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RESOLUTION NO. 00-001

A RESOLUTION of the City Council of the City of SeaTac, Washington, authorizing entry into a Development Agreement with Equitable Capital Group, Inc.

WHEREAS, [RCW 36.70B.170](#) through .200 and SMC 15.05.057 authorize the City to enter into Development Agreements with persons or entities having ownership or control of real property within the City; and

WHEREAS, Equitable Capital Group, Inc., a Washington corporation, is the entity having control of certain real property located at 20055 28th Avenue South, within the City and desires to undertake interim development thereon, subject to a Development Agreement; and

WHEREAS, a public hearing was duly held before the City Council; and

WHEREAS, the interim use, proposed Development Agreement, and future permanent use of the property satisfy the criteria of SMC 15.22.055; and

WHEREAS, the Council finds that the Development Agreement is appropriate and is in the best interests of the developer and of the public;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON HEREBY RESOLVES as follows:

1. The City Manager is authorized to execute, on behalf of the City a Development Agreement with Equitable Capital Group, Inc., a Washington corporation, in the form attached to this Resolution, as Exhibit A.
2. The City Clerk shall cause the fully executed Development Agreement to be filed with the King County Recorder.

PASSED this 9th day of January, 2000 and signed in authentication thereof on this 9th day of January, 2000.

CITY OF SEATAC

Shirley Thompson, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney

RESOLUTION NO. 01-002

A RESOLUTION of the City Council of the City of SeaTac, Washington, extending the Interim Design Standards for Multi-family Housing.

WHEREAS, pursuant to the authority of [RCW 35A.63.220](#) and [RCW 36.70A.390](#), the City Council adopted Ordinance No. 00-1002 establishing Interim Design Standards for Multi-family Housing for a period of six months; and

WHEREAS, a public hearing was held and findings of fact adopted by Resolution No. 00-002 supporting and continuing the Interim Standards for the six month period ending August 10, 2000; and

WHEREAS, a public hearing was held and findings of fact made by Resolution No. 00-017 extending the standards for the six month period ending February 8, 2001; and

WHEREAS, there is an outstanding appeal of the environmental determination for the standards that is being heard by the appeals court, after rulings by both the hearing examiner of the City of SeaTac and King County Superior Court in favor of the City;

WHEREAS, the above cited statutes permit interim zoning controls to be extended for successive periods of six months pursuant to a public hearing and findings of fact supporting the need for the extension of the standards; and

WHEREAS, a public hearing was held on January 23, 2001 to consider the public benefit of continuing such standards for an additional 6 months; and

WHEREAS, the City Council hereby adopts by this reference, as findings of fact, each and every recital of Ordinance No. 00-1002 and of Resolution No. 00-002;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON HEREBY RESOLVES as follows:

The Interim Design Standards for Multi-family Housing adopted by Ordinance 00-1002 shall continue in effect for the period of six months from the date of passage of this Resolution to permit time for resolution of the outstanding appeal of the SEPA determination on said standards, and for formal consideration of the standards, with any necessary additions or revisions, as permanent standards.

PASSED this 23rd day of January, 2001 and signed in authentication thereof on this 23rd day of January, 2001.

CITY OF SEATAC

Kathy Gehring-Waters, Deputy Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney

RESOLUTION NO. 01-003

A RESOLUTION of the City Council of the City of SeaTac, Washington authorizing the City Manager to execute an Amendment to the existing Agreement with King County, allowing the City to accept additional Waste Reduction and Recycling (WR/R) grant funding, and further authorizing entry into replacement Agreements for Amendments thereto in order to continue the WR/R program.

WHEREAS, by Ordinance No. 90-1017 (now codified as Chapter 12.15 of the SeaTac Municipal Code), the City Council adopted by reference the King County Comprehensive Solid Waste Management Plan and appointed the King County Solid Waste Division as the City's agency for disposal of solid waste generated or collected within the City; and

WHEREAS, beginning in 1992 and continuing thereafter, King County has substantially altered the Solid Waste Management Plan in a number of respects, including recycling and waste reduction goals and programs; and

WHEREAS, in order to help meet these goals, the King County Solid Waste Division has established the City Optional Program and a Waste Reduction and Recycling (WR/R) Grant Program for the cities in King County and SeaTac has long been involved in these programs; and

WHEREAS, the City Option Program provides grant funds for cities to conduct Special Recycling Events, which enable citizens to recycle materials that are not included in curbside collection programs, and to establish and maintain Business Waste Reduction and Recycling Programs and services; and

WHEREAS, the WR/R Grant Program provides funding to further the development and enhancement of local waste reduction and recycling projects; and

WHEREAS, the purpose of the proposed Amendment is to define the terms and conditions for funding to be provided to the City increased from \$13,464 to \$44,312 for various waste reduction and recycling programs and services, as outlined in the new scopes of work and budgets attached as Exhibits A and A-1 to the Amendment; and

WHEREAS, it is appropriate to authorize entry into the proposed Amendment and also to authorize entry into regular annual grant agreements and amendments, so long as future programs and the proportion of grant funds to local matching funds, if any, remain essentially similar.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON HEREBY RESOLVES as follows:

The City Manager is authorized and directed to enter into the proposed Amendment, on behalf of the City substantially in the form attached as Exhibit "A" to this Resolution; and

The City Manager is further authorized and directed to enter into subsequent annual Agreements for Waste Reduction and Recycling (WR/R) and the City Optional Program Grants, provided that future programs and the proportion of grant funds to local matching funds, if any, remain essentially similar; and

In event of any proposed dissimilarity or substantial change of programs, services, goals, or the proportion of grant funds to local matching funds, such proposed dissimilar Agreement or Amendment shall be presented to the Council for approval in advance of signing by the City Manager.

PASSED this 13th day of February, 2001 and signed in authentication thereof on this 13th day of February, 2001.

CITY OF SEATAC

Shirley Thompson, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney

RESOLUTION NO. 01-004

A RESOLUTION of the City Council of the City of SeaTac, Washington authorizing the formation and maintenance of a Domestic Violence Impact Panel; providing a fee for attendance; and providing for fee expenditures.

WHEREAS, there are people who are currently suffering from domestic violence in every community in this State, including King County; and

WHEREAS, the City of SeaTac had more than 197 reported cases of domestic violence reported in the year 2000; and

WHEREAS, the SeaTac Municipal Court wishes to create a panel to provide and encourage education and awareness in batterers of the impacts of domestic violence upon victims and the community in order to meet the critical needs of all victims in providing domestic violence safety and health issues.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON HEREBY RESOLVES as follows:

1. The Municipal Court of the City of SeaTac is hereby authorized to form and maintain a Domestic Violence Impact Panel.
2. Persons convicted of any domestic violence-related offense may be required to attend the panel as a condition of any sentence imposed in the SeaTac Municipal Court or other courts which may wish to send offenders to the panel.
3. There shall be a \$25.00 fee imposed upon those persons required to attend the panel, which fee is intended to help defray those costs reasonably related to maintaining the panel. The fee may be waived for any person who can clearly demonstrate that imposition of the fee would create a substantial financial hardship.

PASSED this 27th day of February, 2001 and signed in authentication thereof on this 27th day of February, 2001.

CITY OF SEATAC

Shirley Thompson, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney

RESOLUTION NO. 01-005

A RESOLUTION of the City Council of the City of SeaTac, Washington, authorizing entry into a Development Agreement with Washington Mutual, Inc.

WHEREAS, [RCW 36.70B.170](#) through .200 and SMC 15.05.057 authorize the City to enter into Development Agreements with persons or entities having ownership or control of real property within the City; and

WHEREAS, Washington Mutual, Inc., a Washington corporation, is the entity having control of certain real property located at 18501 36th Avenue South, within the City and desires to undertake development thereon, subject to a Development Agreement; and

WHEREAS, a public hearing was duly held before the City Council; and

WHEREAS, the proposed Development Agreement, and proposed use of the property satisfy the criteria of SMC 15.22.055; and

WHEREAS, the Council finds that the Development Agreement is appropriate and is in the best interests of the developer and of the public;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON HEREBY RESOLVES as follows:

1. The City Manager is authorized to execute, on behalf of the City a Development Agreement with Washington Mutual, Inc., a Washington corporation, substantially in the form attached to this Resolution, as Exhibit A.
2. The City Clerk shall cause the fully executed Development Agreement to be filed with the King County Recorder.

PASSED this 6th day of March, 2001 and signed in authentication thereof on this 6th day of March, 2001.

