



## City Council Meeting Minutes Archive

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# SEATAC CITY COUNCIL REGULAR MEETING MINUTES

January 12, 1999 - 6:00 PM  
City Hall Council Chambers

## **CALL TO ORDER:**

The Regular Meeting of the SeaTac City Council was called to order by Mayor Terry Anderson at 6:04 p.m.

## **ROLL CALL:**

Present: Mayor Terry Anderson, Councilmembers Steve Stevenson, Shirley Thompson, Frank Hansen, Kathy Gehring, and Joe Brennan. Absent: Councilmember Don DeHan.

## **ADMINISTRATIVE STAFF:**

Present: Calvin P. Hoggard, City Manager; Jay Holman, Assistant City Manager; Kristina Lowrey, Deputy City Clerk; Robert L. McAdams, City Attorney; Elizabeth Spencer, Finance Director; Steve Butler, Planning Director; Craig Ward, Principal Planner; Glynis Casey, Associate Planner; Bruce Rayburn, Public Works Director; Larry Ellis, Recreation Supervisor; and Jim Downs, Fire Chief.

**FLAG SALUTE:** Boy Scouts of America SeaTac Fire Explorers Post No. 24 led the Council, staff and audience in the Pledge of Allegiance to the Flag.

## **INTRODUCTION:**

### **Introduction of new SeaTac City Hall Employee, Glynis Casey, Associate Planner**

City Manager Hoggard introduced new Associate Planner Glynis Casey. Ms. Casey brings a broad range of planning experience to the City. She attended Highline High School and earned her Bachelor of Science in Environmental Planning from Huxley College at Western Washington University. She has public and private sector planning experience in the Seattle area and Hawaii. Her goal is to provide outstanding services to the City.

### **Introduction of new SeaTac Police Officer, Pete Gaiser**

Chief of Police Services Kinney introduced new SeaTac Police Officer Pete Gaiser. Officer Gaiser is the latest addition to the Neighborhood Traffic Safety Unit. He has been with the King County Sheriff's Office for four and a half years. He started out at King County Precinct No. 4 working in White Center, then North Bend, followed by Shoreline. He will work the evening shift, focusing on Driving Under the Influence (DUI). He was born in New York and graduated from high school in 1984 in Rome, Italy, followed by graduating from Colorado State University with a Bachelor of Arts in Political Science and a minor in Criminology.

## **PUBLIC COMMENTS:**

Chris Katayama, 4424 South 188<sup>th</sup> Street, Tyee High School Principal, introduced Assistant Principals Paul Harvey and Alan Spicciati. She stated appreciation for the good working relationship with the City. She stated that to help Tyee's first Academy of Travel and Tourism graduates, the board of directors has endorsed, and are seeking, a community scholarship foundation for Tyee High School. The goal is to generate enough funds to provide financial packages for Academy graduates. The initial Steering Committee Meeting will be hosted at the SeaTac Airport Double Tree by General Manager Larry Vitagliano on Tuesday, January 26 at 4:00 p.m. Ms. Katayama invited the Council and staff to attend the meeting. They will then proceed towards affiliation with "Dollars for Scholars," a national organization that has helped students for the past 40 years with these foundations.

Joe Dixon, 19211 35<sup>th</sup> Avenue South, stated that at the January 5 Study Session, Mayor Anderson suggested a change in the way meeting structure, from two Study Sessions and two Regular Council Meetings a month, to three Study Sessions and one Regular Council Meeting per month. He stated his concurrence with that suggestion. He also encouraged the Council to attend the January 14 Public Hearing on the Light Rail Draft Environmental Impact Statement (DEIS), at 6:00 to 9:00 p.m.

Steve Pinto, 3741 South 192 Street, commented on the 1999 Annual City Budget article in the SeaTac Report, stating that it stated by the end of 1999, the City will have approximately \$44.7 million. It also stated that improvements to Valley Ridge Park are anticipated to total \$690,000 in 1999. He questioned whether it was the goal to have the Valley Ridge Park parking lot improved first. City Manager Hoggard stated that the parking lot improvements are in the second phase, the park amenities portion will be in the first phase. Mr. Pinto suggested that the ball fields be repaired first as they tend to flood heavily. Council stated that this item would be referred to Parks & Recreation Director Ledbetter.

Patricia Carter, 3041 South 201<sup>st</sup> Street, stated her concern about the possibility of lowering the tax percentage charged to casino facilities. She questioned whether the City has any control over how many casinos can operate in the City. City Manager Hoggard stated that the State Gambling Commission regulates that decision. There are only three businesses that have active or viable licenses to proceed and only one of those is doing so at this time.

## **PRESENTATIONS:**

### **Light Rail Update**

Programs Manager Rodwell reviewed a map of the City's preferred alternative. The City does not want a station at South 154<sup>th</sup> Street, but does want the alignment from South 160<sup>th</sup> to 170<sup>th</sup> Streets to be on the west-side of the cemetery, and want a City Center Station. Staff is concerned about adequate funding to build a system. SeaTac is holding its DEIS public hearing on January 14 and Tukwila is holding a public hearing on January 13. There is a tentative Joint SeaTac/Tukwila Transportation Committee Meeting scheduled for January 25 at 4:00 p.m. and a Joint City/Port workshop scheduled for January 26 at 1:00 p.m. She stated that an updated calendar will be in the January 15 Friday Letter. She reminded the Council that the deadline for comments on the DEIS is February 5. February 25 the Sound Transit Board will identify their preferred alternative. The Policy Committee will meet during the week of January 19 through 23 and the Essential Public Facilities (EPF) Ad Hoc Committee is meeting January 13 and 21, with future dates to be scheduled.

### **Transit Design Standards**

Planning Director Butler briefed Council on this issue stating that staff has developed the draft design standards and gone through the Planning Advisory Committee's public hearing process. The standards were ready for adoption at the end of 1998, but because Sound Transit does not agree with SeaTac developing its own standards, they filed a SEPA appeal. That slowed down the process in that the Council is not authorized to adopt an Ordinance or Resolution of that nature while it is still under appeal. A hearing was to be held before the Hearing Examiner in late December, but staff agreed to a continuance until later in January under a number of conditions: 1) both staffs agreed to work together and meet as needed to arrive at an agreement with respect to the proposed standards; and 2) Sound Transit agreed to postponing its design criteria manual until these issues have been worked out. These meetings have been held and the parties have been able to identify what these issues were and resolve them. A decision needs to be made by January 15 on whether the SEPA appeal will go forward. If the appeal were to occur, it would happen January 21. Staff is working to avoid having this happen.

Principal Planner Ward stated that the purpose of the standards is to encourage well designed facilities and stations, to create distinctive community focal points, community connections to stations, pedestrian oriented furnishings and public space. He then summarized the following High Capacity Transit (HCT) Design Standards: Authority and Application; Station Design; Weather Protection/Shelters; Benches and Seating Areas; Landscaping and Open Space; Fencing, Restrooms, & Bicycle Parking; Lighting; Track Design; Catenary Systems; Elevated Structures; Access Control; Surface Parking; Parking Structures; Off-Site Improvements; Signage; and Fire Safety.

Mr. Ward stated that staff expects to work with Sound Transit and to refine these standards before bringing them to Council for consideration. The Planning Advisory Committee has held a public hearing on these draft standards and recommended adoption of the standards with the understanding that, in fact, there may be some slight modifications based on meetings with Sound Transit.

## **CONSENT AGENDA:**

**Approval of claims vouchers** in the amount of \$1,679,632.48 for the period ending December 24, 1998.

**Approval of claims vouchers** in the amount of \$115,098.26 for the period ending December 31, 1998.

**Approval of employee vouchers** in the amount of \$320,247.60 for the period ending December 15, 1998.

**Approval of employee vouchers** in the amount of \$489,041.03 for the period ending December 31, 1998.

**Approval of firefighter vouchers** in the amount of \$380.00 for the period ending December 31, 1998.

**Approval of summary of \$5,000 - \$25,000 purchase requests** for the period ending January 8, 1999.

**Approval of Council Minutes:**

**Study Session Meeting** held December 1, 1998.

**Regular Council Meeting** held December 8, 1998.

**Special Council Meeting** held December 15 1998.

**Acceptance of Advisory Committee Minutes:**

**Human Services Advisory Committee Meeting** held November 2, 1998 (approved by this committee January 4, 1999).

**Approval of the following Resolution and Motions recommended at the January 5, 1999 Study Session for placement on this Consent Agenda:**

**Agenda Bill #1619; Resolution #99-001**

**A Resolution authorizing the Application and Evaluation of Crime Prevention Through Environmental Design (CPTED) concepts and principles in the review and conditioning of Development Permits - Police/Planning**

**Summary:** CPTED encompasses principles by which opportunities for criminal activity are discouraged or prevented through project design. The program emphasizes natural surveillance, access control, territorial reinforcement, and good maintenance to discourage or prevent opportunities for criminal activity through project design. The application of these principles is frequently supportive of other principles of good urban design. This Resolution authorizes a Crime Prevention Officer to actively participate in the Development Review process to immediately apply CPTED principles in project design review, and directs the Planning and Police Departments to cooperate in preparing Zoning Code amendments to permanently implement CPTED. Examples include the use of fencing to discourage access from unsupervised areas, the tactical use of lighting, the designation of semi-public open space in which private parties control behavior, and the placement of public utilities where their use can be readily monitored. Members of the Police, Parks & Recreation and Planning Departments have received specialized training in the application of CPTED.

SeaTac is committed to improving the image of the City as a safe place to live, work and visit. Many of the urban design principles and standards embodied in the Comprehensive Plan and Zoning Code are directly intended to accomplish this purpose. In most cases, CPTED reinforces existing zoning standards of the City. In other cases, Zoning Code changes are needed in order to reinforce CPTED principles and remove potential conflicts with other code provisions.

**Agenda Bill #1628**

**A Motion authorizing Final Acceptance of the International Boulevard Phase I Project - Public Works**

**Summary:** The City of SeaTac and Mid Mountain Contractors (formerly Volker Stevin Pacific) have agreed to a negotiated settlement of Mid Mountain's claim. The final acceptance is necessary to close the books on this project.

Mid Mountain Contractors was contracted by SeaTac to construct improvements on International Boulevard Phase I (South 188<sup>th</sup> Street to South 170<sup>th</sup> Street). The project began in May 1995 and was declared as substantially complete on May 8, 1996. There were, however, several areas of contention regarding the schedule and the final cost of work. The contractor's issue centered around unanticipated utility conflicts and unresolved right-of-way takes which impacted their work progress. Mid Mountain subsequently submitted a request for equitable adjustment in January 1997. After several attempts at negotiating a settlement failed, the parties began to prepare for a lawsuit. In August 1998, both parties again agreed to attempt a mediated settlement. A settlement was agreed upon pending Council concurrence. The Council accepted the settlement in Executive Session on October 20, 1998.

**Agenda Bill #1632**

**A Motion authorizing a Contract with Everson's EconoVac for the 1999 Storm Drain Cleaning - Public Works**

**Summary:** The bid opening for this contract was held December 22, 1998 and five bids were received. Everson's EconoVac's bid represented the lowest overall cost to the City for our annual storm drain cleaning.

In the course of maintaining the City's storm drainage system, it is necessary to clean silt and debris deposits from the systems' catch basins and pipes. The most efficient and economical way to perform this cleaning is by use of mechanical evactoring equipment. The City has contracted for this service initially since incorporation from King County and for the past six years with a private vendor. Two of the bids received was not considered to be responsive. The remaining three bids were analyzed using the level of storm drain cleaning performed by the City's contractor for the first half of 1998. Based upon this analysis, Everson's EconoVac's bid represented the lowest overall cost to the City for our annual storm drain cleaning.

#### **Agenda Bill #1627**

#### **A Motion approving a Contract with MacLeod Reckord Landscape Architects for Construction Drawings for Valley Ridge Park - Parks & Recreation**

**Summary:** Council approved the Valley Ridge Park Master Plan in October 1998. The construction improvements were approved in the 1999 budget. This Motion is to hire the landscape architectural firm to prepare the construction drawings so the City can bid the construction of Phase I of the park improvements.

Staff has worked with the architectural firm of Hough Beck & Baird to develop a Master Plan for Valley Ridge Park. The proposed improvements include a new restroom building, playground area & equipment, skate park, basketball court, seat walls, roller hockey rink, court lighting, site furniture, landscaping & irrigation and paving.

Staff conducted a competitive Request for Proposal (RFP) process with three Landscape Architectural firms with one firm dropping out because it could not meet the time schedule. The interviews took place on December 18, 1998. The firm of MacLeod Reckord scored 161.5 points and the firm of Hough Beck & Baird scored 133 points. Staff has negotiated a fee of \$56,066, which is 9.42 percent of the budgeted construction cost. This fee is based on the State of Washington Architectural fee schedule of 9.42 percent for construction projects of \$600,000. It is proposed that the project be completed by the start of the school year in September 1999.

#### **Agenda Bill #1639**

#### **A Motion approving an Amendment to the Interlocal Agreement (ILA) with King County for Police Services – Finance**

**Summary:** This amendment to the ILA with King County for police services, effective January 1, 1999, changes the way salary and benefit costs are billed and should result in cost savings to the City. SeaTac is one of ten Cities contracting with King County for police services. Under the costing model used for six contract Cities purchasing dedicated personnel, all Cities are charged the same salary and benefits cost per officer. Included in this full-time employee (FTE) charge is overtime, which is allocated at an identical amount per FTE. Historically, SeaTac has used less of the overtime budget but continued to pay the same cost per officer as other Cities. After nearly 18 months of discussions with the County and other contract Cities, agreement has been reached to begin charging all salary and benefit costs, including overtime, on an actual basis.

MOVED BY GEHRING, SECONDED BY THOMPSON TO ACCEPT THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY.

#### **NEW BUSINESS:**

#### **Agenda Bill #1637; Resolution #99-002**

#### **A Resolution authorizing a Joint Tourism Promotion Project and Expenditures not to exceed the sum of \$20,000 from Hotel/Motel Tax Revenue - City Manager**

**Summary:** The City of Tukwila and the Tourism Committee of the Southwest King County Chamber (SWKCC) have

been interested in conducting a joint City tourism project with SeaTac. The project would primarily involve development of a tourism brochure and two trade show booths, as well as trade show fees and related expenses.

The Chamber Tourism Committee desires to fund a marketing brochure for SWKCC. It would be a four-fold brochure with approximately six color photos and a map of the area. Photos and attractions would include all of the tourist attractions, parks, shopping malls, chamber-member hotels and restaurants, and tourism related businesses. The estimate for 10,000 brochures is \$5,000.

Also planned is the purchase of two tabletop display booths and in the future there will be trade show fees and other tourism related expenses. The funding would come from the Hotel/Motel Tax. The contract with the SWKCC will provide for payment from the \$20,000 appropriation, as invoices for material and services are submitted. Agenda Bill No. 1642 will provide the necessary Ordinance to amend the 1999 Annual Budget and provide the appropriation authority for this project. The summary cost breakdown is as follows: Brochures - \$5,000; Additional Brochures (15,000) - \$2,000; Display Booths - \$2,180; Advertising, e.g. Horizon /Alaska - \$9,095 each; Photos - \$1,160; Trade Shows (three entry fees) - \$3,450; and Mileage/expenses \$1,000; for a total of \$23,885. The sum of \$5 million in bonds has been authorized by the Council for a major follow-on project.

MOVED BY BRENNAN, SECONDED BY THOMPSON TO PASS RESOLUTION NO. 99-002.\*

Assistant City Manager Holman reviewed the above summary.

Councilmember Brennan, Hotel/Motel Tax Ad Hoc Committee Chair, stated that hotel marketing personnel constantly attend conventions. The City does not have a brochure just for this community. This brochure will be good for the marketing personnel to distribute at conventions. He urged Council approval of this item.

Upon a question posed by Councilmember Stevenson, Mr. Holman stated that approximately 50 percent of the money given to the SWKCC, from the City, is put towards tourism.

Councilmember Stevenson suggested that the amount from the general fund be reduced to \$10,000 and the additional \$10,000 be appropriated from the Hotel/Motel Tax.

Council discussion ensued as to the accountability of the City's money being spent by the Chamber. It was mentioned that Council could be informed as the invoices are received.

\*MOTION CARRIED UNANIMOUSLY.

### **Agenda Bill #1642; Ordinance #99-1001**

#### **An Ordinance amending the 1999 Annual Budget for the Joint Tourism Promotion Project – Finance**

**Summary:** Agenda Bill No. 1637 authorizes the expenditure of \$20,000 for a Joint Tukwila/SeaTac SWKC Chamber tourism promotion project. This Ordinance amends the 1999 Budget to appropriate sufficient funds for the project cost. *(Please reference Agenda Bill No. 1637 for detailed discussion of this project.)*

MOVED BY BRENNAN, SECONDED BY THOMPSON TO ADOPT ORDINANCE NO. 99-1001.\*

This Ordinance provides appropriation authority for expenditure of Hotel/Motel Tax proceeds for the Joint Tourism Promotion Project presented by Assistant City Manager Holman. Due to the discussion regarding Agenda Bill No. 1637, this Ordinance requires amendment from \$20,000 to \$30,000 to also fund one half the costs of the 1999 contract with the SWKC Chamber of Commerce from the Hotel/Motel Tax Fund.

MOVED BY STEVENSON, SECONDED BY BRENNAN TO AMEND ORDINANCE NO. 99-001 FROM \$20,000 TO \$30,000 TO ALSO FUND ONE HALF THE COSTS OF THE 1999 CONTRACT WITH THE SOUTHWEST KING COUNTY CHAMBER OF COMMERCE FROM THE HOTEL MOTEL TAX FUND.\*\*

\*\*MOTION CARRIED UNANIMOUSLY.

\*MOTION AS AMENDED CARRIED UNANIMOUSLY.

**Agenda Bill #1633; Resolution #99-003**

**A Resolution awarding a Contract to Arai/Jackson for Programming and the Master Site Plan for the new City Hall not to exceed \$60,000 - City Manager**

**Summary:** The Arai/Jackson contract provides for Phase I of the City Hall Project to include detailed functional programming by department, and a Master Site Plan for the complex. The contract includes developing a plan for the management process of this preliminary design phase and implementation of the meeting and review processes. The contract amount is \$60,000. The deliverables under this contract are: Design Standards, Project Assumptions Document, Detailed Program by Department, Master Site Plan, and Estimate of Probable Construction Cost.

Arai/Jackson was the design team selected for the City Hall Complex Project during 1995, at the time of original site selection. The firm has worked with the City over the past years and are intimately familiar with the programming considerations to be addressed for this project. This contract is a continuation of services begun at the inception of the new City Hall concept.

The documents to be produced through the programming contract will be detailed in a format applicable to either a standard design, bid, build methodology, or a design-build method of construction. The design-build option for the City is being investigated under provisions of [RCW 39.10](#). This approach to construction requires an approval through the Governor's Oversight Committee, a process which may impact schedule in terms of start of design and construction. Either method of construction would be suitable to the City Hall complex, with the design/build team approach offering some potential savings.

The savings associated with design-build are primarily associated with the ability of a design and construction team to work through value engineering options as the design is developed, based on the particular expertise and resources available to the selected contractor of the design-build team.

MOVED BY BRENNAN, SECONDED BY THOMPSON TO PASS RESOLUTION NO. 99-003.

MOTION CARRIED UNANIMOUSLY.

**Agenda Bill #1645; Resolution #99-004**

**A Resolution imposing a Moratorium on acceptance of Development Permits which relate to New Construction of Gasoline/Service Stations (use #109) - Legal**

**Summary:** This Resolution establishes a moratorium on acceptance of development permits and building permits relating to gasoline/service stations (use No. 109) pending study and possible recommendations for amendments to zoning and development regulations by City staff and the Planning Advisory Committee.

[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. The Council is concerned that existing zoning and development regulations may not be sufficient to ensure that gasoline/service station facilities will be consistent with the public interest, and will be compatible with surrounding neighborhoods.

It is desired that, before accepting and acting upon development and building permits within zones permitting subject uses, City staff and the Planning Advisory Committee have time to research and study the situation and, if appropriate, to formulate amendments to present zoning and development regulations.

Councilmember Thompson stated that the Council has, in the past, supported the passage of moratoriums to preserve neighborhoods. She is concerned with the additional traffic a gas station at South 194<sup>th</sup> Street and Des Moines Memorial Drive might create. She expects the neighborhood to be desecrated because of the third runway but would like to preserve the neighborhood for the remaining time. She requested that the moratorium be changed from six

months to 30 days because staff has assured her that they can get the answers regarding what the City can and cannot do in the Comprehensive Plan and the Industrial Zone in that period of time. She stated that she would require that the Land Use, Parks & Economic Development (LUPED) Committee discuss this at the next meeting.

MOVED BY THOMPSON, SECONDED BY ANDERSON, TO PASS RESOLUTION NO. 99-004.\*

Council discussion ensued regarding the City running the risk of "down zoning" if it was decided that gas stations could not be placed in industrial zones.

Planning Director Butler stated that staff will be looking at this issue from two different perspectives: 1) the simple approach of eliminating gas stations as a permitted use; and 2) looking at the design standard side to see if there is anything that can be done to approve an analysis and mitigation of neighborhood impacts that would occur if a gas station were to be located in an industrial zone. Mr. Butler stated that, in his opinion, the City would not run the risk of down zoning concerns or liability if the City were to eliminate service stations in an industrial zone.

Councilmember Stevenson stated that he has a concern with eliminating service stations in all the industrial zones. He questioned whether it would be possible to place a restriction because of traffic flow and the location that would minimize the possibility that building could ever occur. Mr. Butler stated that the City could do that if the City chooses to use a version of the "P-suffix". The other thing that can be done that might have the same effect as the "P-suffix" would be the issue of whether or not the City is going to have some sort of overlay zone standard placed upon service stations throughout industrial zones. The overlay concept would address certain aspects.

Councilmember Stevenson suggested an amendment to the Resolution be made so the moratorium only applies to the industrial zone, and even further than that, so that it applies only to this particular intersection. Council discussion ensued regarding the restriction of the moratorium to only this particular intersection. It was determined that a restriction could be made to the industrial zone, but not to any particular place.

Council discussion ensued regarding the change to 30 days from six months and the issue of down zoning. City Attorney McAdams stated that as far as whether elimination of a permitted use of land from the industrial zone is considered a down zone, technically it is not because the land is not being rezoned. The City does run some risk of the possibility of a land use appeal or inverse condemnation as a result of eliminating the permitted use.

Councilmember Hansen stated his opposition to this moratorium. He stated that the LUPED Committee met today, and brought up the reasons that historically, in America, gas stations are in neighborhoods. The City's Comprehensive Plan even encourages it. His main objection to any kind of moratorium is that he believes this Council is governing by moratorium now, rather than by established procedures. Councilmember Brennan stated his agreement with Councilmember Hansen's comment on the use of moratoriums. He stated that he will go along with the 30 days.

Council discussion ensued as to the legal ramifications of changing the moratorium from six months to 30 days. Mr. McAdams stated that the State statute requires that after adoption of a moratorium without findings of fact to support the same, the public hearing must be held within 60 days and findings of fact must be entered by the Council. Obviously, a moratorium of 30 days duration would not allow that time. If a moratorium was repealed prior to 60 days, presumably, it would not be necessary to enter into a findings of fact. To go beyond that, if there is going to be a change in development regulations as to permitted uses within the industrial zone, then of course there must be all of the requirements of Title 16 of the SeaTac Municipal Code (SMC). But that would be beyond the terms of the moratorium.

Mayor Anderson stated that she would vote in favor of the 30 days. She stated that a study of ingress and egress is needed to determine whether it is a feasible project before the City lets a gas station go in.

(Councilmember Thompson left at 7:34 p.m.)

MOVED BY STEVENSON, SECONDED BY ANDERSON TO AMEND THE MORATORIUM TO ONLY APPLY TO INDUSTRIAL AREAS FOR A 30 DAY PERIOD.\*\*



**\*\*MOTION CARRIED WITH HANSEN VOTING NO.**

**\*UPON A ROLL CALL VOTE, THE MOTION CARRIED WITH HANSEN VOTING NO.**

**PUBLIC COMMENTS:**

Mr. Dixon commended the Council and the City for producing a good newsletter (the SeaTac Report). He commented on the Planning Department's article on the Year 2020 and the City Center. He also commented on an article in the Friday Letter regarding Personal Rapid Transit (PRT) in SeaTac. Mayor Anderson stated that Council was aware of the article and that it is incorrect.

Liz Bolian, SeaTac Days Inn General Manager, stated concern on the amendment Council made regarding the \$10,000 that will now be taken out of the tourism money. Any money directed out of the tourism money must be directed for tourism. The chamber is there to promote business, not tourism. Because of their agreement with King County and the Visitors Convention Bureau, they are also looked at as a Visitors and Convention Bureau but it is a very small aspect. Mr. McAdams stated that it was determined that approximately 50 percent of the money expended for the standard contract with the SWKCC is for services directly related to tourism. That is why the Council decided that 50 percent of the contract price would come from the Hotel/Motel Tax marked for tourism.

**CITY MANAGER'S COMMENTS:** City Manager Hoggard had no comments.

**COUNCIL COMMENTS:**

Councilmember Gehring stated that the Ways & Means (W&M) Committee met January 11. She thanked Finance Director Spencer and the Finance Department staff for finding several thousands of dollars that is owed to the City from taxes. The ten-year Parks Capital Improvement Project (CIP) and the gambling tax rate were also discussed.

Councilmember Hansen stated that the LUPED Committee met today and discussed the "P-suffix" issue. He does not feel that the City made any big mistake at the time the City adopted its Comprehensive Plan. The Multi-family development standards, and the proposed Code Amendments for industrial use were also discussed. He attended the Rotary Club Meeting on January 11 where Sheriff Reichart was the speaker. City of SeaTac Chief of Police Services Frank Kinney made a presentation of the advantages of contracting and how well it works for SeaTac.

Councilmember Hansen stated he recently returned from a trip to Sydney, Australia and was amazed with all the projects it has achieved that SeaTac has only seen drawings of, such as light rail.

Mayor Anderson reminded the Council to get their retreat items to City Manager Hoggard as soon as possible. She stated that she has asked Mr. Hoggard to look into legislation that some of the Cities have developed on repeat DUI offenders and extend that to uninsured motorists.

**ADJOURNMENT:**

**MOVED BY HANSEN, SECONDED BY GEHRING TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 7:55 PM.**

**MOTION CARRIED UNANIMOUSLY.**

Terry Anderson, Mayor  
Kristina Lowrey, Deputy City Clerk

# SEATAC CITY COUNCIL SPECIAL MEETING MINUTES

January 19, 1999 - 4:30 p.m.  
City Hall Council Chambers

## **CALL TO ORDER:**

The Special Meeting of the SeaTac City Council was called to order by Mayor Terry Anderson at 4:40 p.m.

## **ROLL CALL:**

Present: Mayor Terry Anderson, Councilmembers Steve Stevenson, Shirley Thompson, Frank Hansen, Kathy Gehring, Joe Brennan and Don DeHan.

## **ADMINISTRATIVE STAFF:**

Present: Calvin P. Hoggard, City Manager; Judith L. Cary, City Clerk; and Robert L. McAdams, City Attorney.

## **RECESSED:**

Mayor Anderson recessed the Special Council Meeting to an Executive Session on Property Acquisition and Personnel Issues at 4:42 p.m.

## **EXECUTIVE SESSION: Property Acquisition / Personnel Issues**

## **RECONVENED:**

Mayor Anderson reconvened the Special Council Meeting at 6:00 p.m.

## **ADJOURNMENT:**

MAYOR ANDERSON ADJOURNED THE SPECIAL MEETING OF THE SEATAC CITY COUNCIL AT 6:01 P.M.

Terry Anderson, Mayor  
Judith L. Cary, City Clerk

# SEATAC CITY COUNCIL REGULAR MEETING MINUTES

January 26, 1999 - 6:00 PM  
City Hall Council Chambers

## **CALL TO ORDER:**

The Regular Meeting of the SeaTac City Council was called to order by Mayor Terry Anderson at 6:02 p.m.

## **ROLL CALL:**

Present: Mayor Terry Anderson, Councilmembers Steve Stevenson, Shirley Thompson, Frank Hansen, and Joe Brennan. Absent: Councilmembers Kathy Gehring and Don DeHan.

## **ADMINISTRATIVE STAFF:**

Present: Calvin Hoggard, City Manager; Jay Holman, Assistant City Manager; Judith L. Cary, City Clerk; Robert L. McAdams, City Attorney; Elizabeth Spencer, Finance Director; Jim Downs, Fire Chief; Steve Butler, Planning Director; Craig Ward, Principal Planner; Jack Dodge, Principal Planner; Bruce Rayburn, Public Works Director; and Julie Rodwell, Programs Manager.

## **FLAG SALUTE:**

Councilmember Hansen led the Council, staff and audience in the Pledge of Allegiance to the Flag.

## **INTRODUCTION:**

### **Introduction of new SeaTac City Hall Employee, Blake Libermann, Associate Planner**

City Manager Hoggard introduced Mr. Libermann to the Council. Mr. Libermann began his planning career as an Assistant Planner with the City and Parish of Baton Rouge in 1996 while he was attending graduate school at Louisiana State University. Upon receiving his Master's Degree in Urban and Economic Geography I in late 1997, he accepted a long-range planning position with Jefferson County in Washington State that he held for the past year. He joined the City staff on January 20, 1999. Council welcomed Mr. Libermann to the City.

## **PRESENTATIONS:**

### **Certificate of Appreciation to Abner Thomas, outgoing member of Human Relations Advisory Committee**

Mayor Anderson presented Mr. Thomas with the certificate for his work on the Human Relations Advisory Committee and thanked him for his extensive service on this committee and as a City Councilmember in 1993. Mr. Thomas stated his satisfaction in servicing the City and encouraged members of the community to become involved in serving the City and the City Council.

## **PUBLIC COMMENTS:**

Rick Lucas, General Manager, Thrifty Car Rental, 19815 International Boulevard, introduced Bob Gillespie, consultant for Thrifty regarding Sound Transit position on the southend Light Rail alignment. He stated support of the draft Resolution (Agenda Bill No. 1649). The Resolution preserves the integrity of the businesses on the southend of the boulevard with an added emphasis on a parking structure for the Light Rail System. He added that the Resolution would definitely clarify the City's position on its preferred alternative.

Joe Dixon, Light Rail Ad Hoc Committee Chair, commented on Agenda Bill No. 1649. He noticed that it still states that neither the southern nor the northern SeaTac stations are of the City's primary focus. The single station of most importance is the Central Station, one that can serve the City Center. He reported at the January 19 Council Study Session that four of the seven committee members felt that the City Center Station should not be the focus and in fact, should be eliminated for now and reconsidered in the future. Mr. Dixon also spoke at the Sound Transit Public Hearing to the same effect. He feels an elevated moving sidewalk from the South 170<sup>th</sup> Street Intermodal Center (IMC) over the boulevard would be effective at this time.

## **PRESENTATIONS (Continued):**

### **Light Rail Transit (LRT) Update**

Programs Manager Rodwell reiterated that the deadline for written comments to Sound Transit on their environmental impact statement (EIS) is February 5. The board is scheduled to make its decision on the track stations on February 25. The Joint Advisory Committee (JAC) met with the Policy Committee today on a number of issues. A Joint City of SeaTac /Port of Seattle Commission Meeting was held today with the major topic being the LRT. There were 11 issues regarding the LRT that the parties discussed and that will need further consideration. A copy of the revised Resolution stating the City's preferred alternative was distributed to Council for their review. Council concurred to send this agenda item to a Special Council Meeting on February 2. Once that is done, it will be forwarded to Sound Transit for its consideration in their February 25 Locally Preferred Alternative decision-making. After that, the next step would be Council discussion with the Sound Transit Board. Council discussed with Ms. Rodwell the best method of meeting with the board.

### **Regulating Group Homes**

Planning Director Butler stated that the basis of this presentation is to introduce the Council to the issue of group homes. This topic was discussed with the Land Use, Parks and Economic Development (LUPED) Committee and the Planning Advisory Committee with a public hearing regarding a proposed working approach on this issue.

Group homes cover the following types of facilities: 1) for disabled persons; 2) for children; and 3) as domestic violence shelters. There are other group living situations such as overnight shelters and halfway houses that are not considered group homes and are dealt with differently. The reasons for the issue of group homes at this time is there have been recent State and Federal Superior Court cases that have been deemed unconstitutional by the courts. Such regulations are similar to SeaTac's. Two cases, one in Edmonds and one in Bellevue did not meet State or Federal Fair Housing laws. The proposed revisions to the City's Code would be: Option 1) to clarify the definitions and modify use charts and add a "reasonable accommodations" procedure; and Option 2) use a Housing Code for all homes. The Fair Housing laws stated that group homes are to be treated the same way single-family homes are treated, such as using a minimum square footage per individual. The Planning Advisory Committee is examining this further. The LUPED Committee recommended Option 1. Therefore, this presentation will be dealing with Option 1.

Senior Planner Anderson detailed the particulars of the three types of Group Home facilities and the provisions of the Fair Housing laws. She stated that most group homes in SeaTac are adult-family homes, such as the Sipes Home and the Caring Touch Home. They are licensed by the State Department of Social and Human Services for up to six persons needing care, plus caregivers and are required to be in single-family zones.

Staff is proposing two categories of group homes plus the other group living situation. Staff is proposing to title Group Homes as Community Residential Facilities. Community Residential Facility I would allow up to five residents, plus caregivers, unless reasonable accommodation is made to permit more disabled persons. These homes would be permitted in Urban and Urban Medium Zone and would be a single housekeeping unit compatible with the neighborhood. This situation would specifically allow licensed adult family and foster homes. The Community Residential Facility II would allow six or more residents and be permitted in High Density, Neighborhood Business, and Commercial Zones. The other group living situations are: 1) overnight shelters to be permitted under conditional use in the commercial zones and would be subject to the Essential Public Facility (EPF) siting process; and 2) halfway houses which would be a facility for persons under the jurisdiction of the Criminal Justice System and would be permitted under conditional use in the commercial zones and subject to EPF siting process.

Mr. Butler stated that staff would present Council with the proposed Ordinance language at the February 2 Study Session.

### **Gas Stations in Industrial Zones**

Planning Director Butler stated that Council previously adopted a Moratorium on gas stations in industrial zones in order to allow time for staff to review this issue. Principal Planner Dodge presented options on gasoline/service station design standards.

A) The first issue is building security and site layout standards. Some of the issues were proposed through the Crime Prevention Through Environmental Design (CPTED). The proposal are: 1) all trash enclosures shall be in clear line of site and visible from the cashier station, day or night; 2) All public telephones shall be outgoing only, shall be visible

from the cashier area and shall be located indoors to help dissuade the criminal element; 3) there shall be motion detector lighting in non-viewable areas and alarm systems on all outside doors and enunciators on interior doors/entrances; 4) there shall be adequate lighting that does not create shadows or glare; and 5) there shall be clear lines of sight from inside and outside the store.

B) As for access requirement, access to gasoline/service stations located on corner lots shall be "right-in, right-out only" as warranted by site conditions or traffic patterns.

C) As with landscape standards applicable to the Business Park zone, it is proposed to be applicable to all industrial zones to include gas stations which would require a minimum 20-foot wide type I (solid screening) landscape strip for all industrial uses adjacent to or across the street from residential uses.

Council questions ensued as to the 20-foot screening from adjacent property which staff explained in more detail. There was concern as to security and the criminal aspect. Regarding "right-in, right-out only," the properties will be evaluated on a site by site basis to determine the traffic flow and whether this approach is warranted.

Mr. Butler concluded by requesting Council direction on the 30-day moratorium, which ends February 11. Any Zoning Code amendment proposal needs to be sent to the State for review (60-day period) and adoption requires a 30-day effective period amounting to a 90-day minimum period.

#### **CONSENT AGENDA:**

**Approval of claims vouchers** in the amount of \$1,327,870.61 for the period ending January 15, 1999.

**Approval of employee vouchers** in the amount of \$316,342.92 for the period ending January 15, 1999.

**Approval of summary of \$5,000 - \$25,000 purchase requests** for the period ending January 22, 1999.

#### **Approval of Council Minutes:**

**Study Session Meeting** held January 5, 1999.

**Regular Council Meeting** held January 12, 1999.

**Special Council Meeting** held January 19, 1999.

#### **Acceptance of Advisory Committee Minutes:**

**ADA Citizens' Access Committee Meeting** held November 9, 1998 (approved by this committee January 11, 1999).

**Human Relations Advisory Committee Meeting** held October 8, 1998 (approved by this committee January 14, 1999).

**Planning Advisory Committee Meetings** held March 30, October 19 and November 2, 1998 (approved by this committee January 11, 1999).

**Planning Advisory Committee Meeting** held November 16, 1998 (approved by this committee December 14, 1998).

**Senior Citizens' Advisory Committee Meeting** held November 12, 1998 (approved by this committee January 14, 1999).

**Solid Waste Advisory Committee Meeting** held September 17, 1998 (approved by this committee December 2, 1998).

#### **Approval of the following Ordinance, Resolution and Motion recommended at the January 19, 1999 Study Session for placement on this Consent Agenda:**

##### **Agenda Bill #1644; Ordinance #99-1002**

##### **An Ordinance amending the Rate of the Gambling Tax imposed upon Social Card Games – Finance**

**Summary:** This Ordinance reduces the gambling tax imposed upon card room gambling from the present 20 percent of gross revenue (the maximum allowed by State law) to 10 percent of gross revenue.

As a result of the recent Legislative enhancement of card games, a number of "casinos" have been placed into operation in conjunction with a business providing food or drink for consumption on the premises. A number of additional applications for such "casinos" have been filed with the Commission, including several potential locations within the City of SeaTac.

Members of the Council and staff have visited "casino style" card rooms operating in neighboring cities, under applicable statutes and regulations, and have found the same to appear to be well designed, constructed, and operated. These "casinos", as a commercial stimulant to restaurant businesses, would be conducive to the promotion of tourism and a stimulus to the City's important hospitality industry.

A "house-banked" casino typically generates far more gross revenue than the original form of card room operations. A 20 percent tax on these greater gross revenues would greatly interfere with the margin of profit and could, in fact, generate tax revenues in excess of law enforcement needs, if casino operations were not deterred from opening within the City.

In addition to the foregoing, it must be noted that most of the surrounding cities impose a tax on card room gambling at the rate of 10 percent of gross revenues. This includes the cities of Auburn, Kent, Renton, and Tukwila. The City of Burien, which recently imposed a moratorium on casinos, has a tax of 11 percent of gross revenues. To date, the City of Des Moines has not imposed any tax (although that may change).

The Ways and Means (W&M) Committee considered this matter and reviewed the tax rates currently imposed by nearby cities. The Committee has recommended a reduction of the tax rate to 10 percent of gross revenue of "casino" card room operations so as to be compatible with the tax charged by the vast majority of cities within this area.

### **Agenda Bill #1638; Resolution #99-005**

#### **A Resolution confirming the Re-appointment of the Municipal Court Judge and authorizing entry into a new Professional Services Contract – Court**

**Summary:** State Law requires the City Manager to appoint the Municipal Court Judge, subject to confirmation by the City Council, for a term of four years. Paul J. Codd was originally appointed as Municipal Court Judge under a Personal Services Contract. Judge Codd was subsequently re-appointed to a four-year term and a new contract was signed on January 1, 1995. His term of office expired December 31, 1998 and an appointment must be made for another four-year term. Judge Codd has agreed to continue with the City for the additional term at his previous hourly rate of \$60.00. The anticipated annual expense for 1999 has been budgeted.

The City Manager recommends adoption of the proposed Resolution confirming the re-appointment.

MOVED BY STEVENSON, SECONDED BY THOMPSON TO ACCEPT THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY.

Council suggested that a salary increase be considered for the next contract period since Judge Codd has dutifully served the City for several years.

### **NEW BUSINESS:**

#### **Agenda Bill #1587; Ordinance #99-1003**

#### **An Ordinance amending the Zoning Code relating to Batch Plants, Landscaping and Parking Requirements, prohibiting certain Security Wire, and the stacking of Parking Spaces – Planning**

**Summary:** This Ordinance would amend the Zoning Code as follows: 1) amends Section 15.12.070 to allow a Batch Plant in the industrial (I) zone as a conditional use; 2) amends Section 15.14.060, landscaping for manufacturing uses, providing landscape standards for batch plants, for towing operations, auto wrecking, self-storage, off-site hazardous waste treatment and storage facility; 3) amends Section 15.15.030, parking space requirements for manufacturing uses to establish off-street parking requirements for batch plants; 4) creates a new Section 15.10.078.05, defining batch plants; 5) creates a new Section 15.13.093 prohibiting barbed, razor or other security wire on fences in residential zones; and 6) creates a new Section 15.15.085 providing for stacked parking for the auto rental/sales use and valet stacked parking for other uses.

The issue of security fencing was discussed at length at this meeting. Currently, there are no regulations against the placement of barbed, razor, concertina, or other security wire on fences on the residential zones. The City has received many calls from concerned parents requesting that these security wires not be placed on fences due to potential safety hazards to children who may play near fences. Aesthetic concerns have also been mentioned related to security fences. The new section of the Code would prohibit the use of security wiring on fences in the residential zones, unless it is necessary to control horses, equine animals or livestock as allowed under Sections 15.13.115 and 15.13.120 of the Municipal Code.

Within the commercial, business park, and office zones, under the original proposed Ordinance, only barbed wire would be allowed on the top of a fence, provided the fence is not adjacent to a residential zone. At the January 19, 1999 Study Session, there was testimony from the auto rental industry that razor wire is necessary on their fences to protect their lots from car theft. This testimony indicated that with the installation of razor wire, car thefts dropped dramatically at the lots.

Alternative Amendment: Within the commercial, business park, and office zones, no security wire would be allowed unless all adjacent property owners sign a waiver indicating that they do not oppose the security wire being proposed.

Currently the Zoning Code does not allow for the stacking of parking spaces (more than one vehicle per parking space). Parking spaces must meet the standard layout for off-street parking lots, which includes drive aisles between parking spaces and one vehicle per parking space (for example, the parking lot in front of City Hall). Rental car agencies and auto sales lot representatives have indicated that the current standards place an undue burden on them in finding enough parking on-site for their vehicles. They have indicated that the stacking of spaces for parking would best maximize their properties for parking. The Code amendments would allow the following: 1) allow auto rental and sales uses to provide for the stacking spaces for parking on their properties; and 2) allow other commercial uses, with an approved "Valet Parking Plan", to provide stacking spaces for parking on their properties.

Planning Director Butler stated that among the topics outlined in the above summary, the one issue that was of concern to the Council was security wire. He stated and outlined on a map all the properties that would be affected which would abut a residential zoned or use properties. The concertina wire was a concern abutting residential property. City Attorney McAdams stated that there is no authority to require the removal of existing security wiring. Lots of commercial businesses have cyclone fencing with barbed or concertina (razor) wire which increases security on the property. Council discussion ensued and it was decided to adopt the Ordinance with the exclusion of the security-fencing topic to be reviewed further.

MOVED BY STEVENSON, SECONDED BY THOMPSON TO ADOPT ORDINANCE NO. 99-1003.\*

Rick Lucas, General Manager, Thrifty Car Rental, stated that insurance companies and legal advisors instruct businesses to install the razor wire for security purposes. The issue is two-fold for the benefit of both business and neighborhood. The residents do not want intruders going through their property to get to the business.

MOVED BY THOMPSON, SECONDED BY BRENNAN TO AMEND THE ORIGINAL ORDINANCE TO EXCLUDE NO. 5, SECTION 15.13.093 BARBED, RAZOR, OR OTHER SECURITY WIRE ON FENCES, TO BE FURTHER REVIEWED AS TO OTHER OPTIONS.

AMENDMENT CARRIED UNANIMOUSLY.

\*ORIGINAL MOTION CARRIED AS AMENDED.

### **Agenda Bill #1635; Resolution #99-006**

**A Resolution authorizing the expenditure of one percent of the General Fund Operating Revenues for Human Services 1999-2000 Contracts - City Manager**

**Summary:** Since the completion of a Needs Assessment and the formation of the Human Services Advisory Committee, the City of SeaTac has been allocating funds toward the betterment of the City's residents in Health and Human Services. Resolution No. 93-027 was then passed, which committed the City to one percent of the General

Fund for Human Services. The committee has been reviewing all the applications received for 1999 - 2000 funding period and have forwarded their recommendations for Council's approval. In reviewing the applications, the committee is committed to funding agencies that provide "direct benefit" services to SeaTac residents. Due to the fact that the level of request from agencies surpassed the level available, the committee spent numerous hours reviewing the applications to ensure that they meet the City's priorities and served the low- and moderate income citizens accordingly. The City's 1999 Annual Budget appropriates \$182,232 towards this program. Amendments may be necessary for the year 2000 funding allocation based on the amount approved in the 2000 Annual Budget later this year. Any recaptured funds will be used for emergency assistance, Peanut Butter and Jelly Program, Madrona Elementary School Uniform Program and other needs as they arise. Criminal Justice funds are used for vouchers for Domestic Violence victims and to assist Project LOOK with rent at the Brookstone Apartment Complex.

The committee initially decided to fund all agencies that submitted a proposal for 1999 and reduce them all to 79 percent of the requested level. However, the W&M Committee reviewed this recommendation at its December meeting and requested that the advisory committee reconsider this allocation method, which provided a significant advantage to inflating the requested funding level and did not give greater weight to ongoing programs. Upon review, the committee recommended specific 1999 funding amounts for certain agencies, and gave City staff some latitude in determining funding levels for the other agencies. Staff's recommendation on those agencies is to fund at a 3 percent increase over the 1998 funding level, capped at the 1999 funding request.

The committee recommended not to fund the DAWN Advocacy Program due to more cost-effective service out of City Hall. This can be accomplished by hiring a temporary position to do a Pilot Project for a Community Outreach with Domestic Violence as a priority. This position will incorporate education to residents, do referrals and work closely with the City's Legal Advocate, Human Services Coordinator and the Police Department. After a year's trial, if the program has not been successful, the City will pursue other avenues, which could possibly be contracting with DAWN. The City will continue to fund the other two DAWN programs as proposed.

Mayor Anderson yielded the gavel to Deputy Mayor Thompson to preside over the meeting and exempted herself from discussion and voting on this agenda item as she is on the DAWN Board of Directors.

MOVED BY THOMPSON, SECONDED BY HANSEN TO PASS RESOLUTION NO. 99-006.\*

After considerable discussion with City staff, Council elected to fund all the recommended Human Service Programs at the recommended level until Council and staff has had a chance to further review the DAWN Advocate Program.

MOVED BY HANSEN, SECONDED BY BRENNAN TO AMEND RESOLUTION NO. 99-006 TO FUND THE HUMAN SERVICE PROGRAMS AT THE RECOMMENDED LEVEL TO EXCEED THE ONE PERCENT FOR THIS YEAR TO INCLUDE THE DAWN ADVOCATE PROGRAM FOR A SIX-MONTH TRIAL PERIOD IN ORDER TO RE-EVALUATE THE PROGRAM TO DETERMINE ITS CONTINUANCE WITH THE CITY OR TO RESEARCH OTHER ALTERNATIVES.

AMENDMENT CARRIED UNANIMOUSLY.

\*ORIGINAL MOTION CARRIED UNANIMOUSLY AS AMENDED.

Deputy Mayor Thompson yielded the gavel back to Mayor Anderson to continue the meeting.

Mayor Anderson appointed Councilmember Hansen and Brennan to work with City and DAWN staff to examine the DAWN Advocate Program and to draft a contract with DAWN.

#### **Agenda Bill #1634**

**A Motion authorizing a Contract with Reid Middleton Inc. for the design of the Des Moines Memorial Drive (South 188<sup>th</sup> to 194<sup>th</sup> Streets) Improvement Project - Public Works**

**Summary:** Staff recommends Council authorization to execute a design services contract with Reid Middleton Inc. for the Des Moines Memorial Drive Project which is on the Ten-year Transportation Capital Improvement Program (CIP)



for design this year with construction to follow in the year 2000.

In the past several years, three large warehouse projects have proceeded with construction in the immediate area. As a mitigation to accommodate increased truck traffic to and from the warehouses, developers paid mitigation fees toward the installation of a traffic signal on Des Moines Memorial Drive at South 192<sup>nd</sup> Street as well as street improvements to the street's corridor. The City was subsequently successful in obtaining an oil rebate grant for signal installation and an Urban Arterial Transportation Account (UATA) grant to help finance street improvements. Requests for qualifications (RFQ's) were sent to the following engineering firms in October 1998: Perteet Engineering, Reid Middleton Inc., Icon Engineers - Surveyors, and Kato & Warren Inc. Reid Middleton was selected as the most qualified firm. This firm has previously performed similar work for the City, including South 176<sup>th</sup> Street and South 170<sup>th</sup> Street improvement projects. Each of these projects was similar in size and scope to the proposed Des Moines Memorial Drive improvement project. With this previous successful experience with the City and with an excellent Statement of Qualifications submittal, City Engineering staff felt that Reid Middleton was the clear-cut choice for this project. The consultant services contract includes surveying and mapping, public involvement, and design.

The current estimated project cost of design and construction is \$1,906,000. For the 1999 fiscal year, staff is requesting only \$311,464 of the total cost for the design services contract work. Funding for the project comes from several sources, including an Oil Rebate Federal Grant and an Urban Arterial grant from the State.

MOVED BY BRENNAN, SECONDED BY HANSEN TO ACCEPT AGENDA BILL NO. 1634.

MOTION CARRIED UNANIMOUSLY.

**Agenda Bill #1648; Ordinance #99-1004**

**An Ordinance amending the budget for a Contract with Reid Middleton Inc. for the design of the Des Moines Memorial Drive (South 188<sup>th</sup> to 194<sup>th</sup> Streets) Improvement Project - Finance**

**Summary:** The Public Works Department presented the previous Agenda Bill No. 1634 to the Transportation and Public Works (T&PW) Committee and at the January 19 Study Session. The agenda bill requests Council to authorize a contract with Reid Middleton Inc. for design services on the aforementioned project at a total cost of \$311,464 to complete the design phase of this project in 1999.

This budget amendment will increase the 1999 expenditures of the CIP Fund by \$51,500; the majority of which (\$38,913) is covered by carryover of unspent 1998 appropriations. The project is budgeted in the Transportation CIP Fund and is a multi-year project. The 1999 Annual Budget currently allows for \$260,000 in expenditures this year. However, the Public Works Department anticipates completion of design services during the current fiscal year.

MOVED BY THOMPSON, SECONDED BY BRENNAN TO ADOPT ORDINANCE NO. 99-1004.

MOTION CARRIED UNANIMOUSLY.

**PUBLIC COMMENTS:**

Linda Snider, 18700 36<sup>th</sup> Avenue South, commented on the positioning of the United States flag during this meeting. The flag will be repositioned for the next meeting.

**CITY MANAGER'S COMMENTS:**

City Manager Hoggard had the following items of business: 1) stated that the City Employees Handbook has been completed by Human Resources, with input from the other department. Council is welcome to review the document at their convenience; 2) explained the reason for the traffic difficulties occurring on South 188<sup>th</sup> Street due to trenching work, which is currently underway; and 3) three of the City's Volunteer Firefighters are participating in the search efforts for the missing Tacoma child.

**COUNCIL COMMENTS:**

Councilmember Stevenson stated that the Public Safety & Justice (PS&J) Committee met January 25 and discussed the

following items: 1) the committee established their 1999 agenda calendar; 2) the fire study; 3) proposed bike helmet issue needs more review; 4) signs, signals and school crossings issue was sent back to the Transportation and Public Works (T&PW) Committee for further review; 5) Police staff explained the DARE program's replacement; and 6) Fire apparatus update: a) new aid care is now in service; and b) the air truck has arrived and is being equipped by the department. Secondly, he stated that the Light Rail Policy Committee met this morning and discussed the background on the South 200<sup>th</sup> Street Light Rail alignment and Sound Transit's funding shortfall for the southend connections.

