

City of SeaTac
Regular Council Meeting Minutes
Virtual Meeting

April 13, 2021
6:00 PM

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, Takele Gobena, and Pam Fernald.

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, Community & Economic Development (CED) Director Evan Maxim, Economic Development (ED) Manager Aleksandr , Public Works (PW) Director William Appleton, City Engineer Florendo Cabudol, Human Resources (HR) Director Mei Barker,

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:

Key City Issues and Requests for Direction

City Manager Cole commented on the following items:

- (1) Requested the topic of a lobbyist in Washington DC be referred to the Administration & Finance (A&F) Committee. Council concurred
- (2) Grant applications: King County (KC) for Local Solid Waste - \$21,000; Port of Seattle (POS) Economic Development (ED) Partnership Grant
- (3) Inland Group Contract extension
- (4) Calendar: April 24 - National Drug Take Back day

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

DM Kwon: Transportation & Public Works (T&PW) Committee – Transportation Improvement Program (TIP)

CM Tombs: combined Planning & Economic Development (PED) Committee and Planning Commission (PC) meeting – attempted to fill out a questionnaire, will have to complete in another meeting

CM Hill: Parks & Recreation (P&R) Committee - update on progress made towards mitigating soil contamination at North SeaTac Park; Community Services Advisory Committee (CSAC) – House Bill 1406, Partners in employment

CM Fernald: Public Safety & Justice (PS&J) Committee – code compliance, traffic enforcement, block watch program

Mayor Sitterley: A&F Committee – legislative update, budget carryforwards, Administrative Procedures for standards of conduct and Council Study Sessions, referral of items from Advisory Committees to Council Standing Committees, investment report, Hotel/Motel Tax Advisory Committee annual review

CONSENT AGENDA:

Approval of claims vouchers (check no. 130231 - 130322) in the amount of \$295,192.41 for the period ended April 8, 2021.

Approval of payroll vouchers (check no. 55796 - 55807) in the amount of \$76,903.21 for the period ended March 31, 2021.

CONSENT AGENDA (continued):

Approval of payroll electronic fund transfer (check no. 104305 - 104448) in the amount of \$674,802.16 for the period ended March 31, 2021.

Approval of payroll wire transfer in the amount of \$170,892.27 for the period ended March 31, 2021.

Approval of Council Meeting Minutes:

Transportation & Public Works Committee meetings held February 18, 2021 and March 18, 2021

Planning & Economic Development Committee meeting held February 25, 2021

Parks & Recreation Committee meeting held March 4, 2021

Regular Council Meeting held March 23, 2021

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

MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARING (PH) & ACTION ITEM:

Interim Moratorium on applications for the permanent establishment of Overnight Shelters, Transitional Housing, and similar uses

Mayor Sitterley opened the PH at 6:28 p.m.

CED Director Maxim reviewed the agenda bill summary below.

Council discussion ensued regarding the need for the moratorium extension.

Public comments: None

Mayor Sitterley closed the PH at 6:37 p.m.

Agenda Bill #5658; An Ordinance #21-1011 extending the temporary Moratorium on Overnight Shelters, Transitional Housing, and Similar Uses originally established under Ordinance No. 20-1023 for an additional six (6) months.

Summary: On November 10, 2020, the City Council adopted Ordinance #20-1023, which established a six-month moratorium on the application for, and approval of, "Overnight Shelter", "Transitional Housing", and similar uses. As required by Washington State Law (RCW 36.70A and RCW 35A.63), the City Council held a PH on December 8, 2020, to consider public comments related to the adopted moratorium. The "whereas" statements in Ordinance #20-1023 provide a basis for adoption of the moratorium. Public comments were received and considered by the City Council at the December 8, 2020, City Council meeting.

