

City of SeaTac
Regular Council Meeting Minutes
Virtual Meeting

February 23, 2021
6:00PM

Virtual Meeting

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

COUNCIL PRESENT (remotely): Mayor Erin Sitterley, Deputy Mayor (DM) Peter Kwon, Councilmembers (CM) Senayet Negusse, Stanley Tombs, Clyde Hill, and Pam Fernald. Excused Absent: CM Takele Gobena.

STAFF PRESENT (remotely): City Manager Carl Cole, City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, Information Systems (IS) Manager Bart Perman, Deputy City Manager (DCM) Gwen Voelpel, Government Relations & Communications Manager Kyle Moore, Community & Economic Development (CED) Director Evan Maxim, Public Works (PW) Director William Appleton, City Engineer Florendo Cabudol.

FLAG SALUTE: Mayor Sitterley led the Council, audience, and staff in the Pledge of Allegiance.

AGENDA REVIEW:

- A. Virtual Meeting: live streamed on SeaTV Government Access Comcast Channel 21 and the City's website; conference line to listen to the meeting at 206.973.4555.
- B. Public comment opportunities to commenters who signed-up or provided written comments prior to 4 p.m.

PUBLIC COMMENTS: None

PRESENTATIONS:

State of the City

Mayor Sitterley provided the State of the City, including accomplishments during the past year, current state of the City, and what lies ahead.

Key City Issues and Requests for Direction

City Manager Cole commented on the following items:

- (1) Requested an Ordinance approving contract for outside legal services and requesting a budget amendment be referred to the Administration & Finance (A&F) Committee. Council concurred.
- (2) Senior Management Analyst Tim Ramsaur is retiring. His last day is March 1, 2021.
- (3) Calendar

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

CM Tombs: Hotel/Motel Tax Advisory Committee (HMAC) meeting – public safety report for hotel properties, Smith Travel Report, HMAC funding applicants process, HMAC future activities

DM Kwon: Transportation & Public Works (T&PW) Committee meeting – Water District Franchise Agreements, SR 509 project

CM Hill: Arts, Culture & Library Advisory Committee (ACLAC) Committee – makers space

CM Fernald: Tree Board meeting – Tree Canopy Assessment update, South 136th Street – Partners in Employment volunteers working with Forterra are cleaning out blackberries; Public Safety & Justice (PS&J) Committee meeting – Code Compliance program, Regional Animal Services of King County (RASKC) update, vehicle thefts and prowls overview, semi-truck parking, Toole Design Group update on International Boulevard (IB)

Mayor Sitterley: A&F Committee meeting – Legislative Update, proposal for Council Study Session (CSS) once per month, financial reports

CONSENT AGENDA:

Approval of claims vouchers (check no. 129896 - 130006) in the amount of \$302,090.71 for the period ended February 18, 2021.

Approval of payroll vouchers (check no. 55766 - 55775) in the amount of \$12,447.15 for the period ended February 15, 2021.

Approval of payroll electronic fund transfer (check no. 103869 - 104014) in the amount of \$466,271.15 for the period ended February 15, 2021.

Approval of payroll wire transfer in the amount of \$180,463.26 for the period ended February 15, 2021.

Approval of Council Meeting Minutes:

Administration & Finance Committee Meeting held January 14, 2021

Public Safety & Justice Committee Meeting held January 14, 2021

Transportation & Public Works Committee Meeting held February 4, 2021

Regular Council Meeting held February 9, 2021

Special Council Meeting held February 16, 2021

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

MOTION CARRIED UNANIMOUSLY.

ACTION ITEMS:

Agenda Bill #5640; An Ordinance #21-1004 authorizing the City Manager to select and retain a consultant to assist the City in properly scoping and developing a project on surplus properties that furthers the City's priorities near Angle Lake Station, and amending the 2021-2022 Biennial Budget.

Summary: Update on City Actions: Following the January 12, 2021, City Council meeting, the City engaged with both Sound Transit staff and Sound Transit leadership to explore whether the properties could be acquired without engaging in the Sound Transit Request for Proposal (RFP) process.

On February 5, the City Manager received verbal confirmation from Sound Transit leadership that Sound Transit would not require an RFP if the City of SeaTac expressed a desire to acquire the properties prior to the release of the RFP. Consequently, on February 15, 2021, the City Manager sent a letter to Sound Transit requesting that Sound Transit: (1) halt the RFP process, and (2) enter into negotiation with the City of SeaTac to acquire the Sound Transit properties in accordance with RCW 81.112. Staff anticipates that the City will enter into negotiations with Sound Transit in late February or early March, and will provide additional updates to City Council as events warrant.

