

City of SeaTac

Regular Council Meeting Minutes

January 12, 2010

6:00 PM

City Hall

Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Outgoing Mayor Shape at 6:30 p.m.

COUNCIL PRESENT: Mayor Ralph Shape, Deputy Mayor (DM) Gene Fisher, Outgoing Councilmember (CM) Chris Wythe, CMs Rick Forschler, Terry Anderson, Anthony (Tony) Anderson, Pam Fernald, and Mia Gregerson.

ADMINISTRATIVE STAFF: Acting City Manager (ACM) Todd Cutts, City Attorney Mirante Bartolo, City Clerk Kristina Gregg, Senior Assistant City Attorney Mark Johnsen, Economic Development (ED) Manager Jeff Robinson, Judge Elizabeth Cordi-Bejarano, Municipal Court Administrator Mary Pederson, Public Works (PW) Director Tom Gut, Building Official Gary Schenk, Planning Director Steve Butler, Principal Planner Jack Dodge, Senior Planner Al Torrico, Associate Planner Kate Kaehny, Parks & Recreation (P&R) Director Kit Ledbetter, Fire Chief Bob Meyer, and Chief of Police Services Jim Graddon.

FLAG CEREMONY: Boy Scouts of America SeaTac Fire Explorers Post No. 24 performed the Flag Ceremony and led the Council, audience and staff in the Pledge of Allegiance.

PRESENTATIONS:

● **Key to the City to outgoing Councilmember (CM) Chris Wythe**

Outgoing Mayor Shape presented a Key to the City to outgoing CM Wythe.

Council stated their appreciation of CM Wythe's service on the Council.

CM Wythe thanked the citizens for their support.

● **Public Swearing-in of Rick Forschler to Council Position No. 2, Tony Anderson to Council Position No. 4, and Pam Fernald to Council Position No. 6 as newly re-elected/elected Councilmembers (CMs)**

Judge Bejarano administered the Oath of Office to the newly elected CM Rick Forschler, and re-elected CMs Tony Anderson and Pam Fernald. The CMs signed their Oath of Office and took their seats at the dais.

● **Election of Mayor and Deputy Mayor (DM) to serve through 2011**

Outgoing Mayor Shape declared the nominations open for Mayor.

CM A. Anderson nominated CM T. Anderson as Mayor for the City of SeaTac.

With no further nominations, Outgoing Mayor Shape declared the nominations closed.

Outgoing Mayor Shape called for a voice vote for CM T. Anderson as Mayor of the City of SeaTac through December 31, 2011.

Council unanimously voted for CM T. Anderson as Mayor.

Outgoing Mayor Shape then turned the Mayor's gavel over to the newly elected Mayor T. Anderson.

Mayor T. Anderson declared the nominations open for DM.

CM Forschler nominated CM Fisher as DM for the City of SeaTac.

With no further nominations, Mayor T. Anderson declared the nominations closed.

Mayor T. Anderson called for a voice vote for CM Fisher as DM of the City of SeaTac through December 31, 2011.

Council unanimously voted for CM Fisher as DM.

RECESSED: Mayor T. Anderson recessed the Regular Council Meeting (RCM) to a reception at 6:44 p.m.

RECEPTION: Honoring Mayor and Deputy Mayor (DM), outgoing Councilmember (CM) Chris Wythe and newly re-elected/elected CMs Rick Forschler, Tony Anderson and Pam Fernald

RECONVENED: Mayor T. Anderson reconvened the meeting at 7:05 p.m.

PRESENTATIONS (Continued):

● **Council consideration of Mayoral Re-Appointment of Phyllis Byers and Appointment of Humberto Mendez to the Human Services Advisory Committee (HSAC)**

Mayor T. Anderson announced the selection of Phyllis Byers and Humberto Mendez as members to be re-appointed/appointed to the HSAC.

Council consensus: Referred to the 01/26/10 RCM for Confirmation of Appointment

● **Rental Car Facility (RCF) Development**

Landside/Stormwater Program Leader George England updated the City as to the RCF Development current status and schedule for the RCF Construction, RCF Program Costs, Off-Site Roadway Improvements, Bus Maintenance Facility, Main Terminal / RCF Busing, Art Program, and the RCF Program Schedule. The goal is to open the RCF during the first quarter of 2012, if not sooner.

Council discussion ensued regarding the project.

Mr. England detailed the work to be done in the South 160th / 170th Streets area.

He stated that the Port of Seattle (POS) is seeking LEED (Leadership in Energy and Environmental Design) certification for the RCF and Bus Maintenance facility.

