

# City of SeaTac

## Regular Council Meeting Minutes

April 26, 2011  
6:00 PM

City Hall  
Council Chambers

**CALL TO ORDER:** The SeaTac City Council Regular Meeting was called to order by Mayor Terry Anderson at 6:16 p.m.

**COUNCIL PRESENT:** Mayor Terry Anderson, Deputy Mayor (DM) Gene Fisher, Councilmembers (CMs) Rick Forschler, Anthony (Tony) Anderson, Ralph Shape, Pam Fernald and Mia Gregerson.

**STAFF PRESENT:** City Manager Todd Cutts, City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, Assistant Parks & Recreation (P&R) Director Lawrence Ellis, Public Works (PW) Director Tom Gut, City Engineer Susan Sanderson, Facilities Manager Pat Patterson, Human Resources (HR) Director Anh Hoang, Fire Chief Jim Schneider, and Police Administrative Captain Annette Louie.

**FLAG SALUTE:** City Attorney Mary Mirante Bartolo led the Council, audience and staff in the Pledge of Allegiance.

**PUBLIC COMMENTS:** There were no public comments.

### PRESENTATION:

#### •Lutheran Community Services (LCS) Family Resource Center

Program Manager Claudia Dickinson shared ways people have become engaged in the community through the resource center. She introduced Nibret Aga who shared her story about how LCS has assisted her.

Ms. Dickinson thanked the City for its support which has brought over \$75,000 worth of in-kind support and almost \$41,000 worth of volunteer time to the families and children that live in this community.

### DISCUSSION ITEM:

#### •Summary of \$5,000 - \$35,000 Grant Acceptance Requests for the period ended April 22, 2011

City Manager Cutts reviewed the requests:

<u>Item Description</u>	<u>Department</u>	<u>Original Budget</u>	<u>Amended Budget</u>	<u>Grant Revenue Estimate</u>
Coordination Prevention Grant	PW	\$8,299	\$8,299	\$8,299
King County (KC) Arts 4Culture Grant	P&R	\$0	\$0	\$7,500
2011 Department of Natural Resources Urban and Community Forestry Grant	P&R	\$0	\$0	\$7,958

**Council consensus:** Referred to the 04/26/11 RCM Consent Agenda

### AGENDA BILL PRESENTATIONS:

#### Agenda Bill #3321 – A Motion authorizing staff to apply for the 2012 Community Development Block (CDBG) Grant for design and construction of a skate park at the SeaTac Community Center (STCC) Neighborhood Park

**Summary:** The requested funds will complete the design and construction of the skate park located at the STCC Neighborhood Park. In 2010, the City of SeaTac applied for the CDBG for an amount of \$278,800 and was awarded \$119,700 for design and construction. Since the City wasn't awarded the full amount requested, the CDBG panel strongly encouraged the City to submit a second application in 2012 to complete the project.

This project will enhance the neighborhood park with another recreational activity. The neighborhood park currently has two half court basketball courts, climbing boulder, swing set, playground equipment for children less than 12 years old, and benches and picnic tables. There are many children in the community who are interested in skateboarding. The design will be more accommodating for beginners, and it will be very basic. The proposed size of the skate park will be approximately 7,500 - 8,200 square feet (sq. ft.), depending on the design.

The second phase of this project will not proceed without 2012 grant funding. This Motion authorizes staff to submit a second grant application to complete the design and construction of the skate park. The estimated cost to complete this phase of the project is \$110,000. If the grant funding is received, the City Council will be asked to formally accept the grant and award contracts for construction of the skate park.

Assistant P&R Director Ellis reviewed the agenda bill summary.

**Council consensus:** Referred to the 04/26/11 RCM Consent Agenda

**AGENDA BILL PRESENTATIONS (Continued):**

**Agenda Bill #3319 – A Resolution authorizing the execution of the 2010-2012 collective bargaining agreement with the International Association of Fire Fighters (IAFF), Local #2919**

**Summary:** The current labor agreement between the City of SeaTac and the IAFF Local #2919, representing all non-exempt, uniformed Fire Fighters and Fire Department officers of the City of SeaTac Fire Department, expired on December 31, 2009. City and Union representatives have been negotiating a successor agreement since October, 2009. The parties reached a tentative agreement during the mediation process in late September, 2010. The Union membership ratified the tentative agreement in March, 2011.

