

# City of SeaTac

## Regular Council Meeting Minutes

March 23, 2010  
6:00 PM

City Hall  
Council Chambers

**CALL TO ORDER:** The SeaTac City Council Regular Meeting was called to order by Mayor T. Anderson at 6:00 p.m.

**COUNCIL PRESENT:** Mayor Terry Anderson, Deputy Mayor (DM) Gene Fisher, Councilmembers (CMs) Rick Forschler, Anthony (Tony) Anderson, Ralph Shape, Pam Fernald, and Mia Gregerson.

**ADMINISTRATIVE STAFF:** Interim City Manager (ICM) Todd Cutts, City Attorney Mirante Bartolo, City Clerk Kristina Gregg, Finance Director Mike McCarty, Planning Director Steve Butler, Senior Planner Mike Scarey, City Engineer Susan Sanderson, Acting Fire Chief Brian Wiwel, and Chief of Police Services Jim Graddon.

**FLAG SALUTE:** Southwest King County (KC) Chamber of Commerce President/CEO Nancy Hinthorne led the Council, audience and staff in the Pledge of Allegiance.

**PUBLIC COMMENTS:** John Houlihan stated his support of Agenda Bill #3219.

Doris Cassan stated that she attended a Spaghetti Dinner at the Clarion Hotel where over \$2,000 for the food bank.

### PRESENTATIONS:

• **City Manager Appointment of Erin Sitterley to the Civil Service Commission**

ICM Cutts read the certificate and presented it to Ms. Sitterley.

• **Southwest King County (KC) Chamber Year End Report**

Ms. Hinthorne introduced Boardmember Natalie Elert. Ms. Hinthorne reviewed the 2009 achievements and milestones. The chamber celebrated their 20<sup>th</sup> anniversary in 2009.

Ms. Hinthorne stated that Mayor T. Anderson will be speaking at a luncheon May 14.

### SUSPENSION OF THE RULES:

MOVED BY GREGERSON, SECONDED BY A. ANDERSON TO SUSPEND THE RULES TO BRING FORWARD PUBLIC COMMENT AND COUNCIL ACTION RELATED TO AGENDA BILLS 3219 AND 3135.

MOTION CARRIED UNANIMOUSLY.

### UNFINISHED BUSINESS:

**Agenda Bill #3219; Resolution #10-009 repealing a moratorium in the SeaTac/Airport Station Area, as established by Resolution #09-023**

**Summary:** Resolution #09-023 established a moratorium in the Airport/Station Area, which would be in effect until May 15, 2010. If the City Council wants to end the moratorium prior to May 15, 2010, a Resolution repealing the moratorium would need to be passed.

This Resolution was brought forward for consideration by DM Fisher at the March 9, 2010 Regular Council Meeting (RCM) under new business. Council consideration was postponed to the March 23, 2010 RCM at the request of CM Shape.

DM Fisher reviewed the agenda bill summary.

MOVED BY A. ANDERSON, SECONDED BY GREGERSON TO PASS RESOLUTION #10-009.\*

CM Shape stated that he never said that he was against the idea, but asked for the two week delay because there was not enough time for review and or comments.

DM Fisher clarified the New Business procedures that are allowed per the Council's Administrative Procedures.

CM A. Anderson stated that he was unhappy with the delay because it affected a developer.

\*MOTION CARRIED UNANIMOUSLY.

**UNFINISHED BUSINESS (Continued):**

**Agenda Bill #3135; Ordinance adopting the 2009 Final Docket of Comprehensive Plan (CP) Amendments**

**Summary:** State law allows cities to amend local CPs one time annually. By Resolution #97-001, the City Council authorized the Department of Planning and Community Development to implement procedures for amending the CP, which provide for consideration of proposed amendments for the 2009 calendar year in two stages. The recommended amendments were evaluated according to the preliminary and final docket criteria.

The City's procedures for amending the CP include completion of State Environmental Policy Act (SEPA) review, City Attorney review, and a Public Hearing (PH) held by the Planning Commission (PC).