Mayor Anderson stated that the Council attended the Joint Port/City meeting at 1:30 p.m. today. City Manager Hoggard gave a briefing on the discussions: 1) a review of the City/Port Interlocal Agreement (ILA) and the progress made in 1998 and a review of 1999 objectives; 2) Transportation Study issues a) tremendous growth in City Center; and b) access issues for the center's expansion; and 3) the City and Port issues on the Light Rail Transit. City Manager Hoggard also explained Sound Transit's proposal for February 25 as to their preferred alternative.

**ADJOURNMENT:**

**MAYOR ANDERSON ADJOURNED THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 7:58 P.M.**

Terry Anderson, Mayor  
Judith L. Cary, City Clerk

# SEATAC CITY COUNCIL SPECIAL MEETING MINUTES

February 2, 1999 - Immediately following the Study Session  
City Hall Council Chambers

## **CALL TO ORDER:**

The Special Meeting of the SeaTac City Council was called to order by Mayor Terry Anderson at 7:45 p.m.

## **ROLL CALL:**

Present: Mayor Terry Anderson, Councilmembers Steve Stevenson, Frank Hansen, Kathy Gehring, Joe Brennan and Don DeHan. Absent Councilmember Shirley Thompson.

## **ADMINISTRATIVE STAFF:**

Present: Calvin P. Hoggard, City Manager; Jay Holman, Assistant City Manager; Judith L. Cary, City Clerk; Robert L. McAdams, City Attorney; Steve Butler, Planning Director; Bruce Rayburn, Public Works Director; and Jim Downs, Fire Chief.

## **NEW BUSINESS:**

### **Agenda Bill #1649; Resolution #99-007**

### **A Resolution amending the City's Preferred Alternative for Light Rail Transit (LRT) - City Manager**

**Summary:** This Resolution revises, adopts and proclaims the City's Preferred Alternative Alignment and Station locations for LRT within the City. The Resolution is designed to facilitate the following: dissemination to the widest possible resident, business-person and taxpayer audiences the set of track alignment and station sites that the City Council feels is in the City's best interest; provision of a document describing the City's reasoning from the City Council to the Port of Seattle Commission and Sound Transit Board members, as well as to other interested elected officials within the February 5 deadline set by Sound Transit for comments on its Draft Environmental Impact Statement (DEIS) on Light Rail; provision of a document that can be the basis for negotiation of a true "Locally Preferred" Alternative (LPA) that meets the needs of the City, its residents and businesses, the Port, Sound Transit and other affected parties in a win/win manner. The revised language for a proposed LPA in the SeaTac segment has been drafted for the Sound Transit Board's consideration on February 25.

The City's Preferred Alternative is as follows:

A. The City of SeaTac's Preferred Light Rail Alternative Within Segment F is Alternative F.2 in The Northend, F3.1 In The Central Portion and F.2 For The Southend, detailed and modified as follows: 1) no station at South 154<sup>th</sup> and 160<sup>th</sup> Streets area in Phase I (1996-2006); 2) track follows westside of Washington Memorial Cemetery at a grade to be determined later by Sound Transit and the Port; 3) the City strongly supports a LRT Station at the proposed Airport North End Aviation Terminal (NEAT), first phase at its proposed Intermodal Center (IMC) (the Airport/North Central SeaTac Station). This station must have grade-separated pedestrian access to the eastside of the boulevard; 4) the track shall continue south from NEAT staying on the westside of the boulevard in an elevated configuration on Port property until it approaches the City Center Station; 5) a City Center/South Central SeaTac Station, the "City Center Plaza Station" shall be located on the westside of the boulevard lidding over the southbound lanes, (if demonstrated to be necessary to accommodate airport access lanes) with grade-separated pedestrian connections, and a moving sidewalk both to the City Center (east side of International Boulevard) and the Airport Main Terminal; 6) south of the City Center area, the tracks shall continue along the new Airport Link roadway (28<sup>th</sup> Avenue South), crossing South 188<sup>th</sup> Street in an elevated configuration and following the eastside of the new 28<sup>th</sup> /24<sup>th</sup> Avenues South, also in an elevated configuration (to be constructed by the City through its Local Improvement District (LID)); the City shall require close coordination of its design and construction with Sound Transit to ensure minimal disruption in this area and maximum efficiency); 7) the South SeaTac Station shall be located in the vicinity of South 200<sup>th</sup> Street with a parking structure and other mixed use (City Center South) development, and avoiding businesses property fronting on the boulevard; 8) if Sound Transit decides to construct a Tail Track south of the South SeaTac Station, then the Tail Track shall be elevated for its entire length in order to avoid the need to rebuild it later when rail traffic is heavier; and

9) the City's Preferred Alternative shall be developed in accordance with the City's Design Standards for LRT Facilities, soon to be adopted, and other appropriate design guidelines.

B. A grade-separated automated feeder system shall be provided, to ensure that City residents and over 35,000 workers have access to the Light Rail. This feeder shall be funded out of separate resources (not the LINK Light Rail budget). All three SeaTac stations shall be designed leaving a "People-Mover Envelope" so that if this connector is built later, the attendant cost and disruption will be minimized.

C. Adequate feeder bus service to appropriate stations must be provided to minimize traffic and parking congestion.

D. Appropriately sized "kiss-and-ride" or drop-off / pickup facilities shall be included at all three stations.

The City has many other comments to add to this scenario that are not pertinent to siting choices (e.g., station and track design standards, parking enforcement, public service and safety issues, signage, American Disabilities Act (ADA) issues, use of retired people as transit travelers' aides, and many more). These will be addressed in later documents. *(For more detailed background on this agenda item, please refer to Agenda Bill No. 1649).*

City Manager Hoggard briefed on the above amendments to the original Resolution. In addition to the revised Resolution, the City will submit its proposed language to Sound Transit for their consideration on February 25, 1999 as to the LPA developed in conjunction with local businesses and agencies, referred to in Segment F (SeaTac).

Councilmember Hansen stated a Seattle Times newspaper article reported that King County Councilmember Cynthia Sullivan plans to propose redirection of funding to the southend light rail alignment. It also stated that Seattle Mayor Paul Schell and King County Executive Ron Sims are planning to propose a new position on the LRT. Councilmember Hansen stated that he feels the entire LRT project needs to be revisited. He suggested the light rail proceed down the Duwamish as originally proposed. This plan would provide good service to the airport and SeaTac. He added that the City's primary objective should be for the good of SeaTac and it appears that is not Sound Transit's concern. The alignment should be created in a spirit of cooperation with all parties involved.

City Manager Hoggard added that the Resolution's language allows for the City Council to respond to different alignment and siting of the LRT as deemed appropriate. Council discussion continued prior to voting on this Resolution.

Joe Dixon, Light Rail Ad Hoc Committee Chair, commented on the Resolution's language regarding the South SeaTac Station, Section A.7 "...in the vicinity of South 200<sup>th</sup> Street Station...." Councilmember Brennan suggested that the language should be "in the vicinity 'south' of South 200<sup>th</sup> Street." Mr. Dixon's second comment was on the City Center Station. He contacted residents on their opinion regarding a City Center Station. Most responded that this station should be included in the City's preferred alignment and used as a bargaining tool with Sound Transit. He added that the ad hoc committee is scheduled to meet January 11, 18 and 25 to work with staff on the elements of the Resolution.

MOVED BY STEVENSON, SECONDED BY BRENNAN TO PASS RESOLUTION NO. 99-007.\*

MOVED BY BRENNAN, SECONDED BY STEVENSON TO AMEND RESOLUTION NO. 99-007 UNDER SECTION A.7 TO INCLUDE "...IN THE VICINITY 'SOUTH' OF SOUTH 200<sup>TH</sup> STREET...."

AMENDMENT CARRIED UNANIMOUSLY.

\*ORIGINAL MOTION CARRIED UNANIMOUSLY AS AMENDED.

#### **ADJOURNMENT:**

MOVED BY DEHAN, SECONDED BY STEVENSON TO ADJOURN THE SPECIAL MEETING OF THE SEATAC CITY COUNCIL AT 8:14 P.M.

MOTION CARRIED UNANIMOUSLY.

Terry Anderson, Mayor  
Judith L. Cary, City Clerk

# SEATAC CITY COUNCIL REGULAR MEETING MINUTES

February 9, 1999 - 6:00 PM  
City Hall Council Chambers

## **CALL TO ORDER:**

The Regular Meeting of the SeaTac City Council was called to order by Mayor Terry Anderson at 6:04 p.m.

## **ROLL CALL:**

Present: Mayor Terry Anderson, Councilmembers Steve Stevenson, Frank Hansen, Kathy Gehring, Joe Brennan and Don DeHan. Absent: Councilmember Shirley Thompson.

## **ADMINISTRATIVE STAFF:**

Present: Calvin Hoggard, City Manager; Jay Holman, Assistant City Manager; Judith L. Cary, City Clerk; Robert L. McAdams, City Attorney; Elizabeth Spencer, Finance Director; Jim Downs, Fire Chief; Kit Ledbetter, Parks & Recreation Director; Lawrence Ellis, Recreation Supervisor; Ted Stensland, Police Sergeant; Steve Butler, Planning Director; Michael Scarey, Associate Planner; Holly Anderson, Senior Planner; Bruce Rayburn, Public Works Director; Dale Schroeder, Public Works Engineering Manager; Tom Gut, Public Works Project Engineer; and Julie Rodwell, Programs Manager.

## **FLAG SALUTE:**

SeaTac citizen Joe Dixon led the Council, staff and audience in the Pledge of Allegiance to the Flag.

## **PRESENTATIONS:**

### **Awards to Youth Art Exhibit Winners**

Recreation Supervisor Lawrence Ellis announced the winners of the Youth Art Exhibit as: Lisa Amua-Dunbar and Vitaly Petrik, Tyee High School students; and Alisha Chaudhri, Chinook Middle School student. Honorable Mentions: Phillip Catalan and James Domingo, Tyee High School students and Melissa Rogge, Chinook Middle School. Alisha Chaudhri and Melissa Rogge were present to receive their certificates. The winning artwork was shown to Council and the audience. The artwork will be displayed at the North SeaTac Community Center through the end of February.

### **Certificate of Appreciation to Police Sergeant Ted Stensland**

Mayor Anderson presented Sergeant Stensland with a certificate of appreciation from the City. He has been in law enforcement for 17 years, over 2 years spent at the City of SeaTac where he served as Administrative Sergeant. His new assignment is Administrative Sergeant to the King County Sheriff's Office Chief of Field Operations at the King County Courthouse. This move will prepare him for his anticipated promotion to Police Captain. Sergeant Stensland will be missed by the City Council, staff and citizens.

**RECESSED:** Mayor Anderson recessed the meeting for a farewell reception for Sergeant Stensland at 6:11 p.m.

**RECEPTION:** A reception was held for Police Sergeant Ted Stensland.

**RECONVENED:** Mayor Anderson reconvened the meeting at 6:22 p.m.

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

## **PRESENTATIONS (Continued):**

### **Joint Advisory Committee (JAC) Report**

Programs Manager Rodwell stated that the JAC met on February 3 along with support staff with discussion as follows:

1) the policing issue which there were both areas of agreement and disagreement between the City and the Port of Seattle (POS). The Port had wanted to go to arbitration but an agreement was made at this meeting to work out the issues at the staff level; 2) Sound Transit and Light Rail Transit (LRT) issues. The Port has been creating their Light Rail Resolution and the draft document was reviewed by the committee. Suggested changes were discussed and the

Resolution was revised: a) the alignment from the InterModal Center (IMC) at South 170<sup>th</sup> Street would be over the boulevard and the committee opposed this action without a station over the boulevard; b) language regarding a South 154<sup>th</sup> Street Station with the system to South 200<sup>th</sup> Street; and c) a connection from the City Center to the IMC Station. With those amendments, a first hearing was held last week and the Port's Resolution was adopted today; 3) the Port has requested a due date to the end of May to review the alignment between SR 518 and the IMC Station; 4) the need for dialogue with the Washington Memorial Cemetery Board of Directors regarding using an area for the system alignment; 5) as to the Airport roadway, a joint City and Port Transportation Study is in progress. The Port wants closure of a portion of South 170<sup>th</sup> Street due to roadway connection work for the IMC and the new North End Aviation Terminal (NEAT). This will need to be discussed in more detail. The JAC was opposed to closure of this key street; 6) as to the perimeter landscaping, a more detailed report is scheduled for March; and 7) in order not to get past the Statute of Limitations, the Port is planning to appeal the Surface Water Management (SWM) fees for 1995, 1996 and 1997. A refund of approximately \$300,000 is estimated as the airport has its own storm retention areas at the airport.

### **Parks Needs Assessments**

Parks & Recreation Director Ledbetter and Tom Beckwith, Beckwith and Associates presented Council with a project description. Mr. Ledbetter stated that 95 percent of the project has been completed. The Parks Needs Assessment is scheduled for completion within the next two to four months. The assessment is a proposal for the Capital Improvement Program (CIP) requests for 2000 to 2020. He reviewed with Council the CIP requests, work description and funding sources.

### **International Boulevard Phase III**

Public Works Director Rayburn briefed on the boulevard project background, divided into four phases. He outlined the project schedule dates of Phase I at South 170<sup>th</sup> to 188<sup>th</sup> Streets which commenced August 1993 and was completed in July 1996, Phase II at South 188<sup>th</sup> to 200<sup>th</sup> Streets which commenced March 1995 and was completed in March 1998 and Phase III at South 170<sup>th</sup> Street to 152nd Streets which commenced September 1998 with a projected completion date of April 2001, for a total of seven years, seven months. Phase IV, at South 200<sup>th</sup> Street to City limits of 216 Streets, was not outlined at this time.

Public Works Engineering Manager Schroeder reviewed the Phase III project. The design phase of this segment of the project commenced in September 1998 and is scheduled to be completed in December 1999 with construction to commence in March 2000 and completed in April 2001.

Public Works Project Engineer Gut outlined the Phase III project design elements and activities as follows: Business and Agency Workshop held October 8. The workshop participants brainstormed the key issues such as access (median openings, emergency access) to properties and parking with potential loss of on-street parking. Open House No. 1 was held on December 9, 1998 where the concept plan and the landscaping concept were presented to the public. Additional comments were heard regarding bicycle lane width and the need for signal pre-emption for emergency vehicles.

Staff will schedule focus meetings with other corridor businesses. Other meetings that staff has been attending are with the Washington State Department of Ecology (WSDOE), Fish & Wildlife (F&WL) and the City of Tukwila to review drainage requirements for Gilliam Creek area which have increased since Phase I and II due to stiffer water quality requirements in the King County SWM manual and enforcement of existing regulations by WSDOE and F&WL. Another change in this phase is the landscaping concept which incorporates continuity from Phases I and II with the addition of ornamental grasses. One issue discussed was business visibility with the impact of landscaping the median. Since this is a change from Phases I and II, staff is interested in Council's feedback to this new approach. There are many other area projects planned in this corridor such as Sound Transit's plans. The City is continuing with the development of the Phase III that is consistent with the City's Resolution on LRT. The POS is also proposing a major 35-acre car rental facility to be located behind the Bai Tong Restaurant. Staff has been discussing with POS staff as to how Phase III improvements can easily accommodate further improvements to meet increased traffic at the South 160<sup>th</sup> Street intersection. Regarding the City Center project, staff is researching how to accommodate potential future

access in the South 167 Street area. The WSDOT is conducting a SR 518 Study and is looking at the SR 518 corridor and the SR 99 interchange. Staff is examining Phase III improvements to marry up with potential interchange redevelopment. There are also a number of private developments. A major bank is exploring feasibility of locating a branch office in the project corridor and is concerned about parking and site access. There is a parking structure being proposed on the west side of the boulevard, north of the cemetery, with a concern as to drainage.

Mr. Schroeder outlined the upcoming activities as follows: The first milestone would be to complete the State Environmental Protection Agency (SEPA) checklist and submit to the Planning Department by the first week of March for their review and determination. Staff will continue to meet with business and property owners. Staff will be base mapping the corridor as well as locating existing utilities and gathering and analyzing traffic and accident data. Upon completion of the SEPA, a finalization will be made of the channelization plan based on public input and traffic analysis, which staff will report to Council. Also, an open house will be scheduled on the final concept design identifying rights-of-way needs. At this point, staff will be preparing the final design package for the contract bidding process and pursuing rights-of-way needs. Staff anticipates construction to begin in early spring 2000.

Council had concern about going forward with Phase III with the LRT issues still not finalized. Mr. Schroeder stated that staff has discussed this extensively and has decided to go through the SEPA process and at that point, the City will have a better concept of Sound Transit's intentions as to the LRT's location in the City.

City Manager Hoggard stated that this is a difficult issue with Sound Transit's LRT alignment and station still in the decision making process. Regarding Phase III, the City has made a strong point of not wanting the LRT on the boulevard. If Sound Transit does decide on the boulevard, the City and Sound Transit will be many issues to resolve.

Mr. Rayburn stated that the issue now is whether the Port can agree to the system on the west side of the cemetery in conjunction with the construction of the NEAT and IMC and reworking of the drives into the airport. The Port has committed to reach an answer by the first of May.

Councilmember DeHan stated he feels it is important to go through with the City's plans and design work that is forecasted for Phase III. We are negotiating with the Sound Transit Board as to our plans. Council agreed.

### **P-Suffix Research Findings**

Planning Director Butler stated that a great deal of work has gone into staff's research of the P-suffix. He gave a brief background on this topic. The research on the P-suffix issue was precipitated by the Moratorium on Multi-Family issues. He outlined the properties impacted by the P-suffix. There were four property categories: 1) properties with no issues; 2) properties with minor issues; 3) two parcels with potentially significant issues; and 4) three parcels with no information and no impact. Staff has discussed this topic with the Land Use, Parks, & Economic Development (LUPED) Committee on January 20 and the committee recommended all but two of the properties be dropped from further review.

Associate Planner Scarey discussed the two remaining properties. The first property is at 21212 International Boulevard where the P-suffix conditions specify that the property may only be used as an expansion of the existing retirement home on the property north of this parcel (UH-200). It is the direction of the LUPED Committee that staff pursues replacing a P-suffix to this parcel. The property owner has applied for a development permit. City Attorney McAdams stated the legal permitting issues on land usage of this parcel. An adoption of a similar King County P-suffix needs to be done by Council.

Molly Oyer, 21217 30<sup>th</sup> Avenue South, property located behind the parcel in question. She explained the history of ownership of this property. Russell Oyer stated that the parking is for a dozen cars in this area. The parcel in questions is one and three quarter acres.

Councilmember Hansen stated he believes that the LUPED Committee and the City Council want to be sure that staff legally replaces the P-suffix restrictions on this property.

Mr. Scarey outlined the second parcel, which are .9 acres of undeveloped sloping property, (UM-2400) with a



maximum development potential of approximately 16 units at 3215 South 146 Street. There are three conditions: access, view protection and building separation and height, which are not addressed in the City's Zoning Code but are of no substance. The LUPED Committee felt that these slight issues could be set aside and Council pursue the first site's P-suffix restrictions only.

#### **CONSENT AGENDA:**

- **Approval of claims vouchers** in the amount of \$311,147.60 for the period ending January 29, 1999.
- **Approval of claims vouchers** in the amount of \$540,544.36 for the period ending February 4, 1999.
- **Approval of employee vouchers** in the amount of \$467,573.25 for the period ending January 31, 1999.
- **Approval of firefighter vouchers** in the amount of \$315.00 for the period ending January 31, 1999.
- **Approval of summary of \$5,000 - \$25,000 purchase requests** for the period ending February 5, 1999.

#### **Approval of Council Minutes:**

- **Regular Council Meeting** held January 26, 1999.
- **Special Council Meeting** held February 2, 1999.

#### **Acceptance of Advisory Committee Minutes:**

- **Planning Advisory Committee Meeting** held December 14, 1998 (approved by this committee February 1, 1999).

MOVED BY BRENNAN, SECONDED BY DEHAN TO ACCEPT THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY.

#### **NEW BUSINESS:**

##### **Agenda Bill #1618; Ordinance #99-1005**

##### **An Ordinance amending the Zoning Code relating to Group Residential Facilities - Planning**

**Summary:** The proposed amendments clarify the City of SeaTac Zoning Code's regulations regarding group residential facilities in order to bring the Code into compliance with Federal and State Fair Housing laws. The proposed amendments will clarify existing definitions and add new definitions in order to encompass all possible types of group living arrangements, including group homes for the disabled and for children, halfway houses, and overnight shelters. This action will revise the land use classification charts regarding the location of these uses. These changes will ensure compliance with State law requiring that Adult Family Homes, a special type of group home, be permitted in all single-family residential zones. The changes also add a "reasonable accommodations procedure" for disabled persons to ensure compliance with Federal law, as interpreted in recent court cases. Amendments will also update parking and landscaping requirements to correspond to the newly defined uses and add a new section summarizing the City's approach to group homes to facilitate understanding of the Code.

MOVED BY BRENNAN, SECONDED BY DEHAN TO ADOPT ORDINANCE NO. 99-1005.\*

Planning Director Butler briefed Council on the above summary on group homes and stated that this presentation is to clarify the issues covering this topic questioned at the February 2 Study Session.

Senior Planner Anderson reviewed the most recent revisions to the proposed Zoning Code amendments; the definition of "family"; and the new changes to the "reasonable accommodation" process. If all changes meet with public interest, the staff would recommend approval of some or all of the proposed amendments. Ms. Anderson outlined the minor changes made to the originally proposed Ordinance. The current definition of family is 1) an individual or two or more persons related by blood, marriage, or adoption; or 2) a group of not more than five persons who need not be related by blood or marriage living together in a dwelling unit. Staff proposes a third part to the definition of family for clarity: 3) a group of no more than three unrelated persons and any number or related persons, living together in a dwelling unit.

Council and staff discussion ensued as to the definition of family and the number of persons living in a single-family home. The current definition allows any number of related persons, short of complaints of violating safety standards in

the Uniform Housing Code. The definition allows up to five unrelated persons in a dwelling. However, the definition is unclear as to the number allowed when related plus unrelated persons occupy a dwelling. The proposed amendment would clarify the point by allowing a maximum of three unrelated persons with any number of related persons.

Linda Snider, 18700 38<sup>th</sup> Avenue South, stated that her family has always had any number of people in need of shelter living with them. She feels the proposed amendment limits use of homes to those in need.

Upon a question posed by Councilmember DeHan, Mr. McAdams stated that the City's Zoning Code does not address temporary residents' length of stay in a home as some Cities do.

Concern was variously expressed as to why the number of persons should be limited at all, and, on the other hand, that an unlimited number of related persons could result in neighborhood problems such as excessive vehicles per household.

Mr. Hoggard stated that this amendment to the Ordinance would be a tool to use if complaints or problems occur. The standard is already in the Code, but is ambiguous and needs clarification.

Russell Oyer suggested that the definition could be simplified to the following: "an individual or two or more persons, residing in a dwelling where no resident within the dwelling, shall have more than four other residents not related by blood, adoption or marriage."

MOVED BY GEHRING, SECONDED BY HANSEN TO AMEND THE ORIGINAL MOTION TO SET ASIDE THE DEFINITION OF "FAMILY" UNTIL LEGAL DETERMINATION CAN BE MADE.

AMENDMENT CARRIED UNANIMOUSLY.

\*ORDIGNAL MOTION CARRIED UNANIMOUSLY AS AMENDED.

#### **Agenda Bill #1654; Resolution #99-008**

#### **A Resolution extending the Moratorium on acceptance of Development Permits which relate to new Construction of Gasoline/Service Stations (Use No. 109) – Legal**

**Summary:** This Resolution establishes an additional thirty day moratorium on acceptance of development and building permits relating to gasoline/service stations pending study and possible recommendations for amendments to zoning and development regulations by City staff and the Planning Advisory Committee.

The [SCode \( RCW](#) permits 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. The Council is concerned that existing zoning and development regulations may not be sufficient to ensure that gasoline/service station facilities will be consistent with the public interest, and will be compatible with surrounding neighborhoods.

Staff makes no recommendation inasmuch as the subject moratorium was initiated by Councilmanic request. Adoption of the proposed Resolution may result in some fiscal impact by reason of delayed receipt of permit fees.

MOVED BY DEHAN, SECONDED BY GEHRING TO PASS RESOLUTION NO. 99-008.\*

Upon a question posed by Councilmember Gehring regarding the need for the extension, City Attorney McAdams explained the time schedule of this moratorium. The Planning staff has proposed a number of standards, which have been reviewed by the committee. The problem is that when the development regulations are amended under the Group Management Act (GMA), there are a number of steps that need to be followed. The moratorium has to have findings of fact after a public hearing to be held not more than 60 days after the date of the moratorium. Had it been possible to impose those new standards before that, the moratorium could have been rescinded. The State law requires that there be at least 60 days notice to the Department of Commerce Trade and Economic Development. The notice was sent and

now final action cannot be taken on development regulation amendments until the regular Council Meeting of April 13, 1999. There is an effective date on the end of the Ordinance so that it is necessary to extend this moratorium 95 days from today's date if Council desires to go forward with the amendment to the regulations before a project application is submitted.

\*MOTION FAILED UNANIMOUSLY.

### **Agenda Bill #1656; Ordinance #99-1006**

#### **An Ordinance amending the 1999 Annual Budget for Increased Human Services Funding - Finance**

**Summary:** On January 26, the City Council approved Agenda Bill No. 1635, a Resolution authorizing expenditure of one percent of General Fund operating revenues for Human Services contracts in 1999. The funding recommendations were amended to eliminate \$18,720 for a Community Advocacy Intern, but to restore \$36,000 in funding to Domestic Abuse Women's Network (DAWN). These changes require a budget amendment to provide sufficient appropriation authority. At its February 8 meeting, the Ways and Means (W&M) Committee recommended approval of this budget amendment.

Programs Coordinator Assefa-Dawson presented 1999 Human Services funding recommendations to the City Council at its January 19 Study Session. Several questions were raised regarding the recommendation to eliminate funding of the Domestic Abuse Women's Network (DAWN) Community Advocacy program and to replace this with a three-quarter time Community Advocacy Intern position for the City, at a projected savings of nearly \$18,000. At the January 26 Regular Council Meeting, the Council approved these recommendations as amended to eliminate the Community Advocacy Intern position and to restore funding to the DAWN community advocacy program in the amount of \$36,000. These changes increase the total Human Services' funding by the City from \$182,232 to \$199,512 and require an increase in the General Fund 1999 Budget of \$ 17,280.

MOVED BY BRENNAN, SECONDED BY GEHRING TO ADOPT ORDINANCE NO. 99-1006.\*

Councilmember Gehring stated that this issue was discussed at the W&M Committee on February 8 and recommend this amendment to the Human Services Funding. City Manager Hoggard reviewed the above summary regarding the amendment. The Council's Ad Hoc Committee on this budget funding met with DAWN representatives and a decision was made to restore the funds to DAWN and to approach the agency with conditions of performance as per the contract and to require quarterly reports. If the response is affirmative, the contract would stay in place. If the conditions were refused, the Council would decide on an alternative approach. Mr. Hoggard recommended this course of action.

Councilmember Brennan stated that Councilmember Hansen and he met with DAWN representatives and it was decided to keep funding the DAWN Advocate position. They will also meet with DAWN management and work on the details of accountability and will also be reviewing the programs.

\*MOTION CARRIED UNANIMOUSLY.

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

**CITY MANAGER'S COMMENTS:** City Manager Hoggard stated that on February 11 at 4:30 p.m. there will be a continuation of the Council Workshop on City Center issues.

#### **COUNCIL COMMENTS:**

Councilmember Gehring stated that the February 8 W&M Committee meeting issues were discussed or acted upon at this Council Meeting.

Mayor Anderson had the following items of business: 1) Code Enforcement Ad Hoc Committee Chair Steve Stevenson has requested Council review and return the committee's draft recreational vehicle (RV) parking proposal to the City Manager by February 17; and 2) Mayor Anderson submitted, for Council review, her letter to Auburn Mayor Charles Booth concerning Regional Finance and Governance issues and related problems between this agency and the

Suburban Cities Association (SCA). She has requested SCA enlist the help of Stan Finkelstein, Director of the Association of Washington Cities (AWC), to mediate the discussion.

**RECESSED:**

Mayor Anderson recessed the Regular Council Meeting to an Executive Session on Personnel Issues at 8:07 p.m.

**EXECUTIVE SESSION: Personnel Issues**

**RECONVENED:**

Mayor Anderson reconvened the Regular Council Meeting at 9:30 p.m.

**ADJOURNMENT:**

MOVED BY DEHAN, SECONDED BY BRENNAN TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 9:31 P.M.

MOTION CARRIED UNANIMOUSLY.

Terry Anderson, Mayor  
Judith L. Cary, City Clerk

# SEATAC CITY COUNCIL REGULAR MEETING MINUTES

February 23, 1999 - 6:00 PM  
City Hall Council Chambers

## **CALL TO ORDER:**

The Regular Meeting of the SeaTac City Council was called to order by Mayor Terry Anderson at 6:03 p.m.

## **ROLL CALL:**

Present: Mayor Terry Anderson, Councilmembers Steve Stevenson, Shirley Thompson, Frank Hansen, Kathy Gehring, Joe Brennan and Don DeHan.

## **ADMINISTRATIVE STAFF:**

Present: Calvin Hoggard, City Manager; Jay Holman, Assistant City Manager; Kristina Lowrey, Deputy City Clerk; Robert L. McAdams, City Attorney; Elizabeth Spencer, Finance Director; Jim Downs, Fire Chief; Kit Ledbetter, Parks & Recreation Director; Frank Kinney, Chief of Police Services; Greg Dymerski, Administrative Police Sergeant; Bruce Rayburn, Public Works Director; Julie Rodwell, Programs Manager; and Steffanie Owens, Senior Secretary.

## **FLAG SALUTE:**

Councilmember Thompson led the Council, staff and audience in the Pledge of Allegiance to the Flag.

## **PUBLIC COMMENTS:**

Christine D. Perez, Federally Employed Women's Program Manager at the Federal Detention Center, 2425 South 200<sup>th</sup> Street, spoke on behalf of the proposal for an around-the-clock childcare facility in SeaTac. As a correctional facility, the Detention Center operates 24-hours a day, seven days a week. Several employees are required to work the late evenings, weekends, holidays, and early morning hours. The correctional officers must regularly rotate through all three shifts. Finding affordable, quality, childcare during these hours is stressful, challenging, and at times, impossible. Several employees have relocated to this facility from other areas of the Country and do not have a network of friends or family to rely upon for childcare during these hours. Having a 24-hour childcare facility in SeaTac would be beneficial to the community, employers, employees, and to the children themselves. Absenteeism would be reduced due to childcare conflicts, if not totally eliminated.

Mayor Anderson stated that she had spoken with Ron Sims, King County Executive, regarding this issue and she will contact Ms. Perez.

## **INTRODUCTIONS:**

### **Introduction of New City Hall Employees**

City Manager Hoggard introduced the new City Hall Employees: Greg Dymerski, Administrative Sergeant; and Steffanie Owens, Senior Secretary. Sergeant Dymerski has been with the King County Sheriff's Office for 15 years; over two years as a Sergeant. He has experience in many areas of Police service including bicycle patrol and as a detective. In 1996 he was a Detective for SeaTac. He is a Portland State University graduate and an avid sports enthusiast. He is married and has three children. Ms. Owens worked for the City in a temporary capacity while Public Works Engineering Secretary Sandi Hutchinson was on maternity leave. She now has a permanent position with the City Manager's Office where she provides support for them as well as the Building Division and the City Clerk's Office. She is married and has two children.

## **PRESENTATIONS:**

### **Fourth Quarter 1998 Financial Report**

Finance Director Spencer stated that the City has now made all year-end adjustments to 1998 financial information and are awaiting audit by the State Auditor's Office. The General Fund year-end totals of \$20.4 million in revenue and \$19.0 million in expenditures resulted in a \$2.8 million favorable variance when compared to the 1998 Budget. Undesignated fund balance of the General Fund totals \$8.3 million after a reduction in 1998 expenditures carried over to the 1999 budget. This fund balance is \$2 million over budget and \$1.1 million more than the estimate included in

the 1999 Budget adopted by Council in November. Year-end financial results were also provided for the following funds: City Street, Arterial Street, Municipal Facilities Capital Improvement Plan (CIP), Transportation CIP, Surface Water Management (SWM) Utility and SWM Construction. Parking tax of \$4.5 million was collected in 1998, falling short of budget projections by about \$500,000. The Transportation CIP and SWM Construction funds account for multi-year capital projects. Expenditures are significantly below budget in both funds due to that fact that the budget amount is the total future funding to complete the project. Actual expenditures only account for the work completed during the current fiscal year. Now that the City has implemented a CIP into the annual budget process, these funds are budgeted starting in 1999 to reflect only those expenditures anticipated during the fiscal year. The CIP identifies the expenditures anticipated in future years. In response to a question from Mayor Anderson, Ms. Spencer stated that Port of Seattle SWM fees account for 30-40 percent of the total SWM fees collected in the utility fund.

Ms. Spencer presented copies of the formal 1999 Budget document to Council.

### **Light Rail Update**

Programs Manager Rodwell briefed Council on what will happen on February 25 with the Sound Transit Board's decision. Councilmembers DeHan and Stevenson and Ms. Rodwell attended the February 19 Executive Committee meeting where Councilmember DeHan spoke during public comments about the City's objectives, and Councilmember Stevenson read a speech into the record from Senator Julia Patterson who was unable to attend. Councilmember DeHan also delivered suggested language for the SeaTac portion of the Light Rail Resolution. Ms. Rodwell has also been talking with King County Executive Ron Sims's office. There were two possible SeaTac amendments that went between the Port, the City, Mr. Sims, and the boardmembers. Today a suggested amendment was prepared. The language they had was directly from the staff's recommendation and did not address the City's needs. Mr. Sims, and King County Councilmembers Rob McKenna and Jane Hague are sponsoring the proposed amendment, which is closely parallel with the Council's Resolution.

City Manager Hoggard stated that this amendment is positive in two ways: 1) Port's agreement; and 2) the City is not asking for additional money. The South 154<sup>th</sup> Street Station is being eliminated in place of the City Center station. The City Center station is being proposed slightly south of the originally proposed location.

Council discussion ensued regarding the South 154<sup>th</sup> Street Station, and Growth Management Act (GMA).

Joe Dixon, Committee Chair, commended Ms. Rodwell on her work. The committee has met two times since January 19. The Essential Public Facilities (EPF) Ordinance adopted in August 1998 set up the review process that included the formation of the Ad Hoc Committee and a very complicated review criteria. That complicated review criteria was condensed for the committee and stated that the EPFs should be consistent with the availability of physical restraints of the land, basic infrastructure standards, SeaTac's Comprehensive Plan, the applicable City jurisdictional agreements, and the mitigation of likely environmental impacts. The difference between the City's position and the Sound Transit's Draft Environmental Impact Statement (DEIS) leaves the Ad Hoc Committee attempting to address the preceding items mentioned. The committee has decided to take a break until a decision has been made as to the light rail routes and station locations. The next committee meeting is scheduled for March 11.

Council discussion ensued regarding the proposed site of the City Center Station.

### **CONSENT AGENDA:**

**Approval of claims vouchers** in the amount of \$253,278.30 for the period ending February 19, 1999.

**Approval of employee vouchers** in the amount of \$315,392.19 for the period ending February 15, 1999.

**Approval of summary of \$5,000 - \$25,000 purchase requests** for the period ending February 19, 1999.

### **Approval of Council Minutes:**

**Study Session** held January 19, 1999.

**Joint City Council / Port Commission Meeting** held January 26, 1999.

**Study Session** held February 2, 1999.

### **Acceptance of Advisory Committee Minutes:**

**Civil Service Commission Meeting** held November 9, 1998 (approved by this commission February 8, 1999).

**Human Relations Advisory Committee Meeting** held January 14, 1999 (approved by this committee February 11, 1999).

**Human Services Advisory Committee Meeting** held January 4, 1999 (approved by this committee February 8, 1999).

**Approval of the following Ordinance and Motions recommended at the February 16, 1999 Study Session for placement on this Consent Agenda:**

**Agenda Bill #1655; Ordinance #99-1007**

**An Ordinance amending the 1999 Annual Budget for 1998 Carryover Items - Finance**

**Summary:** This Ordinance allows for appropriation authority in 1999 for expenditures budgeted in 1998 which were not completed. Budget carryovers occur when money budgeted for a particular year goes unspent and is then re-appropriated in the subsequent year's budget. During the 1999 Annual Budget preparation process, several carryovers were identified and included in the 1999 Budget adopted by Council in November. This budget Ordinance is to revise those carryovers and provide for carryovers that were not included in the 1999 Adopted Budget. The carryovers which were not included in the original 1999 budget requests were too difficult to estimate or completion of the project was still anticipated by the end of 1998.

Professional Services: The unspent portion of the 1998 budget for City Manager professional services is requested for carryover, due in large part to the commitment of funds for Melody McCutcheon's services as mediator for Port/City Interlocal Agreement (ILA) implementation. Other consulting services such as lobbying and public relations are paid from this line item as deemed necessary.

Madrona Elementary Play Equipment: The 1999 Adopted Budget included carryover of \$13,770 which was included in the 1998 budget. Community Development Block Grant (CDBG) funds provided for this project total \$22,800. This Ordinance increases CDBG grant revenue and the aforementioned expenditure account by \$9,030 to reflect the total amount allocated.

Computer Hardware: The 1998 Budget included \$1,600 to purchase a computer and monitor for a new float secretary position that was frozen due to the property tax revenue shortfall. This position was included in the 1999 Budget, and the computer purchase is requested for carryover.

Crystal Reports Training: Training was anticipated for December 1998 but could not be completed until January 1999, requiring carryover of the registration costs.

Police - Laptop Computer Stands: As part of the purchase of laptop computers for Police vehicles, the City must buy specially designed stands from the County. King County has not yet billed the City for the stands, so the carryover request is made to allow for the payment in 1999.

JEMS System: The joint purchase with Burien of a Jail Electronic Mugshot System (JEMS) to be located at the police precinct was delayed until 1999. The purchase is funded with 1998 Bureau of Justice Administration (BJA) grant funding, so revenue is being carried over as well, resulting in no impact to the fund balance of the General Fund.

Criminal Justice Area #1 Monies: Criminal Justice Area #1 monies are received annually. Expenditure of these funds is restricted to the use of innovative technology for criminal justice purposes. The carryover requested is the amount of funds received for 1998 that was not spent but is restricted as to its use.

Parks Needs Assessment: Carryover requested for work not yet completed.

Park Facility Equipment: Recycle bins included in the 1998 budget were ordered but have not yet been received.

Consulting Services: The City has hired Berryman and Henigar as planning consultants to provide development review of project proposals during peak load periods and possibly for expedited development review. The Planning Department requests carryover of 1998 salary vacancy savings and unspent professional services funding to continue

use of Berryman and Henigar's services in 1999, on an as needed basis, up to a maximum amount of \$25,000.

City Hall Improvements: In September of 1998, the Council approved improvements to the City Hall totalling \$33,500. The majority of the work, including construction, has been completed in 1999. This carryover represents the portion of the improvement costs delayed until 1999.

Transit Planning Fund: The 1998 Budget allocated \$2,500 for office furniture and \$2,000 for computer software that was not purchased but is requested for carryover. These expenditures are funded from the Sound Transit Memorandum of Understanding (MOU) intergovernmental revenues.

10 Yard Dump Truck: This purchase was budgeted in the Equipment Rental Fund. The truck was ordered in March of 1998, but the City did not take delivery until last month.

Capital Project Funds: The 1999 Budget preparation process included development of the City's first CIP. Capital projects are budgeted for multiple years based on the estimated amount of work expected to be completed each year. Expenditures for 1998 were estimated in developing the CIP. Adjustments are now necessary to adjust the 1999 Budget amount for actual expenditures incurred in 1998, as compared to the amount estimated in the CIP. These adjustments affect the Transportation CIP Fund and the SWM Construction Fund.

These adjustments do not impact the total project cost reported in the Capital Improvement Plan.

#### **Agenda Bill #1647**

#### **A Motion authorizing the purchase of a replacement Command Vehicle and declaring a 1983 Chevrolet Caprice surplus - Fire**

**Summary:** The 1983 Chevrolet Caprice, currently utilized as an inspector's vehicle, is aged and is no longer reliable. This purchase will allow rotation of vehicles and the surplus of the 16 year old Caprice. This purchase is included in the Apparatus Replacement Plan, the City CIP, and the 1999 budget. Fire District No. 24, prior to the City's incorporation, purchased the 1983 Caprice. It is well beyond its expected life, has become unreliable, and requires extensive repairs.

The 1999 Suburban will be placed in service as a first line emergency response Command Vehicle for the on duty Shift Commander. This will move an older Suburban from first line command to reserve. The current reserve Command Vehicle will replace the 1983 Caprice as an inspector's vehicle, and the Caprice will be surplus. The fire Department has a nine-year replacement cycle which exceeds the City's seven-year replacement schedule. The new Suburban will be purchased utilizing the Washington State contract award process. The State has gone to bid and has awarded a contract for utility vehicles with an estimated total worth of \$8,000,000. This allows the City to purchase vehicles at substantial savings and eliminates the need to go to formal bid.

This vehicle and required emergency response equipment, has been approved in the 1999 budget. A total of \$50,540 was budgeted for this purchase. The estimated cost of the vehicle including taxes and fees is \$33,324.17. The required emergency equipment to be installed in the vehicle will be purchased within the remaining \$17,215.

#### **Agenda Bill #1640**

#### **A Motion approving a proposal for the Neighborhood Street Tree Planting Program - Parks & Recreation**

**Summary:** Staff has been working with King Conservation District to develop a conservation program that would be financed by the City's portion of Conservation District's funds. King Conservation District collects money per tax parcel and a certain portion is set aside for conservation use in SeaTac. SeaTac has approximately \$16,000 in the account and receives approximately \$4,000 annually. Staff would like to use the Conservation District money to fund the proposed Neighborhood Street Tree Planting program.

Staff was directed at the January 5 Study Session to further discuss this proposal with the Land Use, Parks & Economic Development (LUPED) Committee. The LUPED committee recommended this proposal be brought back to the Council for approval.



Brian Thompson, a SeaTac resident, spoke with Parks & Recreation Director Ledbetter a few months ago to express his desire to plant trees in his neighborhood. Mr. Thompson had read about a program in Seattle called "Treemendous Seattle." A component of this program is the planting of street trees. Mr. Ledbetter was interested in helping Brian and contacted "Treemendous Seattle" staff to obtain more information. The City of Seattle funds the program and does not go outside Seattle City limits. Pursuit of a similar program would, therefore, require the identification of a funding source.

Mr. Thompson then contacted King Conservation District to discuss how it could help with his tree planting idea. King Conservation District staff contacted Mr. Ledbetter regarding how to work together on this issue. Staff gathered information on street tree planting guidelines and developed a draft contract with King Conservation District.

The proposal includes working with neighborhood groups to plan, educate, and assist citizens with the planting of street trees. The proposed planting program would take place in the spring and fall with a maximum of 50 trees planted during each season. Staff proposes dividing the City into approximately 10 neighborhoods and planting the same type of trees in each neighborhood.

**MOVED BY BRENNAN, SECONDED BY THOMPSON TO ACCEPT THE CONSENT AGENDA AS PRESENTED.**

**MOTION CARRIED UNANIMOUSLY.**

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

**CITY MANAGER'S COMMENTS:** City Manager Hoggard had the following items of business: 1) request from Public Safety & Justice (PS&J) Committee to report on what has occurred with the ambulance services billing issue. The City received notice from AMR that they have increased their base rate from \$316 to \$340 effective January 1, 1999. Both King County and TriMed have not increased their rates. The contract with all three of these operators requires them to keep their rates the same. It is a violation of the contract to increase rates. PS&J discussed this briefly and directed Mr. Hoggard to prepare a letter to AMR indicating that the City considers this a contract violation and that the City would not accept rate increases at this time; and 2) asked Public Works Director Rayburn to brief Council on the status of the signal at South 200<sup>th</sup> Street.

Mr. Rayburn stated that much interest has been expressed in revising the traffic light at South 200<sup>th</sup> Street and Military Road. The City received a fax February 22, from the Washington State Department of Transportation (WSDOT) outlining the scope of work. Work will begin February 25 and be completed on March 4 with the work hours limited between 9:00 a.m. and 2:30 p.m.

Mayor Anderson questioned the improvements to South 188<sup>th</sup> Street and why it is taking so long. Mr. Rayburn stated that the debris under the road was discovered in the trench across South 188<sup>th</sup> Street when the first trench was installed to accommodate the Port of Seattle on the upgrade of their south substation. That trench became twice the depth that it needed to be because they had to take out the inferior material and replace it with material that could accommodate a concrete slab. They are now in preparation of doing the second trench, which is east of the first one. Three trenches were to be installed but the City is reviewing a way to combine the second and third trench into one. The contract time will be up in mid-May.

**COUNCIL COMMENTS:**

Councilmember Stevenson stated that PS&J met February 22 where he posed a question for Police and Fire to look into the possibility of training for "Stop, Look, and Listen" that could be administered to elementary schools. PS&J also discussed the proposed bicycle helmet Resolution, the district court contract, ambulance billing, ambulance standard inspection, and a joint Self Contained Breathing Apparatus (SCBA) testing equipment discussion with Federal Way. He stated that after going to Olympia to learn some information, he was asked to participate in a panel regarding the Gambling Commission. He asked the Council if they would like him to represent the City on this issue. After some discussion, Council concurred.

Councilmember Gehring stated that she had heard of a TV special on taxes and she would like to see if it would be possible to get a copy of the segment. The segment was on Channel 4, February 22, at 5:30 p.m.

Councilmember Thompson complimented Councilmember Stevenson for going to Olympia. She stated that local elected officials have an impact in Olympia. She requested that the City support House Bill Nos. 2177 and 2154 which are for local control on casino issues. She addressed the comments made by Mr. Dixon. She stated that she has no problem with the ad hoc committee taking a break. She thinks that the City needs to review Personal Rapid Transit (PRT). PRT will be the City's long term answer to connecting the stations and connecting the people from the station across International Boulevard to the businesses on the east side of International Boulevard, connecting the neighborhoods, the parking lots, and other places outside the City. It still is not a proven or cost effective vehicle, but she stated her belief in it.

Councilmember Hansen stated that he agrees with Councilmember Thompson regarding testifying in Olympia but he is concerned with Councilmembers attending a session in Olympia as a representative of the City without getting Council approval first.

Councilmember Brennan reiterated his feelings on LRT: 1) there is no elected City official on the Council; 2) the track will go through the City with few advantages; 3) it will not serve the needs of the people of the City; and 4) he opposes LRT and he feels that the City should sue.

Councilmember DeHan stated that he attended the Senior Council Meeting on February 19 where one of the items discussed was membership on the Sound Transit Board. There is one member on the board for every 145,000 people. The boardmembers are appointed by the County Executives.

Mayor Anderson discussed the following items: 1) she attended a Human Services Roundtable Meeting earlier today regarding how to help with the problem of homelessness. It was broken down into topics: a) homelessness caused by domestic violence; and b) not affordable housing at the first level or transitional housing; 2) 24-hour daycare - The City has an opportunity to have 24-hour daycare. Monies are available from the Federal Government from a new bill; and 3) work for success program video - The City of Kent has already done this video. They brought in the businesses, both large and small, the Human Services Organizations located in Kent, and the people from the Regional Justice Center (RJC) and had a discussion about what to do about Temporary Assistance for Needy Families (TANF). The video is going to be scheduled for SeaTac's viewing by the end of March.

**ADJOURNMENT:**

MOVED BY BRENNAN, SECONDED BY DEHAN TO ADJOURN THE REGULAR COUNCIL MEETING OF THE SEATAC CITY COUNCIL AT 7:32 P.M.

MOTION CARRIED UNANIMOUSLY.

Terry Anderson, Mayor  
Kristina Lowrey, Deputy City Clerk

# SEATAC CITY COUNCIL REGULAR MEETING MINUTES

March 9, 1999 - 6:00 PM  
City Hall Council Chambers

## **CALL TO ORDER:**

The Regular Meeting of the SeaTac City Council was called to order by Mayor Terry Anderson at 6:04 p.m.

## **ROLL CALL:**

Present: Mayor Terry Anderson, Councilmembers Steve Stevenson, Shirley Thompson, Frank Hansen, and Kathy Gehring. Absent: Councilmembers Joe Brennan and Don DeHan.

## **ADMINISTRATIVE STAFF:**

Present: Calvin Hoggard, City Manager; Jay Holman, Assistant City Manager; Judith L. Cary, City Clerk; Robert L. McAdams, City Attorney; Jim Downs, Fire Chief; Steve Butler, Planning Director; Bruce Rayburn, Public Works Director; and Julie Rodwell, Programs Manager.

## **FLAG SALUTE:**

Councilmember Gehring led the Council, staff and audience in the Pledge of Allegiance to the Flag.

## **INTRODUCTIONS:**

### **Introduction of New City Hall Employee**

City Manager Hoggard introduced Susan Schubert, Senior Secretary in the City Manager's Office. Ms. Schubert joined the City staff on February 16, with over seven years of Municipal Government experience. She was Executive Secretary to the Mayor and Council for the City of Bullhead, Arizona and later held a temporary project/floater position with the City of Federal Way, serving various departments. Ms. Schubert will be assisting Programs Manager Julie Rodwell. The Council welcomed her to the City Hall staff.

## **CONFIRMATION OF APPOINTMENT:**

Mayoral Appointment of Frank Josie as a member of the Parks, Arts, & Recreation Advisory Committee

**MOVED BY THOMPSON, SECONDED BY HANSEN TO CONFIRM THE MAYORAL APPOINTMENT OF FRANK JOSIE AS A MEMBER OF THE PARKS, ARTS AND RECREATION ADVISORY COMMITTEE.**

**MOTION CARRIED UNANIMOUSLY.**

Deputy Mayor Thompson read the certificate and Mayor Anderson presented the certificate to Mr. Josie and thanked him for volunteering his service to the City.

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

## **PRESENTATION:**

### **Briefing on Highline Water District and Water District No. 125 Water Service Issues**

Keith Harris, Highline Water District Manager of Construction and Engineering, opened the briefing by stating that the water district has been serving the southwest metropolitan area since 1946. He briefed on the district's background and its growth of service areas. The district has 258 miles of water main. One of its priorities is to eliminate the steel main due to water loss with corrosion and replace it with a state of the art iron piping with a 75 to 100 year life span. The project is near completion. The district's service consists of 88.25 percent residential. The 11 percent commercial accounts for 48 percent of the district's income with the largest service to the Federal Detention Center. District customers consists of a quarter in SeaTac, quarter in Des Moines and the rest in Burien, Normandy Park, Federal Way, Kent, Tukwila and unincorporated King County. He briefed on their budget, Capital Improvement Program (CIP) and use of funds. Regarding the five-percent increase in water rates to SeaTac customers this past year, Mr. Harris stated that Seattle is the district's main source of waterpower and have increased their rates by 40 percent.

Mr. Harris highlighted some of the district's major programs such as: 1) a water main cleaning program of 11 to 12 miles a year to provide quality water; 2) a state of the art system to control pump stations; 3) an auto-cad mapping system integrated with the City of SeaTac's geographic information system (GIS); 4) an up-to-date hydraulic modeling used for in-flow testing; 5) new billing system; 6) an education program is being implemented in local schools; and 7) the hiring of a conservation education coordinator. The District's goal is to work together with the community to reduce cost, save time, increase accuracy, and build cooperation.

Mr. Harris reported on the status of the two current construction programs: 1) the former Crestview Elementary School site is being readied for demolition; and 2) the water main design is in the State Environmental Protection Agency (SEPA) process with 15 easements to be acquired. Construction is scheduled for late summer 1999.