PUBLIC HEARING (PH):

● **Interim Zoning Standards related to animal shelters – Planning**

Mayor T. Anderson opened the PH at 7:27 p.m.

Principal Planner Dodge reviewed the summary below for Agenda Bill #3172.

Mr. Dodge stated that the final standards would require King County (KC) to come back annually for a Temporary Use Permit (TUP) if they want to continue using it.

CM Gregerson stated that this was reviewed by the Land Use & Parks (LUP) Committee.

Mayor T. Anderson closed the PH at 7:32 p.m.

NEW BUSINESS:

Agenda Bill #3172; Resolution #10-001 adopting findings of fact for interim development regulations as adopted by Ordinance #09-1038, to allow a temporary emergency animal shelter and Animal Control Offices in the Park (P) zone

Summary: The City Council adopted interim zoning standards on November 24, 2009 to allow emergency animal shelters and Animal Control offices in the P zone subject to specific standards. This Resolution adopts findings of fact supporting adoption of interim standards, as required by State Law.

Revised Code of Washington (RCW) 36.70A.390 allows the City Council to pass an interim zoning Ordinance up to a period of six months. Within 60 days of the passage of the interim Ordinance, the Council must conduct a PH adopting finding of fact regarding the interim Ordinance. The PH on January 12, 2010 meets this requirement.

KC's Animal Shelter is located in Kent. With the potential flooding threat of the Green River Valley, due to the structural issues of the Howard Hanson Dam (which is the main flood control structure for the Green River), KC needs to find a back-up site for its animal shelter. KC also needs to find an alternate site for a "storm stray animal shelter" and offices for their Animal Control Officers, should the Green River Valley flood.

KC evaluated more than 50 sites, including 20 county-owned sites, to determine where the shelter could be potentially located. The maintenance facility at Sunset Park was determined by KC to be the primary choice for the emergency animal shelter. This determination was made due to existing buildings on-site that could be modified for little cost to house animals, plus room on the site to locate up to six trailers to hold additional animals. Dogs would be the primary animal that would be housed at the site, with up to 500 animals that could be potentially held there. In addition, offices and the storage of vehicles for Animal Control Officers will be located at the site. The site would only be used, however, if there was flooding of the Green River Valley.

The existing maintenance shops are located in the P zone. The emergency animal shelter or offices for Animal Control Officers as proposed are not permitted uses in the P zone; therefore, the interim Zoning Code change is necessary to allow the proposed temporary uses.

NEW BUSINESS (Continued):

Agenda Bill #3172; Resolution #10-001 (Continued): A Zoning Code change typically takes two to three months for adoption by Council (based upon local and state noticing requirements). KC has indicated that the use of the Sunset Park site for an emergency shelter is time-sensitive, since the normal rainy season has started with the attendant potential flooding.

It is anticipated that the Planning Commission (PC) will review the regulations in January, 2010 and forward proposed final regulations to the Council for Council action in February, 2010.

MOVED BY SHAPE, SECONDED BY GREGERSON TO PASS RESOLUTION #10-001.

MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARING (PH):

•Moratorium on certain properties located in the SeaTac/Airport Station Area – Planning

Mayor T. Anderson opened the PH at 7:35 p.m.

Planning Director Butler and Associate Planner Kaehny reviewed the summary below for Agenda Bill #3179. Ms. Kaehny also detailed the goals of the standards and the proposed street network.

Mr. Butler stated that the purpose of the findings of fact is to provide justification for the enactment of the development moratorium. There are 15 findings of fact identified in the Resolution.

CM Forschler stated his disagreement with findings of fact B, F, G and N. He explained his reasons.

DM Fisher stated that the purpose of the moratorium was to involve the public.

Upon a question posed by CM A. Anderson, City Attorney Mirante Bartolo clarified that a no vote tonight would lift the moratorium on January 23, 2010. A yes vote would lift the moratorium on May 15, 2010.

Mr. Butler stated that the Zoning Code Update Ad Hoc Committee's (AHC) first meeting will be January 19.

Council discussion ensued as to reasons to support or oppose Agenda Bill #3197.

John Houlihan, representing James and Doris Cassan, spoke against the moratorium and the AHC mission statement and ground rules.

Earl Gipson spoke against the moratorium. He also commented on the AHC, requesting more property owners to be involved in the committee and more people with experience with codes and compliance.

Greg Allwine, currently in the process of designing a hotel for Mr. Tang, spoke against the moratorium.