Under SEPA review (SEP09-00009), a Determination of Nonsignificance (DNS) was issued October 26, 2009. Two appeals of this determination were filed on November 19, 2009, one of which was withdrawn. The remaining appeal was heard by the City's Hearing Examiner (HE) on February 4, 2010, with the HE finding in the City's favor. With the appeal now resolved, the City Council may take action on the proposed CP amendments. The proposed amendments reflect consideration of public comments received at PH sessions held before the PC.

The PC made its recommendation on the proposed amendments at the February 16, 2010 PC meeting, recommending adoption of all amendments as proposed.

Staff is also recommending that all Final Docket proposals be adopted, except that staff makes no recommendation regarding Map Amendment #A-3.

Planning Director Butler and Senior Planner Scarey reviewed the agenda bill summary.

Mr. Scarey reviewed the proposed amendments, including the two alternatives: (1) adopt 2009 amendments as proposed, including text amendments #5 and #6; or (2) amend the 2009 capital-related amendments to remove SeaTac/Airport Station Area-related projects.

CM Gregerson stated that the Land Use & Parks (LUP) Committee recommended approval with Alternative 1.

PC Chair Mel McDonald stated that the PC reviewed the changes and unanimously recommended approval.

MOVED BY SHAPE TO PASS AGENDA BILL #3135 WITH ALTERNATIVE 1.\*

Council discussion ensued regarding the requirement that the City can only amend the CP once per year. City Attorney Mirante Bartolo clarified the requirement, stating that these amendments are still considered part of the 2009 amendment process due to the appeals that delayed the process. Staff still expects to have a 2010 CP process in 2010.

CM Fernald requested this item be postponed to the next RCM.

CM Gregerson stated that the LUP Committee will be discussing in the future whether the CP process should really be every year due to the amount of time the process takes.

CM A. Anderson stated his concern that delaying the CP might negatively impact another project.

*\*No vote was taken due to the item being postponed to the next RCM.*

**DISCUSSION ITEMS:**

**•Summary of \$5,000 - \$35,000 Purchase Requests for the period ended March 19, 2010**

ICM Cutts reviewed the requests:

<u>Item Description</u>	<u>Department</u>	<u>Original Budget</u>	<u>Amended Budget</u>	<u>Estimate</u>
Highline Botanical Garden Funding	City Manager's Office	\$0	\$0	\$12,000
		<b>**will absorb with savings in other line items**</b>		
Windows Server 2008 Datacenter Edition	Finance and Systems	\$0	\$0	\$6,860
		<b>**will absorb with savings in other line items**</b>		
Sport Court Cleaning – Valley Ridge Park, Sunset Playfield and SeaTac Community Center	Parks & Recreation (P&R)	\$7,000	\$7,000	\$6,707

**Council consensus:** Referred to the 03/23/10 RCM Consent Agenda

**DISCUSSION ITEMS (Continued):**

● **Summary of Donation \$500 or Greater** for the period ended March 19, 2010

ICM Cutts reviewed the donation:

<u>Donor Name</u>	<u>Description</u>	<u>Amount</u>
Emerald City Softball Association	Fence caps for sports field fencing at North SeaTac Park	\$1,310

**Council consensus:** Referred to the 03/23/10 RCM Consent Agenda

**AGENDA BILL PRESENTATIONS:**

**Agenda Bill #3221 – An Ordinance establishing an operating budget for the SeaTac Center, and amending the 2010 Annual City Budget for the related estimated revenues and expenditures**

**Summary:** The City Council approved the purchase of the SeaTac Center property on December 29, 2009, located directly across International Boulevard (IB) from the new Tukwila IB light rail station. At the February 9, 2010 RCM, the Council authorized the City Manager to execute an agreement with Colliers International Real Estate Management Services to provide property management for the SeaTac Center.

Colliers has been working with City staff to develop an operating budget for this property. Projected rental income is the primary revenue source for this budget. Estimated expenses include all operation and maintenance expenses, leasehold excise tax, insurance and tenant improvement costs. A draft budget prepared by Colliers was distributed and reviewed with the Administration & Finance (A&F) Committee on March 9, 2010.

This Ordinance provides estimated revenue in the amount of \$1,201,888 and estimated expenditures (operating and non-operating) in the amount of \$580,274 in the Building Management Fund #108. The projected net cash flow for the year is approximately \$621,614.

Finance Director McCarty reviewed the agenda bill summary.

Council discussion ensued regarding the proposed budget.

