

# City of SeaTac

## Regular Council Meeting Minutes

June 28, 2022  
6:00 PM

City Hall  
Council Chambers

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

**COUNCIL PRESENT (in-person):** Mayor Jake Simpson, Councilmember (CM) Mohamed Egal; **(remote):** Deputy Mayor (DM) Senayet Negusse, CMs Peter Kwon, Takele Gobena, Iris Guzmán and Erin Sitterley.

**STAFF PRESENT (in-person):** City Manager Carl Cole, City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, Senior Information Systems (IS) Technician Liban Ahmed, Government Relations & Communications Manager Kyle Moore, Multimedia Video Specialist David Inman, Human Resources (HR) Director Mei Barker, Police Chief Jon Mattsen; **(remote):** Deputy City Manager Gwen Voelpel, Community & Economic Development (CED) Director Evan Maxim, Planning Manager Jenn Kester, Public Works (PW) Director William Appleton, City Engineer Florendo Cabudol, Civil Engineer II Brenton Cook, Economic Development (ED) Manager Aleksandr Yeremeyev,

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

### AGENDA REVIEW:

Hybrid Meeting:

- a. Broadcast on SeaTV Government Access Comcast Channel 21
- b. Live-streamed on the City's website <https://www.seatacwa.gov/seatvlive>.
- c. In-person and remote options for public participation for commenters who followed the provided instructions.

### PUBLIC COMMENTS:

Earl Gipson – minding your own business

### PRESENTATIONS:

**Introduction of new City employee: Multimedia Video Specialist David Inman, Prosecuting Attorney Cynthia Chen-Weller, Prosecuting Attorney Jason Mercer**

City Manager Cole introduced the employees.

### Key City Issues and Requests for Direction

City Manager Cole commented on the following items:

1. Requested the following referrals:
  - To Administration & Finance (A&F) Committee:
    - Electronic Signature Policy
    - HVAC upgrade contract
  - To July 12 Consent Agenda
    - Donations for the July 9 Great SeaTac Scrub Down event: Port of Seattle (POS) - \$1,000 and King County (KC) Housing Authority - \$500
2. Grants:
  - Grant Application
    - Association of Courts (AOC) - A/V Upgrades - \$15,000
    - AOC - therapeutic court funding - \$600,000
    - AOC - community justice counselor - \$600,000
    - WA Festivals and Event Association - community events - \$30,000
3. Calendar:
  - July 12 Council Study Session (CSS) will be cancelled due to no items scheduled

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

CM Kwon: Transportation & Public Works (T&PW) Committee – department update grant award,

CM Egal: Planning & Economic Development (PED) Committee – ARPA Proposals, Affordable Housing

**CONSENT AGENDA:**

**Approval of claims vouchers (check no. 133583 - 133659) in the amount of \$5,889,429.69 for the period ended June 23, 2022.**

**Approval of payroll vouchers (check no. 56116 - 56124) in the amount of \$9,754.69 for the period ended June 15, 2022.**

**Approval of payroll electronic fund transfer (check no. 108556 - 108712) in the amount of \$478,838.74 for the period ended June 15, 2022.**

**Approval of payroll wire transfer in the amount of \$163,139.73 for the period ended June 15, 2022.**

**Approval of Council Meeting Minutes:**

**Transportation & Public Works Committee meeting held June 2, 2022**

**Council Study Session held June 14, 2022**

**Regular Council Meeting held June 14, 2022**

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

MOTION CARRIED UNANIMOUSLY.

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

**Extending a Moratorium on Halfway House, Work Release Facilities, and Similar Uses.**

Mayor Simpson opened the PH at 6:18 p.m.

CED Director Maxim reviewed the agenda bill summary below.

Discussion ensued regarding the history of and need for the moratorium.

Public Comment: None

Mayor Simpson closed the PH at 6:30 p.m.

**Agenda Bill #6006; An Ordinance #22-1009 extending a Moratorium on Halfway House, Work Release Facilities, and Similar Uses.**

**Summary:** On August 31, 2021, the SeaTac Council adopted Ordinance No. 21-1027 establishing a moratorium on the acceptance of permit applications to create a Halfway House, Work Release Facilities, or similar uses for a period of one year. The Ordinance also established a work plan for study and to take any necessary actions following study.

On March 24, 2022, the PED Committee directed the Planning Commission (PC) to engage in further study and recommend amendments to the SeaTac development regulations. The PC began their review on April 5, 2022, and requested additional information from CED staff. In particular, the PC requested that the City investigate the criteria for individuals to be placed in a work release facility and the safety and security measures established around individuals interacting with the surrounding community. While investigating these questions, CED staff became aware of a proposed work release facility in the City of Wenatchee and expanded their research into this recent permitting.

Following review of the issues and information related to these types of facilities, staff recommends adjusting the work plan. After the PH held on June 28, 2022, staff also recommends Council adopt the Ordinance extending the moratorium for an additional six months. This extension will provide sufficient time for full discussion and analysis by the PC, PED Committee, and City Council.

On May 26, 2022, the PED Committee recommended that the City Council extend the moratorium established by Ordinance No. 21-1027 for an additional six months.

MOVED BY EGAL, SECONDED BY NEGUSSE TO PASS AGENDA BILL #6006 (ORDINANCE #22-1009).

MOTION CARRIED UNANIMOUSLY.

**ACTION ITEMS:**

**Agenda Bill #5966; A Resolution #22-013 approving a Multi-Family Tax Exemption (MFTE) Agreement with SeaTac Star Development, LLC, for the development of Amelia Multifamily and authorizing the City Manager to sign the agreement.**

**Summary:** SeaTac Star Development, LLC (Applicant), applied for a 12-year MFTE as authorized by Chapter 84.14 RCW and Chapter 3.85 SeaTac Municipal Code (SMC) to allow for construction of their project, Amelia Multifamily. Amelia Multifamily is a multi-family project consisting of 108 apartments to be located in the Angle Lake Station Area near the southeast corner of International Boulevard (IB) and South 200th Street.

The Applicant began discussions with the City to purchase and develop the site, which is the former Fire Station 45 site, in early 2020. The purchase of the site was recorded in December 2020. The Applicant submitted an application for Preliminary Site Plan Review (SPR) on January 21, 2021. The SPR application was approved on April 27, 2022. The Applicant submitted an MFTE application for an 8-year exemption on January 21, 2021. The application was later amended to request a 12-year exemption in response to the City Council's desire for more affordable housing. The MFTE application was approved by the City Manager on May 11, 2022.

Per SMC, the Applicant is required to reserve at least 20% of the residential units for low- and moderate-income households to receive a 12-year exemption. No income limit is required for an 8-year exemption. The Applicant has proposed to reserve 1% of the units for low-income households and 19% of the units for moderate-income households, resulting in 1 low-income unit and 20 moderate-income units. According to RCW 84.14.010, low-income households are those that have an adjusted income at or below 80% of the area median income (AMI) and moderate-income households are those that have an adjusted income more than 80% but at or below 115% of the AMI. The 2022 AMI for King County (KC) is \$94,300 for a 1-person household and \$134,600 for a 4-person household. If approved, the tax exemption only applies to the assessed value of the residential units. The land is not subject to the exemption.

SeaTac's Multi-family Property Tax Exemption regulations were created in 2008 to stimulate new construction of multi-family housing in the South 154th Street Station Area and modified in 2019 to broaden the area to the Urban Center. In order to qualify for the MFTE, SMC 3.85.050 requires projects to:

- Be located in the Urban Center. Staff Analysis: The Amelia Multifamily project is located in the Angle Lake Station Area, which is a subarea of the Urban Center.
- Consist of at least 20 dwelling units. Staff Analysis: 108 dwelling units are proposed.
- Be used and/or developed in a way that increases or preserves property value and represents an increased investment in the property that results in an increase in the overall property values in the area. Staff Analysis: The site, which is the former location of Fire Station 45, is currently vacant.
- Comply with all zoning requirements, land use regulations, and building code requirements in the SMC. Staff Analysis: The project was deemed to comply.
- Be in full compliance with the provisions of the SMC for the duration of the exemption. Staff Analysis: The project will be monitored by the City for compliance with the SMC during the exemption period.
- Be completed within 3 years from the date of approval of the application. Staff Analysis: The project can be completed within 3 years of the approval date.

The proposed project meets the requirements set forth in Chapter 3.85 SMC, and pursuant to SMC 3.85.070, the City Manager approved the application.

The owner must now enter into an agreement with the City regarding the terms and conditions of the project and compliance with Chapter 3.85 SMC.

Once the contract is approved, the City will issue a conditional certificate of tax exemption for three years. Once the project has completed construction, a final certificate of tax exemption will be issued to start the 12-year exemption period. After 12 years, the property will no longer be eligible for this exemption and will be subject to full taxation.

Finally, per SMC 3.85.130, the MFTE program will be reviewed in 2023 and is part of the department's work program. The review will include, but may not be limited to, the number of dwelling units granted property tax exemption under this program, consideration of the multi-family development trends in the City and region, review of administrative processes and procedures, as well as public comment.

**ACTION ITEMS (continued):**

**Agenda Bill #5966; Resolution #22-013 (continued):**

This will result in the residential portion of this project being exempt from property taxation for 12 years once completed. The actual impact will depend on the assessed value of the property and tax rate at the time.

This was reviewed at the May 12, 2022, A&F Committee meeting and was recommended to be discussed at a Regular Council Meeting (RCM).

Planning Manager Kester reviewed the agenda bill summary.

MOVED BY GUZMÁN, SECONDED BY EGAL TO PASS AGENDA BILL #5966 (RESOLUTION #22-013).\*

Council discussion ensued regarding the MFTE code needing to be revisited in the future, and parking related to the Amelia Apartments.

\*MOTION CARRIED UNANIMOUSLY.

**Agenda Bill #5961; An Ordinance #22-1010 awarding and executing contracts for the construction of the 2022 Overlay Project (Public Works CIP No. ST-902) and amending the 2020-2021 biennial budget.**

**Summary:** The 2022 Overlay project site runs along the southwest end of SeaTac International Airport. This project proposes resurfacing approximately one mile of pavement along the South 188th Street corridor between IB and the intersection of Des Moines Memorial Drive (DMMD) South, including the 188th Street Tunnel that runs beneath the south end of the Airport runway.

Grind and overlay are proposed along this corridor. In some areas, existing pavement conditions may warrant full depth asphalt removal and replacement. A landscaped median will be constructed down the center of South 188th Street between 16th Avenue South and the west end of the tunnel to increase safety to the traveling public by separating traffic, improve stormwater infiltration, and improve the aesthetics of the roadway corridor. Lastly, stormwater facilities along this corridor will be upgraded to maximize treatment of surface water collected from the roadway.

This project was advertised on May 24 with a bid opening on June 14. A total of five sealed bids were received, with Miles Resources, LLC being the lowest responsible and responsive bidder at \$1,757,315.50. The lowest bid is approximately 11.5% below the engineer's estimate for construction (\$1,988,970); \$131,000 of the total construction bid are associated with stormwater improvements and will be covered by the 403 Fund. Miles Resources, LLC has performed work for SeaTac previously with recent overlay projects on 24th Avenue South and DMMD South.

The BlueLine Group is the engineer of record for this project. This Ordinance will authorize an amendment to their existing contract adding project scope that includes design support during construction, as needed. Cost for this increased scope of work will not exceed \$15,040.

Geotechnical consultant, NV5, has an existing on-call professional services contract with the City. NV5 will be utilized on this project to provide material testing services during construction at an estimated cost of \$21,391

**BUDGET SIGNIFICANCE:**

<b>Funding</b>	<b>102 Fund</b>	<b>403 Fund</b>
Remaining funds to be transferred from 2021 Overlay Project (ST-901)	\$711,744	
Available funds for 2022 Overlay Project (ST-902)	\$972,145	\$421,000
<b>Total Funding Available</b>	<b>\$1,683,889</b>	<b>\$421,000</b>

<b>Expenditures</b>	<b>102 Fund</b>	<b>403 Fund</b>
BlueLine Group Contract Amendment – Construction Design Support	\$15,040	
Materials Field Testing (On-call Geotechnical Services Consultant NV5)	\$21,391	
Construction Bid (Miles Resources, LLC)	\$1,626,315.50*	\$131,000*
Construction Contingency (15%)	\$243,948	\$19,650
Staff Overtime (Inspections)	\$15,000**	
<b>Total Expenditures</b>	<b>\$1,921,694.50</b>	<b>\$150,650</b>

**ACTION ITEMS (continued):**

**Agenda Bill #5961; Ordinance #22-1010 (continued):**

*\*Both 'Construction Bid' expenditures shown under the 102 and 403 Fund sum to the total construction bid of \$1,757,315.50.*

*\*\*Expenditure will be charged to the 307 Fund, not the 102 Fund.*

Total available funds in the 102 Street Fund account, fall short of the anticipated expenditures by \$237,806. The subject Ordinance will amend the 2021-2022 Biennial Budget to fully fund construction costs by increasing expenditures in the Street Fund (#102) by \$222,806 and the Transportation CIP Fund (#307) by \$15,000.

At the June 16, 2022 T&PW Committee meeting, the Committee recommended forwarding this item to Council for approval.

Civil Engineer II Cook reviewed the agenda bill summary.

MOVED BY KWON, SECONDED BY EGAL TO PASS AGENDA BILL #5961 (ORDINANCE #22-1010).\*

Council discussion ensued regarding the committee review and the need for this project, and costs.

\*MOTION CARRIED UNANIMOUSLY.

**Agenda Bill #6016; A Motion authorizing the execution of a contract for right-of-way (ROW) acquisition and relocation professional services for the Airport Station Pedestrian Improvement Project (PW CIP ST-141).**

**Summary:** The Airport Station Pedestrian Improvement Project seeks to increase safety for pedestrians, bicyclists, and vehicles in the immediate area surrounding the Airport Link Light Rail Station. Improvements will focus on 32nd Avenue South (between South 170th and 180th Streets), South 180th Street, and South 176th Street between IB and 32nd Avenue South. Project elements include installation/improvement of sidewalks; standalone bicycle facilities separating bicycles from vehicular traffic; underground of overhead utilities; intersection improvements at 32nd Avenue South and South 176th Street; and installation of decorative light fixtures, street furniture and artwork.

To facilitate many of these frontage improvements, ROW acquisition and/or temporary construction rights are required. To help with this effort, staff previously contracted with Epic Land Solutions, Inc. for property acquisition and relocation services in November 2021. However, it came to our attention on April 14, 2022, that Epic Land Solutions lost their project manager who was the only person within the company with experience working through the Washington State Department of Transportation (WSDOT) ROW Certification process. The City subsequently asked for an update as to staffing and Ms. Christine Nickerson, VP of the Northwest Region for Epic Land Solutions stated they had no plans to replace the lost staff member for at least 6 months. After reviewing the situation with city staff and consulting with WSDOT's Local Agency Coordinator, it was decided to terminate the contract with Epic Land Solutions for acquisition and relocation services. A Notice of Contract Termination was prepared and delivered on May 17, 2022.

City staff then re-reviewed the Request for Proposal (RFP) submissions and Summary of Findings and Observations prepared on September 3, 2021. Staff reached out to the 2 other firms that submitted a proposal, Universal Field Services and Common Street Consulting, to confirm whether they were interested and had staffing available with solid experience working with WSDOT on federally funded projects. Both firms confirmed having staffing available and would consider re-submitting an updated proposal. Universal Field Services declined the opportunity to submit a new proposal and Common Street Consulting submitted a new proposal June 3, 2022.

The professional services contracts are for amounts not to exceed \$152,873 for acquisition and relocation services. There are sufficient funds allocated in the 2021-2022 Biennium Budget for this project to accommodate these costs.