Lastly, he distributed the water district's annual report and a letter to the City from its attorney, Brian K. Snure, Snure Law Office, with concerns regarding the City's franchise agreement with the Port of Seattle to operate various utility systems in the City.

Councilmember Thompson stated that the main concern is increased water user rates for programs issued through government decision-making.

Russ Austin, Water District No. 24, briefed on the water district, which is located north of the airport, with 3,200 customers and 50 miles of pipeline. Approximately 60 percent of the service area is in Tukwila, 40 percent in SeaTac and 200 customers in Skyway. The district was formed in 1930 and gradually increased its local service areas over the years. The district is approximately one sixth the size of Highline Water District with its water supplied by the City of Seattle, with two small inter-ties for emergency use only. He outlined the district's goals and objectives, water purchase, sales and users. He will supply the City with a copy of its Comprehensive Plan.

#### **City / Port Joint Advisory Committee (JAC) Update**

Programs Manager Rodwell briefed the Council on JAC's March 3 meeting. Several topics were discussed: 1) Sound Transit Board's Light Rail Preferred Alternative decision and the City's follow through direction for staff: a) organize a meeting of business owners in the rail corridor, which is underway. The Port is invited to attend; b) an interest in a shuttle along 32<sup>nd</sup> Avenue South to South 200<sup>th</sup> Street; and c) the City Center Station. The JAC provided a memo to the Port regarding an interlocal agreement (ILA) commitment to keep the Port informed about the use of the community relief monies; 2) the street vacation and community relief monies have been placed into one fund. The Port would like the monies to be itemized separately with interest also recorded separately. The City's Finance Department will work up options to accommodate this request; 3) there was some public confusion among City residents and King County Councilmembers regarding the ILA goals and objectives, particularly the use of the \$68 million between the Port and the City and City Parking Tax revenue essential to Port transportation activities; 4) The next JAC meeting is scheduled for May 11, 1:30 - 3:30 p.m. at the airport. This will allow time for decision-making on the rail location east or west of the cemetery issue. Sound Transit staff will be invited to the meeting; and 5) policing issues were discussed and it was agreed that some items would go to arbitration. This took place later in the day.

Councilmember Thompson suggested that the May 11 meeting be held somewhere other than the airport and the participant seating be arranged in a more conducive conversational setting. Mayor Anderson suggested that it not be held at City Hall due to the lack of parking availability during the daytime working hours. Ms. Rodwell will pursue alternative sites.

City Attorney McAdams commented on the letter from Snure Law Office regarding Agenda Bill No. 1643. Without more details as to the their concerns, it is difficult to make an evaluation. Mayor Anderson suggested this item be taken from the Consent Agenda and placed under New Business for discussion. Council concurred.

#### **CONSENT AGENDA:**

**Approval of claims vouchers** in the amount of \$214,374.58 for the period ending February 26, 1999.

**Approval of claims vouchers** in the amount of \$398,539.56 for the period ending March 4, 1999.

**Approval of employee vouchers** in the amount of \$492,254.33 for the period ending February 28, 1999.

**Approval of firefighter vouchers** in the amount of \$600.00 for the period ending February 28, 1999.

**Approval of summary of \$5,000 - \$25,000 purchase requests** for the period ending March 5, 1999.

**Approval of Council Minutes:**

**Study Session** held February 16, 1999.

**Regular Council Meeting** held February 23, 1999.

**Study Session** held March 2, 1999.

**Acceptance of Advisory Committee Minutes:**

**Planning Advisory Committee Meeting** held January 11, 1999 (approved by this committee February 22, 1999).

**Senior Citizen Advisory Committee Meeting** held January 14, 1999 (approved by this committee February 11, 1999).

**Approval of the following Ordinances and Motions recommended at the March 2, 1999 Study Session for placement on this Consent Agenda:**

**Agenda Bill #1643** (*This item was removed from the Consent Agenda as per above Council request.*)

**An Ordinance granting the Port of Seattle a Non-exclusive Franchise to operate various Utility Systems in the City - Public Works**

**Agenda Bill #1605; Ordinance #99-1008**

**An Ordinance amending the Zoning Code regarding Design Standards for High Capacity Transit (HCT) Facilities - Planning**

**Summary:** Anticipated HCT development in the City includes a light rail transit system, relocation of the bus transit center (currently located at the airport), and creation of one or more park-and-ride facilities. Current zoning standards would apply to these development applications, but existing standards do not address many of the design aspects of HCT systems.

The Ordinance establishes design policies for the following aspects of HCT design: stations, guideways, parking, parking structures, community connections, signage, and fire safety. The proposed HCT design standards were evaluated following consideration of the design of local HCT systems, guidelines proposed by Sound Transit, and HCT systems from throughout the United States and elsewhere.

The proposed standards address design issues believed to be of the highest priority for the City of SeaTac. Sound Transit and staff continue to research issues related to the proposed design standards, specifically in regard to requirements for parking structures, commercial development, grade-separated pedestrian crossings, and restrooms. Amendments to these standards may be proposed in the future to address other important HCT design issues, or to improve those now recommended for adoption.

The City's procedures for amending the Zoning Code include completion of the State Environmental Protection Agency (SEPA) review, consideration of public testimony by the Planning Advisory Committee, and legal review. SEPA review was completed November 13, 1998. Sound Transit's appeal of the City's SEPA determination was withdrawn January 15, 1999.

The proposed amendments reflect consideration of public comments received at a public hearing held on November 2, 1998 and were subject to legal review. All the amendments would be consistent with the Comprehensive Plan, as amended on December 8, 1998. The Planning Advisory Committee recommended adoption of the proposed HCT Design Standards on January 11, 1999.

**Agenda Bill #1658; Ordinance #99-1009**

**An Ordinance recognizing that the City's Development Regulations are consistent with the City's Comprehensive Plan- Planning**

**Summary:** The Growth Management Act (GMA) requires that development regulations, including but not limited to those pertaining to zoning, building, subdivision, environmental protection, and shoreline protection, be consistent with the City's Comprehensive Plan. The City has reviewed the development regulations, and has found the adopted

regulations to be consistent with the adopted Comprehensive Plan.

Many of the City's development regulations, codified in the SeaTac Municipal Code (SMC), were adopted prior to adoption of the plan. The plan includes strategies for updating the development regulations. Therefore, the ongoing process of revising the City's development regulations is provided for within the adopted goals, policies and strategies of the Comprehensive Plan.

The Council adopted a Resolution on June 24, 1997 confirming the same findings as the proposed Ordinance. As a result of a legal action by another City, the Washington State Department of Community, Trade and Economic Development has recommended that local governments make such findings in Ordinance form, rather than by Resolution.

#### **Agenda Bill #1662; Ordinance #99-1010**

#### **An Ordinance correcting technical errors made in the codification of Section 15.31.040B of the SeaTac Municipal Code (SMC), relating to Wireless Telecommunications Facilities (WTF) Siting and Development Standards - Planning**

**Summary:** The Ordinance corrects technical errors made in the codification of Ordinance No. 98-1017 relating to siting and development standards for WTF's within Low Intensity Zones that were inadvertently adopted in Ordinance No. 98-1036. These errors were undetected and published in Sub-Section 15.31.040B of the SMC. Ordinance No. 98-1017 was subsequently amended by Ordinance No. 98-1036, which was adopted including the technical errors. These inadvertent technical errors were never brought before Council in the usual amendatory format (strikethrough and underline), and were never intended to be part of the Ordinance. Further, the SMC relating to WTF's is defective because of the errors. Therefore, these errors should be corrected to comply with the original spirit and intent of Ordinance No. 98-1017 and No. 98-1036.

#### **Agenda Bill #1659**

#### **A Motion amending the Valley Ridge Park Improvement Project - Parks & Recreation**

**Summary:** This Motion requests an amendment for the Valley Ridge Park Improvement Project. Staff recommends that the Phase I 1999 budget be combined with the proposed 2000 budget for the Valley Ridge Park Improvement Project.

The City Council recommended moving the Valley Ridge Park Phase II Improvement Project from the year 2001 to the year 2000. The Park Director, at the request of the City Manager, evaluated whether cost savings and other benefits would occur by combining Phase I and Phase II. Staff is recommending this action due to a savings of \$70,208 by combining the projects, which will result in less disruptions for park users.

Since the design consultant firm of MacLeod Reckord started on the project, staff has encountered several unforeseen conditions in Phase I resulting in increased project costs, include the abandoning of the septic tank, the new sewer line connection, the required storm water detention system and biofiltration swale, and the renovation of the electrical panel in the existing community center. These unforeseen conditions would need to be included in Phase I even if the projects are not combined. Moreover, the conditions will give the appearance of a patched together project in Phase I if the two phases are not combined.

MacLeod Reckord states that they can complete a combined phase project design on schedule. The construction would be completed by the end of September or the beginning of October 1999.

Staff recommends using the Valley Ridge Park Capital Improvement Program (CIP) funding from the year 2000 so the City can complete the project in 1999. Staff also recommends transferring the 1999 Angle Lake Park CIP Construction Design budget of \$75,000 to this project. The Phase I Valley Ridge Park CIP budget is \$690,000. Combining the unforeseen conditions, and Phase II, plus a five-percent contingency is an additional \$667,470. The total request including construction, architectural and engineering fees, and sales tax is \$1,357,470.

#### **Agenda Bill #1660**

## **A Motion authorizing Final Acceptance of the Hughes Property Building Demolition - Parks & Recreation**

**Summary:** Demolition of the City owned buildings located on the property, formerly known as the Hughes Property, has been completed. The oil tanks, contaminated soils and asbestos have been removed. The work has been accomplished for some time and the contractor has now completed all of the necessary paperwork.

The demolition contract was awarded by the City Council on August 8, 1998, for a total amount not to exceed \$73,780.93. When the oil tanks for the two large houses were removed, a large amount of contaminated soils was found. The contaminated areas were both approximately 30 feet deep by 50 feet wide. The removal and replacement of soil resulted in a change order of \$20,056.37. The total demolition cost from Clean Service Company, including all change orders, is \$93,837.30. The demolition project was substantially complete on October 21, 1998 but staff could not recommend final acceptance until all of the required paperwork was completed. Funding for this project came from the Municipal Facilities CIP Fund in the amount of \$93,837.30.

MOVED BY THOMPSON, SECONDED BY GEHRING TO ACCEPT THE CONSENT AGENDA AS PRESENTED WITH THE REMOVAL OF AGENDA BILL NO. 1643.

MOTION CARRIED UNANIMOUSLY.

### **NEW BUSINESS:**

#### **Agenda Bill #1643**

#### **An Ordinance granting the Port of Seattle a Non-exclusive Franchise to operate various Utility Systems in the City - Public Works**

**Summary:** This Ordinance would grant a franchise to the Port of Seattle to allow it to install Port owned utility services in the City's rights-of-way in order to interconnect Port property. The franchise will outline the rights and responsibilities of both the City and the Port for the installation of facilities and the ongoing operation and maintenance of these facilities.

The Port has a number of airport properties that are separated by City streets. The Port needs to connect these properties with various electrical, communication and other utilities by crossing or traversing the right-of-way. The City has required organizations that wish to install facilities in the right-of-way to secure a franchise. The purpose is to formalize the rights and responsibilities of the City and the franchisee as it relates to the franchisee's facilities and the City's public right-of-way. Prior to incorporation, the Port installed its facilities in the right-of-way without benefit of any formal agreement other than a construction permit issued by King County. With the pending construction of the third runway and other major expansion projects, which will require the installation of Port owned facilities in the rights-of-way, it would be timely to grant a franchise to the Port to cover the facilities that are already in the City's rights-of-way as well as those that will be installed in the rights-of-way in the future. The Port will file construction plans with the City as attachments to the franchise for existing installations. Plans for future installations and other existing installations, later discovered, will be submitted to the City for inclusion as a franchise attachment.

City Manager Hoggard suggested that this item be held over until the letter of opposition, submitted at this meeting from the Highline Water District, can be reviewed. *(It is to be noted that the water district representatives left the meeting prior to the presentation of this item.)*

Council concurred to send this item to the March 16 Study Session.

#### **Agenda Bill #1610; Ordinance #99-1011**

#### **An Ordinance adding a new Chapter 9.30 to the SeaTac Municipal Code (SMC), requiring use of bicycle helmets and prescribing penalties – Legal**

**Summary:** The proposed Ordinance would require a person to wear a bicycle helmet while riding a bicycle in public areas of the City. Currently, there is no requirement for use of bicycle helmets in public areas of the City of SeaTac. Additionally, the Ordinance would require skateboarders, rollerbladers, and rollerskaters to also wear helmets. The Ordinance would also make a parent or guardian responsible for requiring the use of a helmet by a minor. This

Ordinance also makes any person managing a bicycle race or an organized event involving bicycles responsible for requiring participants to wear helmets. Any person engaging in the business of renting or loaning a bicycle, skateboard, roller blades or roller skates for use in the City, would be required to supply the person renting a bicycle with a bicycle helmet. Such persons engaging in the business of renting or loaning such items should be concerned with the safety and well being of their customers. Finally, this Ordinance would make violations of the new Chapter a traffic infraction.

Head injuries are a major cause of death or disability associated with the operation of bicycles on public right-of-ways. Studies have shown that bicycle helmets reduce the risk of head injuries suffered while operating a bicycle by 85 percent and reduce brain injury by 88 percent. In the interest and welfare of the general public, these figures cannot be ignored. Furthermore, studies have shown that protective headgear can reduce the number and severity of injuries associated with skateboarding, rollerblading, and rollerskating.

Persons violating the provisions of this new Chapter would be subject to a monetary penalty not to exceed \$25.00. The court may waive, reduce, or suspend the penalty for an individual who has not received a prior notice of violation of this Chapter, and if provided with proof that he or she has acquired a bicycle helmet at the time of appearance in court.

This Ordinance would enable the City's Police Department to enforce this important public safety issue and could be used by parents and guardians as a tool for teaching their children bicycle and skating safety. Just as there is a seatbelt law for the safety of persons in a motor vehicle and a helmet law for motorcycles, motor-driven cycles, and mopeds, there should be an Ordinance requiring the use of helmets to limit the risk of serious injury to those persons riding a bicycle, skateboarding, rollerblading, or rollerskating within the City.

MOVED BY HANSEN, SECONDED BY THOMPSON TO ADOPT ORDINANCE NO. 99-1011.\*

Council discussion ensued as to the benefits of enforcement of this Ordinance. Council agreed that it would give the Police Officers the opportunity to inform the public of the safety reasons for this law and to work with the schools in educating the students in this measure.

\*MOTION CARRIED WITH STEVENSON VOTING NO.

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

**CITY MANAGER'S COMMENTS:** City Manager Hoggard requested City Attorney McAdams review for Council the results of the arbitration meeting on the police E911 response. Mr. McAdams stated that the E911 system has been transferred from the City Police to the Port Police Department. That raised an issue of the 911 participation agreement. A freeze was placed on further transfers. This issue went to mediations and the City, Sheriff's Department, and E911 Division thought a conclusion had been reached. The Port opted for arbitration. The arbitrator provided an initial ruling, subject to finalization within 30 days, that as the Port acquires the westside properties and residents have vacated, the transfer would occur. The arbitrator raised that the issue of Port owned commercial properties on International Boulevard, but leased out to commercial ventures unrelated to aviation, and Des Moines Memorial Drive on the westside dedicated to commercial property, either aviation or non-aviation, will need further negotiations with the Port. It will need to go back to arbitration within 30 days in order to arrive at an agreement. Otherwise, the arbitrator will need to make a final ruling on the fact that the City should have first response to all E911 calls for any non-aviation related commercial business on the boulevard or westside. The meeting did not resolve a lot of potential jurisdiction issues because it was arbitration only under the participation agreement pertaining to the E911 calls response. Mr. Hoggard stated that more work needs to be done on the issue of commercial properties. It is now a Port Police Union issue. Councilmember Gehring stated that from the JAC meeting, it appears that there is a strong willingness to resolve this situation.

Secondly, Mr. Hoggard stated that regarding the City's light rail response to Sound Transit, Council has requested more time to resolve some of the issues. He requested an Executive Session be set for March 16 on the issue of Potential Litigation. Council concurred with this action.

Lastly, he stated that at the Land Use, Parks & Economic Development (LUPED) Committee meeting, the issue of



Senate Bill 59-14 was discussed regarding extension of requirements relating to the GMA and growth targets. He inquired of Council as to whether they want the lobbyist to take a position on this bill. Council discussion ensued as to the State demands on local housing issues with all the changes since the goals were set. The bill is in the Rules Committee and it appears it will not pass. Council concurred that although they basically do not agree with the bill, there is too much at stake to become involved in this issue.

**COUNCIL COMMENTS:**

Councilmember Hansen stated that the LUPED Committee met today and discussed the following: 1) draft multiple standards for apartments is being completed. It appears that the moratorium deadline may not be met; 2) Endangered Species Act and the issue of the Chinook Salmon. The City needs to be involved with its creeks at risk; 3) security wire standards issue has not been resolved; 4) the acquisition of surplus property at South 207<sup>th</sup> Street and 12<sup>th</sup> Avenue South for a pocket park. The Parks staff does not feel this is a suitable location; 5) Senate Bill 59-14; and 6) he added his appreciation of Public Works Director Rayburn for the new green arrow signal off I-5 to Military Road at South 200<sup>th</sup> Street.

Mayor Anderson stated that Councilmembers Brennan, Stevenson and she attended the National League of Cities (NLC) Conference in Washington D.C. last week. The sessions were informative. She has requested tapes on some of the sessions such as the siting of group homes. Planning staff will brief Council on the information once the material has been reviewed.

**ADJOURNMENT:**

MOVED BY GEHRING, SECONDED BY HANSEN TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 7:17 P.M.

MOTION CARRIED UNANIMOUSLY.

Terry Anderson, Mayor  
Judith L. Cary, City Clerk

# SEATAC CITY COUNCIL REGULAR MEETING MINUTES

March 30, 1999 - 6:00 PM  
City Hall Council Chambers

**CALL TO ORDER:** The Regular Meeting of the SeaTac City Council was called to order by Mayor Terry Anderson at 6:03 p.m.

**ROLL CALL:** Present: Mayor Terry Anderson, Councilmembers Steve Stevenson, Shirley Thompson, Frank Hansen, Kathy Gehring, Joe Brennan and Don DeHan.

**ADMINISTRATIVE STAFF:** Present: Calvin Hoggard, City Manager; Jay Holman, Assistant City Manager; Judith L. Cary, City Clerk; Robert L. McAdams, City Attorney; Elizabeth Spencer, Finance Director; Jim Downs, Fire Chief; Mary Pederson, Municipal Court Administrator; Kit Ledbetter, Parks & Recreation Director; Steve Butler, Planning Director; Bruce Rayburn, Public Works Director; and Julie Rodwell, Programs Manager.

**FLAG SALUTE:** Councilmember Stevenson led the Council, staff and audience in the Pledge of Allegiance to the Flag.

## **CONFIRMATION OF APPOINTMENT:**

### **Confirmation of Mayoral Selection of Christine Cloutier to the Human Services Advisory Committee**

MOVED BY THOMPSON, SECONDED BY GEHRING TO CONFIRM THE MAYORAL APPOINTMENT OF CHRISTINE CLOUTIER AS A MEMBER TO THE HUMAN SERVICES ADVISORY COMMITTEE.

MOTION CARRIED UNANIMOUSLY.

Deputy Mayor Thompson read the certificate and Mayor Anderson presented the certificate to Christine Cloutier. Mayor Anderson thanked Christine for volunteering her service once again to the City. She previously served on the City's retired Youth Commission.

**PUBLIC COMMENTS:** Linda Snider, 18700 36<sup>th</sup> Avenue South, regarding Agenda Bill No. 1668, at the March 16 Study Session, it was decided that the signal be placed at 36th Avenue South rather than 37th Avenue South. City Attorney McAdams stated that in the discussion section of the agenda bill, the change is noted.

Nancy Damon, new General Manager of the Southwest King County Chamber of Commerce, introduced herself to the Council and staff. She is a Seattle native and is now in the process of moving to Burien and is looking forward to living in and working with the local community. Her past history was eleven years with the Bellevue Downtown Association and most recently with the East King County Convention and Visitors' Bureau. Council welcomed Ms. Damon and look forward to working with her.

Steve Pinto, 3741 South 192nd Street, requested that the condition of the ball fields be addressed now that baseball season has started. City Manager Hoggard stated that he would inquire into this issue.

Chris Gower, 16856 11th Place Southwest, Normandy Park, requested the City review its Comprehensive Plan for compliance with the provisions of the Endangered Species Act and the construction of the proposed third runway at the airport and its effect on Miller Creek. He submitted a letter of concern addressed to Mayor Anderson.

## **PRESENTATIONS:**

### **Transit Station Facility**

Bill Angle, Vice President, Langly Associates, Inc., the commercial real estate development company, briefed on the firm's background and his work on public / private developments and his association with King County as a property analysis. The firm developed the Overlake Park 'n Ride, a transportation oriented development (TOD) sponsored by

King County. They also developed the Redmond town center. The Overlake project utilized a public procurement process soliciting the development community for proposals to transform the existing five acres asphalt property on the Bellevue/Redmond border into more intensive use with additional parking and quality affordable multi-family housing. The County, in turn, wanted a substantial financial return. The firm's proposal was ranked number one in its final presentation and is currently negotiating an agreement with King County on the project. The housing will be designed for moderate-income families, with rents no greater than what is appropriate for households generating 60 percent of medium income. This is identified by the County Housing Authority as affordable work force housing. He explained that the parking facilities will consist of 291 bottom-floor spaces for free Park 'n Ride and the top floor for 291 spaces for the residents. The parking will be maximized so that in the evenings and weekends, the residents will be able to use the Park 'n Ride area and during work hours on weekdays, there should be approximately 50-80 more spaces available.

City Manager Hoggard stated that in SeaTac's environment, this concept could be an economic gain to the City as a mix-use development in the light rail stationery and the City Center. Mr. Angle added that every area has different market impacts. Mr. Angle emphasized that these projects must have some public and private elements. The market forces today are not powerful enough to generate TOD as a response to the development itself. Land use and zoning requirements are just beginning to address TOD requirements. The best TOD projects will be mix-uses consisting of housing, commercial, entertainment and office use of 15 to 40 acres. In closing, Mr. Angle stated that Langly Associates considers SeaTac as a regional transportation hub with extensive future growth.

### **Discussion of response to the Suburban Cities Association (SCA) regarding the Cities' position on the Emergency Medical Services (EMS) Levy**

City Manager Hoggard stated that the response addresses the City's supports of EMS funding for the Advanced Life Support (ALS) supported by Medic One and Basic Life Support (provided through the Fire Service which includes training and Medic One Administration and supported by Levy II for \$180,000) through a voter approved periodic six-year levy that requires 60 percent voter approval.

Mayor Anderson stated that this action is supported by most of the SCA Cities. Council discussion ensued as to the 60 percent voter approval issue. Council concurred to send the letter of support to SCA.

Fire Chief Downs stated that proposed legislation did pass in the State House that provides for not only a simple majority but permanent funding for EMS which would give King County an avenue if it desires to address this issue on the ballot once again.

### **CONSENT AGENDA:**

**Approval of claims vouchers** in the amount of \$725,974.64 for the period ending March 18, 1999.

**Approval of employee vouchers** in the amount of \$314,916.81 for the period ending March 15, 1999.

**Approval of summary of \$5,000 - \$25,000 purchase requests** for the period ending March 26, 1999.

### **Approval of Council Minutes:**

**Regular Council Meeting** held February 9, 1999.

**Regular Council Meeting** held March 9, 1999.

**Study Session** held March 16, 1999.

### **Acceptance of Advisory Committee Minutes:**

**Civil Service Commission Meeting** held February 8, 1999 (approved by this commission March 8).

**Human Relations Advisory Committee Meeting** held February 11, 1999 (approved by this committee March 11).

**Senior Citizen Advisory Committee Meeting** held February 11, 1999 (approved by this committee March 15).

**Solid Waste Advisory Committee Meeting** held December 12, 1998 (approved by this committee March 11, 1999).

### **Approval of the following Motions recommended at the March 16, 1999 Study Session for placement on this Consent Agenda:**

#### **Agenda Bill #1661**

**A Motion authorizing purchase of Computers, Related Equipment, and Software – Finance**

**Summary:** The City's 1999-2004 Capital Improvement Plan (CIP) established a replacement schedule for computer hardware and software. Replacement is based on estimated useful lives as follows: computer workstations – four years; computer monitors – five years; and printers – eight years.

This Motion requests approval of the 1999 scheduled and budgeted replacement of 23 computer workstations purchased prior to 1996, 31 monitors purchased prior to 1995, and 5 printers purchased in 1990 as well as the purchase of other related equipment, software licensing and Novell operating software upgrades and licenses as well as upgrade of the City's Novell operating software to achieve Year 2000 compliance; purchase of a PowerPoint Projector to be housed at City Hall; purchase of additional Office97 licenses; and purchase of an 18.2GB external hard drive and a 256MB RAM expansion required for the new permit plan software. The 1999 Annual Budget includes \$30,000 for costs associated with Year 2000 Compliance. The total cost of these purchases is estimated at \$90,000 which has been included in the 1999 Annual Budget.

### **Agenda Bill #1668**

**A Motion awarding a Contract with Colvico, Inc. for Traffic Signal Interconnection on South 188<sup>th</sup> Street from 37<sup>th</sup> Avenue South to 42<sup>nd</sup> Avenue South together with a change order to extend the connection to 36<sup>th</sup> Avenue South - Public Works**

**Summary:** An Oil Rebate Grant in the amount of \$58,949 was awarded to the City by the Washington State Department of Transportation (WSDOT) requiring a local match of 10 percent. The purpose of the grant is to install traffic signal interconnection cable on the south side of South 188<sup>th</sup> Street from 37<sup>th</sup> to 42<sup>nd</sup> Avenue South.

When a new traffic signal is installed at the South 188<sup>th</sup> Street/36<sup>th</sup> Avenue South intersection, it will be interconnected with other signals on South 188<sup>th</sup> Street from 42<sup>nd</sup> Avenue South to I-5 northbound ramps. The plan holder list included ten contractors and suppliers. Formal bid procedures were followed in soliciting bids for the project. The received bids represented a good range both above and below the engineer's estimate of \$48,490. After evaluating the bids and adjusting for mathematical errors, Colvico, Inc.'s bid of \$38,660 is the low bid. Per the Council review and direction at the Study Session of March 16, 1999, staff has estimated the cost of extending the project limit to 36<sup>th</sup> Avenue South. The estimate to include this additional work is \$6,630. After the contract is executed, staff will negotiate a change order to extend the project to 36<sup>th</sup> Avenue South. Staff recommends a contingency to include the added cost of \$6,630 plus 10 percent of the revised total project cost of \$45,290. Therefore, the total contingency is \$6,630 plus \$4,529 equaling to \$11,159. The total budget, contract bid of \$38,660 plus contingency of \$11,159, is recommended to be approved for \$49,819. The project is funded in the 1999 budget in the Arterial Street Fund.

MOVED BY BRENNAN, SECONDED BY THOMPSON TO ACCEPT THE CONSENT AGENDA WITH A WORDAGE CHANGE TO AGENDA BILL NO. 1168 TO ADD, "TOGETHER WITH A CHANGE ORDER TO EXTEND THE CONNECTION TO 36<sup>TH</sup> AVENUE SOUTH."

MOTION CARRIED UNANIMOUSLY.

### **PUBLIC HEARING:**

**Public Hearing on the use of a Federal Bureau of Justice Assistance (BJA) Local Law Enforcement Block Grant (LLEBG) for Acquisition and Installation of Municipal Court Video Equipment**

Mayor Anderson opened the Public Hearing at 6:48 p.m.

Municipal Court Administrator Pederson gave a brief summary regarding the request for use of grant monies for purchase and installation of video equipment for the Municipal Court's in custody hearings.

There were no public comments.

Mayor Anderson closed the Public Hearing at 6:49 p.m.

**NEW BUSINESS:****Agenda Bill #1657; Resolution #99-009****A Resolution authorizing acceptance and use of a Federal Bureau of Justice Assistance (BJA) Local Law Enforcement Block Grant (LLEBG) for Acquisition and Installation of Municipal Court Video Equipment – Court**

**Summary:** This Resolution authorizes acceptance and use of grant funds to permit acquisition and installation of equipment to provide video arraignment and in-custody court proceedings between the Municipal Courtroom and the Kent Regional Justice Center (RJC).

Since SeaTac does not have its own jail, it pays the Kent RJC to house its inmates. In order for those inmates to appear in court on misdemeanor charges, they must be driven from the RJC to SeaTac City Hall. City police transport prisoners to and from Municipal Court two days a week. The other three days, the Municipal Court Judge along with the jail clerk travel to the RJC to handle in-custody hearings. By use of the proposed equipment, inmates will stay at the RJC and appear in a courtroom, standing in front of both a television monitor to view the judge and a camera for the judge to view them. The system will be used for arraignment, pre-trial and warrant hearings. Trials will still be done in person at the courtroom in City Hall.

Transport of prisoners involved 716 officer hours in 1998. In addition to the costs of the officer's time, the officers are prevented from handling other police duties. If the video arraignment process were in place, much of these transport hours could be eliminated.

Pursuant to terms of the grant, the City must designate an advisory board to review the applications and designate it to make non-binding recommendations for the proposed use of funds received under the block grants program. This board must include, but is not limited to, a representative from local police or sheriff's department, local prosecutor's office, local court system, local public school system, local nonprofit, and educational, religious, or community group active in crime prevention or drug-use prevention or treatment.

The City Manager designated membership to the advisory board, which met and has recommended acceptance and use of the grant funds for the purpose of purchasing and installing equipment to provide for video arraignment and in-custody court proceedings between the Municipal Courtroom and the RJC.

In addition, the City must hold at least one public hearing regarding the proposed use of LLEBG funds. At the hearing, persons must be given an opportunity to provide written and oral views to the City Council.

Although the total cost is \$58,008, as a one-time capital cost, the City's LLEBG funding will cover \$52,207 of the total cost. The difference of \$5,801 will be paid from the City General Fund as matching funds. These amounts are included within the 1999 Annual Budget.

MOVED BY BRENNAN, SECONDED BY GEHRING TO PASS RESOLUTION NO. 99-009.

MOTION CARRIED UNANIMOUSLY.

**Agenda Bill #1664****A Motion approving the Low Bid for North SeaTac Park Ballfield Infield Repairs- Parks & Recreation**

**Summary:** The City of SeaTac has been requesting King County, since October 1998, to complete the needed repairs of the three ballfield infields. Unfortunately, King County staff has been concentrating on the lawsuit against the general contractor for North SeaTac Park and the ballfield repairs were a lower priority. The softball/baseball season started in March and the repairs are needed immediately in order to start the season. At this point, the needed repairs will not be finished until the end of April, at best.

This request is to fund the ballfield repairs. King County has settled the lawsuit with the general contractor, P.T., Inc., and the lawsuit included accepting the ballfields and soccer fields in their present condition. King County was aware of the problem and has included the ballfield repairs in their current North SeaTac Park budget.

King County staff is requesting the City complete the bidding process due to the City's ability to complete the process in a more timely manner. The City has a contract with King County ensuring it will reimburse the City for this project. Because of the immediate need to use the ballfields, this is the favorable option.

Staff has bid the needed repairs and proposals have been received. The work was estimated to cost approximately \$80,000. Bids were opened on March 25, 1999 with six bids submitted. The low bidder was Pacific Earth Works Inc. at \$71,263.98.

MOVED BY THOMPSON, SECONDED BY BRENNAN TO APPROVE AGENDA BILL NO. 1664.

MOTION CARRIED UNANIMOUSLY.

**Agenda Bill #1665; Ordinance #99-1012**

**An Ordinance amending the 1999 Annual Budget for Ballfield Repairs - Finance**

**Summary:** This agenda bill relates to Agenda Bill No. 1664. This Ordinance amends the 1999 Budget of the General Fund to increase both revenues and expenditures with no fiscal impact on the City, as it increases both revenues and expenditures. King County will reimburse the cost incurred by the City to complete these repairs.

MOVED BY HANSEN, SECONDED BY DEHAN TO ADOPT ORDINANCE NO. 99-1012.

MOTION CARRIED UNANIMOUSLY.

**Agenda Bill #1673; Resolution #99-010**

**A Resolution authorizing a temporary three-day Commercial Motor Vehicle Sale at Tyee High School - City Manager**

**Summary:** Levich Advertising Inc., a promoter, and six local motor vehicle dealerships have requested authority of the Council to hold a widely-advertised, three-day sale of motor vehicles on the Tyee High School campus, with the expectation of having on display more than 300 vehicles, from April 9 through April 11, 1999. The Tyee campus is located on, and is surrounded by, single-family residential (UL) zoning, therefore, special Council authorization is required.

City staff was first advised of the promotion and pre-arranged public sale on March 24 when John L. Levich, of Levich Advertising, Inc., requested six business applications of the Finance Department for motor vehicle dealers who planned an "off-site car sale" on the school's campus. Mr. Levich was directed to speak with Planning personnel due to the obvious fact that he was, in reality, seeking a land use permit. In so doing, Mr. Levich was advised that the Tyee grounds were zoned for single-family residential (UL) use only, as are the surrounding neighborhoods, and that retail sales activities are not permitted.

On March 25, at Mayor Anderson's request, Councilmember Thompson hosted a meeting of staff and Mr. Levich. It was suggested that he attempt to select an alternate site. Later that day, it was stated that another site could not be found, that the Highline School District desired the benefits it would receive, and that contact by Mr. Levich with Councilmembers indicated willingness to hear his case. Accordingly, the matter was placed on the March 30 Council Meeting Agenda.

As a result of the foregoing, staff has not had time to review the matter and cannot provide a thorough discussion. A Resolution has been prepared which permits the use, but imposes conditions, due, primarily, to concerns with traffic on South 188<sup>th</sup> Street and of interference with heavy usage of the adjacent Valley Ridge Park parking lot.

MOVED BY BRENNAN, SECONDED BY THOMPSON TO PASS RESOLUTION NO. 99-010.\*

John Levich, representing the Burien auto dealers, detailed the steps he took in regards to his request to have an off-site automobile sale on April 9, 10 and 11 at Tyee High School. Due to City restrictions in Burien, the dealers

requested he research sites with a substantial traffic count. Joe McGeehan, Highline School District Superintendent and Paul Harvey, Assistant Principal, Tyee High School, agreed to the arrangement with provisions.

City Manager Hoggard stated that there was contact made at the Fire Department and a description of Mr. Levich's planned activity. However, the business license he applied for at City Hall did not describe this activity, therefore, City Hall was unaware of his plans. Once the Finance Department discovered the automobile sales aspect, it was brought to the Planning Department's attention as to a zoning conflict. Mr. Hoggard is concerned with the precedence being set with allowing this commercial activity in a residential zone.

Mr. Harvey stated that the school is attempting to partner with the community and found this proposal an opportunity to do so. Mr. Levich offered the school a donation of a storage container that the school has needed but has been out of budget reach. It will also give the community an opportunity to see students in action that might have influence on partnering in promoting school activities.

Mr. Levich stated that this is a small sale. He anticipates 150 automobiles sold and estimates 400-450 customers with 20-25 vehicles arriving per hour. Parks & Recreation Director Ledbetter stated that on Saturday, April 10 there are South Highline Little League games. The sale on that day may cause a parking problem. Mr. Harvey stated that Chinook Middle School is adjacent to Tyee and its parking lot could be used for the overflow.

Council discussion ensued as to the elements of the sale, the Resolution and the consequences this sale might have on future requests for commercial sales. It was determined that the size of this sale will not create a large or lengthy traffic problem for this arterial road. The Council concurred to amend the Resolution as follows:

MOVED BY THOMPSON, SECONDED BY STEVENSON TO AMEND RESOLUTION NO. 99-010 TO DELETE NO. 5 REGARDING TRAFFIC CONTROL AND NO. 10 REGARDING CLEAN UP AND AMEND NO. 8 TO READ THAT MR. LEVICH WILL PROVIDE SIGNAGE DIRECTING CUSTOMERS TO THE APPROPRIATE PARKING LOT.

AMENDMENT CARRIED WITH STEVENSON, THOMPSON, HANSEN AND BRENNAN AND GEHRING VOTING YES AND DEHAN AND ANDERSON VOTING NO.

\*ORIGINAL MOTION CARRIED UNANIMOUSLY AS AMENDED.

### **Agenda Bill #1667**

#### **A Motion authorizing the purchase of 1999 Chevy Venture Van - City Manager**

**Summary:** The 1999 Budget allocates \$16,600 towards the purchase of a City Van. The cost of a new extended wheelbase Chevy 4 door, 8-passenger Van will, with tax, be \$24,744.36, based on the lowest of the four bids, Glen Grant Chevrolet in Burien, the City received.

At the present time, there are no vans available at City Hall. The City owns a Fire Department Dodge Caravan, 7-passenger, used for 24-hour response. The Parks Department has a senior van, which is often unavailable to City Hall. It is proposed that this new van would be under the control of the City Manager's Office and would be available for everyday use (this department has no assigned vehicle) as well as for special tours or trips and economic development related around-the-City trips. The low bid is based on the manufacturer's standard retail price of \$26,990 before taxes.

MOVED BY DEHAN, SECONDED BY THOMPSON TO APPROVE AGENDA BILL NO. 1667.\*

Assistant City Manager Holman outlined the above summary. Councilmember Hansen questioned why this vehicle was not purchased through the State bidding system and stated concerns regarding use of the van. Mr. Holman stated that the system was examined and there were no eight passenger vans available. Councilmembers DeHan and Gehring stated that this issue was on the Ways & Means (W&M) Committee agenda. It was decided that since one additional vehicle for the City's fleet was in the 1999 budget, an eight-passenger van would accommodate City Council and City Manager's needs more efficiently.

\*MOTION CARRIED UNANIMOUSLY.

**Agenda Bill #1677, Ordinance #99-1013**

**An Ordinance amending the 1999 Annual Budget for purchase of 1999 Chevy Venture Van - Finance**

**Summary:** This agenda bill relates to Agenda Bill No. 1667 and amends the 1999 Budget to increase General Fund expenditures by \$8,145 to provide appropriation authority to purchase a 1999 Chevy Venture 8-passenger van. The 1999 Budget allocates \$16,600 towards the purchase of an additional City pool vehicle, to be managed out of the City Manager's Office, however, this purchase would total \$24,745, requiring an additional appropriation of \$8,145 which increases the General Fund 1999 Budget by \$8,145, thus reducing the fund's projected ending fund balance for the year.

MOVED BY DEHAN, SECONDED BY BRENNAN TO ADOPT ORDINANCE NO. 99-1013.

MOTION CARRIED UNANIMOUSLY.

**PUBLIC COMMENTS:** Linda Snider requested a clarification of Agenda Bill No. 1668 regarding the signal synchronization of traffic lights on South 188<sup>th</sup> Street. Mayor Anderson stated that the agenda bill has been clarified in the Consent Agenda Motion.

Steve Pinto also questioned whether the signal lighting would affect the school crossing. City Manager Hoggard stated that the lights will be synchronized that will have a beneficial effect on traffic in on South 188<sup>th</sup> Street.

Joe Dixon, Light Rail Citizens Ad Hoc Committee Chair, requested a status report on the Council's proposed action to the Sound Transit's light rail alternative decision.

**CITY MANAGER'S COMMENTS:** City Manager Hoggard had the following items of business: 1) gave a brief report on the Portland area trip that he, along with City staff, toured various light rail stations and City center projects and met with developers. He suggested the Council consider this tour to examine the areas the team visited; and 2) as to the Miller Creek topic discussed this evening in Public Comments, it appears that the basin planning is underway. Staff will be happy to discuss the issue with Mr. Gower.

**COUNCIL COMMENTS:** Councilmember Thompson had the following items of business: 1) she, along with Councilmember Hansen, attended the Puget Sound Regional Council (PSRC) meeting. A comment was made as to the PSRC and Growth Management Planning Council (GMPC) are being used in Washington D.C. as nationwide models for how to handle growth and transportation and resolution of same; 2) at the GMPC Retreat, housing was the main topic of discussion. The Endangered Species Act (ESA) was presented as a business luncheon topic. This issue is being addressed at County levels with many entities involved; and another topic of interest was Land Use and Transportation presentation by a PSRC staff member.

Councilmember Gehring stated that the W&M Committee met on March 29 and the following items were discussed: 1) Agenda Bill 1677 regarding the purchase of a City van; 2) TCI and the public access channel; 3) National League of Cities (NLC) membership was recommended for the 2000 budget; 4) a financial breakdown on the Interlocal Agreement (ILA), with only the interest being used to-date; 5) the City is progressing well with year 2000 (Y2K) compliance; 6) a Port of Seattle representative Kathy Sharp gave a Y2K report on the airport ground site; 7) the refunding of the 1994 Storm Water and Transportation Bonds issue is being sent to the April 6 Study Session; and 8) the next W&M Committee meeting is scheduled for April 12.

Councilmember Hansen commented on the photos Mr. Gower distributed on the salmon population, stating that the photos depicted what salmon do naturally and that is to go upstream to die. He hoped the City would be able to use the ESA funding for Des Moines and Miller Creeks. Secondly, he suggested that a Vision Study be done on South 188<sup>th</sup> Street.

Mayor Anderson stated she was in Olympia regarding the need for the legislature to continue to fund the level of



funding on Human Services. One of the topics discussed was housing. She suggested to King County Executive Ron Sims that common wall multi-family housing is becoming the norm on the East Coast in making housing affordable and utilize available land more efficiently. Secondly, she received a request that Brian and Brandon Dennis, SeaTac youths, be recognized for their personal achievement of obtaining the rank of Eagle Scout in the Boy Scouts of America. Council concurred to have certificates of recognition presented by the City.

**RECESSED:** Mayor Anderson recessed the Regular Council Meeting to an Executive Session on Potential Litigation at 7:54 p.m.

**EXECUTIVE SESSION: Potential Litigation**

**RECONVENED:** Mayor Anderson reconvened the Regular Council Meeting at 9:31 p.m.

**ADJOURNMENT:**

MOVED BY HANSEN, SECONDED BY GEHRING TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 9:33 PM.

MOTION CARRIED UNANIMOUSLY.

Terry Anderson, Mayor  
Judith L. Cary, City Clerk

# SEATAC CITY COUNCIL SPECIAL MEETING MINUTES

**April 6, 1999(Immediately following the Study Session)  
City Hall Council Chambers**

**CALL TO ORDER:**

The Special Meeting of the SeaTac City Council was called to order by Mayor Terry Anderson at 8:22 p.m.

**ROLL CALL:** Present: Mayor Terry Anderson, Councilmembers Steve Stevenson, Shirley Thompson, Joe Brennan and Don DeHan. Absent: Councilmembers Frank Hansen and Kathy Gehring.

**ADMINISTRATIVE STAFF:** Present: Calvin Hoggard, City Manager; Jay Holman, Assistant City Manager; Judith L. Cary, City Clerk; Robert L. McAdams, City Attorney; Elizabeth Spencer, Finance Director; Jim Downs, Fire Chief; Steve Butler, Planning Director; and Bruce Rayburn, Public Works Director.

**RECESSED:** Mayor Anderson recessed the Special Council Meeting to an Executive Session on Personnel Issues at 8:23 p.m.

**EXECUTIVE SESSION: Personnel Issues**

**RECONVENED:** Mayor Anderson reconvened the Special Council Meeting at 8:43 p.m.

**ADJOURNMENT:**

MOVED BY STEVENSON, SECONDED BY DEHAN TO ADJOURN THE SPECIAL MEETING OF THE SEATAC CITY COUNCIL AT 8:45 P.M.

MOTION CARRIED UNANIMOUSLY.

Terry Anderson, Mayor

Judith L. Cary, City Clerk

# SEATAC CITY COUNCIL REGULAR MEETING MINUTES

April 13, 1999 - 6:00 PM  
City Hall Council Chambers

**CALL TO ORDER:** The Regular Meeting of the SeaTac City Council was called to order by Mayor Terry Anderson at 6:06 p.m.

**ROLL CALL:** Present: Mayor Terry Anderson, Councilmembers Steve Stevenson, Frank Hansen, Kathy Gehring, Joe Brennan and Don DeHan. Absent: Councilmember Shirley Thompson.

**ADMINISTRATIVE STAFF:** Present: Calvin Hoggard, City Manager; Jay Holman, Assistant City Manager; Judith L. Cary, City Clerk; Robert L. McAdams, City Attorney; Elizabeth Spencer, Finance Director; Jim Downs, Fire Chief; Craig Ward, Principal Planner; Bruce Rayburn, Public Works Director; Don Monaghan, Assistant Public Works Director; and Julie Rodwell, Programs Manager.

**FLAG SALUTE: Flag Ceremony by Boy Scouts of America Troop 510**

## **CERTIFICATE OF RECOGNITION:**

### **Boy Scouts of America Eagle Scouts Brandon and Brian Dennis, SeaTac Citizens**

Mayor Terry Anderson presented Brandon and Brian Dennis with Certificates of Recognition for achieving the rank of Eagle Scouts. Both youths have been actively involved in school and community service. The Council, on behalf of the City, expressed their appreciation of the youths' outstanding accomplishments.

## **CONFIRMATION OF APPOINTMENTS:**

### **Parks, Arts and Recreation Advisory Committee Re-appointments**

MOVED BY BRENNAN, SECONDED BY HANSEN TO CONFIRM THE MAYORAL RE-APPOINTMENTS OF CHRIS KELLY AND SHERYL KNOWLES TO THE PARKS, ARTS AND RECREATION ADVISORY COMMITTEE.

MOTION CARRIED UNANIMOUSLY.

Councilmember Hansen read the certificates and Mayor Anderson requested that the documents be sent to the re-appointees as they were unable to attend this meeting.

**PUBLIC COMMENTS:** Steve Pinto, 3741 South 192<sup>nd</sup> Street, stated he attended the Transportation and Public Works (T&PW) Committee meeting prior to this Council meeting and was disappointed with the committee's recommendation to place pedestrian crossing signs 300 feet of each side of 42<sup>nd</sup> Avenue South on South 188<sup>th</sup> Street. He feels that school zone flashing signs would be more effective.

## **PRESENTATIONS:**

### **Draft City Hall Design Program Update**

Ricky Langford, ABKJ, Project Manager, opened the briefing by stating that positive strides are being made with the new City Hall project.

Steve Arai, Arai Jackson Architects and Planners, reported on the progress made since the March 16 Council briefing. Progress report: 1) conducted interviews with Council and Department Directors; 2) received input from Ad Hoc Committee on site issues; 3) received input from employees on the site and building program; 4) compiling draft program which delineates the functional program of the new City Hall; 5) currently preparing the site planning; and 6) the first Site Planning Workshops will be held at the Valley Ridge Community Center on April 19 for the Council, City Staff and public. The Public Workshop is scheduled for at 5:30 p.m. with a Summary Session to follow.

Mr. Arai highlighted: 1) Project Goals: Urban Design/Site Character: wooded visible park-like setting; landscape following City guidelines; respect neighborhood, with buffers; parking issues; incorporate an aggressive Transportation Management Plan; minimize stray circulation into site from neighborhood; work with agencies such as METRO Transit to ensure the site is well served; link the north of the site with City Center plans; incorporate non-controversial public art into the project; and 2) Building Goals: develop adaptable building; open feeling with flexibility and change; use proven building systems; incorporate art and issue of history; incorporate sound principles and promote recycling; and address public access to include Americans with Disabilities Act (ADA) requirements, employees and visitor usability and understanding of spaces; and ability to expand in the future.

Ms. Langford added that with a project of this magnitude, there will be many goals and objectives. The team will be reducing them to assumptions and policies and administrative decisions. These will be brought to Council for their input and decision-making. The next Council update is scheduled for May 11 or 18, 1999.

### **City/Port Joint Advisory Committee (JAC) Update**

Programs Manager Rodwell began her briefing by introducing Bob Hennessy, who will be representing the Port at the Council Meetings replacing Port Community Relations Manager Rachel Garson.

She continued by stating that the JAC had its monthly meeting on April 7 with the following items of business: 1) City staff distributed a quarterly update on the Community Relief and Street Vacation funds. It will also be sent to the westside residents; 2) the policing issue was resolved by a settlement agreement between the Port and the City, in which the City would respond to the westside issues until the transfer to the Port upon acquisition of all the properties. On the other side, the City will respond to all commercial properties. The buyout staff will need a briefing as to the agreement; 3) discussions have been held with Sound Transit as to the possibility of including the City Center Station in Phase II of the project with some right-of-way issues to be further discussed. The Port reported that the elevated rail is proposed to be located on Port property west of the cemetery. Other ground level issues were discussed such as the airport link road being folded into the Environmental Impact Statement (EIS) for the SR 509 extension. The critical issue is local access for the City. City staff recommends the access be placed at South 182<sup>nd</sup> or 188<sup>th</sup> Streets. This is a higher priority than a light rail station. The Port is interested having the access at South 160<sup>th</sup> Street with a possibility of South 180<sup>th</sup> Street. The committee agreed to quarterly updates on all access and circulation issues; 4) the Port/City Interlocal Agreement (ILA) key messages have been developed and are being distributed. The next Joint Port/City Council Meeting has been rescheduled for May 25 from 1:30 to 3:30 at the airport; 5) City Principal Planner Craig Ward briefed the committee on the City Center project, its timeline and main street alignment issues, with the main street being a community street and not designed for airport traffic.

### **Briefing on 28<sup>th</sup>/24<sup>th</sup> Arterial Project (South 188<sup>th</sup> Street to South 202<sup>nd</sup> Street)**

Public Works Director Rayburn recapped on the status of this project. The project's Environmental Impact Statement (EIS) was completed in 1993. Staff then researched funding sources for the project comprising primarily of the City's first Local Improvement District (LID), the City Transportation and Surface Water Management and Transportation Improvement Board (TIB) funds. With funding in place, staff proceeded with the final design of the project. Staff has completed their review of the 60 percent completed drawings and is now launching into final design and completing the bid documents. In the meantime, the EIS project plans included south of South 188<sup>th</sup> Street to South 216 Street. That was shortened to Phase I being South 188<sup>th</sup> to approximately South 204<sup>th</sup> Street. Since that change, there were other reasons to further shorten it on the southend, primarily due to the SR 509 EIS project. It is now planned to end at the south property line of the Federal Detention Center.

Assistant Public Works Director Monaghan continued by illustrating the alignment by way of graphs and explaining the project financing and schedule.

**PROJECT EXPENSES:** Preliminary Engineering, Design Engineering, and LID Formation - \$2,050,000; Right-of-Way - \$8,000,000; Construction - \$12,500,000; Construction Management - \$950,000; Legal, Bonding and Interest - \$500,000 for a total project expenditure of \$24,000,000.

**PROJECT REVENUE:** Local Improvement District No. 1, \$10,500,000 (includes Port of Seattle \$3,000,000 special

assessment); Transportation Improvement Board, \$11,500,000; City of SeaTac Surface Water Management - \$2,000,000; for a project budget total of \$24,000,000.

**PROJECT SCHEDULE:** 60 percent of Plan Review completed by March 30, 1999; Ordinance authorizing condemnation on May 11, 1999; 90 percent of Plan Review completed in May 21, 1999; Bid project in July 1999; Award Contract in August/September 1999; Complete project in Spring 2001; and Final LID in Summer 2001.

**PROJECT RIGHT-OF-WAY:** Total Property Takes: 5; Residential Relocations, 13 – 20 (includes five to 12 Mobile Home units) for a total number of Partial Right-of-Way Takes of 29.

Discussions between the City and Sound Transit have resulted in a draft configuration of the proposed Sound Transit light rail system.

