

# City of SeaTac

## Regular Council Meeting Minutes

February 12, 2013  
6:00 PM

City Hall  
Council Chambers

**CALL TO ORDER:** The SeaTac City Council Regular Meeting was called to order by Mayor Anthony (Tony) Anderson at 6:14 p.m.

**COUNCIL PRESENT:** Mayor Anthony (Tony) Anderson, Deputy Mayor (DM) Mia Gregerson, Councilmembers (CMs) Barry Ladenburg, Rick Forschler, Terry Anderson, Dave Bush, and Pam Fernald.

**STAFF PRESENT:** City Manager Todd Cutts, City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, Assistant City Manager (ACM) Gwen Voelpel, Public Works (PW) Director Tom Gut, Parks & Recreation (P&R) Director Kit Ledbetter, Facilities Manager Pat Patterson, Senior Planner Al Torrico, Economic Development (ED) Manager Jeff Robinson, Assistant Fire Chief Brian Wiwel and Police Chief Jim Graddon.

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

**PUBLIC COMMENTS:** Earl Gipson spoke regarding the Council majority consensus made at the January 22, 2013 Council Study Session (CSS) to no longer discuss Agenda Bill #3479 (Commercial Park-and-Fly Standards). He requested Council reconsider that decision.

Judy Williams urged Council to not approve the spray park at this time and upgrade the lifeguard building and dock instead (Agenda Bill #3480). She also spoke against Agenda Bill #3489 (access easement at Angle Lake Park) stating that it needs to be renegotiated.

Dick Jordan stated that employees of the Pancake Chef Restaurant asked him to mention the code enforcement mess around the property owned by the City.

### **PRESENTATION:**

#### **•Council Consideration of Mayoral Appointments of Mark Blumenthal and Harry Higgins to the SeaTac Fire Department Contractual Steering Committee**

MOVED BY GREGERSON, SECONDED BY LADENBURG TO APPROVE THE APPOINTMENT OF MARK BLUMENTHAL AND HARRY HIGGINS TO THE SEATAC FIRE DEPARTMENT CONTRACTUAL STEERING COMMITTEE.

MOTION CARRIED UNANIMOUSLY.

Mayor A. Anderson presented the certificate to Mr. Higgins. Mr. Blumenthal was unable to attend. His certificate will be mailed to him.

*This presentation was brought forward from the February 12, 2013 CSS agenda.*

#### **•Public Safety Statistics**

Assistant Fire Chief Wiwel presented the statistics for January 2013, including responses to structure fires. He also highlighted some training that occurred recently.

Mr. Wiwel explained training he is going through with the Leadership Institute which is sponsored by the Auburn Chamber of Commerce and brings together leaders in different branches (private sector and government) in South King County (KC).

### **CONSENT AGENDA:**

**•Approval of claims vouchers** (check nos. 101763 - 101767) in the amount of \$40,698.56 for the period ended January 22, 2013.

**•Approval of claims vouchers** (check nos. 101768 - 101911) in the amount of \$672,708.73 for the period ended January 31, 2013.

**•Approval of claims vouchers** (check nos. 101912 - 101989) in the amount of \$276,985.18 for the period ended February 5, 2013.

**•Approval of payroll vouchers** (check nos. 51211 - 51243) in the amount of \$442,400.33 for the period ended February 7, 2013.

**•Approval of payroll electronic fund transfers** (check nos. 75695 - 75877) in the amount of \$363,939.62 for the period ended January 31, 2013.

**•Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$71,205.12 for the period ended January 31, 2013.

**CONSENT AGENDA (Continued):**

●**Pre-approval or final approval of City Council and City Manager travel related expenses** for the period ended February 5, 2013.

**Approval of Council Meeting Minutes:**

- Council Study Session** held January 8, 2013
- Council Study Session** held January 22, 2013
- Regular Council Meeting** held January 22, 2013

**Agenda Items reviewed at the January 22, 2013 Council Study Session and recommended for placement on this Consent Agenda:**

**Agenda Bill #3488; A Motion authorizing the purchase of a Regenerative Air Sweeper**

**Agenda Bill #3483; A Motion authorizing the City Manager to execute an Amended and Restated Interlocal Agreement with King County for cooperative solid waste management**

MOVED BY FERNALD, SECONDED BY GREGERSON TO ACCEPT THE CONSENT AGENDA AS PRESENTED.\*

**PUBLIC COMMENTS (related to the Consent Agenda):** Earl Gipson proposed Council remove the Public Comments period for Consent Agenda and instead allow comments for Action Items.

