

City of SeaTac

Regular Council Meeting Minutes

June 26, 2018
6:00 PM

City Hall
Council Chambers

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

COUNCIL PRESENT: Mayor Michael J. Siefkes, Deputy Mayor (DM) Erin Sitterley, Councilmembers (CMs) Rick Forschler, Joel Wachtel (participated by phone), Peter Kwon (participated by phone), Clyde Hill, and Pam Fernald.

STAFF PRESENT: City Manager Joseph Scorcio, City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, Senior Assistant City Attorney Mark Johnsen, Human Resources (HR) Director Vanessa Audett, Public Works (PW) Director Will Appleton, City Engineer Florendo Cabudol, Community & Economic Development (CED) Director Jeff Robinson, Planning Manager Steve Pilcher, Parks, Community Programs and Services (PCPS) Director Lawrence Ellis, Police Chief Carl Cole.

FLAG SALUTE: CM Hill led the Council, audience, and staff in the Pledge of Allegiance.

PUBLIC COMMENTS: Kevin Hope stated South 176th Street has a lot of traffic by members of the disabled community and it needs sidewalks.

The following people spoke regarding the City's displacement of tenants at the SeaTac Center: Mr. Hashi and Abshir Mohamed.

Stanley Tombs stated there is a new homeless camp at South 204th Street.

Ray Overholt thanked SeaTac for making it easier for owners to register their pets at City Hall, however, they continue to receive emails, phone calls, and letters from King County, even after buying the license.

Roger Kadeg commented on the following items: (1) Requests for Proposals (RFPs) for SeaTac Center and the old Fire Station 47 sites, requested the City hire a professional to write the proposals; and (2) gunfire incident in his neighborhood as well as former Mayor Fisher's house was broken into.

Earl Gipson stated the City needs to sell SeaTac Center. The tenants signed leases with a redevelopment clause.

PRESENTATIONS:

Council confirmation of Mayoral appointment of Richard Whaley to the Hotel/Motel Tax Advisory Committee
MOVED BY FORSCHLER, SECONDED BY SITTERLEY TO APPOINT RICHARD WHALEY TO THE
HOTEL/MOTEL TAX ADVISORY COMMITTEE.

MOTION CARRIED UNANIMOUSLY.

Mayor Siefkes presented the certificate to Mr. Whaley.

The Sheriff was unable to be in attendance. The following introduction will be rescheduled to a future meeting:
Introduction of King County (KC) Sheriff Mitzi Johanknecht

Introduction of New Employees: Accounting Technician Tracy Hansen / Legal Assistant Brenda Cruz
City Manager Scorcio introduced Ms. Hansen and Ms. Cruz.

PRESENTATIONS (continued):

Key to the City to Community & Economic Development (CED) Director Jeff Robinson

City Manager Scorcio announced Mr. Robinson has accepted the CED Director position for the City of Tacoma. He shared some of the projects and accomplishments Mr. Robinson has been a part of.

The Council commented on Mr. Robinson's efforts and their appreciation for his work.

Mayor Siefkes and Mr. Scorcio presented the Key to the City to Mr. Robinson for his service to the City.

Recessed: Mayor Siefkes recessed the meeting from 6:31 to 6:43 p.m.

Key City Issues and Requests for Direction

City Manager Scorcio commented on the following items:

- (1) Second issue of the SeaTac Quarterly has been sent out
- (2) June 28 – 4:30 p.m., The Residence Inn grand opening
- (3) Special Olympics – 1st weekend in July, with Standup Paddleboard competitions at Angle Lake on July 2 and 3
- (4) 4th of July event at Angle Lake Park, there will be lifeguards for the event and City Hall will be closed
- (5) July 10 – 5 p.m., Special Council Meeting (SCM) for an Executive Session on potential litigation, prior to the 6 p.m. RCM
- (6) July 12 - Seattle Storm Women's Basketball Community Practice
- (7) the Administration & Finance (A&F) Committee has a presentation on the ClearGov program (a fiscal transparency opportunity). The City will be a part of this program effective July 1, 2018.
- (8) SeaTac Center and Fire Stations 45 and 47 are all currently on the market
- (9) Steve Pilcher will be appointed as the new CED Director effective July 9
- (10) Council Information Request (CIR) – Hillgrove Cemetery, requested findings and discussion be referred to either the Airport Advisory Committee or the Planning & Economic Development (PED) Committee. Council concurred to refer the item to the PED Committee.
- (11) CIR – Dog Obedience Classes at Community Center, requested this topic be referred to the Parks & Recreation (P&R) Committee. Council concurred.