The Washington State Legislature is currently considering two bills related to the establishment of overnight shelters (House Bills 1220 and 1070); at present, neither bill has been passed by the Washington State Legislature but passage is anticipated. Both bills contain substantive language that may affect how the City of SeaTac regulates overnight shelters, transitional housing, and other similar uses.

The moratorium established by Ordinance #20-1023 expires on May 1, 2021, unless further action is taken by the City Council. Staff anticipates that House Bills 1220 and 1070 will be signed into law in late May or early June. City staff has not had any substantive contact with KC staff regarding Overnight Shelter proposals since adoption of the moratorium in November of 2020. It is unclear when KC intends to proceed with siting the proposed facilities. To extend the current moratorium for an additional six months, the City Council must conduct a PH and pass an extension ordinance.

On March 25, 2021, the PED Committee recommended the Council hold a PH and approve this ordinance.

PUBLIC HEARING (PH) & ACTION ITEM (continued):

Agenda Bill #5658; Ordinance #21-1011 (continued):

MOVED BY TOMBS, SECONDED BY FERNALD TO PASS AGENDA BILL #5658; ORDINANCE #21-1011.

MOTION CARRIED WITH GOBENA AND NEGUSSE VOTING NO.

ACTION ITEMS:

Agenda Bill #5697; A Motion authorizing the City Manager to engage a consultant to prepare a strategic property acquisition, use, and disposition plan using funds previously authorized under Agenda Bill #5640 to develop a proposal(s) for development and acquisition of two Angle Lake Station area properties owned by Sound Transit.

Summary: On February 15, 2021, the City Manager sent a letter to Sound Transit requesting that Sound Transit: (1) halt the Request for Proposal (RFP) process to sell the properties adjacent to Angle Lake Station; and (2) enter into negotiations with the City of SeaTac to acquire the Sound Transit properties in accordance with RCW 81.112. City staff met with Sound Transit staff on March 10, 2021 to discuss the City's interest in a direct negotiation for the Angle Lake Station properties. Once it became clear that Sound Transit would not engage in direct negotiation, the City requested that the RFPs be released in mid-April to allow a City Council briefing before the release of the RFPs. On March 18, 2021, Sound Transit sent a letter to the City of SeaTac declining to engage in direct negotiation and indicating that the RFPs would be released on March 29.

In the meantime, the City of SeaTac proceeded with the release of a Request for Qualifications (RFQ) and the selection of a consultant to assist the City in properly scoping and developing a project(s) that will achieve the City's priorities. The timing of this work matches the timeline provided in AB 5640 on February 23, 2021. Once the consultant was on board, the City's initial timeline provided approximately 12 weeks to develop a preliminary proposal(s), engage with stakeholders and the community, conduct a financial analysis of the short- and long-term financial implications associated with the preliminary proposal, and revise and submit a final proposal to Sound Transit. In the worst case scenario, staff considered that the RFPs would only allow for 8 weeks, which would have required eliminating all stakeholder and community engagement and severely limited the proper scoping and development of a proposal.

Unfortunately, the Sound Transit RFPs released on March 29, 2021, established a deadline of April 30 for the southern Angle Lake Property and a deadline of May 24, 2021, for the northern Angle Lake property. The RFPs appear to be tailored to build upon Sound Transit's earlier release of Request for Information (RFI); development teams that responded to the RFI will naturally be better positioned to respond to the RFPs. Assuming the consultant is under contract the week of April 13, 2021, this provides approximately 2 weeks to prepare a final proposal on the southern Angle Lake Property and 5 weeks for the northern Angle Lake property. Further, the RFPs require a fully developed proposal with a proposed redevelopment timeline, signed letters of intent / agreement with private partners, and a generally well-thought-out and concrete concept. Additionally, the RFP for the northern property indicates that the possible price discount of the property was intended for proposals that provide additional affordable housing in excess of the required 80% of residential units affordable at 80% Area Median Income (AMI). Essentially, to acquire the northern property at fifty percent of the fair market value, the City would be responsible for creating additional affordable housing that provided an equivalent in-kind value.