\*MOTION CARRIED UNANIMOUSLY.

**ACTION ITEMS:**

**Agenda Bill #3480 – A Motion authorizing the City Manager to execute a contract with Henderson Partners, LLC the low bidder for Angle Lake Park Phase II construction**

**Summary:** The project plan is to start Phase II construction as early as possible in 2013 and complete the project before the International Festival and 4<sup>th</sup> of July. After careful research no question was asked on any City survey about a Water Spray Area but the 2008 Parks Recreation and Open Space (PROS) Plan adopted by the City Council on March 10, 2009, the written citizens survey stated that Valley Ridge and Angle Lake Parks were the most visited parks and swimming and cultural arts rated the highest among recreation programming. Local P&R Directors for city's with Water Spray Areas said that they are the most popular summer item in their parks system.

Some questions on the Water Spray Area were asked at the January 22, 2013 CSS. SeaTac's consulting Landscape Architect and staff considered several location sites in the City. However, due to restrictions set by the KC Health Code, the site must be within 100 feet of a restroom building, restricting the City's options. While Valley Ridge and Sunset Parks have restrooms, they do not have the adjacent site space needed to accommodate the water play area and the North SeaTac Park (NSTP) restroom location, while having enough adjacent space, is too isolated. The Architect and staff unanimously agreed that Angle Lake Park made the most sense because of the following: site available with 100 feet of restroom building, accessibility- located centrally within the City of SeaTac, safety-not isolated, and provides families with non-swimmers, or young children, an alternative to the lake itself which is a popular destination during summer months.

Phase II park improvements will include two new rentable picnic shelters, a water spray area, regrading the area south of the performing stage, removing the old roadway, installing a new pathway system, and installation of new irrigation throughout the park. Due to budget the remaining items left to complete the Master Plan for Angle Lake Park will be a new dock, lifeguard building and boat launch improvements.

The bid opening for construction was January 29, 2013. 11 bids were received. The reference checks have been completed on the low bidder Henderson Partners, LLC and they were all very positive. Henderson Partners, LLC have stated they are ready to start working and said they can complete the project before the International Festival in June. The P&R Department has a total of \$1,775,226 for construction after the water spray equipment purchase in the 2013 Capital Budget for the Angle Lake Park Phase II project. Because of such competitive bids the low bidder is \$374,602 under the construction budget. For safety reasons the Contractor and the Landscape Architect have requested we close the park to the public during the construction.

**ACTION ITEMS:**

**Agenda Bill #3480 (Continued):**

<u>Company Name</u>	<u>Base Bid</u>	<u>With 10% Contingency and Sales Tax</u>
Henderson Partners	\$1,162,826	\$1,400,624
Neeley Construction	\$1,449,000	\$1,745,321
3 Kings Environmental	\$1,462,385	\$1,761,443
W.S. Contractors	\$1,465,000	\$1,764,593
Zemex Construction	\$1,513,000	\$1,822,409
Johansen Excavating	\$1,529,913	\$1,842,780
Jones & Roberts Company	\$1,547,000	\$1,863,362
Pelco Construction	\$1,548,000	\$1,864,566
Paul Brothers	\$1,828,500	\$2,202,428
Westwater Construction	\$2,070,000	\$2,493,315
A-1 Landscaping	\$2,116,786	\$2,549,669

P&R Director Ledbetter introduced MacLeod Record Principal Jennifer Kiusalaas and Henderson Partners Project Manager Nick Wall. Mr. Ledbetter reviewed the agenda bill summary.

Ms. Kiusalaas stated that the bids received for this project were exceptional and is pleased with the results.

MOVED BY LADENBURG, SECONDED BY GREGERSON TO PASS AGENDA BILL #3480.\*

Council discussion ensued regarding closing the park and the boat launch.

CM Bush proposed that the savings from what was allocated be used to start the lifeguard building project. Council discussion ensued regarding this proposal and other options for using those funds.