Committee Updates (for items not included on the agenda) and Council Requests to Refer Items to Committees

Council provided the following updates and referral requests:

CM Forschler: July 5 – PED Committee meeting; he requested any item reviewed by the Planning Commission (PC) that has been forwarded by the PC for Council action be referred to the PED Committee. Council concurred.

CM Kwon: June 21 - Transportation & Public Works (T&PW) Committee meeting – LID infeasibility out-facing web maps, Stormwater Rate study, and June 25 - Recology China Sword issue (recyclables).

CM Wachtel: June 14 - Public Safety & Justice (PS&J) Committee meeting PS&J – Fire Services Amendment proposal and Municipal Court Options.

CM Fernald: (1) Sound Cities Association (SCA) Public Issues Committee (PIC) – KC Land Conservation Initiative, Count Us In (homeless count), Regional Affordable Housing Taskforce, Medic One Emergency Medical Services Levy, future levies and ballot measures in KC; (2) pre PIC meeting – Leading by Example in a Toxic Environment; and (3) Sidewalk Advisory Committee – consultant for sidewalk project design

CM Hill: July 5 – next P&R Committee meeting

PRESENTATIONS (continued):

Committee Updates (for items not included on the agenda) and Council Requests to Refer Items to Committees (continued):

DM Sitterley: A&F Committee – briefings on Business licenses, YMCA Lease & services Agreement, Employment Standards Ordinance, and Financial Update; Board of Health – 5.6% increase on local hazardous waste, housing – guidelines and recommendations on healthy housing strategies, emergency powers of board of health

Mayor Siefkes: PS&J – review of contract with fire fighters, appears the City will receive the same level of service with reduced cost to the City; Airport Advisory Committee – airport related issues

CONSENT AGENDA:

Approval of claims vouchers (check no. 121394 - 121546) in the amount of \$4,815,349.37 for the period ended June 20, 2018.

Approval of payroll vouchers (check no. 54496 - 54517) in the amount of \$99,448.42 for the period ended June 15, 2018.

Approval of payroll electronic fund transfer (check no. 94469 - 94620) in the amount of \$363,505.72 for the period ended June 15, 2018.

Approval of payroll wire transfer in the amount of \$49,317.25 for the period ended June 15, 2018.

Approval of Council Meeting Minutes:

Administration & Finance Committee meeting held May 24, 2018

Planning & Economic Development Committee meetings held May 24 and June 6, 2018

Parks & Recreation Committee meeting held June 7, 2018

Regular Council Meeting held June 12, 2018

Planning & Economic Development Committee meeting held June 18, 2018

MOVED BY FORSCHLER, SECONDED BY HILL TO ACCEPT THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARING (PH) & ACTION ITEM: (continued from 6/12/18 Regular Council Meeting)

Development Agreement (DA) with Alaska Air Group (AAG) Real Estate Property LLC for the "Copper River Project"

Mayor Siefkes continued the PH at 7:19 p.m.

CED Director Robinson explained a draft agreement was presented at the last Council meeting. It was then posted to the website. No questions or comments were received during the two-week period.

Council discussion ensued regarding PED committee meeting review.

Public Comments: None

Mayor Siefkes closed the PH at 7:24 p.m.

Agenda Bill #4944; A Resolution #18-012 authorizing entry into a Development Agreement (DA) with Alaska Air Group (AAG) Real Property, LLC. to facilitate development of their Copper River Project.

Summary: Under State Statute (RCW 36.70B.170 - .201) and the City of SeaTac Municipal Code (SMC 15.115.030), the City is authorized to negotiate and enter into Das with property owners to set certain parameters under which a project will be implemented. Such Das must set forth the standards and other provisions that shall apply to, govern, and vest the specific development, use and mitigation of the project for the duration specified in the agreement. In exchange, the local government (public) will receive public benefits deemed appropriate and commensurate with the benefits provided to the property owner as part of the agreement.

