

# City of SeaTac

## Regular Council Meeting Minutes

April 23, 2019  
6:00 PM

City Hall  
Council Chambers

**CALL TO ORDER:** Mayor Erin Sitterley called the SeaTac City Council Regular Meeting to order at 6:00 p.m.

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

**STAFF PRESENT:** City Manager Carl Cole, City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, Senior Assistant City Attorney Mark Johnsen, Public Works (PW) Director Will Appleton, City Engineer Florendo Cabudol, Civil Engineer 1 Pete Kang, Parks, Community Programs and Services (PCPS) Director Lawrence Ellis, Parks Projects & Operations Manager Michael Fitzpatrick, Community & Economic Development (CED) Steve Pilcher, Planning Manager Jennifer Kester, Police Chief Jon Mattsen, Finance & Systems Director Gwen Pilo,

**FLAG SALUTE:** Doris Moe led the Council, audience, and staff in the Pledge of Allegiance.

**PUBLIC COMMENTS:** Doris Moe spoke against the Permit Parking Program in McMicken Heights, specifically on her street of 34<sup>th</sup> or 35<sup>th</sup> Avenue South. She requested clarification why their street is effected when there hasn't been a problem in the past.

Roger Kadeg complimented the Council on Arbor Day event held Saturday, April 20, 2019.

Steve Pinto commented on the amount of garbage on streets in residential areas. He requested police or code compliance go out and take a look.

### **PRESENTATIONS:**

**Council confirmation of Mayoral Re-Appointment of David Korthals and Kathleen Brave to the Sidewalk Advisory Committee.**

MOVED BY KWON, SECONDED BY FORSCHLER TO RE-APPOINT DAVID KORTHALS AND KATHLEEN BRAVE TO THE SIDEWALK ADVISORY COMMITTEE.

MOTION CARRIED UNANIMOUSLY.

### **Added:**

Mayor Sitterley introduced Alison Sichmeller, Thomas Jefferson High School and Highline Community College Student who was attending the Council meeting for school.

### **Key City Issues and Requests for Direction**

City Manager Cole commented on the following items:

- (1) calendar items: April 25 - Planning & Economic Development (PED) Committee meeting cancelled, April 26 - Community Cleanup Event, April 26 – Community Kitchen, April 27 – Community Leadership Academy (CLA), April 27 – National Prescription Drug Take Back Day, April 30 – Community Conversations with Council, May 4 – Highline Botanical Garden Plant Sale, May 8 – Fallen Soldier Cart Ceremony, May 10 - State of Cities Lunch, April 25 – Administrative Assistants Day;
- (2) Council Information Request (CIR) – conversation about Sound Transit Parking Tax, or holding Sound Transit responsible for the amount of traffic generated by the light rail, refer to Transportation & Public Works (T&PW) Committee. Council concurred.
- (3) CIR – Review of current Parking Tax Audit process and reports, refer to the Administration & Finance (A&F) Committee. Council concurred.
- (4) CIR – teen crime and King County's (KC) zero youth incarceration policy which is not working, send regional message to KC. Council concurred.
- (5) Grant application: \$1.3 million towards completing the Street Improvement Project on Military Road and South 152<sup>nd</sup> Street, and \$1.5 million towards pedestrian improvement projects around the two light rail stations.

**PRESENTATIONS (continued):**

**Committee Updates (for items not included on the agenda) and review of proposed Council Information Requests**

CM Kwon: South County Area Transportation Board (SCATBd) - update from the Airport on Sustainable Airport Master Plan (SAMP), agreement update between SCATBd and cities, ST3 project; T&PW Committee – updates on PW projects, 6 year Transportation Improvement Program (TIP).

CM Fernald: next Public Safety & Justice (PS&J) Committee meeting is May 9, 2019.

DM Hill: next Parks & Recreation (P&R) Committee meeting is May 2, 2019.

Mayor Sitterley: A&F.-- briefing on consolidation of two cities, next meeting April 25, 2019.

**CONSENT AGENDA:**

**Approval of claims vouchers (check no. 124267 – 124479) in the amount of \$822,241.86 for the period ended April 19, 2019.**

**Approval of payroll vouchers (check no. 54928 – 54949) in the amount of \$100,841.50 for the period ended April 15, 2019.**

**Approval of payroll electronic fund transfer (check no. 97397 – 97538) in the amount of \$370,639.27 for the period ended April 15, 2019.**

**Approval of payroll wire transfer in the amount of \$52,820.14 for the period ended April 15, 2019.**

**Approval of Council Meeting Minutes:**

**Parks & Recreation Committee meetings held February 7 and March 7, 2019**

**Planning & Economic Development Committee meeting held March 7, 2019**

**Administration & Finance Committee meeting held March 14, 2019 (This set was previously included in the 4/9/19 Council packet, but was listed as February 14, 2019)**

**Administration & Finance Committee meeting held March 28, 2019 Regular Council Meeting held April 9, 2019.**

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

COUNCIL VOTE.

**ACTION ITEMS:**

**Agenda Bill #5166; An Ordinance #19-1010 awarding the 2019 Street Overlay Project contract to Miles Resources LLC; authorizing the City Manager to execute contracts with Miles Resources LLC for construction and WHPacific Inc. for construction management and a contract amendment with Reid Middleton, Inc. for additional design services; authorizing total project expenditures; and amending the City's 2019-2020 Biennial Budget.**

**Summary:** The 2019 Overlay Project will repair, grind and overlay approximately 2,800 lineal feet of pavement along Des Moines Memorial Drive (DMMD) South, from South 128th Street to South 136th Street. The project will also remove and replace failing stormwater infrastructure and install new water quality treatment facilities. Intersection improvements consist of replacing ADA curb ramps, a pedestrian signal, pedestrian pushbuttons, and a new traffic signal detection system will also be constructed.

This project was advertised for construction in the Seattle Times, Seattle Daily Journal of Commerce, and Builders Exchange of Washington Plan Center. The bid opening was held on March 21, 2019 and four bids were submitted. Following review, Miles Resources LLC was confirmed as the lowest responsible and responsive bidder. Construction is scheduled to begin in May 2019 and will last approximately six months. Additional public outreach will be performed prior to starting construction and will be monitored throughout the project. It will be necessary to hire an outside construction management consultant because the PW Department does not have the capacity to manage this project with current staff workload. After reviewing the qualifications of several consultants, WHPacific was chosen as the most qualified to perform this work.



**ACTION ITEMS (continued):**

**Agenda Bill #5166; Ordinance #19-1010 (continued):**

This Ordinance authorizes the City Manager to execute a contract with WHPacific in an amount not to exceed \$105,283.78. Additionally, this Ordinance authorizes the City Manager to execute a contract amendment in the amount of \$14,000 with Reid Middleton, the City's design consultant for this project, to provide additional design support as needed throughout construction.

The total requested project expenditures is \$1,892,179.13, as detailed in the following chart:

Design Phase Costs	\$118,116.41
Additional design support through construction	\$14,000.00
Construction (including sales tax)	\$1,499,278.94
10% Contingency	\$150,500.00
Construction Management	\$105,283.78
Inspector Overtime	\$5,000.00
Total Requested Project Expenditures	\$1,892,179.13

In the City's 2019-2020 Biennial Budget, \$920,000 was budgeted in the Street Fund and \$421,000 was budgeted in the Surface Water Utility Fund, for a total project appropriation of \$1,341,000. Of this amount, \$118,116.41 has already been spent during the project design phase, leaving a balance of \$1,222,883.59. Therefore, an additional appropriation of \$551,179.13 from the Street Fund will be needed to fully fund this project. Additionally, the stormwater work on this project will be \$36,868.27 less than anticipated, and thus will remain unspent in the SWM Fund. Therefore, an additional \$36,868.27 must also be appropriated from the Street Fund to cover this amount. This Ordinance increases expenditures in the Street Fund by a total of \$588,047.40. There is adequate funding in the Street Fund to pay these additional costs.

This item was presented at the April 4, 2019 Transportation and Public Works (T&PW) Committee meeting. The Committee moved the item forward for Council review and action with a recommendation for approval. It is requested that the Council take action on this agenda item at the April 23, 2019 Regular Council Meeting (RCM) because the proposed construction schedule anticipates project commencement in May.

City Engineer Cabudol introduced Civil Engineer 1 Kang. Mr. Cabudol and Mr. Kang reviewed the agenda bill summary.

Mr. Cabudol stated there was a minor revision to the Ordinance (Section 3 – additional language should have been deleted).

MOVED BY KWON, SECONDED BY WACHTEL TO PASS AGENDA BILL #5166 (ORDINANCE #19-1010).\*

CM Kwon commented on the T&PW Committee review.

Council discussion ensued regarding the project.

\*MOTION CARRIED UNANIMOUSLY.

**Agenda Bill #5161; A Motion authorizing the City Manager to execute utility relocation agreements with CenturyLink, Comcast, Zayo, and Seattle City Light (SCL) as part of the Military Road South and South 152nd Street (South 150th Street to South 152nd Street to International Boulevard) Improvement Project (Public Works Project ST-125).**

**Summary:** The Military Road South and South 152nd Street project will construct sidewalks, bike lanes, new pavement, street and pedestrian lighting, landscaping, a new enhanced mid-block crosswalk, and a new traffic signal at the intersection. The improvements also include relocation of existing aerial infrastructure to underground facilities for electrical power, cable, and telecommunication distribution. Agreements are required to memorialize the cost sharing, roles and responsibilities, and expectations related to the underground conversion work.

**ACTION ITEMS (continued):**

**Agenda Bill #5161 (continued):**

SCL currently owns and operates the utility poles and electric distribution lines within the project area. SCL has worked with the City's design team to incorporate into the project replacement of SCL's existing overhead electrical distribution system with an underground system, removal of existing utility poles, and service connections to adjacent properties. With the removal of the utility poles, Comcast, CenturyLink, and Zayo will also be required to underground their infrastructure. The proposed agreements memorialize the cost sharing, roles and responsibilities, and expectations related to this underground conversion work. The formula for payment of each utility's respective costs is pre-established through a franchise agreement or state law as further described below.

SCL--the sharing of costs related to undergrounding SCL facilities is set forth in their franchise agreement with the City. SCL will pay 60% of the civil infrastructure and underground electrical system costs and 100% of their project management costs. SCL is also responsible for ensuring that their utility poles are removed from the right-of-way (ROW).

CenturyLink--the sharing of costs related to undergrounding CenturyLink facilities is set forth in accordance with the terms of their tariff. CenturyLink will have SeaTac install their facilities and reimburse the City for their share of the associated costs.

Comcast and Zayo--the sharing of costs related to undergrounding Comcast and Zayo facilities is set forth in their respective franchise agreements with the City. These agreements require Comcast and Zayo to relocate and convert their aerial infrastructure to underground facilities at their own expense. Comcast and Zayo will have SeaTac install their facilities and reimburse the City for their share of the associated costs.

This Motion authorizes the City Manager to execute utility relocation agreements in substantially similar form as included in the packet.

As stated above, the reimbursable costs are based on a set formula using the actual constructions costs, and an estimate cannot be provided at this time.

This agreement was not brought before a committee as it is an administrative activity associated with an approved project.

City Engineer Cabudol reviewed the agenda bill summary. Requested Council defer action to 5/14.

MOVED BY KWON, SECONDED BY HILL TO PASS AGENDA BILL #5161.\*

CM Kwon stated this agenda bill did not come before a committee for review.

Council discussion ensued regarding the details of the agreements and costs.

**Council consensus:** Unanimous consent to refer this item to the next Regular Council Meeting as an action item (the original motion will move to that meeting).

**PUBLIC COMMENTS (related to Unfinished Business):** None

**UNFINISHED BUSINESS:** None

**NEW BUSINESS:** None

**COUNCIL COMMENTS:** CM Fernald commented on the Arbor Day event.

CM Tombs spoke regarding Growth Management in the Washington State.

DM Hill commented on the egg hunt and the baskets, which are contributed by a member of the community who wishes to be anonymous.

**COUNCIL COMMENTS (continued):** CM Forschler commented on the removal of the toilet from a tree in Tukwila.

CM Wachtel encouraged everyone to get out in the good weather and spend time with family.


CM Kwon reminded everyone of the April 30 Community Conversations with Council.

Mayor Sitterley commented on the following: (1) April 30 Town Hall reformatted; (2) reception April 25 for retiring Puget Sound Regional Fire Authority Division Chief John Madsen after 38 years of service to the community; and (3) May 8 – Fallen Soldiers Cart launch.

**EXECUTIVE SESSION:** None.

**ADJOURNED:**

MAYOR SITTERLEY ADJOURNED THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 7:35 P.M.

  
Erin Sitterley, Mayor

  
Kristina Gregg, City Clerk