Updated Timeline and Approach: Based on the City Council discussion to date, staff understands that the City Council has prioritized the acquisition of the Sound Transit properties because the City Council intends to:

1. Support the "activation" of the Angle Lake Station Area by supporting economic development (ED) and further Transit Oriented Development (TOD) in accordance with adopted policies. In particular:
 - a. Lodging tax dollars may be used to support creation of a tourism-related facility that benefits the SeaTac community.
 - b. Other sources of funding will also be required to ensure the success of any project.
2. Provide housing options consistent with Sound Transit affordability requirements, the Angle Lake Station Area Plan, and State law.
3. Create and support a community gathering space.

A consultant with expertise in public / private partnerships and real estate development is needed to assist the City in properly scoping and developing a project that will achieve the above priorities. Staff anticipates that the consultant's scope of work would relate to supporting the City in accomplishing the following:

- A. Determining the financial and staff resources, including timeline, needed by the City to successfully negotiate the acquisition of the Sound Transit properties, and complete development of the Sound Transit site(s);
- B. Stakeholder outreach and/or partnership development to develop a concept proposal that achieves the above priorities;
- C. Financial analysis of the short term and long term financial implications and commitments associated with the concept proposal, so that the City is better informed of the economic viability of the proposal, and whether ongoing City financial support may be required;

ACTION ITEMS (continued):

Agenda Bill #5640; Ordinance #21-1004 (continued):

- D. Preparation of final proposal materials;
- E. Transaction management between the City of SeaTac and Sound Transit;
- F. Site acquisition activities (e.g. engaging in due diligence, developing architectural drawings to support design / construction, etc); and
- G. Other services as identified by the City necessary to support the successful completion of the project.

Please note that the \$35,000 budget amendment to retain the consultant is insufficient to allow the consultant to complete all of the above work. Staff anticipates that the \$35,000 will allow the consultant to begin items A. through C. Additional funding by the City Council will be required to complete items D. through G. Based upon past experience, staff anticipates that developing a proposal to meet the above priorities, along with coordinating a partnership with a non-profit organization to develop the tourism related facility, will require the equivalent of two or more full-time dedicated staff positions for one-year or longer, and will likely require significant consultant resources.

The City anticipates the following timeline to retain a consultant and develop a proposal, as follows:

Step	Action	Anticipated Timing
1	City Council Authorization	February 23
2	Develop Consultant Scope of Work	+ 2 weeks (March 9)
3	Issue a Request for Qualifications	+ 2 weeks (March 23)
4	Consultant Selection	+ 1 week (March 30)
5	Execute Contract	+ 2 weeks (April 13)
6	Consultant work to provide Scope of Work services A. through C. above	+ 6 weeks (May 25)
7	Briefing of City staff & City Council on concept proposal and authorization to prepare final proposal	+ 3 weeks (June 15)
8	Preparation and submittal of final proposal (Scope of Work, Item D. above)	+ 3 weeks (July 6)
	Contingency (unforeseen delays)	+ 2 weeks (July 20)
		Total: 21 weeks

This timeline reflects the work necessary to create a development proposal consistent with the above priorities and the anticipated cost of fully developing the subject sites. This timeline does not reflect the timeline associated with acquiring the site, entering into a public / private partnership, and development of the Sound Transit properties.

As noted above, staff anticipates that the City Council will need to authorize additional consultant funds following completion of step 6.

The proposed budget amendment would increase expenditures in the General Fund by \$35,000.

On January 12, 2021, the City Council directed the City Manager to negotiate with Sound Transit to acquire the two surplus properties near Angle Lake Station and to retain a consultant (AB #5608).

CED Director Maxim reviewed the agenda bill summary.

MOVED BY TOMBS, SECONDED BY FERNALD TO PASS AGENDA BILL #5640 (ORDINANCE #21-1004).*

Council discussion ensued regarding the proposal to hire a consultant.

*MOTION CARRIED UNANIMOUSLY.

ACTION ITEMS (continued):

Agenda Bill #5563; An Ordinance #21-1005 providing for the acquisition, condemnation, appropriation, and taking of temporary and permanent real property rights in order to construct 34th Avenue South project (Public Works CIP ST-015); providing that the entire cost thereof shall be paid from available funds in the City's Transportation CIP Fund (#307); and authorizing the City Attorney Office to prosecute the appropriate action and proceedings in the manner provided by law for said condemnation.