Mr. Monaghan reviewed with Council the proposal to acquire the right-of-way at the mobile home park to provide a frontage roadway with the proposed design. In order to keep the park in operation as it currently exists and provide the access off 26<sup>th</sup> Avenue South, the City would be involved in significant mobile home takes. Meeting with the design team, it was recommended that the City consider shortening the full improvements on 26<sup>th</sup> Avenue South to: 1) provide more flexibility relating to the SR 509 project; and 2) reduce some of the impacts to the mobile home park and associated costs. It is proposed to acquire five mobile homes as part of the road project and acquire the right-of-way to the north (four single-family lots). City staff has made a proposal to have Sound Transit participate in the design project and to facilitate their future at the cross section on the east side of the roadway from South 188<sup>th</sup> to South 200<sup>th</sup> Street. To date, there has been no response from Sound Transit. Otherwise, staff recommends constructing the improvements on the eastside as part of the LID agreement with the involved property owners who are being assessed. This project has also been factored into the Des Moines Creek Basin planning effort to improve the water quantity and quality issues.

Councilmember DeHan inquired as to whether the intent is to acquire the property necessary to put the road in but not build it out any farther south than about midway down the Federal Detention Center until such date as the SR 509 gets further identified. Mr. Monaghan concurred, adding there are some utility improvements that will need to be installed at that location to run to the detention pond.

Joe Dixon inquired as to the purpose of the roadway improvements as proposed. Public Works Director Rayburn stated that the major reason for the project is the land use along the roadway. The property owners have requested for many years that the corridor be upgraded to arterial standard to accommodate their long-range property plans.

#### **CONSENT AGENDA:**

**Approval of claims vouchers** in the amount of \$178,348.80 for the period ending March 31, 1999.

**Approval of claims vouchers** in the amount of \$5,887.52 for the period ending April 1, 1999.

**Approval of employee vouchers** in the amount of \$512,665.13 for the period ending March 31, 1999.

**Approval of firefighter vouchers** in the amount of \$390.00 for the period ending March 31, 1999.

**Approval of summary of \$5,000 - \$25,000 purchase requests** for the period ending April 9, 1999.

#### **Approval of Council Minutes:**

**Regular Council Meeting** held March 30, 1999.

**Special Council Meeting** held April 6, 1999.

#### **Approval of the following Ordinances, Resolution and Motions recommended at the April 6, 1999 Study Session for placement on this Consent Agenda:**

##### **Agenda Bill #1670, Ordinance #99-1014**

##### **An Ordinance amending the Zoning Code regarding Gas Station Standards – Planning**

**Summary:** This Ordinance amends the Zoning Code to provide for design standards for gasoline/service stations and to provide additional landscaping for industrial uses adjacent to single-family zones.

Based upon Council direction, staff and the Planning Advisory Committee (PAC) have reviewed and recommend proposed design standards for gasoline/service stations. Further, staff and the PAC recommend changes to the landscape standards for uses in the Industrial (I) zone adjacent to single-family zones.

On January 12, 1999, the City Council placed a 30-day moratorium (Resolution No. 99-004) on the construction of gasoline/service stations. The purpose of the moratorium was to allow staff and the PAC to determine whether zoning and development regulations applicable to the said uses should be amended. The moratorium expired on February 12, 1999.

Based upon Council comments, staff determined that there are three major design issues that should be reviewed related to gasoline/service stations: 1) building security and layout; 2) landscaping and; 3) access.

While drafting the landscape design standards for gasoline/service stations, staff determined other permitted uses within the I zone (such as recycling products or paper product uses) have as much or a greater impact on single-family residences, in comparison to gasoline/service stations. Therefore, under Section 2, page 2 of the Ordinance, a new section of the Zoning Code would require a 20-foot Type I landscape strip for any permitted or conditional use in the industrial zone if it is adjacent to or across a public right-of-way from a single-family zone.

### **Agenda Bill #1643, Ordinance #99-1015**

#### **An Ordinance granting the Port of Seattle a Non-exclusive Franchise to operate various Utility Systems in the City of SeaTac - Public Works**

**Summary:** This Ordinance grants the Port of Seattle to install Port owned utility services in the City's rights-of-way in order to interconnect Port property. The franchise will outline the rights and responsibilities of both the City and the Port for the installation of facilities and the ongoing operation and maintenance of these facilities.

The Port of Seattle has a number of airport properties that are separated by City streets. The Port needs to connect these properties with various electrical, communication and other utilities by crossing or traversing the rights-of-way. The City has required organizations that wish to install facilities in the right-of-way to secure a franchise. Prior to incorporation, the Port installed its facilities in the right-of-way without benefit of any formal agreement other than a construction permit issued by King County, as far as can be determined from the records. With the pending construction of the third runway and other major expansion projects, which will require the installation of Port owned facilities in the right-of-way, it would be timely to grant a franchise to the Port to cover the facilities that are already in the City's rights-of-way as well as those that will be installed in the rights-of-way in the future. The Port will file construction plans with the City as attachments to the franchise for known installations that already exist. Plans for future installations and other existing installations later discovered will be submitted to the City for inclusion as a franchise attachment.

There will be no fiscal impact as a result of issuing the franchise. The City will continue to collect the permit and inspection fees incurred by the Port in connection with new installations and/or repair and maintenance to existing facilities.

### **Agenda Bill #1650, Ordinance #99-1016**

#### **An Ordinance amending and adjusting the 1999 Edition of the National Electrical Code - Public Works**

**Summary:** The State of Washington recently adopted and amended the 1999 National Electrical Code (NEC). The NEC is revised every three years by the National Fire Protection Association and amended and adopted by the State of Washington. The City must adopt it locally to legally enforce the Code and to provide consistency to the construction industry. This Ordinance updates the City's adoption of the NEC from the 1996 edition to the 1999 edition.

### **Agenda Bill #1651**

#### **A Motion appointing two additional Members to the City's Board of Appeals - Public Works**

**Summary:** The Board of Appeals was created by the Uniform Building Code (UBC) to hear and decide appeals of

orders, decisions or determinations made by the Building Official relative to the application and interpretation of the UBC. The Board of Appeals should consist of members who are qualified by experience and training to pass on matters pertaining to building construction and who are not employees of the City. The members must be appointed by the Council and serve at its pleasure. The board shall have no authority relative to interpretations of the administrative provisions of the Code nor shall the board be empowered to waive requirements of the Code.

Council appointed the first three boardmembers in 1998. Since then one member has resigned from the board. Also, there is need for an additional member to serve as an alternate. The following two persons have volunteered to serve on the board: Duane Griffin, Building Official, City of Tukwila; and Jeff Gangnes, Fire Marshal, Port of Seattle Fire Department.

### **Agenda Bill #1681**

#### **A Motion authorizing City Staff to initiate the refunding of a portion of the 1994 Stormwater Revenue Bonds outstanding – Finance**

**Summary:** In December 1998, the City refunded a portion of the 1994 City Hall bonds that were outstanding to realize a savings in lower interest costs. Additional savings can be achieved by issuing similar refunding bonds related to the 1994 Transportation and Stormwater Revenue bond issues.

In December 1998, the Council authorized issuance of \$3.645 million in general obligation bonds to refund a portion of the outstanding 1994 General Obligation bonds. The proceeds of the new bond issue were placed in escrow to retire the 1994 bonds as principal and interest payments become due. Savings are realized because the new bonds have a lower interest rate than the 1994 bonds.

The City delayed refunding any Transportation and Stormwater bonds in 1998 to maintain bank-qualified status on the Hotel/Motel Tax and General Obligation Refunding bond issues. Bank-qualified status results in even lower interest rates, but the total par amount of bonds issued by a municipality cannot exceed \$10 million in that particular year.

It is recommended that the City Council authorize the Finance Director to pursue refunding of 1994 transportation and stormwater revenue bonds for 1999. Approval of this Motion does not commit the City to issuing refunding bonds, but it does authorize staff to work with the City's Financial Advisor and Bond Counsel to arrange a sale of refunding bonds. At a later date, a Bond Ordinance will be brought before Council for final approval of the refunding bond issue.

The City will realize savings due to lower interest rates on the refunding bond issue. Based on a March 25 analysis presented to the Ways & Means (W&M) Committee, present value savings of more than \$520,000 would be realized, although these estimates change daily depending on the bond market.

*(The following Agenda Bills have been placed under the New Business section of this agenda.)*

### **Agenda Bill #1679, Resolution #99-011**

#### **A Resolution authorizing a Contract with Robert L. Gillespie, Governmental Relations Consulting, for On-call Services relating to Sound Transit - City Manager**

### **Agenda Bill #1680, Ordinance #99-1017**

#### **An Ordinance amending the 1999 Annual Budget for Professional Services related to Transit – Finance**

MOVED BY STEVENSON, SECONDED BY DEHAN TO ACCEPT THE CONSENT AGENDA WITH THE REMOVAL OF AGENDA BILLS NO. 1679 AND NO. 1680 TO BE PLACED UNDER NEW BUSINESS FOR DISCUSSION PURPOSES.

MOTION CARRIED UNANIMOUSLY.

### **NEW BUSINESS:**

### **Agenda Bill #1679, Resolution #99-011**

#### **A Resolution authorizing a Contract with Robert L. Gillespie, Governmental Relations Consulting, for On-call**

## Services relating to Sound Transit - City Manager

**Summary:** This Resolution authorizes entry into a contract with Robert L. Gillespie, Governmental Relations Consulting, for an on-call services contract for lobbying related to Sound Transit, not to exceed \$15,000, to be provided from the General Fund for the remainder of 1999.

During the remainder of 1999, it is expected that many interactions will be needed with the Sound Transit Board in order to ensure that City concerns are adequately heard and addressed. Mr. Gillespie has been on contract to the City for services under \$5,000. Continued services require Council approval. In January 1999, other vendors were invited to provide such services but only one responded.

MOVED BY DEHAN, SECONDED BY STEVENSON TO PASS RESOLUTON NO. 99-011.\*

Councilmember Hansen had some concern as to the cost and need for this consulting service although he agreed that Mr. Gillespie is a very competent person in his field. He hopes that this would not duplicate Council and staff's efforts on the light rail issues. City Manager Hoggard explained that there are many outstanding issues that need working out with Sound Transit. The City Center station is now been considered as an alternative with a final decision later in the year. Mr. Gillespie has been very successful promoting the City's case to the board. The payment for this consulting service is settled as the services are rendered. Councilmember DeHan, who has also lobbied Sound Transit on behalf of the City, stated that Mr. Gillespie has been consistently effective in his dealings with the board.

\*MOTION CARRIED WITH HANSEN VOTING NO.

## Agenda Bill #1680, Ordinance #99-1017

### An Ordinance amending the 1999 Annual Budget for Professional Services related to Transit – Finance

**Summary:** Agenda Bill No. 1679 recommends that the City Council authorize a contract with Robert L. Gillespie of Governmental Relations Consulting for on-call services relating to Sound Transit and also recommends a supplemental budget appropriation in the amount of \$15,000 in the City Manager's professional services account.

This Ordinance increases the General Fund 1999 Budget by \$15,000, resulting in a corresponding reduction of ending fund balance in the General Fund.

MOVED BY STEVENSON, SECONDED BY GEHRING TO PASS ORDINANCE NO. 99-1017.

MOTION CARRIED WITH HANSEN VOTING NO.

**PUBLIC COMMENTS:** J. B. Freer, 18925 37 Avenue South, commented on the following: 1) she has yet to received a copy of the flyer regarding the City Hall workshop at Valley Ridge on April 19; 2) felt the traffic radar trailer is not being used effectively on South 188<sup>th</sup> Street where speeding vehicles are a major issue. She requested that action be taken before there is a serious accident; and 3) the increased amount of semi-trucks traveling through residential zones to bypass the South 188<sup>th</sup> Street construction.

Joe Dixon, 19211 Avenue South, stated, as a former Chair of the Solid Waste Advisory Committee, he was pleased to see the City is researching the taking over of the garage business. Secondly, he questioned the fact that a semi-truck is parking next to his property and whether this is allowed in a residential zone. The noise and fumes from the truck are annoying to the neighborhood.

**CITY MANAGER'S COMMENTS:** City Manager Hoggard had the following items of business: 1) regarding the City Hall workshop, he apologized as the public notices should have been more timely. Staff is responding to a schedule driven by the architects. Notices in the future will be more timely; 2) the draft EIS and the City Center Plan will be published next week; 3) the dedication of the Des Moines Creek Trail has been rescheduled to April 30 due to conflicting schedules with the Des Moines Council. Mayor Anderson added that the date has been tentatively rescheduled for April 22; and 4) the traffic radar trailer has been monitoring traffic in various locations in the City and will continue to do so. A report from the Police Department will be forthcoming.



**COUNCIL COMMENTS:** Councilmember DeHan stated that a T&PW Committee Meeting was held prior to this Council Meeting. One of the major items discussed was South County Area Transportation Board (SCTBD) membership. The board is comprised of all Southend Cities with additional votes for King County. The Washington State Department of Transportation (WSDOT) and the Port of Seattle are advisory to the board. The recommendation is that these two agencies be made voting members, therefore, allowing them to be members of the SCTBD and be part of final decision making. The Council concurred with this recommendation.

Councilmember Brennan had the following items of discussion: 1) Earlier today, along with Mayor Anderson, Councilmember Hansen, Assistant City Manager Holman, and Parks & Recreation Director Kit Ledbetter, he toured the Bellevue Botanical Gardens. The gardens were magnificent and a good example of what a community can accomplish working together. The purpose of the trip was to get ideas for a garden setting for the new City Hall site; 2) also discussed at length at the T&PW Committee Meeting were the traffic signaling options on South 188<sup>th</sup> Street near 42<sup>nd</sup> Avenue South. The lights will be activated 300 feet east and westbound. There will be large flashing lights signage at these points; and 3) on a personal level, he mentioned that he had the privileged of meeting the family of the 23-year old young man, fatally injured in a car accident, whose liver was donated to him for a transplant some time ago. He stated that the meeting is one of the major events in his life.

Councilmember Gehring stated that the W&M Committee met on April 12 with the following items discussed: 1) Finance Director Spencer briefed on the City Hall Y2K testing which is scheduled for June 24 and 25; 2) the leasehold excise tax was reviewed; 3) staff will be conducting a parking tax analysis in the City; and 4) dates for the 2000 budget preparation were discussed and it is hoped that the budget process will start earlier this year.

Councilmember Hansen encouraged staff and citizens to tour the Bellevue Botanical Gardens as to ideas for various locations in the City. He also had the following items of business from the T&PW Committee Meeting: 1) regarding the mobile park closure issue, he recommended Council back the staff regarding negotiations with the Port as it appears for a small amount of money, arrangements can be made for relocation of the residents who are deserving of this effort; 2) Boy Scouts of America Eagle Scout Taylor Grace presented a proposal for a pocket park at the corner of South 188<sup>th</sup> Street and Military Road. This item will be going before Council at an upcoming Study Session; and 3) recommended a vision for South 188<sup>th</sup> Street be drafted by staff to be brought back to Council for review. Council concurred with this proposal.

Mayor Anderson had the following items of business: 1) a diesel truck is being parked at the Fire Station No. 1 at night. She requested staff investigate this situation; 2) the Fire Department conducted a successful clothing drive this past weekend for the Kosovo crisis; 3) due to a citizen's complaint regarding the fee charged for ambulance service by AMR Ambulance Service, Mayor Anderson investigated the matter and was able to get the firm to review the billing. AMR acknowledged that there may be a mistake in the billing; 4) the Council has scheduled its summer recess with the cancellation of the August 24 and 31 Council Meetings to reconvene its sessions on September 7 with a Study Session; 5) agreed with Councilmember Hansen as to the Bellevue Botanical Gardens. The gardens are also beautifully decorated during the winter holidays; and 5) as a side note, regarding the Y2K electronic situation, she discovered that VCR's can be programmed for the year 1972 and will work for the year 2000 for 28 years.

**RECESSED:** Mayor Anderson recessed the Regular Council Meeting to an Executive Session on Land Acquisition at 7:32 p.m.

#### **EXECUTIVE SESSION: Land Acquisition**

**RECONVENED:** Mayor Anderson reconvened the Regular Council Meeting at 7:32 p.m.

#### **ADJOURNMENT:**

MOVED BY STEVENSON, SECONDED BY DEHAN TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 8:43 P.M.

MOTION CARRIED UNANIMOUSLY.

Terry Anderson, Mayor

Judith L. Cary, City Clerk

# SEATAC CITY COUNCIL SPECIAL MEETING MINUTES

April 20, 1999 - 6:00 PM  
City Hall Council Chambers

*(This Special Council Meeting proceeded the Regularly Scheduled Study Session)*

**CALL TO ORDER:** The Special Meeting of the SeaTac City Council was called to order by Mayor Terry Anderson at 6:05 p.m.

**ROLL CALL:** Present: Mayor Terry Anderson, Councilmembers Steve Stevenson, Shirley Thompson, Frank Hansen, Kathy Gehring, Joe Brennan, and Don DeHan.

**ADMINISTRATIVE STAFF:** Present: Calvin Hoggard, City Manager; Jay Holman, Assistant City Manager; Judith L. Cary, City Clerk; Robert L. McAdams, City Attorney; Michael McCarty, Assistant Finance Director; Jim Downs, Fire Chief; Craig Ward, Principal Planner; Holly Anderson, Senior Planner; and Lydia Assefa-Dawson, Programs Coordinator.

**FLAG SALUTE:** Councilmember DeHan led the Council, staff and audience in the Pledge of Allegiance to the Flag.

## **PUBLIC HEARING:**

### **Public Hearing regarding the extension of the Moratorium on Multi-family Housing**

Mayor Anderson opened the Public Hearing at 6:07 p.m.

Senior Planner Anderson gave a short briefing regarding the extension of the Moratorium on acceptance of development permits for new multi-family housing of more than three units. The extension will allow for review and adoption of property specific zoning provisions and multi-family design standards. The standards have been drafted and sent to the State for the required 60-day period prior to Council action. The standards are scheduled for Council action on June 22 and would become effective July 22 if passed on that date.

Ross Radley, 999 3<sup>rd</sup> Avenue, Suite 4100, Seattle, attorney representing Stan and Harriet Toombs, whose property borders I-5 at South 204<sup>th</sup> Street, is concerned that if the Moratorium goes into the fall 1999, it would cause an extreme hardship to the elderly couple. Therefore, he opposes the Moratorium. He conceded, however, that if the schedule proposed is held to it would have less of an impact. In reply, City Manager Hoggard stated that staff will review preliminary development plans and this will quicken the permit process when the Moratorium is lifted.

With no further discussion, Mayor Anderson closed the Public Hearing at 6:12 p.m.

## **NEW BUSINESS:**

### **Agenda Bill #1672; Resolution #99-012**

### **A Resolution authorizing the Extension of the Moratorium on Acceptance of Development Permits which relate to Multi-family Structures of more than three units – Planning**

MOVED BY STEVENSON, SECONDED BY THOMPSON TO PASS RESOLUTION NO. 99-012.\*

Council discussion ensued regarding the ending date of the extension of the Moratorium. Senior Planner Anderson stated that the extension is for four months. The adoption will be brought before Council June 22 and would become effective 30 days later. The Resolution will be written so that the Moratorium will be lifted effective coincident with the new standards. Council concurred to support this Moratorium however; it is their desire that the Moratorium end as soon as possible with no further extensions. Ms. Anderson added that State Environmental Protection Agency (SEPA) permits can be accepted, however, building permits cannot be accepted during the Moratorium period. Council requested monthly updates during the Moratorium time period.

\*MOTION CARRIED UNANIMOUSLY.

Russell Oyer, 21211 30<sup>th</sup> Avenue South, expressed his appreciation of staff's diligent work in expediting this process.

**ADJOURNMENT:**

MAYOR ANDERSON ADJOURNED THE SPECIAL MEETING OF THE SEATAC CITY COUNCIL AT 6:16 PM.

Terry Anderson, Mayor

Judith L. Cary, City Clerk

# SEATAC CITY COUNCIL REGULAR MEETING MINUTES

April 27, 1999 - 6:00 PM  
City Hall Council Chambers

**CALL TO ORDER:** The Regular Meeting of the SeaTac City Council was called to order by Mayor Terry Anderson at 6:06 p.m.

**ROLL CALL:** Present: Mayor Terry Anderson, Councilmembers Steve Stevenson, Shirley Thompson, Frank Hansen, Joe Brennan, and Don DeHan. Absent: Councilmember Kathy Gehring

**ADMINISTRATIVE STAFF:** Present: Calvin Hoggard, City Manager; Jay Holman, Assistant City Manager; Judith L. Cary, City Clerk; Robert L. McAdams, City Attorney; Elizabeth Spencer, Finance Director; Michael McCarty, Assistant Finance Director; Michael Booth, Senior Transit Planner; Jim Downs, Fire Chief; Steve Butler, Planning Director; Craig Ward, Principal Planner; and Julie Rodwell, Programs Manager.

**FLAG SALUTE:** Councilmember Thompson led the Council, staff and audience in the Pledge of Allegiance to the Flag.

**PUBLIC COMMENTS:** Joe Dixon, 19211 35<sup>th</sup> Avenue South, had concerns regarding Agenda Bill No. 1692 under New Business, which requests Council approval to proceed with a Request for Proposals (RFP) for a Hotel/Motel Study and Light Rail Station Area Planning, as a joint project. The agenda bill states that at the April 20 Study Session this item was reviewed with Council. He did not recall the Light Rail Station Area Planning being mentioned. He suggested that the Council consider dividing this agenda bill into separate bills due to the differences in these two issues and the need for this consultant service for the light rail issue.

Chris Katayama, Tyee High School Principal, expressed appreciation on behalf of Tyee High School and the Academy of Travel and Tourism, for the City's consideration of financial assistance to the academy's scholarship program. Secondly, she thanked the Police Department, on behalf of the student body and staff, for their outreach to the school in the aftermath of the Colorado High School episode.

## **PRESENTATIONS:**

### **Certificate of Achievement for Excellence in Financial Reporting**

The Government Finance Officers' Association (GFOA) of the United States and Canada is a non-profit organization, which serves governmental entities at the State and local levels. The GFOA's Certificate of Achievement in Financial Reporting is a national award presented to government units and public employee retirement systems whose comprehensive annual financial reports achieve the highest standards in government accounting and financial reporting.

Mayor Anderson presented Finance Director Spencer with the award given for the City's 1997 Annual Financial Report. The City of SeaTac has been awarded the Certificate of Achievement for seven consecutive years. Finance Director Spencer gave special recognition to Assistant Finance Director McCarty for his diligent work on the financial reporting each year.

### **Noise Study Results by the Highline School District**

Dr. Joseph McGeehan, Highline School District Superintendent, thanked the Council for their work with the local schools and businesses by applying Hotel/Motel Tax monies to assist students in furthering their education in the academy program. This funding will return many dividends in society. Also, he added his appreciation of Chief of Police Service Frank Kinney. He stated that it is a pleasure to work with an officer of his high caliber of professionalism.

He introduced Dr. Ann Harris, Highline School District President, and briefed Council on their Sound Environment for Education program. The district made a decision two years ago, that it would work to resolve the issues to surrender the sound mitigation of its schools. In 25 years, the issue of an appropriate sound standard for the schools and determination of costs to meet the standard had not been dealt with. The district hired BBN Technologies, a division of GTE, to work with the community and schools on resolving this issue. Using world-class scientific standards and the Washington Noise Code standards, a noise allowance was set at a ten-percent interference rate of any kind of noise, particularly aircraft. The results of the study were shared with the community in early 1999. Meetings with the Port of Seattle were held, which resulted in the district and schools creating an interlocal agreement (ILA) with the Port, with monies set aside by the State and the Port to complete the Sound Environmental for Education program in determining architectural and engineering costs.

Dr. Harris updated the Council on the program. Last year, a study was done to determine which facilities required noise mitigation, the nature of the treatment and associated costs. In December 1998, the results of the study were announced, establishing a list of 15 schools requiring mitigation, in which at least one is in the City of SeaTac. The program is in Phase II, which involves two architectural and engineering firms working with Sandy Fidel, the district's Sound Engineer, who did the original study to establish the costs of what it will take to "fix" the schools. The Port agreed to pay for the completed Phase I. This is a significant step made with the Port regarding aircraft noise intrusion in the classrooms. However, both parties know that they have a long way to go before final implementation of the results of the study.

Councilmember Hansen complimented the district on arriving at an ILA with the Port. He stated that Port Commissioner/President Pat Davis spoke at the Puget Regional Sound Council (PRSC) meeting, at which she stated she was pleased that an agreement has been set between the two parties. He added that the Council is delighted to be working with the school on the academy program and the district on this project.

Upon a question posed by City Manager Hoggard, Dr. Harris stated that the district will work collaboratively with the Port and the various jurisdictions involved as to code requirements and other issues. In response, Mr. Hoggard stated that the City will work with the parties to make this a positive venture.

### **First Quarter Financial Report**

Finance Director Spencer presented financial results of the City's 1999 operations through March 31, 1999. General Fund revenue collected represented 12.28 percent of the annual budget due to the fact that: 1) property taxes are received primarily around the two installment due dates, the first of which is April 30, and 2) sales tax is remitted to the City on a one-month lag so the March 31 results only reflect two months of revenue, instead of three. General Fund expenditures through March 31 are under budget due to the fact that King County has not yet billed the City for any 1999 police services.

The City Street, Arterial Street, Transportation Capital Improvement Plan (CIP), Surface Water Management (SWM) Utility, and SWM Construction Funds report positive variances for the first quarter primarily due to timing of expenditures on capital projects. No significant year-end variances are anticipated at this time.

The Municipal Facilities Fund reports a significant variance in revenue collected due to the 1999 Budget anticipating a 1999 bond issue for City Hall construction. The Council has committed to limiting 1999 bond issues to refunding of 1994 Transportation and Stormwater Revenue Bonds, so this variance will continue throughout the year.

### **CONSENT AGENDA:**

**Approval of claims vouchers** in the amount of \$581,528.84 for the period ending April 13, 1999.

**Approval of employee vouchers** in the amount of \$316,065.24 for the period ending April 15, 1999.

**Approval of summary of \$5,000 - \$25,000 purchase requests** for the period ending April 23, 1999.

### **Approval of Council Minutes:**

**Regular Council Meeting** held April 13, 1999.

**Special Council Meeting** held April 20, 1999.

**Acceptance of Advisory Committee Minutes:**

**Library Advisory Committee Meeting** held January 5, 1999 (approved by this committee April 21, 1999).

**Approval of the following Motion recommended at the April 20, 1999 Study Session for Placement on the Consent Agenda:**

**Agenda Bill #1676**

**A Motion authorizing King County to proceed with a Feasibility Study for an Around-the-Clock Childcare Center on the City's behalf - City Manager**

**Summary:** In 1996, the Human Services Commission approached the City Council with a recommendation to make a 24-hour childcare facility available for SeaTac businesses and residents. The commission and staff also received information from other Cities with airports that have such facilities.

A Town Hall meeting was held on October 1, 1998, at City Hall, facilitated by King County staff. With several businesses represented, King County Executive Ron Sims, Mayor Terry Anderson and Port Commissioner Paige Miller expressed interest and stated that SeaTac would be an ideal location for such a facility. Executive Sims spoke to the need for creative partnerships and collaborations between governments, community organizations, businesses and residents.

Executive Sims pledged the support of the County in providing technical assistance, consultation and some financial assistance to do the feasibility study for the center.

A survey that was conducted at the Town Hall meeting revealed that those who responded had concerns regarding: 1) being absent from work because of child care issues, 2) location of their children's center, 3) the hours of operation, and 4) child care costs.

It is clear that employers are feeling the pinch of the tight job market. It is very important for employers to be able to attract and retain good, productive workers. Employer-assisted childcare is one cost-effective way to control labor costs and enhance worker productivity. Child Care Resources, a consulting firm, reported that they have been receiving calls from people in search of childcare in SeaTac.

Since the Town Hall Meeting, the County has contracted with Child Care Resources to do the feasibility study and a development committee has been formed. This committee will be meeting once a month at City Hall. Representatives on this committee are from Highline Community Hospital, Federal Detention Center, Alaska Airlines, Hertz and Thrifty Car Rentals, Marriott Hotel, Bonney-Watson Memorial, Inc., China Eastern Airlines, Port of Seattle, and City of SeaTac.

The County has asked that the City express its interest in proceeding with a feasibility study before any further work is done. There may be opportunities for collaboration and partnership among the businesses, government and community services to support the ongoing cost of such a center. These options range from paying for spaces to partially subsidizing tuition for their employees. The study will provide better information on a recommended approach and its feasibility.

There is no fiscal impact to the City during this initial phase.

MOVED BY BRENNAN, SECONDED BY STEVENSON TO ACCEPT THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY.

**PUBLIC HEARING:**

**Extension of the Interim City Center Standards**

Mayor Anderson opened the Public Hearing at 6:40 p.m.

Planning Director Butler stated that this issue was reviewed with Council at the April 20 Study Session. This request for an extension of the Interim City Center Standards is for six months even though the full six months is not expected to be needed. It is expected that the City Center Study will be ready for adoption by June 22, along with a final set of City Center Standards, with 30 days thereafter needed for the Ordinance to become effective. The moratorium would end on July 22. The interim standards would cease to exist and the final standards would become effective.

Principal Planner Ward stated that a Public Meeting for comments is scheduled for May 13 at City Hall in which the public will be briefed on alternatives in Sound Transit's Draft Environmental Impact Statement (DEIS). The deadline for written public comments will be May 20.

Cathy Heiberg, 810 58<sup>th</sup> Avenue Northeast, Tacoma, property owner in the City Center area, requested that Councilmembers re-review the standards written a year ago, to determine if they are all now appropriate in the City. She shared specific standard concerns. City Manager Hoggard stated that elements of the standards would be refined as they are being reviewed. Staff will contact Ms. Heiberg as to her issues.

Mayor Anderson closed the Public Hearing at 6:47 p.m.

#### **NEW BUSINESS:**

#### **Agenda Bill #1678; Resolution #99-013**

#### **A Resolution authorizing the Extension of the Interim Special Standards for the City Center - Planning**

**Summary:** The Interim Special Standards for the City Center were adopted on May 19, 1998, which were incorporated into the Zoning Code and extended on November 10, 1998 until May 10, 1999, on an interim basis, to provide time for the City Center Study to be finished. This action was then followed by the removal of a moratorium on development within the City Center area enacted on November 25, 1997 with consideration of testimony received at the above public hearing.

The City Center Study's original completion date was extended in order to respond to Sound Transit's Light Rail Transit (LRT) DEIS and to provide enough time to adequately prepare the City Center Study.

Given that one of the City Center Study's outcomes was to evaluate whether and how the standards might be modified, that the study's new completion date is the end of June, and that the effective date of new or revised permanent standards occurs 30 days after adoption of such standards, staff recommended that the Interim Special Standards for the City Center be kept in effect another six months to allow the study to be completed and the City Center Plan and Standards to be adopted and become effective. This schedule provides more than adequate time after the anticipated effective date of new standards as a contingency.

MOVED BY DEHAN, SECONDED BY THOMPSON TO PASS RESOLUTION NO. 99-013.

MOTION CARRIED UNANIMOUSLY.

Councilmember Thompson requested that the standards be sent back to the Land Use, Parks, and Economic Development (LUPED) Committee for re-review since a year has past since the Council's last review.

#### **Agenda Bill #1682**

#### **A Motion approving appropriation of Hotel/Motel Tax Funds for the Tyee High School Academy of Travel and Tourism - City Manager**

**Summary:** The Tyee High School Academy of Travel and Tourism is a school-within-a-school program that provides students the academic focus for careers in the travel, tourism and hospitality industries. This Motion authorizes the expenditure of \$10,000 for student scholarships, as well as a two-for-one match by the City of money raised, up to a maximum total of \$40,000 contribution by the City. At the April 20 Study Session, Council agreed that the City would contribute for one-year rather than the initially proposed five-year time period. At the end of one-year, the program will be evaluated to determine further funding.



The academy is one of about 80 such academies and was the first in the Pacific Northwest. The program presently serves about 90 students in grades 9-12. The first graduates are from the Class of 1999. Tyee High School expects 120 students in the program next year.

The Scholarship Foundation was established in February 1999 to provide post-secondary educational options for Tyee graduates. Many of these students cannot afford these educational opportunities without some assistance.

The academy is considered a program of choice, and as such, the only costs that are provided by the Highline School District are for the equivalent of two full-time teachers. Program coordination and program directorship are assigned to designated educators at no additional cost to the school district or school. Curriculum and teaching materials are provided by the Tyee High School instructional budget. Supplementary materials, Familiarization Tours (FAM), program promotions, and staff development are currently funded by grants from outside the school district.

The Hotel/Motel Tax Advisory Committee recommends authorization up to \$50,000 from Hotel/Motel Taxes for support of the academy's program.

MOVED BY BRENNAN, SECONDED BY DEHAN TO APPROVE AGENDA BILL NO. 1682.\*

Councilmember Brennan reiterated his approval stated at the April 20 Study Session for the use of a portion of the Hotel/Motel Tax monies in support of the City's youth.

Mayor Anderson stated that she had the opportunity to read the scholarship applications and was impressed with the students' need for City sponsorship.

\*MOTION CARRIED UNANIMOUSLY.

#### **Agenda Bill #1685; Ordinance #99-1018**

#### **An Ordinance amending the 1999 Annual Budget for Tyee High School Academy of Travel and Tourism – Finance**

**Summary:** Companion Agenda Bill No. 1682 authorizes funding of up to \$50,000 in 1999 for support of the Tyee High School Academy of Travel and Tourism. This Ordinance amends the 1999 Annual Budget increasing the Hotel/Motel Tax Fund by \$50,000, funded from Hotel/Motel Tax Revenue collections.

MOVED BY BRENNAN, SECONDED BY DEHAN TO ADOPT ORDINANCE NO. 99-1018.\*

Councilmember Brennan, Chair of the Hotel/Motel Advisory Committee, requested that a meeting be set for the committee and the school representatives as to the disbursement of the funds. City Manager Hoggard stated that an interlocal agreement (ILA) would be drafted, detailing the conditions of the funding.

\*MOTION CARRIED UNANIMOUSLY.

#### **Agenda Bill #1692**

#### **A Motion granting approval to the City Staff to proceed with a Request for Proposals for a Hotel/Motel Study and Light Rail Station Area Planning, as a Joint Project – City Manager**

**Summary:** The City is required to undertake Station Area Planning with Sound Transit to determine the optimal land use patterns, traffic circulation, pedestrian access and transit oriented developments around the light rail stations in SeaTac. The City's Hotel/Motel Advisory Committee is seeking information on the market demand and tourist basis for increasing revenues in the hotel sector, which would require a market analysis and study. These two projects, separate yet having related objectives, can be done concurrently using a substantial amount of technical information from the City Center Study and Joint Transportation Study (JTS) to reduce outside cost. The anticipated cost would be \$50,000 for the Hotel/Motel Study and \$70,000 for the Station Area Planning.

MOVED BY BRENNAN, SECONDED BY DEHAN TO APPROVE AGENDA BILL NO. 1692.\*

Council discussion ensued.

MOVED BY BRENNAN, SECONDED BY HANSEN TO DIVIDE AGENDA BILL NO. 1692 INTO TWO SEPARATE AGENDA BILLS, THE HOTEL/MOTEL STUDY AND THE LIGHT RAIL STATION AREA PLANNING.\*\*

Council discussion ensued as to sending these two issues to the next Study Session for further review and Council decision-making. Councilmember Stevenson stated he preferred moving ahead with the Hotel/Motel Tax funding as this issue needs to be addressed as soon as possible.

\*\*MOTION CARRIED UNANIMOUSLY.

\*ORIGINAL MOTION FAILED.

### **Agenda Bill #1692A**

MOVED BY STEVENSON, SECONDED BY THOMPSON TO AUTHORIZE STAFF TO PREPARE A SCOPE OF WORK FOR A REQUEST FOR PROPOSAL FOR THE HOTEL/MOTEL TAX STUDY AS AGENDA BILL NO. 1692A.\*

Councilmember Hansen agreed with Councilmember DeHan's suggestion to bring these items to the next Study Session for further discussion. Councilmember Thompson stated that the Hotel/Motel Tax allocations were discussed in detail at the April 20 Regular Council Meeting. She favors this motion, as she would like to see a consultant with expertise assigned to this funding project before the monies are doled out without foresight as to the various needs of the City. Further Council discussion ensued as to assigning staff to bring the back draft scopes of work for each project.

\*MOTION CARRIED UNANIMOUSLY.

### **Agenda Bill #1692B**

MOVED BY DEHAN, SECONDED BY STEVENSON TO AUTHORIZE STAFF TO PREPARE A SCOPE OF WORK FOR A REQUEST FOR PROPOSAL FOR LIGHT RAIL STATION AREA PLANNING AS AGENDA BILL NO. 1692B.

MOTION CARRIED UNANIMOUSLY.

**PUBLIC COMMENTS:** Joe Dixon inquired as to when the Light Rail Station Area Planning scope of work would be brought back to Council. City Manager Hoggard stated that it would be presented in an upcoming Study Session and will need to be discussed by the advisory committee. The scope of work for the Hotel/Motel Tax Study will be discussed with Council at the May 4 Study Session.

**CITY MANAGER'S COMMENTS:** City Manager Hoggard stated that the American Planning Association is currently holding its annual conference in Seattle this week and some of the City's Planning staff and he have been attending sessions. A number of the sessions are focused on City Centers with information consistent with the City's current planning.

**COUNCIL COMMENTS:** Councilmember Thompson requested Assistant City Manager Holman report on the State's lock freeze on mini-casinos. Mr. Holman stated that the bill references bingo and raffles and since SeaTac does not receive revenue on these games, it does not affect the City. Governor Gary Locke was interested in pushing forward legislation, that most Cities have supported, for proliferation of mini-casinos and some halt to the issue that is going forward. It appears, however, that the bill is dead. Hearings may be held in the interim. The issue is not dead as far as the Cities are concerned. They are hoping to establish stronger local control. The Governor is supportive of the Cities' position.

Mayor Anderson stated that the Joint Port/City Council Meeting has been changed to June 8. Since two Councilmembers will be out of town on that date, an alternative date needs to be scheduled.

**RECESSED:** Mayor Anderson recessed the Regular Council Meeting to an Executive Session on Labor Negotiations at 7:31 p.m.

**EXECUTIVE SESSION: Personnel Issues**

**RECONVENED:** Mayor Anderson reconvened the Regular Council Meeting at 8:25 p.m.

**ADJOURNMENT:** MOVED BY DEHAN, SECONDED BY STEVENSON TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 8:26 PM.

MOTION CARRIED UNANIMOUSLY.

Terry Anderson, Mayor  
Judith L. Cary, City Clerk

# SEATAC CITY COUNCIL SPECIAL MEETING MINUTES

May 5, 1999 - 5:30 PM (Wednesday)  
City Hall Conference Room

**CALL TO ORDER:** The Special Meeting of the SeaTac City Council was called to order by Mayor Terry Anderson at 5:40 p.m.

**ROLL CALL:** Present: Mayor Terry Anderson, Councilmembers Steve Stevenson, Shirley Thompson, Frank Hansen, Kathy Gehring, Joe Brennan, and Don DeHan.

**ADMINISTRATIVE STAFF:** Present: Calvin Hoggard, City Manager; Jay Holman, Assistant City Manager; Judith L. Cary, City Clerk; Robert L. McAdams, City Attorney; Michael McCarty, Assistant Finance Director; Jim Downs, Fire Chief; Craig Ward, Principal Planner; Holly Anderson, Senior Planner; and Lydia Assefa-Dawson, Programs Coordinator.

**RECESSED:** Mayor Anderson recessed the Special Council Meeting to an Executive Session on Land Acquisition at 5:41p.m.

## **EXECUTIVE SESSION: Land Acquisition**

**RECONVENED:** Mayor Anderson reconvened the Special Council Meeting at 8:24 p.m.

**ADJOURN:** WITH NO FURTHER BUSINESS, MAYOR ANDERSON ADJOURNED THE SPECIAL MEETING OF THE SEATAC CITY COUNCIL AT 8:25 P.M.

Terry Anderson, Mayor  
Judith L. Cary, City Clerk

# SEATAC CITY COUNCIL REGULAR MEETING MINUTES

May 11, 1999 - 6:00 PM  
City Hall Council Chambers

**CALL TO ORDER:** The Regular Meeting of the SeaTac City Council was called to order by Mayor Terry Anderson at 6:07 p.m.

**ROLL CALL:** Present: Mayor Terry Anderson, Councilmembers Steve Stevenson, Shirley Thompson, Frank Hansen, Joe Brennan, and Don DeHan. Absent: Councilmember Kathy Gehring.

**ADMINISTRATIVE STAFF:** Present: Calvin Hoggard, City Manager; Jay Holman, Assistant City Manager; Judith L. Cary, City Clerk; Robert L. McAdams, City Attorney; Elizabeth Spencer, Finance Director; Kerry Sievers, Human Resources Director; Bruce Rayburn, Public Works Director; Soraya Chang, Public Works Programs Coordinator; Jim Downs, Fire Chief; Steve Butler, Planning Director; Craig Ward, Principal Planner; Julie Rodwell, Programs Manager; and Michael Booth, Senior Transit Planner.

**FLAG SALUTE:** Councilmember DeHan led the Council, staff and audience in the Pledge of Allegiance to the Flag.

## **PRESENTATIONS:**

### **Certificate of Appreciation to Darnell Nichols for organizing a Clothing Drive for the Kosovo Crisis Victims**

Mayor Anderson presented Darnell Nichols with a Certificate of Recognition from the City of SeaTac for her time and effort in overseeing a clothing drive for the Kosovo crisis victims. Darnell is a true humanitarian and the City did not want this action to go unrecognized. She is the wife of SeaTac Firefighter Mike Nichols. Darnell is a flight attendant for Alaska Airlines.

### **Certification of Celebration to the City of SeaTac for its contribution to the Dollars for Scholars**

Mayor Anderson stated that she, along with Councilmember Brennan, Chair of the Hotel/Motel Advisory Committee, attended the "Dollars for Scholars" reception honoring contributors. The advisory committee recommended that SeaTac assist the Tyee High School's Academy for Travel and Tourism (AOTT) program. The Dollars for Scholars Foundation at Tyee is a Chapter of the Citizens' Scholarship Foundation of America. The foundation celebrated the Nation's 800<sup>th</sup> Dollars for Scholars Chapter with the inclusion of Tyee.

**PUBLIC COMMENTS:** Joe Dixon, 19211 35<sup>th</sup> Avenue South, spoke regarding the request for a study for the Light Rail Area Planning. He urged Council to postpone the Request for Proposal (RFP) until there is more comprehensive data compiled. He has studied the City's scope of work documents and outlined his areas of concern.

Linda Snider, 18700 36<sup>th</sup> Avenue South, stated that she spoke with Planning staff regarding the City Center Plan design maps versus the boundary line map for the proposed Urban Center. Many of the goals for the Urban Standards are the same as desired in the City Center concept alternatives. However, the boundary lines do not match. She suggested the Urban Center's eastside boundaries be coordinated with City Center boundaries to achieve both plans' goals.

Linnea Egbert, 15714 23<sup>rd</sup> Avenue Southwest, a trustee for the Elda Behm Botanical Garden Foundation, announced two events: 1) Garden Conservancy Tour at Elda Behm's Paradise Garden on June 5 and 6, 10:00 a.m. to 4:00 p.m. She invited the Council and staff to work as host volunteers for two-hour time periods during the event. Also, as Chair of the Burien Home Garden Tour, she invited everyone to attend the event on Saturday, June 19, 10:00 a.m. to 4:00 p.m. Tour brochures will be available May 25 at the Burien Library and area garden centers. For more information, call Ms. Egbert at (206) 246-0597.

## **Discussion on Light Rail**

Programs Manager Rodwell provided a briefing on the issues that have arisen over the Central City Center Stations, the Port Stations at the InterModal Center (IMC), a potential station at North End Aviation Terminal (NEAT), the impacts of aerial alignments on International Boulevard, emerging issues of the South Link roadway of local access ramps, and a South 184<sup>th</sup> Street Station (City Center Station option).

Ms. Rodwell described the IMC Station and the recent discussion of a NEAT Station, for direct connection to the airport. She pointed out that any form of a NEAT Station versus an IMC Station would have significant impacts on the Airport People Mover (APM) for the two terminals. The other issue is that the City would receive no benefit, if a station was at NEAT. The station needs to be at the IMC in order to provide any level of benefit or pedestrian connection to the northern portion of the City Center.

Ms. Rodwell then discussed the general impacts to the City on the South Link roadway planning concepts that are presently under consideration. The City and Port team requested further information and layouts that would still maintain local access and a South 184<sup>th</sup> City Center Station.

The briefing updated the Council on the light rail issues to assist them in preparation for May 25 Port briefing. A Joint Port/Council Meeting is being scheduled for June 2 with a discussion on the locally preferred alternative (LPA) up for a vote in September.

Council and staff discussion ensued. City Manager Hoggard inquired as to the projected percentage of riders to the airport. Ms. Rodwell stated that the Port's ridership number, using light rail, were projected at approximately one percent of the total airport users.

Councilmember Stevenson challenged the Port's estimated low ridership percentage, stating that the numbers at airports are higher in other cities, citing the Metro system in Washington D.C., which has 16 percent ridership. He also stated that Europe is around 20 percent.

Ms. Rodwell responded that these numbers have some background and are due to the fact that the light rail system is not a high-speed rail, it would have an impact on ridership. Mr. Hoggard questioned whether Sound Transit is building the wrong type of rail system.

Senior Transit Planner Booth provided a list of identified impacts of the different boulevard alignments. He indicated that staff was reviewing the impacts with Council in order to provide the full picture, so that the Council may be fully briefed and knowledgeable on the impacts.

Mr. Hoggard questioned how many businesses would be affected with the alignment running west of or on the boulevard. Mr. Booth stated that 14 businesses would be taken out between South 170<sup>th</sup> to 160<sup>th</sup> Streets, with also some partial takes. Sound Transit and the City are not in agreement on this issue.

Councilmember Brennan adamantly reiterated that Council does not want the International Boulevard brought back as an alternative. Ms. Rodwell stated that Sound Transit's Final Environmental Impact Statement (FEIS) will include all of the alternatives, as required by State law; however, Sound Transit's preference is leaning toward the Port's alignment, west side of the cemetery. Ms. Rodwell urged each Councilmember to talk with Port Commissioners and Sound Transit Boardmembers to ensure that the City's position is known before any further decisions are made on the LPA.

Councilmember Thompson suggested that the homeowners who are being bought out by the Port receive the equivalent money as property sold for commercial use. Discussion arose as to the City not wanting any more construction impact to its community.

In regard to the South link roadway, Councilmember DeHan questioned why the South 188<sup>th</sup> Street access and egress topic was coming up now. Mr. Booth indicated that the City had always maintained with the Port that there be local access for the City between South 170<sup>th</sup> and/or 182<sup>nd</sup> Streets. As the South 182<sup>nd</sup> Street access was appearing less

likely due to operational issues, the Port was offering South 188<sup>th</sup> Street as a compromise access for the southend. If the access did not work at South 188<sup>th</sup> Street, then the only local access after the South 28<sup>th</sup>/24<sup>th</sup> Street, South Access and SR 509, would be South 200<sup>th</sup> Street. Also, it was discussed at the Joint Advisory Committee (JAC) meeting that the Port Commissioners had instructed Port staff to ensure that there was some form of local access between South 170<sup>th</sup> Street and South 182<sup>nd</sup> Street.

In summation, Ms. Rodwell reviewed the next steps for the Council: 1) review options for South 200<sup>th</sup> and 154<sup>th</sup> Streets; 2) revisit these issues at the next Council Meeting; 3) address Council questions that arose this evening; 4) get Council guidance on preferences; and 5) work through political and technical channels to get best LPA agreements by June – July.

### **City/Port Joint Advisory Committee (JAC) Update**

Programs Manager Rodwell updated Council on the JAC's May 5 Meeting on the following issues: 1) the Port Commissioners will be briefed on May 25 at 1:00 p.m. on the eastside verses westside of the cemetery issue. The City will be given time to speak at this meeting. She would like the Port to brief the Council that evening; 2) regarding the Mobile Home Park issue, the Port is talking to the Federal Aviation Authority (FAA) regarding compensating the homeowners upon closure of the park; 3) the policing issues were discussed and an agreement has been signed; 4) the Westside Neighbors for Fair Acquisition issues were discussed; 5) as for the Elda Behm Gardens, the City will look for a site and the Port agreed to assist in relocation; and 6) an issue for discussion is the City's role in the grading permits of Port projects.

Mayor Anderson stated her concern with the buyout of homes and the Port using this land for staging areas on a temporary basis and then rezoning to commercial at a higher selling rate. Homeowners would have received more dollars for their property if the land was to be zoned for commercial use. She told the Port that she opposes the Port making a profit on these homes.

### **Briefing on Garbage Service Options**

Public Works Director Rayburn stated that staff is requesting Council direction on whether to continue with the City's current solid waste service or make changes. Public Works Programs Coordinator Chang presented this issue to the Transportation & Public Works (T&PW) Committee and the committee recommended that it be brought to the full Council for resolution.

Ms. Chang stated that the purpose of this presentation is to receive input from Council on whether the City's Solid Waste System the best option for the SeaTac's ratepayers. The Solid Waste Advisory [Committee \(S RCW\)](#) researched and compiled data on options. Option One is to continue with the Washington Utilities and Transportation Commission (WUTC) which sets rates and service levels and assigns territories for the haulers. The City currently uses this type of service utilizing two haulers, Nick Raffo Garbage and SeaTac Disposal. Recently, both have merged with larger parent firms; Raffo Garbage with Waste Management, and SeaTac Disposal with Allied Waste. Due to the fact that these are new parent companies, staff is uncertain how this will impact rates and services. Option Two is to establish a contract between the City and the haulers. Ms. Chang compared the options and their pros and cons. She also summarized the three implementation options for services: 1) stay with WUTC. However, if the City later decides to enter into a contract, a seven-year waiting period is required by State law; 2) negotiate a franchise with existing haulers to start the seven-year notification period. The City must then decide once and for all whether to stay with the WUTC system or contract with haulers; and 3) negotiate a contract with haulers, which will require significant staff time and resources to negotiate and administer a service contract.

Council and staff discussion ensued regarding rates for the various curbside services of the haulers and the seven-year notification period.

Mr. Dixon stated that by recycling, households can downsize their garbage service and save enough to pay for curbside recycling. Ms. Chang stated that the rate summary she outlined is for "one can" service, which is the most popular service.

Joe Reynolds, 3719 South 194<sup>th</sup> Street, explained the service he uses that best fits his needs.

Ms. Chang continued by stating [the S RCW](#) staff favor Option Two, which secures the freedom to choose between the two options, WUTC or contract with haulers. The City of Tukwila has a one-page franchise that the City could use as a model.

Councilmember DeHan inquired as to the cost of curbside recycling and yard waste service for Cities with mandatory garbage service. Mr. Rayburn stated that with mandatory service, the fees tend to be lower.

Councilmember Thompson pointed out that a contract allows for senior discounts whereas the WUTC does not permit discounts.

Ms. Chang will further answer Council's concerns in a detailed report to follow.

#### **CONSENT AGENDA:**

**Approval of claims vouchers** in the amount of \$475,306.63 for the period ending April 30, 1999.

**Approval of claims vouchers** in the amount of \$748,058.00 for the period ending May 6, 1999.

**Approval of employee vouchers** in the amount of \$480,497.88 for the period ending April 30, 1999.

**Approval of firefighter vouchers** in the amount of \$490.00 for the period ending April 30, 1999.

**Approval of summary of \$5,000 - \$25,000 purchase requests** for the period ending May 7, 1999.

#### **Approval of Council Minutes:**

**Study Session** held April 6, 1999.

**Study Session** held April 20, 1999.

**Regular Council Meeting** held April 27, 1999.

**Special Council Meeting** held May 5, 1999.

#### **Acceptance of Advisory Committee Minutes:**

**Library Advisory Committee Meeting** held November 17, 1999 (approved by this committee January 5, 1999).

**Planning Advisory Committee Meetings** held February 1 and 22, and March 1, 1999 (approved by this committee May 3, 1999).