Consequently, staff recommends re-directing City efforts and consultant work from developing a proposal to acquire one or both of the Sound Transit Angle Lake properties, to instead focus on the development of a strategic property acquisition, use, and disposition plan.

At the December 2, 2020, PED Committee meeting and at the January 23, 2021, Regular Council Meeting (RCM), the City Council affirmed that development of a strategic plan to guide property acquisition, use, and disposition was necessary to guide future City Council decisions around property. On January 23, 2021, AB 5608 indicated that this project would be scoped in Quarter 1 or Quarter 2 of 2021. Based on the City Council discussion to date, staff understands that the City Council prioritized the acquisition of the Sound Transit properties because the City Council desires to:

1. Support the "activation" of the Angle Lake Station Area by supporting ED and further Transit Oriented Development (TOD) in accordance with adopted policies. In particular:
 - Lodging tax dollars may be used to support creation of a tourism-related facility that benefits the SeaTac community;

ACTION ITEMS (continued):

Agenda Bill #5697 (continued):

- 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.

Staff anticipates that the City Council continues to wish to achieve the above outcome in the Angle Lake Station Area. Development of a strategic property acquisition, use, and disposition plan will allow the City to further pursue the above goals in a thoughtful manner. Further, a strategic approach would allow the City Council to weigh competing goals and objectives to determine how best to spend City resources on land acquisition throughout the City.

Components of a strategic property acquisition, use, and disposition plan include:

- A. Identification of the public interest and goals that are furthered by the acquisition / use / disposition of property;
- B. An evaluation of current City real estate portfolio and anticipated use;
- C. A needs analysis to accomplish the goals in "A.";
- D. Identification of necessary community engagement and feedback;
- E. Identification of possible funding strategies associated with various goals (e.g. the use of lodging tax monies for tourism related use of specific properties); and,
- F. An established methodology and approach to implement strategic objectives.

There are several purposes to developing a strategic property acquisition, use, and disposition plan: (1) using real estate to enable leverage the accomplishment of City goals (e.g. ED, park development, transportation connectivity, etc.) in various policy documents such as the Comprehensive Plan, the PROS plan, the station areas plans, etc., (2) to ensure that the City is maximizing its current real estate portfolio and / or disposing of unneeded real estate, and (3) to establish a methodology to facilitate swift decision-making on the acquisition and disposition of real estate.

Fortunately, the consultant expertise and skills to complete this work are the same as the expertise and skills necessary to develop a proposal for a development on one or both of the Sound Transit properties near Angle Lake Station.

Staff recommends the Council direct the City Manager to abandon developing a proposal in response to the Sound Transit RFPs with the intent to acquire these properties. Staff further recommends the Council re-direct the City efforts and consultant work to focus on the development of a strategic property acquisition, use, and disposition plan. This re-direct of the City's focus would supersede the previous direction that resulted from AB 5608 and AB 5640.

The Council amended the budget to increase expenditures in the General Fund (GF) by \$35,000 on February 23. If the Council passes this motion, these professional service funds would be used to develop the strategic property acquisition, use, and disposition plan.

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). On February 23, 2021, the City Council authorized the City Manager to select and retain a consultant to assist the City in properly scoping and developing a project that furthers the City's priorities on the Sound Transit surplus properties near Angle Lake Station (AB 5640). The proposed motion would supersede past direction received after AB 5608 and AB 5640 and will provide new direction to develop a strategic land acquisition, use, and disposition plan using the consultant funding authorized under AB 5640.

CED Director Maxim reviewed the agenda bill summary.

MOVED BY TOMBS, SECONDED BY FERNALD TO PASS AGENDA BILL #5697.*

Council discussion ensued regarding the proposal.

*MOTION CARRIED UNANIMOUSLY.