CITY OF SEATAC

Shirley Thompson, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney

RESOLUTION NO. 01-006

A RESOLUTION of the City Council of the City of SeaTac, Washington fixing the time for a public hearing and for Council action on vacation of a portion of 28th Avenue South abutted on both sides by Port of Seattle property.

WHEREAS, the Port of Seattle has requested vacation of a certain portion of the City street and right-of-way of 28th Avenue South (also known as Air Cargo Road), as shown on the map attached as Exhibit "B" to this Resolution; and

WHEREAS, Section 11.05.090 of the SeaTac Municipal Code adopts the street vacation procedures of Chapter 35.79 RCW; and

WHEREAS, RCW 35.79.010 authorizes the City Council to initiate street vacation procedures by resolution and further requires that a public hearing prior to final Council action must be fixed not less than twenty (20) days nor more than sixty (60) days after the date of passage of such a resolution; and

WHEREAS, no apparent municipal use of the said street and right-of-way continues to exist, but the Port has reason to convert the right-of-way to airport related purposes; and

WHEREAS, the City will be entitled to monetary or other consideration for the vacation; and

WHEREAS, the Council finds that a public hearing prior to consideration of final action should be placed on the agenda of the Regular Council Meeting of May 22, 2001;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON HEREBY RESOLVES as follows:

1. A public hearing on the Port of Seattle's request for vacation of that portion of the street and right-of-way of 28th Avenue South legally described on Exhibit "A" attached hereto and depicted on the map attached hereto as Exhibit "B", which is abutted on both sides by Port property, is hereby fixed to commence at 6:00 p.m. on Tuesday, May 22, 2001, or as soon thereafter as the hearing may be held, at the Council Chambers, SeaTac City Hall, 17900 International Boulevard, Suite 401, SeaTac, WA 98188.
2. Notice of the public hearing shall be posted in three public places within the City and at two places along 28th Avenue South pursuant to SMC 16.07.030(3) and (4). The Port, as sole abutting owner, and the owners of property secondarily accessed from 28th Avenue South shall be given notice by mail at least fifteen days before the date fixed for the hearing.
3. Following the public hearing, the City Council shall consider public comments and shall then take such action in regard to the requested vacation as may be deemed appropriate.

PASSED this 10th day of April, 2001 and signed in authentication thereof on this 10th day of April, 2001.

CITY OF SEATAC

Shirley Thompson, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney

RESOLUTION NO. 01-007

A RESOLUTION of the City Council of the City of SeaTac, Washington relating to modification of boundaries along a portion of 42nd Avenue South and authorizing an agreement with the City of Kent to adjust the common boundary lines along said right-of-way, pursuant to RCW 35.13.310.

WHEREAS, previously the City of Kent, pursuant to Ordinance No. 3506 and King County, pursuant to Ordinance No. 13882, revised and modified a common boundary along a portion of the 42nd Avenue South right-of-way so as to include the full width of said right-of-way within the boundaries of the City of Kent; and

WHEREAS, the purpose of that previous modification was to simplify jurisdictional issues as well as the ongoing maintenance of 42nd Avenue South lying generally between South 216th Street and South Orillia Road; and

WHEREAS, subsequently this portion of the 42nd Avenue South right-of-way was widened, realigned and improved pursuant to certain conditions relating to an adjacent private development proposal that is located within the City of Kent, which realignment and improvements have been reviewed and approved by the City of Kent's Engineering Department; and

WHEREAS, the result of this realignment has been to cause a portion of the width of 42nd Avenue South right-of-way to meander partly within the boundaries of the City of SeaTac and partly within the City of Kent, including land that is in the City of SeaTac but was dedicated to the City of Kent as part of this right-of-way, and including a portion of certain stormwater facilities related to the realigned right-of-way which were dedicated to and controlled by the City of Kent, but are located within the boundaries of the City of SeaTac; and

WHEREAS, RCW 35.13.310 provides a method for the City of Kent and the City of SeaTac to modify the common boundary within a right-of-way so as to remove the City of SeaTac's jurisdiction lying within this portion of the 42nd Avenue South right-of-way, and create a common boundary along the edge of said right-of-way;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON HEREBY RESOLVES as follows:

1. In order to simplify jurisdictional issues as well as the ongoing maintenance of 42nd Avenue South, the City of SeaTac hereby expresses its intent to fully include the full width of that certain portion of the 42nd Avenue South right-of-way, lying generally between South 216th Street and South 212th Street, so as to be included within the corporate boundaries of the City of Kent. A description of that portion of 42nd Avenue South that shall be altered so as to be included within the City of Kent is attached and incorporated as Exhibit "A".
2. The City Council hereby authorizes the City Manager to enter into an agreement, substantially in the form attached as Exhibit "B", with the City of Kent and to otherwise perform any other acts necessary to complete this revision of the City's corporate boundary along 42nd Avenue South, so long as it is consistent with the intent of this Resolution and RCW 35.13.310.
3. Severability. If any one or more sections, subsections, or sentences of this Resolution are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this Resolution and the same shall remain in full force and effect.

PASSED this 10th day of April, 2001 and signed in authentication thereof on this 10th day of April, 2001.

CITY OF SEATAC

Shirley Thompson, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney

RESOLUTION NO. 01-008

A RESOLUTION of the City Council of the City of SeaTac, Washington, approving and authorizing entry into a Contract with Puget Sound Access, a non-profit corporation, for administration and operation of a public access cable television studio and channels; authorizing entry into an Agreement with AT&T Broadband for monetary payment to extinguish its franchise obligation to provide the public access studio and channels; and providing for full release of AT&T from the said franchise obligation.

WHEREAS, under Section 15 of Franchise Ordinance No. 96-1003 of the City of SeaTac, AT&T Broadband ("AT&T"), formerly known as TCI Cablevision of Washington, Inc., assumed an obligation to provide, maintain, and operate a public access studio and channels for the use by City during the life of its franchise; and

WHEREAS, AT&T has assumed this same franchise obligation with the Cities of Auburn, Burien, Kent, Renton, SeaTac, and Tukwila (collectively "Cities"); and

WHEREAS, AT&T has proposed an Agreement with the Cities to fulfill the franchise obligations described herein by a one-time payment of \$3,701,942.78 (the "Access Funds") to Puget Sound Access ("PSA"), a Washington non-profit corporation; and

WHEREAS, the Access Funds will be used for the purpose of constructing, equipping, operating and maintaining a single public access studio and administering the functions of the public access channel(s) provided by AT&T for the use and benefit of the Cities; and

WHEREAS, a Contract between each City and PSA has been drafted for the purpose of accepting and employing the AT&T funds in a prudent and responsible manner for the purpose of establishing and operating a single public access studio in South King County and administering the broadcasting therefrom over public access channels to be provided by AT&T; and

WHEREAS, the City Council finds the proposed Agreement and proposed Contract acceptable and in the best interests of the public; and

WHEREAS, upon final execution of the said Agreement and Contract, the obligation of AT&T to provide, maintain and operate a public access studio should be fully and unconditionally released;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON HEREBY RESOLVES as follows:

Section 1. The proposed AT&T Agreement, generally in the form attached to this Resolution as Exhibit "A" is approved and the City Manager is authorized to execute the same on behalf of the City in substantially the form shown at Exhibit "A".

Section 2. The proposed Contract with Puget Sound Access, a Washington non-profit corporation, generally in the form attached to this Resolution as Exhibit "B" is approved and the City Manager is authorized to execute the same on behalf of the City in substantially the form shown at Exhibit "B".

Section 3. Upon full execution of the said Agreement and Contract, and full payment by AT&T pursuant thereto, the City of SeaTac fully and unconditionally releases AT&T from the obligation of Section 15 of Franchise Agreement No. 96-1003 to provide, maintain and operate a public access studio during the term of the Franchise.

Section 4. Any act consistent with the authority and prior to the effective date of this Resolution is hereby ratified and

affirmed.

Section 5. This Resolution shall take effect and be in force immediately upon its passage.

PASSED this day of , 2001 and signed in authentication thereof on this day of , 2001.

CITY OF SEATAC

Shirley Thompson, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney

RESOLUTION NO. 01-009

A RESOLUTION of the City Council of the City of SeaTac, Washington approving and authorizing entry into an Amendment to the Development Agreement of July 17, 2000 which is now held by SeaTac Investments, LLC.