#### **Approval of the following Ordinances, Resolution, and Motions recommended at the May 4, 1999 Study Session for Placement on the Consent Agenda:**

##### **Agenda Bill #1684; Ordinance #99-1019**

**An Ordinance declaring public use and necessity for property to be condemned as required as part of the 28<sup>th</sup>/24<sup>th</sup> Avenue South Arterial Project and authorizing the payment of funds from the City's 307 Transportation Capital Improvement Plan (CIP) Funds - Public Works**

**Summary:** The 28<sup>th</sup>/24<sup>th</sup> Avenue South Arterial Project is scheduled to begin construction in late summer 1999. This will include constructing a four-lane roadway with left turn provisions at intersections. The improvements will include curb, gutter, sidewalk, bicycle lanes, medians, street lighting, storm drainage, channelization, signalization, paving, landscaping and undergrounding of overhead utility lines exclusive of the high voltage lines. The project will be advertised for construction bids in June or July with a bid opening in July or August.

Before construction can begin, right-of-way deeds or right-of-entry agreements must be secured. It is anticipated that one or more parcels will be acquired through the condemnation process. To begin the condemnation process, an Ordinance must be adopted declaring the need for public use and necessity for the property to be condemned as part of the project and authorizing payment of funds from the City's 307 Transportation CIP Fund.

The properties to be acquired have been appraised and a fair market value established. Currently, the City is working with its consultants to negotiate the acquisition of these properties. Although the City is in the early stages of the right-



of-way acquisition process, it is anticipated that one or more properties will not be acquired through negotiation. These properties will be acquired using condemnation procedures. Currently, there are no properties identified for condemnation.

Adopting this Ordinance allows staff the ability to pursue the acquisition process in a timely manner. If staff had to request the adoption of an Ordinance to condemn a property each time the negotiations for a parcel reached an impasse, it would significantly increase the amount of time, staff effort and Council actions needed. It is staff's preference to acquire all of the needed right-of-way through negotiation.

#### **Agenda Bill #1704; Resolution #99-014**

#### **A Resolution ratifying amendments to the King County Countywide Planning Policies (CCPs) - Planning**

**Summary:** The Growth Management Planning Council (GMPC) met on September 23, 1998 and approved the following Motions:

Motion 98-4: recommends an amendment that would coordinate the evaluation and reporting of data and information on implementation of the CPPs with the requirements of [RCW 36.70A.215](#), "Buildable Lands;"

Motion 98-5: recommends amending the CPPs to reflect the Joint Planning Areas that have been resolved and to recognize the existing Interlocal Agreement for the City of Snoqualmie's Joint Planning Area;

Motion 98-6: recommends removing the Redmond Overlake and Kirkland Totem Lake areas from the list of Urban Centers, and to add Redmond Overlake to the list of Manufacturing/Industrial Centers; and

Motion 98-7: recommends increasing the distance for property owner notice of resource land designations.

On February 22, 1999, the King County Council approved and ratified these amendments under Ordinance No. 13415. These amendments bring the CPPs into conformance with State laws, as recently amended, and with the amended Comprehensive Plan Policies of several Cities regarding Urban Center/Manufacturing Center designations.

#### **Agenda Bill #1686**

#### **A Motion approving the Street Parkway Improvement Project on South 198<sup>th</sup> Street and Military Road - Parks & Recreation**

**Summary:** Taylor Evans-Race, SeaTac youth, has proposed clearing and landscaping the small public right-of-way at South 198<sup>th</sup> Street and Military Road. He has been working through the City process to receive approval to complete this project for his Boy Scouts of America Eagle Scout Badge.

Taylor has raised funds and donations to pay for the landscaping and bench proposed for the site. He has received the necessary approvals from the City Departments and is now requesting the City Council's approval. The site is very visible and would help the beautification efforts of the City.

Taylor plans to complete the installation of the plants in the fall. After installation, it will be the City's responsibility to maintain the site. Taylor gave a presentation and answered Council questions at the May 4 Study Session. The City Council recommended supporting this program with \$1,400 in funding.

#### **Agenda Bill #1653**

#### **A Motion approving a low bid for construction of Valley Ridge Park Improvements - Parks & Recreation**

**Summary:** The City Council approved a budget of \$1,357,470 for completion of Valley Ridge Park Improvements. This Motion implements the Valley Ridge Park Master Plan that includes a playground area, basketball courts, skateboard park, roller hockey court, outdoor restroom, new parking lot, and landscaping.

This project will complete the Park Master Plan that Council approved on October 13, 1998. The park improvement construction is expected to begin in late May and be completed by early October 1999.

The bids were opened on April 21, 1999, with eleven contractors submitting bids. The low bidder was Hisey Construction, Inc. from Bainbridge Island with a bid of \$1,156,614. Staff has added a 10 percent contingency for a total request of \$1,272,275.

**Agenda Bill #1666; Ordinance #99-1020**

**An Ordinance amending the 1999 Annual Budget for Valley Ridge Park Improvements – Finance**

**Summary:** This Ordinance amends the 1999 Annual Budget to provide appropriation authority for Valley Ridge Park Improvements totaling \$1,357,470 and is companion of above Agenda Bill No. 1653.

MOVED BY DEHAN, SECONDED BY BRENNAN TO ACCEPT THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY.

**NEW BUSINESS:**

**Agenda Bill #1693; Ordinance #99-1021**

**An Ordinance authorizing issuance and sale of Local Option Transportation Tax Revenue Bonds - Finance**

**Summary:** This Ordinance authorizes issuance of \$6,675,000 in Local Option Transportation Tax Revenue Bonds in order to refund a portion of the 1994 bonds currently outstanding. This refunding is done to achieve savings through lowered debt service interest costs as was done with the City Hall Bonds in December 1998.

A refunding bond issue is very similar to a homeowner refinancing a mortgage. The proceeds of the new bond issue are placed in escrow to retire the 1994 bonds as principal and interest payments become due. Savings are realized because the new bonds have a lower interest rate than the 1994 bonds. The sale of the refunding bonds will be negotiated by the underwriter.

Finance Director Spencer presented the results of the bond pricing conducted the morning of May 11. The final par amount of the bonds total \$6,675,000 to refund \$5,820,000 of 1994 Transportation Tax Bonds. The bonds are insured and therefore carry a "AAA" rating, however, Standard & Poor's issued an underlying an "A" rating which is the same as the 1994 bonds. Ms. Spencer noted that she would like to pursue this matter further as she feels the City has a strong case for a bond rating upgrade on these bonds. Council concurred.

Based on the pricing of the bonds, the City will realize a savings of \$436,000 over the life of the bond issue, a savings of \$325,000 when discounted to present value.

MOVED BY THOMPSON, SECONDED BY BRENNAN TO ADOPT ORDINANCE NO. 99-1021.

MOTION CARRIED UNANIMOUSLY.

**Agenda Bill #1694; Ordinance #99-1022**

**An Ordinance amending the 1999 Annual Budget for Local Option Transportation Tax Revenue Bonds – Finance**

**Summary:** This Ordinance amends the 1999 Annual Budget by increasing both revenues and expenditures to provide appropriation authority for the issuance of Local Option Transportation Tax Revenue Bonds and payment to the escrow agent. This is companion to above Agenda Bill No. 1693.

MOVED BY BRENNAN, SECONDED BY STEVENSON TO ADOPT ORDINANCE NO. 99-1022.

MOTION CARRIED UNANIMOUSLY.

**Agenda Bill #1695; Ordinance #99-1023**

**An Ordinance authorizing issuance and sale of Stormwater Revenue Bonds – Finance**

**Summary:** This Ordinance authorizes issuance of \$3,320,000 in Stormwater Revenue Bonds in order to refund a portion of the 1994 bonds currently outstanding. This refunding is done to achieve savings through lowered debt service interest costs.

The proceeds of the new bond issue are placed in escrow to retire the 1994 bonds as principal and interest payments become due. Savings are realized because the new bonds have a lower interest rate than the 1994 bonds. The sale of the refunding bonds will be negotiated by the underwriter.

Finance Director Spencer presented the results of the bond pricing conducted this morning. The final par amount of the bonds total \$3,320,000 to refund \$2,890,000 of 1994 Storm Water Revenue Bonds. Based on the pricing of the bonds, the City will realize a savings of \$191,000 over the life of the bond issue, asavings of \$146,000 when discounted to present value. The bonds are insured and therefore carry a "AAA" rating, however, Standard & Poor's issued an underlying rating of "A+," which is the same as the 1994 bonds. Spencer noted that with the uncertainty of costs to the City associated with the Endangered Species Act and water quality, retaining the current rating of A+ was acceptable.

MOVED BY THOMPSON, SECONDED BY HANSEN TO ADOPT ORDINANCE NO. 99-1023.

MOTION CARRIED UNANIMOUSLY.

#### **Agenda Bill #1696; Ordinance #99-1024**

##### **An Ordinance amending the 1999 Annual Budget for Stormwater Revenue Bonds – Finance**

**Summary:** This Ordinance amends the 1999 Annual Budget to provide appropriation authority for the issuance of Stormwater Revenue Bonds. This is a companion to above Agenda Bill No. 1695.

Finance Director Spencer distributed a revised Ordinance increasing the amount of the budget amendment from \$3,300,000 to \$3,330,000. The size of the bond issue had to be increased due to the increase in interest rates over the past two weeks. This budget amendment increases both revenues and expenditures of the Storm Water Management Utility Fund by the same amount, having no fiscal impact on ending fund balance.

MOVED BY THOMPSON, SECONDED BY DEHAN TO ADOPT ORDINANCE NO. 99-1024.

MOTION CARRIED UNANIMOUSLY.

#### **Agenda Bill #1700; Resolution #99-015**

##### **A Resolution approving a 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 (AFSCME), AFL-CIO, Local 3830, for the years 1999, 2000, and 2001 - Human Resources**

**Summary:** Tentative agreement has been reached, following extensive negotiations, between the negotiation teams for management and labor, as to a collective bargaining agreement covering wages, hours, and working conditions of the bargaining unit employees for the years 1999, 2000, and 2001. The tentative agreement includes a variety of terms, both economic and non-economic. A brief summary of the substantive changes is as follows: 1) cost-of-living adjustments equal to 90 percent of the Consumer Price Index – Washington (CPI-W), Seattle-Tacoma-Bremerton, for each of the three years, with the maximum increase allowable reduced from five percent to four percent; 2) removed language from contract that allowed employees to grieve oral reprimands; 3) revised on-the-job injury section to reflect new City policies; 4) added incremental vacation increases between the sixth and fifteenth years of employment; 5) implemented the results of the classification and compensation study of administrative support positions; 6) narrowed opportunities for "bumping" during a layoff process by clarifying that such opportunities are limited to positions in the same "classification series"; and 7) revised bereavement leave section to allow such leave upon the death of an employee's mother-in-law, father-in-law, or stepchildren.

There are currently 60 employees within the bargaining unit represented by AFSCME enacted in July 1992. Although the most recent contract expired December 31, 1998, in accordance with State law, the parties have continued to honor its terms pending negotiation of a new collective bargaining agreement.

MOVED BY STEVENSON, SECONDED BY BRENNAN TO PASS RESOLUTION NO. 99-015.

MOTION CARRIED UNANIMOUSLY.

Council thanked Ms. Seivers and staff for their time and effort on this difficult task of contract negotiating.

**Agenda Bill #1702**

**A Motion authorizing the Scope of Work for the Hotel/Motel Tax Study - City Manager**

**Summary:** The City's Hotel/Motel Advisory Committee is seeking information on the market demand and tourist basis for increasing revenues in the hotel sector, which would require a market analysis and study. The study is to define and clarify the best use of future Hotel/Motel revenues for a suitable facility project.

The committee has been charged with reviewing appropriate projects to be conducted using the revenue from the Hotel/Motel Tax Fund. The committee recommended that a feasibility study be conducted to determine the types of revenue generating activities that should be pursued. This study would then be the basis for use of funds for tourism related facility projects and/or activities in the City of SeaTac.

Assistant City Manager Holman briefed on the above summary and reviewed with Council the elements in the scope of work. He stated that staff will bring to Council, for approval, the selected consultant and specific costs, estimated at \$50,000.

Councilmember Brennan stated that the committee reviewed and agreed with the scope of work study and revisions. Ms. Rodwell suggested interfacing any of the areas that feasibly fit in with the Light Rail Station Area Planning. The committee suggested that one of its members, Sam Uchello, General Manager of the SeaTac Marriott Hotel, be on the panel selecting the consultant.

MOVED BY BRENNAN, SECONDED BY STEVENSON TO APPROVE AGENDA BILL NO. 1702.\*

Linda Snider stated her concern that the Hotel/Motel Tax fund has use limits governed by the State. She suggested that the City's Lobbyist join forces with the City's hotel owners regarding the use of the monies to purchase a ladder truck for the hotels' high-rise structures. This is an important safety concern to the City.

\*MOTION CARRIED UNANIMOUSLY.

**ADDITION TO NEW BUSINESS:**

Councilmember Hansen requested permission to address a Resolution under New Business regarding Sound Transit's Light Rail alignment. He had concern that the purpose of the rail system has been changed to a street car system rather than what the citizens voted for. He recited his proposed Resolution and requested staff modifications be made as appropriate.

MOVED BY BRENNAN, SECONDED BY THOMPSON TO APPROVE THE RESOLUTION REGARDING SOUND TRANSIT'S LIGHT RAIL ALIGNMENT NOT BEING IN THE BEST INTEREST OF THE CITY OF SEATAC.\*

Council and staff discussion ensued. It was assumed in the initial rail system discussions that it would be a rapid rail and not a light rail. The alignment will now take 40 minutes to travel from the airport/SeaTac to Seattle and over three hours from Tacoma to Everett, which will not service the local area as initially proposed.

\*MOTION WAS WITHDRAWN.

Council concurred to send this proposed Resolution to a Special Council Meeting on May 18. Mayor Anderson requested that Councilmembers Hansen and DeHan edit and revise the Resolution as appropriate for Council's consideration.

**PUBLIC COMMENTS:**

Bill Reynolds, 3719 South 194<sup>th</sup> Street, stated he attended the May 4 Study Session and discussed with staff the City Hall siting and its roadway access and egress. He stated he appreciated them updating him on this issue. Regarding the light rail, he stated he is a retired airport employee and now understands that the Port plans to build a terminal on the westside of the airfield, which will accommodate their access to the light rail system. He suggested comparisons of stations in other large Cities be made. He feels the system does not work for Cities.

Mr. Dixon spoke on the Light Rail Station Area Planning and suggested the study concentrate on the South 200<sup>th</sup> Street Station, which should cover all the issues for the other stations and be more cost efficient.

**CITY MANAGER'S COMMENTS:** City Manager Hoggard had the following items: 1) two meetings on the City Center Plan have been held, with two scheduled on May 12 at the Valley Ridge Community Center, one for the Stakeholders at 3:00 to 5:00 p.m. and the other for the South 170<sup>th</sup> Street/32<sup>nd</sup> Avenue South residents to be held at 6:00 to 8:00 p.m.; and 2) the Draft Supplemental Environmental Impact Statement (DSEIS) Open House and Public Meeting on the City Center will be held May 13; and 3) a McMicken Heights Community Meeting on May 19, 7:00 to 9:00 p.m. at the McMicken Heights Community Center.

**COUNCIL COMMENTS:**

Mayor Anderson had the following items of business: 1) received a citizen's written request regarding a storm drain ditch issue which she will forward to the Public Works Director; 2) received a letter from the Library Advisory Committee requesting police officers do more periodic walk-throughs at the Valley View Library. She received word from the Police Department that this action has been discussed and walk-throughs will be conducted on a more regular basis; 3) She pointed out the large thank you card hanging in the Council Chambers was sent to the City from the McMicken Heights Elementary School in appreciation for the play court provided by the City and the Rotary Club. The dedication on May 7 was a success. On a second issue, she mentioned that this school's principal is leaving to go to Issaquah due to the school building's condition. She does not want to leave SeaTac but feels she has no choice. Mayor Anderson urged the neighboring residents to contact the Highline School District to make them aware of their concerns regarding the school's poor learning environment.

Councilmember DeHan added that the district now receives over \$7,000 per student yearly for education and facility use. He wonders where that money is going. Council concurred.

Councilmember Hansen stated that the Land Use, Parks & Economic Development (LUPED) Committee met prior to this meeting. One of the topics was a presentation by the Lutheran Social Services regarding partnering with the City on senior and other social service. The committee was impressed with the group and plans to bring the presentation to Council. Secondly, Senior Planner Holly Anderson discussed multi-family standards and City Attorney McAdams discussed work he has been doing on business licensing for multi-family housing.

Councilmember Stevenson stated that a levy was passed several years ago to help rebuild schools and was used for administration. The school district then requested an additional levy to rebuild schools and the voters decline it. He would like to see an answer to this dilemma as the schools are in terrible condition.

Councilmember Brennan inquired as to the Interlocal Agreement (ILA) with Tyee High School's AOTT program. City Attorney McAdams stated he is completing the draft ILA and will send the draft to the school district.

**ADJOURNMENT:** MOVED BY DEHAN, SECONDED BY STEVENSON TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 8:27 PM.

MOTION CARRIED UNANIMOUSLY.

Terry Anderson, Mayor  
Judith L. Cary, City Clerk



# SEATAC CITY COUNCIL SPECIAL MEETING MINUTES

May 18, 1999 - Immediately following the 7:00 p.m. Study Session  
City Hall Council Chambers

**CALL TO ORDER:** The Special Meeting of the SeaTac City Council was called to order by Mayor Terry Anderson at 9:13 p.m.

**ROLL CALL:** Present: Mayor Terry Anderson, Councilmembers Steve Stevenson, Shirley Thompson, Frank Hansen, Kathy Gehring, Joe Brennan, and Don DeHan.

**ADMINISTRATIVE STAFF:** Present: Calvin Hoggard, City Manager; Jay Holman, Assistant City Manager; Kristina Lowrey, Deputy City Clerk; Bob McAdams, City Attorney; Elizabeth Spencer, Finance Director; Julie Rodwell, Programs Manager; and Jim Downs, Fire Chief.

## **NEW BUSINESS:**

### **Agenda Bill #1708; Resolution #99-016**

#### **A Resolution urging Sound Transit to seek a different Rail Route and Technology – Council**

**Summary:** Ground-breaking for most of the Central Link Light Rail is expected in 2002-4. The project is currently at the stage of completing a Final Environmental Impact Statement (EIS), with "design-build" contracts to be issued shortly for the Seattle portion of the system.

The Puget Sound region has difficult terrain from a transportation standpoint, with bodies of water, narrow land corridors and a long spread-out urbanized area. In the 1988-94 time period, the new rail construction that was examined and proposed was fast rapid transit. This type of "heavy" rail has the following features: fast running speeds; rapid acceleration and deceleration; heavy, large cars; third rail power source, requiring full grade-separation and high platforms for safety; and flush-level loading with sliding doors. Such systems are thus either elevated or in tunnels, or a combination.

By contrast, "light" rail has: modest running speeds; moderate acceleration and deceleration; smaller car size; overhead power source from a catenary / wire system; stairs or low floor and internal stair design for loading from street level; and ability to operate in street medians or sides of streets.

The project planners at that time pushed for "heavy" rail because the eventual system, a 100-mile stretch from Everett to Tacoma, would have to make the trip in times that compete with the private car, about two hours, at all but the most congested times of day. Heavy rail also seemed to be what the majority of voters were assuming.

With the current Sound Transit proposal, it will take approximately 32 to 47 minutes to reach downtown Seattle's Westlake Station from Sea-Tac Airport because of the less than direct route, the number of stops, and light rail technology. The Port estimates that only one percent of its air passengers will access the airport rail due to the lengthy journey, and the difficulty of getting air passengers (with luggage) on to rail at all. It would require a major construction challenge to insert the rail line into their transportation system, for such a limited result.

The initial line in a metropolitan regional rail system **MUST** be a line-haul system. Other modes of feeder transit and private cars will access this line, but if it's made into a meandering, frequent-stop operation, its line-haul functions will be diluted or completely lost.

In the 1993 programmatic EIS performed by Metro's High Capacity Transit (HCT) Group before they evolved into Sound Transit, three main alternatives were examined: 1) "no-build"; 2) Transitway; and 3) (rapid) rail. The Transitway scenario would have added on-off fly over ramps to the state's current and planned system of center lane diamond lanes, so that buses as well as vanpools and carpools could easily enter and exit these lanes. The Transitway alternative however was dismissed as not performing as well as the rail because a \$3 billion rail system was compared

with a \$1 billion Transitway system.

The Sound Transit Board is urged either to re-visit the Transitway technology choice, or to add funds and commit to a heavy-rapid rail technology following the shortest routes between the cities to be connected. SeaTac recognizes that this suggestion comes when there is already much effort expended on the development of the light rail system; however, no major capital outlays have yet been made, and startup is not imminent except for the one-mile stretch in Tacoma. Thus, better to do it right now than spend billions for a system that can attract very few riders.

MOVED BY HANSEN, SECONDED BY BRENNAN TO PASS RESOLUTION NO. 99-016.\*

Councilmember Hansen stated that the proposed Light Rail System is a waste of tax payer's money. He stated that Council needs to make a statement that this is not in the best interest of SeaTac and the City needs to ask the Sound Transit Board to once again review the issue. He questioned why the City continues to pursue the City Center Station when it is not advantageous to SeaTac citizens. He wants Council to consider what is good for the City, such as the already agreed upon South 200<sup>th</sup> Street Station.

Councilmember Hansen urged the Council to approve this Resolution and send it, with a cover letter, to Sound Transit.

Councilmember Brennan stated that he supports the Resolution and agrees with Councilmember Hansen. There is nothing in the Resolution that would call for retribution from Sound Transit.

Councilmember DeHan questioned what benefit would be derived from sending this Resolution. The City has established a rapport with Sound Transit to try to politically negotiate options that are best for the City. He feels the negotiation process is the best way to go and that the Resolution will not serve the City at this time. The City should approach this in a way that creates dialogue, not confrontation.

Mayor Anderson stated that Tukwila, that wants this service, was designated an Urban Center and will not be serviced by this Light Rail. She stated that SeaTac needs to represent itself and she stated her support of the Resolution.

Councilmember Thompson suggested that the Council allow Councilmember DeHan six to eight weeks to try to work out the issues of concern and set this Resolution aside until after that time.

Councilmember Stevenson stated that if this transit system cannot be done right, it should not be done at all. He questioned why the commuter train planned to go from the Union Station to Tacoma cannot be continued up to SeaTac from Tukwila.

Mr. Dixon stated his support of the Resolution and suggested that the wording used in Agenda Bill No. 1708, under Discussion, be used for the cover letter.

Council discussion ensued regarding the cover letter and the City Center Station. If the City Center Station is not provided for in phase I, then it will not be a future option. The intent was to be able to put a station in at the City Center without shutting down the line at some future time.

\*UPON A ROLL CALL VOTE, THE MOTION CARRIED WITH THOMPSON AND DEHAN VOTING NO.

**RECESSED:** Mayor Anderson recessed the Special Council Meeting for an Executive Session on Land Acquisition at 9:44 p.m.

#### **EXECUTIVE SESSION: Land Acquisition**

**RECONVENED:** Mayor Anderson reconvened the Special Council Meeting at 10:45 p.m.

**ADJOURNMENT:** MOVED BY STEVENSON, SECONDED BY BRENNAN TO ADJOURN THE SPECIAL MEETING OF THE SEATAC CITY COUNCIL AT 10:47 PM.



MOTION CARRIED UNANIMOUSLY.

Terry Anderson, Mayor

Kristina Lowrey, Deputy City Clerk

# SEATAC CITY COUNCIL REGULAR MEETING MINUTES

May 25, 1999 - 6:00 PM  
City Hall Council Chambers

**CALL TO ORDER:** The SeaTac City Council Regular Meeting was called to order by Mayor Terry Anderson at 6:04 p.m.

**ROLL CALL:** Present: Mayor Terry Anderson, Councilmembers Steve Stevenson, Shirley Thompson, Frank Hansen, Kathy Gehring, Joe Brennan, and Don DeHan.

**ADMINISTRATIVE STAFF:** Calvin Hoggard, City Manager; Jay Holman, Assistant City Manager; Kristina Lowrey, Deputy City Clerk; Bob McAdams, City Attorney; Steve Butler, Planning Director; Craig Ward, Principal Planner; Holly Anderson, Senior Planner; Mary Pederson, Court Administrator; Shelly Andrew, Court Clerk; Tom Betenson, Acting Fire Chief; MaryAnn Cromwell, Executive Secretary; and Kit Ledbetter, Parks & Recreation Director.

**FLAG SALUTE:** Councilmember Hansen led the Council, staff, and audience in the Pledge of Allegiance to the Flag.

## **INTRODUCTIONS:**

### **Introduction of New City Employee**

City Manager Cal Hoggard introduced new Court Clerk Shelly Andrew. Ms. Andrew moved to Washington a year ago from her home state of Alaska where she had nine years of Court Clerk experience. She was recently employed by King County Superior Court. Ms. Andrew and her husband have a two-year old daughter.

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

## **PRESENTATIONS:**

### **Overview of Staff Activities related to the Multi-family Development Moratorium**

Senior Planner Holly Anderson stated that staff wanted to give Council an overview of the various proposals related to the multi-family moratorium. These proposals will be covered in more detail on June 1, 8 and 22. The three proposals are: 1) design standards; 2) maintenance standards; and 3) "P-suffix" issue.

When the multi-family moratorium was put in place, the concerns that were to be addressed were to ensure quality housing is built that is compatible with surrounding neighborhoods, ensure that new and existing properties are adequately maintained, safe and livable, and address "P-suffix" zoning specific conditions.

Staff is proposing to address the issue of quality housing that is compatible with surrounding neighborhoods through Multi-family Design Standards. These would be proposed amendments to the Zoning Code and would apply to new multi-family development. Major elements of the proposed standards are building siting and design, access, circulation and parking, covered and structured parking, recreation and open space, density calculation, incentives, and a townhouse overlay zone.

Management/maintenance standards are being proposed to address the quality of apartment complex management. These standards would apply to all multi-family housing, existing and new. These would be applied via business licensing.

Another proposal to address the issue of apartment complex management, is to start an Apartment Managers' Network. This proposal has been to the Land Use, Parks, and Economic Development (LUPED) Committee. This concept has been successfully implemented by the City of Tukwila. With input from Tukwila's Police Department and Human Services Department, meetings are held with all the apartment managers in the City. At these meetings recurring issues faced by managers (i.e. how to get and keep good tenants, how to deal with the human services issues that arise) are discussed. Various SeaTac staff have visited Tukwila's meetings and are proposing that SeaTac implement the same

type of network. It is being proposed that this commence by holding a dinner at the community center to which all owners and managers of apartments, condos, and manufactured home parks would be invited. The proposed agenda would cover business licensing standards, code enforcement, building inspections, and National Night Out (NNO). Staff is requesting Council direction as to whether they would like staff to proceed with this.

In March staff briefed Council on the "P-suffix" research. The Council directed staff to prepare a process for applying conditions and to prepare a draft rezone for 21212 International Boulevard to reapply the specific conditions of UH-900 only for expansion of the existing nursing home. Staff drafted those proposals and went forward to a Planning Advisory Committee public hearing held May 17. The owner of that property can no longer meet those conditions because he no longer owns the nursing home. King County's Ordinance stated that the conditions were to be met within one year or the property would revert to the single-family zoning. A revised proposal would be to rezone the property to single-family with a Comprehensive Plan change to single-family. An alternative to this is that the property could be rezoned to an alternate zone with conditions that would be acceptable to the neighborhoods as well as the owner. This is something that could possibly be pursued through the public hearing process. If Council directs staff to go forward with this revised proposal, the new public hearing would be June 14. Ms. Anderson reviewed a map of the affected property.

City Attorney McAdams stated that the property was never really rezoned by King County because the condition of the rezone was that certain things had to be met within one year or it would revert back to single-family. The City, when imposing its own Zoning Code and adopting its official zoning map, used the coding off the County map of multi-family when, in fact, it was never rezoned from single-family. One route the City could follow is to admit that it was a mistake on the part of the County, the City followed suit of the County not realizing it was a mistake and, therefore, the property should be rezoned to single-family. Then the owner can come in and ask for a rezone.

Council discussion ensued regarding rezoning the property to single-family. Council stated they would like to hear from the residents of the neighborhoods in that area. It was decided to go forward with the proposed change to single-family, leaving it open to future consideration for duplexes or other multi-family housing, and the public hearing will be scheduled for June 14. Staff will also contact the property owner to see if there might be another option and to be sure that the neighborhood is kept informed of this.

Council discussion also ensued regarding the potential of a lawsuit by the property owner. Mr. McAdams stated that while there is potential for a lawsuit, he feels the City has every reason to downzone this property due to the mistake made by King County.

### **City Center Plan - Preferred Alternative**

Planning Director Steve Butler stated that staff would brief Council on the City Center Study progress to date; review the City Center schedule; summarize the public comments received; and discuss the preferred alternative and policy issues.

Mr. Butler stated that the McMicken Heights Community Meeting was held May 19, the last of the community meetings. May 20, the official public comment period for the Draft Supplemental Environmental Impact Statement (SEIS) closed. A Planning Advisory Committee Meeting was held May 24.

There are four proposed alternatives: 1) No Action; 2) Superblock; 3) Bow Lake Center; and 4) Main Street.

The current schedule is as follows: Final SEIS to be published June 4; Planning Advisory Committee Public Hearing to be held on June 7; Council Review on May 25, June 1, 8, and 15; Council Decision to be made June 22; and plan and standards to become effective July 23.

Principal Planner Craig Ward reviewed the summary of public comments received to date including property values, traffic, multi-family development, parks, open space and trails, school capacity and safety, neighborhood preservation, potential conversion of Bow Lake Mobile Home Park, and location of transit stations. There was general support for the Main Street Alternative.

Staff is requesting Council direction as to which alternative they would like staff to proceed with.

Council discussion ensued with comments made in support of the Main Street Alternative and staff being complimented on the McMicken Heights Community meeting presentation.

A Special Council Meeting will be scheduled to review the alternatives policy issues.

#### **CONSENT AGENDA:**

**Approval of claims vouchers** in the amount of \$660,261.05 for the period ending May 20, 1999.

**Approval of employee vouchers** in the amount of \$344,625.39 for the period ending May 15, 1999.

**Approval of summary of \$5,000 - \$25,000 purchase requests** for the period ending May 21, 1999.

#### **Approval of Council Minutes:**

**Study Session** held May 4, 1999.

**Regular Council Meeting** held May 11, 1999.

**Study Session** held May 18, 1999.

**Special Council Meeting** held May 18, 1999.

#### **Acceptance of Advisory Committee Minutes:**

**ADA Advisory Committee Meeting** held January 11, 1999 (approved by this committee May 10, 1999).

**Civil Service Commission Meeting** held March 8, 1999 (approved by this commission May 10, 1999).

**Human Relations Advisory Committee Meeting** held March 11, 1999 (approved by this committee April 13, 1999).

**Library Advisory Committee Meeting** held April 21, 1999 (approved by this committee May 20, 1999).

**Senior Citizen Advisory Committee Meeting** held March 11, 1999 (approved by this committee April 8, 1999).

#### **Approval of the following Ordinance and Motions recommended at the May 18, 1999 Study Session for Placement on the Consent Agenda:**

##### **Agenda Bill #1671; Ordinance #99-1025**

**An Ordinance amending the Zoning Code regarding a revised definition of a "Parapet," a new definition for "Roof Signs," and a specific statement that Roof Signs are Prohibited Signs – Planning**

**Summary:** Parapet signs, but not roof signs, are permitted in SeaTac. However, due to ambiguity in the definition of a parapet, some businesses have proposed parapet signs that are in fact roof signs. The update to the definition of a "parapet" will help clarify the difference between a parapet sign and roof sign. A new figure will also be added to the SeaTac Municipal Code (SMC) to illustrate a parapet.

A new definition for roof signs would be added to the Code. The definition will provide a clear distinction between what is a roof sign and what is a parapet sign. Further, the Code will be amended to very explicitly prohibit roof signs.

##### **Agenda Bill #1705**

**A Motion authorizing designation of Primary Office Supply Vendor – Finance**

**Summary:** Although office supplies are generally low-cost single items, the total amount paid by the City to its current designated office supply provider over the past four years is as follows: 1995 - \$55,728; 1996 - \$53,676; 1997 - \$62,757; and 1998 - \$55,270.

In an effort to ensure that the City continues to receive competitive pricing for office supplies, a call for bids (CFB) was issued in April, with four bids received by the May 12 due date. Bidders were required to submit pricing for 75 specified office supply items routinely purchased by the City. Based on a review of the bids received as well as reference checks, Finance Department staff recommends awarding the low bidder, Boise Cascade, the office supplies contract.

Based on detailed specifications included in the CFB, the City will designate a primary office supply provider, but staff will not be prohibited from purchasing from other providers. The duration of the contract will be two years, with an option to renew the contract for a third year if performance of the provider is deemed to be satisfactory.

**Agenda Bill #1707**

**A Motion approving Final Acceptance of North SeaTac Park Ballfield Repairs - Parks & Recreation**

**Summary:** Pacific Earthworks, Inc. has completed the North SeaTac park Ballfield repairs authorized by the City Council. The work was completed ahead of schedule, within budget and with high quality.

The construction contract was awarded by the City Council on March 30, 1999, for the total amount not to exceed \$71,263.98. The City has a contract with King County ensuring they will reimburse us for this project. The work was estimated to cost approximately \$80,000. The construction project was substantially complete on May 3, 1999.

It is recommended that the Council formally accept the construction of North SeaTac Park Ballfield Repairs project as complete.

MOVED BY BRENNAN, SECONDED BY GEHRING TO ACCEPT THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY.

**PUBLIC HEARING:**

**City of SeaTac to Participate in 2000 Community Development Block Grant (CDBG) as a Pass-Through City**  
Mayor Anderson opened the Public Hearing at 6:48 p.m.

City Manager Hoggard reviewed the summary from Agenda Bill No. 1701.

It is recommended that the Mayor and Council move to authorize the City to participate in the King County CDBG program for 2000 and for the Council to authorize the City Manager to execute the statement reflecting the acceptance and administration of the pass through funds.

Mayor Anderson closed the Public Hearing at 6:49 p.m.

**NEW BUSINESS:**

**Agenda Bill #1701**

**A Motion authorizing the City of SeaTac to Participate in 2000 Community Development Block Grant (CDBG) as a Pass-Through City - City Manager**

**Summary:** The City has been notified by King County Housing and Community Development that it qualified for CDBG funds for the year 2000. This Agenda Bill allows for the Council to make a recommendation on whether or not to accept the funds as a pass-through City.

The City of SeaTac qualifies for an estimated \$195,525 in King County Consortium CDBG funds, which will be available January 1, 2000. This is a 17.5 percent decrease from 1999 level of \$237,059.

The acceptance of the award by Council is the first step in receiving the funds and allows the City Manager to sign and forward the form to King County. King County will notify the City mid-summer of the updated estimate of our total allocation. Once signed, staff, through the Human Services Advisory Committee, will come before the Council with funding recommendations in early fall for submittal to King County Housing and Community Development.

MOVED BY THOMPSON, SECONDED BY BRENNAN TO APPROVE AGENDA BILL NO. 1701.

MOTION CARRIED UNANIMOUSLY.

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

**CITY MANAGER'S COMMENTS:** City Manager Hoggard had the following items of business: 1) May 26, meeting with the Marine View Mobile Home Park tenants at Fire Station No. 1 at 6:30 p.m.; and 2) June 14, luncheon through the Port of Seattle at the Westcoast Hotel at 12:00 p.m. to honor the funding of SR 509.

**COUNCIL COMMENTS:** Councilmember DeHan stated that in 1997 he attended a luncheon of the Washington

State Chapter of American Public Works Association where SeaTac received an honor for International Boulevard Phase I for being the project over \$2 million that was recognized as being the best in the State. On May 18, 1999, he again attended this luncheon where SeaTac was given an award for Phase II.

Councilmember Brennan stated that he attended the meeting with the Port Commission today regarding Sound Transit where he and Councilmember DeHan both spoke.

Councilmember Hansen stated that he also attended the Port meeting and felt it was very positive. A \$10,000 airport model was there for the viewing. He was impressed with the spirit of cooperation.

Councilmember Stevenson stated that he arrived home today from Taiwan where he was able to view their Light Rail System and fire halls. Taiwan is currently working on a \$490 billion transit system.

Mayor Anderson stated that King County Ambulance was bought by American Medical Response (AMR).

Parks & Recreation Director Kit Ledbetter distributed the International Festival T-shirts to Council.

**ADJOURNMENT:** MOVED BY DEHAN, SECONDED BY THOMPSON TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 7:00 PM.

MOTION CARRIED UNANIMOUSLY.

Terry Anderson, Mayor  
Kristina Lowrey, Deputy City Clerk

# SEATAC CITY COUNCIL REGULAR MEETING MINUTES

June 8, 1999 - 6:00 PM  
City Hall Council Chambers

**CALL TO ORDER:** The SeaTac City Council Regular Meeting was called to order by Deputy Mayor Shirley Thompson at 6:07 p.m.

**ROLL CALL:** Present: Deputy Mayor Shirley Thompson, Councilmembers Steve Stevenson, Frank Hansen, Kathy Gehring, Joe Brennan, and Don DeHan. Absent: Mayor Terry Anderson.

**ADMINISTRATIVE STAFF:** Calvin Hoggard, City Manager; Jay Holman, Assistant City Manager; Judith L. Cary, City Clerk; Bob McAdams, City Attorney; Kerry Sievers, Human Resources Director; Steve Butler, Planning Director; Craig Ward, Principal Planner; Holly Anderson, Senior Planner; and Jim Downs, Fire Chief.

**FLAG SALUTE:** City Manager Hoggard led the Council, staff, and audience in the Pledge of Allegiance to the Flag.

## **PUBLIC COMMENTS:**

Steve Pinto, 3741 South 192<sup>nd</sup> Street, stated that he attended the City Center Planning Meeting June 9 and was disappointed in the meeting procedures concerning this project. He recommended a method for Council to enact in which the taxpayers would receive copies of the Center City documents with explanation of the plans.

City Attorney McAdams stated that in Title I of the City Code, there is a provision for initiative procedures to follow to have an item brought to a vote of the citizens. Another method would be to approach a Councilmember to sponsor an Ordinance or a Resolution.

## **PRESENTATIONS:**

### **Presentation on Port of Seattle (POS) Airport Development Program**

Gina Marie Lindsey, POS Director of Aviation, Charlie Sheldon, Port of Seattle Aviation Project Manager and Bob Hennessy, POS Local Government Relations Manager made a presentation to the Council on the Airport Capital Improvement Program (CIP).

Ms. Lindsey opened the discussion with an explanation of the Airport CIP. The one issue, which has embodied the whole program is the third runway as far as the general public is concerned. However, there is a great deal more that is involved. The program is extensive. It has been 30+ years since the last major upgrade to the airport. At that time, the passenger average was four million a year. Last year, the terminal processed 25 million passengers. The design capacity was exceeded in 1998. Passenger growth is extremely high with an eight-percent increase from last year. The facilities have reached their useful life span.

Ms. Lindsey continued with the program phases: Phase I is the build-out renovation of the existing airport, redesign of the satellite transit system, south terminal expansion and rebuilding the seven gates and adding seven more gates with an office building within the structure, central terminal renovation, ground access improvements, and infrastructure for support and mechanical systems. The major portions of Phase II are in the concept stage and will be building a ground transportation center with parking on South 170<sup>th</sup> Street, a north terminal station; a new rental car facility to replace this industry in the parking garage and place it in a remote facility; additional cargo facilities around the airfield, roadway realignment for the north terminal; and continuing work on the infrastructure replacement. She outlined the program objects to make the airport more attractive, functional, maintainable and cost effective.

Mr. Sheldon continued by detailing the areas of the Port's program and related costs: Satellite Transit System - \$158 million; a South Terminal Expansion Program (STEP) - \$380 million; a new terminal structure added seven gates to Concourse A, plus a multi story office structure above it, the demolition and relocation of two hangers to expand the facility at the southend of the airport; Terminal/Tenant Works program, primarily the Center Terminal - \$150 million; infrastructure - \$400 million effort to basically rebuild the sewer; electrical and a special system element in the airport;

ground access and parking program which is currently underway to include roadway alignments and signage; airfield program - \$200 million system; and the third runway, which represents less than 20 percent of the capital size of the program elements - \$600 million. This last element is being brought before the Port Commission on June 22.

Mr. Sheldon concluded by stating that the Port is rebuilding the airport and at the same time continuing operation during the expansion. He distributed a program packet to each Councilmember for additional information such as public outreach, the Port/City Interlocal Agreement (ILA) elements, maintain operation with as little disruption as possible, airline/tenant involvement, and airport staff support as well as other agencies support.

Upon questions posed by City Manager Hoggard, Mr. Sheldon stated that the Port staff has shared with the City staff as to the development and integration of the Master Projects and a detailed phasing plan for all the projects such as submitting permits. Based on the Port's schedule, the City will be able to estimate the needed manpower for increased permit processing. Secondly, there is the issue of increased Fire Services needed. There will be a major impact on the City's Fire Services. The City is willing to work cohesively with the Port on this element of the project. Deputy Mayor Thompson stated that Council and staff are working on land use issues and are making headway on the landscaping issues. Any comments will be passed on to the Port Commission later this month.

### **City/Port Joint Advisory Committee (JAC) Update**

Councilmember Gehring, JAC Committee Member, gave a brief report on the last JAC meeting. The Police Contract has been signed. Also, discussed were issues to be taken up at the June 17 Joint Port Commission/City Council Meeting to be held in at Pier 69 in the Port Chambers from 10:00 a.m. to noon. City Manager briefed on the results of the Police Contract. The City had concerns that were comprehensive policing issues around the airport as it related to Police response services, mainly as to the conversion of police services on the westside during the buyout period from City to Port jurisdiction.

### **Briefing on amending the Zoning Code: Multi-family Development Standards**

Planning Director Butler stated that this briefing will give an overview of the second half of the Multi-family Standards (first briefing was given on June 1) that staff has been developing for Council's consideration of adoption on June 22.

Senior Planner Anderson reviewed with Council the following elements: 1) integral pedestrian circulation system, 2) vehicular access, 3) parking location and visibility, including covered and structured, 4) recreation/open space, 5) small lot single family incentives and mixture of unit sizes in complexes, and 6) 20 percent increase density over base density in senior housing and owner-occupied housing, and townhouse overlay zoning.

Ms. Anderson continued be stating that in response to Council comments at the June 1 Study Session, the following options have been designed for Council consideration as to how much open space to require. The existing standard throughout the City is 200 square feet (sf) of open space per two bedroom and larger units. The City Center has a separate standard that requires 60 sf of open space regardless of unit size. Option one would require open space for each unit based on unit size i.e. studio unit – 120 sf, one bedroom unit – 160 sf, two bedroom unit – 200 sf. Option two would be to modify the City Center i.e., 60 sf of open space for each unit and possibly have a different standard for open space in the City Center adjacent to the (single-family) UL zone i.e., 100 sf for a studio, 120 sf for a one bedroom and 140 sf for a two bedroom unit. Another option would be 20 percent of the site ground area such is being done in the City of Seattle.

Council and staff discussion ensued as to the options and the various elements of the options. Council concluded that more information was needed for Council to make a conclusive decision on the options. Mr. Butler added that site plan graphics could be shown to Council, aiding in their decision-making process, stating that another briefing will be given to Council at the June 15 Study Session. Ms. Anderson added that Council action could then be taken at the June 22 Council Meeting in order to lift the moratorium in July.

### **Briefing on adopting a Subarea Plan for the City Center**

Planning Director Butler stated this briefing is a continuation of previous discussions with Council and will include the special standards and a summary of the Planning Advisory Committee Hearing.



Principal Planner Ward reviewed with Council the Main Street alternatives, as per Council direction at the June 1 Study Session, as well as a set of goals and policies consistent with the plan and the draft special standards and the interim special standards. The Main Street has been moved to the west through the undeveloped property, the townhome zone has been extended to include the developable portion of that property as well as the properties along 36<sup>th</sup> Avenue South that abut the street. A public street component was added at South 181<sup>st</sup> Street.

Development on the properties is consistent with the development agreement in place on those properties as are the pedestrian pathways.

Council and staff discussion ensued as to a public hearing for the housing issues east and west of the Main Street on South 188<sup>th</sup> Street. This action would delay the adoption of the plan until late July. Council concurred to have staff set another public hearing for further input and if needed, extension of the Multi-family Housing Moratorium. Council could then be briefed on the results of the hearing in assisting with making their decision.

### **Briefing on amending the Zoning Code: Special Standards for the City Center - Planning**

This briefing was delayed until the June 15 Study Session per the Council's action on the above agenda presentation.

### **CONSENT AGENDA:**

**Approval of claims vouchers** in the amount of \$93,969.54 for the period ending May 28, 1999.

**Approval of employee vouchers** in the amount of \$493,621.86 for the period ending May 31, 1999.

**Approval of firefighter vouchers** in the amount of \$355.00 for the period ending May 31, 1999.

**Approval of summary of \$5,000 - \$25,000 purchase requests** for the period ending June 4, 1999.

### **Approval of Council Minutes:**

**Regular Council Meeting** held May 25, 1999.

**Study Session** held June 1, 1999.

**Special Study Session** held June 2, 1999.

### **Acceptance of Advisory Committee Minutes:**

**Parks, Arts, & Recreation Advisory Committee Meeting** held June 8, 1998 (approved by this committee May 10, 1999).

**Senior Citizens Advisory Committee Meeting** held April 8, 1999 (approved by this committee May 13, 1999).

### **Approval of the following Ordinance and Motions recommended at the June 1, 1999 Study Session for Placement on the Consent Agenda:**

#### **Agenda Bill #1697**

#### **A Motion authorizing a Contract with Tucci & Sons, Inc. for the 1999 City of SeaTac Overlay Project - Public Works**

**Summary:** This Motion authorizes the execution of a contract with Tucci & Sons, Inc. for the City's Overlay Project and a separate contract with this firm to pave the basketball court at Madronna Elementary School.

The project was advertised for bids and the bid opening was held on May 12, 1999 with an engineer's estimate of \$485,200.90. Tucci & Sons, Inc. was the low bidder at \$398,706.65. After bids were opened, the contractor was requested by the Parks Department to also submit a bid for paving the basketball court at Madronna Elementary School. That bid totaled \$16,645 including tax.

The bid consists of reconstruction of 400 feet of South 154<sup>th</sup> Street, construction of asphalt concrete overlays on 4.5 miles of City streets and construction of speed humps on 38<sup>th</sup> Avenue South between South 176<sup>th</sup> Street and 41<sup>st</sup> Avenue South. The speed hump installation and two miles of the overlay work were bid as an additive/alternative. Staff recommends Council award this alternative.

Staff is recommending against proceeding with the installation of speed humps on 38<sup>th</sup> Avenue South. Recently, a

number of residents have asked their names be withdrawn from the petition because they do not like the proposed speed humps design. A counter petition is being circulated so at this time it is uncertain that the neighborhood still supports speed humps. Excluding the speed humps as part of the contract reduces the bid amount to \$388,739.40.

The bids are favorable with asphalt prices 10-15 percent lower than what the City experienced the past two years. This contractor has previously performed quality work in the City.

City Engineering staff recommends that the City Council authorize execution of a contract with Tucci & Sons, Inc. in the amount of \$388,739.40 and approve a 10 percent contingency of \$38,874.00 for the 1999 Overlay Project. The total project budget is recommended to be approved for \$427,613.40. The Parks Department further recommends awarding a contract to Tucci & Sons in the amount of \$16,645 to pave the basketball courts at Madrona Elementary School.

The item is budgeted under the Street Overlay fund, that has a balance of \$356,500. There is currently a shortfall of \$71,113.40 in this fund to cover the cost of this project. Staff feels that due to the price tendered by Tucci & Sons, combined with their solid reputation, it is advantageous to accept the alternate. It is recommended that the \$71,113.40 shortfall be funded from next year's appropriation.

Paving the basketball court will be a separate contract funded by Community Development Block Grant (CDBG) Funds, which has a balance of \$16,124.36.

#### **Agenda Bill #1709; Ordinance #99-1026**

##### **An Ordinance amending the budget regarding 1999 Street Overlays - Public Works**

**Summary:** This Ordinance corresponds with above Agenda Bill No. 1697 and recommends that the City Council authorize the execution of a contract for the 1999 City of SeaTac Overlay Project. The Public Works Department has requested an increase in the 1999 street overlays budget from next year's appropriation.

This Ordinance increases the expenditures of the Arterial Street fund by \$71,000 which will be offset by an equal reduction in Street Overlay expenditures for the year 2000.

#### **Agenda Bill #1711**

##### **A Motion authorizing Sponsorship of the Highline Historical Society Community Photo Exhibit - Parks & Recreation**

**Summary:** Cyndi Upthegrove, President of the Highline Historical Society, has requested \$3,000 to assist developing a community photo exhibit that will be made available at community events i.e., schools, City special events, and presentations to visitors. The photos will chronicle the history of the City of SeaTac and surrounding areas beginning with the 1890's. Since its inception five years ago, the Highline Historical Society has sponsored several successful programs to promote the City's history by making presentations to local businesses, organizations and schools. The community photo exhibit will be an additional program to promote and educate citizens about the history of the City.

The City's financial assistance of \$3,000 will offset the cost of purchasing equipment and operational supplies for the exhibit. The exhibit will be visible and available at many Citywide events. The Highline Historical Society's other sources of income are provided through membership fees for operating supplies. Solicited funds are reserved for capital to purchase a building or for specific projects only. The expenses for the community photo exhibit will be as follows: purchasing of exhibit boards - \$1,500, copy negatives -\$1,000, 11x14 prints -\$2,000, and mounting materials - \$1,500, for a total of \$6,000. The City's contribution of \$3,000 would be funded through the Parks and Recreation Department budget.

MOVED BY STEVENSON, SECONDED BY BRENNAN TO ACCEPT THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY.

#### **NEW BUSINESS:**

##### **Agenda Bill #1675; Resolution #99-017**

**A Resolution approving and authorizing a Collective Bargaining Agreement between the City of SeaTac and the International Association of Fire Fighters (IAFF), Local #2919, for the years 1998, 1999, and 2000 - Human Resources**

**Summary:** Tentative agreement has been reached, following extensive negotiations, between the negotiation teams for management and labor, as to a collective bargaining agreement covering wages, hours, and working conditions of the bargaining unit employees for the years 1998, 1999, and 2000. The tentative agreement includes a variety of terms. A very brief summary of some of the substantive changes is as follows: 1) cost-of-living adjustments equal to 90 percent CPI-W, Seattle-Tacoma-Bremerton, for each of the three years, with an additional 1 percent in the third year, 2) Battalion Chief and Captain salaries adjusted towards market averages, 3) City approval required prior to allowance of compensatory time as opposed to paid time for overtime worked, 4) updated and clarified City's rights under substance abuse article, and 5) Added language to allow mediation as opposed to arbitration when mutually agreeable.

The City's Firefighters and Fire Department Officers have been represented by the IAFF, Local 2919 since the City took over Fire Protection services formerly provided by King County Fire Protection District No. 24. Collective bargaining agreements covering wages, hours and working conditions have been in place since that time. In anticipation of the December 31, 1997 expiration of the most recent agreement, the City and Union commenced negotiations for this tentative agreement in the fall of 1997. Although negotiations took longer than anticipated, including a lengthy mediation process, in accordance with State law, the parties have continued to honor the terms of the expired agreement pending negotiation of the new contract.

