

ORDINANCE NO. 22-1001

AN ORDINANCE of the City Council of the City of SeaTac, Washington vacating a portion of 13th Avenue South, Seely's Addition to the City of Des Moines, according to the plat thereof recorded in Volume 4 of plats, page 59 in King County, Washington and as described in the attached exhibits A and B.

WHEREAS, Bridge Point SeaTac 300 LLC, as abutting property owners, has requested vacation of a certain portion of the City right-of-way (ROW) of a portion 13th Avenue South Seely's Addition to the City of Des Moines, according to the plat thereof recorded in Volume 4 of plats, page 59 in King County, Washington and as described on the attached Exhibits "A" and "B" to this Ordinance; and

WHEREAS, SMC 11.05.090 adopts the street vacation procedures of Chapters 35.79 RCW; and

WHEREAS, RCW 35.79.010 authorizes the City Council to initiate street vacation by resolution setting a public hearing which was, in this case, established by Resolution No. 22-001 fixing the public hearing for March 8, 2022, to be followed by Council action; and

WHEREAS, no apparent municipal use of the said right-of-way exists, and the owner has reason to convert this portion of the right-of-way to its development purposes; and

WHEREAS, no objections to vacation were filed prior to the hearing, and the Council finds that no person has demonstrated special injury due to substantial impairment of access to such person's property; and

WHEREAS, the Council finds that vacation of the aforesaid portion of the right-of-way, as described on Exhibit "A" and as depicted on the map marked Exhibit "B" to this Ordinance, is in the public interest;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC,
WASHINGTON, DO ORDAIN as follows:**

Section 1. Vacation of Rights-of-Way. The portion 13th Avenue South Seely's Addition to the City of Des Moines, according to the plat thereof recorded in Volume 4 of plats, page 59 in King County, Washington and as described on the attached Exhibits "A" and "B" to this Ordinance, within the City of SeaTac, is hereby vacated.

Section 2. Reservation of Easements. Notwithstanding Section 1 of this Ordinance, all existing utility easements located within the said portion of the right-of-way are reserved until release by the Grantees thereof.

Section 3. Compensation Required. Compensation required is the appraised value of \$230,000.

Section 4. Codification. This Ordinance shall not be codified in the SeaTac Municipal Code.

Section 5. Recordation. The City Clerk shall cause a certified copy of this Ordinance to be recorded in the records of the King County Recorder following the effective date hereof.

Section 6. Effective Date. This Ordinance shall be in full force and effect upon receipt of the compensation required by Section 3 of this Ordinance, but in no event sooner than thirty (30) days after passage.

ADOPTED this 8th day of March, 2022, and signed in authentication thereof on this 8th day of March, 2022.

CITY OF SEATAC




Jake Simpson, Mayor

ATTEST:



Kristina Gregg, City Clerk

Approved as to Form:



Mary Mirante Bartolo, City Attorney

[Effective Date: 4/7/2022]

[Vacation of 13th Avenue South, Seely's Addition to the City of Des Moines]

EXHIBIT "A"

(VACATION: ROAD ROW 13TH AVE S)

THAT PORTION OF 13TH AVE SOUTH, SEELEY'S ADDITION TO THE CITY OF DES MOINES, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 4 OF PLATS, PAGE 59, IN KING COUNTY, WASHINGTON; SAID PORTION BEING DESCRIBED AS FOLLOWS:

(APN 7686200705 & 7686201040)

THE WEST HALF OF SAID 13TH AVE SOUTH LYING EAST OF THE FOLLOWING: LOTS 7 THROUGH 12, BLOCKS 16, 17 AND 18, ALL OF BLOCKS 23, 24, 25, 26, 27 AND 28; AND ALSO THOSE PORTIONS OF BLOCKS 33, 34, 35 AND 36 LYING NORTH OF SOUTH 200TH STREET; ALL IN SEELEY'S ADDITION TO THE CITY OF DES MOINES (VACATED), ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 4 OF PLATS, PAGE 59, IN KING COUNTY, WASHINGTON; TOGETHER WITH THAT PORTION OF 12TH PLACE SOUTH ABUTTING BLOCKS 18 AND 28 AS VACATED UNDER KING COUNTY SUPERIOR COURT CAUSE NUMBER 85-2-07561-7 AND RECORDED UNDER RECORDING NUMBER 8508150435; ALSO TOGETHER WITH ALL VACATED STREETS AND ALLEYS ADJACENT THERETO WHICH ATTACH BY OPERATION OF LAW.

AND

THE EAST HALF OF SAID 13TH AVE SOUTH LYING WEST OF THE FOLLOWING: LOTS 7 THROUGH 12, BLOCKS 16, 17 AND 18, ALL OF BLOCKS 23, 24, 25, 26, 27 AND 28; AND ALSO THOSE PORTIONS OF BLOCKS 33, 34, 35 AND 36 LYING NORTH OF SOUTH 200TH STREET; ALL IN SEELEY'S ADDITION TO THE CITY OF DES MOINES (VACATED), ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 4 OF PLATS, PAGE 59, IN KING COUNTY, WASHINGTON; TOGETHER WITH THAT PORTION OF 12TH PLACE SOUTH ABUTTING BLOCKS 18 AND 28 AS VACATED UNDER KING COUNTY SUPERIOR COURT CAUSE NUMBER 85-2-07561-7 AND RECORDED UNDER RECORDING NUMBER 8508150435; ALSO TOGETHER WITH ALL VACATED STREETS AND ALLEYS ADJACENT THERETO WHICH ATTACH BY OPERATION OF LAW.

AND

(APN 7686201920)

THE WEST HALF OF SAID 13TH AVE SOUTH LYING EAST OF THE FOLLOWING: LOTS 1 AND 2, BLOCK 37, SEELEY'S ADDITION TO THE CITY OF DES MOINES (VACATED), ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 4 OF PLATS, PAGE 59, IN KING COUNTY, WASHINGTON; TOGETHER THAT PORTION OF ALLEY ADJOINING, WHICH UPON VACATION, ATTACHED BY OPERATION OF LAW; AND, TOGETHER WITH THAT PORTION OF VACATED STREET ADJOIN, WHICH UPON VACATION ATTACHED BY OPERATION OF LAW.

AND

(APN 7686201930)

THE WEST HALF OF SAID 13TH AVE SOUTH LYING EAST OF THE FOLLOWING:

LOTS 3 AND 4 AND A PORTION OF LOT 5 LYING NORTH OF SOUTH 200TH STREET, ALL IN BLOCK 37, SEELEY'S ADDITION TO THE CITY OF DES MOINES (VACATED), ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 4 OF PLATS, PAGE 59, IN KING COUNTY, WASHINGTON;1 TOGETHER WITH THE EAST HALF OF VACATED ALLEY ADJOINING ON THE WEST.

CONTAINING 10,448 SQUARE FEET MORE OR LESS.

07/12/2021



EXHIBIT "B"

S. 198TH ST.

APN
7686201400
TEAGUE

APN
7686201410
THIEN

APN
7686201415
MCGANE

APN
7686201430
MCGANE

APN
7686201450
ANDERSON

APN 7686201040

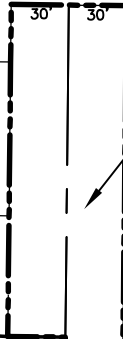
APN
7686202080
PHAM

APN 7686202000

APN
7686201920

APN
7686201930

ROAD ROW
VACATION
AREA



S. 200TH STREET



13TH AVE S.

07/12/2021



1"=100'

JOB NO. 2200531.50

7/12/21

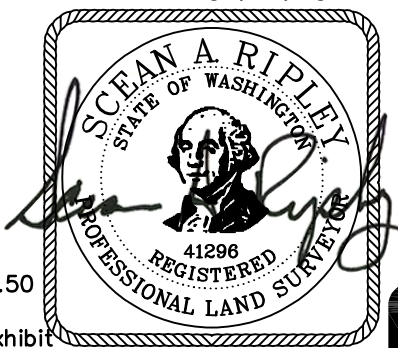
ROW VACATION Exhibit

(Road ROW, 13th Ave S)

LEGAL BY: SAR EXHIBIT BY: SAR

SE1/4 & SW1/4, NE1/4, S5, T22N, R4E

w: \sdsproj\2020\2200531\2200531_row vacation.dwg



2215 North 30th Street,

Suite 200,

Tacoma, WA 98403

253.383.2422 TEL

253.383.2572 FAX

THIS EXHIBIT HAS BEEN PREPARED TO ASSIST IN THE INTERPRETATION OF THE ACCOMPANYING LEGAL DESCRIPTION. IF THERE IS A CONFLICT BETWEEN THE WRITTEN LEGAL DESCRIPTION AND THIS SKETCH, THE LEGAL DESCRIPTION SHALL PREVAIL.

ORDINANCE NO. 22- 1002

AN ORDINANCE of the City of SeaTac, Washington, creating land use and zoning regulations related to short-term rentals; by adding section 15.465.320, amending sections 15.105.020, 15.105.190, 15.205.040, 15.300.055, 15.305.055, 15.310.055, 15.455.120, 15.465.005, 15.465.010, and 15.465.300 of the SeaTac Municipal Code; and establishing an effective date.

WHEREAS, in order to ensure compliance with RCW 64.37 and adopt reasonable standards that support preservation of housing stock while balancing the ability of property owners to use their properties, the City Council desires to amend certain sections of the zoning code to regulate short-term rentals; and

WHEREAS, on November 3rd, 2021, City staff properly and timely transmitted a copy of the proposed code amendments to the Washington State Department of Commerce for review and comment, pursuant to RCW 36.70A.106, and no comments have been received to date; and

WHEREAS, on November 16th, 2021, the Planning Commission held a public hearing on the proposed regulations. On the same date, the Planning Commission recommended approval of the regulations with additional changes; and

WHEREAS, on January 27th, 2022, a SEPA threshold Determination of Non-significance was issued for the proposed amendments and no comments were received nor was an appeal filed; and

WHEREAS, on January 27th, 2022, the Planning and Economic Development Committee of the Council recommended approval of the regulations as amended by the Planning Commission; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON, DO ORDAIN as follows:

Section 1. Section 15.105.020, "B" Definitions, of the SeaTac Municipal Code is hereby amended and all other definitions in this section remain the same:

15.105.020 "B" Definitions.

Bed and Breakfast

~~A dwelling unit within which bedrooms are available for paying transient guests. The number of guests is limited to no more than six (6) at any time.~~

An owner-occupied dwelling which rents no more than three (3) bedrooms to no more than six (6) guests at a time for a period less than thirty (30) consecutive days and serves a prepared breakfast. A bed and breakfast is not a short-term rental as defined in SMC 15.105.190.

Section 2. Section 15.105.190, "S" Definitions, of the SeaTac Municipal Code is hereby amended to add the following definition and all other definitions in this section remain the same:

Short-Term Rental

Short-term rental means a lodging use, that is not a hotel or motel or bed and breakfast, in which a dwelling unit, or portion thereof, that is offered or provided to a guest by a short-term rental operator for a fee for fewer than thirty (30) consecutive nights.

A short-term rental does not include any of the following:

- A. A dwelling unit that is occupied by the owner for at least six months during the calendar year and in which fewer than three rooms are rented at any time.
- B. A dwelling unit, or portion thereof, that is used by the same person for thirty or more consecutive nights.
- C. A dwelling unit, or portion thereof, that is operated by an organization or government entity that is registered as a charitable organization with the secretary of state, state of Washington, or is classified by the federal internal revenue service as a public charity or a private foundation, and provides temporary housing to individuals who are being treated for trauma, injury, or disease, or their family members.

Section 3. Section 15.465.005, of the SeaTac Municipal Code is hereby amended to read as follows:

15.465.005 Purpose

The purpose of this chapter is to delineate regulations that apply to the following residential uses: accessory dwelling units, accommodation of persons with disabilities, bed and breakfasts, short-term rentals, supportive housing facilities, community residential facilities, home occupations and mobile homes, manufactured homes and mobile home parks.

Section 4. Section 15.465.010, of the SeaTac Municipal Code is hereby amended to read as follows:

15.465.010 Authority and Application

The provisions of this chapter shall apply to the following residential uses: accessory dwelling units, accommodation of persons with disabilities, bed and breakfasts, short-

term rentals, supportive housing, community residential facilities, home occupations and mobile homes, manufactured homes and mobile home parks.

Section 5. Section 15.465.300, of the SeaTac Municipal Code is hereby amended to read as follows:

15.465.300 Bed and Breakfast Standards

A. Application. The provisions of this section shall apply to all bed and breakfast uses as defined in Chapter 15.105 SMC, Definitions.

B. Bed and Breakfast Requirements.

1. **Number of Guests.** Number of guests limited to six (6), with no more than three (3) bedrooms;
2. **Parking.** Parking area for three (3) nonresident vehicles, ~~and screened~~;
3. **Health Department Approval.** Proof of King County Health Department approval;
4. **Meals Served.** Breakfast is only meal served for paying guest.

Section 6. Section 15.465.320 is hereby added as a new section to the SeaTac Municipal Code to read as follows:

15.465.320 Short-Term Rentals

A. Purpose & Applicability.

1. The section is intended to establish standards for the operation of dwelling units used as short-term rentals for the purposes of ensuring neighborhood compatibility, and safety for short-term rental guests and the broader community.
2. This section applies to uses meeting the definition of "Short-Term Rental" found in SMC 15.105.190.
3. Provisions of this section apply to short-term rentals in which the entire dwelling unit is rented, as well as individual room rentals meeting the definition of a short-term rental.

B. Definitions.

In addition to the definitions in Chapter 15.105 SMC, the following definitions apply to this section; for any term defined in this section that is also defined in SMC Title 15, the definition in this section shall take precedent. Definitions in SMC 15.465.320 do not apply to other sections or chapters of the SeaTac Municipal Code. Any terms listed in RCW 64.37.010 not listed below are incorporated herein.

1. Contact

The operator or the operator's representative who is the point of contact for any short-term rental guest for the duration of the guest's stay in the short-term rental.

2. Dwelling unit

A residential dwelling of any type, including a single-family residence, apartment, condominium, cooperative unit, or room, in which a person may obtain living accommodations for less than thirty days, but not including duly licensed bed and breakfast, inn, hotel, motel, or timeshare property.

3. Guest

Any person or persons renting a short-term rental unit.

4. Operator

Any person who receives payment for owning or operating a dwelling unit, or portion thereof, as a short-term rental unit.

5. Owner

Any person who, alone or with others, has title or interest in any building, property, dwelling unit, or portion thereof, with or without accompanying actual possession thereof, and including any person who as agent, executor, administrator, trustee, or guardian of an estate has charge, care, or control of any building, dwelling unit, or portion thereof. A person whose sole interest in any building, dwelling unit, or portion thereof is solely that of a lessee under a lease agreement is not considered an owner.

6. Short-Term Rental Advertisement

Any method of soliciting use of a dwelling unit for short-term rental purposes.

C. Short-Term Rental Requirements.

1. General

- a. All short-term rentals shall comply with all sections of RCW 64.37.
- b. Violation of requirements in this section may result in the suspension or revocation of the short-term rental permit and/or business license endorsement.
- c. No short-term rental is allowed in any dwelling unit to which any income restrictions are in effect under any local, state, or federal authority.
- d. Any property receiving a multi-family tax exemption is not eligible for any of its units to be used as short-term rentals.
- e. The City of SeaTac is not responsible for compliance with any Home Owner's Association (HOA), Condo Ownership Group, or rental agreement restrictions that may exist regarding short-term rentals. It is the responsibility of the applicant to review for compliance with

any superseding regulations, and receive approvals from any bodies as needed prior to submitting materials to the City of SeaTac for review.

- f. Short-term rental operators must remit all applicable local, state, and federal taxes unless completed through the hosting platform, RCW 64.37.020.
- g. A short-term rental operator must maintain primary liability insurance meeting the requirements of RCW 64.37.050.

2. Occupancy & Licensing

- a. No more than two (2) persons per bedroom over the age of two (2) years old per bedroom rented, or ten (10) persons per rental, whichever is less, are permitted. Studio apartments are considered a single bedroom for the purposes of this section.
- b. All short-term rentals are required to maintain an active Washington State Business License with City of SeaTac Endorsement.
- c. All short-term rentals are required to maintain an active City of SeaTac permit for operating a short-term rental.
- d. All short-term rental advertisements shall represent the property in a manner which complies with all City of SeaTac and state regulations.

3. Operation

- a. The following information shall be posted in a conspicuous place within each dwelling unit, or bedroom, used as a short-term rental.
 - i. The short-term rental street address;
 - ii. The emergency contact information for summoning police, fire, and emergency medical services;
 - iii. The floor plan indicating fire exits and escape routes;
 - iv. The maximum occupancy limits;
 - v. The contact information for the operator or designated contact;
 - vi. A copy of the City of SeaTac Good Neighbor Guidelines; and
 - vii. A copy of an active business license for the short-term rental, with City of SeaTac Endorsement.
- b. The contact for the site shall reside within thirty (30) miles of the site address, and shall generally be able to reach the address of the short-term rental within one (1) hour of departure from their residence. It is the responsibility of the operator to update any changes to the site contact in materials provide to the guests, and to the City of SeaTac, prior to any subsequent rentals.
- c. All short-term rentals must be in compliance with RCW 19.27.530 Carbon Monoxide Alarms-Requirements-Exemptions-Adoption of rules.