WHEREAS, RCW 36.70B.170 through .200 and SMC 15.05.057 authorize the City to enter into Development Agreements with persons or entities having ownership or control of real property within the City; and

WHEREAS, pursuant to Council Resolution No. 00-009, the City entered into a Development Agreement, dated July 17, 2000, relating to certain real property generally in the 16200 block of International Boulevard, which is more particularly described in the said Development Agreement; and

WHEREAS, SunReal, Inc. has assigned the Development Agreement, pursuant to its terms, to SeaTac Investments, LLC, an organization which now owns or controls the said real property; and

WHEREAS, SeaTac Investments has requested certain amendments to the Development Agreement by reason of changed circumstances and representatives of SeaTac Investments and the City have conducted negotiations toward such an Amendment; and

WHEREAS, pursuant to the State Environmental Policy Act and Regulations of the Department of Ecology, an addendum to the original environmental documents and previous mitigated determination of nonsignificance (MDNS) has issued; and

WHEREAS, notice was published and mailed to surrounding owners pursuant to SMC 16.07.030, and the Council having held a public hearing; and

WHEREAS, the Council finds that the proposed Amendment satisfies the criteria of SMC 15.22.055 and remains generally consistent with current City development regulations and that the departures therefrom provided by the Amendment to the Development Agreement are offset by benefits to be received by the City;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON HEREBY RESOLVES as follows:

Section 1. The City Manager is authorized to execute, on behalf of the City, an Amendment to the Development Agreement, dated July 17, 2000, which is now held by SeaTac Investments, LLC, generally in the form attached to this Resolution, as Exhibit "A".

Section 2. The City Clerk shall cause the fully executed Amendment to Development Agreement to be filed with the King County Recorder.

PASSED this 24th day of April, 2001 and signed in authentication thereof on this 24th day of April, 2001.

CITY OF SEATAC

Kathy Gehring-Waters, Deputy Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney

RESOLUTION NO. 01-010

A RESOLUTION of the City Council of the City of SeaTac, Washington authorizing the City Manager to enter into an Agreement with Yakima County for the housing of inmates in the Yakima County Jail.

WHEREAS, the City currently contracts with King County for its jail services; and

WHEREAS, the City's jail costs to incarcerate prisoners continues to rise; and

WHEREAS, Yakima County has provided a less expensive alternative to King County; and

WHEREAS, by entering into an Agreement with Yakima County in no way binds the City to designate all prisoners to Yakima County; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON HEREBY RESOLVES as follows:

The City Manager is hereby authorized to enter into the Agreement with Yakima County for the housing of the City's inmates, generally in the form attached hereto as Exhibit "A".

PASSED this 8th day of May, 2001 and signed in authentication thereof on this 8th day of May, 2001.

CITY OF SEATAC

Shirley Thompson, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney

RESOLUTION NO. 01-011

A RESOLUTION of the City Council of the City of SeaTac, Washington, approving Midway Sewer District's 2000 Comprehensive Sewer System Plan

WHEREAS, Midway Sewer District has submitted its 2000 Comprehensive Sewer System Plan to the City as required by RCW57.16.010; and

WHEREAS, the City Council has reviewed said Plan as required by RCW57.16.010; and

WHEREAS, the City Council has found the District's Plan to be satisfactory;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON HEREBY RESOLVES as follows:

The Midway Sewer District's 2000 Comprehensive Sewer System Plan, having been prepared using good engineering principals, is hereby approved.

PASSED this 22nd day of May, 2001 and signed in authentication thereof on this 22nd day of May, 2001.

CITY OF SEATAC

—

Kathy Gehring-Waters, Deputy Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney

RESOLUTION NO. 01-012

A RESOLUTION of the City Council of the City of SeaTac, Washington approving and authorizing entry into an Amendment to the Development Agreement of May 26, 1998 which is held by Gateway Investment, LLC.

WHEREAS, RCW 36.70B.170 through .200 and SMC 15.05.057 authorize the City to enter into Development Agreements with persons or entities having ownership or control of real property within the City; and

WHEREAS, pursuant to Council Resolution, the City entered into a Development Agreement, dated May 26, 1998, relating to certain real property generally within the 17000 and 17100 blocks of International Boulevard, which is more particularly described in the said Development Agreement; and

WHEREAS, Gateway Investment has requested an Amendment to the aforesaid Development Agreement, by reason of acquisition of additional, adjoining property and by reason of changed circumstances, and representatives of Gateway Investment and the City have conducted negotiations toward such an Amendment; and

WHEREAS, notice was published and mailed to surrounding owners pursuant to SMC 16.07.030, and the Council having held a public hearing; and

WHEREAS, the Council finds that the proposed Amendment satisfies the criteria of SMC 15.22.055 and remains generally consistent with current City development regulations and that the departures therefrom provided by the Amendment to the Development Agreement are offset by benefits to be received by the City;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON HEREBY RESOLVES as follows:

Section 1. The City Manager is authorized to execute, on behalf of the City, an Amendment to the Development Agreement, dated May 26, 1998, generally in the form attached to this Resolution, as Exhibit "A".

Section 2. The City Clerk shall cause the fully executed Amendment to Development Agreement to be filed with the King County Recorder.

PASSED this 29th day of May, 2001 and signed in authentication thereof on this 29th day of May, 2001.

CITY OF SEATAC

Shirley Thompson, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney

RESOLUTION NO. 01-013

A RESOLUTION of the City Council of the City of SeaTac, Washington fixing the time for a public hearing and for Council action on vacation of certain streets, alleys, and rights-of-way abutted on both sides by Port of Seattle property.

WHEREAS, the Port of Seattle has previously requested vacation of certain City rights-of-way within territory which has been acquired by the Port for Sea-Tac International Airport purposes; and

WHEREAS, Article 9 of Exhibit C to the Interlocal Agreement between the City and the Port, entered into on September 4, 1997, provides for vacation of certain enumerated rights-of-way; and

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

WHEREAS, RCW 35.79.010 authorizes the City Council to initiate such street vacation procedures by resolution and further requires that a public hearing and date for Council action must be fixed not less than twenty (20) days nor more than sixty (60) days after the date of passage of such a resolution; and

WHEREAS, no apparent municipal use of the said rights-of-way continues to exist, but the Port has reason to convert the rights-of-way to airport related purposes; and

WHEREAS, the City will be entitled to monetary consideration for the vacation pursuant to the aforesaid Interlocal Agreement; and

WHEREAS, the Council finds that a public hearing and consideration of final action should be placed on the agenda of the Regular Council Meeting of July 24, 2001;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON HEREBY RESOLVES as follows:

1. A public hearing on the City Council's Resolution to initiate the procedure for vacation of those certain rights-of-way legally described on Exhibit A attached hereto and depicted on the maps attached hereto as Exhibit B, which are located within geographic territory now owned by the Port of Seattle which is the sole owner abutting on both sides of the rights-of-way sought to be vacated, is hereby fixed to commence at 6:00 p.m. on Tuesday, July 24, 2001, or as soon thereafter as the hearing may be held, at the Council Chambers, SeaTac City Hall, 17900 International Boulevard, Suite 401, SeaTac, WA 98188.
2. Notice of the public hearing shall be posted in three public places within the City and the sole abutting owner shall be given notice by mail at least fifteen days before the date fixed for the hearing.
3. Following the public hearing, the City Council shall consider public comments and shall then take such final action in regard to the requested vacation of the rights-of-way as may be deemed appropriate. The Council reserves the right to grant the vacation by Ordinance subject to such reserved or new easements as may be deemed appropriate and/or monetary compensation, or to deny the requested vacations.

PASSED this 5th day of June, 2001 and signed in authentication thereof on this 5th day of June, 2001.

CITY OF SEATAC

Shirley Thompson, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney

RESOLUTION NO. 01-014

A RESOLUTION of the City Council of the City of SeaTac, Washington authorizing amendment and renewal of the Memorandum of Understanding for Intergovernmental Cooperation between the Central Puget Sound Regional Transit Authority and the City of SeaTac in regard to light rail transit.

WHEREAS, the Central Puget Sound Regional Transit Authority (Sound Transit) is a duly organized regional transit authority existing pursuant to Chapter 81.104 and 81.112 RCW; and

WHEREAS, Sound Transit and the City of SeaTac ("City") entered into a Memorandum of Understanding for intergovernmental cooperation relating to light rail system development and station area development in March of 1998; and

WHEREAS, the City Council deems it appropriate and in the public interest to amend the Memorandum of Understanding for intergovernmental cooperation relating to light rail system development and station area development within the City;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON HEREBY RESOLVES as follows:

A Memorandum of Understanding for Intergovernmental Cooperation between Sound Transit and the City in regard to light rail transit within the City is hereby amended and the City Manager is directed to enter into the said First Amendment to and Renewal of the Memorandum of Understanding, in substantially the same form as the draft of Exhibit A attached hereto, for and on behalf of the City.

