

City of SeaTac

Council Study Session Minutes Synopsis

September 27, 2016
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, Councilmembers (CMs) Kathryn Campbell, Peter Kwon, Tony Anderson, and Erin Sitterley. Excused Absent: Deputy Mayor (DM) Pam Fernald and CM Rick Forschler.

STAFF PRESENT: Acting City Manager Joe Scorcio, Senior Assistant City Attorney Mark Johnsen, City Clerk Kristina Gregg, Code Compliance Program Coordinator David Reader, Permit Coordinator Robin Winchester, Parks Operations Worker Jim Cooper, Parks & Recreation (P&R) Director Lawrence Ellis, Facilities Manager Brian Ruda, Police Chief Lisa Mulligan, Acting Community & Economic Development (CED) Director/Economic Development (ED) Manager Jeff Robinson, Senior Planner Kate Kaehny, Public Works (PW) Director Will Appleton, Stormwater Manager Don Robinett, Senior Planner Al Torrico, and Recreation & Cultural Service Manager Brian Tomisser.

PUBLIC COMMENTS (related to the agenda items listed below): Earl Gipson commented on Agenda Bill #4431 (retention pond), and questioned what changed to require the need for this retention pond.

PRESENTATIONS - INFORMATION ONLY:

Introduction of New/Promoted City Employees: Code Compliance Program Coordinator David Reader, Permit Coordinator Robin Winchester, and Parks Operations Worker Jim Cooper

Acting City Manager Scorcio introduced the new and promoted employees.

AGENDA BILLS:

Agenda Bill #4172; A Motion authorizing the City Manager to execute a lease with New Cingular Wireless (aka AT&T Wireless) for a cellular antenna on the City Hall roof.

Summary: New Cingular Wireless (Cingular) is a subsidiary of AT&T Wireless. Since 2002, Cingular has leased on the City Hall roof for a cellular antenna. The current lease for rooftop space expires in August 2017. Cingular requested an extension of their existing lease, however staff believed it was appropriate to draft a new lease to update the lease provisions.

This Motion authorizes the City Manager to execute a new lease with Cingular for rooftop space. The location of the space is the same as the existing lease. The proposed term of the lease is five years, with three five-year extensions. The new lease would commence August 21, 2017. The proposed lease rate is \$3,300 per month, including leasehold excise tax, with a 3% increase each year. In addition, Cingular would pay utility costs of \$75 per month in addition to the monthly rent. The utility costs will increase \$1.50 per month on an annual basis through the term of the agreement. By comparison, the current lease has a monthly rent of \$3,276.82 per month and \$60 per month in utility charges.

There are no other significant changes to the lease terms.

Lease revenues will be \$39,600 for the first year, plus \$900 in utility revenues. This amount will increase throughout the term of the lease.

P&R Director Ellis / Facilities Manager Ruda reviewed the agenda bill summary.

Council discussion ensued regarding the monthly rate, any downside to having this structure on the roof, and current number of antennas (currently only 1).

Council consensus: Refer to the 10/11/16 RCM Consent Agenda

Agenda Bill #4431; A Motion authorizing the City Manager to execute a contract with J.B.D. Excavation Services, Inc. for construction of a retention pond at Fire Station #45.

Summary: A retention pond was constructed on the NW corner of the new Fire Station #45, per specifications, but it was discovered that the infiltration gallery on the east side of the Fire Station needed to be re-designed due to

AGENDA BILLS (continued):

Agenda Bill #4431 (continued): environmental changes (ground/water table raising). Constructing a retention pond is needed to assist in the infiltration of water which keeps the water onsite. With these improvements, the City will be in compliance with City Code and the King County (KC) Water Surface Design Manual (NPDES Compliance). The project was offered to the primary contractor (Porter's Brothers) but they declined the project due to unknown reasons. Therefore, the City needed to go out to bid to complete the project.

Bids were sent to over 200 potential bidders utilizing the Small Works Roster and only three bids were submitted. The project bid opening was September 12, 2016 and the bids results are below.

Company Name	Base Bid	With 10% Contingency and Sale Tax
J.B.D. Excavation Services Inc.	\$64,000	\$77,088.00
Maroni Construction Inc	\$83,956.90	\$101,126.10
Talakai Construction Inc.	\$87,500.00	\$105,393.75

If approved, project completion is anticipated by the end of November 2016.