PH & ACTION ITEM (continued):

Agenda Bill #4944; Resolution #18-012 (continued):

The Copper River project is a planned development on 7.5 acres consisting of approximately 530,000 square feet of office/commercial space and an eight and one-half story parking garage with nearly 1,300 stalls at full build-out. The project is planned to be constructed in four phases over a maximum of twenty years. The DA being proposed will assist the owner by insuring that certain codes, requirements and development regulations will be vested over the build-out period. Additionally, the DA allows for certain departures from specific development and design codes. The City, in return, will receive public benefits in exchange for the considerations being granted to AAG. This Agreement is the result of lengthy negotiations between the City and the AAG development team.

The deviations, departures and considerations being recommended in the proposed DA include:

- Departure from the orientation of the buildings to street frontages
- Certain required setbacks
- Location of commercial space
- Alternative positioning of some required interior landscaping
- Placement and design features of structured parking garage
- 20-year phased build-out period
- Vesting of certain codes and development regulations
- Phased improvements to specific frontages
- Temporary use of an existing non-conforming surface parking lot
- Reduction in required number of parking stalls

The public benefits being provided from the proposed DA are:

- Installation of a new mid-block signalized pedestrian crossing at AAG expense
- Earlier than required improvements to sidewalks
- Retrofitting of existing sidewalks for compliance with American with Disabilities Act (ADA)
- Internal and external site landscaping in excess of requirements
- Up-front infrastructure improvements to enable stormwater quality facilities
- \$50,000 payment to City for upgrades to water quality facilities on South 192nd Street
- Public Art / vinyl wrap decoration of signal control and other utility boxes in right of way
- Use of Alaska and Horizon Headquarters parking lots for events at Angle Lake Park
- Non-required filling and landscaping of drainage ditch along 192nd Street on AAG property

Other benefits attributable to the project (but cannot be considered public benefits within the DA) include:

- Removal of deteriorated structures and potentially blighting influences
- Property redevelopment and development of vacant property
- Additional tax revenues
- Increased fee revenues
- Job retention and expansion

The City Council continued the June 12, 2018 PH to the June 26, 2018 Regular Council Meeting (RCM). Once the PH is closed, the City Council will be able to take formal action on the proposed Resolution.

There will be direct revenue of \$50,000 for AAG's contribution towards water quality treatment on South 192nd Street. There will also be other revenues such as additional property tax revenue, construction sales tax, permit and impact fees generated by the project.

The PED Committee reviewed the DA at meetings on May 3, May 24, and June 6, 2018 and recommended it be moved forward to a PH for consideration. The DA is also being recommended to the City Council by the CED Director, as required by SMC 15.115.030 D.

MOVED BY HILL, SECONDED BY FERNALD TO PASS AGENDA BILL #4944 (RESOLUTION #18-012).

MOTION CARRIED UNANIMOUSLY.

**PUBLIC HEARING (PH) & ACTION ITEM:
2019-2024 Six-Year Transportation Improvement Program (TIP)**
Mayor Siefkes opened the PH at 7:25 p.m.

City Engineer Cabudol reviewed the summary for Agenda Bill #4885 (see below).

Council discussion ensued regarding funding of projects, requirement by the State of Washington, letter from resident, and 34th Avenue South sidewalk project timeline.

Public Comments: None

Mayor Siefkes closed the PH at 7:39 p.m.

Agenda Bill #4885; A Resolution adopting the Six-Year Transportation Improvement Program (TIP) for 2019-2024.

Summary: The City is required by State law to annually review and adopt its TIP. This review includes a PH and formal adoption of the program by the City Council. State law (RCW 35.77.010) requires the City to adopt a minimum Six Year Transportation Program, prior to July 1 each year. The PH is scheduled for the June 26 RCM, with final action to follow. Funding distribution and scheduling of projects beyond the first two years are tentative; further capital budgeting will be reviewed during next year's adoption of the City's 2019-2024 CIP.

Adoption of the TIP does not obligate the City to expend any money. There are a number of sources for financing TIP projects, including local tax and mitigation fees, state gas tax, and state and federal grants. Staff will make appropriate applications for State and Federal grant funding for the projects included in the TIP.