PASSED this 5th day of June, 2001 and signed in authentication thereof on this 5th day of June, 2001.

CITY OF SEATAC

Shirley Thompson, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney

RESOLUTION NO. 01-015

A RESOLUTION of the City Council of the City of SeaTac, Washington imposing a moratorium on acceptance of sign permits for LED signs and electronic message center signs.

WHEREAS, RCW 35A.63.220 and RCW 36.70A.390 permit the City Council to adopt a moratorium relating to planning, zoning, and development regulations, subject to a public hearing within sixty days of the date of adoption of any such moratorium, and further subject to findings of fact justifying the moratorium at either the time of adoption or following conclusion of the public hearing; and

WHEREAS, the Council is concerned that existing sign code regulations may not be sufficient to ensure that certain sign development will be consistent with the City's Comprehensive Plan, and will be consistent with the public interest regarding aesthetics and safety; and

WHEREAS, the Council has been advised the current Zoning Code does not specifically address LED signs nor adequately address electronic message centers and with advancing sign technology, making possible a myriad of LED and electronic message center sign types, it therefore becomes critical to create standards and regulations for these sign types consistent with the City's overall Comprehensive Plan, envisioned appearance, and safety standards; and

WHEREAS, it is desired that, before accepting and acting upon sign permits for LED signs and electronic message center signs, City staff and the Planning Advisory Committee have time to research and to formulate amendments to the present sign code regulations for consideration by the Council;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON HEREBY RESOLVES as follows:

1. The City shall accept no applications for sign permits for LED signs or electronic message center signs, including any signs with text, graphics or images that change, scroll, flash, move, or have the appearance of movement, for the period of six (6) months following the date of adoption of this Resolution, unless earlier terminated by action of the Council, or extended by action of the Council, pursuant to statute.
2. City staff and the Planning Advisory Committee are hereby directed to conduct such research and to formulate amendments to the present sign code regulations to address LED and electronic message center signs, and signs with text, graphics or images that change, scroll, flash, move, or have the appearance of movement.
3. Pursuant to RCW 35A.63.220 and RCW 36.70A.390, the City Council shall cause appropriate notice to be given and shall hold a public hearing on the matter of this moratorium not later than sixty days after adoption hereof, and may then make findings of fact justifying the moratorium or rescind the same.

PASSED this 12th day of June, 2001 and signed in authentication thereof on this 12th day of June, 2001.

CITY OF SEATAC

Shirley Thompson, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney

RESOLUTION NO. 01-016

A RESOLUTION of the City Council of the City of SeaTac, Washington adopting a Ten-Year Transportation Improvement Program for the years 2002-2011

WHEREAS, pursuant to RCW 35.77.010, cities are required to adopt a six-year comprehensive street program including a program for arterial street construction; and

WHEREAS, the Growth Management Act, Chapter 36.70A RCW, similarly requires adoption by the City of a Ten-Year Transportation Improvement Plan (TIP) including planned arterial street construction; and

WHEREAS, the City Council conducted a public hearing pursuant to state law to hear and receive public comment on the City's Transportation Improvement Program; and

WHEREAS, the City Council finds that prioritized and up-dated road and street capital improvement projects are essential to proper planning and the improvement of transportation within the City;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON, HEREBY RESOLVES as follows:

The Ten-Year Transportation Improvement Program (TIP) for the years 2002-2011, a copy of which is attached hereto, marked as Exhibit "A" and incorporated by this reference, is hereby adopted.

PASSED this 26th day of June, 2001 and signed in authentication thereof on this 26th day of June, 2001.

CITY OF SEATAC

Kathy Gehring-Waters, Deputy Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney

RESOLUTION NO. 01-017

A RESOLUTION of the City Council of the City of SeaTac, Washington approving and authorizing entry into an agreement with Craig Kinzer & Company for real estate services.

WHEREAS, the City Council finds that the services of Craig Kinzer & Company are necessary to the Council's determination of whether to award a contract for construction of a new city hall or to purchase and renovate the existing building known as the Valley Ridge Corporate Center;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON HEREBY RESOLVES as follows:

The Consultant Services Agreement with Craig Kinzer & Company, generally in the form attached hereto as Exhibit "A", is hereby approved with the following changes:

At Item 2(a) the period of time shall be changed to read June 6, 2001 to June 30, 2001; and

At Item 2(b), the date of July 10, 2001 shall be changed to June 30, 2001, and the City Manager is hereby authorized to negotiate and insert in the final form Agreement an appropriate market rate compensation; and

At Item 5, the date of June 22, 2001 shall be changed to read June 30, 2001.

PASSED this 26th day of June, 2001 and signed in authentication thereof on this 26th day of June, 2001.

CITY OF SEATAC

Kathy Gehring-Waters, Deputy Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney

RESOLUTION NO. 01-018

A RESOLUTION of the City Council of the City of SeaTac, Washington, extending the Interim Design Standards for Multi-family Housing.

WHEREAS, pursuant to the authority of RCW 35A.63.220 and RCW 36.70A.390, the City Council adopted Ordinance No. 00-1002 establishing Interim Design Standards for Multi-family Housing for a period of six months; and

WHEREAS, a public hearing was held and findings of fact adopted by Resolution No. 00-002 supporting and continuing the Interim Standards for the six month period ending January 10, 2002; and

WHEREAS, the interim standards have been renewed twice due to the outstanding appeal of the environmental determination for the standards; and

WHEREAS, the appeal of the environmental determination for the standards was dismissed by the courts, but not within a timeframe that allowed for consideration of the multi-family design standards as permanent standards;

WHEREAS, the above cited statutes permit interim zoning controls to be extended for successive periods of six months pursuant to a public hearing and findings of fact supporting the need for the extension of the standards; and

WHEREAS, an extension of the standards is needed in order to allow time for the process of formal consideration of the standards for adoption on a permanent basis, and

WHEREAS, a public hearing was held on July 10, 2001 to consider the public benefit of continuing such standards for an additional 6 months; and

WHEREAS, the City Council hereby adopts by this reference, as findings of fact, each and every recital of Ordinance No. 00-1002 and of Resolution No. 00-002;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON HEREBY RESOLVES as follows:

The Interim Design Standards for Multi-family Housing adopted by Ordinance 00-1002 shall continue in effect for the period of six months from the date of passage of this Resolution to permit time for formal consideration of the standards, with any necessary additions or revisions, as permanent standards.

PASSED this 10th day of July, 2001 and signed in authentication thereof on this 10th day of July, 2001.

CITY OF SEATAC

Shirley Thompson, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney

G:\group\planning\multifamily design standards\resolution extending Interim MF Design Standards 3

RESOLUTION NO. 01-019

A RESOLUTION of the City Council of the City of SeaTac, Washington rejecting all bids for construction of a New City Hall structure at South 188th Street and 37th Avenue South.

WHEREAS, the Council has been presented with, and has considered, the purchase of an existing structure located at 4800 South 188th Street; and

WHEREAS, the Council finds that pursuing the said purchase would be in the best public interest, use, and necessity;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON HEREBY RESOLVES as follows:

All bids received and opened on May 9, 2001, for construction of a New City Hall building at the location of South 188th Street and 37th Avenue South, being the mailing address of 3521 South 188th Street, SeaTac, Washington are hereby rejected and the acquisition of an existing structure, known as the Valley Ridge Corporate Center, located at 4800 South 188th Street, shall be pursued.

PASSED this 10th day of July, 2001 and signed in authentication thereof on this 10th day of July, 2001.

CITY OF SEATAC

Shirley Thompson, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney

RESOLUTION NO. 01-020

A RESOLUTION of the City Council of the City of SeaTac, Washington appointing an agent to whom statutory notices of claim must be presented.

WHEREAS, RCW 4.96.020(2) previously provided that any notice of claim for injury or damages must be filed with the "governing body" of the city; and

WHEREAS, the State Legislature has now amended RCW 4.96.020(2) to require that the governing body of each governmental entity appoint an agent to whom notices of claim must be "presented" (Chapter 119, Section 1, Laws of 2001); and

WHEREAS, the new legislation also requires that the identity of the agent and the address where he or she may be reached during normal business hours must be recorded with the County Auditor/Recorder;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON HEREBY RESOLVES as follows:

Judith L. Cary is hereby appointed as the City of SeaTac's agent or in the alternative Kristina M. Lowrey, pursuant to RCW 4.96.020(2) upon whom notices of claim for injury or damages must be presented not less than sixty days prior to commencement of a lawsuit.