For 2010, the total fiscal impact for the tentative agreement is estimated at \$63,207 for wage and leave benefit increases and \$81,732 for health insurance premium increases. For 2011, the incremental fiscal impact is estimated at \$62,115 for wage and leave benefit increases and \$84,567 for health insurance premium increases. For 2012, members of the bargaining unit will receive 90% of the CPI-W (Seattle/Tacoma/Bremerton, June 2010 to June 2011 index) in addition to one additional Kelly-shift off.

The 2010 and 2011 fiscal impact of the tentative agreement was included in the City's 2011 budget per Council's direction. If the tentative agreement is approved, the 2012 cost impact will be included in the 2012 budget during the City's annual budget development process.

HR Director Hoang reviewed the agenda bill summary.

CM Fernald requested this item be delayed to the May 10, 2011 Regular Council Meeting (RCM). She also requested a private meeting not subject to the Open Public Meetings Act (OPMA) be held for further discussion.

Council discussion ensued regarding the proposed private meeting and whether it is needed.

**Council consensus:** Referred to the 05/10/11 RCM

**SUSPENSION OF THE RULES:**

MOVED BY FORSCHLER, SECONDED BY FERNALD TO SUSPEND THE RULES TO BRING FORWARD COUNCIL ACTION RELATED TO AGENDA BILL #3319.

MOTION CARRIED WITH SHAPE VOTING NO.

MOVED BY FERNALD, SECONDED BY GREGERSON TO SCHEDULE ANOTHER PRIVATE MEETING NOT SUBJECT TO THE OPEN PUBLIC MEETINGS ACT (DATE TO BE DETERMINED) TO DISCUSS AGENDA BILL #3919.

UPON A ROLL CALL VOTE, MOTION CARRIED WITH FORSCHLER, T. ANDERSON, FISHER, FERNALD, AND GREGERSON VOTING YES AND SHAPE AND A. ANDERSON VOTING NO.

**PUBLIC COMMENTS (related to Agenda Bill #3319):** Earl Gipson questioned whether notes from the private meeting would be disclosable and if so, he requested copies of the questions and answers. City Attorney Mirante Bartolo stated that Mr. Gipson should file a Public Records Disclosure Request.

**Agenda Bill #3322 – A Motion authorizing the City Manager to execute a lease agreement with the YWCA for space on the second floor of City Hall**

**Summary:** This Motion will renew the three year lease with the YWCA which currently occupies space on the second floor of City Hall.

The YWCA presently occupies 3,765 sq. ft. in two distinct spaces on the second floor of City Hall. The new lease would consolidate their workspace on the western side adding roughly 95 sq. ft. The previous tenant, Pan International Realty, abandoned the space late last year. The YWCA has agreed to lease the cumulative space at \$17.50 per sq. ft., about the same rate they currently pay. The lease also contains an escalator of a \$.50 per sq. ft. increase from year to year.

The City would make some minor modifications to the Pan International space to accommodate the YWCA. These modifications are expected to cost about \$2,500 in time and materials. The City will collect \$208,428 over the next 3 years. Utility and custodial costs over that time period is expected to be about \$68,000. The estimated net income is \$137,928.

Facilities Manager Patterson reviewed the agenda bill summary.

**Council consensus:** Referred to the 04/26/11 RCM Consent Agenda

**AGENDA BILL PRESENTATIONS (Continued):**

**Agenda Bill #3314 – A Motion approving the low bid for direct digital controls (DDC) of the HVAC system in the SeaTac Community Center (STCC)**

**Summary:** The controls of the existing HVAC system at the STCC are over 18 years old. The original controls never worked properly, if at all, and were replaced with individual thermostats located inconveniently up in the rooftop penthouse. With new DDC controls the HVAC system can be controlled remotely from any location that has access to the Internet. By being able to better control the system, it is expected that the City will save nearly \$3,000 per year in energy costs. It is also expected that Seattle City Light will issue a rebate around 10% of the cost of the installation.

Bids were solicited via the Municipal Research and Services Center (MRSC) small works roster on March 1, 2011. The bids were due and opened on March 16. Two bids were received: (1) Trane - \$34,800, and (2) TRS Mechanical - \$39,566.

The total amount being requested for approval is \$41,916.60, which includes sales tax and a 10% contingency. There is \$37,832 in the approved 2011 Capital Improvement Program (CIP) allocated for this project. Any additional funds necessary to make up the difference will come from the savings from the DDC controls for City Hall project.

Facilities Manager Patterson reviewed the agenda bill summary.

DM Fisher stated that the Administration & Finance (A&F) Committee reviewed this item and recommended it for approval.