This replacement contract has not been brought before Committee. At the September 16, 2021, T&PW Committee meeting, the committee voted unanimously to move this item for Council action with a recommendation to approve the previous contract that has the same scope of work.

City Engineer Cabudol reviewed the agenda bill summary.

**ACTION ITEMS (continued):**

**Agenda Bill #6016 (continued):**

MOVED BY KWON, SECONDED BY NEGUSSE TO PASS AGENDA BILL #6016.

Council discussion ensued regarding costs.

\*MOTION CARRIED UNANIMOUSLY.

**Agenda Bill #6010; A Motion authorizing the City Manager to enter into an Interlocal Agreement (ILA) with the Washington State Department of Transportation (WSDOT) for the reconstruction of a segment of S. 204th Street, to be included as part of the City's future S. 204th Street Transportation Improvement Project.**

**Summary:** The extension of SR 509, as part of the WSDOT Gateway Program, severs S. 208th Street just east of IB/SR 99. To maintain street connectivity, WSDOT will be connecting S. 208th Street via IB/SR 99 at S. 206th Street. In addition, WSDOT will be constructing a new segment of 34th Avenue South to provide a north-south connection between S. 204th St. and S. 208th Street. WSDOT is also required to provide improvements to S. 208th Street as well as improvements to S. 204th Street, east of 32nd Place South.

Improvements to S. 204th Street are proposed to be constructed as part of the city's S. 204th Street Improvement Project (Priority Project #8 on the 23-28 TIP) and WSDOT would compensate the city accordingly upon completion. The ILA between the City and WSDOT lays out how the parties will work together to ensure that the S. 204th Street Improvements are constructed, describes the minimum scope of work and how the city will be compensated.

The city's S. 204th Street Improvement Project would include the required WSDOT improvements; thereby reducing impacts to the public and allowing for cost efficiency through economies of scale. City staff have worked closely with WSDOT staff to develop both the scope of work and cost estimate associated with the WSDOT mitigation work. The City's S. 204th Street Improvements Project is identified in the 2023-2028 Transportation Improvement Plan (TIP) (with a priority of 8); project design is programmed to begin in 2023 with construction targeted for 2025.

Per the terms of the agreement, the city will receive a lump sum payment in the amount of \$1,641,318.00 upon completion of the accompanying scope of work. These funds will be received into the Transportation CIP Fund 307 and used to offset project costs.

This item was reviewed and approved by the T&PW Committee on June 2, 2022. The committee recommended that the item be forwarded to full Council for approval.

PW Director Appleton reviewed the agenda bill summary.

MOVED BY KWON, SECONDED BY EGAL TO PASS AGENDA BILL #6010.

Council discussion ensued regarding committee review

\*MOTION CARRIED UNANIMOUSLY.

**UNFINISHED BUSINESS:** None

**COUNCIL COMMENTS:**

CM Kwon commented on the following items: (1) block watch, (2) mailbox program, (3) July 4 Fireworks show, and (4) July 9 – Great SeaTac Scrub Down.

CM Egal thanked the Maverick Cares organization for providing school supplies and nutritional support.

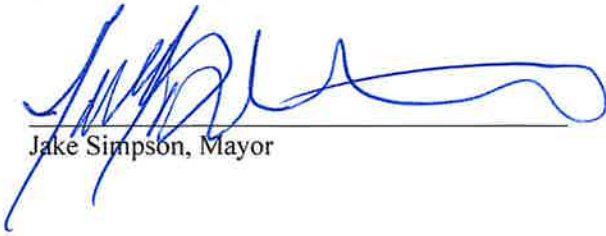
CM Guzmán commented on the Maverick Cares event and the Association of Washington Cities (AWC) conference.

CM Sitterley commented on Steve Huff's "Faster than Cancer" foundation.

**EXECUTIVE SESSION:** None

**ADJOURNED:**

MAYOR SIMPSON ADJOURNED THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 7:39.



Jake Simpson, Mayor



Kristina Gregg, City Clerk