The City Clerk is directed to file a certified copy of this Resolution with the King County Recorder to make public record of the above appointment and the following identification:

Agent to receive notices of claim: Judith L. Cary, City Clerk

or in the alternative

Kristina M. Lowrey, Deputy City Clerk

Address during normal

City business hours: 17900 International Blvd., Suite 401

SeaTac, WA 98188-4236

PASSED this 10th day of July, 2001 and signed in authentication thereof on this 10th day of July, 2001.

CITY OF SEATAC

Shirley Thompson, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney

RESOLUTION NO. 01-021

A RESOLUTION of the City Council of the City of SeaTac, Washington adopting findings of fact in support of continuing the moratorium on acceptance of applications for sign permits for LED signs and electronic message center signs imposed by Resolution No. 01-015.

WHEREAS, the City Council passed Resolution No. 01-015 on June 12, 2001, imposing a moratorium on acceptance of applications for sign permits for LED signs and electronic message center signs in order to permit time to research and formulate any necessary amendments to the present Sign Code; and

WHEREAS, RCW 35A.63.220 and RCW 36.70A.390 require that a public hearing be held, and findings of fact justifying the moratorium be adopted, within 60 days of the passage of such resolution; and

WHEREAS, pursuant to the aforementioned state laws, a public hearing was held and opportunity provided for public participation;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON HEREBY RESOLVES as follows:

1. The City Council hereby finds and adopts the following findings of fact in support of the moratorium imposed by Resolution No. 01-015:

- a. The City has become aware of newer advanced sign technology such as Light Emitting Diode ("LED") signs, Liquid Crystal Display ("LCD") signs, fiber optic signs, plasma display screen signs, and incandescent signs.
- b. The new technology makes it possible for a sign to display text, graphics, or images that change, scroll, flash, move or have the appearance of movement, video, and animation at very fast rates of speed.
- c. The current Sign Code does not contain provisions which clearly and specifically regulate these newer sign technologies.
- d. The lack of clear and specific regulations may allow for these types of signs without proper consideration as to whether they are consistent with the City's Comprehensive Plan, overall design and aesthetic development, and traffic safety.
- e. The type of signs described above may distract drivers and thereby increase the incidents of traffic accidents.
- f. Flashing and moving lights and the potential brightness levels of the newer technology signs may cause unwanted illumination from a sign into neighboring residential neighborhoods.
- g. Flashing, fast-moving, or animated signs could greatly affect the aesthetic value and livability of the City.
- h. The Comprehensive Plan supports implementing standards to ensure and encourage commercial land uses that serve the needs of the City's residents, businesses, and visitors (Goal 1.3).
- i. The Comprehensive Plan supports a well-designed and community oriented environment in

the Urban Center (Goal 6.2).

- j. The Comprehensive Plan supports implementing standards to ensure attractive and well-scaled signage to enhance the community image (Policy 6.2O).
- k. Due to the above, it would benefit the public health, safety and welfare, and the envisioned appearance and design standards for the City by studying and possibly augmenting the existing Sign Code.
- l. Continuation of the moratorium will permit time for further study into sign technology and creation of any necessary amendments to the Sign Code.

PASSED this 24th day of July, 2001 and signed in authentication thereof on this 24th day of July, 2001.

CITY OF SEATAC

Shirley Thompson, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney

RESOLUTION NO. 01-022

A RESOLUTION of the City Council of the City of SeaTac, Washington calling for an election at the General Election of November 6, 2001, to place before the qualified electors of the City the proposition of whether the City’s present Council-Manager plan of government should be abandoned and the Mayor-Council plan of government be adopted; and submitting this call to the King County Records and Elections Division for a formal order calling for an election to be held at the November 6, 2001 General Election.

WHEREAS, a petition, signed by the statutorily required number of registered voters of the City, requesting an election on the proposition of whether the City’s present Council-Manager plan of government should be abandoned and the Mayor-Council plan of government should be adopted, was submitted to the King County Records and Elections Division, as required by State law; and

WHEREAS, the King County Records and Elections Division, as ex officio superintendent of city elections, verified the number and correctness of signatures on the petition and issued a Certificate of Sufficiency under date of July 3, 2001; and

WHEREAS, State law mandates that the City Council request, by resolution, that the King County Records and Elections Division, as ex officio superintendent of elections, place the proposition before the electors of the City at a regular scheduled election date;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON HEREBY RESOLVES as follows:

Section 1. Based upon the petition and certification of sufficiency, and based upon the fact that the next general election will be held within 180 days, the City Council finds it necessary to call an election to be held in the City at the time of the next General Election of November 6, 2001, on the proposition of whether the City electors desire to abandon the present Council-Manager plan of government and adopt the Mayor-Council plan of government.

Section 2. A City election is hereby called for November 6, 2001, to place before the qualified electors of the City the following proposition:

PROPOSITION

CHANGE IN PLAN OF GOVERNMENT

Shall the City of SeaTac abandon its present Council-Manager plan of government under which it currently operates pursuant to RCW 35A.13 and adopt in its place the Mayor-Council plan of government pursuant to the provisions of RCW 35A.12?

Yes.....[]

No.....[]

Section 3. The King County Records and Elections Division is hereby requested to issue a formal order calling for an election to be held in the City of SeaTac on November 6, 2001 to place the foregoing proposition before the qualified electors of the City.

Section 4. The City Clerk is authorized and directed to file a certified copy of this Resolution, together

with the Certification of the City Attorney with the King County Records and Elections Division as soon as possible but under no circumstances later than September 21, 2001.

PASSED this 14th day of August, 2001 and signed in authentication thereof on this 14th day of August, 2001.

CITY OF SEATAC

Shirley Thompson, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney

RESOLUTION NO. 01-023

A RESOLUTION of the City Council of the City of SeaTac, Washington appointing committees to draft pro and con arguments for the Local Voters' Pamphlet in regard to the proposed change in form of government.

WHEREAS, a petition, signed by the statutorily required number of registered voters of the City, requesting an election on the proposition of whether the City's present Council-Manager plan of government should be abandoned and the Mayor-Council plan of government should be adopted, was submitted to the King County Records and Elections Division, as required by State law; and

WHEREAS, the King County Records and Elections Division, as ex officio superintendent of city elections, verified the number and correctness of signatures on the petition and issued a Certificate of Sufficiency under date of July 3, 2001; and

WHEREAS, State law mandates that the City Council request, by resolution, that the King County Records and Elections Division, as ex officio superintendent of elections, place the proposition before the electors of the City at a regular scheduled election date;

WHEREAS, RCW 29.81A.080 states that the Council shall formally appoint two committees to prepare arguments to be published in the Local Voters' Pamphlet advocating approval and rejection, respectively, of the proposition; and

WHEREAS, the committee members are to be appointed from persons known to favor or oppose the proposition;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON HEREBY RESOLVES as follows:

The City Council does hereby appoint the following named persons to the committees to prepare arguments for publication in the King County Local Voters' Pamphlet advocating approval and advocating rejection of the proposition for change of the plan of government:

Committee Advocating Approval:

Frank Hughes

Tony Scoccolo

Mary Hoey

Committee Advocating Rejection:

Don DeHan

Patricia Carter

Carolyn Cloutier

The City Clerk is directed to provide a certified copy of this Resolution to the King County Records and Elections Division.

PASSED this 14th day of August, 2001 and signed in authentication thereof on this 14th day of August, 2001.

CITY OF SEATAC

Shirley Thompson, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney

RESOLUTION NO. 01-024

A RESOLUTION of the City Council of the City of SeaTac, Washington authorizing the purchase of the Valley Ridge Corporate Center Office Building, located at 4800 South 188th Street in the City of SeaTac.