Gordon Tang spoke regarding his proposed development and against the moratorium and proposed standards.

Vicki Lockwood clarified that if Council votes no on the moratorium, it would lapse on January 23.

Mayor T. Anderson closed the PH at 8:40 p.m.

NEW BUSINESS:

Agenda Bill #3179; Resolution #10-002 adopting findings of fact in support of the moratorium on acceptance of applications for rezones, land use permits, development permits, and building permits for new construction of commercial and multi-family structures, affecting any property located within the SeaTac/Airport Station Area to allow for unified planning of a City Center Core with transit oriented development (TOD), as passed in Resolution #09-023

Summary: Resolution #09-023 established a moratorium on the acceptance of rezone applications and building, development, and land use permits for new development in the SeaTac/Airport Station Area. As required by State law, a PH must be held within 60 days and finding of fact must be adopted justifying the moratorium. This Resolution would adopt those findings of fact.

RCW 35A.63.220 and 36.70A.390 allow the City Council to adopt a moratorium relating to planning, zoning, and development regulations, subject to a PH within 60 days of the date of the adoption, and further subject to findings of fact, justifying the moratorium at either the time of adoption or following conclusion of the PH. The SeaTac/Airport Station Area is adjacent to the new light rail station that has just opened. This area is intended to be SeaTac's downtown core.

NEW BUSINESS (Continued):

Agenda Bill #3179; Resolution #10-002 (Continued): Current codes do not adequately provide for regulations to achieve the development of a downtown core or allow for proper TOD. Absent the moratorium, new development under the current regulations could undermine the efforts of the City to provide a downtown core and TOD. It is critical to obtain time so that new development regulations can be prepared to shape development in the area conducive for a downtown core and TOD while taking into account the concerns of local property owners.

The City Council has recently created a Zoning Code AHC, which will in part review proposed zoning code changes that would apply to the SeaTac/Airport Station Area. The AHC will ultimately recommend design standards and development patterns that would create SeaTac's downtown core and be complimentary to the adjacent light rail station.

MOVED BY SHAPE, SECONDED BY FISHER TO PASS RESOLUTION #10-002.*

Council discussion ensued regarding the findings of fact.

*MOTION CARRIED WITH FORSCHLER VOTING NO.

PUBLIC HEARING (PH):

● Adopting the new Shoreline Master Program (SMP) – Planning

Mayor T. Anderson opened the PH at 8:47 p.m.

Senior Planner Torrico stated that the original plan was to have Council action tonight. There were some late comments from the Department of Ecology (DOE) that affected the document. Staff proposed that the PH be opened tonight and then continued, after comments, to the January 26 RCM.

Terry Minnihan spoke regarding Angle Lake and how this will negatively affect the families living on the lake. He urged Council to consider more comments from others living on the lake.

Council discussion ensued as to the consequences of not adopting this program. Mr. Torrico stated that it is required by state law, and specifically by the grant to be adopted by the end of January.

He clarified some of the standards.

Council discussion ensued regarding the 75-foot restriction which is 10 feet more than the existing restriction.

Barry Ladenburg, as a member of the SMP, explained that this is required by the state. Building new docks is when the 75-foot set back restriction will become an issue.

Mr. Torrico clarified that any amendments made at the January 26 RCM will be subject to approval by the DOE.

Mayor T. Anderson continued the PH at 9:04 p.m. to the January 26, 2010 RCM.

PUBLIC COMMENTS: Earl Gipson thanked the Engineering Division for the Sunrise View Bypass Pipeline project.

The following people spoke against the eminent domain of the Cassan's property: Christopher Larsen, Mike Huseby, John Houlihan (representing the Cassan's), and Scott Roberts (Evergreen Freedom Foundation).

Darlene Thompson thanked the City for recently assisting a family in need. She specifically thanked Human Services (HS) Manager Colleen Brandt-Schluter and Community Services Officer (CSO) Eloise Kruger.

Art Rosengren, Tukwila resident, commented on the following: (1) thanked the Council for enacting a ban on fireworks; and (2) questioned why there was such a long delay in getting the post and reflectors in place on South 154th Street approaching International Boulevard (IB) in front of the island.

Wes Wood spoke regarding Agenda Bill #3188 and his concern with the AHC agendas being developed by the Planning Department. He urged Council to accept Agenda Bill #3188 as a draft document so the committee can have input.

Gordon Tang spoke again about his property and miss information presented.

DISCUSSION ITEM:

•Summary of \$5,000 - \$35,000 Purchase Requests for the period ended January 8, 2010

ACM Cutts reviewed the purchase requests:

<u>Item Description</u>	<u>Department</u>	<u>Original Budget</u>	<u>Amended Budget</u>	<u>Estimate</u>
Association of Washington Cities (AWC)	Non-Department	\$17,400	\$17,400	\$17,400
Puget Sound Clean Air Agency	Non-Department	\$15,334	\$15,334	\$15,334
Suburban Cities Association (SCA)	Non-Department	\$15,500	\$15,500	\$14,404
Southwest King County Chamber (SWKC) 2010 Contract	City Manager	\$5,000	\$5,000	\$5,000
State Lobbyist Services	City Manager	\$21,000	\$21,000	\$21,000
P&R Quarterly Activity Guide (printing and mailing fees)	P&R	\$22,700	\$22,700	\$17,293
Civil Service Promotional Testing Books	HR	\$0	\$0	\$6,503
		will absorb with savings in other line items		
Probation Services	Municipal Court	\$28,800	\$28,800	\$28,800
Protective Vests (Body Armor)	Fire	\$4,534	\$4,534	\$19,535
		2009 carryover to provide remaining budget amount		

Council consensus: Referred to the 01/12/10 RCM Consent Agenda

AGENDA BILL PRESENTATIONS:

Agenda Bill #3188 – A Motion adopting a Mission Statement and Ground Rules for the Major Zoning Code Update Ad Hoc Committee (AHC)

Summary: On December 8, 2009, the City Council established the Zoning Code Update AHC to provide input, and assist with stakeholder outreach, for the Major Zoning Code Update project. In order to clarify the committee’s roles and responsibilities, City Council is anticipated to adopt a Mission Statement and Ground Rules for the AHC on January 12, 2010.

City staff has been working with the public, the City Council and the PC on the Major Zoning Code Update project since December 2008. On December 8, 2009, City Council established the Zoning Code Update AHC and appointed members representing property owners, business owners and residents from across the City. The primary purpose of the AHC is to review and provide input on proposed changes to the Zoning Code.

In order to establish a clear set of goals and procedures for the committee, Council is expected to adopt a Mission Statement and Ground Rules that will guide the committee’s work on January 12, 2010.

Planning Director Butler and Associate Planner Kahney reviewed the agenda bill summary, the Mission Statement/Objectives and Ground Rules.

Mr. Butler explained changes made since the packet was distributed.

DM Fisher clarified that the decision making will be done by the committee, not by staff.

CM Shape stated that the procedures may be modified as needed.

Mr. Butler explained that the AHC meetings are open to the public and while most of the talking will be done by committee members there will be some initial public comment time.

CM A. Anderson requested the roadway alignment affecting Mr. Tang’s property be one of the first agenda topics.

Mr. Butler stated that the first meeting is scheduled for Tuesday, January 19 from 5 – 8 p.m. in the City Hall Council Chambers. The goal is to then meet the second Monday of every month, but reserve the fourth Monday in case it’s needed. This will also require a change to the PC schedule.

Council discussion ensued regarding the mission statement, ground rules and committee membership.

Council consensus: Referred to the 01/12/10 RCM Unfinished Business

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3148 – An Ordinance amending Chapter 13.180 of the SeaTac Municipal Code (SMC) related to the Electrical Code

Summary: This Ordinance adopts the 2008 National Electrical Code (NEC) as amended by the Washington Cities Electrical Code (WCEC).

The NEC is revised every three years by the National Fire Protection Association, the publisher of the code. It is also amended and adopted by the State of Washington. State law provides that the City must adopt amendments to the NEC equal to or better than the State amendments. This Ordinance updates the City's Electrical Code by amending Section 13.180 of the SMC by adopting the 2008 Edition of the NEC, as amended by the WCEC. These amendments comply with State law and offer the following advantages:

- It is written in the same format as the NEC and clearly indicates which article of the NEC is amended, eliminating any conflict between a State rule and the NEC.
- It omits all administrative and procedural State rules that cities cannot or choose not to adopt.
- The format will allow the creation of insert pages that can be inserted into the applicable section of the NEC, offering a clear understanding of amendments for ease of use by contractors and code officials.
- The WCEC provides enforcement consistency among those cities that choose to adopt it.

The WCEC was created by MyBuildingPermit.com and the Washington Association of Building Officials.

Building Official Schenk reviewed the agenda bill summary.

CM Gregerson stated that the Transportation & Public Works (T&PW) Committee recommended this item for approval.