4. Ownership Limitations

- a. The percentage of total short-term rentals not occupied by the owner or a long-term tenant for at least six-months out of a year shall not exceed three (3) percent of total dwelling units within the City of SeaTac. Once this limit has been reached, no new non-owner/long-term tenant occupied short-term rental permits will be accepted until such time that total citywide dwelling units increase, or other non-owner/long-term tenant occupied short term rental units cease operation.
- b. No short-term rental operator is permitted to own, operate, or have any interest in more than two (2) short-term rental units they are not occupying.
- c. Short-term rental owners and operators shown to own or operate more than one non-owner occupied dwelling unit prior to the adoption of this ordinance are eligible to continue use of these short-term rentals, provided they are legally permitted and remain in good standing. Expiration, or revocation of the associated business license or permit will result in the loss of vesting for this use.

Section 7. Section 15.205.040 “General Use Chart” of the SeaTac Municipal Code is hereby amended by adding the use of “Short-Term Rental” and associated provisions to “Commercial and Retail, Lodging”, and all other provisions of this Use Chart section remain the same, as set forth in Exhibit A of this Ordinance.

Section 8. Section 15.300.055 “City Center Overlay District Use Chart” of the SeaTac Municipal Code is hereby amended by adding the use of “Short-Term Rental” and associated provisions to “Commercial and Retail, Lodging”, and all other provisions of this Use Chart section remain the same, as set forth in Exhibit B of this Ordinance.

Section 9. Section 15.305.055 “South 154th Street Station Area Overlay District Use Chart” of the SeaTac Municipal Code is hereby amended by adding the use of “Short-Term Rental” and associated provisions to “Commercial and Retail, Lodging”, and all other provisions of this Use Chart section remain the same, as set forth in Exhibit C of this Ordinance.

Section 10. Section 15.310.055 “Angle Lake Street Station Area Overlay District Use Chart” of the SeaTac Municipal Code is hereby amended by adding the use of “Short-Term Rental” and associated provisions to “Commercial and Retail, Lodging”, and all other provisions of this Use Chart section remain the same, as set forth in Exhibit D of this Ordinance.

Section 11. Section 15.455.120 “Parking Chart for Required Off-Street Space” of the SeaTac Municipal Code is hereby amended adding the use of “Short-Term Rental” and associated

provisions to “Commercial and Retail, Lodging”, and all other provisions of this Use Chart section remain the same, as set forth in Exhibit E of this Ordinance.


Section 12. Corrections. Upon approval of the City Attorney’s Office, the City Clerk and the Code Reviser are authorized to make necessary corrections without altering intent, including the correction of clerical errors, references to other local, state or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

Section 13. Severability. If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance is declared unconstitutional or invalid for any reason, such invalidity shall not affect the validity or effectiveness of the remaining portions of this Ordinance.

Section 14. This Ordinance shall be in full force and effect five (5) days after passage and publication as required by law.

ADOPTED this 22nd day of March, 2022, and signed in authentication thereof on this 22nd day of March, 2022.

CITY OF SEATAC



Jake Simpson, Mayor

ATTEST:



Kristina Gregg, City Clerk

Approved as to Form:



Mary E. Mirante Bartolo, City Attorney

EXHIBIT A

15.205.040 Use Chart

LAND USE	UL	UM	UH	UH-UCR	T	MHP	NB	O/C/MU	O/CM	CB	CB-C	RBX	I	P	ADDITIONAL STANDARDS
RETAIL AND COMMERCIAL, LODGING															
Bed and Breakfast	P	P	P	P			P	P	C						See SMC 15.465.300 , Bed and Breakfast Standards.
Hostel		C	C	C			P	C	P	P	P	P			
Hotel/Motel and Associated Uses			C	C			P	C	P	P	P	P			
<u>Short-Term Rental</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		-	<u>See SMC 15.465.320 Short-Term Rentals.</u>

ONLY SECTIONS RELATED TO AMENDMENTS INCLUDED

EXHIBIT B

15.300.055 City Center Overlay District Use Chart

LAND USE	UM	UH	UH-UCR	NB	CB-C	O/CM	O/C/MU	T	P	Additional Regulations
RETAIL AND COMMERCIAL, LODGING										
Bed and Breakfast	P	P	P	P		P	P			See SMC 15.465.300 , Bed and Breakfast Standards.
Hotel/Motel and Associated Uses		C(1)		P	P	P	C			(1) Only allowed on UH zoned properties south of S. 184th Street.
<u>Short-Term Rental</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-	<u>See SMC 15.465.320 Short-Term Rentals.</u>

ONLY SECTIONS RELATED TO AMENDMENTS INCLUDED

EXHIBIT C

15.305.055 South 154th Street Station Area Overlay District Use Chart

LAND USE	UM	UH	UH-UCR(1)	CB-C	T	Additional Regulations (1) Residential projects in UH-UCR zone south of S. 154th St. are exempt from mixed use requirements.
RETAIL AND COMMERCIAL, LODGING						
Bed and Breakfast	P(1)	P(1)	P(1)	P(1,2)	P(1)	(1) See SMC 15.465.300 , Bed and Breakfast Standards. (2) Permitted as part of a mixed use development, as described in SMC 15.305.710 , Definition of Mixed Use.
Hotel/Motel and Associated Uses			P(1)	P		(1) Permitted as part of a mixed use development, as described in SMC 15.305.710 , Definition of Mixed Use.
<u>Short-Term Rental</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>See SMC 15.465.320 Short-Term Rentals.</u>

ONLY SECTIONS RELATED TO AMENDMENTS INCLUDED

EXHIBIT D

15.310.055 Angle Lake Station Area Overlay District Use Chart

LAND USE	UM	UH	UH-UCR	RBX	CB-C	I	Additional Regulations
RETAIL AND COMMERCIAL, LODGING							
Bed and Breakfast	P	P	P				See SMC 15.465.300 , Bed and Breakfast Standards.
Hotel/Motel and Associated Uses				P	P	P	Hotel/motel lobby and restaurant to be located at, and oriented to, the public street and located at the ground floor.
Short-Term Rental	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-	See SMC 15.465.320 Short-Term Rentals.

ONLY SECTIONS RELATED TO AMENDMENTS INCLUDED

EXHIBIT E

15.455.120 Parking Chart for Required Off-Street Spaces

LAND USE	MINIMUM SPACES REQUIRED	ADDITIONAL REGULATIONS
RETAIL AND COMMERCIAL, LODGING		
Bed and Breakfast	1 per bedroom, plus 2 for residents	
Hostel	0.5 per bed	
Hotel/Motel and Associated Uses	Basic Guest and Employee (no shuttle service): 0.9 per bedroom Basic Guest and Employee (with shuttle service): 0.75 per bedroom With restaurant/lounge/bar: 1 per 150 gsf With banquet/meeting room: 1 per 150 gsf Retail (15,000 gsf or less): 1 per 1,000 gsf Retail (greater than 15,000 gsf): 1.5 per 1,000 gsf	
<u>Short-Term Rental</u>	<u>1 per bedroom beyond two (2) individual bedroom rentals.</u>	<p><u>Short-Term Rentals renting out an entire dwelling unit are not required to provide any parking in addition to the code required parking for the underlying residential unit type.</u></p> <p><u>Short-Term Rentals in a parking permit area must demonstrate all parking can be provided off-street.</u></p>

ONLY SECTIONS RELATED TO AMENDMENTS INCLUDED

ORDINANCE NO. 22-1003

AN ORDINANCE of the City Council of the City of SeaTac, Washington, authorizing the City Manager to execute a professional services agreement between the City of SeaTac and KPG Psomas Inc. in the amount of \$99,623; and amending the City's 2021-2022 Biennial Budget.

WHEREAS, the City of SeaTac approved a decision card for a 'City gateway/entrance analysis' in the 2017-2018 Biennial Budget, and the project was carried forward in the Port ILA (105 fund) for the 2021-2022 Biennial Budget; and

WHEREAS, the project aligns with several Comprehensive Plan Vision Statements and Policies; and

WHEREAS, the desired scope of work provides for a 'suite of City signage' to be developed; and

WHEREAS, an amendment to the 2021-2022 Biennial Budget is required to provide for additional monies to fund the project;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON, DO ORDAIN as follows:

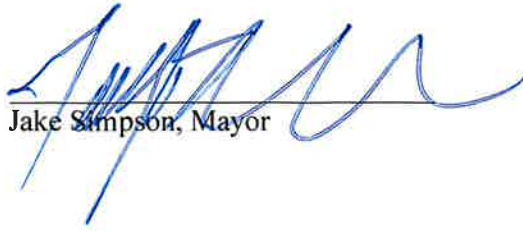
Section 1. The City's 2021-2022 Biennial Budget shall be amended to authorize expenditures within the Light Rail Station Areas CIP Fund (#308) in an amount of \$49,623 for the project.

Section 2. The City Manager is hereby authorized to execute a contract with KPG Psomas Inc, in the amount of \$99,623, attached as Exhibit "A".

Section 3. This Ordinance shall be in full force and effect five (5) days after passage and publication as required by law.

ADOPTED this 26th day of April, 2022, and signed in authentication thereof on this 26th day of April, 2022.

CITY OF SEATAC



Jake Simpson, Mayor

ATTEST:



Kristina Gregg, City Clerk

Approved as to form:



Mary E. Mirante Bartolo, City Attorney

[Effective Date: 5/7/2022]

[G:\CityManager\Gateway treatments\RFP\Contract & Scope\2022-03-08-
AB_BudgetAmendmentOrdinance_Gateways.docx]

**CONSULTANT CONTRACT
BETWEEN THE CITY OF SEATAC AND KPG**

THIS AGREEMENT is made and entered into on this [REDACTED] day of April, 2022, by and between the CITY OF SEATAC, a municipal corporation of the State of Washington, hereinafter referred to as “City”, and KPG PSOMAS Inc., hereinafter referred to as the “Consultant,” and hereinafter referred to collectively as the “Parties.” The City hereby agrees to retain the Consultant, as an independent contractor, and the Consultant hereby agrees to serve the City pursuant to this Agreement.

1. Scope of Services.

The Consultant agrees to perform the tasks described on Exhibit “A” attached hereto and incorporated herein by this reference in accordance with the degree of professional skill, quality and care ordinarily exercised by members of the same profession currently practicing in the same location under comparable circumstances. (The tasks described on Exhibit “A” shall be individually referred to as a “task,” and collectively referred to as the “services.”) The Consultant shall perform the services as an independent contractor and shall not be deemed, by virtue of this Agreement and the performance thereof, to have entered into any partnership, joint venture, employment or other relationship with the City.

2. Additional Services.

From time-to-time hereafter, the Parties hereto may agree to the performance (by the Consultant) of additional services with respect to related work or projects. Any such agreements shall be set forth in writing and shall be executed by the Parties prior to the Consultant’s performance of the services, except as may be provided to the contrary in Section 3 of this Agreement. Upon proper completion and execution of a written amendment (Consultant Contract Amendment), such amendment shall be incorporated into this Contract.

3. Performance of Additional Services Prior to Execution of an Amendment.

The Parties hereby agree that situations may arise in which services other than those described on Exhibit “A” are desired by the City and the time period for the completion of such services makes the execution of amendment impractical prior to the commencement of the Consultant’s performance of the requested services. The Consultant hereby agrees that it shall perform such services upon the written request of an authorized representative of the City pending execution of an amendment, at a rate of compensation to be agreed upon by the Parties. The invoice procedure for any such additional services shall be described in Section 7 of this Agreement.

4. Consultant’s Representations.

The Consultant hereby represents and warrants that it has all necessary licenses and certifications to perform the services provided for herein and is qualified to perform such services.

5. City’s Responsibilities.

The City shall do the following in a timely manner so as not to delay the services of the

Consultant:

- A. Designate in writing a person to act as the City's representative with respect to the services. The City's designee shall have complete authority to transmit instructions, receive information, interpret and define the City's policies and decisions with respect to the services.
 - B. Furnish the Consultant with all information, criteria, objectives, schedules and standards for the project and the services provided for herein.
 - C. Arrange for access to the property or facilities as required for the Consultant to perform the services provided for herein.
 - D. Examine and evaluate all studies, reports, memoranda, plans, sketches, and other documents prepared by the Consultant and render decisions regarding such documents in a timely manner to prevent delay of performance of the services.
6. Acceptable Standards.
The Consultant shall be responsible to provide, in connection with the services contemplated in this Agreement, work product and services in accordance with the degree of professional skill, quality and care ordinarily exercised by members of the same profession currently practicing in the same location under comparable circumstances.
7. Compensation.
As compensation for the Consultant's performance of the services provided for herein, the City shall pay the Consultant the fees and costs specified on Exhibit "B" attached hereto and incorporated herein by this reference, or as specified in an addendum. The Consultant shall submit to the City an invoice or statement of time spent on tasks included in the scope of work provided herein, and the City shall process the invoice or statement in the next billing/claim cycle following receipt of the invoice or statement and shall remit payment to the Consultant thereafter in the normal course, subject to any conditions or provisions in this Agreement or addendum.
8. Time for Performance and Term of Contract.
The Consultant shall perform the services provided for herein in accordance with the direction and schedule provided on Exhibit "C" attached hereto and incorporated herein by this reference, unless otherwise agreed to in writing by the Parties. The Term of this Agreement shall commence on the date hereof, or, on the _____ day of April, 2022, and shall terminate upon completion of the performance of the scope of work provided herein, according to the schedule provided on Exhibit "C", unless otherwise agreed to in writing by the Parties.
9. Ownership and Use of Documents.
All documents, reports, memoranda, diagrams, sketches, plans, surveys, design calculations, working drawings and any other materials created or otherwise prepared by the Consultant as part of its performance of this Agreement ("Work Product") shall be owned by and become the property of the City, and may be used by the City for any purpose beneficial to the City. Any reuse of Consultant prepared Work Product, except for the specific purposes intended hereunder, shall be without liability or legal exposure to

Consultant or its subconsultants.

10. Records Inspection and Audit.

All compensation payments shall be subject to the adjustments for any amounts found upon audit or otherwise to have been improperly invoiced, and all records and books of accounts pertaining to any work performed under this Agreement shall be subject to inspection and audit by the City for a period of up to three (3) years from the final payment for work performed under this Agreement.

11. Public Records.

The Consultant acknowledges that the City is a public agency subject to the Public Records Act codified in Chapter 42.56 of the Revised Code of Washington and documents, notes, emails, and other records prepared or gathered by the Consultant in its performance of this Agreement may be subject to public review and disclosure, even if those records are not produced to or possessed by the City of SeaTac. Consultant agrees to cooperate fully in satisfying the City's duties and obligations under the Public Records Act.

12. Continuation of Performance.

In the event that any dispute or conflict arises between the Parties while this Agreement is in effect, the Consultant agrees that, notwithstanding such dispute or conflict, the Consultant shall continue to make a good faith effort to cooperate and continue work toward successful completion of assigned duties and responsibilities.

13. Administration of Contract.

This Agreement shall be administered by _____, on behalf of the Consultant, and by the Mayor of the City, or designee, on behalf of the City. Any written notices required by the terms of this Agreement shall be served on or mailed to the following addresses:

CITY OF SEATAC:

City of SeaTac
Attn.: _____
4800 S. 188th Street
SeaTac, WA 98198
Telephone: (206) 973-4800
Email: _____

CONSULTANT:

KPG Psomas Inc.
Attn.: Holly Williams
2502 Jefferson Avenue
Tacoma, WA 98402
Telephone: (253) 627-0720
Email: holly@kpg.com

14. Notices.

All notices or communications permitted or required to be given under this Agreement shall be in writing and shall be deemed to have been duly given if delivered in person or deposited in the United States mail, postage prepaid, for mailing by certified mail, return receipt requested, and addressed, if to a party of this Agreement, to the address for the party set forth above, or if to a person not a party to this Agreement, to the address designated by a party to this Agreement in the foregoing manner.

Any party may change its address by giving notice in writing, stating its new address, to any other party, all pursuant to the procedure set forth in this Section of the Agreement.

15. Indemnification.

The Consultant shall indemnify and hold harmless the City and its elected and appointed officers, officials, employees, volunteers and agents, or any of them from any and all third party claims, actions, suits, liability, loss, costs, expenses, and damages of any nature whatsoever, by any reason of, or arising out of the negligent acts or omissions of the Consultant, its officers, employees, agents, or any of them relating to or arising out of the performance of this Agreement. If a final judgment is rendered against the City, its elected and appointed officers, officials, employees, volunteers, agents and/or any of them, or jointly against the City and the Consultant and their respective officers, employees, agents, or any of them, the Consultant shall satisfy the same to the extent that such judgment was due to the Consultant's negligent acts or omissions.