WHEREAS, by Resolution No. 01-019, adopted on July 10, 2001, the City Council rejected all bids for construction of a new city hall on property acquired for that purpose at 3521 South 188th Street within the City, and directed staff to pursue acquisition of an existing structure, known as the Valley Ridge Corporate Center, located at 4800 South 188th Street within the City; and

WHEREAS, on the same date, July 10, 2001, the Council enacted Ordinance No. 01-1015 authorizing acquisition of the Valley Ridge Corporate Center through exercise of the power of eminent domain; and

WHEREAS, the City's agent, Craig Kinzer & Company, negotiated terms of a purchase and sale under threat of, and in lieu of, eminent domain; and

WHEREAS, the Council finds that the purchase is necessary for the public use of renovating the existing structure as the new city hall, and is in the public interest;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON HEREBY RESOLVES as follows:

The Purchase and Sale Agreement between the Valley Ridge Corporate Center Company LLC, as Seller, and the City of SeaTac, as Purchaser, generally in the form as attached to this Resolution as Exhibit "A", is hereby approved and execution thereof by the City Manager is hereby authorized and directed or, if the same has previously been executed, the same is hereby confirmed and ratified;

Ernest money in the form of a Deposit Note, generally in the form attached to this Resolution as Exhibit "B" is hereby approved and execution thereof by the City Manager is hereby authorized and directed or, if the same has previously been executed, the same is hereby confirmed and ratified; and

The City Manager is hereby authorized and directed to execute, on behalf of the City, all closing documents and instruments of conveyance as maybe necessary to effect closing of the aforesaid purchase.

PASSED this 11th day of September, 2001 and signed in authentication thereof on this 11th day of September, 2001.

CITY OF SEATAC

Kathy Gehring-Waters Deputy Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney

RESOLUTION NO. 01-025

A RESOLUTION of the City Council of the City of SeaTac, Washington authorizing an Interfund Loan for property acquisition to be repaid from Bond Issue Proceeds.

WHEREAS, the City Council has reviewed and approved a Purchase and Sale Agreement to acquire property commonly referred to as the Valley Ridge Corporate Center; and

WHEREAS, the purchase is expected to close before a new City Hall project budget is approved and necessary bond financing is obtained; and

WHEREAS, funds are available in the Port of Seattle ILA Fund to provide a temporary loan to allow for the property acquisition;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON HEREBY RESOLVES as follows:

That the Finance and Systems Director is authorized to make an interfund loan from the Port of Seattle ILA Fund to the Municipal Facilities CIP Fund in the amount necessary to complete the purchase of the property commonly referred to as the Valley Ridge Corporate Center. This loan shall be repaid, with interest, after bond financing related to the new City Hall project is obtained. The interest rate on the loan shall fluctuate monthly, equal to the interest rate earned by the City on funds deposited at the Local Government Investment Pool.

PASSED this 11th day of September, 2001 and signed in authentication thereof on this 11th day of September, 2001.

CITY OF SEATAC

Kathy Gehring-Waters, Deputy Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney

RESOLUTION NO. 01-026

A RESOLUTION of the City Council of the City of SeaTac, Washington, condemning the recent terrorist attack on the United States of America; commemorating the victims; and expressing support for relief efforts and for our national leaders.

WHEREAS, on September 11, 2001, the United States was suddenly and brutally attacked by terrorists; and

WHEREAS, those terrorists hijacked and destroyed four civilian aircraft, crashing two of them into the towers of the World Trade Center in New York City, a third into the Pentagon outside Washington DC, and attempted a similar attack by the fourth aircraft which was prevented due to brave resistance of passengers, but which then crashed in Pennsylvania; and

WHEREAS, thousands of innocent Americans and citizens of other nations were killed, maimed, and injured as a result of these attacks, including the passengers and crew of the four aircraft, persons in the World Trade Center and in the Pentagon, rescue workers, and bystanders; and

WHEREAS, in the midst of chaos and desperation went valiant firefighters, police officers, medical personnel, and other rescue workers, without regard for their own safety, who assisted and saved the lives of countless innocent persons but, in so doing, hundreds of these brave souls perished or were injured; and

WHEREAS, these despicable acts were by far the deadliest terrorist attacks ever launched against the people of the United States or any other nation or peoples; and

WHEREAS, these horrific events have affected all people of this world and all Americans of every ethnic and national origin, and it is important that terrorism not be allowed to break the spirit or resolve of the American people or any freedom and peace loving peoples anywhere; and

WHEREAS, the City Council of the City of SeaTac, Washington, desires to express its deepest sympathy to all victims and to all those who lost family or friends in the terrorist attack of September 11, 2001; and

WHEREAS, the City of SeaTac unites with all Americans and with all persons of any nation who strive for freedom, justice, peace and security throughout the world;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON HEREBY RESOLVES as follows:

The City of Seatac joins with the National League of Cities, all other cities, counties, and states, as well as with all freedom and peace loving individuals throughout this world in expressing the deepest regret and sadness for the tragic and unspeakable loss of lives, injury to persons, and devastation to property caused by the attacks of terrorists on the World Trade Center and the Pentagon and by the airplane crash in Pennsylvania.

The despicable and horrific actions of the terrorists are hereby condemned as a crime against humanity, and far beyond justification of any religion or any rational human being.

The City salutes the heroic efforts by local officials and emergency workers in responding to the terrible effects wrought by the terrorists and all freedom and peace loving people are requested and encouraged to provide such monetary and other assistance as they may be able to support these heroic efforts.

All residents of the City of SeaTac, and all peoples everywhere, are most earnestly encouraged to embrace

their peace loving neighbors, co-workers, friends, and acquaintances without regard to nationality, ethnicity, religion or diversity of any nature, remembering at all times that our condemnation and hostility is directed solely against terrorists and terrorism.

The City unites with all Americans and with all persons, of whatever nationality or religion, in the global effort of our national leaders to strive for freedom, justice, peace and security throughout the world.

PASSED this 25th day of September, 2001 and signed in authentication thereof on this 25th day of September, 2001.

CITY OF SEATAC

Kathy Gehring-Waters, Deputy Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney

RESOLUTION NO. 01-027

A RESOLUTION of the City Council of the City of SeaTac, Washington fixing the time for a public hearing and for Council action on vacation of certain streets, alleys, and rights-of-way abutted on both sides by Port of Seattle and Washington State property.

WHEREAS, the Port of Seattle has previously requested vacation of certain City rights-of-way within territory which has been acquired by the Port for Sea-Tac International Airport purposes; and

WHEREAS, Article 9 of Exhibit C to the Interlocal Agreement between the City and the Port, entered into on September 4, 1997, provides for vacation of certain enumerated rights-of-way; and

WHEREAS, Washington State has previously requested vacation of certain City rights-of-way within territory which has been acquired by the State for SR 509 purposes; and

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

WHEREAS, RCW 35.79.010 authorizes the City Council to initiate such street vacation procedures by resolution and further requires that a public hearing and date for Council action must be fixed not less than twenty (20) days nor more than sixty (60) days after the date of passage of such a resolution; and

WHEREAS, no apparent municipal use of the said rights-of-way continues to exist, but the Port has reason to convert the rights-of-way to airport related purposes; and

WHEREAS, the City will be entitled to monetary consideration for the vacation pursuant to the aforesaid Interlocal Agreement; and

WHEREAS, no apparent municipal use of the said rights-of-way continues to exist, but the State has reason to convert the rights-of-way to highway related purposes; and

WHEREAS, the Council finds that a public hearing and consideration of final action should be placed on the agenda of the Regular Council Meeting of October 23, 2001;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON HEREBY RESOLVES as follows:

1. A public hearing on the City Council's Resolution to initiate the procedure for vacation of those certain rights-of-way legally described on Exhibit A attached hereto and depicted on the maps attached hereto as Exhibit B, which are located within geographic territory now owned by the Port of Seattle and Washington State who are the sole owners abutting on both sides of the rights-of-way sought to be vacated, is hereby fixed to commence at 6:00 p.m. on Tuesday, October 23, 2001, or as soon thereafter as the hearing may be held, at the Council Chambers, SeaTac City Hall, 17900 International Boulevard, Suite 401, SeaTac, WA 98188.
2. Notice of the public hearing shall be posted in three public places within the City and the abutting owners shall be given notice by mail at least fifteen days before the date fixed for the hearing.
3. Following the public hearing, the City Council shall consider public comments and shall then take such final action in regard to the requested vacation of the rights-of-way as may be deemed appropriate. The Council reserves the right to grant the vacation by Ordinance subject to such reserved or new easements as may be deemed appropriate and/or monetary compensation, or to deny the requested vacations.

PASSED this 25th day of September, 2001 and signed in authentication thereof on this 25th day of September, 2001.

CITY OF SEATAC

Kathy Gehring-Waters, Deputy Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney

RESOLUTION NO. 01-028

A RESOLUTION of the City Council of the City of SeaTac, Washington authorizing property management and leasing functions and services in regard to the New City Hall and tenants.