\$77,088.00 will be utilized from the remaining funds in the Fire Station #45 construction budget to pay for this project. No additional funds are required to complete this project in 2016.

P&R Director Ellis / Facilities Manager Ruda reviewed the agenda bill summary.

Council discussion ensued regarding the capacity of the pond and what happened to require the design change from LID to retention pond.

PW Director Appleton stated the original design was intending to use LID principals. What has been determined is the site is a poor site for that technology and so the city is now moving forward with the conventional solution.

Staff will be investigating exactly what happened and any potential of recovering money.

Council consensus: Refer to the 10/11/16 RCM Action Item

Agenda Bill #4408; A Motion authorizing the City Manager to enter into an agreement between the Highline Public Schools and City of SeaTac for a School Resource Officer (SRO).

Summary: Highline Public Schools has provided partial funding for the SRO position since 2006. SeaTac Police and Highline Public Schools have historically renegotiated this agreement yearly.

The proposed agreement is similar to that used last year with the following notable changes: (1) In cooperation with the Highline Public Schools, the Council is asked to consider the agreement for a 2-year term, which is in line with the biennial budget process. This will increase efficiencies while maintaining the consistency of the agreed upon work product. (2) The total cost of the SRO has increased by \$4,700 from last year, which translates to a \$1,778 increased cost to SeaTac and a \$2,922 increase to Highline Public Schools. This is a 5% increase for the 2016-17 school year. There are no significant changes to the language of the agreement or the scope of services. The agreement documents cost sharing, indemnification, the employment status of the officer, how a replacement would be selected if necessary, the work schedule/duties of the SRO and the facilities to be provided by the School District.

Having a police officer assigned as a SRO throughout the school year helps the police department meet its crime fighting and community engagement goals in a broad way that few other resources offer.

For the 2016-17 school year, this agreement will result in reimbursement of \$61,371 from Highline Public Schools to the City's General Fund (billed in 2016). These revenues will offset the total cost of the SRO paid by the City (\$185,548), leaving a net cost to the City of \$124,177. For the 2017-18 school year, this agreement will result in reimbursement of

AGENDA BILLS (continued):

Agenda Bill #4408 (continued): \$61,371 + CPI +.5% (but not less than 2%) from Highline Public Schools to the City's General Fund (billed in 2017). These revenues will offset the cost of the SRO in the 2017-2018 school year. The exact total cost of the SRO for 2017-2018 cannot be determined at this time, but it will be in line with the previous year.

Police Chief Mulligan reviewed the agenda bill summary.

Discussion ensued regarding the benefits of this position.

Chief Mulligan stated that this officer is a member of the King County Sheriff's Office as well as the SeaTac Police Department. As an officer, this person is still required to do training and support the SeaTac Police Department when needed. Therefore, they are not at the school full-time.

Council consensus: Refer to the 10/11/16 RCM Action Item

Agenda Bill #4388; An Ordinance amending the SeaTac Municipal Code (SMC) Title 15 Zoning Code related to urban agriculture code provisions.

Summary: Background: The proposed amendments were drafted as part of the City's Community Garden/Urban Agriculture Project, which was funded by a 2015 Partners in Community Health (PICH) Grant. Resources provided by the grant allowed the City to conduct an enhanced community engagement program which included a community meeting with more than fifty attendees, one-on-one outreach to community members, and the distribution of a questionnaire which 105 SeaTac residents completed.

Policy Alignment: The proposed amendments align with City Council Resolution 12-005, which directs that policies and regulations that would increase access to healthy food, including urban agriculture activities, "be incorporated as practicable into future Comprehensive Plan amendments and Zoning Code updates." The proposed amendments would also help implement Comprehensive Plan policies adopted in 2015, including Land Use Policies 2.2D and 2.2E, which support increased access to healthy foods, and Economic Vitality Policy 8.5, which promotes local food sector development including urban agriculture activities.

Summary of Proposed Amendments: The proposed amendments clarify and revise existing code which currently allows urban agriculture uses. In some cases, the amendments expand where and how these uses are permitted including community gardens, market gardens, urban farms, farmers markets and produce stands. Key elements of the proposal include:

- Clarifying where community gardens are allowed, and adding performance standards to ensure their compatibility in residential zones;
- Deleting the "Agricultural Crop Sale" use, which allows for the sale of products grow on-site in single family and commercial zones, and replacing it with the "Market Garden (10,000 sf or less)" and "Urban Farm (over 10,000 sf)" uses.
- Expanding the locations where market gardens/urban farms (formerly the "Agricultural Crop Sale use) are allowed, while revising rules for how they operate in residential neighborhoods;
- Clarifying how temporary produce stands are allowed as part of market gardens and urban farms, and establishing performance standards to ensure their compatibility in residential zones; and
- Expanding where farmers markets are allowed, and establishing rules to ensure well maintained sites.