City Manager Cutts stated that staff has Council consensus to review options and come back to Council with details for discussion at a future CSS.

\*MOTION CARRIED UNANIMOUSLY.

**Agenda Bill #3481 – A Motion authorizing the City Manager to approve the purchase of the water spray area equipment for the Angle Lake Park project from Waterplay Solutions**

**Summary:** The bid proposals for the Angle Lake Park water spray area were sent out in late August with proposals due September 12. The bid was advertised in the Seattle Times on August 30 and September 6 and three companies responded. On September 19, the team of P&R Director Kit Ledbetter, Parks Operations Supervisor Roger Chouinard, and Landscape Architect Ed MacLeod interviewed all three submittals. A point system was used to rate the companies and Waterplay Solutions Corp. was unanimously selected.

The cost for all equipment is \$249,999 and tax is \$23,749.91 for a total request not to exceed of \$273,749. By purchasing the equipment directly from Waterplay, the City will save the contractors' usual markup of 15 to 20% or about \$40,000.

The P&R Department has a total of \$2,048,975 for construction included in the 2013 Capital Budget for the Angle Lake Park Phase II project.

MOVED BY LADENBURG, SECONDED BY GREGERSON TO PASS AGENDA BILL #3481.\*

P&R Director Ledbetter reviewed the agenda bill summary.

Discussion ensued regarding specifics of the Water Spray Area, including warranty and sanitation.

Mayor A. Anderson requested pictures of the Water Spray Area be posted on the City's website.

\*MOTION CARRIED UNANIMOUSLY.

**Agenda Bill #3489 – A Motion authorizing the City Manager to execute an agreement with Angle Lake Hotel, LLC for a proposed access easement at Angle Lake Park**

**Summary:** On April 21, 2009, the City executed an agreement granting an access easement from Angle Lake Park to a proposed hotel known at the time as the "Residence Inn". Building permits were never issued for the proposed project due to economic factors and as a result, the agreement expired on March 31, 2011. The developer, Ariel Development, seeks a new access easement for a new hotel, Hyatt Place, in the same location.

**ACTION ITEMS:**

**Agenda Bill #3489 (Continued):** As before, granting an access easement to the developer, would allow the use of the current signalized access road (South 195<sup>th</sup> Street) located at the southern portion of Angle Lake Park, which will include a driveway to the hotel and fire access from Angle Lake Park to the eastern portion of the proposed hotel. The City also agrees to allow fire hydrants to be located in the adjoining park landscaping and for the construction of a “fire access only” driveway from the access easement through the adjoining landscaping to the hotel property.

In exchange, the developer agrees to grant an easement for the City to design, construct and maintain a pedestrian path not greater than ten feet in width from the north edge to the south edge of said property. The path will be parallel to the lake bank at a distance from the waterline to be determined. The developer also agrees to pay the City \$32,000, which will be used by the City at Angle Lake Park. The developer also agrees to provide special traffic control measures during high impact events such as the International Festival and 4<sup>th</sup> of July, and pay a portion of the maintenance costs for the access easement based on use load.

The proposed hotel development will provide approximately 150 rooms and will result in needed redevelopment of a parcel along Angle Lake and International Boulevard (IB). In addition, it is estimated that the hotel will employ between 60-70 full-time employees, as well as additional part-time employment. Finally, the City will benefit as the developer has committed to providing \$32,000 to the City for future improvements to Angle Lake Park.

If the City Council wants to construct the pedestrian path along Angle Lake, the City would be responsible for design and construction of the path. Finally, the project will generate approximately \$190,000 in sales tax revenue, building permit fees, and additional sales tax and lodging tax revenue on an ongoing basis.

MOVED BY GREGERSON, SECONDED BY LADENBURG TO PASS AGENDA BILL #3489.\*

ED Manager Robinson stated that staff ran three cost scenarios and the net benefit for all three was less than the money being offered to the City.

\*MOTION CARRIED UNANIMOUSLY.

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

**NEW BUSINESS:**

**Agenda Bill #3479; Ordinance regarding Commercial Park-n-Fly, zoning and Crime Prevention through Environmental Design (CPTED) related to parking**

MOVED BY FORSCHLER, SECONDED BY FERNALD TO ADOPT AGENDA BILL #3479.