City Administration and the management negotiating team recommend adoption of the Resolution approving and authorizing the collective bargaining agreement.

The salary and associated benefit costs will add an estimated \$228,000 to the compensation package for the three year period; however, this figure may be affected by lower or higher than anticipated Consumer Price Index figures, which are used to determine the cost-of-living adjustments.

MOVED BY BRENNAN, SECONDED BY GEHRING TO PASS RESOLUTION NO. 99-017.

Human Resource Director Sievers thanked the staff who participated in the negotiations. The negotiation work has been distributed to other City as a model as per their request.

MOTION CARRIED UNANIMOUSLY.

**Agenda Bill #1710; Resolution #99-018**

**A Resolution amending the City Council Administrative Procedures to permit Executive Sessions during regularly scheduled Study Sessions of the Council – Legal**

**Summary:** Section 4(G) of the Council's Administrative Procedures permits an Executive Session during a "Regular Meeting" or "Special Meeting". The language does not specifically authorize an Executive Session during a Study Session meeting, and it is desired to clarify that such an Executive Session may be held during a Study Session.

The Open Public Meetings Act, in the Washington State Code, [RCW 42.30.110](#), provides that an Executive Session may be held at any "Regular or Special Meeting of the City's governing body". A "Regular Meeting" is one which occurs on a recurring basis according to a schedule adopted by Ordinance or Resolution, pursuant to [RCW 35A.12.110](#) and 42.30.070.

Thus, Study Sessions which are regularly held on the first and third Tuesday of each month, meet the definition of "Regular Meetings" at which Executive Sessions may be held. Nonetheless, because of the dichotomy between our terminology "Regular Council Meeting" and "Study Session", it is appropriate to amend Section 4(G) to specifically permit an Executive Session during a Study Session.

This change will eliminate the unnecessary time and effort involved in setting and providing notice of a Special Session during the Study Session in order to hold the Executive Session.

MOVED BY STEVENSON, SECONDED BY GEHRING TO PASS RESOLUTION No. 99-018.

MOTION CARRIED UNANIMOUSLY.

**PUBLIC COMMENTS:**

Linda Snider, 18700 36<sup>th</sup> Avenue South, questioned whether the moratorium extension of the City Center Subarea Plan will have any effect on the July 2 deadline for applications for Comprehensive Plan changes. She explained that it is hard to know what to request by July 2 and work with the goals set by the Council. Deputy Mayor Thompson requested staff get back to her on her concern.

Daniene Giessen, 3160 South 172<sup>nd</sup> Street, stated she would like to have more notice of public meetings. She was not informed of the June 7 meeting at the McMicken Heights Community Center. The proposed Main Street would run through her house, therefore, this issue is of major concern to her. Deputy Mayor Thompson asked her to contact Planning Director Butler for answers to her concerns.

Glenn Ruth, 14048 24<sup>th</sup> Avenue South, had the following concerns regarding the planning maps for the development of housing and hotels through the year 2020: 1) whether the affect on police service have been examined as well as the increased cost of such services; and 2) regarding the safety of the public in proposed narrow walkways and the traffic in that area and the City's liability issues. As for the wetlands improvement plans, he does not feel the improvements appear to heighten the safety of the public in these areas.

Steve Pinto reiterated his earlier comments that the citizens be allowed their input in the City Center planning. He would like to see the Council par down their alternatives to three or four options and than let the citizens vote on a final decision. Deputy Mayor Thompson stated that this will be taken under consideration.

Mary Hoey, 18609 36<sup>th</sup> Avenue South, stated her opposition to the plans for Main Street to go through her neighborhood. Half of her property will be townhouse and half, single residential. She added her opposition to eight-foot wide sidewalks, which will encroach on her front lawn. As a school bus driver in Seattle, she measured sidewalks in Seattle, most were five and six foot with the only eight-foot sidewalks are on major roads fronting schools and on Beacon Hill walkways. Another issue is that the proposed trees in this sidewalk footage plan will obstruct drivers' vision.

**CITY MANAGER'S COMMENTS:** City Manager Hoggard had the following items: 1) reported that the City was presented with the Building Family Assets Award from the Southwest King County Youth Violence Prevention Committee for significant achievement in the Development of Parent-Teen asset Building Classes held in the Spring of 1999 at the Brookstone Apartments. The City received a grant from the committee and the meeting site was made available by Project LOOK. The co-facilitators were Lydia Assefa-Dawson, the City's Programs Coordinator, Eloise Kruger, Community Service Officer, and Adrienne Hutchinson from Project LOOK; and 2) the City's Fire Study has been completed and the Consultant is prepared to discuss with Council the results of the study at the Public Justice and Safety (PS&J) Committee on June 21; 3) at the Land Use, Parks, and Economic Development (LUPED) Committee meeting prior to this Council Meeting, a Port presentation was given on their draft landscape standards. The presentation will be given to the Port Commission on July 8. The Port will accept Council comments on the standards prior to the meeting. Council agreed to have staff set up a time to review the standards; and 4) recent newspaper articles have been published regarding the Light Rail cost overruns. The Council may want to put forth a proposal to cut short the extension of the rail to South 200<sup>th</sup> Street, leaving it at the airport, thereby offering a cost savings to Sound Transit on the condition that the City's concerns and requests would be further considered.

**COUNCIL COMMENTS:**

Councilmember Gehring stated that a Ways & Means (W&M) Committee meeting has been scheduled for Monday, June 14 at 5:30 p.m.

Regarding the light rail articles, Councilmember Hansen stated that the City's Resolution on this issue was timely. There are other issues that could be brought to Sound Transit, such as the proposed stations at South 144<sup>th</sup> and 154<sup>th</sup>

Streets. He also suggested that the concept of a South 184<sup>th</sup> Street station be withdrawn and instead advise the agency that the City is in favor of the Intermodal Center (IMC) and the South 200<sup>th</sup> Street stations and the Rainier Valley alignment also be withdrawn.

Deputy Mayor Thompson stated that she attended the 1<sup>st</sup> Annual Homeownership Luncheon on June 7 at which former Seattle Mayor Norm Rice was in attendance with other governmental representatives. Colin Fox, Silicon Valley representative, spoke on affordable housing in the Puget Sound Region and strategies for bringing agencies together to support this important issue. The Seattle Chamber of Commerce sponsored the event. She will place a summary of the discussion in the Council Packet. Secondly, she represented the City at the Governor's Commute Smart Awards luncheon in Olympia today. The Federal Detention Center in SeaTac was given one of the 37 awards.

**ADJOURNMENT:**

MOVED BY DEHAN, SECONDED BY GEHRING TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 7:55 PM.

MOTION CARRIED UNANIMOUSLY.

Shirley Thompson, Deputy Mayor  
Judith L. Cary, City Clerk

# SEATAC CITY COUNCIL REGULAR MEETING MINUTES

June 22, 1999 - 6:00 PM  
City Hall Council Chambers

**CALL TO ORDER:** The SeaTac City Council Regular Meeting was called to order by Mayor Terry Anderson at 6:11 p.m.

**ROLL CALL:** Present: Mayor Terry Anderson, Councilmembers Steve Stevenson, Frank Hansen, Kathy Gehring, Joe Brennan, and Don DeHan. Absent: Councilmember Shirley Thompson.

**ADMINISTRATIVE STAFF:** Calvin Hoggard, City Manager; Jay Holman, Assistant City Manager; Judith L. Cary, City Clerk; Bob McAdams, City Attorney; Steve Butler, Planning Director; Jim Downs, Fire Chief; Bruce Rayburn, Public Works Director; Julie Rodwell, Programs Manager; and Greg Dymerski, Police Sergeant.

**FLAG SALUTE:** City Manager Hoggard led the Council, staff, and audience in the Pledge of Allegiance to the Flag.

**ANNOUNCEMENT:** Mayor Anderson mentioned that she, along with Assistant City Manager Holman, and other local elected officials, community activists and World War I Veteran Pete "Pet" Crump, gathered along Des Moines Memorial Drive in Burien today to announce an effort to restore the nation's only WWI Memorial Drive. The State has earmarked \$50,000 for the project. The ceremony took place at the historic Sunnysdale School, the site of the original memorial dedication. Mayor Anderson added that the 105 year old Mr. Crump, a resident of Issaquah, is one of less than 2,000 WWI veterans still living in the United States. It was a delight to see him as active as he was and thrilled to be part of the ceremony.

## **CONFIRMATION OF APPOINTMENTS:**

### **Mayoral Confirmation of members to the Citizen Advisory Committees**

MOVED BY BRENNAN, SECONDED BY DEHAN TO CONFIRM THE MAYORAL APPOINTMENTS OF FRANK HART TO THE SENIOR CITIZEN ADVISORY COMMITTEE AND AISHA NNOLI TO THE POSITION OF YOUTH LIAISON TO THE LIBRARY ADVISORY COMMITTEE AND RE-APPOINTMENT OF GINA WILLIAMS TO THE HUMAN RELATIONS ADVISORY COMMITTEE.

MOTION CARRIED UNANIMOUSLY.

Mayor Anderson read the certificates and Councilmember Stevenson presented the certificates to the newly appointed Citizens Advisory Committee members. Mayor Anderson thanked the volunteers for their willingness to serve the City on these committees.

*(Councilmember Gehring arrived at this point in the meeting.)*

**PUBLIC COMMENTS:** Stan Watanabe, 16637 40<sup>th</sup> Avenue South, stated his preference for the light rail alignment, stations and parking locations in the City, and suggested a parking garage over the SR 518 roadway at the South 154<sup>th</sup> Street.

Joanne Hoelzl, 18310 39<sup>th</sup> Avenue South, representing her neighborhood, spoke regarding the City Center plan for the year 2020. The residents are concerned about the closure of South 182<sup>nd</sup> Street from the east access to 42<sup>nd</sup> Avenue South. This action would jeopardize the safety of this community. Aid vehicles would have a difficult time responding to calls if this access was closed. Councilmember Stevenson stated that nothing will be changed on the roadway now or in the future as long as the mobile home park is still in that location. City Manager Hoggard stated that the closure is to the access west where currently no road exists. The plan is to build a Main Street with a potential connection west through South 182<sup>nd</sup> Street into the new street. The concept is to not necessarily allow South 182<sup>nd</sup> Street to tie into

Main Street, therefore, the traffic would not be moving through the neighborhood from the future developed area. This design would protect the neighborhood from the flow of traffic from the west.

Joe Dixon, 19211 35<sup>th</sup> Avenue South, stated that he has been out of town for the last three weeks and in reading the Highline Times, it appeared that all was well in his absence.

John Kenny, 18305 Southeast Newport Way, Issaquah, representing the Colacurcio family, spoke relating to the Council's desire for townhouse style structures on their property at 18703 36<sup>th</sup> Avenue South. He hoped that the new architectural design proposed for the property would be more in line with the townhouse style. The developer and the property owners are very willing to coordinate with the City and put together a development agreement. He feels the structure, with underground parking allowing only two stories visible at street level, will be in keeping with the residential flavor and will, in fact, increase home values.

#### **CONSENT AGENDA:**

**Approval of claims vouchers** in the amount of \$3,079,643.83 for the period ending June 8, 1999.

**Approval of claims vouchers** in the amount of \$858,129.26 for the period ending June 18, 1999.

**Approval of employee vouchers** in the amount of \$462,098.77 for the period ending June 15, 1999.

**Approval of summary of \$5,000 - \$25,000 purchase requests** for the period ending June 18, 1999.

#### **Approval of Council Minutes:**

**Regular Council Meeting** held June 8, 1999.

#### **Acceptance of Advisory Committee Minutes:**

**ADA Citizens Access Committee Meeting** held May 10, 1999 (approved by this committee June 14, 1999).

**Human Services Advisory Committee Meeting** held February 8, 1999 (approved by this committee May 17, 1999).

**Planning Advisory Committee Meeting** held March 15, 1999 (approved by this committee May 17, 1999).

**Solid Waste Advisory Committee Meeting** held March 11, 1999 (approved by this committee May 13, 1999).

#### **Approval of the following Ordinance and Motions recommended at the June 15, 1999 Study Session for Placement on the Consent Agenda:**

##### **Agenda Bill #1714**

#### **A Motion approving Additional Staffing for the Port of Seattle (POS) Capital Improvement Program (CIP) Permit Review - Public Works**

**Summary:** This is a request to hire five new employees to assist in the permit review process. This request is in response to significant increases of construction activity at the Sea-Tac International Airport. The positions are:  
Building Division - Building Plans Examiner II, Electrical Plans Examiner, and Mechanical/Plumbing Plans Examiner;  
Engineering Division - Engineering Technicians II; and Planning and Community Development Department – Senior Planner.

The POS has already begun Phase I of its CIP. This phase will significantly enlarge and enhance the airport over the next four years. Phase II of this program will bring even more expansion and is estimated to be completed about 2010. The POS expects to spend \$2.4 billion on Phase I of which only 25 percent will be spent on the third runway and the remainder to be spent on terminal and infrastructure improvements. The proposed new positions are needed to meet the demand of increased permit review activity generated by Phase I. The City agreed to expedite the review process in the September 1997 Port/City Interlocal Agreement (ILA). The cost of these new positions will be covered by the permit revenue generated by Phase I. Over the next three years, conservative estimates project Phase I to generate about \$3 million in permit revenues above what the City currently collects. The cost of the proposed new staff would be less than one-half of the projected revenue.

The first of the major projects will begin in November when the POS expects to submit plans for the South Terminal Expansion Project (Concourse A). Ideally, the proposed staff would be hired a month prior to that time to allow for learning the City's processes. Since it typically takes two to three months to hire new personnel, the hiring process

should begin as soon as possible. Some positions may be more suited as an outside consultant. For example, if the Planning Department decided their workload will only be affected sporadically, they may choose to transfer money to their professional services account and hire consultants as needed. This may not be cost effective for positions that are expected to be full time and last more than a few years.

The total revenue through the year 2001 is estimated at \$2,786,313. The total cost of the five positions per year (5 X \$80,000) is \$400,000, including benefits and equipment.

**Agenda Bill #1715; Ordinance #99-1027**

**An Ordinance amending the 1999 Annual Budget for Additional Staffing for the Port of Seattle (POS) Capital Improvement Program (CIP) Permit Review - Finance**

**Summary:** This Ordinance is companion to the Agenda Bill No. 1714 and amends the 1999 Annual Budget for the five staff positions to be assigned permit review responsibilities associated with the POS's CIP Plan. The Permit Revenue projections by the Public Works Department will be sufficient to pay salary, benefits and associated costs of these positions. This Ordinance increases the 1999 General Fund revenues and expenditures by \$89,000, which represents salary and benefit costs for all five positions beginning October 1, 1999, for three months of this fiscal year.

**Agenda Bill #1706**

**A Motion authorizing the City Manager to amend the Police Services Contract for the School Resource Officer (SRO) Program – Police**

**Summary:** The Police Services Contract with King County calls for two Community Service Officer (CSO) positions. Only one is presently staffed. The second position has been vacant since 1997. This Motion authorizes the City Manager to amend the contract to replace the vacant CSO position with a SRO position.

The King County Sheriff's Office has ended the Drug Abuse Resistance Education (D.A.R.E.) Program in unincorporated King County. It is being replaced with the SRO Program. D.A.R.E. Officer Doug Reynolds made a presentation to the Council on April 6, 1999 supporting the SRO Program. The D.A.R.E. curriculum would be incorporated into the SRO Program Menu. The SRO would be dedicated to Tyee High School and Chinook Middle School effective August 1, 1999 to begin with the 1999 fall school year. The SRO Program could later be expanded to include the elementary schools in the City. This position would be filled by a SRO trained commissioned SeaTac Police Officer. The plan is to add a second SRO in 2000. Dr. Christine Katayama, Principal of Tyee High School, is fully supportive of the SRO Program and welcomes the partnership with SeaTac Police Services and the City.

In 1999, the police services contract with King County charges CSOs at \$72,430 for the year and reactive patrol officers at \$99,430 per year. The annual cost of this amendment based on 1999 contract charges is \$27,000. 1999 projected CSO vacancy and overtime savings will sufficiently cover the cost of the SRO for the rest of the year, resulting in no 1999 budgetary impact. The County will apply for a Federal grant on behalf of the City, which could offset the budgetary impact for the years 2000 through 2002.

MOVED BY GEHRING, SECONDED BY DEHAN TO ACCEPT THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY.

**PUBLIC HEARING:**

**Ten Year Transportation Improvement Program for 2000-2009 - Public Works**

Mayor Anderson opened the Public Hearing at 6:31 p.m.

There was no public input.

Mayor Anderson closed the Public Hearing at 6:32 p.m.

**NEW BUSINESS:**

**Agenda Bill #1683; Resolution #99-019**



## **A Resolution approving a Ten Year Transportation Improvement Program (TIP) for 2000-2009 - Public Works**

**Summary:** Annually, the City is required to review its TIP. This review is to include a public hearing and formal adoption of the Program by the City Council.

State law requires the City to adopt a minimum six-year TIP to include arterial street construction. Also, the Growth Management Act (GMA), [Chapter 36.70A RCW](#) similarly requires adoption by the City of a comprehensive Ten Year TIP to include a section that lists planned arterial street construction.

There are a number of sources for financing these TIP projects. The City has sold Parking Tax Revenue Bonds in the past for the purpose of financing projects. The City previously increased the parking tax from \$.50 to \$1 per transaction to continue funding transportation improvements within the City. A number of these projects on the TIP are partially grant-funded. Additional Transportation Improvement Account (TIA) and Transportation Equity Act (TEA-21) grant applications will be submitted for consideration for some of the higher priority projects. The City has also adopted a Transportation Mitigation Impact Fee as a funding source for regional transportation improvements. Further, the City, in conjunction with the Port, is conducting a Joint Transportation Study (JTS). A major component of this study is to update the City and Port Transportation/Ground Access CIPs and a financing plan capable of funding these projects in a timely manner. Adoption of the TIP does not obligate the City to expend any money.

The adoption of a TIP can be postponed for a short time but a plan needs to be in place before July 1, 1999 and be submitted to the Washington State Department of Transportation (WSDOT) within 30 days after adoption. Failure to adopt a plan could result in Gas Tax Revenues being withheld until a plan is adopted and submitted.

MOVED BY HANSEN, SECONDED BY DEHAN TO PASS RESOLUTION NO. 99-019.\*

Councilmember Stevenson stated his concern that Military Road is not receiving the attention it needs as traffic is increasing on this roadway, especially during the commute hours. He stated that International Boulevard (South 170<sup>th</sup> to 160<sup>th</sup> Streets) work is being planned as a priority, however, Military Road should also be considered equally in priority to relieve the traffic situation there.

Councilmember Brennan stated that this issue was discussed extensively at the Transportation & Public Works (T&PW) Committee Meetings. He agreed that Military Road traffic is increasing but so is the boulevard traffic. He also feels that the City needs to proceed with work on Military Road to relieve the situation there. However, the State monies being funded for the boulevard work is in a "use it or lose it" stage and would like to request that staff move further on accelerating work on Military Road.

Councilmember DeHan also stated his support for the proposed ten year plan. He added that Military Road is being used as a temporary alternative to the boulevard and I-5. Changes on Military Road may make it a more viable alternative to the north/south traffic. That likelihood should be considered in the decision making regarding this roadway.

Councilmember Gehring had concern that proceeding with the boulevard work prior to finalization of the light rail system plan might cause some redoing of the work on the boulevard. City Manager Hoggard stated that design work is already being delayed in order to coincide with the light rail plans. Councilmember DeHan added that currently, Sound Transit's preferred alternative is west of the cemetery. The Port of Seattle staff, the majority of the Port Commissioners and the City Council and staff also favor this route. Therefore, it is very viable that the rail will not travel down the boulevard.

\*UPON A ROLL CALL VOTE, THE MOTION CARRIED WITH ANDERSON, HANSEN, GEHRING, BRENNAN AND DEHAN VOTING YES AND STEVENSON VOTING NO.

### **Agenda Bill #1716; Resolution #99-020**

#### **A Resolution regarding Central SeaTac Light Rail Stations - City Manager**

**Summary:** The Sound Transit Board voted February 25, 1999 to allow four more months for the Port to further

investigate the question of whether light rail should be east or west of the Washington Memorial Cemetery. Port staff is now ready to make a recommendation for a rail alignment west of the Cemetery and a rail station at the North End Aviation Terminal (NEAT).

There were three options: 1) West side Rail/NEAT Station; 2) International Boulevard Rail/InterModal Center (IMC) Station; and 3) West side Rail/Diagonal IMC Station.

The Port reported to the City that its preference was in the order above because of the possibility of gaining excellent rail to terminal connections for 40 percent of the air passengers and also meeting the City's goal of being off the boulevard. A diagonal IMC Station would provide more access to the rail for City residents but the Port and Sound Transit agree that it presents major vibration problems due to the Automated People Mover (APM) being stacked below the Light Rail Terminal (LRT). Also, the diagonal IMC Station would exit south out of IMC at 120 feet high, which are possibly aesthetic and visual issues for the City.

The main point against the proposed Resolution is that a NEAT Station, accessed only by first riding the APM, is not a good access point for City residents.

Points in favor of the proposed Resolution include: 1) It provides for a track alignment on the west side of the cemetery, which has long been the City's top objective; 2) The City residents can access the light rail through stations at South 154<sup>th</sup> Street, South 200<sup>th</sup> Street, and eventually, South 184<sup>th</sup> Street. This is the Airport Station; 3) The fact that a NEAT Airport Station provides worse access for City residents than would an IMC Station, aids the argument for a City Center Station to provide rail access to the City Urban Center; and 4) Given the higher cost of a diagonal IMC Station, it seems likely that the City's insistence on having an Airport Station there could result in precluding the South 184<sup>th</sup> Street Station altogether on grounds of cost.

Given a less accessible Airport Station for City residents, the City needs assurances about local road and pedestrian access into the rail system. The City also has concerns about insuring that the IMC has a strong "sense of arrival" into both the City and the Airport.

The City's detailed concerns about Port collaboration and funding commitments where appropriate, are as follows: 1) Provision of the necessary space for a City Center Station at South 184<sup>th</sup> Street. The City will pay for the land; 2) A moving sidewalk or non-motorized pedestrian access to the South 184<sup>th</sup> Street Station from the City; 3) Port collaboration with the City on station area planning and development for the South 184<sup>th</sup> Street Station area; 4) A moving sidewalk or non-motorized connection between the City and the IMC APM station; 5) A grade-separated pedestrian connection between the City and the IMC with elevator access on the east side of the IMC; 6) Road access for all vehicles from South 170<sup>th</sup> Street northbound into the Airport freeway system; 7) Shuttle van access and egress to and from the Airport terminals via South 160<sup>th</sup> Street and / or South 170<sup>th</sup> Street; 8) A rubber-tired transit feeder system directly from the City to one or both central SeaTac LRT Stations, with a future option for an APM connection using the same or different technology than the Port's APM; 9) Teamwork and collaboration between the City and the Port on the programming and design of the IMC, especially the portions fronting on the boulevard and South 170<sup>th</sup> Street and the High Occupancy Vehicle (HOV) floor(s) where a "sense of arrival" at the Airport and the City will be sought through architecture, art, retail amenities and adjacencies; and 10) Conformance with the City's design standards at the IMC.

Three approaches would be: 1) to include these details in a City Resolution; 2) another approach is to update the ILA, which is due to occur at the two-year point, and fold these details into a revised ILA. The ILA mentions joint rail planning, joint transportation planning, Port funding up to \$6 million for a moving sidewalk and Personal Rapid Transit (PRT), but provides no details. Now is the time to detail these items out; and 3) to adopt the short Resolution supporting NEAT and Westside rail, and direct staff to address quid pro quos through discussion with the Joint Advisory Committee (JAC) and through upcoming ILA amendments.

There would be no specific fiscal impact to the City. The City would need to consider a formal commitment to paying

for the station land at South 184 Street.

Programs Manager Rodwell summarized the Port Commissioner's Meeting she attended today. One of the items of business was the approval of the third runway cost overruns of \$186 million. She distributed a cost breakdown to Council. Kemper Freeman, Bellevue businessman and Bill Eager, Transportation Consultant, discussed reasons why more roads and less rail should be the direction to proceed. More on this issue will probably be forthcoming.

The Port had a first reading on the Light Rail Resolution basically stating that the NEAT Station and west side of the cemetery was the best alternative. Commissioner Gary Grant voted for it being on the boulevard, Commissioner Jack Block was absent and Commissioners Pat Davis, Paige Miler and Clare Nordquist voted for the west side alternative. The Commission expressed their appreciation of the City's Resolution being the short version without all the conditions. Ms. Rodwell suggested to the Council that the conditions be put forth in a letter of transmittal to the Port and go forth with the ILA amendment process to insure that issues such as the South 184<sup>th</sup> Street Station are addressed. If the Port's Resolution is passed in two weeks, she recommended that the Port and City collaborate to send both to the Sound Transit Board under one cover.

MOVED BY DEHAN, SECONDED BY STEVENSON TO PASS RESOLUTION NO. 99-020.\*

Councilmember Hansen stated his support of the shortened Resolution. However, he stated his opposition to the South 184<sup>th</sup> Street Station at this time. He requested all reference to this station be deleted.

Councilmember DeHan stated his support the shortened Resolution and at a later time, the South 184<sup>th</sup> Street be considered in a future phase of the project.

Councilmember Brennan stated his support of the shortened Resolution with the South 184<sup>th</sup> Street Station so that it is in the project plans. He also expressed his appreciation of the productive June 17 Joint City Council/Port Commissioners Meeting on the Sound Transit Light Rail Alignment in SeaTac.

Councilmember Gehring agreed with Councilmember Brennan in supporting the shortened Resolution with the South 184<sup>th</sup> Street Station included in the plans. However, she opposes any discussion as to the City financially supporting the station land as is mentioned in the agenda bill. City Manager clarified that the issue was to offer to purchase Port land if there was a net additional requirement for a right-of-way to locate a station beyond the rail alignment.

Mayor Anderson stated her support of the shortened Resolution with the South 184<sup>th</sup> Street Station included in the plans and agreed with Councilmember Gehring's comments.

Councilmember Stevenson stated his support of the shortened Resolution, concurring with Councilmember Hansen's comments on this issue.

\*MOTION CARRIED UNANIMOUSLY.

Councilmember DeHan asked for clarification of the motion. The Resolution is passed as proposed and the cover letter will delete reference to the South 184<sup>th</sup> Street Station. Mayor Anderson concurred.

**CITY INITIATED REZONE HEARING:** Mayor Anderson moved to Agenda Bill Nos. 1712 and 1713, which involve a Comprehensive Plan Land Use Plan Map amendment and a change to the City's official zoning map. These changes will affect only one property, which is located generally at 21212 International Boulevard. This action is the result of a citywide investigation into King County P-suffixes and concerns with multi-family housing standards. As a result, the City initiated action to return the property to a single-family residential zone classification.

The Planning Advisory Committee has held open record public hearings and the record of the June 21, 1999 hearing has been provided. Therefore, testimony was not taken, but comment upon the Planning Advisory Committee's recommendation was heard.

Planning Director Butler opened by stating Agenda Bill Nos. 1712 and 1713 are two separate actions for Council consideration. The first action is a change to the Comprehensive Plan Land Use Plan Map and will change the Comprehensive Plan designation from Residential High Density (UH-900) to Residential Low Density (UL-7200). The second action is a change to the zoning designation of this property from UH-900 to UL-7200 by amendment of the City's official zoning map. He added that the Planning Advisory Committee held a public hearing on June 21 on both actions, and after much deliberation, recommended that the City Council adopt both the Comprehensive Plan and Zoning Map changes.

City Attorney McAdams stated that the record before the Council includes the proposed Ordinances, the minutes and record of the Planning Advisory Committee's public hearing, a number of other Ordinances, Resolutions, minutes and letters from 1994, and other documents that indicate the P-suffix conditions were inadvertently dropped after 1992 and in 1994 and that the County's multi-family zoning never came into effect. He summarized the facts contained within the record, a copy of which can be found in the City Clerk's Office. He concluded by stating that the two proposed Ordinances would rectify the previous inadvertent mistakes and omissions in the interest of public health, safety and welfare. Due to the emergent situation, the GMA limitations of once a year amendments is not applicable in this case.

Attorney Kyle Netterfield of Ellis, Lee & McKinstre, represented the owner of the above stated property, David Shih. Mr. Netterfield then made his remarks. He stated that the City's proposal would actually result in Mr. Shih's property being down-zoned from UH-900 to UL-7200. He stated the reasons for this position. He added that this issue deals with only one piece of property and one property owner's rights, as they relate to the rest of the City. There are other properties in the City where UH-900 abuts UL-7200. There is no distinction between this property and those properties which would justify a finding of either substantially changed conditions or substantial correlation with the health, safety and welfare.

At the conclusion of remarks by both sides, the Council discussed the subject-at-hand.

Mayor Anderson called a five-minute recess. City Attorney McAdams reminded the Council not to discuss the matter-at-hand during the recess.

Upon reconvening the hearing, Mayor Anderson invited public input.

Joann Zatloukal, 21428 29<sup>th</sup> Avenue South, a SeaTac resident for 36 years, remembered events concerning this property prior to City incorporation. The residents in that neighborhood had discussed the impact this change of zoning would have on their community. They were not made aware of any change to the property until the bulldozers arrived on the property. The residents agreed to the owner adding on to the existing retirement home with small homes. No construction transpired. She stated she was informed by the Planning Commission that the land is high density zoned. The residents are concerned with the high crime, adding that it is not the safe neighborhood they had for years.

With no further input, Mayor Anderson closed the hearing, stating each item would be acted upon separately.

### **Agenda Bill #1712; Ordinance #99-1028**

### **An Ordinance amending the City of SeaTac Comprehensive Plan Land Use Plan Map regarding 21212 International Boulevard – Planning**

**Summary:** This Ordinance would change the land use designation from Residential High Density to Residential Low Density.

In 1983, King County granted a rezone for the above referenced property from RS-7200 to RM-900-P, with conditions. The conditions included developing a nursing home according to preliminary plans submitted in 1983, with attention to issues of height, buffering and access with respect to single family properties to the west and south.

The Ordinance granting the rezone specifies that if the conditions are not met within one year of the Ordinance adoption, the property shall revert to its previous zoning. The conditions were not met, meaning that the rezone from RS-7200 to RM-900 never actually became effective. However, on the County zoning maps, the property remained designated as RM-900-P. When the City adopted zoning in 1992, it intended to adopt equivalent zoning to the

County's, but due to the lack of appropriate documentation of the conditions, the property was inadvertently zoned as UH-900. The City proposes to rezone the property to rectify the oversight. In order to effect such a rezone, the Comprehensive Plan needs to be amended first.

The subject property is adjacent (on the south side) to the Des Moines Vista Retirement Home. Formerly, the two properties were owned by the same party; currently, the two parcels are under separate ownership. The northwestern corner of the subject property is used as access and parking by the Des Moines Vista Retirement Home. This portion of the property (60 feet by 200 feet) was the subject of an earlier rezone (also from RS-7200 to RM-900-P), subject to conditions. As in the case of the larger portion of the subject property, the conditions were not met, and as such, the rezone technically never took effect. The conditions were a 20-foot wide landscape buffer around the south and west sides of the subject property, and a limitation on vehicular access via 29<sup>th</sup> Avenue South.

In Autumn 1998, the property owner proposed a 90-unit multi-family project on the site, at which time some long-time residents of the neighborhood brought to the City's attention the issue of the specific development conditions imposed through the County's P-suffix process. The City's subsequent research into the P-suffix issue brought the special conditions, and the conditional rezoning Ordinances to light. Adopting the proposed Comprehensive Plan amendment will allow the City to rezone the property to UL-7200, rectifying the inadvertent up-zoning that took place when the City adopted its Zoning Code and Map in 1992.

MOVED BY STEVENSON, SECONDED BY BRENNAN TO ADOPT ORDINANCE NO. 99-1028.\*

Councilmember Hansen requested to be abstained from voting on Agenda Bill Nos. 1712 and 1713 for two reasons: 1) there were comments stated during this hearing that he had not heard before and Council was given material that they have not had a chance to review thoroughly, adding that action on these agenda bills does not have to be taken at this time as the moratorium does not end until August 20.

\*MOTION CARRIED WITH COUNCILMEMBER HANSEN ABSTAINING.

**Agenda Bill #1713; Ordinance #99-1029**

**An Ordinance amending the City of SeaTac Zoning Map regarding 21212 International Boulevard – Planning**

**Summary:** This Ordinance would change the zoning designation of this property from UH-900 to UL-7200 referred to in Agenda Bill No. 1712 (Comprehensive Plan Amendment regarding the same property).

MOVED BY STEVENSON, SECONDED BY BRENNAN TO ADOPT ORDINANCE NO. 99-1029.

MOTION CARRIED WITH COUNCILMEMBER HANSEN ABSTAINING.

**Agenda Bill #1717**

**A Motion authorizing a Contract for a New City Hall Project Manager - City Manager**

**Summary:** This Motion authorizes an agreement between the City of SeaTac and Heery International, Inc., an architectural firm, to employ the consulting services of Ms. Ricky Langford as Project Manager for the new City Hall. Council has verbally approved the hiring of Ms. Langford as Project Manager for the new City Hall. Duties will involve oversight of programming, master site planning, and schematic design. Ms. Langford has been working with the City on this project under ABKJ, Inc. and has changed firms recently to Heery.

The proposed agreement provides for project management consulting services with total compensation not to exceed \$34,000, plus expenses not to exceed \$5,000 for a maximum of \$39,000.

MOVED BY STEVENSON, SECONDED BY DEHAN TO APPROVE AGENDA BILL NO. 1717.\*

Council had concerns as to the change of firms and cost of Ms. Langford's service. City Manager clarified that it was Ms. Langford's services that were initially being hired due to her abilities and talents in this area of expertise to act in behalf of the City's interests. She will be working on site under the City Manager in the scope definition phase, a

crucial phase of the project. The construction phase will be managed by the Public Works Director with the Project Manager working under him in the City Manager's behalf. He added that the costs are well within what would be expected for project management services.

**\*MOTION CARRIED UNANIMOUSLY.**

**Agenda Bill #1687; Ordinance #99-1030**

**An Ordinance amending the Zoning Code to provide for imposition of Property-specific Development Standards – Planning**

**Summary:** As a result of study during the period of the Multi-family Development Moratorium imposed by Resolution No. 98-023, it was determined that provisions should be made in the City Zoning Code for imposition of property-specific development standards, when deemed appropriate, to be consistent with, or to implement, the Comprehensive Plan and to ensure adequacy of multi-family developments.

The Council was advised, in late 1998, that adoption of Ordinance No. 92-1041, which established the precursor to the City's current Zoning Code, granted to certain properties the equivalent City Zoning classification which would have been only potentially allowable under P-suffixes of the pre-existing King County Zoning Code and map and that reasonable and necessary conditions imposed by the County on any such potential changes were inadvertently omitted. As a result, the Council was concerned that existing development regulations may not be sufficient to ensure that multi-family housing projects will be consistent with the Comprehensive Plan, will meet the tests of concurrency, and will be compatible with surrounding neighborhoods over the years.

The Council, therefore, adopted Resolution No. 98-023 imposing a moratorium on accepting and acting upon development and building permits within zones permitting multi-family uses, until the City staff and the Planning Advisory Committee have had time to research and study the situation and, if appropriate, to formulate amendments to present development regulations applicable to multi-family housing projects for consideration by the Council. The City commenced research and study of the P-suffix issue and determined that approximately 289 parcels of land were subject to property-specific standards at the time of the City's incorporation, of which some 40 parcels relate to multi-family use. The said County P-suffix property-specific standards were inadvertently not carried forward into the City's Zoning Regulations and official Zoning Map.

In order to protect the public health, safety and welfare, and ensure compatibility with adjacent neighborhoods, property-specific development standards may be needed to augment existing development regulations. The Comprehensive Plan supports implementing standards to ensure quality multiple-family development (Policy 6.4D). Research supports the need to coordinate with the Highline School District in assuring that public schools have adequate capacity to serve anticipated growth, in accordance with the GMA and the City's Comprehensive Plan Policy 4.1B. The Council deems it to be in the best interest of the public health, safety and welfare to provide for imposition of property-specific development standards when deemed appropriate.

Planning Director Butler stated that the Planning Advisory Committee (PAC) held a public hearing on this issue on May 17, 1999. This item was taken off the Consent Agenda in order to relay the recommendation of the Planning Advisory Committee's (PAC) meeting of June 21. The committee and staff recommended Council approval unanimously.

**MOVED BY BRENNAN, SECONDED BY STEVENSON TO ADOPT ORDINANCE NO. 99-1030.**

**MOTION CARRIED UNANIMOUSLY.**

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

**CITY MANAGER'S COMMENTS:** City Manager Hoggard had the following items: 1) a reminder of the International Parade at 10:30 a.m. Saturday, June 26. Council is requested to be in the staging area at Tyee High School at 9:30 a.m.; 2) staff is working on a revision to the City/Port ILA regarding maintenance of the flag pavilion. The City will request that the City flag continue to be flown; 3) a second informational meeting for the Marine View

Mobile Home Park residents regarding relocation issues will be held at City Hall on June 23 at 6:30 p.m. This will be a continual process to assist the residents of the park; and 4) today, the City denied a building permit for a mobile office to be placed on the Dollar Car Rental property off South 200<sup>th</sup> Street on the eastside of International Boulevard.

**COUNCIL COMMENTS:** Councilmember Stevenson stated that he spoke with the Planning Director regarding signs that have been recently erected in the City. The signs may be testing the height limit allowed on monument signs in the City Code. City Manager Hoggard stated that staff has been responding to specific complaints on this issue. The Planning staff will be investigating this latest concern.

Mayor Anderson stated that there was an excellent article in the Highline Times on the biography of World War I Veteran Pete "Pet" Crump. Yesterday, two PAC members and she visited the new Silver Dollar Casino. The establishment is impressive and the managers appear to desire to work cooperatively with the City and its citizens.

**RECESSED:** Mayor Anderson recessed the Regular Council Meeting to an Executive Session on Property Acquisition / Personnel Issues at 8:22 p.m.

**EXECUTIVE SESSION: Property Acquisition / Personnel Issues.**

**RECONVENED:** Mayor Anderson reconvened the Regular Council Meeting at 9:02 p.m.

**ADJOURNMENT:** MOVED BY BRENNAN, SECONDED BY GEHRING TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 9:05 PM.

MOTION CARRIED UNANIMOUSLY.

Terry Anderson, Mayor  
Judith L. Cary, City Clerk

# SEATAC CITY COUNCIL REGULAR MEETING MINUTES

July 13, 1999 - 6:00 PM  
City Hall Council Chambers

**CALL TO ORDER:** The SeaTac City Council Regular Meeting was called to order by Mayor Terry Anderson at 6:07 p.m.

**ROLL CALL:** Present: Mayor Terry Anderson, Councilmembers Steve Stevenson, Shirley Thompson, Frank Hansen, Kathy Gehring, Joe Brennan, and Don DeHan.

**ADMINISTRATIVE STAFF:** Calvin Hoggard, City Manager; Jay Holman, Assistant City Manager; Judith L. Cary, City Clerk; Robert McAdams, City Attorney; Steve Butler, Planning Director; Jim Downs, Fire Chief; Bruce Rayburn, Public Works Director; Don Monaghan, Assistant Public Works Director; Julie Rodwell, Programs Manager; and Frank Kinney, Chief of Police Services.

**FLAG SALUTE:** Councilmember Brennan led the Council, staff, and audience in the Pledge of Allegiance to the Flag.

**PUBLIC COMMENTS:** Wayne Sykes, 4835 South 170<sup>th</sup> Street, stated that the South 170<sup>th</sup> Street (Military Road to South 230<sup>th</sup> Street) Surface Water Management (SWM) road project left several driveways too steep to drive for vehicles to enter. One storm water drain grate is elevated 18-inches above the old grate. This is a safety issue for drivers. Staff will investigate the situation.

John Kenny, 18305 Southeast Newport Way, Issaquah, presented a letter for the public record regarding the status of the sale of the Ishii property located at 18703 36<sup>th</sup> Avenue South to the City of SeaTac. A copy of which will be available in the City Clerk's Office.

## **PRESENTATIONS:**

### **New City Hall (NCH) Update**

Steve Arai, Architect, Arai/Jackson Architects, introduced the following members of the NCH Planning Team: Bruce Ellis, Project Architect, Arai/Jackson; Robert Wagner, Robert Wagner Architects; and Ricky Langford, Project Manager, Heery International, Inc.

Ms. Langford briefly reviewed the update agenda: 1) the Master Site Plan is a culmination of input from the Council, staff, Citizens' Ad Hoc Committee and the general public; 2) the Functional Program has been a process of meeting with all the City departments to review their current and future functions and design requirements for the NCH. The team also met with the City Council and ad hoc committee regarding public spaces. This process will outline the staffing, space standards of the various departments and shared spaces, the incorporation of the Police Patrol Unit within the building concept, and the Municipal Court/Council Chambers concepts; 3) the budget has been estimated; and 4) the NCH Schedule will be outlined as it currently stands. Ms. Langford added that the process has been a good experience for the team. All parties have devoted time and focus to this important project and the team is most grateful.

Mr. Arai reviewed with Council the specific issues Ms. Langford outlined that are the result of a great deal of productive input. The team feels that they are near a solution in terms of a Master Site Plan, Functional Program and a draft budget.

The Master Site Plan will go before the Council first for approval. Mr. Arai emphasized that the plan is actually the guidelines for the final design. The site has basic tenets that led to its design. The design year, as identified by the Council, is 2010, the site development is on 6.6 acres with a draft building envelope of 48,500 to 48,700 square feet. There are a few areas that are still being finalized: the police element and the Council Chambers / Courtroom options. The building concept is for a two-story structure with attention to preservation of as much land as possible. The site



will address all Code issues, including the ADA access requirements. Parking for 226 cars has been planned with 90 spaces under the building (for secure parking, such as police and off-hour usage) and 136 surface spaces. This is the use requirement, which is in excess of the Code requirement.

Mr. Arai presented a diagram of the proposed City Hall, which will front South 188<sup>th</sup> Street for good visibility to its citizens. He further reviewed other elements of the plan, such as site access from 36<sup>th</sup> Avenue South and South 188<sup>th</sup> Street, controlled emergency only access at 37<sup>th</sup> Avenue South, separate parking area for public on the east side of building and west for staff and officials, landscape buffers to the east and south of the site, potential aggregated wetland with fifty-foot buffer (another option is being investigated), and underground storm detention.

The Functional Program defines how large and what goes into the NCH building and site. There are a number of program drivers, issues such as staffing, space standards, departments, and shared spaces. The drivers are growth in a ten-year scenario in three categories, City size, resident and employment populations. The current employment figures of 35,000 are estimated to increase 25 percent (43,900) by the year 2010. The residential base is currently 23,540 with a 36 percent increase to 31,900 in 2010. Growth in staff without the police factor is 28 percent by 2010. This is driven by the City's growth, part due to the Port of Seattle (POS) expansion demands and accounts for the projected square footage needed to accommodate staff. Due to information received this afternoon, the police are currently deployed out of the Burien Precinct and the City model will have the 28 personnel patrol unit located in SeaTac to better serve the City. This will account for approximately 800 square feet of City Hall space (25 patrolmen needing support space plus three to five office spaces for other police staff functions to be added).

The concepts for the Municipal Court and Council Chambers spaces have been narrowed down to three basic choices which he outlined in detail: 1) stand alone separate rooms, 2) connected rooms with a common lobby and 3) combined room with Council dais at one end and Court dais at the other end. The ad hoc committee recommended a tiered floor concept, which would make the room less user-friendly as a multi-use facility. The considerations are the operations and design, scheduling and use, and the total area and cost. In reviewing the use of these rooms, there appears to be a 40 percent overlap in needs for the rooms and other rooms or facility would have to be used. Council questioned the usage. Mr. Wagner explained the current Chamber/Courtroom schedules and the potential uses of both rooms. Public hearings and staff training are a few of the many uses for the rooms. He provided a chart detailing the use of these rooms. Mr. Arai added that the design of each room, security issues and the staff/public uses are important elements to consider. An additional 1,200 to 1,900 feet would be needed to have separate rooms due in large part to support functions. However, not needing a 500 to 900 foot training room would be a savings of space.

Mr. Arai reviewed the current departmental staffing verses the modest increase projected for the year 2010. City Manager Hoggard stated that the POS may be impacting the space needed in the Municipal Court. It is unpredictable at this time. There is also the issue of the court area being placed separate from the rest of the City Hall functions. The Police Department's needed space will also impact the space design since it was not factored into the space forecasting. Councilmember Thompson had some concern as to the minimal square footage for administrative assistant staff (55-81 square feet), stating the footage should be according to functional needs. Mayor Anderson agreed. Mr. Arai stated that for the purposes of presentation, this complex issue has been summarized. A more detailed assessment has been outlined in the Facility Program packet provided the Council. The team will be happy to work with the Council on the standards. Next, he briefed on the shared and support spaces. Lastly, the building grossing factors were added in, such as the walls, mechanical, and electrical spaces.

Next, he outlined the NCH costs: the site acquisition, programming and master plan programming are estimated at \$1,363,000. The construction (includes site development), fees, such as consultants, furniture and equipment, taxes, and 15 percent contingency are estimated at \$13,880,722, for a grand total of \$15,505,522 for a two story building concept.

Ms. Langford reviewed the Conceptual Budget, which will be refined as the design progresses. She continued with the work schedule. Construction is scheduled for completion by July 2001 including site work within the 6.6 acres, with the new facility ready for occupancy in mid-summer 2001. Currently, construction materials and labor are high due to recent weather damage throughout the southern States. He added the issue of level of construction and image of site

that has been discussed with the various committees. Mr. Arai illustrated various levels of construction of buildings in the local area. The NCH level is being designed on a Level 3 budget, which is at the better quality end of construction.

The team requested clear direction from Council in order to finalize the Master Site Plan. Councilmember DeHan will coordinate a meeting with the team.

Mr. Arai stated that a display of construction plans can be set up in the City Hall lobby for public viewing. Ms. Langford can also make herself available for public questions. Mr. Arai added that public workshops would continue to be held throughout the project development stages. Mayor Anderson stated that the ADA Citizens' Access Advisory Committee would also like to meet with the team. Mr. Arai agreed.

**RECESSED:** Mayor Anderson recessed the Council Meeting for a short recess at 7:15 p.m.

**RECONVENED:** Mayor Anderson reconvened the meeting at 7:22 p.m.

**PRESENTATIONS (Continued):**

**Surface Water Management (SWM) Rate Study Update**

Public Works Director Rayburn stated that this study is one of the Port/City Interlocal Agreement (ILA) provisions. The study is a review of SWM rates in the City, including the POS with possible recommendations for rate changes. Over the past year, the consultant, Economic and Engineering Services, Inc., has been working on the study and it is now in draft form.

Assistant Public Works Director Monaghan reported on the current status of the study. He stated that the consultant gave this presentation to the Citizens' Advisory Committee, the Transportation and Public Works (T&PW) Committee. Senior POS staff were also briefed. He provided an overview of the study's scope of services, the rate setting process, the study results and policy issues.

The rate setting is determined by three basic components: revenue requirements, cost of service and rate design. He detailed the process of each component. Mr. Monaghan gave a summary of the SWM Utility Revenue and SWM Capital Plan and Financing Sources for the years 1998 through 2002. Next he gave a comparison of residential SWM bills for neighboring utilities with SeaTac's present rate at \$5 for single family residence. When comparing utilities, the following elements must be considered: size and drainage issues; adequacy of capital funding from rates and past funding sources for capital projects. With various adjustments, he outlined the potential increases in rate and alternatives for adjusting the overall rate revenues. It appears from the study that by the year 2002, the City would need to have a \$7 rate to cover the utility program. This would allow an increase in the depreciation rate amount to one and one half times the rate at which assets depreciate. The Advisory Committee made suggestions on ways to gradually increase the rate over the years. Last month, the T&PW Committee recommended the consultant submit a proposal to raise the rate to \$7 in one increment. This method would allow overall savings over the years. The City could bank the additional monies to allow a reduction of debt service needed to cover major capital improvements. Mr. Monaghan reviewed the Port's rate and the apparent rate discount for the Industrial Waste System (IWS) based on the level of impervious area. Discounts scenarios of 0, 50 and 100 percent were discussed. Given the Port a discount on the IWS system is not a complete discount to the Port because revenue is being generated by the Port's non-IWS property.

Mayor Anderson questioned mobile home versus single-family residential rates to which Mr. Monaghan answered that most mobile home park owners use the single-family residential rate. He stated this issue can be revisited for clarification purposes.

Lastly, Mr. Monaghan stated that the consultant has been asked to bring back recommendations as to maintenance of private/commercial industrial facilities. This would be a great savings to the business community and to the City. Another issue is whether the school district properties should be given a discount carte blanche or just school properties with active programs.

If the Council desires to implement a rate increase, it would be part of the budget process for 2000. Policy direction will be requested for final recommendation to the City Council by the end of this year.

In response to Councilmember Hansen's query as to when this would have to be adopted by Council, Mr. Rayburn stated that in order to have a rate increase effective for the year 2000, King County would need to be informed no later than mid-November in order to adjust their records accordingly.

Councilmember Hansen stated that the T&PW Committee agreed that if the City adopted the \$7, this rate would still be under the County's rate.

Copies of the draft study will be provided to Council in their Friday Packet for further review.

### **Briefing on Joint Transportation Study and Commute Trip Reduction (CTR)/Transportation Demand Management (TDM) Issues**

Public Works Director Rayburn stated that this study is being worked on by both the Port and the City. It is a major component of the ILA and is behind schedule (was scheduled for completion by the end of 1998) due in part to the lengthy contract negotiations with the firm of Kato & Warren, the lead consultant on the study.

Mr. Monaghan reviewed with Council some of the issues of the TDM. The investigative stage for the Transportation Plan is in draft form and will be ready shortly. Both the Port and City models have been calibrated and the results of the base year are anticipated within a month. The trails and paths portion has been worked on, as well as traffic calming and neighborhood issues. The more challenging issues are the parking strategies with the Port and the City working together to resolve these elements of the plan. There is a lot of work ahead for both parties on this element, as well as on the capital improvement and financing component to be worked on in late fall.

Next, Mr. Monaghan explained the TDM measures for the City. The issue for the consultant is to resolve how the program can best be improved. He has calculated the current activities, committed future prospects and potential prospects and actions of these elements in the program.

The SeaTac Partnership has been working with METRO to implement the individual shuttle beginning in September for an 18-month trial period. It will serve primarily the major businesses within the community. The Flex-Pass has been implemented in City Hall to promote use of the transit system. Other employers are also working with METRO on the Flex-Pass program. The program is designed to relieve traffic congestion Mondays through Fridays, which is the most traffic-impacted time. Mayor Anderson had concern that the hotel industry would not be served well by the proposed schedule as their work schedule encompasses seven days a week.

The Puget Pass is an outgrowth of the Flex-Pass. The Puget Pass is a Sound Transit bus/rail pass being implemented in conjunction with METRO. This single pass would provide access to all transportation mode.

The Permanent Shuttle will be implemented if the Individual Shuttle fairs well in the City and may possibly be expanded to cover the seven-day a week schedule to accommodate the City workers.

A potential prospect is the Parking Code Revision. This element will be reviewed by the City to consider revising the parking requirement, thus limiting the number of business/office spaces available to encourage mass transit use. This will also be address as part of the City Center element.

The InterModal Center (IMC) is a Port project, which will provide the City a transportation hub at one location. This will serve the community well by providing access to all the transit services in the vicinity.

One of the Committed Future Programs is the Port's desire to reduce single occupancy vehicles entering the airport. The shuttle service is one system they are working on with their employees.

### **CONSENT AGENDA:**

**Approval of claims vouchers** in the amount of \$67,754.88 for the period ending June 22, 1999.

**Approval of claims vouchers** in the amount of \$23,021.89 for the period ending June 23, 1999.

**Approval of claims vouchers** in the amount of \$460,056.34 for the period ending June 30, 1999.

**Approval of employee vouchers** in the amount of \$568,487.72 for the period ending June 30, 1999.

**Approval of firefighter vouchers** in the amount of \$550.00 for the period ending June 30, 1999.

**Approval of summary of \$5,000 - \$25,000 purchase requests** for the period ending July 9, 1999.

**Approval of Council Minutes:**

**Study Session** held June 15, 1999.

**Regular Council Meeting** held June 22, 1999.

**Joint City Council / Citizens' Advisory Committee Meeting** held June 29, 1999.

**Acceptance of Citizens' Advisory Committee Minutes:**

**Civil Service Commission Meeting** held May 10, 1999 (approved by this commission June 28, 1999).

**Human Relations Committee Meeting** held May 13, 1999 (approved by this commission July 8, 1999).

**Library Advisory Committee Meeting** held May 20, 1999 (approved by this committee June 10, 1999).

**Planning Advisory Committee Meetings** held May 3 and 17, 1999 (approved by this committee June 21, 1999).

MOVED BY BRENNAN, SECONDED BY DEHAN TO ACCEPT THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY.

**NEW BUSINESS:**

**Agenda Bill #1718; Resolution #99-021**

**A Resolution amending and revising the City of SeaTac Travel Policies, Regulations and Procedures– Finance**

**Summary:** Assistant Finance Director McCarty provided a brief history of the evolution of travel policies in the City, noting the current policy had not been updated since 1994. The City had eliminated travel advances in favor of credit cards for travel expenses a few years ago, but the travel policy document was never amended to reflect this change. A number of other minor modifications are recommended that would improve the administration of travel-related expenditures. Mr. McCarty indicated a draft policy was reviewed and modified at the May and June Ways & Means (W&M) Committee meetings, then reviewed by Department Directors, resulting in a final amended policy. The proposed travel policy was provided to the Council in their Friday packet.

Councilmember Thompson asked for clarification on a number of sections. Council discussion of the proposed travel policy resulted in a few additional minor changes that will be incorporated into the document prior to distribution.

MOVED BY BRENNAN, SECONDED BY GEHRING TO PASS RESOLUTION NO. 99-021 WITH MINOR REVISIONS IN WORDAGE AS DIRECTED BY COUNCIL.

MOTION CARRIED UNANIMOUSLY.

**Agenda Bill #1719; Ordinance #99-1031**

**An Ordinance amending the SeaTac Municipal Code (SMC) relating to the use of Credit Cards for Travel and other City Business – Finance**

**Summary:** This Ordinance is companion to above Ordinance No. 99-031 and repeals SMC 2.65.521 through .523 relating to the use of credit cards for travel and other City business. Incorporating the use of credit card use into the City's travel policy provides that all travel-related provisions are combined in a single document, simplifying administration of these provisions.

MOVED BY BRENNAN, SECONDED BY GEHRING TO ADOPT ORDINANCE NO. 99-1031.

MOTION CARRIED UNANIMOUSLY.

**Agenda Bill #1725**

**A Motion authorizing an agreement for grant and acceptance of funds for promotion of tourism through the Tyee High School Academy of Travel and Tourism (AOTT) – Legal**

**Summary:** The proposed Agreement provides for the promotion of tourism through grant money from Hotel-Motel

Tax Revenue to be used by the Highline School District in support of the Tyee High School AOTT and a related scholarship program.

On April 27, 1999, the Council enacted Ordinance No. 99-1018 which amended the 1999 Annual City Budget to authorize expenditures up to \$50,000 dollars from Hotel-Motel Tax Revenues for support of the AOTT and the Tyee High School Dollars For Scholars Foundation.

Details regarding the AOTT and the scholarship program are set forth in Agenda Bill No.1682 and the AOTT's proposal to the City. It is appropriate that an agreement be entered into between the City and the Highline School District to provide for the application and expenditure of the grant funds and to require appropriate reports to the City. The primary terms of the Agreement are as follows: 1) the grant for 1999 has been added to the City Budget, but future grants are discretionary and will be determined by the Council in adopting future Budgets, without any fixed obligation to continue monetary support; 2) the Council may designate a portion of any grant funds to be provided to the Tyee High School Dollars for Scholars Foundation; 3) scholarships attributable to the grant funds shall be awarded to graduates of the AOTT; 4) the City may annually designate a maximum dollar amount to be provided on a two-for-one matching basis to be used in support of the categories of need set forth in the original proposal to the City; 5) matching funds will be paid monthly based upon a report of funds raised by the AOTT and/or its students, from non-governmental sources; 6) the school district shall provide an annual report detailing scholarship awards; 7) the school district shall also provide an annual report detailing the functions and activities of the AOTT; and 8) so long as it is accepting grant funds, the District is responsible for continuing the operation of the AOTT and its affiliation with the National Academy Foundation. There may, of course, be some amendments to the proposed form of Agreement through negotiations with the school district.

The proposed Agreement will not, itself, have any fiscal impact but merely places restrictions on the use of funds, up to the sum of \$50,000, appropriated by Ordinance No. 99-1018.

MOVED BY BRENNAN, SECONDED BY HANSEN TO ACCEPT AGENDA BILL NO. 1725.

MOTION CARRIED UNANIMOUSLY.

**ADDITIONAL NEW BUSINESS:**

Councilmember Stevenson requested that staff aggressively explore ideas to alleviate the traffic problems on Military Road. City Manager Hoggard affirmed this request.

**PUBLIC COMMENTS:** Joe Dixon, 19211 35<sup>th</sup> Avenue South, commented on the NCH presentation. Years ago, a \$5 million amount for NCH Bond was agreed upon by the Council. \$750,000 was added to this amount. Mr. Dixon stated he was initially opposed to this bond issue. It was like borrowing money for a house before one is chosen. He stated he was appalled by the \$15,500,000 stated this evening by the NCH planning team. This is a three-fold increase from the initial amount.

Ray Overholt, 4448 South 175<sup>th</sup> Street, stated the following issues of concern: 1) during the International Boulevard project, trees were felled on South 160<sup>th</sup> Street in front of the apartment complex at that location. The area is now an eyesore to the neighborhood. Neighborhoods need to be continuously improved in order to attract people to the City; and 2) inquired as to the status of the City Center Plan. He feels this issue needs to be settled soon and then move on to improving the neighborhood areas.

**CITY MANAGER'S COMMENTS:** City Manager Hoggard had the following items: 1) Sound Transit will be holding an open house July 14, 4:00 to 7:00 p.m. at Fire Station No. 1 on the 154<sup>th</sup> and South 200<sup>th</sup> Streets Park 'N Ride Station layouts; 2) a Sound Transit Board Meeting/Workshop will be held July 22, 1:00 to 4:00 p.m. at Highline Community College focusing on the SeaTac and Tukwila area. City and business representatives will be attending and input is encouraged; 3) the POS Commission voted 4-1 on the North End Aviation Terminal (NEAT) Station; 4) the Joint Advisory Committee (JAC) will be meeting on July 14 at 10:00 a.m.; 5) reminder that the next Public Safety & Justice (PS&J) Committee meeting is scheduled for July 19 at 4:00 p.m. There will be a follow-up on the Fire Study; and 6) on July 15, 6:00 p.m., the City is sponsoring a Residential Rental Property Managers/Owners Network Dinner

at the North SeaTac Park Community Center.

**COUNCIL COMMENTS:** Councilmember DeHan stated his appreciation of the Port Commissioners' approval of the NEAT Station as their preferred station for the light rail system.

Councilmember Brennan stated that he attended the "Music in the Park" performance on July 11. The crowd was large. He suggested staff research a possible noise violation regarding the annoying "music" of the ice cream vendor vehicle traveling through the City's parks. Mayor Anderson stated that this is a problem in neighborhoods too. City Manager Hoggard stated he would research this concern. She added there has also been complaints of people selling goods out of their cars in City parks. Councilmember Brennan also mentioned that appropriate swimwear at the lake should be enforced as is done in other Cities.

Councilmember Gehring stated that the W&M Committee met on July 12 with the following items of business: 1) Parks & Recreation Director Ledbetter gave an update on Parks Capital Improvements requests for the years 2000-2020; 2) Planning Director Butler presented an amendment for possible additional costs for the City Center Study, totaling \$22,400. The committee suggested more research and then to be brought to the Council for further discussion; 3) the grant agreement with the Highline School District was voted on; 4) Finance Director Spencer presented a fee schedule, which will be presented to Council; 5) She also submitted the City's Year 2000 Compliance Status Report as of June 30. The City Hall Compliance testing was a success; 6) The 2<sup>nd</sup> Quarter Financial Report was distributed. General revenues were strong the first half of 1999, with sales tax running approximately 10.8 percent ahead of 1998 for the same period. Permit revenues should be over the budget this year. The next W&M meeting is scheduled for August 9.

Councilmember Hansen stated the Land Use, Parks and Economic Development (LUPED) Committee met today with the following items of business: 1) a discussion with the POS on starting their \$10 million landscaping project. It was agreed that the POS could start work on the south boundary of the airport and on improving the South 188<sup>th</sup> Street tunnel area, which would enhance the view of the airport; 2) Planning staff reviewed the Comprehensive Plan amendments. A bus tour was suggested for the committee to preview the sites in question; and 3) the Highline Botanical Society made a presentation on the Elda Behm Gardens. Placing the gardens in the vicinity of the North SeaTac Community Center was well received.

Councilmember Stevenson stated that due to the re-paving projects, his neighbors have complained to him regarding the enlarged size of the sewer grates. There is a danger to youngsters as their feet could fall through the grates. They would like the old grates put back in.

Councilmember Thompson stated that she received a compliment from a parent on the Angle Lake Park playground facilities. She also received a compliment on the boulevard. She feels the Council should be proud of the improvements made to the City over the last few years.

Councilmember Hansen added that the 4<sup>th</sup> of July parade sponsored by the City's Fire Department was a great success.

Mayor Anderson stated residents of South 168<sup>th</sup> Street and Military Road have complained to her regarding fireworks going off at all hours and the mess thereafter. Councilmember DeHan stated that the president of the McMicken Heights Community Club suggested to him that fireworks be banned in the City.

**ADJOURNMENT:** WITH NO FURTHER BUSINESS TO DISCUSS, MAYOR ANDERSON ADJOURNED THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 9:16 P.M.

Terry Anderson, Mayor  
Judith L. Cary, City Clerk

# SEATAC CITY COUNCIL REGULAR MEETING MINUTES

July 27, 1999 - 6:00 PM  
City Hall Council Chambers

**CALL TO ORDER:** The SeaTac City Council Regular Meeting was called to order by Mayor Terry Anderson at 6:06 p.m.

**ROLL CALL:** Present: Mayor Terry Anderson, Councilmembers Steve Stevenson, Shirley Thompson, Frank Hansen, Kathy Gehring, Joe Brennan, and Don DeHan.

**ADMINISTRATIVE STAFF:** Calvin Hoggard, City Manager; Jay Holman, Assistant City Manager; Judith L. Cary, City Clerk; Robert McAdams, City Attorney; Elizabeth Spencer, Finance Director; Kit Ledbetter, Parks & Recreation Director; Jim Downs, Fire Chief; Bruce Rayburn, Public Works Director; Julie Rodwell, Programs Manager; and Frank Kinney, Chief of Police Services.

**FLAG SALUTE:** Councilmember Stevenson led the Council, staff, and audience in the Pledge of Allegiance to the Flag.

## **CONFIRMATION OF APPOINTMENT:**

### **Mayoral Confirmation of Appointment of a new Member to the Solid Waste Advisory Committee**

MOVED BY THOMPSON, SECONDED BY DEHAN TO CONFIRM THE MAYORAL APPOINTMENT OF MELVIN MCDONALD TO THE SOLID WASTE ADVISORY COMMITTEE.

MOTION CARRIED UNANIMOUSLY.

Deputy Mayor Thompson read the certificate and Mayor Anderson presented the certificate to the new appointee, thanking him for volunteering to serve the City on this committee.

**PUBLIC COMMENTS:** Joe Dixon, 19211 35<sup>th</sup> Avenue South, stated that he reviewed the New City Hall (NCH) plans and felt they are sound. He also reviewed the new 2000 plan and suggested that a task force be assigned to analyze the use for the Hughes property. The task force could consist of three citizens, and representatives from the City Manager, Finance, and Planning Departments. City Manager Hoggard stated that a permanent use of the property is under consideration in the Hotel/Motel study. Recommendations for interim use could be brought forth to Council.

Marion Henry, 3208 South 198<sup>th</sup> Street, stated that some of the Angle Lake Mobile Home Park residents have reported an increase in vehicular speeding on South 200<sup>th</sup> Street. She suggested police enforcement be accelerated in this area.

## **PRESENTATIONS:**

### **Briefing on the Highline Water District's Water Supply**

Keith Harris, Highline Water District Manager of Planning and Construction, and Laurie Van Leuven, the district's Public Information Coordinator, made a presentation to Council on the status of the district's water supply. Mr. Harris stated that the district supplies water to SeaTac (1/3 of supply), Des Moines (1/3 of supply) and to Normandy Park, Burien, Tukwila, Federal Way, Kent and unincorporated King County (1/3 of supply). The district averages approximately 7.2 million gallons of water a day with an increase in the summer to 13-14 million and in the winter, 4-5 million. Eighty percent of the district's water is derived from Seattle and 20 percent from wells. The Cedar River has been the primary water supply for Seattle since 1901. The district is working on the formation of the new Cascade Water Alliance, which will be the new water supplier in the area. It will strive to establish more water sources, in conjunction with Seattle, King County, Pierce County and Everett. Highline is not a member as it has its own source. However, the district is reviewing what steps are needed to join the alliance. Currently, Seattle derives 160 million gallons a day from the Cedar River Systems. There are two new sources in its expansion: 1) Tolt Filtration Plant (north of Seattle); and 2) Tacoma Pipeline Intertie from the Green River system. These sources, along with

conservation, are projected to take the system through the year 2020 and will raise the base amount of water available considerably. In the meantime, other sources are being investigated. The long-term water supply is more than adequate. The cost will, however, rise with development of the new sources. Reuse of water (treated water) is also being examined at the West Point Water Treatment Plant in Seattle and could produce 80 million gallons a day. Mr. Harris showed the water usage as not increasing with population growth. This is due in part to the Tolt system and to conservation. The district is consuming approximately the same amount of water as in 1979 through 1981 but with a larger user base. Mr. Harris stated that the Environmental Species Act (ESA) is working on salmon recovery and water issues. Seattle has proactively enacted a habitat conservation plan in order to address these issues. Studies over the past 30 years indicate water usage, peaks and flow and waters available for fish. Everything possible will be done to protect the salmon. Steps are being taken to insure that the Federal government does not take over management of the Cedar River. Mayor Schell is promoting a one-percent conservation plan; meaning one percent saved every year for 10 years for a total of 10 percent conservation above what is currently being conserved. The draft plan was adopted by the City of Seattle. It has been appealed and will go before the City's Hearing Examiner within the next few months.

In addition to Seattle's efforts, the districts are developing a plan to reactivate old wells. He explained the use and sources to be implemented in this plan. A number of different alternatives are also being examined.

Council discussion ensued with questions addressed as to the use of water, conservation, cost, and the salmon issue. Mr. Harris stated that the amount of water used from the Des Moines Creek is minimal and the need for a specific level for the fish habitat will be carefully monitored. Seattle is constructing a treatment plant for the Cedar River System, which will increase the cost of wholesale water. The Port has a well that could be used after treatment if needed. These issues will be in the study.

### **Port of Seattle (POS) Air Cargo Study**

Lida Nesterenko, POS Senior Planner/Project Manager for the Air Cargo Study, stated that this presentation was made before the Port Commission and staff earlier today. Accompanying Ms. Nesterenko were Jeff Fitch, POS Airfield Business Operations Manager, C. F. Booth, Principal Associate and Ken Bukauskas, Senior Associate, Leigh Fisher Consultants. She stated the briefing would cover the air cargo industry, the region's air cargo markets and a summary of some of the challenges and opportunities for the airport. The main objective of the study is to ensure that the region's air cargo facilities and services are provided, specifically focusing on Sea-Tac Airport and developing a strategy for ensuring that the airport's short and long term needs are met.

C. F. Booth outlined the project approach and planned airport projects. There are a large amount of development projects at the airport, which will have significant impact on cargo. The study will assess the region's air cargo market, review the impact of the development projects on the facility, estimate the future requirements, funding options, and develop a strategy plan for the airport's long term cargo needs. He stated the study is expected to be finished in approximately a month. He discussed the cargo facilities on the airport. The north cargo area has 90 percent of the airport's cargo facilities. A major airport project is the north aviation terminal, which affects a large percentage of cargo facilities.

Mr. Bukauskas gave a briefing on the background of the air cargo industry, region's air cargo market and how the major air cargo components want to use the region and airport, the region's constraints the components are facing and the consequences of not keeping up with the cargo market. The main components are: 1) belly carriers, such as Delta, Continental, or US Airways, with a primary objective to fly passengers with cargo in the belly of the aircraft; 2) mixed carriers, such as United and Northwest, which fly both passenger aircraft and dedicated all-cargo freighters; 3) belly-flex carriers do the same job as mixed carriers except these carriers, such as KLM or British Airways, lease in their carriers; 4) integrated carriers, such as UPS, FedEx, DHL, and Airborne, own all the assets in their transportation system; 5) all-cargo carriers that carry cargo only and provide line-haul support and have no pick up and deliver service as is done by the integrated carriers; 6) integrated forwarders are services, such as the U S Postal Service, that own most of their assets but at times lease in contract help; 7) non-integrated forwarders, which are a significant part of this business. They are the go between the manufacturers, such as Micro-Soft and the end user; and 8) motor carriers, which are the surface transportation modes.

The cargo traffic in the last five years has been slightly slower (1.1 percent lower) as to total tonnage. One growth is in



the mail (10 percent higher). The postal activity at the airport is one of the major facilities in the entire postal services network.

He detailed some of the ways the air cargo industry wants to use the region nationally and locally outlining the integrated carriers and their hub network. There is no true hub operation in the northwest corner of the nation. The demand issues are warranting a hub in a population density. DHL is researching the use of Sea-Tac as their launch point for Tokyo services and UPS is discussing an increase of two to three times their activity at Boeing Field. Also, Federal Express fly their jet aircraft into Sea-Tac.

Mr. Bukauskas focused on one of the main cargo issues at the airport, which is the area located under the North End Aviation Terminal (NEAT) development site. There is insufficient area for storage and difficulty with transitional times from freight forwarders. Another issue is the amount of potential air cargo being trucked as far as the east coast with freight bound for eastern cities and European countries. Even more important is the cargo leakage to other west coast airports. Over 25 percent is being lost to other airports.

Sea-Tac is behind in terms of air space. The building facilities' square footage is somewhat adequate. However, with the planned airport development to accommodate passenger growth, the airport is losing building and ramp space (15 percent), warehouse space (50 percent) and aircraft parking positions (20 percent). In analyzing development options and developing a strategic plan, lease structures need to be reviewed.

Lastly, Mr. Bukauskas stated that mixed carriers, such as United and Northwest Airlines, rely heavily on cargo transport. He outlined employment statistics in the cargo industry and the dependence on the air cargo service industry by carriers.

Mr. Booth summarized the key points of the study: 1) the region's ability to accommodate the long-term needs of the integrated carriers is at risk; 2) limited land use at Boeing Field. The opportunity is all at Sea-Tac; 3) greater opportunity is foreseen in the future for mixed carriers due to the passenger fleet decreasing for cargo; 4) the region has a diverse economy with a strong cargo market; 5) losses to other competing airports; and 6) cargo facilities receive mixed reviews. There are some inefficiencies due in part to the roadway system and warehouse space. The airport is land poor, particularly for cargo aircraft parking, currently limited to six more positions without developing additional space for parking, which would be at the South Aviation Support Area (SASA). The strategy is going to focus on replacing facilities lost to terminal development. The north cargo area may need to be dedicated to cargo development, such as removing the airport maintenance facility. Methods will be actively sought to allow cargo businesses to operate more effectively, such as cooperating with the City of SeaTac on developments relating to cargo, attempting to make Port owned land north of SR 518 quickly available to cargo related development, recognizing without SASA, there will not be any long term growth for cargo and recognizing the contribution of other regional resources, such as Moses Lake Field. The next steps to be taken over the next four weeks will be to finalize the requirements and development costs, prepare financial analysis to assist the Port as to funding sources, completing an environmental check list, confirming priorities and refining the strategic plan.

Mayor Anderson inquired as to the impact of the additional trucks in the City. Ms. Nesterenko stated that an environmental impact statement (EIS) will be conducted which will identify any significant impacts, (outlined in the Airport Master Plan). SASA will require more study. Councilmember DeHan inquired as to the use of Paine Field for air cargo. Mr. Booth stated that one of the field's roles will be as a cargo feeder into Sea-Tac Airport. However, the field is farther from a center of population than Sea-Tac and not a likely area for this service. Councilmember Thompson had concern as to the amount of aircraft using Sea-Tac if the cargo industry increases its business. The study is examining this issue. With a utilization of SASA, UPS, for instance, is looking at a single digit increase. There will be a fine line of expansion at SASA and, therefore, the cargo aircraft will be limited. Councilmember Hansen stated his encouragement of proceeding with the South 28<sup>th</sup>/24<sup>th</sup> Streets project and SASA project in order to move the cargo. City Manager Hoggard stated the report indicates good and bad news. Cargo is a strong indicator of economic growth and activity. The industry provides many jobs in the City. The needs of the businesses and the preservation of the community are of foremost importance.

**RECESSED:** Mayor Anderson recessed the meeting at 7:11 p.m. to allow for set up of the next presentation.

**RECONVENED:** Mayor Anderson reconvened the meeting at 7:17 p.m.

## **2<sup>nd</sup> Quarter Financial Report**

Finance Director Spencer reported that General Fund revenue collections for the first half of 1999 were 46.73 percent of the annual budget, with property taxes right on target and permit-related revenues ahead of the budget year-to-date. Sales tax revenue at June 30 is only 41.38 percent of budget, but only five months of collections had been received as of June 30, rather than six months. General Fund expenditures through June 30 total \$8.6 million with small savings in personnel-related costs and supplies. Variances in other services and charges, as well as Capital Outlay, are timing differences only and year-end variances are not anticipated. Parking tax revenue in the Arterial Street Fund is slightly under budget, but only five months of revenue had been collected as of June 30. Capital outlay expenditures in the Arterial Street Fund, Transportation Capital Improvement Program (CIP) Fund and Storm Water Management (SWM) Construction Fund are only timing differences. Overall, no significant unfavorable variances were reported as of June 30.

## **CONSENT AGENDA:**

**Approval of claims vouchers** in the amount of \$675,143.36 for the period ending July 13, 1999.

**Approval of claims vouchers** in the amount of \$661,669.71 for the period ending July 27, 1999.

**Approval of employee vouchers** in the amount of \$345,768.23 for the period ending July 15, 1999.

**Approval of summary of \$5,000 - \$25,000 purchase requests** for the period ending July 23, 1999.

## **Approval of Council Minutes:**

**Joint City Council/Port Commission Meeting** held June 17, 1999.

**Regular Council Meeting** held July 13, 1999.

## **Acceptance of Advisory Committee Minutes:**

**ADA Citizens' Advisory Committee Meeting** held June 14, 1999 (approved by this committee July 12, 1999).

**Parks, Arts & Recreation Advisory Committee Meeting** held May 10, 1999 (approved by this committee June 14, 1999).

**Solid Waste Advisory Committee Meeting** held May 13, 1999 (approved by this committee July 8, 1999).

## **Approval of the following Motions recommended at the July 20, 1999 Study Session for placement on the Consent Agenda:**

### **Agenda Bill #1721**

**A Motion authorizing Final Acceptance of the South 188<sup>th</sup> Street Signal Interconnect Project – Public Works**

**Summary:** On March 30, 1999, Council awarded the South 188<sup>th</sup> Street Signal Interconnect Project to Colvico, Inc. for a total amount of \$45,290, plus a 10 percent contingency of \$4,529. The work was completed in June 1999 and is acceptable.

When a new traffic signal is installed at the South 188<sup>th</sup> Street/36<sup>th</sup> Avenue South intersection, it will be interconnected with other signals on South 188<sup>th</sup> Street from 42<sup>nd</sup> Avenue South to I-5 northbound ramps. The Public Works Department utilized the awarded Oil Rebate Grant of \$58,949 from the Washington State Department of Transportation (WSDOT) to install the needed traffic signal interconnection cable. A total of 1,517 linear feet of interconnection cable was installed on the south side of South 188<sup>th</sup> Street connecting 42<sup>nd</sup> and 36<sup>th</sup> Avenues South. The work was completed within the schedule and budget and in accordance with the specifications.

### **Agenda Bill #1729**

**A Motion authorizing the City to participate in the 2000-2002 Interlocal Cooperation Agreements (ICAs) relating to Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) Programs – City Manager**

**Summary:** The ICAs govern how Federal CDBG and HOME funds are distributed in King County. CDBG funds are

generally used for housing repair, acquisition and rehabilitation of community facilities and some housing facilities, public infrastructure improvements, and delivery of limited human services. HOME funds are generally used for acquisition and rehabilitation of new construction of housing units for low-income families and individuals, and housing repair for owner-occupied and investor-owned rental housing. These ICAs are scheduled for update every three years.

The new ICAs for the CDBG, and HOME, and other Federal housing and community development funds were revised and updated by an interjurisdictional staff group. This will renew the successful CDBG and HOME Consortia partnerships with King County and the suburban Cities.

The U.S. Department of Housing and Urban Development (HUD) requires these agreements for suburban Cities to be able to participate in regional King County CDBG and HOME entitlement grants. Nearly all suburban Cities participate in one or both Consortia.

These agreements retain the "pass-through" method of sharing the CDBG funds with the larger suburban Cities, and provide for the continuing allocation of HOME funds on a regional basis. However, there are four important modifications: 1) the CDBG and HOME agreements allow the King County Executive, for the first time, to appoint a citizen from an unincorporated area as a representative to the Joint Recommendations Committee (JRC), which is the Consortium's interjurisdictional policy body. This will reinforce the fact that King County has a local, as well as a regional responsibility, in housing and community development; 2) the new CDBG agreements contain some provisions that are important to various Cities. One provision allows smaller Pass-through Cities to continue to receive a Pass-through even if they fall below the locally adopted \$50,000 threshold in the future. Other provisions clarify the responsibilities of the County's Housing and Community Development staff to the Cities; 3) there is a separate version of the CDBG Interlocal Agreement (ILA), called a Joint Agreement which will apply to Cities that either currently qualify, or will shortly qualify, to receive entitlements directly from HUD. To continue participating in the King County Consortium, these Cities need reassurance that they will not be financially disadvantaged. Consequently, the Joint Agreement specifies that these Cities will be allocated the larger of either: a) a Pass-through calculated through the King County Consortium's formula, or b) their entitlement amount calculated through the HUD formula (less a share of the Consortium's administrative costs); and 4) the CDBG and HOME agreements now provide for an automatic renewal at the end of three years. Three years from now, SeaTac will not have to go through the adoption process in all participating jurisdictions. Instead, HUD is allowing the City to simply notify jurisdictions at the end of three years that they have the option to opt out.

### **Agenda Bill #1730**

#### **A Motion authorizing the Highline Botanical Garden Foundation to use a portion of North SeaTac Park for a Botanical Garden - Parks & Recreation**

**Summary:** The Highline Botanical Garden Foundation would like to work with the City to develop a botanical garden. The foundation has funding and volunteers to develop a botanical garden

The foundation's president and the City's Parks and Recreation Director met to discuss possible sites in SeaTac. Several sites were examined. The focus was on the new City Hall site until it was determined to be too small to include the garden. After careful review, the site with the best potential was determined to be North SeaTac Park, the area south of the Community Center. The site has mature trees, an existing parking lot, restrooms, and meeting rooms. It also has interesting topography and the garden could be expanded, if it is successful. The idea of more public use in the area around the Community Center would discourage vandalism. The garden is in keeping with the idea of a neighborhood park within the park for the SeaTac residents. Many parks and recreation activities could take place at the garden and this would also be an asset for our citizens.

This proposal is to allow the City to enter into an agreement with the foundation for use of an area not to exceed three acres in North SeaTac Park, south of the Community Center. Details such as a written agreement for maintenance and operation and a master plan design still need to be worked out and would be brought back to the City Council for approval at a later date.

The proposed agreement will not have a financial impact but it is likely that the Parks Department will have some

maintenance responsibilities that will have a fiscal impact in future budgets.

**MOVED BY BRENNAN, SECONDED BY THOMPSON TO ACCEPT THE CONSENT AGENDA AS PRESENTED.**

**MOTION CARRIED UNANIMOUSLY.**

**NEW BUSINESS:** There was no new business.

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

**CITY MANAGER'S COMMENTS:** City Manager Hoggard had no comments at this time.

**COUNCIL COMMENTS:** Councilmember DeHan stated, on a personal note, that the last of his children has "left the nest" and was married on Saturday.

Councilmember Brennan inquired as to the status of the Flag Pavilion agreement with the Port. He inquired as to when the flags would be reinstalled in the pavilion. City Manager Hoggard stated that staff will be discussing this issue further with the Port. The Port received feedback on an international level regarding a certain flag being flown. Assistant City Manager Holman stated that the flags represented airline carrier flags versus International flags. The City has requested the SeaTac flag be flown. Mayor Anderson added that the Port intends to fly flags representing passenger carriers only. Council agreed that a letter from the City Manager be sent to the Port expressing the Council views on this issue.

**RECESS:** Mayor Anderson recessed the meeting to an Executive Session on Personnel Issues at 7:35 p.m.

**EXECUTIVE SESSION: Personnel Issues**

**RECONVENED:** Mayor Anderson reconvened the meeting at 7:45 p.m.

**ADJOURNMENT:** MOVED BY STEVENSON, SECONDED BY THOMPSON TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 7:47 PM.

**MOTION CARRIED UNANIMOUSLY.**

Terry Anderson, Mayor  
Judith L. Cary, City Clerk

# SEATAC CITY COUNCIL SPECIAL MEETING MINUTES

August 3, 1999 - 6:00 PM  
City Hall Council Chambers

**CALL TO ORDER:** The SeaTac City Council Special Meeting was called to order by Mayor Terry Anderson at 6:05 p.m.

**ROLL CALL:** Present: Mayor Terry Anderson, Councilmembers Steve Stevenson, Shirley Thompson, Frank Hansen, Kathy Gehring, Joe Brennan, and Don DeHan.

**ADMINISTRATIVE STAFF:** Calvin Hoggard, City Manager; Jay Holman, Assistant City Manager; Judith L. Cary, City Clerk; Robert McAdams, City Attorney; Steve Butler, Planning Director; Craig Ward, Principal Planner; and Scott Somers, Chief of Police Services.

**FLAG SALUTE:** Councilmember Brennan led the Council, staff, and audience in the Pledge of Allegiance to the Flag.

## **INTRODUCTIONS:**

Mayor Anderson introduced the City's new Chief of Police Services Scott Somers. Chief Somers stated that he was pleased to become a part of the City's working team.

Mayor Anderson then introduced the Southwest King County Chamber of Commerce's new Government/Community Relations Liaison Kate Losleben. Ms. Losleben stated she was born in Seattle, graduated from Southwest Texas University and also studied Political Management at George Washington University in Washington D.C. She stated she looks forward to being of service to the City. Nancy Damon, General Manager of the Chamber attended the meeting with Ms. Losleben.

## **PUBLIC HEARING:**

### **Extension of the Moratorium on Multi-family Construction – Planning**

Mayor Anderson opened the Public Hearing at 6:07 p.m.

Planning Director Butler stated that the request for an additional extension of the moratorium will be brought back to the Council at the August 10 Regular Council Meeting. The reason for the public hearing at this time is to give the Council time to consider any comments made this evening.

Principal Planner Ward outlined the background on the moratorium. It was initially established as a six-month City-wide moratorium in October 1998 to April 1999 through Resolution 98-023. A second extension was made in April 1999 to August 1999 through Resolution 99-012. Staff is now recommending an additional extension to February 2000 for the following purposes: 1) multi-family standards are scheduled to be adopted in October 1999; 2) more time is needed to permit the City Center plan and new standards to be in effect in December 1999, as they will affect multi-family land use, zoning, and development regulations; and 3) when adopted, the City Center Plan will simultaneously remove the moratorium on multi-family development.

There were no public comments.

Mayor Anderson closed the Public Hearing at 6:14 p.m.

## **PRESENTATION:**

### **Planning Department Work Items and Schedules**

Planning Director Butler stated that this briefing will review issues and projects related to the Comprehensive Plan Amendment Process.

There are six major efforts within the next few months: 1) Comprehensive Plan; 2) City Center Plan – a) plan, b) standards, and c) rezones; 3) Multi-family development standards; 4) South 188<sup>th</sup> Street Corridor Study; 5) different options for the Colacurcio property; and 6) the Lutheran Social Services site off of South 188<sup>th</sup> Street (discussed primarily at Land Use, Parks, and Economic Development (LUPED) Committee meetings.

Mr. Butler presented two options for proceeding with the Comprehensive Plan Amendment process: Option One – Planning Advisory Committee Public Hearing on October 4, adoption of the plan on November 9 to be effective December 9, 1999. Option Two - Planning Advisory Committee Public Hearing on November 8, adoption of the plan on December 14 to be effective January 13, 2000.

Staff concern was that Option One is within the same time period as the City Budget and both involve many issues.

The LUPED Committee recommends accelerating the process and staff to bring the issues before Council by early September. In order to do this, the South 188<sup>th</sup> Street Corridor Study would need to be brought to Council in the August-September time period.

Mr. Butler continued by reviewing the Option One - Policy Issues: City Center Plan – community meetings in September; South 188<sup>th</sup> Street Corridor Study – scope/area to be studied and timing/1999 Comprehensive Plan amendment; Colacurcio property – development agreement approach; and Lutheran Social Services site – approach.

Councilmember Hansen, Chair of the LUPED Committee, stated that the committee discussed the basic schedule and it was recommended to move ahead with the process as smartly as possible. Regarding the Lutheran Social Services Site, the committee directed staff to have agency representatives present their actions (as heard by the LUPED Committee) before the full Council.

Council discussion ensued at to the fact that Council would like to have as many of these issues accomplished in 1999. Both options accomplish that end.

City Manager Hoggard stated that the Planning Department has other projects to accomplish besides the stated six major items that will take much time and effort to accomplish. He suggested Option Two would allow for more comprehensive work on the stated projects. Council concurred with Option Two. It is the desire of both the Council and staff that this extension be the last one.

**COUNCIL COMMENTS:** Councilmember Brennan had two items of business. 1) The shed in front of the Silver Dollar Casino is off its wheels and is now on concrete blocks. Mr. Hoggard stated that it is an unpermitted espresso stand. Staff is taking action on this issue; and 2) Thrifty Care Rental Lot has a large advertising sign on the side of a truck facing International Boulevard. He would like staff to investigate this as to a violation of the Sign Ordinance.

Councilmember Hansen requested Mr. Butler explain the following LUPED meeting item. Mr. Butler stated King County is applying for a grant on behalf of the County and Southwest Cities (SeaTac, Burien, Des Moines, Normandy Park, and a few others) to examine the feasibility of a coalition of Cities researching new business for this area versus doing so individually. Monies would be allocated from the Federal Economic Development Administration (EDA) to be matched by the County, with some matching from the Cities. The LUPED Committee recommended pursuing this action as long as it did not bind the City to future actions or activities and that the Economic Development Council (EDC) also be represented in the process. Councilmember Hansen added that the Council and staff will be touring the Lionsgate Development in Redmond.

Councilmember Thompson had a concern. She was informed that SeaTac resident Judy Johnston, 4228 South 177<sup>th</sup> Street, would be losing 25 percent of her property due to the Highline Water District's upgrade. The project, which includes installing a 30-inch water pipe, will also tear up some of the City's newly resurfaced roads and a portion of the Valley Ridge Park. This intrusion of both public and private property is unacceptable. She requested that the Council be updated by the district as to the project's status and the need for this intrusion. Information on this issue from Mrs. Johnston will be placed in the Council's Friday Packet.

City Manager Hoggard stated that the district does have right of eminent domain. The district has been working closely with the City. The Parks Director has been working with them on the Valley Ridge Park. The issue on the private take will be reviewed. Staff will arrange for the district to update the Council on the project. The project will expand the capacity of the district bringing in water into this area.

Councilmember Brennan stated that the district had ensured him that the pipe was being planned along the edge of Tyee High School property and not the park. Mr. Hoggard stated that was also his understanding. This will tie in the northend reservoir with the southend reservoir. The project will be very intrusive to Military Road, as well. Councilmember Thompson stated that other options need to be researched prior to construction.

Mayor Anderson stated that TCI Cable reception in SeaTac is very poor. She was concerned about this issue and the fact that the City has a franchise with TCI. City Manager Hoggard stated that the franchise provides for an evaluation every three years. This issue will go before the Council in early 2000. Staff is gathering information at this time. Part of the problem is the conversion from regular cable to digital band format and, in the process, it has created a higher degree of unreliable service. The City has a list of issues to bring to the table. Staff has been meeting with TCI regarding their obligation according to the franchise agreement.

Assistant City Manager Holman stated that staff will be meeting with the General Manager next week. The digital band is scheduled to be completed in June 2000.

Councilmember Stevenson stated that AT&T has the same problems in their phone lines for computers in SeaTac.

**ADJOURNMENT:** MOVED BY BRENNAN, SECONDED BY THOMPSON TO ADJOURN THE SPECIAL MEETING OF THE SEATAC CITY COUNCIL AT 6:40 PM.

MOTION CARRIED UNANIMOUSLY.

Terry Anderson, Mayor  
Judith L. Cary, City Clerk

# SEATAC CITY COUNCIL REGULAR MEETING MINUTES

August 10, 1999 - 6:00 PM  
City Hall Council Chambers

**CALL TO ORDER:** The SeaTac City Council Regular Meeting was called to order by Mayor Terry Anderson at 5:32 p.m.

**ROLL CALL:** Present: Mayor Terry Anderson, Councilmembers Steve Stevenson, Shirley Thompson, Joe Brennan, and Don DeHan. Absent: Councilmembers Frank Hansen and Kathy Gehring.

**ADMINISTRATIVE STAFF:** Calvin Hoggard, City Manager; Jay Holman, Assistant City Manager; Judith L. Cary, City Clerk; Robert McAdams, City Attorney; Jim Downs, Fire Chief; Brian Carson, Fire Captain; Brian Wiwel, Fire Battalion Chief; Jack Dodge, Principal Planner; and Scott Somers, Chief of Police Services.

**FLAG SALUTE:** Citizen Joe Dixon led the Council, staff, and audience in the Pledge of Allegiance to the Flag.

**RECESS:** Mayor Anderson recessed the Regular Council Meeting to an Executive Session on Personnel Issues and Land Acquisition at 5:35 p.m.

## **EXECUTIVE SESSION: Personnel Issues / Land Acquisition**

**RECONVENED:** Mayor Anderson reconvened the Regular Council Meeting at 6:01 p.m.

### **APPOINTMENT:**

#### **Appointment of Firefighter Brian Carson to the position of Fire Captain**

Mayor Anderson presented newly appointed Fire Captain Brian Carson with his official badge and congratulated him, on behalf of the Council and the City on his appointment.

City Manager Hoggard stated that Firefighter Brian Carson was appointed to the permanent position of Fire Captain, effective August 16. As Fire Captain, he is the first-line supervisor in the Fire Department in charge of one of the City's three on-duty fire companies. Firefighter Carson scored No. 1 on the Fire Captain's promotional exam. He was hired as a SeaTac Firefighter in October 1992. He graduated from Bainbridge Island High School, and attended Pacific Lutheran University and the University of Washington, majoring in business administration.

Firefighter Carson is readily recognized for his role as Fire's Emergency Medical Services (EMS) Coordinator, a responsibility he has accepted since 1995. One of his major accomplishments was his role in developing the existing City Ambulance Ordinance and Ambulance Agreement. Also, he has administered the Ambulance Program and served as the Enforcement Officer.

**PUBLIC COMMENTS:** Joe Dixon, 19211 35<sup>th</sup> Avenue South, congratulated the City Council and the Public Works Department for a job well done on the South 188<sup>th</sup> Street project.

### **PRESENTATION:**

#### **Endangered Species Act (ESA)**

Tri-County ESA Coordinator Bruce Laing, former King County Councilmember, spoke to Council and staff regarding the Tri-County (King, Pierce and Snohomish) Initiative to recover the Puget Sound Chinook Salmon. Mr. Laing briefed on the information from the cover document of a three-volume (one for each County) proposal that was submitted to the National Marine Fisheries Service (NMFS) on March 16, the day the Chinook Salmon was listed in the ESA.

The response effort is a voluntary assembly of local governments, tribes, and environmental and business coalitions



that have joined together for the common purpose of recovering salmon and responding to listings under the ESA. It was convened originally by the three Counties with the idea that by joining forces, more would be accomplished. The Tri-County Executive Committee and assembly adopted a proposition to work with the NMFS and State for the collective goal of recovering the Salmon in a way that does not threaten the economy of a metropolitan area. This is the first time the NMFS faced the challenge of applying the act to a species within a highly urban metropolitan area in which the species permeates all the major waterways of the region. The agency is open to working with the team to devise a response.

To achieve that goal, the long-range strategy is to repair the major watersheds (water resources inventory areas): the Nisqually, White/Puyallup, Green/Duwamish, Cedar (which includes the Lake Washington and Sammamish drainages), and Snohomish and Stillaguamish Rivers. The goal is to develop within each of these systems a plan for the recovery and conservation of the habitat system that will sustain the recovery of the Salmon. Of the four major factors that have to be considered, (Four H's: habitat, harvest, hatcheries and hydro), habitat is the one in this region that local jurisdictions have the authority and responsibility to accomplish recovery. This is due to the fact that the local governments have land use authority and address the activities that take place within the habitat.

The team estimates it will take between two to four years to carry out the measures in the plans depending on the history and investment in the habitat within each watershed. The Act does not wait for the long range plans to be accomplished. The team needs to address the interim plans in order to obtain some coverage under the Act. Mr. Laing explained the provisions under the Act and definition of "taking" the species. An assembly of early actions have been presented to the NMFS by the Tri-County team and is in the summary in the cover document distributed to Council. The early actions will have an adverse effect on starting a turn around on the impact being experienced in the watersheds. In return, the team is requesting the NMFS to give governments broad coverage for the activities. This plan is currently in negotiations. The NMFS agrees with the long-range strategies and appreciate the early actions proposed. However, their response is that the Act is rather rigid and the agency is having difficulty giving the team a basis for the umbrella coverage. They have identified specific topics that they want the team to enter into negotiations with them, such as critical area Ordinances, management practices (i.e. road and maintenance, pesticide and herbicide use). The team is preparing proposals based on scientific assessment of the impact the current practices have and what changes need to be made. The negotiations for the "4-d rule" (refers to the section of the Act in which the secretary for a threatened species has some discretion in applying prohibition on take) that determines coverage for the short term will be adopted. The NMFS's initial rule is proposed to be published in October 1999. It is the team's hope that some of the topics discussed with the NMFS will be include in the proposal. The other hope is for placeholders for additional topics that will be negotiated with NMFS between October and January when the final rule is published.

Mr. Laing answered Council questions. The Tri-County watersheds do not include all watersheds. However, the NMFS is designing the total recovery plan to include all the Counties surrounding the Puget Sound. Part of the recovery is to create conditions that will lead to the recovery of the species in sufficient abundance to provide for good harvesting levels.

Since there are so many groups working on various efforts pertaining to endangered species, Council questioned as to what assurance there is that all the efforts will be consolidated. The concern is that the objective not be defused or diluted. Mr. Laing stated that the intent in the Tri-County team is to ensure that they are all on the same path. There probably is no way to assure that all groups will have the same position on the issue. To date, the Tri-County effort has been very successful in keeping the assembly of members at the table with the NMFS, governments and businesses. The 4-d rule can be implemented by the entities in Federal Court if the NMFS is not carrying out the Act.

In the lower ends of several of the drainage basins, channelization has been done over the years. Regarding what will be done with these channels and the saltwater interfacing, Mr. Laing stated that the NMFS does not expect the counties to return to predevelopment conditions. The goal is to examine the watersheds and assess their capability of sustaining the recovery of the species and correct those parts that hinder the recovery efforts. The goal's end should be to allow for safe passage for the salmon's life cycle completion.

Councilmember Brennan, Chair of the Central Puget Sound Watershed Committee, stated that while their system is not extensive, it does have the near shore. He added that he, along with Councilmember DeHan attended their watershed

committee sponsored seminar in Federal Way, which was very successful. He stated that there was excellent cooperation of all the various agencies. The information was given in clear form and was very educational. He suggested that more seminars such as this be scheduled as this format would have the most public impact. Mr. Laing agreed and stated he heard good comments about the seminar.

City Manager Hoggard inquired as to the differences in standards and procedures in jurisdictions and how the plan will be manifested successfully. Mr. Laing stated the team's initial request was for broad coverage for all jurisdictions regardless of their current status on this issue. The common reaction by jurisdictions that could make commitments was sufficient to have a beneficial effect to allow all entities to meet the standards during this planning period. If any issues are NMFS approved, the 4-d rule will be enacted and any jurisdiction that meets or exceeds the requirements will have coverage for that type of activity. Jurisdictions not qualified will not have coverage until they meet the standards. Once the assessment of the watersheds is done and the identification of the implementing measures made, the team will be in a position to conduct adaptive management and monitoring. City Manager Hoggard inquired as to the situation of jurisdictions not meeting the standards. Mr. Laing stated there are provisions in the Act as to penalties, both civil and criminal. The NMFS does not have the resources to police the Act. It would generally be brought to the attention of the NMFS by third party contacts.

Joe Dixon inquired as to whether the Act covers all endangered species, such as the Spotted Owl. Mr. Laing stated that species is not endangered in this area. However, it is the team's attempt to take a multi-species approach to the plans in the watershed. The Chinook Salmon was the first species to be examined. Fish that are being over-harvested are prime candidates for research by the team.

#### **CONSENT AGENDA:**

**Approval of claims vouchers** in the amount of \$1,253,163.88 for the period ending July 30, 1999.

**Approval of claims vouchers** in the amount of \$424,567.65 for the period ending August 5, 1999.

**Approval of employee vouchers** in the amount of \$476,515.98 for the period ending July 31, 1999.

**Approval of firefighter vouchers** in the amount of \$465.00 for the period ending July 31, 1999.

**Approval of summary of \$5,000 - \$25,000 purchase requests** for the period ending August 6, 1999.

#### **Approval of Council Minutes:**

**New City Hall Workshop I** held July 26, 1999.

**Regular Council Meeting** held July 27, 1999.

**New City Hall Workshop II** held July 30, 1999.

#### **Acceptance of Advisory Committee Minutes:**

**Human Services Advisory Committee Meeting** held May 17, 1999 (approved by this committee July 26).

**Senior Citizen Advisory Committee Meeting** held May 13, 1999 (approved by this committee July 15).

MOVED BY THOMPSON, SECONDED BY BRENNAN TO ACCEPT THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY.

#### **NEW BUSINESS:**

**Agenda Bill #1724; Resolution #99-022**

**A Resolution extending the Moratorium on acceptance of Development Permits which relate to Multi-family Structures of more than three units - Planning**

**Summary:** Resolution No. 98-023 established a moratorium on acceptance of development permits and building permits relating to multi-family use projects, pending a public hearing and findings of fact. Resolution No. 98-027 adopted findings of fact, continuing the moratorium through April 20. Resolution No. 99-012 adopted findings of fact, continuing the moratorium through August 20. Upon Council direction, staff is preparing a City Center Plan and Special Standards for the City Center that relate to multi-family development. An extension of the moratorium for six months would allow the required time for the new standards to be in effect prior to lifting the moratorium. Multi-family structures of three or fewer units would be exempted from the extension of the moratorium as they do not raise

significant concerns regarding property specific conditions or design standards.

The State Code permits the Council to adopt a moratorium relating to planning, zoning, and development regulations. The purpose of adopting the moratorium was to: 1) review all former "P-suffix" property-specific zoning conditions which had been in place under King County but were dropped when the City adopted its own zoning code and map, and to consider whether any of these conditions should still be applicable; 2) consider design standards for multi-family development to ensure that multi-family housing projects will be consistent with the City's Comprehensive Plan, will meet the tests of concurrency, and will be compatible with surrounding neighborhoods over the years; and 3) consider licensing standards for multi-family development to ensure maintenance and safety in the interest of the public health and welfare.

The time-frame estimated for adoption process completion of the City Center Plan and associated Special Standards is approximate [four months. RCW](#) for a moratorium to be renewed for one or more six-month periods if a subsequent public hearing is held and findings of fact are made prior to each renewal.

It is recommended that the Resolution be adopted, extending the moratorium on acceptance of permits for multi-family development for six months, until February 20, 2000. Adoption of the proposed Resolution may result in some fiscal impact by reason of delayed receipt of permit fees.

MOVED BY THOMPSON, SECONDED BY BRENNAN TO PASS RESOLUTION NO. 99-022.

MOTION CARRIED UNANIMOUSLY.

#### **Agenda Bill #1727**

#### **A Motion authorizing a Contract with Pierce Manufacturing, Inc. for purchase of a Triple Combination Pumper - Fire**

**Summary:** The Fire Department is in need of a replacement Triple Combination Pumper, as a first line suppression apparatus at Fire Station No. 3. A Call for Bids was published, two bids were received, and the bids were opened on June 30, 1999. One of the bids, Boise Mobile Equipment, was lower than the Pierce Manufacturing Inc. bid but was found by Fire staff and the City Attorney not to be in compliance with the bid specifications. The Pierce Manufacturing, Inc. bid was for \$376,447.00, without sales tax, and was in compliance with all specifications. This firm is a respected and qualified manufacturer of fire apparatus.

The Triple Combination Pumper will replace City Apparatus No. 105, a 1980 American LaFrance Pumper, which is included as a trade in. This replacement is included in the City's Capital Improvement Plan (CIP) and the Fire Department's Apparatus Replacement Plan.

The Public Safety & Justice (PS&J) Committee recommended Council award of this contract.

A total cost of \$415,600, including trade in of \$150,000, is allocated in the 1999 Budget as a partial pre-payment. The balance of \$226,446, plus \$31,623 in sales tax, is to be appropriated in the FY 2000 budget. The total includes \$7,531, which will also be requested in the FY 2000 budget for auxiliary equipment and installation of 800 MHz radios and exhaust filtration system.

MOVED BY BRENNAN, SECONDED BY THOMPSON TO ACCEPT AGENDA BILL NO. 1727.\*

Fire Battalion Chief Brian Wiwel stated that this is a routine replacement of the pumper.

\*MOTION CARRIED UNANIMOUSLY.

#### **Agenda Bill #1735**

#### **A Motion extending Employment of City Manager Calvin P. Hoggard – Council**

**Summary:** The extension of the employment of City Manager Calvin P. Hoggard is, by terms of the original

agreement, to be considered, based upon performance review, within one year of the termination date of the existing employment agreement. Employment was previously extended to May 1, 2000. Thus, the time has now arrived to act upon a further extension.

Pursuant to terms of the employment agreement with Mr. Hoggard, the Council conducted a performance review in an Executive Session following the June 22, 1999 Special Council Meeting and concluded that his performance as City Manager has been exemplary and warrants extension of his employment for an additional year, from May 1, 2000 to May 1, 2001, as is a merit increase of ten percent pursuant to the employment agreement and performance review. Review of the performance of a public employee may be conducted in Executive Session [pursuant to RCW](#)

MOVED BY DEHAN, SECONDED BY STEVENSON TO ACCEPT AGENDA BILL NO. 1735.