16. Insurance.

The Consultant shall be responsible for maintaining, during the term of this Agreement, and, at its sole cost and expense, the types of insurance coverages and in the amounts described below. The Consultant shall furnish evidence, satisfactory to the City, of all such policies. During the term hereof, the Contractor shall take out and maintain in full force and effect the following insurance policies:

The minimum insurance types and limits are as follows:

COMMERCIAL GENERAL LIABILITY-Comprehensive Form

\$1,000,000 per occurrence liability/\$2,000,000 annual aggregate, coverage to include Premise and Operations Liability
Blanket Contractual
OCP for Subcontractors Liability
Product and Completed Operations Liability
Stop Gap Liability - \$1,000,000/\$1,000,000/\$1,000,000

AUTOMOBILE LIABILITY

\$1,000,000 per accident bodily injury and property damage liability, including any owned, hired or non-owned automobile

ERRORS AND OMISSIONS

\$1,000,000 per claim liability

PROFESSIONAL LIABILITY, ERRORS & OMISSIONS

\$1,000,000 per claim, and in the aggregate

WORKER'S COMPENSATION

Employees of Consultant and subcontractors are to be insured under Washington State Industrial Insurance.

The above policy limits may be obtained through the use of excess liability (umbrella) insurance. Consultant must obtain a Certificate of Insurance that complies with the requirements above, which must be approved by the City's Risk Management division.

Failure of the Contractor to fully comply with the requirements regarding insurance will be considered a material breach of contract and shall be cause for immediate termination of this Agreement.

17. Assignment.

Neither party to this Agreement shall assign any right or obligation hereunder, in whole, or, in part, without the prior written consent of the other party hereto. No assignment or transfer of any interest under this Agreement shall be deemed to release the assignor from any liability or obligation under this Agreement, or to cause any such liability or obligation to be reduced to a secondary liability or obligation.

18. Amendment, Modification or Waiver.

No amendment, modification or waiver of any condition, provision or term of this Agreement shall be valid, or, of any effect, unless made in writing, signed by the party or Parties to be bound, or such party's or Parties' duly authorized representative(s) and specifying with particularity the nature and extent of such amendment, modification or waiver. Any waiver by any party of any default of the other party shall not affect or impair any right arising from any subsequent default.

Nothing herein shall limit the remedies or rights of the Parties hereto under and pursuant to this Agreement.

19. Termination and Suspension.

Either party may terminate this Agreement upon written notice to the other party if the other party fails substantially to perform in accordance with the terms of this Agreement through no fault of the party terminating the Agreement.

The City may terminate this Agreement not less than seven (7) days written notice to the Consultant, if the services provided for herein are no longer needed from the Consultant, and/or if the legislative body of the City does not appropriate funds in the City budget to pay for such services.

If this Agreement is terminated through no fault of the Consultant, the Consultant shall be compensated for services performed prior to termination in accordance with the rate of compensation provided in Exhibit "B" hereof.

20. Parties in Interest.

This Agreement shall be binding upon, and the benefits and obligations provided for herein shall inure to and bind, the Parties hereto and their respective successors and assigns, provided that this Section shall not be deemed to permit any transfer or assignment otherwise prohibited by this Agreement. This Agreement is for the exclusive benefit of

the Parties hereto and it does not create a contractual relationship with or exist for the benefit of any third-party, including contractors, subcontractors and their sureties.

21. Costs to Prevailing Party.

In the event of such litigation or other legal action, to enforce any rights, responsibilities or obligations under this Agreement, the prevailing Parties shall be entitled to receive its reasonable attorneys' fees and costs.

22. Applicable Law.

This Agreement and the rights of the Parties hereunder shall be governed by the interpreted in accordance with the laws of the State of Washington and venue for any action hereunder shall be in the county in Washington State in which the property or project is located, and, if not site specific, then in King County, Washington; provided, however, that it is agreed and understood that any applicable statute of limitation shall commence no later than the substantial completion of the services by the Consultant.

23. Captions, Headings and Titles.

All captions, headings or titles in the paragraphs or sections of this Agreement are inserted for convenience of reference only and shall not constitute a part of this Agreement or act as a limitation of the scope of the particular paragraphs or sections to which they apply. As used herein, where appropriate, the singular shall include the plural and vice versa and masculine, feminine and neutral expressions shall be interchangeable. Interpretation or construction of this Agreement shall not be affected by any determination as to who is the drafter of this Agreement, this Agreement having been drafted by mutual agreement of the Parties.

24. Severable Provisions.

Each provision of this Agreement is intended to be severable. If any provision hereof is deemed illegal or invalid for any reason whatsoever, such illegality or invalidity shall not affect the validity of the remainder of this Agreement.

25. Entire Contract.

This Agreement contains the entire understanding of the Parties hereto with respect to the transactions contemplated hereby and supersedes all prior agreements and understandings between the Parties with respect to such subject matter.

26. Counterparts.

This Contract may be executed in multiple counterparts, each of which shall be one and the same Contract and shall become effective when one or more counterparts have been signed by each of the Parties and delivered to the other party.

IN WITNESS WHEREOF, the Parties hereto have caused this Contract to be executed effective the day and year first set forth above.

CITY OF SEATAC:

CONTRACTOR:

By: _____
Printed Name: Carl C. Cole
Its: City Manager
Date: _____

By: _____
Printed Name: _____
Its: _____
Date: _____

APPROVED AS TO FORM:

APPROVED AS TO FORM:

By: _____
Printed Name: Cindy Corsilles
Its: Senior Assistant City Attorney

By: _____
Printed Name: _____
Its: _____

Exhibit A Scope of Services

GATEWAY TREATMENTS & SIGNAGE

PHASE 1: CONCEPTUAL DEVELOPMENT

March 2022

A. Project Background / Description

The City of SeaTac (“City”) is looking to design and install ‘Welcome to SeaTac’ city entry gateway treatments and signage at key locations throughout the City and identification signage for internal ‘sub area/ district areas’, parks, city facilities, city building façades, and directional signs to City-owned facilities (Figure 1). The purpose of the gateway treatments, gateway signage and supporting family of city facility signage types is to enhance community identity, provide a consistent, highly recognizable design that will become synonymous with the City.

The design effort will be guided by a formal Stakeholder/Ad Hoc Committee review process, with the support of KPG Psomas (“Consultant”) and vetted by City staff. The Ad Hoc Committee will review and provide feedback on the general aesthetics of the signage and gateway treatments, ensuring that the proposed signage design(s) reflect the City’s desire to provide a clear and consistent community identity. Feedback gathered from the Ad Hoc Committee and City staff will be used to further the design concepts for the signage (reflecting the proposed scale, shape, colors, materials, etc.) to be presented to City Council for approval to continue to final Plans, Specifications and Estimate (PS&E) design and implementation. The final deliverable developed under this scope, the Conceptual Signage System, will be used by the City for Council presentations, public and stakeholder presentations, and potential funding opportunities.

B. Project Assumptions

- ❑ The City’s current logo, tagline and color palette will remain as is through the duration of this scope. This project is not a rebrand of these items.
- ❑ The City will provide the specific locations for each of the monument signs. It is anticipated these signs will be generally located within the areas shown in Figure 1. The City may consider alternative locations as the project unfolds and different considerations emerge.
- ❑ The City will provide the following policy documents for guidance: The ‘logo document’, ‘City of SeaTac Everywhere’s Possible’ guidelines and the Comprehensive Plan.
- ❑ The City will designate a project manager who the Consultant will coordinate with for guidance throughout the design and AHC engagement process.

- The City will establish the AHC and coordinate the meeting dates, as well as the meeting format (meetings will be held virtually).

C. Scope of Work

WORK ELEMENT 1 – PROJECT COORDINATION, MANAGEMENT, ADMINISTRATION

The Consultant will provide the following services:

- 1.1 Project management for the duration of the project (estimate 8 months). The Consultant will prepare monthly progress reports identifying work completed in the previous month, work in progress, upcoming work elements, and reporting of any delays, problems, or additional information needs. These reports shall be submitted with the Consultant’s monthly invoice.
- 1.2 The Consultant will prepare and update a project schedule that will conclude the project within 8 months from execution of the contract.
- 1.3 The Consultant will conduct regular project team meetings (estimate 12 meetings total) with internal KPG Psomas staff. Designated City project manager will be in attendance as needed.
- 1.4 The Consultant will provide internal quality assurance/quality control (QA/QC) reviews of all major deliverables prior to submittal to the City.
- 1.5 The Consultant shall prepare and lead one (1) project kick-off meeting with City staff.

Work Element 1 Deliverables:

- *Monthly progress reports (8)*
- *Project Schedule and Updates (Bi-weekly ,pdf file format)*
- *Meeting Notes (As needed, pdf file format)*

WORK ELEMENT 2 – RESEARCH

- 2.1 **Background Document Review.** The Consultant will review the following documents for information that is germane to the subject work. Documents shall include::

- Current City sign code and policy guidance
- City logo document
- City of SeaTac Everywhere’s Possible guideline document
- Comprehensive Plan
- Arts and Culture Plan

2.2 Project team sign location site tour. The Consultant team and City staff shall visit the proposed locations (see Figure 1) together as a group to assess and discuss existing conditions, site opportunities and constraints for the monument gateway signs. The site visit schedule, agenda and transportation logistics will be organized by the City. This task assumes a full day site visit (8 hours).

2.3 Sign location analysis. The Consultant will prepare a summary memo capturing key take aways from the Project Team site visit, identifying sign location opportunities, constraints and considerations, establish criteria for determining potential sign locations, identify phasing opportunities, and provide recommendation for determining priorities for implementation. The memo will make recommendations regarding the sign type selected for the location and guidance on sign scale, shape, landscaping, urban design treatments and/or additional sign types (banners, pavement treatments, wayfinding signs, etc.) at locations specifically identified on the site visit to have unique constraints or opportunities. The memo may also make note of other site elements to be considered to implement the gateway signs such as vegetation management, retaining walls, sidewalk upgrades, ADA requirements, etc. Not all site-specific needs will be identified or addressed in this phase of work. The memo will make note of general site considerations to help guide sign design and sign location prioritization only. Future site inventory (site survey, utility locates, ROW take needs, etc.) will need to be conducted in the next project phase prior to final design and installation.

The City will update the sign location map incorporating guidance provided in this memo.

Work Element 2 Deliverables:

- *Project Team site visit*
- *Sign location analysis memo (pdf file format)*

WORK ELEMENT 3 – COORDINATION AND AHC ENGAGEMENT

3.1 Stakeholder Engagement materials and meetings. The Consultant will lead the AHC process with the support of City staff. The Consultant will work with the City to prepare the meeting agendas and will prepare the presentation materials for the AHC meetings. The Consultant will meet with City staff (Staff Guidance meetings) prior to the AHC meetings to review the presentation message and materials. See Figure 2 for Stakeholder Engagement process outline.

This Work Element will consist of the following tasks (virtual)

:

- The Consultant will prepare the materials for and attend five (5) Staff Guidance meetings with City staff to solicit feedback on the agenda, goals, conceptual narrative, and design elements to be presented to the AHC.
- The Consultant will prepare the materials for and attend four (4) AHC meetings with City staff.
- The Consultant will prepare the materials for and attend one (1) Council meeting.

3.2 Public Engagement materials and meetings. The Consultant will provide the City with graphics and develop survey questions for the City to post on the City’s website/s and social media specific to the project, to solicit feedback from the public. The City will provide notice of the survey to the public and will manage and update the project website and online survey.

Work Element 3 Deliverables:

- *Meeting presentation materials (pdf file format)*
- *Meeting notes (pdf file format)*
- *Website graphics and survey questions (electronic file format)*

WORK ELEMENT 4 – CONCEPTUAL DESIGN DEVELOPMENT

4.1 The Consultant will develop conceptual design alternatives for standard citywide gateway and facility signage system/family including:

- Gateway Signs:
 - Large ‘Welcome to SeaTac’ city entry gateway treatment/signage(s)
 - Monument and vertical signage style to accommodate for site opportunities/constraints

- Midsize gateway treatment/signage – more suited to internal ‘sub area/ district areas’
 - Monument and banner style to accommodate for site opportunities/constraints
- Unique “signature grand monument” sign at one or two designated locations
- Facility Design Treatment options for City facilities:
 - Parks – monument signage, building façade, directional signage, trailhead signage
 - Civic buildings – monument signage, building façade, directional signage
- Wayfinding directional signage
 - Vehicular scale
 - Pedestrian/bicycle scale
- Informational Kiosk

See Figure 3 for an example of a City gateway and facility sign system. The conceptual design alternatives will establish the gateway treatment and signage thematic aesthetic, color, materials, font type, size and scale. Up to three (3) conceptual design alternatives (i.e. 3 different aesthetic themes) will be developed for review and feedback by the City and the AHC. Once 2 preferred design alternatives are chosen, up to three (3) rounds of refinements to the (2) preferred concepts are included in this Work Element to incorporate any additional feedback from the City and AHC. A photo-simulation or illustrative perspective graphic will be developed to show the “signature grand monument” concept to show an example of opportunity to share with the public and City Council.

Work Element 4 Deliverables:

- *Conceptual Signage System Alternatives (up to 3) Illustrative graphics, pdf format*
- *Photo-simulation of the Signature Grand Monument*

WORK ELEMENT 5 – PLANNING LEVEL COST ESTIMATE

The Consultant will prepare a cost estimate for the purposes of future phasing and implementation planning. The estimate will be itemized per each general sign type (Large ‘Welcome To’ sign, Midsize gateway sign, etc.). This estimate will include the costs for the fabrication of the signs, concrete foundation, and general installation costs (assumptions shall be noted/documented). The cost estimate for this phase will not include site specific costs such as area lighting, landscaping, site grading, relocation of existing features, electrical connections, or ROW acquisition.

Work Element 5 Deliverables:

- *Planning Level Cost estimate, Excel Spreadsheet File (pdf file format)*

ADDITIONAL SERVICES

The City may require additional services of the Consultant. The scope of these services will be determined based on the unanticipated project needs or other considerations at the sole discretion of the City. This work may include items identified in the current WE authorizations as well other items, which may include, but are not necessarily limited to the following:

- Additional City and/or AHC meetings
- Additional Conceptual Signage System Alternatives or additional edits to the alternatives
- Additional analysis and recommendation on proposed sign locations
- City Council and other Stakeholder or Public presentation attendance and/or material preparation
- Survey and Basemapping
- Construction documents (PS&E) for final design and installation
- Construction support
- Art integration and coordination

These services will be authorized under a future contract supplement if necessary. At the time these services are required, the Consultant shall provide a detailed scope of work and an estimate of costs. The Consultant shall not proceed with the work until the City has authorized the work and issued a notice to proceed.

FIGURE 1

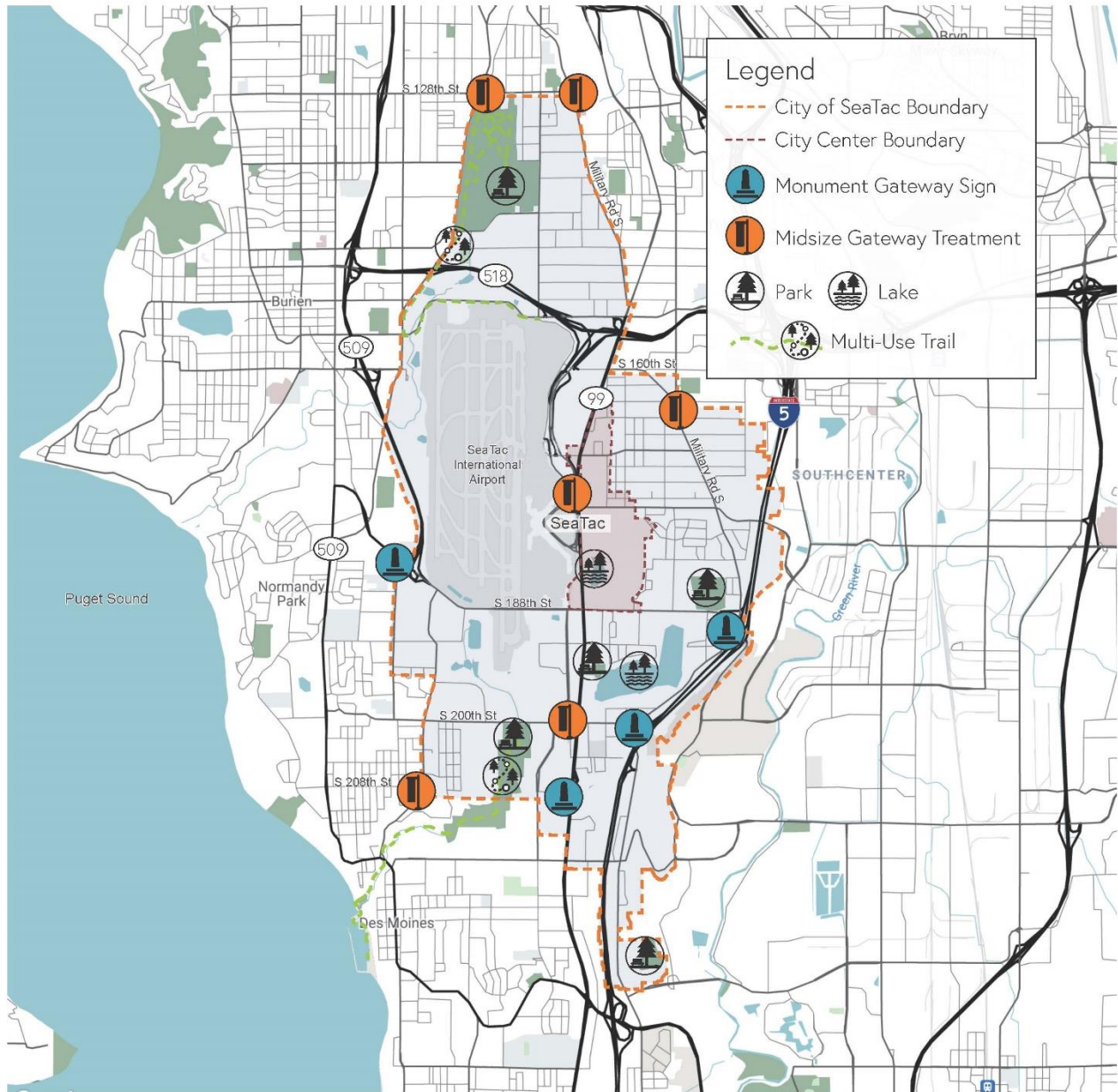


FIGURE 2

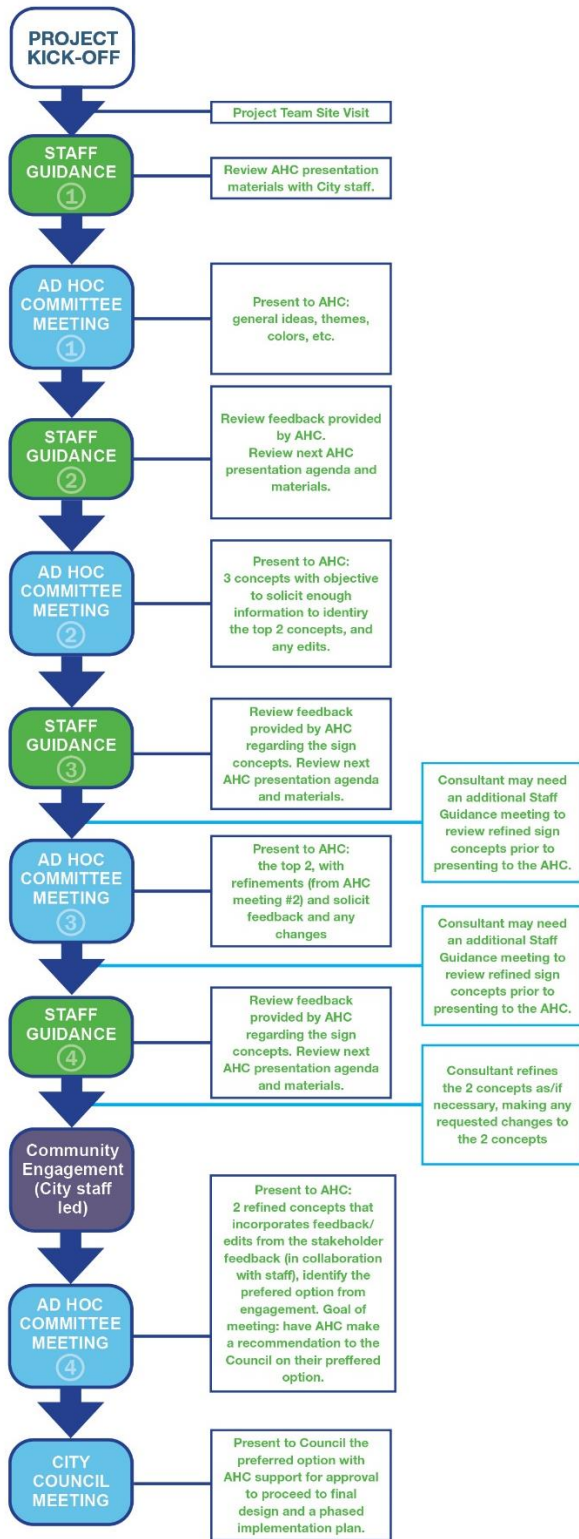
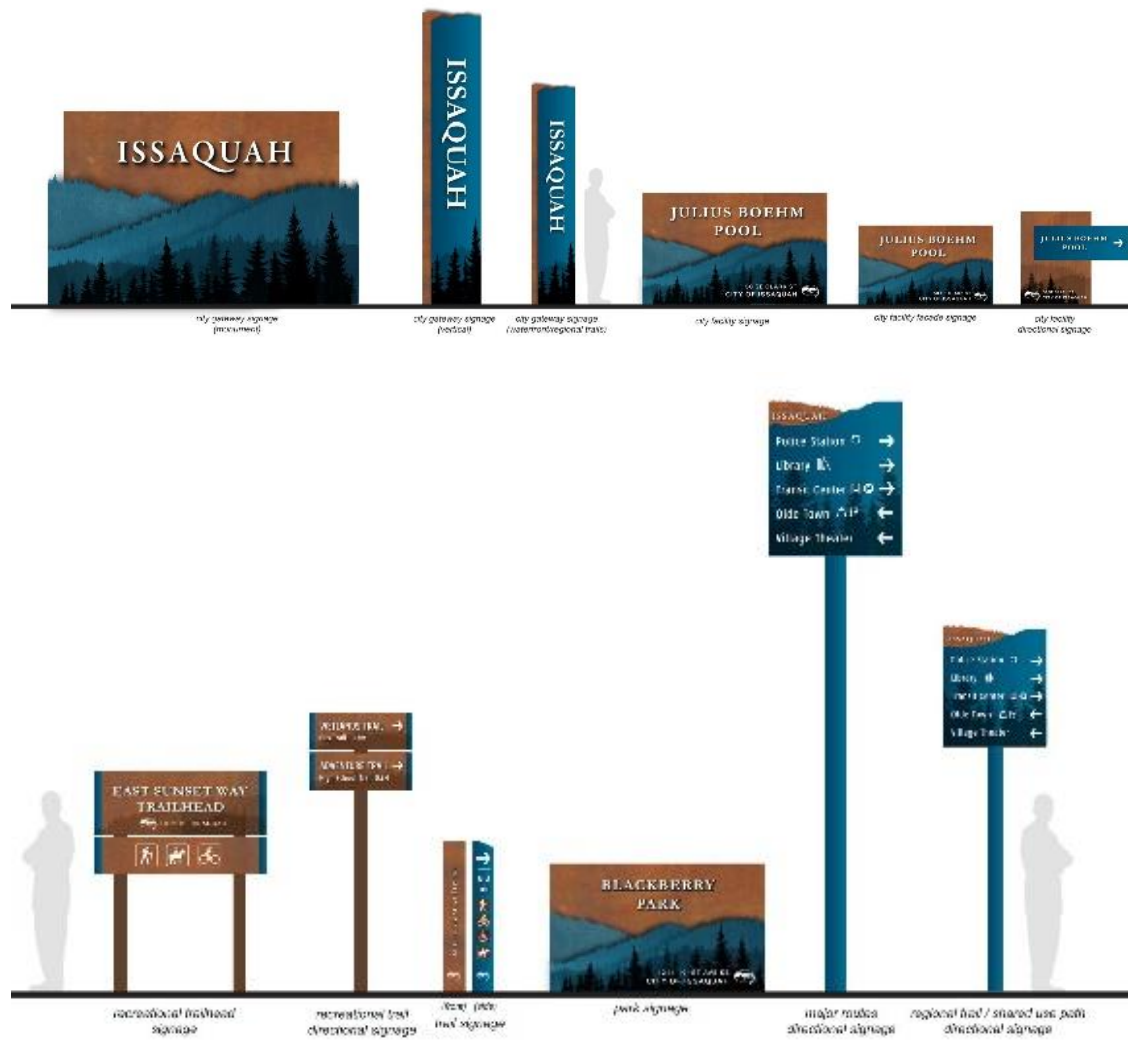


FIGURE 3



City of Issaquah's Sign System "family" example

Exhibit C
Schedule: Time for Performance and Term of Contract

SEE WORK ELEMENT 1 – PROJECT COORDINATION, MANAGEMENT, ADMINISTRATION

The project schedule shall be prepared by the consultant in accordance with Section 1.6 and 1.7 of Work Element 1, upon execution of this contract.

ORDINANCE NO. 22-1004

AN ORDINANCE of the City Council of the City of SeaTac,
Washington, amending the 2021-2022 Biennial Budget for miscellaneous
items.

WHEREAS, the Administration and Finance Committee, on May 12, 2022, reviewed the proposed amendment submitted by the City Manager and Finance and Systems Director which details recommended changes in various revenue and expenditure line items in the 2021-2022 Biennial Budget; and

WHEREAS, it is necessary for the City Council to amend the 2021-2022 Biennial Budget to provide additional appropriation authority to fund certain expenditures identified in Exhibit A;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC,
WASHINGTON, DO ORDAIN as follows:**

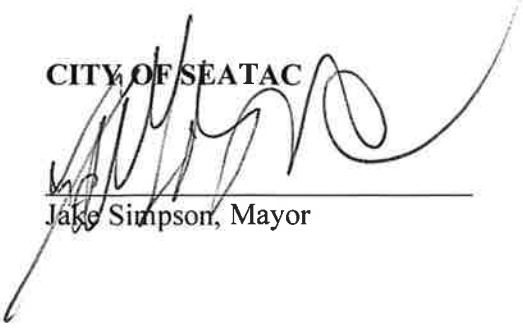
Section 1. A listing of the adjustment requests is included by line item, amount, and fund in summary format as shown in the attached Exhibit A. Decision Cards providing detailed descriptions are included as Exhibit C.

Section 2. The 2021-2022 Biennial Budget for the City of SeaTac, covering the period from January 1, 2021, through December 31, 2022, is hereby amended with a total 2022 ending fund balance in the amount of \$89.0 million for all budgeted funds. The City's 2021-2022 biennial budget is attached as Exhibit B and includes budgeted revenues and expenditures for the 2021-2022 biennium in the amounts and for the purposes shown separately and in the aggregate totals for all such funds as displayed.

Section 3. This Ordinance shall be in full force and effect five (5) days after passage and publication as required by law.

ADOPTED this 24th day of May, 2021, and signed in authentication
thereof on this 24th day of May, 2021.

CITY OF SEATAC




Jake Simpson, Mayor

ATTEST:



Kristina Gregg, City Clerk

Approved as to form:



Mary E. Mirante Bartolo, City Attorney

[Effective Date: 6/4/2022]

[2021-2022 Biennial Budget Amendment Ordinance]

EXHIBIT A
2021-2022 Biennial Budget Amendment

Revenue

		2021-2022 TOTAL	
001	001.334.05.10.001	\$55,140	SEEK Grant AWC/WA OSPI
	001.341.93.00.000	\$17,500	Fire Facility Maintenance - PSRFA
	001.337.07.00.019	\$29,600	Urban Forest Resto Study - KC Cons
307	307.334.03.81.015	\$300,000	River Ridge Elem Sidewalk - TIB
	307.334.03.81.016	\$300,000	34th Ave S Phase 2 - TIB
403	403.334.03.10.007	\$50,000	Stormwater Capacity Grant
404	404.337.07.00.003	\$32,729	Waste Reduction & Recycling Grant
		\$784,969	

Expenditures

FUND #	BARS#	2021-2022 TOTAL	
001	001.000.10.522.55.48.000	\$20,000	Repairs & Maintenance
	001.000.10.522.56.48.000	\$15,000	Repairs & Maintenance
Total General Fund (001)		\$35,000	
102	102.000.11.542.30.43.031	\$1,500	Lodging
	102.000.11.542.30.43.032	\$1,000	Meals
	102.000.11.542.30.43.033	\$500	Transportation
	102.000.11.543.10.43.031	\$5,200	Lodging
	102.000.11.543.10.43.032	\$2,000	Meals
	102.000.11.543.10.43.033	\$2,400	Transportation
	102.000.11.544.20.43.031	\$1,000	Lodging
	102.000.11.544.20.43.032	\$500	Meals
	102.000.11.544.20.43.033	\$1,000	Transportation
Total Street Fund (102)		\$15,100	
113	113.000.03.557.20.XX.XXX	\$55,514	Community Outreach Strategist DC (Salaries & Benefits)
	113.000.03.557.20.35.000	\$7,300	Community Outreach Strategist DC (Small Tools & Equip)
	113.000.03.557.20.42.028	\$960	Community Outreach Strategist DC (Telephone)
	113.000.03.557.20.49.053	\$1,200	Community Outreach Strategist DC (Subscriptions)
Total ARPA Grant Fund (113)		\$64,974	
306	XXX.XX.XX.XXX.XX.XX.XXX	\$164,995	SeaTac Police Community Outreach Center (Decision Card)
Total Facility Const. CIP Fund (306)		\$164,995	
403	403.000.11.531.32.43.031	\$1,000	Lodging
	403.000.11.531.32.43.032	\$300	Meals
	403.000.11.531.32.43.033	\$1,000	Transportation
	403.000.11.531.35.43.031	\$1,350	Lodging
	403.000.11.531.35.43.032	\$700	Meals
	403.000.11.531.35.43.033	\$600	Transportation
Total SWM Fund (403)		\$4,950	
404	404.000.11.537.92.43.031	\$600	Lodging
	404.000.11.537.92.43.032	\$300	Meals
	404.000.11.537.92.43.033	\$300	Transportation
Total SWE Fund (404)		\$1,200	
501	501.000.11.548.65.43.031	\$450	Lodging
	501.000.11.548.65.43.032	\$150	Meals
	501.000.11.548.65.43.033	\$550	Transportation
Total Equipment Rental (501)		\$1,150	
Grand Total - ALL FUNDS		\$287,369	

CITY OF SEATAC, WASHINGTON
2021-2022 BIENNIAL BUDGET: EXHIBIT B

5/24/2022

2021-2022 BIENNIAL BUDGET (EXPENDITURES + ENDING BALANCES) = \$ 262,749,777

FUND		BEGINNING BALANCE	REVENUES & OTHER SOURCES	EXPENDITURE APPROPRIATION	ENDING BALANCE
001	General Fund	\$ 34,541,589	\$ 78,198,689	\$ 89,891,671	\$ 22,848,606
102	Street Fund	10,437,550	15,567,442	20,367,248	\$ 5,637,744
105	Port ILA	8,915,304	2,904,235	3,899,888	\$ 7,919,651
106	Transit Planning	446,091	787,260	977,695	\$ 255,656
107	Hotel/Motel Tax	8,923,388	1,662,829	1,544,174	\$ 9,042,043
108	Building Management	3,450,129	652,710	512,532	\$ 3,590,307
111	Des Moines Creek Basin ILA	3,743,759	674,700	1,190,870	\$ 3,227,589
112	Affordable Housing Sales Tax	69,792	144,000	-	\$ 213,792
113	ARPA Grant	-	8,115,494	64,974	\$ 8,050,520
207	SCORE Bond Servicing	385,407	283,513	283,113	\$ 385,807
301	Municipal Capital Improvements	11,911,727	8,367,257	11,938,147	\$ 8,340,837
306	Facility Construction CIP	3,719,265	4,800	164,995	\$ 3,559,070
307	Transportation CIP	13,147,839	21,800,741	27,080,428	\$ 7,868,152
308	Light Rail Station Areas CIP	2,971,205	54,270	49,623	\$ 2,975,852
403	SWM Utility	6,238,430	9,809,688	12,516,062	\$ 3,532,057
404	Solid Waste & Environmental	946,555	908,000	555,035	\$ 1,299,520
501	Equipment Replacement	941,274	2,024,846	2,676,296	\$ 289,824
TOTAL BIENNIAL BUDGET		\$ 110,789,303	\$ 151,960,474	\$ 173,712,751	\$ 89,037,026

**City of SeaTac 2021-2022 Budget
Decision Card**

Date Prepared: 02/24/22

Title: SeaTac Police Community Outreach Center	
Amount: \$ 164,995.00	Department: Police
BARS#: 306 Fund	Division:
On-Going <input checked="" type="checkbox"/>	Director: Jon Mattsen
One-Time <input checked="" type="checkbox"/>	Preparer: Sgt Chad Mulligan

Description: (Provide a brief overview of what is being requested)

To lease office space for the Community Engagement Officer to work from. This location--tentatively called the SeaTac Police Community Outreach Center--will provide our CEO a location in the North end of SeaTac where they can meet with community members and build relationships.

Justification: (Explain why this is being requested and/or how the request will benefit the City):

The Police Department is working to provide better access to their services for the SeaTac community. Currently, community members only have one location to meet with and engage SeaTac Police Officers: SeaTac City Hall. The proposed solution is establishing an office and meeting space, which will be located within the new Polaris at SeaTac development project on the International Blvd and S 154th Street intersection. This location will serve as the office space for the Community Engagement Officer (CEO). The CEO will work primarily out of this location where they will be available to engage SeaTac's diverse population to foster two-way cultural understanding and create lasting relationships built on equity and trust. This will also allow for more community involvement at a location that is convenient to community members that live in the North end of SeaTac and reduce response times for service. Community members will be able to engage with the officers, while also providing an area where police officers can complete paperwork and improve response times. This Outreach Center location would facilitate community involvement such as Block Watch and other meetings, while providing a space for the SeaTac Community Engagement Officer to work on projects within the area that is being served. The Outreach Center will allow for improved access to the police throughout SeaTac.

At this time, due to the building currently being in the construction phase, the cost estimate is tentative, as the cost of the finishing work cannot yet be determined. However, the City of SeaTac is looking to lease a specific identified space within the facility that is convenient for community member access. We are anticipating a build-out cost of the leased space of up to \$230,475. This would include money for tenant improvements related to electrical, plumbing, HVAC, and other finishing work. The developer of the facility, Inland Group, will be contributing \$65,480 towards this tenant improvement work (which will make the city's portion of the build out cost about \$164,995). In addition to the initial build-out, the estimated lease amount being proposed is \$2,156/month in ongoing costs for the first 12 months with slight increases thereafter. The use of this space is intended for the next 10 years with an option to continue the use into the future also.

Alternatives: (List possible alternatives and/or risks if funding is not approved):

The SeaTac Police has long needed a substation in the North end of SeaTac to allow for better community engagement with it's citizens. This location is centrally located and easily accessible to current and new members of the community. There is not a current alternative to this location

City Goal: (Identify one or more City Goal addressed by this request):

Increased Community Engagement in the North end of SeaTac while providing a Public Safety presence with the community by providing a location for citizens to interact with members of the SeaTac Police Department.

Funding Source: (How will this request be funded):

	<u>2021 Amount</u>	<u>2022 Amount</u>
Source/Fund (be specific)		
Current Operations: Facilities Const. CIP (306)		\$ 164,995.00
Ending Fund Balance:		
Grant:		
Other:		
TOTAL	\$ 0.00	\$ 164,995.00

Date Approved:

**City of SeaTac 2021-2022 Budget
Decision Card**

Date Prepared: 05/03/22

Title: Community Outreach Strategist		Department: CMO
Amount: \$ 64,974.00		Division: Communications
BARS#: 113.000.557.20		Director: Carl Cole
On-Going <input checked="" type="checkbox"/>	Mandatory <input type="checkbox"/>	Preparer: Brion Humenay
One-Time <input type="checkbox"/>	Discretionary <input checked="" type="checkbox"/>	

Description: (Provide a brief overview of what is being requested)

The Community Outreach Strategist will oversee, organize, and expand upon the different types of engagement activities the City pursues. The position will be accountable for understanding all the areas in which the City engages with the community and will help to holistically align these activities using a consistent and continuous approach.

Justification: (Explain why this is being requested and/or how the request will benefit the City):

See attached memo

Alternatives: (List possible alternatives and/or risks if funding is not approved):

See alternatives listed in attached memo

City Goal: (Identify one or more City Goal addressed by this request):

BUILD EFFECTIVE & ACCOUNTABLE GOVERNMENT
Increase community trust through better community engagement, collaboration, and transparency.

Funding Source: (How will this request be funded):

	<u>2021 Amount</u>	<u>2022 Amount</u>
Source/Fund (be specific)		
Current Operations:		
Ending Fund Balance:		
Grant:		
Other: ARPA 113 Fund	\$ 0.00	\$ 64,974.00
TOTAL	\$ 0.00	\$ 64,974.00

Date Approved:

New Position Request Worksheet

(Required for all decision cards requesting a new position)

Title of Associated Decision Card: Community Outreach Strategist Decision Card

Position Title (Provided by HR) : Community Outreach Strategist

Salary Range (Provided by HR) : 54

Limited Term Position? (Y/N) Y

Primary Duties/Responsibilities:

Oversee, develop, implement and coordinate community outreach activities and program for the City of SeaTac.

Coordinate programs to encourage community participation in the City's decisions making process; identify groups or organizations effected by anticipated city action and outreach to these groups, identify opportunities for involvement.

Serve as staff liaison to neighborhood associations and community groups; to provide two-way communications and citizen review of neighborhood issues including health, safety and welfare. Attend neighborhood association meetings and provide technical assistance, resources and support to encourage healthy, vibrant leadership structures.

	2021	2022
Total Salary <i>(provided by Finance)</i>		36,142
Total Benefits <i>(provided by Finance)</i>		19,372
Subtotal Salary and Benefits	\$ 0	\$ 55,514

BARS

Office Supplies	XXX.XX.31.008	
Uniform & Safety Clothing	XXX.XX.31.018	
Office Furniture & Equipment	XXX.XX.35.000	4,500
Computer & Hardware	301 FUND	2,500
Telephone		
Cell Phone Purchase	XXX.XX.35.000	300
Cell Phone Monthly Charges	XXX.XX.42.028	960
Software Subscriptions	XXX.XX.49.053	1,200
Training & Conferences		
Lodging	XXX.XX.43.031	
Meals	XXX.XX.43.032	
Transportation	XXX.XX.43.033	
Registration	XXX.XX.49.061	
Vehicle		
Vehicle Purchase	501 FUND	
Equipment Rental Charges <i>(provided by Public Works)</i>	XXX.XX.45.002	

Other *(specify)* :

Subtotal Associated Costs	\$ 0	\$ 9,460
TOTAL:	\$ 0	\$ 64,974



MEMORANDUM

To: Administration and Finance Committee
Through: Carl Cole, City Manager
From: Brion Humenay, Senior Management Analyst
Date: May 12th, 2022
Re: Consideration of a Community Outreach Strategist

Purpose:

The City Manager's Office Communications Division is seeking A&F Committee support to create a new limited-term position of Community Outreach Strategist to organize, plan, develop, coordinate, and administer City community outreach activities and help the City to engage with its diverse communities and ensure meaningful access to City, programs and services.

Background:

In October of 2020, two Council Request Forms (CRF) were submitted that requested the City commit to additional Community Outreach resources. Councilmember Gobena's request was referred to the A&F Committee in October of 2020, and Councilmember Negusse's request was referred to the A&F Committee in November of 2020. At a Council Study Session on March 8th, 2022, staff took a broad outline of a potential community engagement position before Council seeking guidance and direction on the position. Council referred the position to the A&F Committee but had specific questions about the position.

Those questions are as follows:

- What services are not being accessed by hard-to-reach community members, and why can they not access them?
- What are some specific measurable activities that this position could be responsible for?
- What would a pilot of this position look like?

This memo will provide answers to those questions while seeking to outline the need for such a position.

Access to City Services:

As outlined in the March 8th Council Study Session (CSS) presentation, SeaTac is home to an increasingly diverse and multi-ethnic community. According to the US Census, 32,000 people reside in SeaTac, and the population is 29% white, 24% black, 19% Hispanic/Latino, 18% Asian, and 10% multi-racial. Additionally, 39% of SeaTac residents were born outside the United States, and just over 50% of its residents speak a language other than English while at home. The March 8th presentation stated that while many within this multi-faceted community may have a

high need for accessing the essential resources and information provided by the City, they might not be accessing those services due to barriers beyond their control.

To answer the Council’s question about which community members are not accessing City accesses, staff looked at information within SeaTac’s 2021 Demographics and Outcomes Report to identify whether traditionally hard-to-reach populations of refugee and Limited English Proficiency (LEP) were underrepresented when compared to their overall populations within the statistics of our Human Services partner organizations. This information is shown in Table 1.

Human Services Partner	Households Served				Total Households
	Refugee/Immigrant Household	Refugee/Immigrant Percentage of Total	Limited English Household	Limited English Percentage of Total	
ANEW	0	0%	0	0%	7
Asian counseling and Referral Service	Unknown		8	23%	35
Catholic Community Services of Western Washington	9	19%	0	0%	48
Catholic Community Services Volunteer Services	0	0%	0	0%	28
Child Care Resources	3	8%	2	5%	39
Des Moines Area Food Bank	754	45%	206	12%	1665
HealthPoint Primary Dental Care	Unknown		61	28%	215
HealthPoint Primary Medical Care	Unknown		347	35%	983
Highline Area Food Bank	86	8%	143	13%	1137
Hospitality House Women's Shelter	0	0%	0	0%	6
King County Sexual Assault Resource Center	2	4%	2	4%	47
Literary Source ESOL and Family Literacy	23	88%	26	100%	26
Multi-Service Center Rent and Emergency Assistance	0	0%	0	0%	53
Multi-Service Center Shelter and Transitional Housing	3	100%	3	100%	3
Navos	0	0%	1	17%	6
Diocese of Olympia-Refugee Resettlement Office	17	100%	6	35%	17
Partner in Employment	27	79%	26	76%	34
SafeFutures Youth Center	6	50%	12	100%	12
Sound Generations Meals on Wheels	2	3%	Unknown		59
Sound Generation Community Dining	0	0%	1	6%	17

Table 1: SeaTac’s 2021 Refugee/Immigrant and LEP households served by SeaTac partner organizations.

Green cells highlights where the proportions of those households served are consistent with or greater than the proportion of those populations within SeaTac. This data does appear to highlight a disparity between SeaTac's refugee, immigrant, and LEP populations living within the city and those accessing City services. Only six of the twenty reporting agencies show that they served refugee or immigrant households consistent with or greater than the proportion of those populations residing within SeaTac. And only four of the twenty reporting organizations show that they served LEP households consistent with or above the portion of those populations residing in SeaTac. However, this data does indicate that there is a gap in access to City services within refugee, immigrant, and LEP households.

This data is consistent with more anecdotal evidence that was identified by staff in preparation for bringing this position to Council. During the process of building a profile of a community outreach position for the City, staff asked personnel within each of the City's outward-facing departments to see if there were noted differences in who was participating in different City-sponsored engagement activities. Staff responsible for or familiar with the City's engagement activities consistently identified that there was a gap in who responds when the City engages within the community.

What follows are responses from those staff, grouped by department:

PCPS

"It can be difficult to get past language and other barriers. We need to find creative ways to let people know that we are here and to bring people in."

CED

"We need a point person who understands how to access the community, who understands the best ways to notify individual communities, and how to support them during meetings so that we can get them to show up."

"We don't have any insight into community groups, non-profits, community councils, etc. Therefore, we can't work with through these groups to engage with our residents."

"We struggle to reach a representative subset of people. It's hard to reach families, renters, or people who work multiple jobs."

PW

"We have a huge need to reach diverse audiences and community members who may not have access to social media or our website and who may not speak or read English. The state stormwater permit that we operate under specifically requires us to reach "underserved" communities in our jurisdiction and we have not been able to reach those audiences. Part of the gap is skill based (language needs) and part of it is informational (not knowing how to best reach target audiences)."

Both the analysis of the human services data and anecdotal evidence may infer that there is a gap in access to City services, but they do not conclusively prove that one exists. The City would need to directly gather data on this question in order to fully understand if there is a gap in service. Piloting this Community Outreach Strategist allows the City to further explore this perceived gap in service without tying the City to a long-term commitment.

Bridging the Gap:

It should be noted that this City's partner organizations provide important services to SeaTac's residents, and that they work hard to reach everyone who may qualify for their services. So too, do staff within City departments who are responsible for engaging with the community. But there does appear to be a need for more City resources to be invested in community outreach so that the City can engage with and meet the needs of all its residents. Therefore, staff are proposing a new Community Outreach Strategist that would be responsible for overseeing, planning, developing, coordinating, and administering a variety of community outreach activities for the City.

To help bridge the gap for engaging with all City residents, the new position's responsibilities would include:

- Coordinate programs to encourage community participation in the City's decisions making process; identify groups or organizations effected by anticipated City action and outreach to these groups, identify opportunities for involvement.
- Serve as staff liaison to neighborhood associations and community groups; to provide two-way communications and citizen review of neighborhood issues including health, safety, and welfare. Attend neighborhood association meetings and provide technical assistance, resources, and support to encourage healthy, vibrant leadership structures.
- With a high-level of expertise and knowledge in outreach and demographics, provide support, education and outreach for City programs, services, and activities.

This position would be tasked with providing a known and consistent presence in the community. It would help to facilitate and attend local events, meet with community members to address their concerns, and where appropriate, would connect residents to City staff to directly address their concerns. If there is a gap in access to City services within some SeaTac communities, this position could help to identify where those gaps are, why they exist, and how best to work with those residents to alleviate those issues.

Measurable activities:

The overall goal of the position would be to build long-term and two-way relationships with community members and foster an environment of public trust for City activities. Building performance metrics around developing relationships can be a tricky thing to measure. "Relationships" can be hard to define, and so too is Community participation. The City also wants to avoid community members feeling like their participation is just a box that the City is checking, or stats that the City is collecting, instead of a true effort to better understand their needs.

However, the City could think about developing metrics around concepts like relationship and participation by measuring things like:

- Number of community events identified/attended
- Number of key community leaders identified
- Number of community groups mapped/contacted
- Number of community issues identified
- Number of residents participating in City engagement activities (assumes baseline is established)

These metrics could provide some understanding of the impact of this position towards establishing relationships and fostering an environment of trust.

Limited Term Position Funded through State and Local Fiscal Recovery Funds (SLFRF)

Funding for this position is being proposed using the federal funding the City received from the State and Local Fiscal Recovery Funds (SLFRF). Those funds total \$8,115,000 and must be spent by December 31st, 2026. It is being proposed that this position be funded for the longest possible term using SLFRF funds so that the City can attract a well-qualified candidate. At the end of the term, the City can review the impact of the position and hold the option to renew for another limited-term period or convert the position to a full-time equivalent.

Revisiting the materials presented in the March 8th CSS presentation, the City could offset some of the cost of this position by internalizing some or all of the costs of its current practice of using outside consultants to conduct community engagement centered around an individual project, plan, or activity. Over the last 3 year, the City has spent \$392,500 on outreach efforts and most of this money has been spent to hire external consultants.

Fiscal Impacts:

A Limited-Term Community Outreach Strategist will start at \$145,000 per year for salary and benefits plus \$9,600 for initial set up costs. Projecting the total cost of the position out for the full term comes to an estimated cost of \$708,797.

Salary and Benefits:

- 2022 \$64,974 (Prorated)
- 2023 \$145,643
- 2024 \$159,561
- 2025 \$174,828
- 2026 \$184,791

Initial Set-up:

- Office Furniture & Supplies \$4,500
- Laptop \$2,500
- Cell Phone \$300 (cost of phone depends on model)

On-going

- Cell phone service yearly cost: \$960
- Microsoft office Annual license: \$240
- Adobe Suite Software Annual Subscription: \$1,100

Alternatives:

If the Community Outreach Program Coordinator position is not funded, the City will continue to spend around \$100,000 a year to conduct community engagement using contracted consultants. Community outreach will continue to center around individual projects, plans, or programs, and no comprehensive and continuous strategy for engaging the community will be crafted by the city. No continuous presence will be established by the City to encourage long-term relationship building between City staff and the community.

City Goals:

BUILD EFFECTIVE & ACCOUNTABLE GOVERNMENT

Increase community trust through better community engagement, collaboration, and transparency.

ORDINANCE NO. 22-1005

AN ORDINANCE of the City Council of the City of SeaTac, Washington, establishing The Great SeaTac Scrub Down program within the (404) Solid Waste Fund and amending the City's 2021-2022 Biennial Budget.

WHEREAS, the City of SeaTac has litter and graffiti; and

WHEREAS, the City currently manages litter control through City staff and an Adopt A Street program; and

WHEREAS, further actions are needed to help remove litter from the City right of ways, remove graffiti and create civic pride; and

WHEREAS, it is necessary for the City Council to amend the 2021-2022 Biennial Budget to provide additional appropriation authority for The Great SeaTac Scrub Down;

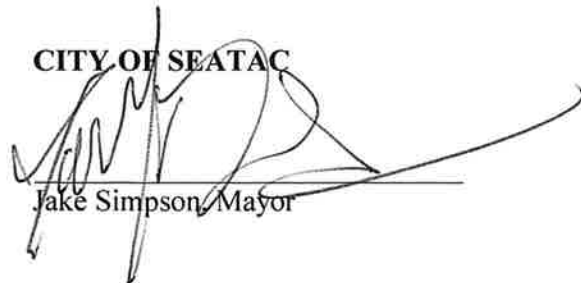
NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON, DO ORDAIN as follows:

Section 1. A Great SeaTac Scrub Down program shall be established within the Solid Waste division of Public Works.

Section 2. The City's 2021-2022 Biennial Budget is amended by increasing expenditures in the Solid Waste (404 fund) by \$10,000 in order to fund the Great SeaTac Scrub Down program.

Section 3. This Ordinance shall be in full force and effect five (5) days after passage and publication as required by law.

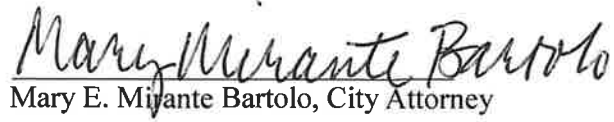
ADOPTED this 24th day of May, 2022, and signed in authentication thereof on this 24th day of May, 2022.

CITY OF SEATAC

Jake Simpson, Mayor

ATTEST:


Kristina Gregg, City Clerk

Approved as to form:


Mary E. Mirante Bartolo, City Attorney

[Effective Date: 6/4/2022]

[The Great SeaTac Scrub Down Budget Amendment]

ORDINANCE NO. 22-1006

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending Section 12.10.010 of the SeaTac Municipal Code related to the adoption of the 2021 King County Surface Water Design Manual and the SeaTac Addendum.

WHEREAS, from time to time, the City considers amendments to the Municipal Code to eliminate redundancies; repeal outdated provisions; provide clarification; provide greater efficiencies or to respond to changing community concerns and needs; and

WHEREAS, for the City of SeaTac to discharge stormwater to waters of the State (*i.e.*, Puget Sound), the City must meet 2019 Western Washington National Pollutant Discharge Elimination System (NPDES) Phase II Municipal Stormwater Permit requirements; and

WHEREAS, to remain in compliance with NPDES Permit requirements, the City must adopt the 2021 King County Surface Water Design Manual (KCSWDM); and

WHEREAS, on November 21, 2021, City staff transmitted a copy of the proposed code amendments to the Washington State Department of Commerce for review and comment, pursuant to RCW 36.70A.106, and no comments were received from any state agency; and

WHEREAS, on March 23, 2022, a SEPA threshold Determination of Nonsignificance was issued for the proposed amendments and no comments were received or appeals filed; and

WHEREAS, the Planning Commission reviewed the amendments to the Municipal Code at a duly-noticed open public meetings on February 15, 2022, and conducted a duly-noticed public hearing on April 5, 2022, after which it recommended approval; and

WHEREAS, the Transportation and Public Works Committee (TP&W) reviewed the amendments at a duly-noticed open public meetings on December 16, 2021 and April 21, 2022, and recommended approval;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC,

WASHINGTON DO ORDAIN as follows:

Section 1. Section 12.10.010 of the SeaTac Municipal Code is hereby amended as follows:

12.10.010 King County Surface Water Design Manual adopted by reference.


The ~~2021-2016~~ King County Surface Water Design Manual (KCSWDM) and the City of SeaTac Addendum to the KCSWDM are hereby adopted by reference. They are collectively referred to in this title as the Surface Water Design Manual (SWDM). The above stormwater standards are adopted in compliance with the ~~2013-2019~~ Western Washington (NPDES) Phase II Municipal Stormwater Permit. Where more than one (1) part of the code applies to the same aspect of a proposed use or development, the requirements of the 2021 SWDM shall apply. (Ord. 16-1021 § 1 (Appx. A) (part); Ord. 16-1006 § 1; Ord. 09-1042 § 1; Ord. 05-1012 § 1; Ord. 98-1054 § 1; Ord. 90-1046 § 1).

Section 2. The SeaTac Addendum to the King County Surface Water Design Manual is hereby amended as depicted in Exhibit "A".

Section 3. This Ordinance shall be in full force and effect five (5) days after passage and publication as required by law.

ADOPTED this 14th day of June, 2022, and signed in authentication thereof on this 14th day of June, 2022.

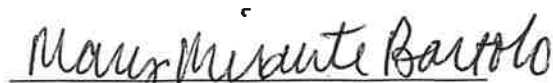
CITY OF SEATAC


Senayet Negusse, Deputy Mayor

ATTEST:

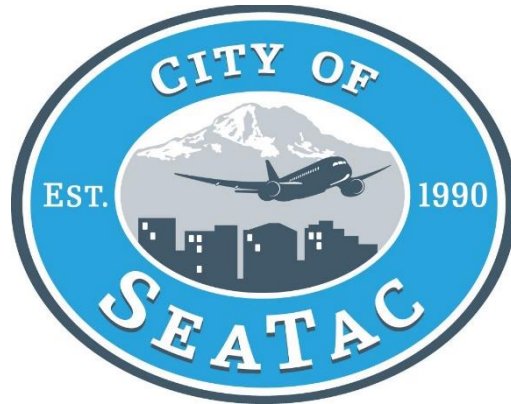

Kristina Gregg, City Clerk

APPROVED AS TO FORM:


Mary E. Mirante Bartolo, City Attorney

[Effective Date: 6/25/2022
[2021 King County Surface Water Design Manual]

Exhibit A
Addendum



FINAL
Addendum to
the King County
Surface Water Design Manual

Effective date

~~January-September 1, 2021~~ 17 update date

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Introduction

This addendum to the 2021~~16~~ King County Surface Water Design Manual (KCSWDM) applies to development and redevelopment proposals within the City of SeaTac (City). The KCSWDM has been adopted to meet the requirements of the Clean Water Act, the Endangered Species Act and State Growth Management Act. This addendum includes minor revisions to the KCSWDM to address the differences between King County's and the city's organization and processes, as well as to address equivalency requirements. No major substantive changes have been made to the KCSWDM in order to maintain equivalency in [the](#) review requirements and level of protection provided by the manual.

[**Note:** Clarifications and interpretations to the KCSWDM or this addendum will be documented and made available through policy statements within the City's Development Standards.]

Addendum Organization

The information presented in this addendum is organized as follows:

- **Terminology:** At times King County and City of SeaTac use different terminology to describe or refer to equivalent subject matter. This section identifies these terms and the City of SeaTac's equivalent terminology.
- **Key Revisions:** This section specifically identifies the minor revisions the City has made to the KCSWDM. These revisions are necessary to maintain equivalency to the stormwater standards identified in the NPDES Phase II Permit, as well as to address deficiencies within the KCSWDM.
- **Supplemental Documents:** This section identifies technical guidance manuals and documents which shall be used to supplement the KCSWDM. These documents are necessary to maintain equivalency to the stormwater standards identified in the NPDES Phase II Permit, as well as to address deficiencies within the KCSWDM.
- **Code Reference Tables:** King County code is referenced in many places throughout the KCSWDM. This section identifies these code references and equivalent city code where applicable.

Supplemental information in the appendices includes the following:

- **Appendix A:** Hydrologic Analysis of the Des Moines Creek Regional Detention Facility (July 23, 2003 Memorandum from the Department of Ecology)
- **Appendix B:** Soil Amendment Requirements
- **Appendix C:** Design and Maintenance Criteria for BMPs/Facilities not included in the KCSWDM
- **Appendix D:** Flow Control and Water Quality Applications Maps

Terminology

At times King County and City of SeaTac use different terminology to describe or to refer to equivalent subject matter. This section identifies these terms and the City of SeaTac's equivalent terminology.

Department of Natural Resources and Parks (DNRP) = City of SeaTac Parks & Recreation.

Department of Permitting and Environmental Review (DPER) = City of SeaTac Public Works and Community and Economic Development Departments.

Director = City of SeaTac Public Works Director.

Drainage facilities restoration and site stabilization guarantee and drainage defect and maintenance guarantee = SeaTac stormwater facilities restoration and site stabilization bond (Performance Bond) and defect and maintenance bond (Stormwater Maintenance Bond).

King County = City of SeaTac.

King County Code (KCC) = SeaTac Municipal Code (SMC). Check code reference table for equivalent code sections.

King County Designated/Identified Water Quality Problem = This determination is made on a case-by-case basis.

King County Road Standards = City of SeaTac Development Standards.

Master Drainage Planning = Not applicable, no SMC equivalent.

Sensitive Area Folio = In addition to the King County Sensitive Area Folio, -Stream, Wetland and Steep Slope maps are also available ~~on the Department of Community and Economic Development web page at <http://www.ci.seatac.wa.us/index.aspx?page=42>~~ through the [City of SeaTac GIS Portal](#).

Urban Planned Development = Not applicable, no SMC equivalent.

Water and Land Resources (WLR) Division = City of SeaTac Public Works Department.

Zoning Classifications: Where the KCSWDM references Agricultural (A) Zoning, Forest (F) Zoning, or Rural (R) Zoning = These zoning classifications are intended for areas outside of the Urban Growth Boundary, therefore the City of SeaTac contains no equivalent zoning. Refer to City zoning maps to determine which zoning classifications apply to your project.

Key Revisions

This section specifically identifies the minor revisions the City has made to the KCSWDM. These revisions are necessary to maintain equivalency to the stormwater standards identified in the NPDES Phase II Permit, as well as to address deficiencies within the KCSWDM.

Mitigation of Impacts from Construction Site Runoff – Property owners and construction site managers are responsible for mitigating off-site impacts from construction regardless of the size of the project or whether a construction permit was required by the City of SeaTac.

Des Moines Creek Basin Flow Control – New and redevelopment projects may use the Basic Flow Control standard as identified in the KCSWDM, and the 1994 land use condition as the pre-development conditions for sizing flow control facilities. This adjustment is established based on the Des Moines Creek Basin Plan, the Des Moines Creek Regional Capital Improvement Project and the Hydrologic Analysis of the Des Moines Creek Regional Detention Facility as specified in a letter from the Department of Ecology, dated July 23, 2003 signed by Kevin Fitzpatrick (included in Appendix A).

Erosion Hazard Areas – For the purposes of site assessment and site planning and design, slopes greater than or equal to 15% are considered “Erosion Hazard Areas”. Project designs and erosion sedimentation control plans must address these areas accordingly.

Soil Amendment Requirements – The City has developed a Soil Amendment Standards handout that is included in Appendix B of this document.

Continuous Modeling – SeaTac will allow the Western Washington Hydrology Model (WWHM), MGSFlood, or HSPF to be used to for sizing stormwater facilities to meet flow control, treatment, or the LID performance standard requirements. Explicit modeling of BMP infiltration for facility sizing is also allowed instead of applying the flow control BMP facility sizing credits included in Table 1.2.9.A in Chapter 1 of the KCSWDM.

Additional Flow Control Facility Options for Core Requirement #3 – The KCSWDM does not include vegetated roofs, but they are allowed in the City of SeaTac. Design and maintenance guidelines for vegetated roofs can be found in Appendix C of this document.

Additional Water Quality Facility Options for Core Requirement #8 – The following facilities are available as options on the Basic WQ Menu: Compost-amended Vegetated Filter Strips (CAVFS), Media Filter Drains (MFDs) (previously referred to as the Ecology Embankment), and Bioretention.

Emerging technologies currently approved by Ecology (<http://www.ecy.wa.gov/programs/wq/stormwater/newtech/technologies.html>) can be used as options on the Basic WQ Menu if they have received a General Use Level Designation (GULD) for Basic Treatment. Emerging technologies currently approved by Ecology can be used as options on the Enhanced WQ Menu if they have received a GULD for Enhanced Treatment.

Design and maintenance guidelines for CAVFS and MFDs can be found in Appendix C of this document. Design guidelines for Bioretention can be found in Appendix C of this document. Maintenance guidelines for Bioretention can be found in the KCSWDM. Design and maintenance guidelines for emerging technologies should be requested from the manufacturer.

Additional Flow Control BMP Options for Core Requirement #9 – In addition to engineered bioretention facilities, non-engineered rain gardens are allowed for small lots in the City of SeaTac with less than 5,000 square feet of impervious surface. Rain gardens shall be sized to have a minimum horizontal projected surface area below the overflow which is at least 5% of the area draining to it. Design and maintenance guidelines for rain gardens can be found in the Rain Garden Handbook for Western Washington. [Note: Rain gardens can be used to meet Core Requirement #9 but cannot be used to meet Core Requirements #3 or #8.]

Overflows to City ROW – Where feasible based on topography, private stormwater facilities should be designed to overflow to the City Right-of-Way (ROW) or a receiving water.

Underdrains – Underdrains are allowed in permeable pavement designs. ~~No~~ Underdrains are allowed for bioretention ~~until~~ using the new bioretention soil mix ~~has been approved by Ecology and per~~ King County Reference 11-C in the KCSWDM.

Flow Control and Water Quality Applications Maps – City of SeaTac equivalents to the Flow Control Applications Map and Water Quality Applications Map can be found in Appendix D of this document. In lieu of a SeaTac equivalent to the County Landslide Hazard Drainage Areas Map, the City will rely on King County's map.

Interpretation or Modification of Standards – The Public Works Director or his/her designee is responsible for all interpretations and/or revisions to the surface water design standards as may be required for their implementation. These standards will be considered as reasonable minimum requirements, and will not be modified, except as may be permitted by the Public Works Director pursuant to a requested modification, adjustment, or variance, and subject to all applicable decision criteria. Such requests must be submitted in writing and provide a detailed explanation as to why a deviation from the standards is necessary and how the proposed modification/adjustment would be in compliance with the intent and purpose of the City's standards.

Supplemental Documents

This section identifies technical guidance manuals and documents which shall be used to supplement the KCSWDM. These documents are necessary to maintain equivalency to the stormwater standards identified in the NPDES Phase II Permit, as well as to address deficiencies within the KCSWDM.

King County Stormwater Pollution Prevention Manual – The most recent edition of the King County Stormwater Pollution Prevention Manual (KCSWPPM) shall be used as technical guidance for water quality best management practices (BMPs). This BMP manual shall also be used as the technical guidance for identifying and implementing source control measures for private residents, businesses, and industries when applying SMC 12.12 (Surface and Stormwater – Illicit Discharge Detection and Elimination Code).

Low Impact Development Technical Guidance Manual for Puget Sound – The 2012 Low Impact Development Technical Guidance Manual for Puget Sound created by the Puget Sound Partnership, or as hereafter amended, shall be used as the supplemental technical guidance for the KCSWDM for the use of LID principles and LID BMPs.

Rain Garden Handbook for Western Washington: A Guide for Design, Installation, and Maintenance – The 2013 Rain Garden Handbook created by Ecology, the Washington State University Extension, and Kitsap County, or as hereafter amended, shall be used as the supplemental technical guidance for the KCSWDM for the design, installation, and maintenance of rain gardens.

Stormwater Standard Plans – The City of Tacoma Standard Plans currently found at www.cityoftacoma.org/government/city_departments/public_works/engineering/city_of_tacoma_right_of_way_design_manual are approved by the City of SeaTac on a conceptual basis. City of SeaTac development review staff will work with applicants to review and implement these standard details.

Stormwater System Maintenance Standards – The Maintenance Standards for both public and private stormwater systems are identified in Chapter 6, Appendix A, and Appendix C of the KCSWDM and Appendix C of this document.

Supplemental Guidelines for Public Right of Way Operations and Maintenance – The most recent edition of the Regional Road Maintenance – Endangered Species Act Program Guidelines currently found at www.kingcounty.gov/depts/transportation/roads/endangered-species-act-reports.aspx, or as hereafter amended, shall be used to supplement the above mentioned stormwater system maintenance standards for work done in the public right of way, as well as public stormwater systems.

Supplemental Snow and Ice Policy – The City of SeaTac will use snow melt materials (*i.e.*, salt brine) as often as necessary on public roads during snow and ice events to maintain safe travel on roadways while minimizing the potential of water quality impacts (*i.e.*, debris entering the storm system).

Vegetation and Land Management Standards – The most recent edition of the City of SeaTac Integrated Pest and Vegetation Management Plan shall be used as guidance for pest, vegetation and land management activities for all properties or facilities owned or operated by the City of SeaTac.

Code Reference Tables

King County Code is referenced in many places throughout the KCSWDM. The following tables identify these code references and equivalent city code where applicable.

King County Code to SeaTac Municipal Code (SMC) Reference Table			
King County Code Reference	Subject of Reference	SMC Equivalent	Comment
KCC 2.98	Adoption Procedures	1.01	
KCC 2.98	Critical Drainage Areas (CDAs), Adoption Procedures	12.10.080	
Title 9	Surface Water Management	12.10 & 12.30	
KCC 9.04	Surface Water Run-off Policy: Variances	No Equivalent	The City relies on the adjustment process identified in the KCSWDM
KCC 9.04	Stormwater Run-off and Surface Water and Erosion Control	No Equivalent	In the absence of equivalent SMC, the City will use the King County Code for all general references to KCC 9.04
KCC 9.04.030	Definitions: Targeted Drainage Review/Abbreviated Evaluation	No Equivalent	In the absence of equivalent SMC, the City will use King County's definition
KCC 9.04.030	Drainage Review – when required – type	No Equivalent	In the absence of equivalent SMC, the City will use King County's definition
KCC 9.04.030	Full Drainage Review	No Equivalent	The SMC does not list additional drainage review requirements and relies on the KCSWDM
KCC 9.04.050	Drainage Review – requirements	No Equivalent	The SMC does not list additional drainage review requirements and relies on

King County Code to SeaTac Municipal Code (SMC) Reference Table			
King County Code Reference	Subject of Reference	SMC Equivalent	Comment
			the KCSWDM
KCC 9.04.070	Engineering plans for the purposes of drainage review	Not Applicable	County Code refers to internal DDES procedures and is referenced only in definition of DDES
KCC 9.04.090	Construction Timing and Final Approval	12.10.100	The City also has Subdivision Standard Plan Notes
9.04.100	Liability insurance required	12.10.110 – 12.10.150	
KKCC 9.04.115	Drainage Facilities Accepted by King County for Maintenance	No Equivalent	SeaTac generally does not accept stormwater facilities unless they are constructed in the public ROW
KCC 9.04.120	Drainage Facilities Not Accepted by King County for Maintenance	No Equivalent	SeaTac generally does not accept stormwater facilities unless they are constructed in the public ROW
KCC 9.05.050	Drainage Review – requirements	Not Applicable	King County Code section does not exist. Presumed typo. See KCC 9.04.050
KCC 9.12.025	Prohibited, allowable, and conditional discharges	12.12.020, 12.12.030, and 12.12.040	
KCC 9.12	Water Quality	No Equivalent	In the absence of equivalent SMC, the City will use the King County Code for all general references to KCC 9.12
KCC 9.12.035	Stormwater Pollution Prevention Manual	No Equivalent	Adopted via SeaTac Addendum to KCSWDM

King County Code to SeaTac Municipal Code (SMC) Reference Table			
King County Code Reference	Subject of Reference	SMC Equivalent	Comment
Title 10	Seattle-King County Department of Public Health Solid Waste Regulations	7.40	
KCC 16.62	Erosion and Sediment Control	Not Applicable	King County Code section does not exist. Presumed typo. See KCC 16.82 below.
KCC 16.82	Clearing and Grading Code: Bridge Design	No Equivalent	In the absence of City standards for bridge design, the City will rely on King County Road Design and Construction standards and the WSDOT Standard Specifications for Road, Bridge, and Municipal Construction
KCC 16.82	Clearing and Grading Code: Clearing Limit	No Equivalent	In the absence of City standards for clearing limits, the City will rely on King County standards.
KCC 16.82.095(A)	Erosion and Sediment Control Standards	No Equivalent	In the absence of City standards for seasonal construction limitations, the City will rely on King County standards
KCC 16.82.095(A)	Erosion and Sediment Control Standards – Seasonal Limitation Period	No Equivalent	In the absence of City standards for seasonal construction limitations, the City will rely on King County standards
KCC 16.82.100(F)	Grading Standards: Preservation of Duff Layer	No Equivalent	Appendix B of this Addendum includes the City's Soil Amendment requirements

King County Code to SeaTac Municipal Code (SMC) Reference Table			
King County Code Reference	Subject of Reference	SMC Equivalent	Comment
KCC 16.82.100(G)	Grading Standards: Soil Amendments	No Equivalent	Appendix B of this Addendum includes the City's Soil Amendment requirements
KCC 16.82.150	Clearing standards for individual lots in the rural zone	Not Applicable	SMC does not contain rural zoning classification
KCC 16.82.150 (C)	Clearing standards for individual lots in the rural zone	Not Applicable	SMC does not contain rural zoning classification
KCC 16.85	Clearing and Grading Code: Flood Protection Facilities	Not Applicable	King County Code section does not exist. Presumed typo. See KCC 16.82 below.
KCC 20.20 or Title 20.20	Land Use Review Procedures	16A	
KCC 20.70.020	Critical Aquifer Recharge Area Map Adoption	15.700	
KCC 21A or Title 21A	Critical Areas Requirements	15.700	
KCC 21A.06	Definitions: Erosion Hazard Area	15.700	
KCC 21A.06	Definitions: Flood Hazard Area	15.700	
KCC 21A.06	Definitions: Landslide Hazard Area	No Equivalent	SMC does not contain an equivalent definition
KCC 21A.06	Definitions: Steep Slope Hazard Area	15.700	
KCC 21A.06	Definition: Structure	15.700	

King County Code to SeaTac Municipal Code (SMC) Reference Table			
King County Code Reference	Subject of Reference	SMC Equivalent	Comment
KCC 21A.06	Definitions: Critical Aquifer Recharge Area	15.700	
KCC 21A.06	Definitions: (Nonconversion) Forest Practices	Not Applicable	City of SeaTac only reviews Type IV – Conversion, forest practice permits
KCC 21A.06.1340	Urban Planned Development Land Use Designation	Not Applicable	SMC contains no equivalent comprehensive plan land use designation
KCC 21A.08	Definitions: Land Zoned for Agriculture (A zoned lands)	Not Applicable	SMC does not contain agricultural zoning classification
KCC 21.A12	Definitions: Urban Residential Development	15.200	The City of SeaTac Zoning Map contains Urban Low Density Residential (UL), Urban Medium Density Residential (UM), and Urban High Density Residential (UH)
KCC 21A.12.030	Impervious Surface Coverage	15.400.015	Only one zone in the City (Business Park [BP]) contains a maximum impervious surface coverage development standard
KCC 21A.12.030	Impervious Surface Coverage for Residential Subdivisions	Not Applicable	The City does not have impervious surface coverage development standards for residential subdivisions
KCC 21A.14.180	Onsite Recreational Space	15.510.500 – 15.510.560	The City allows vegetated roofs that are accessible to the general public and permeable pavement trails to count towards multi-purpose outdoor recreation and open space

King County Code to SeaTac Municipal Code (SMC) Reference Table			
King County Code Reference	Subject of Reference	SMC Equivalent	Comment
KCC 21A.14.180.D	21A.14.180 On-site recreation – space required.	15.510.510	The City allows vegetated roofs that are accessible to the general public and permeable pavement trails to count towards multi-purpose outdoor recreation and open space
KCC 21A.24	Critical Areas Code: 100-Year Floodplain	15.700	
KCC 21A.24	Critical Areas Code: Bridge Design	No Equivalent	In the absence of City standards for bridge design, the City will rely on King County Road Design and Construction standards and the WSDOT Standard Specifications for Road, Bridge, and Municipal Construction
KCC 21A.24	Critical Areas Code: Bridge Pier and Abutment Locations	No Equivalent	In the absence of City standards for bridge and pier location, the City will rely on King County Road Design and Construction standards and the WSDOT Standard Specifications for Road, Bridge, and Municipal Construction
KCC 21A.24	Critical Areas Code: Critical Area Buffers	15.700	
KCC 21A.24	Critical Areas Code: Building Setbacks	15.700	
KCC 21A.24	Critical Areas Code: Channel Migration Zone	No Equivalent	In the absence of City standards for channel migration zones, the City will rely on King County

King County Code to SeaTac Municipal Code (SMC) Reference Table			
King County Code Reference	Subject of Reference	SMC Equivalent	Comment
			standards
KCC 21A.24	Critical Areas Code: Definition Streams	15.700	
KCC 21A.24	Critical Areas Code: Requirements of Crossing Steams	15.700	
KCC 21A.24	Critical Areas Code: Definition Wetlands/Wetland Soils	15.700	
KCC 21A.24	Critical Areas Code: Fish Passage Requirements	15.700	
KCC 21A.24	Critical Areas Code: Flood Hazard Area Regulations	15.700	
KCC 21A.24	Critical Areas Code: Floodplain/Floodway Delineation	15.700	
KCC 21A.24	Critical Areas Code: Floodplain Data	15.700	
KCC 21A.24	Critical Areas Code: Flood Protection Facility	No Equivalent	In the absence of City standards for flood protection facilities, the City will rely on King County standards
KCC 21A.24	Critical Areas Code: Notice on Title	15.700	
KCC 21A.24	Critical Areas Code: Regulation of Wetlands	15.700	
KCC 21A.24	Critical Areas Code: Zero-rise and Compensatory Storage Provisions	15.700	In the absence of City standards for zero-rise and compensatory storage, the City will rely on King County standards

King County Code to SeaTac Municipal Code (SMC) Reference Table			
King County Code Reference	Subject of Reference	SMC Equivalent	Comment
KCC 21A.24	Definitions: Critical Area Ordinance (CAO)	15.700	See – Environmentally Sensitive Areas Code
KCC 21A.24	Farm Management Plans	Not Applicable	The City does not have Farm Management Plan code
KCC 21A.24	Floodplain Development Standards: Bridges	No Equivalent	In the absence of City standards for bridge design, the City will rely on King County Road Design and Construction standards and the WSDOT Standard Specifications for Road, Bridge, and Municipal Construction
KCC 21A.24, KCC 16.82	Rural Stewardship Plan or Farm Management Plan	Not Applicable	
KCC 21A.24	Sensitive Area	15.700	
KCC 21A.24	Sensitive Area Tract	15.700	
KCC 21A.24.100	Critical Area Review	15.700	
KCC 21A.24.110	Critical Area Reports	15.700	
KCC 21A.24.170	Notice on Title	15.700	
KCC 21A.24.230	Floodplain and Flood Hazard Areas	15.700	
KCC 21A.24.270	FEMA Elevation Certification	15.700	

King County Code to SeaTac Municipal Code (SMC) Reference Table			
King County Code Reference	Subject of Reference	SMC Equivalent	Comment
KCC 21A.24.275	Channel Migration Zone Development Standards	Not Applicable	
KCC 21A.25	Shorelines Code	Title 18	
KCC 25 or Title 25	Shoreline Management: Bridge Design	Not Applicable	In the absence of City standards for bridge design, the City will rely on King County standards

ORDINANCE NO. _____

AN ORDINANCE of the City Council of the City of SeaTac, Washington, authorizing the City Manager to execute a contract with King County Community Development Block Grant Program to fund the cities of Covington, Des Moines, SeaTac and Tukwila in the joint Minor Home Repair Program and amending the City’s 2021-2022 Biennial Budget.

WHEREAS, the City of SeaTac is now the “lead city” in administering the joint Minor Home Repair Program for the cities of Covington, Des Moines, SeaTac and Tukwila; and

WHEREAS, the City of SeaTac’s fiscal duties as administrator of the Community Development Block Grant program entails reimbursing consortium cities for minor home repair projects and completing all reporting to King County Community Development Block Grant funds; and

WHEREAS, the City of SeaTac will now become the recipient of \$110,000 in 2022 King County Community Development Block Grant funds for the Minor Home Repair Program for all four cities; and

WHEREAS, it is necessary for the City Council to amend the 2021-2022 Biennial Budget to increase the City of SeaTac expenditures to reflect equal allocations of \$27,500 in Community Development Block Grant funds to each city for the 2022 Minor Home Repair Program.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON, DO ORDAIN as follows:

Section 1. The City Manager is authorized to execute a contract with King County Community Development Block Program to fund the cities of Covington, Des Moines, SeaTac and Tukwila in the joint the joint Minor Home Repair Program


Section 2. The City’s 2021-2022 Biennial Budget is amended by increasing the revenue budget by \$110,000 to account for acceptance of the grant and the expenditure budget by \$82,500 for the distribution of grant funds to the three other cities. This is accomplished by amending the City of SeaTac expenditure budget by

\$82,500, for the distribution of grant funds to the three other cities, and the revenue budget by \$110,000 to account for the acceptance of the grant.

Section 3. This Ordinance shall be in full force and effect five (5) days after passage and publication as required by law.

ADOPTED this 14th day of June, 2022, and signed in authentication thereof on this 14th day of June, 2022.

CITY OF SEATAC


Senayet Negusse, Deputy Mayor

ATTEST:


Kristina Gregg, City Clerk

Approved as to form:


Mary E. Mirante Bartolo, City Attorney

[Effective Date: 6/25/2022]

[The 2022 Community Development Block Grant Program and Budget Amendment]

ORDINANCE NO. 22-1008

AN ORDINANCE of the City Council of the City of SeaTac, Washington, authorizing the City Manager to execute a contract with Multi-Service Center and the African Community Development and Housing to administer the Rental Assistance Program by utilizing the Affordable Housing Sales Tax Fund #112 and amending the City's 2021-2022 Biennial Budget.

WHEREAS, the Multi-Service Center and the African Community Development and Housing will administer the Rental Assistance Program utilizing the Affordable Housing Sales Tax Fund (#112); and

WHEREAS, the Multi-Service Center and the African Community Development and Housing will administer a Rental Assistance Program for SeaTac tenants who are at 60% of the Area Median Income (AMI) or lower; and

WHEREAS, the Multi-Service Center and the African Community Development and Housing will focus of different needs in the city to avoid duplication and gaps in services to residents; and

WHEREAS, the City has been collecting the sale tax credit since 2020 and there will be sufficient funds in Affordable Housing Sales Tax Fund (#112) once the budget is amended.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON, DO ORDAIN as follows:


Section 1. The City Manager is authorized to execute a contract with Multi-Service Center and the African Community Housing and Development to administer the Rental Assistance Program for the City of SeaTac.

Section 2. The City's 2021-2022 Biennial Budget is amended by increasing expenditures in the Affordable Housing Sales Tax Fund (#112) by \$188,983 in order to fund the Rental Assistance Program for the City of SeaTac.

Section 3. This Ordinance shall be in full force and effect five (5) days after passage and publication as required by law.

ADOPTED this 14th day of June, 2022, and signed in authentication thereof on this 14th day of June, 2022.

CITY OF SEATAC


Senayet Negusse, Deputy Mayor

ATTEST:


Kristina Gregg, City Clerk

Approved as to form:


Mary E. Mirante Bartolo, City Attorney

[Effective Date: 6/25/2022]

[Affordable Housing Sales Tax Credit Funding and Budget Amendment]

ORDINANCE NO. 22-1009

AN ORDINANCE of the City Council of the City of SeaTac, Washington extending a Moratorium on the permanent establishment of “Halfway House”, “Work Release Facilities”, and similar uses; declaring an emergency; and establishing an effective date.

WHEREAS, on February 9, 1999, the SeaTac City Council passed Ordinance No. 99-1005 establishing “Halfway House” as an allowed use within some zoning designations in the City of SeaTac, subject to development regulations requiring a Conditional Use Permit, compliance with standards related to landscaping and parking, and requirements related to the establishment of an Essential Public Facility; and

WHEREAS, SeaTac Municipal Code 15.105.080 defines “Halfway House” as “State licensed work/release facilities and other housing facilities serving as an alternative to incarceration”; and

WHEREAS, the City of SeaTac City Council has periodically amended the SeaTac Municipal Code between 1999 and 2021, resulting in some changes to land use regulations within the City of SeaTac, however such amendments have not substantially updated the standards or requirements for the “Halfway House” use; and

WHEREAS, the SeaTac Municipal Code authorizes the “Halfway House” use within the Office/Commercial (O/CM), Community Business (CB), Community Business in the Urban Center (CB-C), and Regional Business Mix (RBX) zoning designations; and

WHEREAS, the City of SeaTac’s Comprehensive Plan Introduction establishes Goal 1.1, which reads: “*As a public entity, serve the good of the SeaTac community*”, with related policies 1.1B, 1.1D and 1.1E which reads “*Support a culture of dialogue and partnership among community members, agencies, organizations, officials, and City departments (Policy 1.1B)*” and

“When preparing City policies and regulations, take into account the good of the community as a whole, while treating property owners fairly and allowing some reasonable economic use of all properties (Policy 1.1D)”, and “Where possible evaluate the effectiveness of policies, regulations, and other implementation actions in achieving SeaTac’s goals and vision and update the Plan as needed”; and

WHEREAS, the City of SeaTac’s Comprehensive Plan Land Use Element establishes Goals 2.1 and 2.7, which read: *“Focus growth to achieve a balanced mix and arrangement of land uses that support economic vitality, community health and equity, and transit access (Goal 2.1)”* and *“Accommodate essential public facilities in alignment with this Plan’s goals and policies (Goal 2.7)”*; and

WHEREAS, the City of SeaTac’s Comprehensive Plan Economic Development Element establishes Goal 8.2, which reads: *“Review and reform regulations and taxing policies to develop a strong business climate and encourage entrepreneurial government”*; and

WHEREAS, the City of SeaTac’s Comprehensive Plan Land Use element generally directs the City of SeaTac to evaluate and ensure the compatibility of adjacent land uses through the establishment of a land use designation map, zoning designation map, and implementing development regulations; and

WHEREAS, between February 2021 and August 2021, representatives of the City of SeaTac have been actively engaged with the Washington State Department of Corrections related to a possible work-release facility in the City of SeaTac; and

WHEREAS, on March 26, 2021, the City of SeaTac Mayor Erin Sitterley signed a letter requesting that the Washington Department of Corrections take action to address numerous concerns, including the effect a work release facility would have on SeaTac’s historically

disadvantaged Black, Indigenous, and People of Color (BIPOC) community, and further noting that the establishment of a work release facility will directly conflict and is incompatible with the City's vision for SeaTac's Urban Center and conflict with the hospitality industry focus of the Urban Center; and

WHEREAS, the City of SeaTac currently hosts approximately fifteen essential public facilities, within the SeaTac city limits; and

WHEREAS, on July 20, 2021, the City of SeaTac City Manager Carl Cole, together with the City Managers of the Cities of Burien, Des Moines, and Normandy Park, signed a joint letter to the Washington Department of Corrections again expressing numerous concerns and requesting, in part, that the Washington Department of Corrections take action to address impacts to social equity and the effects of concentrating Essential Public Facilities into a relatively small geographic area; and

WHEREAS, on April 9, 2021, and August 11, 2021, the Washington Department of Corrections responded to the March 26, 2021 and July 20, 2021 letters, and further declined to take any meaningful action to address the concerns expressed by the cities of SeaTac, Des Moines, Burien, and Normandy Park; and

WHEREAS, on August 17, 2021, the Washington State Department of Corrections indicated that it would proceed with the evaluation of a work-release facility located in the City of SeaTac; and

WHEREAS, the City Council finds that it is necessary to review the "Halfway House" development regulations in order to determine whether: the regulations adopted in 1999 continue to serve the present need of the community, regulations are still compatible with adjacent land uses, and are consistent with the City of SeaTac Comprehensive Plan; and

WHEREAS, the City Council finds that the establishment of a new “Halfway House” or work-release facility should only be authorized if such facility is sited in a manner consistent with the Comprehensive Plan’s goals and policies; and,

WHEREAS, the City Council adopted Ordinance No. 21-1027 on August 31, 2021 establishing an immediate moratorium, incorporating a work plan for further study, for a period of one year on the acceptance of permit applications for the purpose of establishing permanent “Halfway House”, work-release facility, and similar uses, and the City Council held a public hearing on the moratorium on October 26, 2021 pursuant to RCW 35A.63.220 and RCW 36.70A.390; and

WHEREAS, the moratorium does not apply to any complete application for a permanent “Halfway House”, work-release facility, or similar use that has vested to the regulations in effect prior to the effective date of Ordinance No. 21-1027; and

WHEREAS, the SeaTac Planning Commission requires additional time to complete their review of information relevant to the preparation of proposed development regulation amendments governing “Halfway House, work release facility, and other similar uses, and the City Council finds that such additional time is warranted and reasonable; and

WHEREAS, the City Council desires to extend the Moratorium established by Ordinance No. 21-1027 for an additional six (6) months and adopted a revised and updated work plan for study and adoption of development regulation amendments; and

WHEREAS, the City Council held a public hearing on June 28, 2022, consistent with the requirements of RCW 35A.63.220 and RCW 36.70A.390;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON, DO ORDAIN as follows:

Section 1. Pursuant to the provisions of RCW 35A.63.220 and 36.70A.390, a moratorium is hereby enacted in the City of SeaTac prohibiting the establishment, location, operation, and licensing of a permanent “Halfway House”, work-release facility, or similar uses.

Section 2. The City shall not accept applications for pre-applications, rezones, land use permits, development permits, or building permits for any of the purposes or activities listed in Section 1 above, and no business license shall be granted or accepted while this moratorium is in effect. Any land use approvals, business licenses or other permits for these facilities that are issued as a result of error or by use of vague or deceptive descriptions during the moratorium are null and void, and without legal force or effect.

Section 3. The above “Whereas” clauses of this Ordinance constitute specific findings by the Council in support of passage of this Ordinance.

Section 4. Pursuant to RCW 36.70A.106, this Ordinance shall be transmitted to the Washington State Department of Commerce as required by law.

Section 5. Pursuant to RCW 35A.63.220 and RCW 3670A.390, the City Council sets forth the following amended work plan for study, and to take any necessary actions following study:

Time Period	Study / Action
September 2021 to March 2022	<ul style="list-style-type: none"> • Staff study of applicable statutes, review of available studies related to the compatibility between work-release facilities and businesses • Planning and Economic Development Committee review of staff findings and further guidance on necessary action(s)
March to September 2022	<ul style="list-style-type: none"> • Planning Commission review, public hearing, and recommendation on any proposed code amendment(s)
October to December 2022	<ul style="list-style-type: none"> • Planning and Economic Development Committee and / or City Council Study Session review and recommendation to City Council
December 2022 to January 2023	<ul style="list-style-type: none"> • City Council review and action

Section 6. The moratorium established by this Ordinance shall take effect and be in full force on September 1, 2022, and shall expire on March 1, 2023 unless extended or repealed according to law.

Section 7. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 8. This Ordinance shall be in full force and effect five (5) days after passage and publication as required by law.

ADOPTED this 28th day of June, 2022, and signed in authentication thereof on this 28th day of June, 2022.

CITY OF SEATTLE



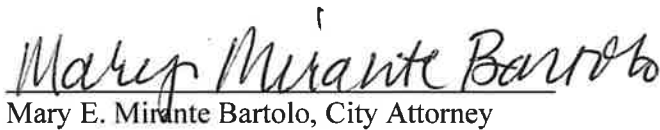
Jake Simpson, Mayor

ATTEST:



Kristina Gregg, City Clerk

Approved as to Form:



Mary E. Mirante Bartolo, City Attorney

[Effective Date: 7/9/2022]

[Moratorium Extension Halfway House and Work-Release Facility]

ORDINANCE NO. 22-1010

AN ORDINANCE of the City Council of the City of SeaTac, Washington, awarding the 2022 Overlay Project (Public Works Project ST-902) construction contract to Miles Resources, LLC; authorizing the City Manager to execute the construction contract with Miles Resources, LLC; authorizing the City Manager to execute a contract amendment with The BlueLine Group for design services during construction; authorizing project expenditures; and amending the City’s 2021-2022 Biennial Budget.

WHEREAS, the City of SeaTac implements a transportation improvement program, which identifies capital improvement projects for the City’s transportation network; and

WHEREAS, the 2022 Overlay Project (“Project”), Public Works Project ST-902, which is part of the City’s transportation improvement program, has been fully designed, advertised and bid; and

WHEREAS, additional funding is necessary due to construction bid, construction support services, 15% construction contingency, and staff overtime costs;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON, DO ORDAIN as follows:

Section 1. The City Manager is authorized to award and execute a contract with Miles Resources, LLC, in the amount of \$1,757,315.50 (including sales tax), for the construction of the 2022 Overlay Project (Public Works Project ST-902).

Section 2. The City Manager is authorized to execute a contract amendment with The BlueLine Group in an amount of \$15,040 for design support services.

Section 3. The total authorized expenditure amount for project construction is \$2,072,344.50, which includes design support services (\$15,040), materials testing services (\$21,391), 15% construction contingency (\$263,598), and \$15,000 for staff overtime. The materials testing services for this contract will be provided by GeoDesign, Inc. dba NV5 as part of an existing on-call geotechnical services contract with the City.

Section 4. The City’s 2021-2022 Biennial Budget shall be amended by increasing expenditures in the Street Fund (#102) by \$222,806 and the Transportation CIP Fund (#307) by \$15,000 to fully fund the Project.

Section 5. This Ordinance shall be in full force and effect five (5) days after passage and publication as required by law.

ADOPTED this 28th day of June, 2022, and signed in authentication thereof on this 28th day of June, 2022.

CITY OF SEATAC



Jake Simpson, Mayor

ATTEST:



Kristina Gregg, City Clerk

Approved as to form:



Mary E. Mirante Bartolo, City Attorney

[Effective Date: 7/9/2022]

[2022 Overlay Project and Budget Amendment]

ORDINANCE NO. 22-1011

AN ORDINANCE of the City Council of the City of SeaTac, Washington amending Chapter 2.03 to the SeaTac Municipal Code related to Risk Management to appoint additional agents to receive claims for damages and service of process.

WHEREAS, Ordinance 21-1007 was adopted on March 23, 2021 establishing a Risk Management Division within the Legal Department; and

WHEREAS, the City Clerk was designated as the sole agent to receive claims for damages; and

WHEREAS, it's been determined that additional agents need to be appointed in order to ensure someone is always available to receive claims for damages and service of process.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON, DO ORDAIN as follows:

Section 1. Section 2.03.030 is amended as follows:

2.03.30 Appointed Agent and Filing Process.

- A. Claims for damages against the City, and/or its officers, employees, or volunteers, acting in such capacity, shall be filed with the City Clerk, who is hereby appointed the City's agent to receive claims.

All claims for damages must comply with the requirements of RCW 4.96.020.

Claims for Damages may be received by email, mail, or in person.

- B. Service of process against the City and/or its officers, employees, or volunteers, acting in such capacity, shall be personally served upon the Mayor, City Manager, or, during normal office hours, upon the City Clerk.

All service of process for lawsuits must comply with the requirements of RCW 4.28.080.

- C. If the City Clerk is not available, the City Manager designates and authorizes the Legal & Risk Management Analyst or City Receptionist, or any permanent employee acting in the capacity of the City Receptionist, as agents to accept claims and service of process.

Claim for damages and service of process documents shall immediately be forwarded to the Risk Management Division.

~~D. The City Clerk's Office is located at SeaTac City Hall, 4800 S. 188th Street, SeaTac, WA 98188. The City Clerk's Office is open to the public Monday through Friday, between the hours of 8:30 A.M. and 5:00 P.M., except holidays. The City Clerk shall immediately forward copies of such claims to the Risk Division.~~

~~B. All claims for damages must comply with the requirements of RCW 4.96.020.~~

~~C. All service of process for lawsuits must comply with the requirements of RCW 4.28.080.~~

Section 2. If any provision of this Chapter, or its application to any person or circumstance is held invalid, the remainder of this Chapter, or the application of the provision to other persons or circumstances is not affected.

Section 3. Upon approval of the City Attorney's Office, the City Clerk and the Code Reviser are authorized to make necessary corrections without altering intent, including the correction of clerical errors, references to other local, state or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

Section 4. This Ordinance shall be in full force and effect five (5) days after passage and publication as required by law.

ADOPTED this 26th day of July, 2022 and signed in authentication thereof on this 26th day of July, 2022.

CITY OF SEATAC


Jake Simpson, Mayor

ATTEST:


Kristina Gregg, City Clerk

APPROVED AS TO FORM:


Mary E. Mirante Bartolo, City Attorney

[Effective Date: 8/6/2022]
[Risk Management-appoint agents]

ORDINANCE NO. 22-1012

AN ORDINANCE of the City Council of the City of SeaTac, relating to public safety; amending Chapter 8.10.010 of the SeaTac Municipal Code by repealing the adoption of Chapter 26.50 of the Revised Code of Washington (“RCW”) and adopting by reference Sections of Chapter 7.105 RCW; declaring an emergency, and making this ordinance effective upon adoption.

WHEREAS, in the 2021 Legislative Session, the Washington State Legislature passed Engrossed Substitute House Bill (“ESHB”) 1320, with a pertinent effective date of July 1, 2022; and

WHEREAS, ESHB 1320 repeals in part RCW Chapter 26.50 relating to domestic violence protection orders, and adopts a new Chapter 7.105 RCW relating to domestic violence protection orders; and

WHEREAS, as of July 1, 2022, violations of domestic violence and related protection orders can no longer be prosecuted under Chapter 26.50 RCW and must be prosecuted under Chapter 7.105 RCW; and

WHEREAS, Chapter 8.10.010 of the SeaTac Municipal Code (“SMC”) currently adopts by reference former Chapter 26.50 RCW as the basis for the City’s authority to prosecute violations of domestic violence protection orders; and

WHEREAS, it is now necessary to amend SMC Chapter 8.10.010 by repealing the adoption of 26.50 RCW and adopting by reference certain sections of Chapter 7.105 RCW on an emergency basis to facilitate the continuity of prosecution of violations of domestic violence, protection orders, and to permit municipal prosecution of anti-harassment and extreme risk protection order violations, and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC,
WASHINGTON, DO ORDAIN as follows:

Section 1. Chapter 8.10.010 of the SeaTac Municipal Code is hereby amended by repealing the previous adoption of Chapter 26.50 RCW and adopting by reference relevant sections of Chapter 7.105 RCW, as set forth in the attached Exhibit "A."

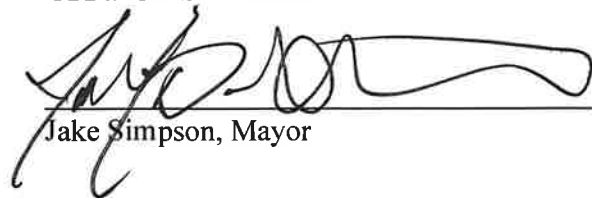
Section 2. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

Section 3. Upon approval of the City Attorney's Office, the City Clerk and the Code Reviser are authorized to make necessary corrections without altering the intent, including the correction of scrivener's/clerical errors, references to other local, state, or federal laws, codes, rules, or regulations; or ordinance numbering, section/subsection numbers, and any references thereto.

Section 4. The City Council declares that an emergency exists requiring adoption of this Ordinance. This Ordinance shall take effect and be in full force immediately upon adoption.

ADOPTED this 9th day of August, 2022, and signed in authentication thereof on this 9th day of August, 2022.

CITY OF SEATAC



Jake Simpson, Mayor

ATTEST:



Kristina Gregg, City Clerk

Approved as to Form:

Mary Mirante Bartolo
Mary E. Mirante Bartolo, City Attorney

[Effective Date: 8/9/2022]

[amending SMC 8.10.010 re: domestic violence protection orders]

Exhibit "A"
Chapter 8.10 Domestic Violence

Sections:

8.10.010 Domestic violence prevention.

The following sections of Chapters 9A.36, 10.99, 26.09 and ~~26.50~~ 7.105 RCW as now in effect, and as may subsequently be amended, is hereby adopted by reference to establish domestic violence offenses and procedures for domestic violence prevention:

- 9A.36.150 Interfering with reporting of domestic violence.
- 10.99.020 Definitions.
- 10.99.040 Violation of no contact order.
- 10.99.050 Victim contact – Restriction, prohibition – Violation, penalties – Written order – Procedures.
- 26.09.300 Restraining orders – Notice – Refusal to comply – Arrest – Penalty – Defense – Peace officers, immunity.
- ~~26.50.010 Definitions.~~
- ~~26.50.020 Commencement of action – Jurisdiction – Venue.~~
- ~~26.50.030 Petition for order for protection – Availability of forms and instructional brochures – Filing fee, when required – Bond not required.~~
- ~~26.50.040 Application for leave to proceed in forma pauperis.~~
- ~~26.50.050 Hearing – Service – Time.~~
- ~~26.50.060 Relief – Realignment of designation of parties.~~
- ~~26.50.070 Ex parte temporary order for protection.~~
- ~~26.50.080 Issuance of order – Assistance of peace officer – Designation of appropriate law enforcement agency.~~
- ~~26.50.090 Order – Service – Fees.~~
- ~~26.50.100 Order – Transmittal to law enforcement agency – Record in law enforcement information system – Enforceability.~~
- ~~26.50.110 Violation of order – Penalties.~~
- ~~26.50.120 Violation of order – Prosecuting attorney or attorney for municipality may be requested to assist – Cost and attorney's fees.~~
- ~~26.50.130 Order – Modification – Transmittal.~~
- ~~26.50.140 Peace officers – Immunity.~~
- ~~26.50.200 Title to real estate – Effect.~~
- ~~26.50.210 Proceedings additional.~~

7.105.010 Definition

Violation and Enforcement

- 7.105.450 Enforcement and penalties—Other than antiharassment protection orders.
- 7.105.455 Enforcement and penalties—Antiharassment protection orders.
- 7.105.460 Enforcement and penalties—Extreme risk protection orders-False petitions.
- 7.105.465 Enforcement of penalties—Knowledge of order

7.105.470 Enforcement—Prosecutor assistance.

Miscellaneous Provisions

7.105.550 Orders under this and other chapters—Enforcement and consolidation—Validity and enforcement of orders under prior chapters.

7.105.555 Judicial information system—Database.

7.105.560 Title to real estate—Effect of Chapter.

7.105.565 Proceedings additional—Filing of criminal charges not required.

7.105.570 Other authority retained.

7.105.575 Liability.

7.105.900 Findings—2021 c 215

City of SeaTac
SeaTac City Hall
4800 South 188th Street
SeaTac, WA 98188
206.973.4800

(Legal Notice)

August 9, 2022.


**NOTICE OF ORDINANCE ADOPTED
BY THE SEATAC CITY COUNCIL**

Following is a summary of Ordinances adopted by the City of SeaTac City Council on the 9th day of August, 2022:

ORDINANCE NO. 22-1012

AN ORDINANCE relating to public safety; amending Chapter 8.10.010 of the SeaTac Municipal Code by repealing the adoption of Chapter 26.50 of the Revised Code of Washington (“RCW”) and adopting by reference Sections of Chapter 7.105 RCW; declaring an emergency, and making this ordinance effective upon adoption. Effective immediately upon adoption.

The full text of each Ordinance is available at the City Clerk’s Office, SeaTac City Hall, 4800 South 188th Street, SeaTac, Washington 98188, 206.973.4800. A copy will be mailed upon request.



Kristina Gregg, City Clerk

Published in the Seattle Times: Monday, August 15, 2022