Why Action Needed: The proposed amendments will clarify the types of urban agriculture activities that are allowed in the city, while expanding the locations where many of these uses are permitted. Additionally, the majority of community input received over the course of the Community Garden/Urban Agriculture Project was supportive of City efforts to increase opportunities for urban agriculture in SeaTac. Adopting this proposal will help implement City policies that support access to healthy food.

Review Process: The Planning Commission (PC) reviewed the proposed amendments during five work sessions and after conducting a public hearing (PH), recommended adoption. The project was presented at the July 26, 2016 CSS and the Land Use and Parks (LUP) Committee reviewed the proposed amendments at the September 22, 2016 meeting.

AGENDA BILLS (continued):

Agenda Bill #4388 (continued): Senior Planner Kaehny reviewed the agenda bill summary.

Council discussion ensued regarding fruit stands that might be an eyesore in neighborhoods. Ms. Kaehny stated the code establishes some requirements to help making uses more in character with other home occupations.

She also stated the hope is that this helps establish rules that code compliance could enforce if there was a complaint. CM Kwon stated the LUP committee's concern is regarding enforcement of this code.

Council consensus: Refer to the 10/11/16 RCM Action Item

Agenda Bill #4447; A Motion authorizing the Acting City Manager to enter into a fee in lieu of agreement with Sound Transit for payment to the City in lieu of construction of stormwater facilities for the S447 Station Area Project.

Summary: In September 2015, the City of SeaTac and Sound Transit both signed a letter of concurrence describing the basic terms of the agreement and the intent of both parties to enter into the fee in lieu of agreement. Since that time both the City of SeaTac and Sound Transit have been moving forward in good faith on meeting the letter of concurrence. City staff have expanded the design of the Connecting 28th/24th treatment facility to accommodate the S447 Station Area treatment requirements, and begun construction of said facility. Sound Transit has constructed stormwater conveyance improvements between the S447 Project Area and the South 204th Street Regional Detention Facility. The final payment is the remaining step.

The payment of the \$172,975 from Sound Transit will be applied as follows: (1) \$12,975 will be assigned to the Streets Fund (102) to cover the cost of expanding the treatment facility (bioinfiltration swale) for the Connecting 28th/24th Avenue Project to accommodate S447 Station Area stormwater treatment requirements, and (2) \$160,000 will be submitted to the Stormwater Utility Fund (403) for stormwater flow control credits from the South 204th Regional Detention Facility in lieu of constructing new flow control facilities.

Stormwater Manager Robinett reviewed the agenda bill summary.

Council discussion ensued regarding the Sound Transit payment and the costs the payment covers as well as the pond capacity.

Council consensus: Refer to the 10/11/16 RCM Consent Agenda

PRESENTATIONS - COUNCIL DIRECTION:

Input is requested on schedule and process for proposed amendments to City Center park-and-fly code.

Senior Planner Kaehny presented the following proposed schedule: PC October 4 and 18, November 1 and 15 (including public hearing and PC recommendation), CSS November 22 and December 13, and Regular Council Meeting (RCM) January 10, 2017.

Acting CED Director Robinson stated that staff was anticipating potential request for Comprehensive Plan (CP) amendments. Since those weren't received, staff is restarting projects that were put on hold or waiting. This is one of those.

Acting City Manager Scorcio stated the proposed schedule doesn't assume a Council committee review.

Discussion ensued with Council concurring to have the LUP Committee provide vision and guidance to the PC. The PC will have the responsibility to write the code.

RECESSED: Mayor Siefkes recessed the CSS to an Executive Session to consider the minimum price at which real estate will be offered for sale and Pending Litigation at 6:25 p.m.

EXECUTIVE SESSION: To consider the minimum price at which real estate will be offered for sale RCW 42.30.110(1)(C) and Pending Litigation RCW 42.30.110(1)(i) (30 minutes)

RECONVENED: Mayor Siefkes reconvened the meeting at 6:55 p.m.

ADJOURNED: Mayor Siefkes adjourned the CSS at 6:55 p.m.