concern regarding the future process for the next City Manager. Council requested a presentation at the February 28 meeting regarding the proposed process, including citizen involvement and timeline.

Council consensus: Refer to the 2/28/17 RCM Action Item

PRESENTATIONS - COUNCIL DIRECTION:

Direction on applying for the 2018 Community Development Block Grant (CDBG) to secure funding for designing and constructing a "Pump Track" at North SeaTac Park.

Parks, Community Services, and Programs Director Ellis requested direction from Council to apply for the CDBG.

Discussion ensued regarding the pump track.

Council direction: staff to pursue the grant.

Direction regarding referring the topic of 2017 vehicle and equipment purchase and surplus to the Transportation and Public Works (T&PW) Committee for study and recommendation.

PW Director Appleton requested Council refer these items that are currently budgeted to the T&PW Committee.

Council direction: refer to T&PW Committee

RECESSED: Mayor Siefkes recessed the Council Study Session to an Executive Session to consider the minimum price at which real estate will be offered for sale or lease and potential litigation at 5:54 p.m.

EXECUTIVE SESSION: To consider the minimum price at which real estate will be offered for sale or lease RCW 42.30.110(1)(c) / potential litigation RCW 42.30.110(1)(i) (36 minutes)

RECONVENED: Mayor Siefkes reconvened the CSS at 6:30 p.m.

ADJOURNED: Mayor Siefkes adjourned the CSS at 6:30 p.m.