WHEREAS, the City acquired ownership of the former Valley Ridge Corporate Center, located at 4800 South 188th Street within the City of SeaTac, on October 1, 2001 and thus became responsible for operation, maintenance, and repair of the building and grounds; and

WHEREAS, existing leases and tenancies within the building were accepted and, therefore, the City also became responsible for the collection of rental payments, accounting for tenant deposits, and for discharge of all lessor obligations pursuant to the leases; and

WHEREAS, by Motion passed on September 25, 2001, the City Council authorized a Professional Services Agreement with Arai/Jackson Architects & Planners for services in regard to renovating the existing facility for City Hall use on an aggressive schedule contemplating completion of predesign functions by November 30, 2001, to be followed by design, construction, and targeted occupancy by November 30, 2002; and

WHEREAS, because City Hall usage will not occupy the entire 75,000-plus square feet of usable area within the building, approximately 16,000 square feet will remain available, on a long term basis, for lease; and

WHEREAS, recognizing the available leasing potential and resultant cash flow, the Council approved by Motion on September 25, 2001, a lease brokering agreement with Craig Kinzer & Company which provides for obtaining, extending or renewing, relocating, and terminating tenancies but which does not extend to property management; and

WHEREAS, day-to-day operations, maintenance, repair, and financial activities of a large building and adjacent grounds and parking lots, particularly without physical presence of City staff, entail considerable expenditures of time and require specialized knowledge and expertise; and

WHEREAS, commercial leasing of office space is not a legislative or governmental function, but is a "proprietary" or commercial function best left, to the extent possible, for the executive branch of government as an administrative matter, subject to oversight of the legislative body; and

WHEREAS, the Council desires to provide for and facilitate the management and operations of the City Hall building through a professional property management organization, or other means, under direct control and supervision of the City Manager and designees, subject to oversight of the Council to include receipt of regular financial reports;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON HEREBY RESOLVES as follows:

1. The City Manager is hereby delegated full authority, without necessity of further Council action, to provide, through City employees, through contracts with professional service providers, or through any combination thereof, for full property management of the City Hall building and grounds, to include all usual and customary day-to-day operations, janitorial service, maintenance, repairs, tenant improvements, construction management services, service to tenants pursuant to terms of their leases, utilities, and all other services necessary thereto.

2. To facilitate financial accounting, collection of rental payments, and expenditures relating to the aforesaid property management functions, the City Manager is hereby authorized to establish, or cause to be established, a separate property management bank account, which shall be a trust account if a service provider is employed.

3. The City Manager is hereby delegated full authority, without necessity of further Council action, to provide, through City employees, through contracts with professional service providers, or through any combination thereof, for lease brokering services in connection with available space within the City Hall building, to include advertising for and obtaining new tenants, preparing and executing leases and subleases, negotiating and agreeing to renewals or extensions, providing for relocation of tenancies, and effecting voluntary termination of tenancies.

4. The procedures for purchase of tangible personal property and the procedures for solicitation and purchase of professional, technical, or any other services set forth in Chapter 3.30 of the SeaTac Municipal Code shall have no application to purchases and contracts relating to the aforesaid property management or leasing activities; provided however, that all expenditures can be made from rental income received from lessees; and provided further however, that no applicable public works bidding requirements of RCW 35A.40.210 shall be waived.

5. The City Manager shall prepare, or cause to be prepared, during the City's annual Budget process, a Budget for operation and management of the City Hall building and grounds and tenancies for the ensuing year and shall further prepare, or cause to be prepared, monthly financial reports of operation which shall be presented to the City Council at such times as it may require by consensus or action, but not less than semi-annually.

6. To ensure continuation of rental collections and property management services, the City Manager is authorized to enter into a Property Management Agreement with Colliers International, generally in the form attached to this Resolution as Exhibit A or such other form or upon such other terms and conditions as the City Manager may deem appropriate.

PASSED this 23rd day of October, 2001 and signed in authentication thereof on this 23rd day of October, 2001.

CITY OF SEATAC

Kathy Gehring-Waters, Deputy Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney

RESOLUTION NO. 01-029

A RESOLUTION of the City Council of the City of SeaTac, Washington authorizing Amendment #4 to the 1997 City/Port ILA so as to add Borrow/Surface Mining Operations as a permitted use in AVO and AVC Zones.

WHEREAS, the City and the Port entered into an Interlocal Agreement, dated September 4, 1997 (the "ILA") to settle jurisdictional litigation and to jointly exercise their respective statutory authority to address common subjects, including planning, land use matters, and zoning; and

WHEREAS, Attachment A-2 to Exhibit A of the said ILA lists permitted land uses within the Aviation Operations (AVO) Zone and the Aviation Commercial (AVC) Zone which do not currently include Borrow/Surface Mining Operations; and

WHEREAS, the City and the Port intend to enter into an Agreement for the development of certain Port-owned property within the AVC Zone which development will commence with soil borrow/surface mining activities; and

WHEREAS, Section 2.4 of Exhibit A of the ILA provides for amendment of the list of permitted principal uses upon expansion of Port uses or property; and

WHEREAS, the Council finds that Amendment of the ILA to add Borrow/Surface Mining Operations to the list of principal permitted uses at Attachment A-2 to Exhibit A is in the public interest;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON HEREBY RESOLVES as follows:

Amendment #4 to the Interlocal Agreement between the City and the Port of Seattle, dated September 4, 1997, generally in the form attached to this Resolution as Exhibit A is hereby approved and the City Manager is authorized to negotiate such changes as may be deemed appropriate and to execute the Amendment on behalf of the City.

PASSED this 6th day of November, 2001 and signed in authentication thereof on this 6th day of November, 2001.

CITY OF SEATAC

Kathy Gehring-Waters, Deputy Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney

RESOLUTION NO. 01-030

A RESOLUTION of the City Council of the City of SeaTac, Washington approving an Agreement with the Port of Seattle for development of certain Port owned properties.

WHEREAS, the Port has long owned property to the south of the aviation operations area of the Seattle-Tacoma International Airport (the "Airport") which has been identified by the Port as being appropriate for commercial development; and

WHEREAS, the City and the Port entered into an Interlocal Agreement, dated September 4, 1997 (the "ILA") to settle jurisdictional litigation and to jointly exercise their respective statutory authority to address common subjects, including planning, land use matters, and zoning; and

WHEREAS, pursuant to the ILA, the City and the Port agreed to the Port's Master Plan Projects, subject to review and development as set forth in Exhibit A and other applicable provisions of the ILA; and

WHEREAS, in accordance with the ILA, certain properties within the southerly area of the Airport were zoned "Aviation Commercial (AVC)" pursuant to Attachment A-2 to Exhibit A of the ILA, with various permitted uses as set forth in Attachment A-2 to Exhibit A; and

WHEREAS, Section 16 of Exhibit C to the ILA, requires appropriate mitigation measures pursuant to the City's Grading Code, and compliance with applicable State Department of Natural Resources permits and regulations as to soils borrow sourcing or surface soil mining of land in advance of, or to facilitate, final development; and

WHEREAS, two specific sites have now been identified by the Port as being appropriate for excavation and removal of soil to facilitate landfills on other Port property and to also facilitate grading and reclamation of the said two sites for commercial development; and

WHEREAS, one of the subject sites is located south of South 200th Street and west of 18th Avenue South (known as Area #3) and the other site is located north of South 200th Street, west of 18th Avenue South, and south of South 196th Street (known as Area #4); and

WHEREAS, redevelopment of these sites is in the best interest of both the City and the Port and the Council deems it appropriate to authorize an agreement providing for development and use of the subject sites;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON HEREBY RESOLVES as follows:

An Agreement between the Port of Seattle and the City of SeaTac for the development of certain Port-owned properties, generally in the form attached to this Resolution as Exhibit A, is hereby approved and the City Manager is authorized to execute the same on behalf of the City.

PASSED this 6th day of November, 2001 and signed in authentication thereof on this 6th day of November, 2001.

CITY OF SEATAC

Kathy Gehring-Waters, Deputy Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney

RESOLUTION NO. 01-031

A RESOLUTION of the City Council of the City of SeaTac, Washington directing that an appropriation of \$350,000 from the Hotel-Motel Tax Fund 107 be made in the 2002 Annual City Budget for funding of projects, activities, and ancillary expenses pursuant to a Cooperative Tourism Promotion Plan; stating an intent that a similar appropriation in an amount between \$300,000 and \$350,000 be made by the Council in the years 2003 and 2004; and authorizing and directing that a Cooperative Tourism Promotion Plan be developed and be implemented.