Council discussion ensued regarding this Ordinance with some CMs commenting that the biggest issue was the parking bonus and that some of the other information was still good and should come back at some point.

**Public Comment (related to Agenda Bill #3479):** Earl Gipson stated that the City receives \$5 - \$6 million a year for parking. It's a way to get additional revenue.

Mr. Cutts stated that the Community & Economic Development (CED) Department will have new leadership within the next month. The first order of business will be to rekindle the Zoning Code overhaul. However, based on past Council consensus, staff does not have plans to revisit the parking bonus unless requested.

\*MOTION FAILED WITH FORSCHLER, T. ANDERSON AND FERNALD VOTING YES AND LADENBURG, A. ANDERSON, GREGERSON AND BUSH VOTING NO.

**New Council Coal**

CM Gregerson requested Council consider an additional 2013 goal for SR 509.

**Council consensus:** to be discussed at Council Retreat

*(This agenda bill number was assigned for tracking purposes only. No agenda bill was created for this meeting.)*

**Agenda Bill #3492; A Resolution repealing Council Study Sessions and reinstating Council Committees.**

MOVED BY FERNALD, SECONDED BY FORSCHLER TO PASS A RESOLUTION REPEALING COUNCIL STUDY SESSIONS AND REINSTATING COUNCIL COMMITTEES.\*

Mr. Cutts stated that this item is scheduled for discussion at the February 23, 2013 Council Retreat.

Council discussion ensued regarding the reasons for keeping the current set up with CSS's or changing back to the committee structure.

**NEW BUSINESS (Continued):**

**Agenda Bill #3492 (Continued):**

MOVED BY T. ANDERSON, SECONDED BY A. ANDERSON TO POSTPONE THIS ITEM TO THE FEBRUARY 23, 2013 COUNCIL RETREAT FOR FURTHER DISCUSSION.

MOTION CARRIED UNANIMOUSLY.

**CITY MANAGER'S COMMENTS:** City Manager Cutts commented on the following: (1) February 23, 9 a.m. – Council Retreat, (2) February 13 and 14 – Association of Washington Cities (AWC) Legislative Conference; and (3) Legislative Agenda updates.

**COUNCIL COMMENTS:** CM Ladenburg suggested public comments within RCM be discussed during the Council Retreat. He also stated that he attended the YMCA Fundraiser kickoff. He thanked Cedarbrook for donating the dinner for the fundraiser.

CM Forschler commented on CSS's versus the committee structure stating that he is glad it will be discussed at the retreat.

CM T. Anderson shared a safety issue that is occurring in her neighborhood with a child. She requested an information sheet on child safety to hand out, or someplace at City Hall that they can call.

CM Fernald commented on the following: (1) March 4 - Community Emergency Response Team (CERT) Training begins; (2) April 13 - 911 Citizens Academy in Renton begins; and (3) February 16, 8 p.m. - fundraiser for Burien fire victims at Bison Creek Pizza.

CM Bush stated that he also attended the YMCA Fundraiser kickoff. The City is lucky to have both the YMCA and Cedarbrook in the community.

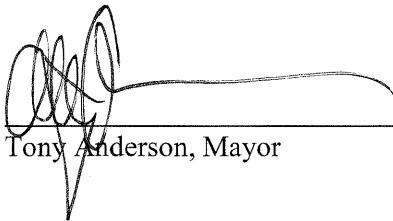
DM Gregerson stated that Police Chief Graddon recently announced his retirement. She stated her appreciation of him and his services.

Mayor A. Anderson commented on the following: (1) committee structure versus CSS's; (2) Council Retreat Agenda; (3) Human Trafficking – Washington has had 40 convictions on Human Trafficking. Many other states haven't had any; and (4) Emergency Management – the Council needs to get trained.

**ADJOURNED:**

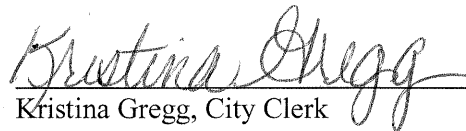
MAYOR A. ANDERSON ADJOURNED THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 8:01 P.M.

MOTION CARRIED UNANIMOUSLY.



\_\_\_\_\_

Tony Anderson, Mayor



\_\_\_\_\_

Kristina Gregg, City Clerk