The adopted TIP must be submitted to the Washington State Department of Transportation (WSDOT) within 30 days following Council adoption.

At the May 17, 2018 and June 21, 2018 meetings, the T&PW Committee was presented the Six Year TIP. The Committee recommended moving the proposed list forward to Council. The proposed TIP was also brought before the PC on June 5, 2018, and the PC recommended approval of the 2019-2024 Six Year TIP.

Council consensus: Refer to July 10, 2018 Regular Council Meeting (RCM) as an Action Item

PUBLIC COMMENTS (related to Action Items): None.

ACTION ITEMS:

The following three agenda bills were presented together:

Agenda Bill #4909; An Ordinance #18-1022 granting a franchise agreement with Seattle SMSA Limited Partnership (d/b/a Verizon Wireless, or "Verizon") for small cellular telecommunication services. (from the 6/12/18 RCM)

Agenda Bill #4981; An Ordinance #18-1023 granting a franchise agreement with Mobilitie, LLC for small cellular telecommunication services. (from the 6/12/18 RCM)

Agenda Bill #4982; An Ordinance #18-1024 granting a franchise agreement with New Cingular Wireless PCS (d/b/a AT&T Wireless, or AT&T) for small cellular telecommunication services. (from the 6/12/18 RCM)

Summary: Verizon, Mobilitie, and AT&T applied for franchise agreements to install and operate small cellular telecommunication services in City right-of-way (ROW). This service deploys smaller cellular antennae for installation, typically on existing pole structures (ie, street light poles, utility poles) in the ROW.

ACTION ITEMS (continued):

Agenda Bill #4909; Ordinance #18-1022 / Agenda Bill #4981; Ordinance #18-1023 / Agenda Bill #4982; Ordinance #18-1024 (continued):

These small cells contain radios and antennas (often multiple) as well as power and fiber optic wires to transmit cellular phone and data signals. This infrastructure augments capacity for data traffic in dense areas, "dead zones", and downtown cores and residential neighborhoods.

The City has current telecommunication franchise agreements providers operating in the City ROW. However, small cell services would not be covered by existing agreements since this involves transmitting data over a cellular/wireless network versus fiber optic/cable infrastructure. The franchise agreements outline the terms for each provider to install, operate, and maintain their infrastructure in SeaTac ROW. This includes protection of the ROW from damage, relocation of facilities should the City need to accommodate road projects, permitting, and indemnity. Each franchisee will be required to obtain any permits and pay the requisite permit fees. These franchises terminate on September 30, 2023.

A PH was held on June 12, 2018 and no public comments were received. With the exception of some language related to insurance, the franchises are identical.

There is no direct fiscal impact because the City is not able to collect a franchise fee pursuant to state law as this is a telecommunications provider. However, the City received a Franchise application fee as cost recovery to process the Franchise application. The Franchisee will also be responsible for paying any applicable permit fees for construction of their facilities in the City.

The T&PW Committee had an informational briefing on September 21, 2017 to discuss the small cellular technology and its benefits. The proposed franchise agreements were also brought before the Committee on June 21, 2018, after the PH, to address further questions and to ask for a recommendation regarding adoption of the associated Ordinances. The Committee forwarded the proposal for presentation to the full Council at the June 26, 2018 RCM without recommendation.

City Engineer Cabudol introduced Wireless Policy Group, LLC Land Use Entitlements and Strategic Planning Senior Vice President Kimberley Allen (representing Verizon) and Wireless Policy Group, LLC Jurisdictions Relations Senior Vice President Ken Lyons (representing AT&T) who presented on small cell technology.

Council discussion ensued small cell technology and the franchise agreements.

MOVED BY FORSCHLER, SECONDED BY SITTERLEY TO PASS AGENDA BILL #4909 (ORDINANCE #18-1022).

MOTION CARRIED UNANIMOUSLY.

MOVED BY FORSCHLER, SECONDED BY SITTERLEY TO PASS AGENDA BILL #4981 (ORDINANCE #18-1023).

MOTION CARRIED UNANIMOUSLY.

MOVED BY FORSCHLER, SECONDED BY HILL TO PASS AGENDA BILL #4982 (ORDINANCE #18-1024).

