

City of SeaTac

Regular Council Meeting Minutes

December 11, 2018
6:00 PM

City Hall
Council Chambers

CALL TO ORDER: Mayor Erin Sitterley called the SeaTac City Council Regular Meeting to order at 6:02 p.m.

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

STAFF PRESENT: Acting City Manager Mary Mirante Bartolo, Senior Assistant City Attorney Mark Johnsen, City Clerk Kristina Gregg, Public Works (PW) Director Will Appleton, City Engineer Florendo Cabudol, Community & Economic Development (CED) Steve Pilcher, Senior Management Analyst Anita Woodmass, Parks, Community Programs and Services (PCPS) Director Lawrence Ellis, Recreation Supervisor Marlon Olson, Police Chief Carl Cole, Police Captain Jon Mattsen, Finance & Systems Director Gwen Pilo, and Public Works Program Coordinator Mason Giem

FLAG SALUTE: Sound Transit HCT Development Manager Soraya Lowry led the Council, audience, and staff in the Pledge of Allegiance.

AGENDA REVIEW:

Mayor Sitterley reviewed the following agenda changes:

- Introduction of new City Employee Doug Powell moved to the January 8, 2019 Council meeting.
- Agenda Bill #5079 related to the purchase and sale agreement with the LIHI group has moved to a Council Meeting in January to allow time for the Planning & Economic Development (PED) Committee to review the item at their next meeting.
- Agenda Bill #5097 related to the purchase and sale agreement with CAP Acquisitions moved to a Special Council Meeting on Thursday, December 13. The meeting will begin at 5:30 p.m. and recess to an Executive Session on Potential Litigation for 30 minutes. The public portion of the meeting will begin at 6 p.m.
- A moment of silence and remembrance for CM Amina Ahmed was added to the agenda.

MOMENT OF SILENCE AND REMEMBRANCE FOR COUNCILMEMBER AMINA AHMED:

Mayor Sitterley read a statement on behalf of the City Council.

Government Relations & Communications Manager Moore read a statement on behalf of City Manager Joseph Scorcio.

Senator Keiser spoke about Amina.

Mohamed Sheikh Hassan spoke about Amina and asked Council to reconsider the SeaTac Center development.

PUBLIC COMMENTS: Hamdi Mohammed and Abdullahi Farah Abdi spoke on the personal loss of Amina as well as the loss to the community and requested consideration of the SeaTac Center item to be discussed next year as they are still mourning.

Michael Kidd, Reverend from Federal Way, spoke regarding lot rents increasing at Bow Lake Mobile Home Park and the need for a rent ceiling. He invited Council to attend a meeting on Saturday December 15, 11 a.m. – 1 p.m.

Vicki Lockwood asked Council to remove the Sound Transit agreements and why she feels they need to be redone.

Earl Gipson spoke regarding past issues with Sound Transit and suggested a third party review the agreements.

PRESENTATIONS:

Key City Issues and Requests for Direction

Acting City Manager Mirante Bartolo commented on the following:

- (1) meeting cancellations: December 12 – Hotel/Motel Tax Advisory Committee; December 13 – Public Safety & Justice (PS&J) Committee, December 17 – Airport Advisory Committee, and December 20 – Sidewalk Advisory Committee.
- (2) City Hall will be closed December 25 and January 1 in observance of holidays.
- (3) The next regularly scheduled meeting is January 8, 2019.
- (4) requested a discussion on a checklist for Council when reviewing agenda bills be referred to the Administration & Finance (A&F) Committee. Council concurred.
- (5) requested the feasibility of using Council Information Requests (CIR) as the only source for requesting information from the City Manager's Office be referred to the A&F Committee. Council concurred.

Committee Updates (for items not included on the agenda) and Council Requests to Refer Items to Committees
None

CONSENT AGENDA:

Approval of claims vouchers (check no. 122996 - 123111) in the amount of \$2,401,673.65 for the period ended December 5, 2018.

Approval of payroll vouchers (check no. 54753 - 54769) in the amount of \$96,820.30 for the period ended November 30, 2018.

Approval of payroll electronic fund transfer (check no. 96125 - 96265) in the amount of \$512,696.80 for the period ended November 30, 2018.

Approval of payroll wire transfer in the amount of \$49,594.51 for the period ended November 30, 2018.