**Council consensus:** Referred to the 04/26/11 RCM Consent Agenda

**Agenda Bill #3313 – A Motion authorizing the City Manager to enter into a construction contract and authorizing expenditures for the South 138<sup>th</sup> Street Neighborhood Pedestrian Improvements Project**

**Summary:** This Motion authorizes the City Manager to execute a contract with Tri-State Construction, Inc. and authorize total construction expenditures of \$1,044,826.23 for the South 138<sup>th</sup> Street Neighborhood Pedestrian Improvements Project.

The South 138<sup>th</sup> Street Neighborhood Improvements Project includes new pervious concrete sidewalks, concrete curb and gutter, concrete driveways and storm drainage facilities along both sides of the road. The project also includes an improved crosswalk warning system at South 138<sup>th</sup> Street and 24<sup>th</sup> Avenue South. The project limits are between 24<sup>th</sup> Avenue South and Military Road South. This project provides improved pedestrian access to the STCC for nearby residents.

The South 138<sup>th</sup> Street Neighborhood Pedestrian Improvement project was advertised in March and eight bids were received. Tri-State Construction, Inc. was the apparent low responsible bidder with a bid 24% below the Engineer's Estimate and about 6% below the next bid. Tri-State Construction, Inc. is experienced and qualified to perform the work.

The total construction cost is anticipated to be \$1,044,826.23. The project is to be funded by City funds. There is \$1,390,000 available for this project in the 2011 budget.

The project construction expenditure authorization and funding are as follows:

Expenditure Authorization:

Construction Contract	\$ 942,569.30
Contingency (10%)	\$ 94,256.93
Materials Testing (estimate)	\$ 5,000.00
Construction Inspection Overtime (estimate)	<u>\$ 3,000.00</u>
Total	\$1,044,826.23

Revenue Estimate:

City Fund 307 (Transportation CIP) \$1,044,826.23

City Engineer Sanderson reviewed the agenda bill summary.

**Council consensus:** Referred to the 04/26/11 RCM Consent Agenda

**AGENDA BILL PRESENTATIONS (Continued):**

**Agenda Bill #3311 – A Motion authorizing the City Manager to execute a design agreement for the 2011-2012 Neighborhood Pedestrian Improvements project**

**Summary:** The 2011-2012 Neighborhood Pedestrian Improvements is the third project from the City's Neighborhood Sidewalk Program. This project is scheduled to construct sidewalks on both sides of South 164<sup>th</sup> Street from 34<sup>th</sup> Avenue South to Military Road South. Design services requested for this project include preparation of detailed engineering drawings, specifications and estimates required to bid and construct the project.

A statement of qualifications was requested from six firms selected from the MRSC Consultant Roster in February 2011. The following firms submitted statements of qualifications: The Blueline Group, LLC; Exeltech; PACE Engineers, Inc.; David Evans and Associates, Inc.; Gray and Osborne, Inc.; and KPG, Inc. The firms were evaluated based on their staff qualifications, experience with similar projects, project understanding, and available resources to complete the project on schedule. Gray and Osborne, Inc. is recommended as the most qualified firm due to their extensive experience on similar projects including the 42<sup>nd</sup> Avenue South Pedestrian Improvements project. The scope of work includes surveying, engineering design, cost estimating, possible right-of-way (ROW) or easement acquisition, public outreach, environmental services, geotechnical investigation, and coordination with affected utilities. The negotiated scope and fee for Gray and Osborne, Inc. is reasonable for the level of effort and work anticipated. It is anticipated the project will be constructed in 2012.

The amount to be paid is not to exceed \$149,200. The Transportation CIP Fund (307) has a current budget balance of \$250,000 for this project.

City Engineer Sanderson reviewed the agenda bill summary.

CM Shape stated that the Transportation & Public Works (T&PW) Committee reviewed this item and recommended it for approval.

**Council consensus:** Referred to the 04/26/11 RCM Consent Agenda

**CONSENT AGENDA:**

- **Approval of claims vouchers** (check nos. 93385 – 93690) in the amount of \$710,201.76 for the period ended April 20, 2011.
- **Approval of payroll vouchers** (check nos. 49657 – 49691) in the amount of \$165,886.91 for the period ended April 15, 2011.
- **Approval of payroll electronic fund transfers** (check nos. 67952 - 68125) in the amount of \$345,063.37 for the period ended April 15, 2011.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$71,620.66 for the period ended April 15, 2011.
- **Summary of \$5,000 - \$35,000 Grant Acceptance Requests** for the period ended April 22, 2011.