Council consensus: Referred to the 01/12/10 RCM Consent Agenda

Agenda Bill #3164 – A Motion authorizing the City Manager to enter into an Agreement with Seattle City Light for underground conversion of the electrical distribution system on South 154th Street between 24th Avenue South and 32nd Avenue South

Summary: The City of SeaTac is currently designing improvements to South 154th Street between 24th Avenue South and 32nd Avenue South. Consistent with the City's Municipal Code, Comprehensive Plan (CP) policies, and the adopted Station Area Action Plan, the scope of the South 154th Street Improvements Project includes replacing the existing overhead electric distribution system with an underground distribution system.

The electric utility facilities within the South 154th Street right-of-way (ROW) are owned and operated by Seattle City Light under a franchise agreement with the City of SeaTac. The franchise provides for the underground relocation of aerial facilities in conjunction with street improvement projects. The Agreement would supplement the franchise provisions and is necessary to formalize the responsibilities between Seattle City Light and the City. The terms of this Agreement have been negotiated by City of SeaTac and City of Seattle staff and are consistent with agreements for similar projects by other agencies in Seattle City Light service territory.

If Council approves this Motion, staff will proceed with design of the underground electrical conversion for the South 154th Street Improvements Project. The agreement includes an outline of the financial responsibilities of the two parties, but does not have a specific dollar amount. The cost for undergrounding the electrical distribution system on this project is estimated to be \$1.2 million. This amount will be reduced with a credit from Seattle City Light for the cost the utility would have incurred if it were simply relocating the overhead system. The estimated credit is approximately \$200,000; the actual credit amount will be calculated by City Light and reviewed by PW staff as the project design progresses. Therefore, the estimated cost to the City would be approximately \$1 million.

The total estimated cost of this project is \$6.4 million. The budget includes \$3.9 million in State and Federal grants and \$314,700 from Sound Transit. Detailed construction costs for the project and utility undergrounding will be brought to City Council for approval following the project bid opening in summer 2010.

PW Director Gut reviewed the agenda bill summary.

Council consensus: Referred to the 01/12/10 RCM Consent Agenda

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3160 – A Resolution amending Section 13 of the City Council Administrative Procedures regarding Councilmember Travel Expenses and Reimbursement

Summary: The proposed amendment provides that each CM would be allocated \$4,000 per calendar year for expenses related to conferences and meetings such as the National League of Cities (NLC), AWC, or SCA. Reimbursement would cover registration, pre-conference workshops, transportation, lodging, meals, and travel incidentals. Up to \$1,000 of the yearly limit could be carried over to following year if unspent. Any travel in excess of the \$4,000 limit would be at the CMs own expense.

In addition, unforeseen training workshops, and conference opportunities would not be restricted by the \$4,000 limit if approved by the Council. Various local meetings and associated meal costs would also not be restricted by the limit. Furthermore, CM travel would still be subject to the provisions of the City Travel Policies, Regulations, and Procedures.

The total fiscal impact would be \$28,000 per year, plus any carryover of unspent travel costs.

Senior Assistant City Attorney Johnsen reviewed the agenda bill summary.

DM Fisher requested this item be moved to Unfinished Business.

Council consensus: Referred to the 01/12/10 RCM Unfinished Business

Agenda Bill #3161 – A Resolution amending the City Travel Policies, Regulations, and Procedures

Summary: This Resolution amends the City Travel Policies, Regulations, and Procedures as outlined below:

Approval of travel. Currently, the City Manager reviews and approves his own travel expenses. Furthermore, there is no written procedure for the review of City Council travel to ensure that expenses are consistent with the City travel policies. This Resolution specifies that City Manager travel and City Council travel will be reviewed and approved by the Administration and Finance (A&F) Committee. The City Manager will continue to approve travel of Department Directors and any travel that exceeds \$350 or that requires overnight lodging. Other employee travel is approved by the Department Director.

Time for submitting receipts. Currently, there is no timeframe for the submittal of travel receipts. For certain expenses that are paid with a City credit card, said receipts are required to be submitted and reviewed prior to the date the credit card payment is due for the specific expenses. In order to have a consistent timeframe for reimbursement, it is proposed that all receipts must be submitted within 15 days of the completion of travel.