Approval of Council Meeting Minutes:

Parks & Recreation Committee Meeting held November 1, 2018

Planning & Economic Development Committee Meeting held November 11, 2018

Regular Council Meeting held November 27, 2018

The following items were reviewed at the November 27, 2018 Regular Council Meeting and recommended for placement on this Consent Agenda:

Agenda Bill #5081; A Motion authorizing the City Manager to execute a Second Amendment to the Parking Lease with Sound Transit for 63 parking stalls at the SeaTac Center.

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

MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARING (PH) & ACTION ITEM:

Agreement to Transfer Real Property between WSDOT and City of SeaTac

Mayor Sitterley opened the PH at 6:38 p.m.

PW Director Appleton reviewed the agenda bill summary and detailed the properties to be exchanged.

Council discussion ensued regarding the properties, including the best use for the properties, the benefit to the City to obtain the properties, options for obtaining properties in the future as well as options for obtaining appraised value for City property versus trading the properties.

Mr. Appleton stated with the parks property the City is interested in, a portion of that deals with the sale of property to Sound Transit (Agenda Bill #5035). If the City chooses not to move forward, the sale will be in jeopardy. Also, these properties are held within the PW 102 fund. If the property becomes available in the future, there may not be a PW need for this property and therefore funding would need to be located from other funds.

PH & ACTION ITEM (continued):

Agreement to Transfer Real Property between WSDOT and City of SeaTac (continued):

Council discussion ensued regarding the benefits to the City moving forward with this land swap.

Vicki Lockwood, on behalf of Earl Gipson, requested this item be placed on the January 8, 2019 agenda as an Action Item and not on the Consent Agenda.

Roger Kadeg agreed with Ms. Lockwood's statement. The City needs the right-of-ways (ROW) under its control. He also urged Council not buy obtain the triangle property but instead purchase additional property next to the park.

Mayor Sitterley closed the PH at 7:19 p.m.

Agenda Bill #5035; A Resolution #18-019 authorizing the exchange of real properties between the City and the Washington State Department of Transportation (WSDOT), to partially fulfill the City's local contribution to the SR 509 Completion Project.

Summary: The City and the WSDOT entered into an Interlocal Agreement (ILA) dated November 8, 2018 that identifies the City's funding and payment responsibilities as a Tier 1 local agency partner in the construction of the SR 509 Completion Project. The first of two City payments towards the Project is \$2.0 million and will be completed through the exchange of real property. More specifically, the City will transfer surplus property that WSDOT needs to complete the Project, and WSDOT will transfer property to the City that will allow for the expansion of Des Moines Creek Park. Additional property across Military Road from City Hall will provide the City an opportunity to either return valuable property back to the public tax roll through sale and development or use for another public purpose. Further, the property adjacent to Des Moines Creek Park will satisfy the "Forward Thrust" deed restriction on the property being sold to Sound Transit for the construction of the Federal Way Light Rail Extension project (see AB# 5094). A deed restriction will be recorded upon the new park property after purchase by the General Fund.

Since the value of property being transferred to WSDOT far exceeds the City's initial local contribution payment of \$2.0 million, WSDOT will transfer property to the City in the amount required to bring the net difference between the two transfers to match. The second and final payment of \$2.0 million is not due until the second phase of the Project and is described in the ILA.

Lastly, the Resolution declares that the real property to be transferred to WSDOT is surplus to the needs of the City. This property is residual land from the construction of the Connecting 28th/24th Ave Project and is no longer required by the City.

The City's first payment of \$2.0 million towards the Project will be made entirely through the exchange of real property that is held within the Street Fund (Fund 102).

Therefore, upon completion of the property exchange, the valuation of Public Works property assets will decrease by \$2.0 million. The Street Fund will not be negatively impacted by this transaction since this reduction in asset valuation was anticipated and will have no operational or capital program impacts to the City.

The Transportation and Public Works (T&PW) Committee reviewed this proposal on November 15, 2018 and recommended that it be forwarded to Council for approval.

Council discussion ensued regarding any time constraints and whether this item should be referred back to the T&PW Committee.

Council consensus: Unanimous consent to refer this item to the next RCM as an Action Item.

**PUBLIC HEARING (PH) & ACTION ITEM (to be continued to the January 8, 2019 Regular Council Meeting):
Sound Transit Offer to Purchase Surplus Property**

Mayor Sitterley opened the PH at 7:22 p.m. and stated that this PH will be continued to the January 8, 2019 Regular Council Meeting (RCM).

PW Director Appleton reviewed the agenda bill summary.

**PUBLIC HEARING (PH) & ACTION ITEM (continued):
Sound Transit Offer to Purchase Surplus Property (continued):**
Council discussion ensued regarding the property to be sold.

Public Comments: None

Mayor Sitterley continued the PH to the January 8, 2019 RCM at 7:27 p.m.

Agenda Bill #5094; A Resolution declaring City-owned real property surplus to the needs of the City, and authorizing the City Manager to sell the property to the Central Puget Sound Regional Transit Authority.
Summary: The subject property is owned by the City of SeaTac and is required by Sound Transit for the construction of the Federal Way Light Rail Extension project. This parcel was acquired by the City from King County (KC) as part of incorporation and is fully encumbered with a restrictive conservation/open space/recreation covenant through the KC Forward Thrust program in the late 1960's. Staff determined that this parcel could be surplus and disposed of as there is no public benefit (present or future) to retaining this property, and it is not needed for City purposes. A condition of divesting of this property is that it must be replaced with property of similar conservation value. The replacement property has been identified as part of the WSDOT land swap (AB 5035). The deed restriction regarding the conservation/open space/recreation requirement will be imposed on the replacement property as required.

A PH is required prior to taking action on this Resolution. Notice of the PH was sent to the Westside Weekly for publication, but was inadvertently omitted from the newspaper.

Therefore, the notice for a PH on January 8, 2019 will be published in accordance with State law. Therefore, it is requested that the PH remain open and continued to January 8, 2019. At the conclusion of the hearing in January, the Council may take action on the Resolution.

Sale of the property will result in revenue of \$90,000 into the General Fund. The revenue will be restricted until the replacement property has been identified and the proper deed restriction fully executed.

This topic was discussed at the November 15, 2018 T&PW Committee as part of both the Sound Transit agreements and the WSDOT land swap, but no specific recommendation was requested or made by Committee.

Council consensus: Unanimous consent to refer this item to the next RCM as an action item.

**PUBLIC HEARING (PH) & ACTION ITEM:
Development Agreement (DA) with Sound Transit for the Federal Way Link Extension Project**
Mayor Sitterley opened the PH at 7:28 p.m.

Senior Management Analyst Anita Woodmass reviewed the agenda bill summary.

Council discussion ensued regarding the departures and benefits.

PW Director Appleton responded to questions from the Council.

Public Comments: None

Mayor Sitterley will close the public hearing at 7:51 p.m.

Agenda Bill #4943; A Resolution authorizing the City Manager to execute a Development Agreement (DA) between the City and Sound Transit for the Federal Way Link Extension Project.
Summary: Sound Transit received voter approval through the Sound Transit 2 and 3 (ST2 & ST3) ballot measure to extend light rail service from its current southern terminus at the Angle Lake Station south to Federal Way. Light rail service is recognized as an Essential Public Facility per State law and SeaTac's Zoning Code (Title 15). Under State Statute (RCW 36.70B.170 -.210) and SeaTac Municipal Code (SMC) 15.115.030, the City may negotiate and enter into Development Agreements. As was done twice before, for the extension of light rail service from the Tukwila Station to the Airport Station and again to the Angle Lake Station, the proposed DAs fulfill the Zoning Code's Essential Public

PH & ACTION ITEM (continued):

Agenda Bill #4943 (continued): Facility conditional use permit (CUP) process as the means for the Council to approve the project, grant departures from certain code standards, identify benefits to the City, and establish other terms for development.

The Federal Way Link Extension (FWLE) project will be constructed as a design-build procurement method and light rail service is projected to begin service in 2024. Within SeaTac, the project will involve extending the light rail guideway from the current "tail track" south of South 200th Street beyond the southern City limit adjacent to the west side of Interstate 5 at South 216th Street. The project will commence as an elevated guideway, cross over International Boulevard (IB) and transition to at-grade before exiting the SeaTac City limits.

No additional stations or other functions are being proposed within SeaTac's City limits. The next station to the south will be near Highline College.

The proposed DA will assist Sound Transit by ensuring that certain codes, requirements and development regulations will be vested over the design and construction period of ten years. Additionally, the DA allows for certain departures from specific development regulations that are offset by benefits to the City.

Departures

The deviations, departures and considerations being recommended in the proposed development agreement are listed in Section 8.2 'Departures' and include:

- A departure to landscaping provisions under the elevated guideway; A departure to landscaping provisions either side of the at grade track;
- A departure to accept wetland review from a non-pre-qualified provider, without 3rd Party peer review as required by City code, provided the provider meets City standards. However, at its December 4, 2108 meeting the T&PW Committee was not comfortable with this departure because they did not want a precedent set. They unanimously recommend maintaining our current review process requirement and not allow this departure.
- A departure allowing Sound Transit to make an \$85,131 fee-in-lieu payment instead of constructing street improvements on South 208th Street. Since these improvements will likely be removed as part of the SR-509 project, the payment can be utilized by the City at a later date after coordinating with WSDOT.

Benefits

The benefits being provided in the development agreement include:

- Installation of permanent irrigation within City rights-of-way (current code requirement is to only provide temporary irrigation);
- Construction fencing installed for more than one year in one location shall incorporate fabric screening (current code requirement is to provide chain link fencing);
- Provisions for community-centric enhancements where the elevated guideway crosses IB (both north and south ends);
- Roadway improvements listed in Section 3.2 including the installation of pedestrian lighting (current code requirement does not require pedestrian lighting);
- Construction of a monument sign foundation (general location) and conduit for a future sign installation.
- Additional landscaping along the guideway where design/construction permits

Other Key Development Agreement Provisions

Additional noteworthy provisions included within the development agreement include:

- Rectangular 'tulip design' columns are to be used for elevated guideway, consistent with the design of the existing facilities within the City. Alternatives may be considered but will require mitigation to offset impacts resulting from an alternative design;
- Sound Transit will work to limit potential for 'hide and ride' parking activity resulting from the guideway;
- Construction haul routes are established, and restoration and mitigation requirements are confirmed; Detour routes are established and agreed upon;
- Fee-in-lieu payment for wetland mitigation;
- Sound Transit will submit the following mitigation plans for approval:
 - Emergency Response Plan – Specifying procedures during the construction period.

PH & ACTION ITEM (continued):

Agenda Bill #4943 (continued):

Other Key Development Agreement Provisions (continued):

- Transportation Management Plan – Specifying Sound Transit's overall strategy for managing issues related to transportation during construction.
- Maintenance of Traffic Plan – Specifying provisions for safely and adequately maintaining traffic during construction, including vehicular, pedestrian, bicycle and transit traffic.
- Construction Noise and Vibration Mitigation Plan – Specifying means and methods implemented by Sound Transit's Contractor to minimize noise and vibration during construction.
- Construction Outreach and Communication Plan – Specifying requirements for Sound Transit to provide advance notification of construction activities and other actions that are of interest to the community.

Other Project Related Benefits

The Federal Way Link Extension Project will provide additional benefits for the residents and visitors of SeaTac, including:

1. The extension of a regional integrated multi-modal transportation system;
2. Additional capacity for people coming from areas south of the City to use light rail for access to employment and businesses in SeaTac as well as Sea-Tac International Airport; and
3. Direct connectivity for people to access Highline Community College and destinations further south.

The proposed DA is the result of many months of negotiations between the City and Sound Transit staff. The City Council must conduct a PH before acting on the proposed Resolution. A separate Transit Way Agreement will be executed to address on-going operational and maintenance issues associated with the Project. The Transit Way Agreement will be presented as a separate Agenda Bill for Council consideration.

Final language of the DA and all exhibits will be presented to the Council at the January 8, 2019 meeting.

The primary fiscal impact is the cost of City staff time and positions required to review, permit and inspect this project. Sound Transit will pay these costs as provided in the existing City Services Agreement.

The T&PW Committee reviewed a draft DA at its meetings on November 15, 2018 and December 4, 2018 and recommended it be moved forward for consideration at a PH on December 11, 2018 and action on January 8, 2019. The DA is also being recommended to the City Council by the CED Director as required by SMC 15.115.030(D).

Council consensus: Unanimous consent to refer this item to the next Regular Council Meeting as an action item.

PUBLIC COMMENTS (related to Action Items): Earl Gipson commented on Agenda Bill #5035, stating the Council needs to sell properties and get cash for them.

ACTION ITEMS:

Agenda Bill #5111; A Resolution authorizing the City Manager to enter into a Transit Way Agreement with Sound Transit.

Summary: Sound Transit received voter approval through the Sound Transit 2 and 3 (ST2 & ST3) ballot measure to extend light rail service from its current southern terminus at the Angle Lake Station south to Federal Way. The "Agreement Between the City of SeaTac and Sound Transit for Grant of Non-Exclusive Use of the Light-Rail Transit Way as Related to the Federal Way Link Extension Light Rail is commonly referred to as the 'Transit Way Agreement'. This Transit Way Agreement should be read in conjunction with the "FWLE DA between the City of SeaTac and Sound Transit" (Agenda Bill 4943). The Transit Way Agreement addresses: (1) coordination and notification of work to be conducted within the ROW; (2) permit requirements; (3) maintenance of Sound Transit facilities, including prompt repair; and (4) legalities such as liability/indemnification, insurance, and dispute resolution.

This Transit Way Agreement is in effect for the operational life of the Light Rail System and grants Sound Transit a non-exclusive use of certain portions of City ROW. It establishes the framework and responsibilities for how the agencies will interact regarding Sound Transit's use of the city-owned public ROW within this portion of the SeaTac transit system. Specifically, the Transit Way Agreement allows for Light Rail Transit infrastructure "to be constructed,

ACTION ITEMS (continued):

Agenda Bill #5111 (continued): operated, maintained, and owned upon, above, beneath and along the Light Rail Transit Way in accordance with the terms and conditions of the Agreement.” The Transit Way Agreement is required part of a submittal by Sound Transit to the Federal Transit Administration for funding.

Sound Transit will continue to pay directly for City staff time and positions required to review, permit and inspect construction of the project in accordance with the previously approved City Services agreement. Sound Transit will pay all required permit application fees.

The T&PW Committee reviewed the draft Transit Way Agreement at its meetings on November 15, 2018 and December 4, 2018, and recommended moving the agreement forward to the Council for approval.

Senior Management Analyst Woodmass reviewed the agenda bill summary.

Council discussion ensued regarding the agreement, with a request to have a section for consequences included.

Council consensus: Unanimous consent to refer this item to the December 20, 2018 T&PW Committee and January 8, 2019 Regular Council Meeting.

RECESSED: Mayor Sitterley recessed the meeting for a 15-minute break from 8:06 p.m. until 8:27 p.m.

Mayor Sitterley stated she was asked to allow one member of the public to address Council regarding the date the Council will be discussing the SeaTac Center agenda bill. She requested unanimous consent. Unanimous consent was not provided so the Council moved on with the business of the meeting.

ACTION ITEMS (continued):

Agenda Bill #5099; A Motion adopting the 2019 Legislative Agenda - Internal Policy Document.

Summary: During the July 26, 2018 A&F Committee meeting, the Committee developed 22 possible items for the upcoming legislative session. The list was reviewed at the Special Council Meeting (SCM) on October 5, 2018. The top five priorities were included in the 2019 Legislative Agenda, approved by the Council on October 23, 2018. The remaining items are contained in the Internal Policy Document as follows:

Housing Choice: SeaTac supports legislation that provides tools for the preservation, maintenance and development of a range of housing options.

Human Services: SeaTac will encourage full participation by the State and counties in a comprehensive approach to complex social issues such as public health, mental health, substance abuse, health care, emergency and transitional housing, at-risk youth, and immigration.

Transportation Network Companies: SeaTac opposes legislation that removes local control to regulate transportation network companies. Furthermore, the City supports legislation that streamlines local regulation of these transportation companies.

Legal Challenges to State Agency Mandates: SeaTac supports establishing criteria that require equal judicial consideration of testimony and evidence provided by outside experts on the same basis as testimony provided by public agency staff or their consultants.

Lodging Tax and Tourism Promotion Area Administration: SeaTac will work with the Legislature to ensure lodging tax revenues diverted from stadium bonds are allocated to the city’s priority projects and programs, particularly that a portion of lodging tax revenues continue to be available for tourism operations.

State-Shared Revenues: SeaTac supports maintaining funding for state-shared revenues. These funds include the Criminal Justice Assistance account, the Liquor Excise Tax account, and Liquor Profit Revenues. Additionally, the City opposes any cuts to state-funded programs that would negatively impact the city’s ability to deliver services to its citizens.

ACTION ITEMS (continued):

Agenda Bill #5099 (continued):

Telecommunications: SeaTac opposes legislation that removes local control in the siting and regulation of small cell network facilities. Furthermore, the City supports legislation that makes statutory changes to clarify and improve the deployment of small cell network facilities.

Economic Development and Infrastructure: SeaTac supports legislation to enhance State funding, tools and programs for local economic development and infrastructure that further the economic development and growth of the city through investments that attract, retain, and expand business and create living wage jobs.

Funding for Public Defense: SeaTac supports additional state funding for the provision of public defense services in order to meet the requirements of the Court-adopted public defense standards and caseload limits.

Gang Prevention: SeaTac supports legislation that will provide a comprehensive approach to the growing gang problem including increased prevention and intervention efforts and sentencing enhancements for certain types of gang-related crime.

Foreclosed Homes: SeaTac supports legislation that requires notification to cities identifying foreclosed homes and the maintenance of tax- and bank- foreclosed properties.

Tax-exempt properties: SeaTac opposes increased property tax exemptions as they negatively impact the City.

Airport-related Studies: The City of SeaTac supports studies on Air Cargo, Aviation Economic Impacts, and the Aviation Baseline Study as it pertains to the City. The City also supports airport relief at SeaTac International Airport and exploring options for another major airport in the state as SeaTac reaches capacity.

State Agency Rulemaking: SeaTac supports legislation requiring statutorily mandated agency rules be ratified by legislative action prior to their effective date(s) and require that rules drafted to implement legislation include an analysis and description.

The 2019 Legislative Agenda - Internal Policy document was presented and discussed at the November 8, 2018 A&F meeting. The Committee recommended approval of the Internal Policy Document.

Government Relations & Communications Manager Moore reviewed the agenda bill summary.

Council discussion ensued regarding the 2019 Legislative Agenda - Internal Policy Document.

MOVED BY KWON, SECONDED BY HILL TO PASS AGENDA BILL #5099.

MOTION CARRIED UNANIMOUSLY.

Agenda Bill #5110; A Motion authorizing the City Manager to waive payment of additional staffing expenses incurred during the Special Olympics USA Games held at Angle Lake Park on July 2-3, 2018.

Summary: The Special Olympics USA Games held a two day event at Angle Lake Park on July 2 and 3, 2018. They submitted a Special Use Park Permit Application in June 2017, including a \$1,100 rental fee and deposit. Per the permit application requirements, any event that requires additional Citystaff and/or has more impact on the venue/site, the City may charge the applicant fees to cover these additional costs. In this case, the additional staffing expense is \$3,368.47 broken down as follows: Police Department- \$2,035.28, Puget Sound Regional Fire Authority (PSRFA) - \$1,105.39 and Parks Operations - \$227.80.

The Special Olympics has requested to have these additional expenses waived by the City based on other cities waiving these costs associated with the events. For example, the City of Seattle passed an Ordinance waiving all fees towards the event, and the City of Federal Way sponsored the Special Olympics by allocating \$50,000 from their Lodging Tax to pay for staffing and the use of their facilities (Celebration Park and the Performing Arts and Events Center).

ACTION ITEMS (continued):

Agenda Bill #5110 (continued):

The City of SeaTac has received requests to waive fees for other private events, and from a variety of organizations (profit and non-profit). Special Olympics did ask for a waiver of their Special Event Permit Fee. After they were informed that the City does not waive fees for Special Events conducted by outside parties, they did pay the Permit 6666Fee. The approved Special Event Permit included a requirement that they would be invoiced for direct expenses incurred to support their event. It would be inconsistent with standard City practice, and set a precedent that will likely have long-standing repercussions (difficulty to recover costs from some, if a selective few are given waivers).

The City would forgo receipt of \$3,368.47 to cover the additional direct expenses that were a result of accommodating a Special Event for a private organization. Recovery of future expenditures from future Special Event Permits may be affected by a granting this waiver.

The Parks and Recreation (P&R) Committee reviewed this item on December 6, 2018 and their recommendation will be presented to the full Council.

PCPS Director Ellis reviewed the agenda bill summary.

Council discussion ensued regarding reasons to not consider waiving the payment.

MOVED BY KWON, SECONDED BY HILL TO NOT WAIVE THE PAYMENT OF ADDITIONAL STAFFING EXPENSES INCURRED DURING THE SPECIAL OLYMPICS USA GAMES HELD AT ANGLE LAKE PARK ON JULY 2-3, 2018.

MOTION PASSED UNANIMOUSLY.

Agenda Bill #5105; A Motion authorizing the City Manager to execute a professional services contract with Reid Middleton for the design of the Des Moines Memorial Drive South 2019 Overlay Project.

Summary: This project includes resurfacing approximately 2,800 lineal feet of Des Moines Memorial Drive South from South 128th Street to South 136th Street. Work will also include the replacement of stormwater structures and pipes, construction of curb ramps at the intersections, installation of accessible pedestrian signals and pushbuttons to meet current ADA requirements, the relocation of a mast arm assembly, and roadway channelization. Typically, the City's annual overlay project is designed in-house. However, given workload and staffing issues, the balance of the design work will need to be contracted out to ensure that the project is bid at the optimal time and substantially completed in advance of wet weather (October, 2019).

A consultant selection process was followed in accordance to Chapter 39.80 RCW. Three consultants were solicited from the City of SeaTac Consultant Roster. A selection committee comprised of three staff members scored the Statements of Qualifications and selected Reid Middleton as the most highly qualified firm to design the project.

The fiscal impact of this design contract is \$111,880 from within the approved 2019 Overlay Project. The 2019 Overlay Project has been budgeted in the Street Fund (Fund #102) and Surface Water Management Utility Fund (Fund #403). No additional funding nor budget amendment is necessary or anticipated for the Overlay Project.

The T&PW Committee reviewed this item on December 4, 2018 and recommended approval.

City Engineer Cabudol reviewed the agenda bill summary.

Council discussion ensued regarding the project.

MOVED BY FERNALD, SECONDED BY FORSCHLER TO PASS AGENDA BILL #5105.

MOTION CARRIED UNANIMOUSLY.

ACTION ITEMS (continued):

Agenda Bill #5109; A Motion authorizing the City Manager to execute an easement with the Port of Seattle to allow access across City-owned property adjacent to the Des Moines Creek North Business Park property.

Summary: The Trammell Crow Company, in coordination with the Port of Seattle, has requested that the City grant an easement across City-owned property to facilitate ingress and egress from their 460,000 square foot industrial building currently under construction at 20529 24th Avenue South to 24th Avenue South. This access was contemplated during the permitting process. However, since the business park access crosses City property that has not been designated as right-of-way, an easement is needed.

The City will be compensated \$4,760.40 for the access easement (unanticipated revenue). These funds will be deposited into the Municipal Capital Improvements Fund (#301), and no budget amendment is required to accept the revenue.

This was reviewed by the T&PW Committee on December 4, 2018 and was recommended for approval.

City Engineer Cabudol reviewed the agenda bill summary.

Council discussion ensued regarding the property.

MOVED BY FORSCHLER, SECONDED BY KWON TO PASS AGENDA BILL #5109.

MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENTS (related to Unfinished Business): None

UNFINISHED BUSINESS: None

NEW BUSINESS:

MOVED BY SITTERLEY, SECONDED BY WACHTEL TO DIRECT THE CITY MANAGER TO NOT SIGN A CONTRACT TO CONDUCT A CONVENTION CENTER STUDY.*

Council discussion ensued.

Earl Gipson spoke in support of the motion and against publicly funding a convention center.

Vicki Lockwood stated convention centers do not make money.

*MOTION PASSED WITH FORSCHLER AND KWON VOTING NO.

CITY MANAGER'S COMMENTS: None

COUNCIL COMMENTS: CMs Forschler, Wachtel, Kwon, and Fernald, DM Hill and Mayor Sitterley gave holiday greetings and expressed their appreciation to their fellow CMs.

CM Kwon and Hill encouraged members of the public to get involved in their government.

EXECUTIVE SESSION: None

ADJOURNED:

MAYOR SITTERLEY ADJOURNED THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 10:05 P.M.


Erin Sitterley, Mayor


Kristina Gregg, City Clerk