**Approval of Council Meeting Minutes:**

- **Council Workshop** held November 29, 2010.
- **Council Workshop** held December 14, 2010.
- **Council Workshop** held February 22, 2011.
- **Council Workshop** held March 22, 2011.
- **Administration and Finance Committee Meeting** held April 12, 2011.
- **Public Safety and Justice Committee Meeting** held April 12, 2011.
- **Special Council Meeting** held April 12, 2011.
- **Regular Council Meeting** held April 12, 2011.

**Agenda Items reviewed under Agenda Bill Presentations recommended for placement on this Consent Agenda:**

**Agenda Bill #3321; Motion authorizing staff to apply for the 2012 Community Development Block Grant for design and construction of a skate park at the SeaTac Community Center Neighborhood Park**

**Agenda Bill #3322; Motion authorizing the City Manager to execute a lease agreement with the YWCA for space on the second floor of City Hall**

**Agenda Bill #3314; Motion approving the low bid for direct digital controls of the HVAC system in the SeaTac Community Center**

**CONSENT AGENDA (Continued):**

**Agenda Bill #3313; Motion authorizing the City Manager to enter into a construction contract and authorizing expenditures for the South 138<sup>th</sup> Street Neighborhood Pedestrian Improvements Project**

**Agenda Bill #3311; Motion authorizing the City Manager to execute a design agreement for the 2011-2012 Neighborhood Pedestrian Improvements project**

MOVED BY A. ANDERSON, SECONDED BY SHAPE TO ACCEPT THE CONSENT AGENDA AS PRESENTED.\*

**PUBLIC COMMENTS (related to the Consent Agenda):** There were no public comments.

\*MOTION CARRIED UNANIMOUSLY.

**PUBLIC COMMENTS (related to the Unfinished Business):** There were no public comments.

**UNFINISHED BUSINESS:** There was no Unfinished Business.

**NEW BUSINESS:** There was no New Business.

**CITY MANAGER'S COMMENTS:** City Manager Cutts commented on the following: (1) April 30 – 10 a.m., National Prescription Drug Take Back Program at City Hall; (2) May 14 – 9 a.m., Backyard Wildlife Festival at the Tukwila Community Center (SeaTac is a sponsor); and (3) the reorganization was activated today.

**COUNCIL COMMENTS:** CM Gregerson commented on the following: (1) April 28 – 6 p.m., Science Fair and fundraiser to raise money for projector bulbs at Bow Lake Elementary School; (2) May 4 – attending the New Futures Breakfast in honor of Human Services (HS) Coordinator Colleen Brandt-Schluter; and (3) attended a library presentation at the Tye Educational Complex and encouraged others to connect with the librarian.

CM Fernald commented on the following: (1) thanked staff for revising the Request for Council Action Form (agenda bill form) to include the field for applicable fund name; (2) attended an open house at the Homeland Security Building in Tukwila. She shared some brochures she received that are provided to new citizens; and (3) attended the McMicken Heights Elementary School open house.

CM Forschler stated that the Neighbors Without Borders Action Committee had a cleanup at the North SeaTac Park (NSTP). He thanked CM Fernald and Tukwila resident Mary Koontz for coordinating the cleanup.

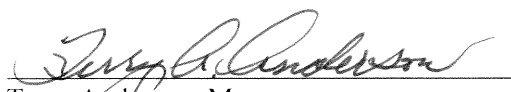
CM A. Anderson commented on the following: (1) attended the McMicken Heights Elementary School open house; and (2) YWCA held a Healthy Kids Day.

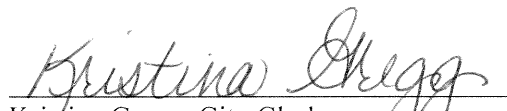
CM Shape commented on the following: (1) South County Area Transportation Board (SCATBd) meeting discussed that there is \$1 million in the State's budget for partial tolling study on Highway 167 and it was mentioned that some of the money may be used for SR 509; (2) Joint Subarea meeting discussed Metro Transit's plans for the future. Due to the economy, they need to reduce service by 600,000 hours at their fall service change; (3) attended the retirement party for Southwest King County Chamber of Commerce (SWKCC) President/CEO Nancy Hinthorne; and (4) the City hosted a successful Easter egg hunt held Saturday, April 23.

**ADJOURNED:**

MOVED BY FISHER TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 7:22 P.M.

MOTION CARRIED UNANIMOUSLY.

  
Terry Anderson, Mayor

  
Kristina Gregg, City Clerk