**Council consensus:** Referred to the 03/23/10 RCM Consent Agenda

**Agenda Bill #3223 – A Motion authorizing the City Manager to request a two-year extension of the contract with Redflex Traffic Systems to continue providing automated traffic safety camera enforcement services to the City**

**Summary:** In October 2006, the City contracted with Redflex Traffic Systems to provide automated traffic safety camera enforcement services to the City. Pursuant to the terms of the contract, the City has the right, but not the obligation, to extend the term of the agreement for up to two additional consecutive and automatic two-year periods following the expiration of the initial term. In order to exercise the extension, the City must request the extension in writing. This Motion authorizes the City Manager to request a two-year Redflex contract extension.

The contract with Redflex Traffic Systems specifies that the City will pay a fee of \$4,964.46 per month for each designated intersection for photo red light enforcement. Currently, the City has three designated intersections for photo red light enforcement. Therefore, each month the City pays \$14,893.38 to Redflex.

Chief of Police Services Graddon 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 03/23/10 RCM Consent Agenda

**Agenda Bill #3210 – A Motion authorizing an agreement with Puget Sound Energy (PSE) for construction of pavement restoration as part of the 42<sup>nd</sup> Avenue South Pedestrian Improvement Project**

**Summary:** In advance of the City's sidewalk project this spring, PSE will be constructing upgrades to its gas distribution system along 42<sup>nd</sup> Avenue South between South 176<sup>th</sup> Street and South 182<sup>nd</sup> Street. In accordance with the City's development standards, PSE's work will require pavement restoration in the areas disturbed by construction. Combining PSE's pavement restoration responsibility with the City's sidewalk construction project will minimize disruption to the neighborhood and traveling public, reduce the overall construction cost, and by overlaying the full roadway width, will produce a higher quality and longer lasting pavement surface. PSE agrees to reimburse the City for 25% of the pavement restoration costs within the limits of the gas main upgrade project, plus an additional 10% for construction management by the City.

The City will be reimbursed for PSEs proportionate share of the pavement restoration, estimated to be \$33,877.37.

**AGENDA BILL PRESENTATIONS (Continued):**

**Agenda Bill #3210 (Continued):** City Engineer Sanderson reviewed the agenda bill summary.

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

**Council consensus:** Referred to the 03/23/10 RCM Consent Agenda / Unfinished Business / Other

**Agenda Bill #3211 – A Motion authorizing an Interlocal Agreement (ILA) with Highline Water District (HWD) for construction of waterline replacement and pavement restoration as part of the 42<sup>nd</sup> Avenue South Pedestrian Improvement Project**

**Summary:** HWD desires to abandon an existing asbestos cement waterline and upgrade to an 8-inch ductile iron waterline on 42<sup>nd</sup> Avenue South from South 176<sup>th</sup> to 182<sup>nd</sup> Streets. Combining the District's waterline replacement with the City's sidewalk construction project will minimize disruption to the neighborhood and traveling public and reduce the overall construction cost by sharing items such as traffic control, erosion control, and construction surveying. The District will reimburse the City for 100% of the actual water line costs incurred, as well as 25% of the pavement restoration costs within the limits of the waterline replacement. A 10% markup for construction management by the City will be added to the amount reimbursed by the District.

This motion has no financial impact to the City. The full cost of construction and oversight of the District's work, estimated at \$416,000, will be reimbursed by HWD.

City Engineer Sanderson reviewed the agenda bill summary.

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

**Council consensus:** Referred to the 03/23/10 RCM Consent Agenda

**Agenda Bill #3212 – A Resolution authorizing a Local Agency Agreement with the Washington State Department of Transportation (WSDOT) for federal aid funding of the South 154<sup>th</sup> Street Improvements Project and any subsequent documents related to the agreement**

**Summary:** The City has been awarded \$1,500,000 in federal Surface Transportation Program (STP) funds through the Puget Sound Regional Council (PSRC) competitive selection process. These federal funds are administered by WSDOT on behalf of the Federal Highway Administration. A Local Agency Agreement is an agreement between a local agency and the WSDOT with the purpose of ensuring that the federal funds are spent in accordance with all applicable state and federal laws and regulations. The agreement also specifies the procedure for payment and reimbursement on the project. The City must also adhere to the grant program rules and regulations regarding contract documentation and administration. Based on staff qualifications and experience, the City is certified by WSDOT to administer federal aid projects.

The amount of the federal grant is \$1,500,000. Other funding for the \$6.4 million project includes \$2.4 million from the Washington State Transportation Improvement Board (TIB), \$314,700 from Sound Transit, and \$2.2 million from the Transportation Capital Improvement Program (CIP) Fund 307.

City Engineer Sanderson reviewed the agenda bill summary.

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

**Council consensus:** Referred to the 03/23/10 RCM Consent Agenda

**CONSENT AGENDA:**

- **Approval of claims vouchers** (check nos. 88673 – 88912) in the amount of \$514,222.30 for the period ended March 19, 2010.
- **Approval of payroll vouchers** (check nos. 48561 – 48597) in the amount of \$168,894.21 for the period ended March 15, 2010.
- **Approval of payroll electronic fund transfers** (check nos. 63354 – 63531) in the amount of \$331,698.99 for the period ended March 15, 2010.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$60,756.78 for the period ended March 15, 2010.
- **Summary of \$5,000 - \$35,000 Purchase Requests** for the period ended March 19, 2010.
- **Summary of Donation \$500 or Greater** for the period ended March 19, 2010.

**CONSENT AGENDA (Continued):**

**Approval of Council Meeting Minutes:**

- **Administration and Finance Committee Meetings** held February 9 and March 9, 2010.
- **Public Safety and Justice Committee Meetings** held February 9 and March 9, 2010.
- **Special Council Meeting** held March 9, 2010.

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

**Agenda Bill #3221; Ordinance #10-1012 establishing an operating budget for the SeaTac Center, and amending the 2010 Annual City Budget for the related estimated revenues and expenditures**

**Agenda Bill #3223; Motion authorizing the City Manager to request a two-year extension of the contract with Redflex Traffic Systems to continue providing automated traffic safety camera enforcement services to the City**

**Agenda Bill #3210; Motion authorizing an agreement with Puget Sound Energy for construction of pavement restoration as part of the 42<sup>nd</sup> Avenue South Pedestrian Improvement Project**

**Agenda Bill #3211; Motion authorizing an Interlocal Agreement with Highline Water District for construction of waterline replacement and pavement restoration as part of the 42<sup>nd</sup> Avenue South Pedestrian Improvement Project**

**Agenda Bill #3212; Resolution #10-010 authorizing a Local Agency Agreement with the Washington State Department of Transportation for federal aid funding of the South 154<sup>th</sup> Street Improvements Project and any subsequent documents related to the agreement**

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 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:** ICM Cutts commented on the following: (1) April 3 - 9 a.m., Egg Hunt at Angle Lake Park; (2) April 6 - 5 p.m., 2010 CP open house; (3) April 10 - 9 a.m., Spring Recycling Event; and (4) attended an event at Chinook Middle School where students presented concepts on future development around the light rail station after working with the City's Planning Department for five weeks.

**COUNCIL COMMENTS:** CMs Gregerson, Fernald, Fisher, A. Anderson and Shape all attended the National League of Cities (NLC) conference in Washington DC and commented on their experiences.

CM Gregerson commented on the following: (1) South 154<sup>th</sup> Street letter project. Mr. Cutts stated staff is working on the support letters; (2) Chinook Middle School students were also challenged in planning around the station area; and (3) questioned whether Council supported having a dinner meeting to discuss the NLC conference. Mayor T. Anderson agreed to schedule a future meeting.

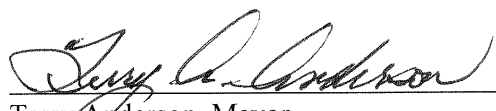
CM Fernald questioned how Council could disseminate information from the NLC conference to the public. It was suggested that if she typed up her notes, they could be placed on the City's website.


Mayor T. Anderson stated that her grandson spent spring break with the kids affected by Hurricane Katrina.

**ADJOURNMENT:**

MOVED BY A. ANDERSON, SECONDED BY GREGERSON TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 7:35 P.M.

MOTION CARRIED UNANIMOUSLY.

  
Terry Anderson, Mayor

  
Kristina Gregg, City Clerk