ACTION ITEMS (continued):

Agenda Bill #5657; A Motion authorizing the City Manager to execute a professional services contract with the Transpo Group for On-Call Transportation and Traffic Engineering Services for 2021-2022.

Summary: The PW Department solicited consultants to provide, on an as-needed basis, traffic modeling and concurrency management, traffic and transportation engineering and traffic modeling support services. An RFQ was issued on February 3, 2021, to consultants listed on the Municipal Research Services Center (MRSC) Consultant Roster. Statement of Qualifications (SOQs) were received from five firms on February 26, 2021.

The SOQs were scored and consultants were interviewed based on the following criteria: Organization of the project team along with qualifications of key personnel, Project understanding, Project approach and task order management, and the firm's quality assurance/quality control processes.

After completing the evaluation and scoring process, the Transpo Group was selected as the most qualified consultant for this work. The attached contract details the terms of the agreement and fee schedule for the services. Since this is an on-call contract, the actual scope of work and fee will vary based on the nature of the work requested. The contract includes a not-to-exceed cost provision in any one year of \$60,000 unless authorized in writing and a total not to exceed amount of \$120,000 over the term of the contract. The duration of the contract is from date of execution to December 31, 2022.

The fiscal impact of this contract is \$120,000 (not to exceed \$60,000 in any calendar year), which is programmed in the 2021-2022 Biennial Budget under Professional Services in the Street Fund #102.

On April 1, 2021, the T&PW Committee voted to forward this item to Council with a recommendation to carry the Motion at the April 13, 2021, RCM.

City Engineer Cabudol reviewed the agenda bill summary.

MOVED BY KWON, SECONDED BY TOMBS TO PASS AGENDA BILL #5657.*

Council discussion ensued regarding committee review and the need for this contract.

*MOTION CARRIED UNANIMOUSLY.

Agenda Bill #5685; An Ordinance #21-1012 amending the Employment Agreement between the City of SeaTac and the City Manager and amending the City's 2021-2022 Biennial Budget.

Summary: On January 7, 2019, Carl Cole assumed the position of City Manager for the City of SeaTac, pursuant to his Employment Agreement with the City dated November 27, 2018. Since that time, he has received two successful evaluations by the City Council. The last evaluation was February 2021. Since January 2019, Mr. Cole has been paid a salary of \$180,000. The HR Department recently conducted a salary survey of 7 of the 8 comparable cities for the City Manager position. One City did not respond. The results of the survey indicated the median salary would be \$214,234. The City Council would like to amend Mr. Cole's contract to reflect an increase in his salary to \$214,234 and amend the 2021-2022 Biennial Budget to increase expenditures by \$21,841 to cover this increase.

If this Ordinance is adopted, it would increase the City Manager's salary to \$214,257 and amend the 2021-2022 biennial budget to increase expenditures by \$21,841 in the GF.

Mayor Sitterley reviewed the agenda bill summary.

MOVED BY FERNALD, SECONDED BY HILL TO PASS AGENDA BILL #5685 (ORDINANCE #21-1012).*

Council discussion ensued regarding the amendment.

*MOTION CARRIED UNANIMOUSLY.

UNFINISHED BUSINESS: None

COUNCIL COMMENTS:

CM Gobena commented on Ramadan and the sunny weather.

CM Fernald commented on the Neighbors Without Borders Action Committee previous park cleanup projects.

CM Tombs commented on recent shootings in SeaTac.

CM Negusse commented on Ramadan and vaccines.

DM Kwon commented on recent drive thru Easter Egg event, food boxes, mailbox program, vaccines and he is available every Sunday for a coffee chat.

CM Hill commented on the warm weather and encouraged everyone to stay safe.

Mayor Sitterley commented on the weather and spending time outdoors gardening.

EXECUTIVE SESSION: None

ADJOURNED:

MAYOR SITTERLEY ADJOURNED THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 8:03 P.M.


Erin Sitterley, Mayor


Kristina Gregg, City Clerk