WHEREAS, the 1997 and 1998 Legislatures amended Chapter 67.28 RCW so as to enable the City to impose a Hotel-Motel Tax and to collect revenues therefrom; and

WHEREAS, in compliance with RCW 67.28.1817, the City established a Hotel-Motel Tax Advisory Committee by Resolution No. 97-021; and

WHEREAS, the Committee made written recommendation that the tax be imposed and that revenue be "pledged to capital improvement bonds for acquisition of property and construction of facilities primarily within, but not limited to that area of the City denominated as the 'City Center' for promotion of tourism and tourists"; and

WHEREAS, by Ordinance No. 98-1006, the City amended SMC 3.80.010 to impose the tax statutorily authorized and also amended SMC 3.80.040, which created the special fund into which all such tax revenues are placed, to provide for payment of the "costs of tourism promotion, acquisition of tourism-related facilities, or operation of tourism-related facilities"; and

WHEREAS, pursuant to the authority granted by RCW 67.28.150, the Council enacted Ordinance No. 98-1049 providing for issuance and sale of bonds in the principal sum of \$5 million to be repaid from Hotel-Motel Tax revenues and established Bond Redemption Fund for that purpose; and

WHEREAS, use of the proceeds of the bond sale are limited by Section 2 of the aforesaid Ordinance No. 98-1049 to "the acquisition and improvements to Bow Lake Park, a jogging trail connecting the park to the City Center, a meeting and visitor center/convention facility, Personal Rapid Transit, pedestrian connections between Sea-Tac International Airport and City Center, the Hughes Property on Angle Lake, a performing arts center, an entertainment/retail/meeting facility and other tourism-related facilities; and

WHEREAS, annual tax revenue placed into the Hotel-Motel Tax Fund 107 is anticipated to considerably exceed required annual transfers into Bond Redemption Fund 203 for debt service, thus leaving monies available for other "tourism promotion" as set forth at SMC 3.80.040; and

WHEREAS, in addition to previous and on-going studies and expenditures, the Hotel-Motel Tax Advisory Committee has recommended (1) an appropriation of \$350,000 from the Hotel-Tax Fund 107 within the 2002 Annual City Budget for funding tourism promotion pursuant to a Cooperative Tourism Promotion Plan; (2) similar appropriations between \$300,000 and \$350,000 in the 2003 and 2004 Annual City Budgets; and (3) development and implementation of a Cooperative Tourism Promotion Plan in connection with the City of Tukwila and/or Southwest King County Chamber of Commerce; and

WHEREAS, the City Council finds the said recommendation to be in the best interest of the City and of the public and further that funding thereof constitutes an authorized use of Hotel-Motel Tax Revenues;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON HEREBY RESOLVES as follows:

1. The City Manager is hereby directed to place an appropriation of \$350,000 within an appropriate line item within the Hotel-Motel Tax Fund 107 in the Preliminary 2002 Annual City Budget for funding of projects, activities, and ancillary expenses pursuant to a Cooperative Tourism Promotion Plan.

2. The City Council hereby states its intent that a similar appropriation in an amount between \$300,000 and \$350,000 be made by the City Manager in the Preliminary Budgets for the years 2003 and 2004, for approval by the Council.

3. The City Manager is authorized and directed to commence development of a Cooperative Tourism Promotion Plan to provide for appropriate projects, activities, consultants, employment, and ancillary expenses to appropriately utilize the annual appropriation from Hotel-Motel Tax Funds for the promotion of tourism, as may be deemed appropriate by the Council.

PASSED this 13th day of November, 2001 and signed in authentication thereof on this 13th day of November, 2001.

CITY OF SEATAC

Kathy Gehring-Waters, Deputy Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney

RESOLUTION NO. 01-032

A RESOLUTION of the City Council of the City of SeaTac, Washington approving and authorizing an extension of the Collective Bargaining Agreement between the City of SeaTac and the Washington State Council of County and City Employees, American Federation of State, County and Municipal Employees, AFL-CIO, Local 3830, for the year 2002.

WHEREAS, the Washington State Council of County and City Employees, American Federation of State, County and Municipal Employees, AFL-CIO, Local 3830, has been certified as the bargaining representative for those City employees within the collective bargaining unit which include "all full-time and regular part-time employees of the City of SeaTac; excluding supervisors, confidential employees and commissioned employees of the police and fire departments"; and

WHEREAS, the City has heretofore entered into collective bargaining agreements with the bargaining representative to cover wages, hours and working conditions for employees of the bargaining unit, the most recent of which will terminate on December 31, 2001, and

WHEREAS, the City and the bargaining representative met and negotiated terms regarding an extension of the current agreement with modifications, subject to ratification of the bargaining unit employees, and approval of the City Council;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON HEREBY RESOLVES as follows:

1. That the modification to the collective bargaining agreement by and between the City of SeaTac and the Washington State Council of County and City Employees, American Federation of State, County and Municipal Employees, AFL-CIO, Local 3830, a copy of which is attached hereto as Exhibit "A" and incorporated herein by this reference, is hereby approved, and the City Manager is authorized to execute the same on behalf of the City.
2. That this Resolution shall be in full force and effect upon passage.

PASSED this 27th day of November 2001 and signed in authentication thereof on this 27th day of November 2001.

CITY OF SEATAC

Shirley Thompson, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney

Effective Date: _____

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RESOLUTION NO. 01-033

A RESOLUTION of the City Council of the City of SeaTac, Washington fixing the time for a public hearing and for Council action on vacation of certain portions of 31st Avenue South and 31st Place South lying south of South 170th Street abutted on both sides by Gateway Investment LLC property.

WHEREAS, Gateway Investment LLC, the sole owner of property abutting those portions of 31st Avenue South and 31st Place South lying south of South 170th Street, as described on Exhibit A and depicted on Exhibit B; and

WHEREAS, by Amendment dated July 1, 2001 to the Interlocal Agreement dated May 26, 1998, between the City and Gateway, vacation of the said rights-of-way was requested in exchange for a replacement right-of-way at Gateway's expense; and

WHEREAS, the City Council desires to commence the procedure for potential vacation of the said rights-of-way; and

WHEREAS, SMC 11.05.090 adopts the road vacation procedures of Chapter 35.79 RCW; and

WHEREAS, RCW 35.79.010 authorizes the City Council to initiate the street vacation procedure by resolution and further requires that a public hearing and date for Council action must be fixed not less than twenty (20) days nor more than sixty (60) days after passage of such a resolution; and

WHEREAS, RCW 35.79.020 requires that notice of the hearing be posted in three public places and on the streets sought to be vacated; and

WHEREAS, the municipal use of the said rights-of-way which are now surrounded by the Gateway property would be better served by construction of a westerly extension of South 172nd Street from 31st Avenue South to 31st Place South within a forty-eight foot right-of-way and dedication thereof at no expense to the City;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON HEREBY RESOLVES as follows:

1. The City Council deems it appropriate to initiate the procedure for vacation of 31st Avenue South and 31st Place South lying south of South 170th Street, as described on Exhibit A and depicted on Exhibit B, and a public hearing is hereby fixed to commence at 6:00 P.M. on Tuesday, January 22, 2002, or as soon thereafter as the hearing may be held, at the Council Chambers, SeaTac City Hall, 17900 International Blvd., Suite 401, SeaTac, Washington 98188.
2. Gateway shall at its expense prepare a notice board generally as provided at SMC 16.07.010, but adapted to give notice of the pending vacation and of the public hearing, and shall post the same on the rights-of-way of 31st Avenue South and 31st Place South under direction and supervision of the Department of Public Works.
3. The City Clerk shall cause notice of the pending vacation and of the public hearing to be posted in three public places, pursuant to City procedures.
4. Following the public hearing, the City Council shall consider public comments and shall take such final action in regard to the requested vacation of the aforesaid rights-of-way of 31st Avenue South and 31st Place South as may be deemed appropriate. The Council reserves the right to deny the requested vacation, or to grant the vacation by Ordinance subject to terms of the Amendment dated July 1, 2001 to the Interlocal Agreement dated May 26, 1998 between the City and Gateway Investment LLC, or other terms and conditions as the Council may deem appropriate.

PASSED this 27th day of November, 2001 and signed in authentication thereof on this 27th day of November, 2001.

CITY OF SEATAC

Shirley Thompson, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney