

City of SeaTac

Regular Council Meeting Minutes

September 13, 2022
6:00 PM

City Hall
Council Chambers

CALL TO ORDER: Deputy Mayor (DM) Senayet Negusse called the SeaTac City Council Regular Meeting to order at 6:00 p.m.

COUNCIL PRESENT (in-person): Councilmember (CM) Mohamed Egal; **(remotely):** Deputy Mayor (DM) Senayet Negusse, CMs Peter Kwon, Takele Gobena (*arrived at 6:02 p.m.*), Iris Guzmán and Erin Sitterley. **Absent:** Mayor Jake Simpson.

STAFF PRESENT (in-person): City Manager Carl Cole, Senior Assistant City Attorney Cindy Corsilles, City Clerk Kristina Gregg, Multi-Video David Inman; **(remotely):** Deputy City Manager Gwen Voelpel, Parks, Community Programs and Services (PCPS) Director Lawrence Ellis, Government Relations & Communications Manager Kyle Moore, Community & Economic Development (CED) Director Evan Maxim, Planning Manager Jenn Kester, Senior Planner Kate Kaehny, Economic Development (ED) Manager Aleksandr Yeremeyev, Public Works (PW) Director William Appleton, City Engineer Florendo Cabudol, Civil Engineer II Brenton Cook, Judge Pauline Freund, Municipal Court Judge Pauline Freund, Municipal Court Administrator Gail Cannon, Police Chief Jon Mattsen,

FLAG SALUTE: DM Negusse led the Council, audience, and staff in the Pledge of Allegiance.

AGENDA REVIEW:

Hybrid Meeting:

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

PUBLIC COMMENTS:

In-person Public Comments –

Earl Gipson – change attitude what you deserve, what you earned...

CM Gobena arrived at this point in the meeting.

Written Public Comments –

- Vicki Lockwood - Proposed land swap between City of SeaTac and the Islamic Center of Seattle

PRESENTATIONS:

Constitution Week Proclamation.

DM Negusse read the proclamation and recognized Daughters of the American Revolution members Pam Thomas and Kathleen Brave.

National Recovery Month Proclamation.

DM Negusse read the proclamation and recognized King County's Behavioral Health and Recovery Division Interim Deputy Director Dan Floyd.

Therapeutic Court Grant Funding

SeaTac Judge Freund introduced Tukwila Judge Kim Walden and detailed Therapeutic Court and the related grants. The grants are on the Consent Agenda for Council approval.

Council discussion ensued regarding the program and their support of accepting the grants.

Final Acceptance of the North SeaTac Park Soccer Fields Renovation Project

PCPS Director Ellis reviewed the project, which came in \$328,442.87 under budget. Final acceptance was delayed due to faulty application of track surface. Final Acceptance is on the Consent Agenda for Council approval.

Council discussion ensued regarding the project.

PRESENTATIONS (continued):

Key City Issues and Requests for Direction

City Manager Cole commented on the following items:

- Grant Acceptance:
 - Port of Seattle (POS): \$32,000, business survey will be funded by grant, matching grant \$16,000
 - Highline School District (HSD): \$40,000 for after school programs at Chinook Middle School
 - Washington Festivals and Events Association: \$20,000 for funding various events
- Other items:
 - Real Estate Excise Tax (REET) report
 - Litter Totals for August
- Requested the following referrals. Council concurred:
 - Referral to October CSS:
 - Rescinding the emergency proclamation and making amendments to Section 4. Meetings of the City Council Administrative Policies and Procedures.

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

CM Guzmán: Parks & Recreation (P&R) Committee – Riverton Heights Land Swap Proposal, Riverton Spray Park Update, Arts, Culture & Library Advisory Committee (ACLAC) Action Plan, Department Updates; Administration & Finance (A&F) Committee – travel expenses, Supplemental Funding for City Center Subarea Plan and Code project, new code chapter regarding old debts, 2021-2022 Budget amendments, Department Updates

CM Kwon: Transportation & Public Works (T&PW) Committee – action items are on tonight’s agenda, Department Updates; Streetscape and Gateway Ad Hoc Committee (SGAC) – overview of signage types; Puget Sound Regional Council (PSRC): transportation projects

DM Negusse: Public Safety & Justice (PS&J) Committee – Interlocal Agreement (ILA) for joint supervision of defendants, FDCares program, Safe Station Program, Fentanyl

CONSENT AGENDA:

Approval of claims vouchers (check no. 133939 -134031) in the amount of \$7,433,928.72 for the period ended August 18, 2022.

Approval of EFT's in the amount of \$44,242.92 for the period ended August 25, 2022. (includes 1 void of \$218.91)

Approval of claims vouchers (check no. 134032 – 134152) in the amount of \$1,536,096.74 for the period ended September 8, 2022. (Checks 134033 -134035 are replacement checks)

Approval of payroll vouchers (check no. 56150 - 56155) in the amount of \$7,465.15 for the period ended August 15, 2022.

Approval of payroll electronic fund transfer (check no. 109208 - 109370) in the amount of \$488,268.18 for the period ended August 15, 2022.

Approval of payroll wire transfer in the amount of \$162,879.73 for the period ended August 15, 2022.

Approval of payroll vouchers (check no. 56156 - 56162) in the amount of \$206,713.11 for the period ended August 31, 2022.

Approval of payroll electronic fund transfer (check no. 109371 - 109532) in the amount of \$501,396.87 for the period ended August 31, 2022.

Approval of payroll wire transfer in the amount of \$169,945.29 for the period ended August 31, 2022.

Approval of Summary of Grant Acceptance: Administrative Office of the Court (AOC)- 22-G013 Community Justice Counselor - \$170,000 and 22-G014 Therapeutic Court Funding - \$600,000

Final Acceptance of public works projects: North SeaTac Soccer Field Improvements - \$3,972,962.13

Approval of Council Meeting Minutes:

Parks & Recreation Committee meeting held July 7, 2022

Administration & Finance Committee meetings held July 14 and August 11, 2022

Transportation & Public Works Committee meeting held August 4, 2022

Council Study Session held August 9, 2022

Regular Council Meeting held August 9, 2022

CONSENT AGENDA (continued):

The following items were reviewed at the August 11, 2022 Administration & Finance Committee meeting and recommended for placement on this Consent Agenda:

Agenda Bill #6024; A Motion authorizing the City Manager to enter into a contract with Allstream for a redundant Internet connection for the City.

Agenda Bill #6051; A Resolution 22-014 authorizing the use of electronic and digital signatures and adoption of an electronic and digital signature policy.

Agenda Bill #6061; An Ordinance 22-1013 amending the 2021-2022 Biennial Budget to include ARPA/SLFRF funding for economic development business support programs.

Agenda Bill #6031; An Ordinance 22-1014 amending the 2021-2022 Biennial Budget to include increased lodging tax funding for a 2021-2022 SeaTac Hotel - Westfield Shuttle program.

The following items were reviewed at the September 1, 2022 Transportation & Public Works Committee meeting and recommended for placement on this Consent Agenda:

Agenda Bill #6052; A Motion amending an existing professional services contract with geotechnical consultant NV5.

Agenda Bill #6063; A Motion authorizing an amendment to the Airport Station Pedestrian Improvement Project design contract with KPG-Psomas, increasing the contract amount by \$49,504 to allow for additional lighting design/redesign work.

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

MOTION CARRIED UNANIMOUSLY.

ACTION ITEMS:

Agenda Bill #6056; An Ordinance #22-1015 authorizing the City Manager to amend an Interlocal Agreement (ILA) with the City of Burien to increase funding for the Miller Creek Stream Realignment and Daylighting Project and amending the 2021-2022 Biennial Budget to make funding available for the project.

Summary: In 2018, the City agreed to partner with the City of Burien on the Miller Creek Stream Realignment and Daylighting Project. The project will provide environmental enhancements to Miller Creek as it leaves Burien and crosses Des Moines Memorial Drive (DMMD) into the City of SeaTac. Project goals/benefits include improving water quality and habitat within the creek by flattening the slope of the creek to reduce erosive flows; creating additional floodplain to allow the water to spread out during high flows; restoring and creating high quality riparian habitat along the creek; replacing failing culverts with new fish friendly culverts; and, daylighting a portion of Miller Creek to a natural open channel. The project will also enhance the pedestrian experience along the adjacent trail.

The project will remove Miller Creek from a series of culverts under DMMD and Des Moines Way Self Storage, realign the creek, provide stream channel and riparian habitat improvements, and provide a fish passable box culvert crossing of DMMD. Prior to partnering on the project, the City of SeaTac planned on a surface water capital project (estimated in 2017 at \$1.37 million) to remove and replace the existing Miller Creek culvert within DMMD. With construction of the project, this improvement will no longer be necessary as the culvert will be removed and the crossing location abandoned. The realignment of Miller Creek also removes it from a failing private culvert beneath the Des Moines Way Self Storage business, thereby reducing risk to the business and environment.

In October 2020, SeaTac executed an ILA with the City of Burien committing \$985,000 towards the project based on a 2019 cost estimate; the source of these funds is the Surface Water Management Utility Fund (Fund # 403). Complexities associated with permitting and agency coordination prevented the project design from reaching completion until recently. As of the writing of this agenda bill, the project has received all necessary approvals and is scheduled to be advertised for construction in the fall of 2022. As part of the project bid package preparation, an engineer's estimate was completed for the 100% design and total project costs updated. Total project costs have increased significantly since the 2019 estimate of \$3.22 million and now stand at \$4.8 million, with about half of the cost increases accruing to SeaTac thereby raising SeaTac's construction cost share from \$985,000 to \$1.76 million.

ACTION ITEMS (continued):

Agenda Bill #6056; Ordinance #22-1015 (continued):

A significant factor adding to costs was that the stream design was approximately 90% complete in 2019 but the general civil and structural design was not as far along, so some quantities were not fully developed. As the owner of DMMD right-of-way (ROW), SeaTac is responsible for most of the roadway improvement costs which are associated with general civil and structural design. The 2019 estimate was also done based on 2018 unit prices and prior to several other factors that have had raised costs significantly. These factors include disruptions due to Covid, labor shortages due to a very hot market in Puget Sound, labor cost increases making up for a previously suppressed market rate, and natural disasters that impacted raw and manufactured material prices.

Without this project, SeaTac will need to upgrade the existing culvert in DMMD to a box culvert and given the ever-increasing environmental complexities/regulations and condition of the downstream private culvert, today's costs for such a project would far exceed the 2017 estimate of \$1.37 million. The project will greatly benefit the City of SeaTac by removing flows from the City's culvert crossing as well as the private culvert downstream, allowing for their removal/abandonment. SeaTac also stands to benefit from the environmental improvements that this project will provide. Miller Creek is a salmon-bearing stream, and it is appropriate to support efforts to improve the long-term environmental prospects of restoring habitat and fish utilization for our future generations.

The Street Fund (Fund #102) will be the source of additional funding as the impacted DMMD ROW is owned by the City of SeaTac. With the approval of additional funding, and appropriation/expenditure authorization of the full funding amount in the 2021-2022 budget, the project will be advertised in the fall of 2022 with construction to follow.

The subject Ordinance appropriates and authorizes the expenditure of the \$985,000 already committed to the project from the Surface Water 403 Fund and provides additional funding from the Street 102 Fund, where unencumbered funds in the amount of \$775,000 are available. Use of these funds will not result in a negative impact to currently funded operations, programs, or projects funded out of the Street Fund or Surface Water Fund. Funding in the amount requested will allow for the ILA to be amended increasing the not-to-exceed amount for payment of actual direct and related indirect cost of work to \$1.76 million.

This topic was reviewed at the September 1, 2022, T&PW Committee meeting and the Committee recommended that the Ordinance be forwarded to Council for approval.

PW Director Appleton introduced Burien PW Director Maiya Andrews, and Lead Design Engineer Lori McFarland. Mr. Appleton and Ms. Andrews reviewed the agenda bill summary and the project.

MOVED BY KWON, SECONDED BY GUZMÁN TO PASS AGENDA BILL #6056 (ORDINANCE #22-1015).*

Council discussion ensued regarding the project

*MOTION CARRIED UNANIMOUSLY.

Agenda Bill #6040; An Ordinance #22-1016 establishing the SeaTac 2044: Major Comprehensive Plan (CP) and Transportation Master Plan (TMP) Update Project and amending the City's 2021-2022 Biennial Budget.

Summary: The CED and PW departments are jointly requesting a budget amendment to fund significant and state-mandated updates to the City's CP and TMP. The combined project, known as "SeaTac 2044," will re-set the City's 20-year growth and development policies for the years 2024 to 2044. The current CP timeline is 2015-2035.

The state Growth Management Act (GMA) requires periodic review and updates to the CP and its implementing development regulations on a 10-year cycle. The state's due date for this cycle is year-end 2024. Because of the substantial changes to the city and region since the last periodic update in 2015, including major population increases in the Puget Sound region, multiple new state and regional growth management requirements, and shifts in City priorities, extensive updates to CP policies and supporting technical data are necessary during this cycle.

ACTION ITEMS (continued):

Agenda Bill #6040; Ordinance #22-1016 (continued):

To leverage staff resources and ensure consistency within the City’s policy documents, as required by state law, staff is proposing to follow the same general process as the 2015 periodic update by concurrently updating the CP and the TMP. Because of their technical differences, the two project components may be managed by separate consultants, but will be highly coordinated as follows:

- Component #1: Major CP Update: Significant updates are anticipated to most of the 10 chapters (or “elements”) within the current CP, including the creation of new elements, to address the following:
 - Alignment with new state and regional requirements,
 - The integration of new data and City priorities, including strategies from the SeaTac Housing Action Plan, and
 - Input from the inclusive and robust community engagement process that will be undertaken as part of the project.

The Major CP Update will also include code amendments to ensure the City’s development regulations implement updated policies, as is required by state law. The six code amendment proposals identified in the Housing Action Plan, and others that emerge during the project, will be addressed.

- Component #2: Transportation Element & TMP Update. The Transportation Element will be updated at the same time as other elements of the CP to ensure it supports and is consistent with changes to growth and development policies throughout the Plan. The TMP is a functional plan that guides the implementation of the Transportation Element. It is part of the CP and serves as the background report to the Transportation Element. (Each CP element, has a background report with supporting data.) The TMP will be updated after key changes to the City’s growth policies have been identified through the jointly run community engagement process, and the completion of other work as part of the Major CP Update project component. The TMP update will include:
 - Reviews of existing conditions, level of service standards, the City’s concurrency program (which ensures sufficient transportation infrastructure is available to support new development), other plans and programs (especially those adopted since 2015),
 - The update to the City’s travel demand model (TDM), a highly technical, and large undertaking, which the Port of Seattle is anticipated to participate in, as was the practice for the 2015 periodic update, and
 - Updates to the multi-modal system plans and list of master projects to be completed during 2024-2044 to support the City’s growth policies.

The anticipated SeaTac 2044 project schedule includes the following milestones:

- Consultant Hiring Process: September – November 2022
- Project Kick-Off: December 2022
- Project Completion: December 2024 (state requires completion by 12/31/2024)

A budget amendment for a one-time expenditure for the SeaTac 2044 project in the amount of \$1,000,000 is included in this Ordinance. The City will be partially reimbursed through a \$125,000 grant from the Department of Commerce for cities under 50,000 in population. Additionally, it is anticipated that the Port of Seattle will participate in sharing the costs for the travel demand modeling that will be undertaken as part of the TMP update; however, the amount to be provided by the Port has not been finalized. Staff’s estimate of project costs by component is provided below.

- Component #1: Major CP Update Project (including code amendments) Project Budget Amendment Request: \$500,000
 - Revenue - Department of Commerce Grant for Periodic Updates: \$125,000
 - Net Project Cost to City: \$375,000
- Component #2: Transportation Element & TMP Update Project Budget Amendment Request: \$500,000
 - Port of Seattle Cost Sharing for Modeling: TBD
 - Net Project Cost: \$500,000, if Port does not participate.
- SeaTac 2044 Project Total Budget Amendment Request: \$1,000,000

ACTION ITEMS (continued):

Agenda Bill #6040; Ordinance #22-1016 (continued):

At the June 14, 2022, Council Study Session (CSS), staff provided a briefing on the SeaTac 2044: Major CP & TMP Update Project. On July 14, 2022, the A&F Committee received an additional briefing on the project and its scope of work, recommended approval of the proposed budget amendment, and forwarded its recommendation to City Council

Planning Manager Kester and Senior Planner Kaehny reviewed the agenda bill summary.

MOVED BY GOBENA, SECONDED BY EGAL TO PASS AGENDA BILL #6040 (ORDINANCE #22-1016).*

Council discussion ensued.

*MOTION CARRIED UNANIMOUSLY.

Agenda Bill #6048; An Ordinance #22-1017 authorizing the City Manager to execute a professional services contract with Exeltech Consulting, Inc. for the 2023 Overlay Project (Public Works CIP No. ST-903) and amending the City's 2021-2022 Biennial Budget.

Summary: 2023 Overlay Project is a grind and overlay of over one mile of asphalt pavement along the South 154th Street / South 156th Way corridor between DMMD and 24th Avenue South. The road runs along the northern end of the airport and is bounded on both sides by Port of Seattle-owned property. The roadway, including its stormwater infrastructure, was constructed by the Port of Seattle in the early 2000s as part of the Third Runway Project. In some areas, the roadway is supported by a mechanically stabilized earth (MSE) wall.

Existing pavement conditions may warrant full depth asphalt removal and replacement in select areas. The project will address Americans with Disabilities Act (ADA) deficiencies as necessary and may involve repairing or replacing existing pedestrian facilities such as asphalt ramps. Lastly, existing stormwater infrastructure will be assessed to improve functionality and maximize treatment of runoff before it is discharged to nearby Miller Creek.

A consultant selection process was conducted in accordance with state law regarding contracts for architectural and engineering services (RCW Chapter 39.80). Three consultants were solicited from the Municipal Research and Services Center based on qualifications. A selection committee comprised of three staff members interviewed each consultant team and scored each presentation. Exeltech Consulting, Inc. was selected as the most qualified firm to design the project. Exeltech's contract scope will include development of contract bid documents including plans, specifications, and engineer's estimate for construction.

Design completion is anticipated by March 2023. Construction is estimated to start by June 2023.

A 2021-2022 budget amendment in the amount not to exceed \$199,164 is required to execute the subject design contract and begin work in 2022. Unallocated funding is available in the Street Fund (#102). No negative impacts to department operations or capital projects will result from approving the proposed amendment.

At the September 1, 2022, T&PW Committee meeting, the Committee recommended to forward this item to Council for approval.

Civil Engineer II Cook reviewed the agenda bill summary.

MOVED BY KWON, SECONDED BY GUZMÁN TO PASS AGENDA BILL #6048 (ORDINANCE #22-1017).

Council discussion ensued regarding committee review.

*MOTION CARRIED UNANIMOUSLY.

UNFINISHED BUSINESS: None

COUNCIL COMMENTS:

CM Sitterley commented on the 911 Memorial at Angle Lake and the September 15 Alaska Airlines Honor Cart send off.

CM Kwon commented on the Mini Hydro races, Touch-A-Truck, and Garden Story Time events.

CM Guzmán stated her appreciation of City staff collaborating with other cities/entities to collaborate. She also acknowledged staff's hard work.

DM Negusse apologized for missing the flag salute at the beginning of the meeting. She also acknowledged the hard work by staff.

EXECUTIVE SESSION: None

ADJOURNED:

MAYOR SIMPSON ADJOURNED THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 7:52 P.M.



Senayet Negusse, Deputy Mayor



Kristina Gregg, City Clerk