No Receipt Certification. The current policy provides that itemized receipts for travel expenses are required, unless a receipt is unavailable. The policy does not provide a mechanism for lost or forgotten receipts. However, current practice has been to treat lost receipts the same as unavailable receipts. The State Auditor's Office issued an audit exception for the overuse of the no receipt certification form. Therefore, it is proposed to limit the amount of travel reimbursement to \$30 per calendar year when no receipt is provided. Any expenses in excess of \$30 per calendar year that are not substantiated with an itemized receipt will not be reimbursed. The proposed changes also specify that gratuities for services (such as bellhop or hotel maid service) are not subject to the \$30 limit.

Lodging Rates. Current policy outlines the maximum room rate reimbursement based upon the size of the City in which the lodging is located. However, current policy allows for higher room rates if there are "special or unusual circumstances" which warrant paying a higher room rate. In order to establish clear guidelines, it is proposed to eliminate language allowing for higher room rates due to special circumstances. However, it is recognized that there is some benefit to staying at an establishment that is connected to a conference facility, even though the rate at a conference hotel may be higher. Therefore, in such circumstances, the maximum allowable rate for staying at an establishment connected to a conference may be exceeded by 25%. The policy also clarifies that the lodging rates outlined in the travel policy do not include taxes or other mandatory hotel service charges. It was also determined to increase the general lodging rate from \$100 per night to \$120 per night. It is believed that this higher allowance will better allow for reimbursement at in-state conference locations.

Upgraded Rooms. It is proposed to clarify that the City will only pay for lodging reimbursement for a basic room type. The City will not reimburse for the cost of upgraded rooms.

Hotel Internet Charges. Currently, there is no provision for the payment of optional hotel internet charges. These charges will be reimbursed up to \$12 per day plus tax when the employee/official can document the necessity of the use of the internet for business purposes.

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3161 (Continued):

Meal Allowances. Current policy provides that the meal allowances can be exceeded if there is a “satisfactory explanation” why meal costs exceed the maximum amounts outlined in the policy. It is proposed that this language be eliminated, as the meal allowances are generally consistent with General Services Administration (GSA) limits.

Multiple Employees/Officials on the same receipt. Current policy does not address multiple employee expenses on the same receipt. In order to ensure that the policies (such as meal allowances) are being appropriately followed, the proposed policy states that employees/officials shall attempt to obtain separate receipts. However, if separate receipts cannot be obtained, the itemized receipt shall specifically attribute each item on the receipt to a specific employee/official.

Credit Card Use. RCW 42.24.115 provides that the City shall establish a lien against an employee/official salary for any expenses made with a City charge card that are not properly identified or are disallowed unless paid by the employee/official prior to the date the charge card billing is due. The proposed policy addresses this issue.

When revising the travel policy, staff reviewed policies from different cities, the State of Washington, the State Auditor’s Performance Audit for School District travel, and the recommendations from the City’s 2007 audit from the State Auditor. Staff believes the proposed policies are appropriate in order to ensure that City expenditures are spent in an economical and prudent manner.

Senior Assistant City Attorney Johnsen reviewed the agenda bill summary.

CM Shape requested this item be moved to Unfinished Business.

Council consensus: Referred to the 01/12/10 RCM Unfinished Business

Agenda Bill #3184 – A Motion approving Trade-Marx Sign and Display Corporation of Seattle as the low bidder for construction of the Angle Park Stage Cover

Summary: This Motion allows the City Manager to execute a contract with Trade-Marx Sign & Display Corporation of Seattle as the low bidder for construction of the Angle Lake Park Stage Cover.

Staff bid the Angle Lake Park stage cover in February 2008, and although the engineers’ estimate was around \$100,000, the bid came in at \$272,226. The bid was rejected because the cost was too high. Staff has worked to redesign the project, reducing the cost estimate to about \$150,000. The Angle Lake Park stage cover has been in the Capital Improvement Plan (CIP) project list in 2006, 2007, 2008 and 2009. Staff has received \$57,000 in grants for this project and spent over \$2,500 in canopy rentals annually for temporary stage covers. Advertisements for the revised stage cover were placed in the Seattle Times and the bids were opened on December 8, 2009. The results are as follows:

<u>Company</u>	<u>Bid including 9.5% Tax</u>	<u>With 10% Contingency</u>
Trade-Marx Sign & Display Corporation	\$79,359.30	\$87,295.23
Northwest Playground Equipment	\$108,860.85	\$119,746.94
Span Systems Inc.	\$148,260.00	\$163,086.00
USA Shade & Fabric Structures, Inc.	\$148,900.00	\$163,790.00
The Sign Factory	\$167,937.00	\$184,730.70
Rainier Industries Ltd.	\$171,904.05	\$189,094.46

Low bid including tax and a 10% contingency: \$87,295.23

It is recommended that the City Council accept the lowest responsive bid for construction of the Angle Lake Park Stage Cover. It is also recommended that the City Manager be authorized to execute a contract with Trade-Marx Sign & Display Corporation of Seattle for this work for an amount not to exceed \$87,295.23.

The 2010 Budget has \$150,000 for completion of the Angle Lake Park Stage Cover project.

P&R Director Ledbetter reviewed the agenda bill summary.

DM Fisher stated that the A&F Committee recommended this item for approval.

Council consensus: Referred to the 01/12/10 RCM Consent Agenda

AGENDA BILL PRESENTATIONS (Continued):

Agenda Bill #3047 – A Motion authorizing the City Manager to execute a Real Estate Exchange Agreement and other necessary documents to effectuate a real estate exchange with the Highline Water District (HWD)

Summary: This Motion authorizes the City Manager to execute a Real Estate Exchange Agreement between the City and the HWD. Furthermore, the Motion also authorizes the City Manager to execute any documents necessary to carry out the Agreement.

The HWD will be installing a new well and buildings on their property adjacent to McMicken Heights Park. The HWD approached the City to see if we might be interested in a land exchange that would benefit the City and the HWD. The park has two pieces of property separated by HWD land that is behind three homes. This land is used as park land now but is owned by the HWD. The proposed land exchange is to give the City the land behind the three homes for equal park land that is in north east of the park and behind Safeway. The exchange benefits the City as the two park parcels would now be connected through the land provided to the City by the HWD.

The P&R Department mailed meeting notices to McMicken Heights residents that live within 1,000 feet of the park (approximately 300 letters) and conducted a public meeting to discuss the possible land trade options. Very few residents attended but everyone wanted the land trade so the two sections of the park would stay connected. The cost for survey and engineering work will be split between the City and the District, in the amount of \$7,460.80 each. In addition, the agreement provides that the City will grant utility easements to the District, as well as agreement of a restrictive covenant on a portion of the property being received by the City. The City will receive \$1,500 and \$1,000 respectively from the District. Therefore, the net cost to the City will be \$4,960.80.

P&R Director Ledbetter reviewed the agenda bill summary.

CM Forschler stated that exhibit H1 is missing and that the Legal Description has errors.

Council consensus: Referred to the 01/12/10 RCM Unfinished Business

CONSENT AGENDA:

- **Approval of claims vouchers** (check nos. 87536 – 87737) in the amount of \$1,946,192.15 for the period ended December 18, 2009.
- **Approval of claims vouchers** (check nos. 87738 – 87895) in the amount of \$12,629,286.75 for the period ended December 31, 2009.
- **Approval of claims vouchers** (check nos. 87896 – 87897) in the amount of \$858.12 for the period ended December 31, 2009.
- **Approval of payroll vouchers** (check nos. 48337 – 48372) in the amount of \$170,188.16 for the period ended December 15, 2009.
- **Approval of payroll electronic fund transfers** (check nos. 62253 - 62435) in the amount of \$351,966.10 for the period ended December 15, 2009.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$61,369.69 for the period ended December 15, 2009.
- **Approval of payroll vouchers** (check nos. 48373 – 48415) in the amount of \$446,496.83 for the period ended December 31, 2009.
- **Approval of payroll electronic fund transfers** (check nos. 62436 - 62622) in the amount of \$352,760.36 for the period ended December 31, 2009.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$64,514.88 for the period ended December 31, 2009.
- **Summary of \$5,000 - \$35,000 Purchase Requests** for the period ended January 8, 2010.

Approval of Council Meeting Minutes:

- **Regular Council Meeting** held September 22, 2009.
- **Council Budget Workshop 5** held November 17, 2009.
- **Regular Council Meeting** held November 24, 2009.
- **Administration and Finance Committee Meeting** held December 8, 2009.
- **Special Council Meeting** held December 8, 2009.
- **Regular Council Meeting** held December 8, 2009.
- **Land Use and Parks Committee Meeting** held December 10, 2009.

CONSENT AGENDA (Continued):

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

Agenda Bill #3148; Ordinance #10-1001 amending Chapter 13.180 of the SeaTac Municipal Code related to the Electrical Code

Agenda Bill #3164; Motion authorizing the City Manager to enter into an Agreement with Seattle City Light for underground conversion of the electrical distribution system on South 154th Street between 24th Avenue South and 32nd Avenue South

Agenda Bill #3184; Motion approving Trade-Marx Sign and Display Corporation of Seattle as the low bidder for construction of the Angle Park Stage Cover

MOVED BY A. ANDERSON, SECONDED BY FORSCHLER 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 following Unfinished Business): There were no public comments.

UNFINISHED BUSINESS:

Agenda Bill #3188; Motion adopting a Mission Statement and Ground Rules for the Major Zoning Code Update Ad Hoc Committee (AHC)

MOVED BY SHAPE, SECONDED BY A. ANDERSON TO PASS AGENDA BILL #3188.

MOTION CARRIED WITH FORSCHLER VOTING NO.

Agenda Bill #3160; Resolution #10-003 amending Section 13 of the City Council Administrative Procedures regarding Councilmember Travel Expenses and Reimbursement

MOVED BY SHAPE, SECONDED BY FISHER TO PASS RESOLUTION #10-003.*

MOVED BY FISHER, SECONDED BY A. ANDERSON TO AMEND THE RESOLUTION BY ADDING SECTION 4 TO READ "COUNCILMEMBERS BELONGING TO NATIONAL AND/OR LOCAL COMMITTEES OR BOARDS REQUIRING ADDITIONAL TRAVEL DURING THE CALENDAR YEAR SHALL HAVE THEIR ANNUAL TRAVEL LIMIT ADJUSTED ACCORDINGLY DURING THE BUDGET PROCESS."**

CM Shape explained his reasoning for voting against the amendment.

**AMENDMENT CARRIED WITH SHAPE VOTING NO.

*MOTION AS AMENDED CARRIED UNANIMOUSLY.

Agenda Bill #3161; Resolution #10-004 amending the City Travel Policies, Regulations, and Procedures

MOVED BY SHAPE, SECONDED BY GREGERSON TO PASS RESOLUTION #10-004.*

MOVED BY FISHER, SECONDED BY SHAPE TO AMEND THE POLICIES BY STRIKING THE SECOND PARAGRAPH OF SECTION 2. B. UNDER MAXIMUM DAILY TOTAL ...\$64.

AMENDMENT CARRIED UNANIMOUSLY.

*MOTION AS AMENDED CARRIED UNANIMOUSLY.

Agenda Bill #3047; Motion authorizing the City Manager to execute a Real Estate Exchange Agreement and other necessary documents to effectuate a real estate exchange with the Highline Water District

In response to CM Forschler's earlier comments, City Attorney Mirante Bartolo stated the City's Engineering Division and Pace Surveying previously reviewed the legal descriptions and agreed they are correct.

DM Fisher clarified that the vote tonight is to swap the land. The details can be cleaned up during the process.

MOVED BY FORSCHLER, SECONDED BY FISHER TO PASS AGENDA BILL #3047, SUBJECT TO INCLUSION OF EXHIBIT H1 AND REVIEW AND CORRECTIONS, IF NEEDED, OF THE LEGAL DESCRIPTIONS.

MOTION CARRIED UNANIMOUSLY.

NEW BUSINESS:

An Ordinance repealing Ordinance #09-1028.

DM Fisher read the Ordinance into the record.

MOVED BY FISHER, SECONDED BY FORSCHLER TO REPEAL ORDINANCE #09-1028.*

Council discussion ensued regarding the proposed Ordinance.

CM Shape requested this item be moved two weeks.

**No vote was taken on the main motion to repeal Ordinance #09-1028 due to the request to move the item two weeks per the Council Administrative Policies.*

CITY MANAGER'S COMMENTS: ACM Cutts had no comments.

COUNCIL COMMENTS: Mayor T. Anderson stated that two SeaTac residents recently passed away, Terry Louden and Art Thompson. She also requested Council submit their requests for Council committee appointments.

DM Fisher commented on the 2009 Change of Form of Government ballot issue.

CM A. Anderson stated that Council received cards from SeaTac students thanking the City for giving them the opportunity to attend the Museum of Flight. He also commended former Mayor Shape for his term as Mayor.

CM Fernald also commented on the 2009 Change of Form of Government ballot issue.


CM Gregerson commented on the following: (1) thanked CM Shape for his term as Mayor; (2) January 27 - Safety Forum at the SeaTac Community Center; and (3) she is an alternate for the Puget Sound Regional Council (PSRC).


EXECUTIVE SESSION: There was no Executive Session.

ADJOURNMENT:

MOVED BY A. ANDERSON, SECONDED BY GREGERSON TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 11:31 P.M.

MOTION CARRIED UNANIMOUSLY.


Terry Anderson, Mayor


Kristina Gregg, City Clerk