Summary: Project Description: The 34th Avenue South project will provide a safer and attractive street corridor for all modes of travel and users, compliant with the Americans with Disabilities Act (ADA). Project improvements include new curbs, gutters, landscape strips, sidewalks, bicycle lanes on both sides of the road, utility infrastructure, pedestrian lighting, new pavement, storm drainage infrastructure, water main replacement, a flashing all-way stop at South 162nd, and a rectangular rapid flashing crossing beacon at South 160th Street.

On-street parking will also be constructed along the west side of 34th Avenue South between South 162nd Street and South 166th Street. Traffic-calming improvements are also provided through curb bulb-outs at intersections and driveways.

Acquisition of Property Rights Necessary for the Project: Before construction begins, the City must possess all temporary and permanent real property rights required for the project. For this project, the City has acquired a majority of the necessary property rights through negotiation and agreement of the amount of just compensation paid by the City to acquire these rights, as required by Article I, Section 16 of the Washington Constitution and State law.

However, there are three parcels in which these rights have not yet been obtained. Although discussions between the City and the respective property owners have been ongoing, it may be necessary to acquire the necessary property rights through the use of eminent domain if a negotiated agreement cannot be reached. If condemnation is necessary, the City Attorney's Office would file a case in King County (KC) Superior Court. As part of this process, the City would seek an order granting immediate possession and use of the property in order to minimize delays to the project, while the payment of just compensation would be decided later through an agreed settlement or jury trial. The following parcels are the subject of this Ordinance:

- (1) Julianne Apartments, 3249 S. 160th Street. The City requires a permanent acquisition of approximately 419 sq. ft., a permanent utility easement of approximately 160 sq. ft., and a temporary construction easement of approximately 732 sq. ft.
- (2) Samara View Condominiums, 3246 S. 161st Street. The City requires a temporary construction easement of approximately 1,412 sq. ft.
- (3) Robert & Margerete Bianchi, 16006 34th Avenue S. The City requires a temporary construction easement of approximately 597 sq. ft.

This Ordinance declares that the City's acquisition of the property rights listed above are for a public use and are necessary for that public use. Additionally, the City Attorney's Office to acquire necessary property rights described above. However, this would only occur if the City is unable to reach agreement with the property owner on the amount of just compensation that would be paid. Finally, the Ordinance provides that funds in the City's Transportation CIP Fund (Fund #307) will be used to pay for all costs associated with acquisition of the remaining property rights.

Pursuant to RCW 8.25.290, the City mailed and published notice to the property owners whose land this ordinance authorizes to be condemned, advising such owner that a final decision to acquire by negotiation or condemning the required property interests would be made at the February 23, 2021, SeaTac City Council meeting.

The final acquisition cost will be determined through continued negotiations or through a jury trial as part of the condemnation proceedings. Any property acquisition costs are budgeted and will be paid for through the City's 307 Transportation CIP Fund.

This item was discussed at the January 21, 2021, T&PW Committee meeting, and the Committee recommended that the Ordinance be moved forward for Council review and action at the February 23, 2021, Regular Council Meeting (RCM). In addition, an informational presentation regarding this project was given at the February 9, 2021 RCM.

City Engineer Cabudol reviewed the agenda bill summary – Out of 34 properties, only 3 properties are outstanding. Continue to negotiate with hopes of coming to a mutual agreement.

ACTION ITEMS (continued):

Agenda Bill #5563; Ordinance #21-1005 (continued):

MOVED BY KWON, SECONDED BY FERNALD TO PASS AGENDA BILL #5563 (ORDINANCE #21-1005).*

Council discussion ensued regarding the process to get to this point, including committee review.

*MOTION CARRIED UNANIMOUSLY.

UNFINISHED BUSINESS: None

COUNCIL COMMENTS:

CM Negusse encouraged everyone to continue to stay safe. She also stated it was good to hear how much the City accomplished during this past year.

CM Tombs commented on the following: COVID vaccines held up due to weather have been released; and professional golfer Tiger Woods was in a serious car accident today.

DM Kwon commented on the recent snow, stating the SeaTac employees did a good job of clearing the roads 24/7.

CM Hill stated the third party invoicing/collecting services used by Recology Services was the victim of ransom ware attack which may have compromised data.

CM Fernald commented on the State of the City report which keeps her hopeful for a continued healthy future for the City. She also thanked PW employees for their work during the snow event.

Mayor Sitterley stated NASA landed another rover on Mars last Thursday

EXECUTIVE SESSION: None

ADJOURNED:

MAYOR SITTERLEY ADJOURNED THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 8:01 P.M.


Erin Sitterley, Mayor


Kristina Gregg, City Clerk