MOTION CARRIED UNANIMOUSLY.

ACTION ITEMS (continued):

Agenda Bill #4971; A Motion authorizing the City Manager to execute a contract with Lockridge Grindal Nauen P.L.L.P. to provide environmental consulting services for review of environmental documents prepared in support of the Port of Seattle's (POS) Sustainable Airport Master Plan (SAMP).

Summary: At its February 13, 2018 meeting, the City Council passed a motion authorizing the City Manager to enter into an Interlocal Agreement (ILA) with the Cities of Burien, Des Moines and Normandy Park so the four cities could combine the staff and financial resources in review of the environmental documents that would be prepared for the SAMP. The ILA specifies that the City of SeaTac will be the contract administrator and the City of Burien will be responsible for fiscal management.

The SEPA Responsible Officials for the four cities interviewed the firm of Lockridge Grindal Nauen, P.L.L.C. and recommended to their respective City Managers that this firm be retained to provide the desired services. The respective City Managers all concur with this recommendation. This Motion will authorize the City Manager to execute an agreement with Lockridge Grindal Nauen, P.L.L.C., in an amount not to exceed \$175,000. The total combined financial commitment for this work from all four cities is \$178,000, which was derived on a per capita basis. Therefore, SeaTac's share of this amount is \$43,500.

The total contract amount will not exceed \$175,000. However, this amount takes into account financial commitments from all four participating jurisdictions. The City's financial commitment is \$43,500 which will be expended from the community relief funds accumulated in POS ILA Fund (Fund #105). The 2018-2019 Biennial Budget appropriates \$75,000 for this effort.

This specific contract was not discussed at Committee. However, the ILA that was adopted by the Council in February, 2018 contemplated this work being performed by an outside consultant.

Planning Manager Pilcher reviewed the agenda bill summary.

City Manager Scorcio requested Council take action on this item tonight.

Council discussion ensued regarding the Council's ability to provide input to the consultant.

MOVED BY FORSCHLER, SECONDED BY SITTERLEY TO PASS AGENDA BILL #4793.

MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENTS (related to Unfinished Business): None.

UNFINISHED BUSINESS: None.

NEW BUSINESS: None.

CITY MANAGER'S COMMENTS: City Manager Scorcio commented that Council has a heavy Executive Session at the end of this meeting

COUNCIL COMMENTS: CM Forschler commented on a letter from an Alaska Airlines employee about potential pedestrian crossing at 28th Avenue South and South 188th Street which will be addressed by the Transportation, and public comment regarding animal licensing which will be addressed by the Finance Department.

CM Kwon SeaTac Quarterly is also available online, and 4th of July celebration at Angle Lake Park.

CM Fernald SeaTac Quarterly second edition has a lot of great information. She also commented that the SeaTac Senior Center has an empty prescription pill container recycling program.

CM Hill commented on the following: The Residence Inn ribbon cutting, Special Olympics event at Angle Lake Park, and July 4th celebration at Angle Lake Park (additional \$5,000 raised for fireworks).

COUNCIL COMMENTS (continued): CM Sitterley commented on the Special Olympics event.

Mayor Siefkes stated his appreciation of the Council being able to work together.

RECESSED: Mayor Siefkes recessed the meeting to an Executive Session to consider the minimum price at which real estate will be offered for sale or lease when public knowledge regarding such consideration would cause a likelihood of decreased price, to evaluate the qualifications of an applicant for public employment, and Potential Litigation at 8:24 p.m. until 9:00 p.m. No action will be taken after the Executive Session.

EXECUTIVE SESSION: To consider the minimum price at which real estate will be offered for sale or lease when public knowledge regarding such consideration would cause a likelihood of decreased price RCW 42.30.110(1)(c) / To evaluate the qualifications of an applicant for public employment RCW 42.30.110(1)(h) / Potential Litigation RCW 42.30.110(1)(i)

Council requested an additional 15 minutes at 9 p.m. (no public was in attendance)

RECONVENED: Mayor Siefkes reconvened the meeting at 9:15 p.m.

ADJOURNED:

MAYOR SIEFKES ADJOURNED THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 9:15 P.M.



Michael J. Siefkes, Mayor



Kristina Gregg, City Clerk