MOTION CARRIED UNANIMOUSLY.

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

**CITY MANAGER'S COMMENTS:** City Manager Hoggard had the following items of business: 1) distributed a draft letter of rebuttal to the Seattle Times Editor regarding a recently published article in which the City of SeaTac was identified among other Southend Cities in a quote by the "1,000 Friends of Washington" as Cities not intending to accommodate their fair share of growth. Mayor Anderson stated that she discussed this issue with Mr. Hoggard and agrees with his response. Mr. Hoggard read the letter, a copy of which will be filed in the City Clerk's Office. Council agreed that it is an excellent response to an unfair article and concurred to the letter being sent as a guest editorial under Mr. Hoggard's signature with Council's support; and 2) the August 16 PS&J Committee meeting has been cancelled.

**COUNCIL COMMENTS:** Mayor Anderson had the following items of business: 1) requested that the City's telephone and fax billing system be reviewed and simplified, if at all possible. City Manager Hoggard will speak to the Finance Director as to payment options; and 2) received a letter from SeaTac resident Jackie Krutz as to the increasing cost of running for government office. She feels that a maximum spending limit should be placed on campaign spending. City Attorney McAdams will examine this issue.

**ADJOURNMENT:** MOVED BY BRENNAN, SECONDED BY DEHAN TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 6:54 PM.

MOTION CARRIED UNANIMOUSLY.

Terry Anderson, Mayor  
Judith L. Cary, City Clerk

# SEATAC CITY COUNCIL SPECIAL MEETING MINUTES

August 17, 1999 - 6:00 PM  
City Hall Council Chambers

**CALL TO ORDER:** The SeaTac City Council Special Meeting was called to order by Deputy Mayor Shirley Thompson at 6:02 p.m.

**ROLL CALL:** Present: Deputy Mayor Shirley Thompson, Councilmembers Steve Stevenson, Frank Hansen, Kathy Gehring, Joe Brennan, and Don DeHan. Absent: Mayor Terry Anderson.

**ADMINISTRATIVE STAFF:** Calvin Hoggard, City Manager; Jay Holman, Assistant City Manager; Judith L. Cary, City Clerk; Robert McAdams, City Attorney; Elizabeth Spencer, Finance Director; Mary Pederson, Municipal Court Administrator; Steve Butler, Planning Director; Craig Ward, Principal Planner; Bruce Rayburn, Public Works Director; Tom Gut, Public Works Project Engineer; and Scott Somers, Chief of Police Services.

**FLAG SALUTE:** Councilmember DeHan led the Council, staff, and audience in the Pledge of Allegiance to the Flag.

**PUBLIC COMMENTS:** Joe Dixon, 19211 35<sup>th</sup> Avenue South, requested clarification on two items on this evening's agenda: 1) Agenda Bill No. 1731 - \$22,000 increase for additional consultant work on the City Center Survey, and 2) Agenda Bill No. 1720 – contract awarded to CH2M Hill for International Boulevard Phase IV. His concern was the contracting of the same contractor for all phases of the boulevard work.

## **PRESENTATION:**

### **Development Options for the Lutheran Social Services (LSS) Property on South 188th Street**

Jerry Bay, LSS Task Force member, resident of Angle Lake since 1944 and a Highline Public School System employee for 35 years, opened the presentation by introducing Roberta Nestaas, CEO of LSS of Washington and Idaho. Ms. Nestaas briefed on the agency's history. The agency's administrative offices have been located for the last 20 years in the former Good Shepherd Lutheran Church at 4040 South 188<sup>th</sup> Street. When the congregation relocated, the National Lutheran Church gave the agency the opportunity to purchase the property at a price far below the market value with the intention that the property would be developed into Lutheran Church ministry services. The agency agreed to the offer. The agency's goal is to enhance the community by offering some needed human services. Their vision is for new housing on this property for either senior affordable, assisted living housing or affordable housing for families. The feedback the agency has been receiving through a series of public meetings is the need for senior housing due in part to closures of mobile home parks in the local area. The four-acre property is not zoned for these types of projects, therefore, when a definite proposal is formed, the agency would request zoning variance. The second part of the agency's vision for this site is as follows: 1) extended-hours childcare center; 2) worship center; 3) administrative offices for LSS; and 4) a community meeting room. The agency is in the information gathering phase and is open to public input and needs.

Ms. Nestaas introduced Jim Ferris from the Housing Resources Group (HRG) of Seattle. The HRG is working with the LSS as advisor and potential partner on this project. HRG is now leasing space in a new affordable housing facility in downtown Seattle. Ms. Nestaas added that working with HRG has been a positive experience.

Mr. Ferris stated that the HRG is also a non-profit organization and has been established for approximately 20 years. It was formed as a service to working people in the downtown Seattle area who were having difficulty finding affordable rental housing. HRG was founded by the Downtown Seattle Association, a group of businesses, landlords and property owners in the downtown area with the mission of providing affordable housing to the working public. To date, over 2,000 units have been created including units in surrounding communities outside downtown Seattle. HRG's mission is to help fill the housing needs for affordable housing and still allow for a good quality of life for people with a range of incomes, with an emphasis on people earning \$6 to \$12 an hour. A guideline of 30 percent of income was established to go toward housing cost. The housing is looked upon as a long-term investment with housing built to last a minimum of 40 years. Working with the LSS in downtown Seattle in an office and facility services environment has

proved to be an economical way of serving many needs of the community. Partnering with other non-profits agencies that share the mission of servicing the community has proven to be successful. They work together to define projects that meets the agencies' goals and that of the communities. Mr. Ferris summarized on housing that the HRG completed in 1998, the Casa Pacifica and the Tate Mason House, both in downtown Seattle. Another housing development will soon be underway in Belltown, as well as a senior assisted housing project working in conjunction with Harborview Hospital.

Councilmember Brennan stated that SeaTac is a 24-hour service community and a 24-hour daycare facility would be appropriate as a project for the LSS property. He added that King County Executive Ron Sims and the businesses, such as the hotel industry and the Bureau of Prisons are interested in a 24-hour daycare facility. Also, senior housing is an ongoing crisis. These two community needs ought to be priorities when considering the outcome of the LSS facility usage. Ms. Nestaas agreed and these issues are being seriously considered. She added that the SeaTac Task Force has a 5:00 a.m. to 12:00 midnight extended care facility under review.

Councilmember Hansen stated his appreciation of the service agencies providing for the working class, such as with the Tate Mason House. Council would like the LSS housing to be of good quality and of lasting structure.

Mr. Ferris requested one Councilmember and one City staff member be on the project team for the LSS property.

Deputy Mayor Thompson stated two concerns: 1) a rumor that LSS is partnering with the Union Gospel Mission; and 2) there are now several apartment complexes in the City that are open to Section 8 (low income families) housing. There is also a definite need for senior housing, which needs to be addressed.

Ms. Nestaas stated she has also heard the same rumor as to the Union Gospel Mission. They are a separate agency, and while she respects their mission, LSS is not affiliated with them and does not provide the same services. Mr. Ferris answered the second concern by stating that the task force has not identified the housing to a specific group. They are in the stage of examining community needs.

City Manager Hoggard stated there is public concern for the rapid turnover of people in multi-family complexes and its negative effect on schools and the community. Mr. Ferris replied that the Seattle housing units are monitored as to that issue. The more turnover, the higher the upkeep cost of the complexes. The industry's standard is approximately 30-35 percent turnover per year. Due to its affordability, the Seattle housing is less than 10 percent. The tenants usually leave due to work relocation or they have arrived at a point of being able to buy a home. Mr. Hoggard stated that another concern is family support services. Ms. Nestaas replied there are currently four centers operating and another being developed in Snohomish County. The centers' services are defined by the community needs and tend to have different sets of programs. If the housing is directed toward seniors and extended daycare, there is the opportunity for intergenerational action. The center can also provide for other community programs such as computer classes, yoga classes, and children's activities. The purpose of a family support center would be for a network of mutual resources within the community largely maintained by volunteers. Deputy Mayor Thompson stated she will request staff schedule a tour of the Seattle housing. She will also ask Mayor Anderson to select a Councilmember to be a member of the committee and in doing so will volunteer herself.

#### **CONSENT AGENDA:**

**Approval of summary of \$5,000 - \$25,000 purchase requests** for the period ending August 13, 1999.

#### **Approval of Council Minutes:**

**Study Session** held July 20, 1999.

**Special Council Meeting** held August 3, 1999.

**New City Hall Workshop III** held August 5, 1999.

#### **Acceptance of Advisory Committee Minutes:**

**Civil Service Commission Meeting** held June 28, 1999 (approved by this commission August 9, 1999).

**Library Advisory Committee Meeting** held June 10, 1999 (approved by this committee August 12, 1999).

MOVED BY DEHAN, SECONDED BY STEVENSON TO ACCEPT THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY.

**NEW BUSINESS:**

**Agenda Bill #1737**

**A Motion authorizing the purchase of Video Equipment - Municipal Court**

**Summary:** The 1999 budget includes a Municipal Court appropriation of \$52,207 for video equipment to be used for the court processing of in-custody hearings through video and telephone communication linkage to the Regional Justice Center (RJC). The purchase is funded with \$46,406 in the 1999 Bureau of Justice Assistance (BJA) grant monies and \$5,801 in General Fund monies.

The BJA grant program requires that a public hearing be held to determine usage of the grant monies. This Public Hearing was held at the March 30, 1999 Regular Council Meeting. A Resolution authorizing the use of the grant monies for this purpose was approved by the Council. Approval of this Motion is requested to allow the purchase of video equipment.

MOVED BY DEHAN, SECONDED BY GEHRING TO ACCEPT AGENDA BILL NO. 1737.\*

Councilmember Gehring asked when the equipment would be installed. Municipal Court Administrator Pederson stated the installation has been delayed until mid-November due to a software upgrade and linkage with the RJC that will be available at that time. This program will allow for the expedient transfer of prisoners out of in-custody by one day and at the same time reduce budget expense. The equipment will be portable in the courtroom and transportable to the New City Hall.

\*MOTION CARRIED UNANIMOUSLY.

**Agenda Bill #1731**

**A Motion authorizing the appropriation of Funds to complete the City Center Study – Planning**

**Summary:** Staff recommends that an additional \$22,400 be appropriated to fund the completion of the City Center Study. The funding is needed to offset costs due to the extension of the project schedule and additional costs for public involvement. The Port of Seattle (POS) is a partner in the study and is expected to reimburse the City for up to one-half of the recommended additional appropriation.

The City approved a contract with Cascade Design Collaborative for the study, which was to have been completed by June 1999. In order to accommodate the Council's desire for additional policy-related deliberations, and public requests for additional involvement, the schedule for completing the study has been delayed until December 1999. Both of these desires have budgetary implications in order to continue having consulting assistance available to provide advice to staff and Council on policy developments, to manage additional public involvement efforts, and to prepare and revise project documents. There will also be more costs for printing, mailing and meetings. The adopted project budget with Cascade Design Collaborative has been carefully examined and revised to take advantage of potential cost savings, and some related project costs have been borne by other projects. Following these steps, remaining additional related contract costs to extend the availability of consulting services and to revise the draft City Center Final Supplemental Environmental Impact Statement (FSEIS) and the City Center Plan are estimated to be \$18,000. Additional costs for printing, mailing and public meetings are estimated to be \$4,400. Accordingly, the recommended additional project total appropriation is \$22,400.

If the Port commits to reimburse the City for the additional costs described above, the City's share of the recommended appropriation will be \$11,200. The existing project budget of \$509,790 would be revised to a total of \$532,190.

Regarding Mr. Dixon's earlier request for answers to his questions on the extension and additional funding, Principal Planner Ward clarified the above information. This extension is being done at a relatively little cost, sharing with the POS.

MOVED BY DEHAN, SECONDED BY GEHRING TO ACCEPT AGENDA BILL NO. 1731.\*

Upon a question posed by Councilmember DeHan as to whether the cost includes the South 188<sup>th</sup> Street Corridor, Mr. Ward stated the inclusion of specific properties in the City Center Plan and the EIS are included in the study. The corridor study, however, is not included but is being prepared by staff without the aid of a consultant.

\*MOTION CARRIED UNANIMOUSLY.

Upon a question posed by Councilmember Gehring regarding the total amount of \$532,190 to be shared by the POS and the City, Mr. Ward stated that some components have been added to the original contract of \$400,000 and \$80,000+ from Light Rail monies for stationary planning and ridership studies. Finance Director Spencer stated this amount to be shared is the original \$400,000 + and the \$22,400 for the above extension of the study.

**Agenda Bill #1732; Ordinance #99-1032**

**An Ordinance amending the 1999 Annual Budget for the City Center Study – Finance**

**Summary:** This Ordinance amends the 1999 Annual Budget to provide for City Center Study costs. Companion Agenda Bill No. 1731 recommends that the City Council approve a Motion to authorize additional appropriation in the General Fund to complete the City Center Study, a project begun in 1998 and jointly funded by the City and the POS.

This Ordinance increases the General Fund 1999 Budget by \$22,400 in expenditures and \$11,200 in revenue (POS funding). The changes reduce the General Fund's projected ending fund balance for the year by \$11,200.

MOVED BY BRENNAN, SECONDED BY HANSEN TO ADOPT ORDINANCE NO. 99-1032.

MOTION CARRIED UNANIMOUSLY.

**SPECIAL PRESENTATION:** Fire Chief Downs stated that the City of SeaTac has been recognized by the National Association of Firefighters for its involvement with Fire Services. The association is constantly using the City and Council's involvement as examples to other jurisdictions. On August 11, Councilmember DeHan volunteered to participate in a live fire training experience. Chief Downs presented Councilmember DeHan with a Certificate of Accomplishment.

**Agenda Bill #1736**

**A Motion authorizing the replacement of Fire Station No. 2 East Ramp and Parking Lot – Fire**

**Summary:** This Motion would authorize the execution of a contract with R. W. Scott Construction Company for emergency repairs to the apparatus ramp and asphalt public parking lot at Fire Station No. 2 determined by the Public Works Department to be in unsafe condition and subject to continued deterioration. Three bids were received and R. W. Scott Construction had the lowest bid at \$34,993. In the 1999 budget Capital Improvement Program (CIP), \$35,000 was approved for this project.

Fire was hesitant to initiate this CIP after receiving the Fire Study. However, it has been determined the present condition constitutes an unacceptable hazard to the Fire apparatus, Firefighters, and the general public. It is probable that any damage, loss, or liability would exceed the \$35,000 cost of correction. Although this repair project is a short-term correction, due to the extreme weight of the Fire apparatus, reinforced concrete, although relatively costly, is a necessity.

Councilmember Gehring, Chair of the Ways & Means (W&M) Committee, stated that the committee recommended this action.

MOVED BY BRENNAN, SECONDED BY GEHRING TO ACCEPT AGENDA BILL NO. 1736.

MOTION CARRIED UNANIMOUSLY.



**Agenda Bill #1728****A Motion authorizing Final Acceptance of the South 188<sup>th</sup> Street Improvement Project - Public Works**

**Summary:** The South 188<sup>th</sup> Street Improvement Project was physically completed on August 13, 1999. Staff is recommending final acceptance and closeout of the project and establishment of a 30-day lien period as required by State law.

On July 14, 1998, City Council awarded the South 188<sup>th</sup> Street Improvement contract to Dennis R. Craig Construction in the amount of \$1,597,340, plus a 10 percent contingency of \$159,734, for a total budgeted amount of \$1,757,074. Work began in late August 1998 and reached substantial completion (open to traffic) by early June 1999. The project is now complete per plans and specifications including cleanup and punch list items.

The final contract cost is slightly higher than the bid amount, but well within the contract plus contingency amount. The project included new curb, gutter, sidewalk, street trees and median landscaping, conversion to underground utilities, and an additional eastbound lane from the Alaska Airlines driveway to International Boulevard. The existing pavement on South 188<sup>th</sup> Street from the boulevard, through the airport tunnel and westward to 16<sup>th</sup> Avenue South was also overlaid.

Midway through the project, the POS contacted staff regarding future utility crossings underneath South 188<sup>th</sup> Street for power and communications. In order to eliminate future patches in the roadway, the Port agreed to utilize and pay for Dennis R. Craig Construction to install three utility crossings, all encased in reinforced concrete. The total cost for the utility crossing work was \$251,659.59.

The total budget and actual expenses (where actual expenses have been billed are indicated in the following table):

Expenditures Budgeted Final Cost

## Construction Contract

(includes 10% contingency) \$ 1,757,074.00 \$ 1,617,931.97

Port Utility Crossings \$ 0 \$ 251,659.59

Puget Sound Energy Tariff (est.) \$ 31,781.00 \$ 31,781.00 \*

Puget Sound Energy Street  
Light Installation (est.) \$ 55,510.00 \$ 55,510.00 \*

US West Tariff (est.) \$ 16,819.89 \$ 16,819.89 \*

Totals \$ 1,861,184.89 \$ 1,973,702.45

\* Utility costs are estimates. Invoices have not been received.

Revenues

State Transportation Improvement Board Grant \$ 349,254.00

Federal TEA-21 Grant \$ 494,497.00

Port Utility Crossings Reimbursement \$ 251,659.59

City 307 Transportation Fund \$ 878,291.86

Total \$ 1,973,702.45

MOVED BY BRENNAN, SECONDED BY GEHRING TO ACCEPT AGENDA BILL NO. 1728.\*

Public Works Director Rayburn and Public Works Project Engineer Gut presented the above information outlining the expenditures and revenue sources.

Councilmember Brennan, Chair of the Transportation & Public Works (T&PW) Committee, stated the committee recommended final acceptance.

Councilmember Stevenson stated that he was pleased to see that City project expenditures are increasing meeting their initial budget.

\*MOTION CARRIED UNANIMOUSLY.

### **Agenda Bill #1720**

### **A Motion approving a Design Contract with CH2M Hill for the International Boulevard Phase IV Improvement Project- Public Works**

**Summary:** The International Boulevard Phase IV Improvement Project (South 200<sup>th</sup> Street to South 216<sup>th</sup> Street) is identified on the City's Transportation Improvement Program (TIP) for construction to begin in the year 2002. Staff is requesting approval to contract with a consultant who will provide project development services including right-of-way acquisition and preparation of detailed plans, specifications and estimates required to bid and construct the project.

CH2M Hill was selected as the most qualified firm to provide professional engineering services on the project. Staff recommends Council authorization to execute a design services contract with CH2M Hill.

The selected firm performed similar work on International Boulevard Projects Phases I and II and is currently working on Phase III. CH2M Hill was determined to be the most qualified to deal with project issues due to their experience on the other phases. Staff has negotiated the scope and fee with CH2M Hill. The consultant services contract includes surveying and mapping, public involvement, right-of-way acquisition and design.

This project will require a greater effort in two areas than in the other phases. First, an additional northbound HOV lane is included for consideration resulting in a more substantial right-of-way acquisition effort. Second, Endangered Species Act (ESA) issues and more stringent storm water requirements now require additional permitting and increased drainage design.

#### Expenditures Budgeted

Design Contract \$1,068,336

Right-of-Way Cost Estimate \$1,500,000

Construction Cost Estimate \$6,000,000

Total Expense Estimate \$8,568,336

#### Revenues

City Transportation Fund #307 \$4,719,336

Transportation Improvement Board (TIB) Grant \$3,478,000

WSDOT Pavement Overlay Contribution (est.) \$ 371,000

Total Funding Estimate \$8,568,336

The City currently has grant funds committed from the TIB to fund \$523,000 of the design effort and \$1,046,000 to fund right-of-way acquisition. The TIB has allocated \$1,909,800 in construction funds that will be committed to the City upon completion of the design and right-of-way work. The City portion of the design contract and right-of-way is \$545,336 and \$454,000 respectively. This project has been budgeted for \$1,500,000.

Public Works Director Rayburn reviewed the above summary with Council and responded to Mr. Dixon's concern as to the selection of CH2M Hill as the consultant for this phase of the boulevard project. First, the perception of having granted all of the design work on the boulevard to one firm is a matter of evaluating each step of Phase I, II, and III. The contractor has gained extensive experience in designing the previous phases. Upon contracting for Phase III, Council and staff discussed whether to stay with the original contractor or go through the formal bid process, which was done. CH2M Hill was chosen through the competitive process. In the Phase III contract, Washington State TIB insisted that if there was a possibility of this firm being considered for Phase IV, their contract on Phase III must have a statement that would allow this to occur. In negotiations for Phase IV, the initial amount requested by CH2M Hill was approximately \$1.2 million for compensation for the scope of work worked out jointly by the firm and City staff. The current design contract is \$1,068,336. During the interview process, the selection of a firm is based on the best qualified as required by the State Code on the process. To that point, the selection is not based on the bid dollar amount. Negotiation of fee then begins based on the scope of work. In conclusion, Mr. Rayburn stated there is however, the option to exclude CH2M Hill from the project and re-bid the contract.

MOVED BY BRENNAN, SECONDED BY DEHAN TO ACCEPT AGENDA BILL NO. 1720.\*

Councilmember Stevenson stated his opposition to this contract based on the need to establish a budget for the second busiest road in SeaTac, Military Road. Having not seen that budget to date, he is distressed that the City would put 55 percent of the City's money into this project. In addition, Phase III design work will have significant impact with the new Northend Aviation Terminal (NEAT) Station and the new parking garage for all the rental car agencies. More traffic will be going on Military Road, which is not ready for this impact. Although this road is overloaded only 25 percent of the time, the need is still there.

\*UPON A ROLL CALL VOTE, MOTION CARRIED WITH STEVENSON VOTING NO.

**PUBLIC COMMENTS:** Joe Dixon reiterated his appreciation of the excellent construction work on the South 188<sup>th</sup> Street project and a bonus of coming in under budget.

**CITY MANAGER'S COMMENTS:** City Manager Hoggard had the following item of business: Saturday, August 21, 10:00 a.m. to 4:00 p.m., the Fire Department will be assisting Jerry's Kids Fund Raiser to fill the booth for the Muscular Dystrophy Association (MDA) at Tyee High School.

**COUNCIL COMMENTS:** Councilmember DeHan thanked the Fire Department for the Certificate of Accomplishment for his participation a fire fighting training session.

Councilmember Gehring had the following items of business: 1) due to foot surgery, she was unable to attend last week's Council Meeting; 2) she would like clarification on State Initiative 695 and its impact on the various Cities. City Manager Hoggard stated that jurisdictions are being affected differently due to sales tax equalization that goes to smaller Cities based on their tax bases. The impact will be more severe on Cities with little retail tax base; 3) she has received telephone calls regarding the POS's fencing on 12<sup>th</sup> Avenue South and its alignment to the street. She questioned whether it is violation of City's Code; and 4) she attended the breakfast meeting at the Bell Street Convention Center for Royal Caribbean Cruise Line. The firm will have offer trips out of Seattle to Vancouver and Victoria, B.C. starting in May 2000. They predict the cruises will generate \$8.4 million in State and local taxes and will create 400+ jobs.

Deputy Mayor Thompson had the following items of business: 1) Council will be on summer recess until the September 14<sup>th</sup> Council Meeting. At that meeting, the Highline Water District will make a presentation on the 30-inch water transmission line in SeaTac and its impact on the community; 2) citizen Pat Carter questioned her as to the

routes of the dirt truck. Perhaps this issue could be addressed at the next meeting; and 3) there was a misinterpretation of Council's comments by a member of the audience. City Manager Hoggard addressed the matter by letter clarifying the matter discussed.

**ADJOURNMENT:** MOVED BY STEVENSON, SECONDED BY GEHRING TO ADJOURN THE SPECIAL MEETING OF THE SEATAC CITY COUNCIL AT 7:27 PM.

MOTION CARRIED UNANIMOUSLY.

Shirley Thompson, Deputy Mayor  
Judith L. Cary, City Clerk

# SEATAC CITY COUNCIL REGULAR MEETING MINUTES

September 14, 1999 - 6:00 PM  
City Hall Council Chambers

**CALL TO ORDER:** The SeaTac City Council Regular Meeting was called to order by Mayor Terry Anderson at 6:07 p.m.

**ROLL CALL:** Present: Mayor Terry Anderson, Councilmembers Steve Stevenson, Shirley Thompson, Frank Hansen, Kathy Gehring, Joe Brennan, and Don DeHan.

**ADMINISTRATIVE STAFF:** Calvin Hoggard, City Manager; Jay Holman, Assistant City Manager; Kristina Lowrey, Deputy City Clerk; Robert McAdams, City Attorney; Elizabeth Spencer, Finance Director; Jim Downs, Fire Chief; Julie Rodwell, Programs Manager; Michael Booth, Senior Transit Planner; Craig Ward, Principal Planner; Blake Liebermann, Senior Planner; and Scott Somers, Chief of Police Services.

**FLAG SALUTE:** Assistant City Manager Jay Holman led the Council, staff, and audience in the Pledge of Allegiance to the Flag.

## **PUBLIC COMMENTS:**

David Schroedl, 8273 Caminito Lacayo, La Jolla, California, stated that he is proposing to develop a piece of property on International Boulevard. An architect has been hired to design a parking garage of approximately 11 stories above grade and 2 below grade for approximately 3,200 cars. They have been working with staff for eight months on this project. They approached the City Manager, Assistant City Manager, and City Attorney in terms of drafting a development agreement. They understand that the City would like to see commercial businesses in the structure. They have been planning the development without the requirement of commercial in the structure and now need to reconfigure the structure. He questioned whether there is some way that they could satisfy the commercial requirement with some other approach.

## **PRESENTATIONS:**

### **Census 2000**

State Bureau of the Census Partnership Specialist Nikolay Kvasnyuk stated that he would be addressing the main issues that are anticipated for the Census 2000. He reminded the Council that census is taken every ten years and it is required by the United States Constitution. The first census was taken in 1790. The census is important for three reasons: 1) power - there are only 435 seats in the house of representatives and they are reapportioned among the states based on the population count; 2) money - there is over \$180 billion dollars distributed annually among the States, Counties, and Cities; and 3) respect - everyone needs to be represented fairly and have the opportunity to get their share of the Federal dollars. The latter approach is the one currently used. The bureau is asking every State, County, and City to form a Complete Count Committee. The Complete Count Committee is a cooperative effort between the Census Bureau and local government, or a community-based organization, to promote Census 2000. The volunteer Complete Count Committee is comprised of representatives from government, community organizations, schools, social services, businesses, and media. The bureau cannot provide funding for activities of the committee. For SeaTac, the committee is very important due to the airport. Unfortunately, there is some relocation of SeaTac citizens due to the growth of the airport.

Studies show that people in apartments are less likely to participate in the census without extra activities, education, and contact. The bureau needs the City's help in determining where those people and complexes are located in the City.

Mayor Anderson questioned whether there are any means the City could use to help with the language barriers and whether the census takers will be going door-to-door in pairs for safety reasons.

Mr. Kvasnyuk stated that the bureau has a bilingual staff. Materials and forms are available in six languages and an

assistance guide is available in 48 languages. Also, two or three people will be sent to conduct the census in unsafe areas.

Upon a question posed by Councilmember Thompson, Mr. Kvasnyuk stated that the bureau is asking that everyone conduct the census through the mail. The short form will also be available by the Internet but the long form is vital for the Country.

### **City / Port Joint Advisory Committee (JAC) Update**

Programs Coordinator Rodwell stated that the JAC met on September 8 and discussed the following issues: 1) runway project video; 2) backup beeper noise; 3) buyout status; 4) condemnation of properties; 5) future issues – a) voluntary acquisition area; b) 12<sup>th</sup> Avenue South closure early next year; and c) viewing park will not be available once 12<sup>th</sup> Avenue South is closed; 6) landscaping; 7) Surface Water Management (SWM) Appeal; 8) radio commercials and signage encouraging drivers from the south to use SR 518 and not International Boulevard; and 9) the runway protection zone. Ms. Rodwell reviewed discussion items for the next meeting, which will be held October 6.

### **CONSENT AGENDA:**

**Approval of claims vouchers** in the amount of \$253,174.18 for the period ending August 19, 1999.

**Approval of claims vouchers** in the amount of \$648,441.22 for the period ending August 31, 1999.

**Approval of claims vouchers** in the amount of \$565,248.12 for the period ending September 9, 1999.

**Approval of employee vouchers** in the amount of \$349,421.12 for the period ending August 15, 1999.

**Approval of employee vouchers** in the amount of \$473,061.40 for the period ending August 31, 1999.

**Approval of firefighter vouchers** in the amount of \$365.00 for the period ending August 31, 1999.

**Approval of summary of \$5,000 - \$25,000 purchase requests** for the period ending September 10, 1999.

### **Approval of Council Minutes:**

**Regular Council Meeting** held August 10, 1999.

**Special Council Meeting** held August 17, 1999.

### **Acceptance of Advisory Committee Minutes:**

**Human Services Advisory Committee Meeting** held July 26, 1999 (approved by this committee August 30, 1999).

**Planning Advisory Committee Meeting** held June 21, 1999 (approved by this committee July 19, 1999).

**Senior Citizen Advisory Committee Meeting** held July 8, 1999 (approved by this committee September 9, 1999).

MOVED BY THOMPSON, SECONDED BY BRENNAN TO ACCEPT THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY.

### **NEW BUSINESS:**

#### **Agenda Bill #1748**

#### **A Motion declaring City Hall Property surplus and authorizing its disposal - Finance**

**Summary:** In 1999, the City has replaced various computer monitors, printers and work stations due to this equipment reaching the end of its estimated useful life. Monitors five years or older, printers eight years or older, and work stations at least four years old were budgeted for replacement in the 1999 Annual Budget. Due to the age and condition of the equipment, which in most cases has little to no salvage value, staff recommends declaring this property as surplus and disposing of it.

This surplus equipment is not used for City operations and has little salvage value, with the possible exception of the Pen Plotter, which we recommend be auctioned instead of donated.

In disposing of the equipment, staff will first provide a list to all Human Service agencies serving SeaTac residents and offer the equipment for donation. Any equipment not requested by these agencies will be turned over for auction, with any net proceeds deposited to the General Fund.

Finance Director Spencer stated that certain computer equipment has been replaced and is no longer used for City operations. This Motion declares that property as surplus and allows for its disposal. Based on comments received at the November 13 Ways and Means (W&M) Committee, City staff will first seek out local school districts and Human Service agencies serving SeaTac residents to see if they are interested in a donation of the equipment. Equipment that is not donated will be auctioned or discarded based on whether the item has any salvage value.

Councilmember Gehring stated that this topic was discussed at the September 13 Budget Workshop with Council concurring with the recommendations made. Council discussed allowing kindergarten classes a chance to obtain these items.

MOVED BY DEHAN, SECONDED BY THOMPSON TO ACCEPT AGENDA BILL NO. 1748.

MOTION CARRIED UNANIMOUSLY.

### **Agenda Bill #1742**

### **A Motion approving the Land Use, Parks & Economic Development (LUPED) Committee recommendation on the 1999 Comprehensive Plan Amendment Final Docket - Planning**

**Summary:** The City of SeaTac procedures for amending the Comprehensive Plan provide for consideration of proposed amendments for the 1999 calendar year in two stages. The first stage, the "Preliminary Docket", requires that all proposed amendments be evaluated according to the following criteria: 1) the proposal is consistent with requirements of the Growth Management Act (GMA) and Countywide Planning Policies (CWPP); and 2) the proposal was not proposed in either of the previous two calendar years unless: a) conditions have changed substantially in the immediate areas, or b) the proposal was eliminated in the previous year due to incomplete information.

In addition to the above criteria, proposed map changes are evaluated against some additional criteria: 1) the proposal is or can be adequately served by sewer, water and roads; 2) the site affected is physically suited for anticipated development; and 3) the proposal will not create pressure to change other designations unless in the interest of the neighborhood, City and region.

Proposals that do not satisfy these criteria are not recommended to be included in the Final Docket as potential 1999 amendments to the Comprehensive Plan. All proposed amendments that satisfy these criteria, and the 1999 draft Capital Facilities Plan (to be submitted later in the calendar year), will be included in the Final Docket, subjected to environmental (SEPA) review and public notice requirements, and considered in a public hearing to be held by the Planning Advisory Committee. The City Council is scheduled to act upon the Final Docket in December 1999. They may elect not to adopt proposals that are included in the Final Docket at this time.

The report includes the recommendations of LUPED and the Department of Planning and Community Development for inclusion of proposals within the 1999 Final Docket of the proposed amendments to the City of SeaTac Comprehensive Plan.

All of the amendments are recommended, by both LUPED and staff, to be included in the Final Docket, with two exceptions:

Bo Lindstrom at 19600 Military Rd. (Map 10) - Not recommended to be included in the Final Docket.  
David Uhler at 204xx Military Rd. (Map 12) - Not recommended to be included in the Final Docket

Two proposals (maps 2 & 3) are recommended to be included in the Final Docket in a form amended from that submitted to the City by the original applicant(s). Two other proposals (maps 6 & 9) are subject to continuing discussions, and are recommended to be included in the Final Docket.

Principal Planner Ward reviewed the above summary.

Mr. Ward reviewed the reasons that maps 10 and 12 are being recommended to be excluded. Both map amendments are not physically suited, they create pressure to change other designations, and are inconsistent with the GMA and

CWPP.

Councilmember Thompson concurred with the recommendations but requested that staff continue to work with Mr. Lindstrom on how he can develop his property.

Mr. Ward stated that a similar proposal for this property was requested last year. Staff has spent time with Mr. Lindstrom but will continue to work with him.

Councilmember Brennan stated that he agrees with the recommendations but does not feel that the City should spend anymore time or money to help Mr. Lindstrom on developing his property.

Mayor Anderson stated that Mr. Lindstrom was informed by the previous owner of the complications with developing this property.

MOVED BY THOMPSON, SECONDED BY BRENNAN TO ACCEPT AGENDA BILL NO. 1742.

MOTION CARRIED UNANIMOUSLY.

**Agenda Bill #1747**

**A Motion authorizing a Contract with Economic Research Associates (ERA) to undertake the Hotel/Motel Feasibility Study - City Manager**

**Summary:** Council has already authorized staff to proceed with a Scope of Work and a Request for Proposals (RFP) for a Hotel/Motel Project Feasibility Study. A RFP was issued and three consulting firms submitted proposals within the established amount of \$50,000. An interview panel interviewed the top two consultants and selected ERA of San Francisco.

The Hotel/Motel Advisory Committee recommended that a feasibility study be conducted to determine the types of revenue generating projects or activities that should be pursued. The study would then be the basis for use of funds for tourism-related facility projects and/or activities in the City of SeaTac.

ERA has a strong market analysis background and has undertaken several studies that mirror or are similar to the type of analysis and information that the City Council, Hotel/Motel Advisory Committee and staff desire regarding the use of funds.

Senior Transit Planner Booth presented the \$50,000 contract to the Council for approval on the Hotel/Motel Tax Feasibility Study, to be undertaken by ERA. Mr. Booth discussed how the Hotel Advisory Committee and City Council would be integral in the input to the study. The end product will provide information that the Council can use to implement a possible program or an initial capital project to promote tourism. Councilmember Brennan, Chair of the Hotel/Motel Advisory, recommended approval of the contract.

MOVED BY BRENNAN, SECONDED BY HANSEN TO ACCEPT AGENDA BILL NO. 1747.

MOTION CARRIED UNANIMOUSLY.

**Agenda Bill #1749; Ordinance #99-1033**

**An Ordinance amending the 1999 Annual Budget for the Hotel/Motel Market Analysis Feasibility Study - Finance**

**Summary:** This Ordinance amends the 1999 Annual Budget to provide appropriation of \$50,000 in Hotel/Motel Tax revenues to fund the study for companion Agenda Bill No. 1747.

MOVED BY DEHAN, SECONDED BY GEHRING TO ADOPT ORDINANCE NO. 99-1033.

MOTION CARRIED UNANIMOUSLY.



**PUBLIC COMMENTS:**

Steve Pinto, 3741 South 192<sup>nd</sup> Street, requested that Council adopt an Ordinance making South 188<sup>th</sup> Street between International Boulevard and Military Road South, both east and west, a school zone; install overhead signs on this stretch of roadway stating that it is a school zone; and build two overpasses – one at South 188<sup>th</sup> Street and 42<sup>nd</sup> Avenue South, the other at/or near South 188<sup>th</sup> Street and 35<sup>th</sup> Avenue South.

JB Freer, 18925 37<sup>th</sup> Avenue South, stated there is a car parked on South 192<sup>nd</sup> Street and 32<sup>nd</sup> Avenue South that was in an accident and has no wheels. The car has been marked by the police and is still sitting there. She questioned the status of the car. She also stated that the semi-truck is back again parking in this area.

**CITY MANAGER'S COMMENTS:** City Manager Cal Hoggard had the following items: 1) Public Safety & Justice (PS&J) Committee meeting will be held Monday, September 20 at 4 p.m.; 2) he attended a meeting at the Bow Lake Mobile Home Park (MHP). Concerns at that meeting were: a) implementation of parking restrictions on 37<sup>th</sup> Avenue South; b) sidewalk extension; and c) a piano for North SeaTac Park Community Center; 3) a report by Tim Ceis, King County Director of Endangered Species Act (ESA) Policy Coordination, to the King County Area City Administrators and Managers Meeting held September 8 with regard to the ESA; 4) County Youth Service Facility – SeaTac does not have any responsibility for that directly, the County operates it. However, it does impact SeaTac Police Services. A briefing was given on some reorganization that the County is undertaking; 5) Burien, Tukwila, SeaTac, and Des Moines met to discuss common interests to promote at the legislature; and 6) questioned whether Council is interested in considering a Resolution on Initiative 695. Council discussion ensued. City Attorney McAdams stated that Council is entitled to pass a Resolution in support or opposition of the initiative. However, the Council needs to be careful about campaigning for or against the initiative. Council consensus was given to prepare a Resolution on Initiative 695.

**COUNCIL COMMENTS:** Councilmember Thompson complimented the Police Department on the School Resource Officer (SRO) program. She asked that the information received by Mr. Pinto on the School Zone be given to the Transportation & Public Works (T&PW) Committee for consideration. In early incorporation of the City, research was conducted on overpasses and due to the American Disabilities Act (ADA), it cost millions of dollars to build.

Councilmember DeHan stated that a Policy Committee meeting with the City and Sound Transit was held last week. The committee was dissolved in February and they are in the process of re-establishing it and looking into another Memorandum of Understanding (MOU) with the Sound Transit Board with the understanding that there will be three members from each group. This should extend the life of the committee to 2006. He also stated that the items discussed at the September 14 T&PW meeting will be on the agenda for the September 21 Study Session.

Councilmember Brennan stated that the Council held 2000 Budget Workshop I on September 13. Today, Council had a LUPED meeting, a T&PW meeting, and the Regular Council Meeting. Council reviews items before passing them at Council Meetings.

Councilmember Gehring stated that the W&M Committee and the entire Council met September 13 in a Budget Workshop to discuss the 2000 budget, Community Development Block Grant (CDBG) funding, and surplus equipment. She submitted a written challenge entitled "alteration or amending of declaration after closing date" together with a Declaration of Candidacy, and affidavit in support of the challenge, and a court order dismissing the challenge. It was requested that these documents be included in the record of this meeting. Copies are therefore attached. She stated that she was not submitting these documents to question the right of any person to challenge the declaration of candidacy allowed by State law, but that she was disturbed about how this challenge was handled. She is proud of her 25 years of service in government. These documents state that "a SeaTac councilmember is employed one floor down from the elections office" and that "a person who claims allegiance to Mr. Fisher works in the county bureau adjacent to the elections office, and I am informed that this person may have attempted to assist Mr. Fisher improperly." Councilmember Gehring indicated that these statements imply that she somehow had wrongfully assisted in a claimed change of candidacy from Position No. seven to Position No. one. She said the statements were libel and defamation.

Councilmember Hansen stated that a LUPED meeting was held today and the committee agreed to send on the

recommendations of the Comprehensive Plan Amendments. A presentation was given by John Kinny, representing the Colacurcio property. He had an excellent drawing on their recent proposal. He will be making a presentation to Council at an upcoming Council Meeting.

Mayor Anderson questioned whether a process for payment to the City on telephone bills by Council and staff has ever been prepared. Secondly, she stated that funeral services for Nancy Horst, City resident and former International Parade Chair, were held September 18.

**ADJOURNMENT:** MOVED BY THOMPSON, SECONDED BY DEHAN TO ADJOURN THE REGULAR COUNCIL MEETING AT 7:20 P.M.

MOTION CARRIED UNANIMOUSLY.

Terry Anderson, Mayor  
Kristina Lowrey, Deputy City Clerk

# SEATAC CITY COUNCIL REGULAR MEETING MINUTES

September 28, 1999 - 6:00 PM  
City Hall Council Chambers

**CALL TO ORDER:** The SeaTac City Council Regular Meeting was called to order by Mayor Terry Anderson at 6:04 p.m.

**ROLL CALL:** Present: Mayor Terry Anderson, Councilmembers Steve Stevenson, Shirley Thompson, Frank Hansen, Kathy Gehring, and Joe Brennan. Absent: Councilmember Don DeHan.

**ADMINISTRATIVE STAFF:** Jay Holman, Assistant City Manager; Kristina Lowrey, Deputy City Clerk; Robert McAdams, City Attorney; Jim Downs, Fire Chief; Bruce Rayburn, Public Works Director; Tom Phillips, Public Works Building Official; Soraya Chang, Public Works Programs Coordinator; Steve Butler, Planning Director; Jack Dodge, Principal Planner; Lydia Assefa-Dawson, Programs Coordinator; and Scott Somers, Chief of Police Services.

**FLAG SALUTE:** Chief of Police Services Somers led the Council, staff, and audience in the Pledge of Allegiance to the Flag.

**PUBLIC COMMENTS:** Gene Fisher, 2857 South 152<sup>nd</sup> Street, stated his concern about the vandalizing of his campaigning signs. He is offering a \$500 award for the arrest and conviction of those trashing his signs.

Steve Pinto, 2741 South 192<sup>nd</sup> Street, stated that this is the third meeting he has brought forth his proposal of a South 188<sup>th</sup> Street School Zone. At the September 21 Study Session, he was told that he would be contacted on this issue and to date no one has. The situation is getting worse.

Mayor Anderson stated that she spoke with Tyee Principal Chris Katayama whose views differ from Mr. Pinto's views.

Councilmember Thompson stated that the signs installed by the Public Works Department are slowing traffic down. There are people who will never observe the signs. She requested that staff respond by the end of next week to Mr. Pinto.

Rick Lucas, PO Box 68370, Thrifty Car Rental and Parking, regarding Agenda Bill No. 1726, stated that a questionnaire was received from the City on the parking tax and how much it has decreased in the last year over the projections that were expected. He is concerned about the decrease. Also, he is concerned with the restriction on surface parking. He requested that Agenda Bill No. 1726 be delayed for two weeks.

*(At this point in the meeting, the order of business was changed from the original agenda.)*

## **PUBLIC HEARINGS:**

### **Development Agreement with SunReal, Inc. – Legal**

Mayor Anderson opened the public hearing at 6:17 p.m.

Because staff is continuing to discuss a development agreement with SunReal Inc., the public hearing was continued to the October 26, 1999 Regular Council Meeting.

Mayor Anderson recessed the public hearing at 6:18 p.m.

## **NEW BUSINESS:**

### **Agenda Bill #1726**

**An Ordinance amending the Zoning Code to establish Design Standards for Surface and Structured Parking Lots – Planning**

**Summary:** The proposed code amendments would create design standards for surface and structured parking lots located outside of the City Center area. Within the City Center, design standards for surface and structured parking now apply. The standards would apply to all new development and would not be retroactive. Proposed amendments are:

- provide a new definition for parking lots and for public and private parking. Pursuant to the recommendation of the Land Use, Parks and Economic Development (LUPED) Committee, structured commercial parking lots (i.e., park and fly operations) would be allowed; however, no new surface park and fly lots would be allowed in the City;
- surface lots associated with a primary use would still be allowed (i.e., office, retail, commercial, and multifamily uses);
- change the landscape code to required additional landscape islands within a parking lot. Changes would make the code consistent with the City Center standards;
- drive aisle widths for standard or compact space would be the same;
- pedestrian circulation within a parking lot would be required;
- adopts design standards for structured parking lots (includes building offsets, cornices, parapets);
- minimizes views into parking structures using landscaping, screening, and/or trellis works;
- requires parking garage entrances to be subordinate to other entrances in multi-use buildings;
- requires parking structures to setback 100 feet from International Boulevard, South 188<sup>th</sup> Street, and South 200<sup>th</sup> Street and 50 feet from all other streets unless certain architectural features are provided or it is subordinate to a non-parking building;
- requires that at least 50 percent of the length of the ground floor façade facing a right-of-way be either built out as or is convertible to commercial use; and
- encourages the joint use of driveways.

Councilmember Brennan requested that this item be set aside to be addressed by a Council Committee. Council concurred to send this item to a Joint Meeting of the LUPED and Transportation and Public Works (T&PW) Committees to be organized by Councilmember Brennan.

## **PRESENTATION:**

### **Taxi Services**

Port of Seattle (POS) Director of Ground Operations Vern Haddix stated that he is responsible for all commercial transportation to and from Sea-Tac Airport. He works very closely with Supervisor of King County Business Licensing Terry Denend, whom he introduced.

Ms. Denend stated that within her section of King County, they regulate all County taxicabs and for-hire drivers. They have contracts with many cities including SeaTac. SeaTac has adopted King County Code (KCC) 6.64 by reference. Through an interlocal agreement (ILA) King County is SeaTac's agent for licensing and inspection of the vehicles and licensing of drivers. She distributed the King County Taxicab Annual Report dated, April 1, 1999. She reviewed the process of licensing the drivers and the vehicles.

Councilmember Hansen questioned what happened with the short-haul program. Mr. Haddix stated that program was eliminated two years ago due to customer complaints and the relocation of the taxis at the airport. Drivers were refusing to take short-hauls and customers were confused as to where to connect with taxi service. The taxi system is now on a first come first serve basis. If a taxi comes back to the airport within 15 minutes, they regain their place back in line. The concept is still there but invisible to the customers.

Council discussion ensued regarding complaints received from friends, citizens, and their own experiences.

Ms. Denend stated that there is a taxi hot-line for all complaints (296-TAXI). Once the complaint is received, a taxicab owner or driver is issued a Notice of Complaint detailing the allegations. The driver/owner is required to respond in writing within ten working days with his/her version, clarification, and/or explanation. Failure to respond is evidence that the allegations are true.

Discussion ensued as to testing given to drivers. They must pass a low-level proficiency English oral test to obtain their license.

**CONSENT AGENDA:**

**Approval of claims vouchers** in the amount of \$966,440.40 for the period ending September 24, 1999.

**Approval of employee vouchers** in the amount of \$342,219.80 for the period ending September 15, 1999.

**Approval of summary of \$5,000 - \$25,000 purchase requests** for the period ending September 24, 1999.

**Approval of Council Minutes:**

**Budget Workshop I** held September 13, 1999.

**Regular Council Meeting** held September 14, 1999.

**Budget Workshop II** held September 18, 1999.

**Budget Workshop III** held September 22, 1999.

**Acceptance of Advisory Committee Minutes:**

**Human Services Advisory Committee Meeting** held August 30, 1999 (approved by this committee September 13, 1999).

**Planning Advisory Committee Meeting** held May 24, 1999 (approved by this committee August 2, 1999).

**Approval of the following Resolutions and Motions recommended at the September 21, 1999 Study Session for placement on the Consent Agenda:****Agenda Bill #1744; Resolution #99-023**

**A Resolution setting the time and date for a Public Hearing for the City Council to consider the merits of vacating that portion of South 195<sup>th</sup> Place lying westerly of the new west right-of-way line of 28<sup>th</sup> Avenue South - Public Works**

**Summary:** This Resolution sets 6:00 p.m. or shortly thereafter on October 26, 1999 as the time and date for Council to conduct a public hearing for considering the vacation of this public right-of-way.

The petition to vacate South 195<sup>th</sup> Place was filed with King County in 1989. After SeaTac incorporated the file was transferred to the City for further processing. For various reasons, until now, if a public hearing were to be held on this petition, staff would have recommended against approval of the vacation. Now that the cul-de-sac at the end of the street has been vacated to the POS and the right-of-way needed for 28<sup>th</sup>/24<sup>th</sup> Avenue South has been defined, it would be appropriate to proceed with a public hearing. The procedures for the vacation of a public right-of-way are defined in the Revised Code of [Washington \( RCW](#) The date of the public hearing shall not be more than 60 days nor less than 20 days after the date of the passage of the Resolution setting the date for the public hearing. The date of October 26, 1999 is the first regularly scheduled Council Meeting that meets these criteria. The date of November 16, 1999 is the last day that will meet these criteria.

**Agenda Bill #1745; Resolution #99-024**

**A Resolution setting the time and date for a Public Hearing for the City Council to consider the merits of vacating that portion of 34<sup>th</sup> Avenue South generally between South 222<sup>nd</sup> Street and the south boundary of Parcel #8663300070 (3333 South 222<sup>nd</sup> Street) - Public Works**

**Summary:** This Resolution sets 6:00 p.m. or shortly thereafter on October 26, 1999 as the time and date for Council to conduct a public hearing for consideration of the vacation of this public right-of-way. Bruce and Janis Davis have filed a petition with the City to vacate a portion of the publicly owned right-of-way. Public Works staff recommends that the City Council hold a public hearing to consider the merits of the requested street vacation.

The public hearing is to consider vacating that portion of 34<sup>th</sup> Avenue South, which abuts the east side of the Davis' property at 3333 South 222<sup>nd</sup> Street. The hearing will consider vacating the unused and unimproved right-of-way. The procedures for the vacation of a public right-of-way are de[in the RCW](#) The date of the public hearing will not be more than 60 days nor less than 20 days after the date of the passage of the Resolution setting the date for the public hearing. The date of October 26 is the first regularly scheduled Council meeting that meets these criteria. The date of November 16 is the last day that will meet these criteria.

**Agenda Bill #1750**

**A Motion authorizing the hiring of a Grant-supported Resource/Habitat Conservation Specialist - Public Works**

**Summary:** This Motion authorizes the hiring of a full-time, grant-supported Resource Conservation Specialist to coordinate business outreach programs including recycling, water quality and related resource conservation activities.

With the recent award of a \$50,000 grant to the City, the Public Works Department is requesting permission to fill a full-time position to coordinate a new water quality business outreach program and other on-going resource conservation activities.

For the past two years, a part-time intern has coordinated the City's grant-funded business recycling outreach program. During that time the program has grown into an on-going and valued service to SeaTac's business community. The City's Human Resources Department has indicated that this work is no longer appropriate for an intern, due to its on-going nature, and should be performed by the bargaining unit. Additionally, in August 1999, the City was awarded a 12-month, \$50,000 WaterWorks Grant from King County to expand business outreach efforts to include a water quality program. Requiring only a 10 percent local match of \$5,000, this grant will enable the City to improve water quality in Des Moines Creek and Bow Lake by providing technical and capital assistance to SeaTac businesses.

With the evolution of the recycling program into an on-going activity and the addition of the water-quality program, it has become desirable to convert the business recycling intern position into a full-time position. This will ensure that businesses receive reliable, high quality service and provide the staff time needed to develop and implement a business water quality program.

If the water quality program is successful, additional grants would be pursued to continue the program and staff position.

**Agenda Bill #1743**

**A Motion authorizing Final Acceptance of 1999 Overlay Project - Public Works**

**Summary:** The 1999 Overlay Project was physically completed August 27, 1999. Staff is recommending final acceptance and closeout of the project.

On June 8, 1999, Council awarded the 1999 Overlay contract to Tucci & Sons, Inc. in the amount of \$388,739.40, plus a 10 percent contingency of \$38,874.00, for a total budgeted amount of \$427,613.40. Work began in late June 1999 and reached substantial completion (open to traffic) by mid-August 1999. The project is now complete, including cleanup and punchlist items.

The final contract cost is slightly higher than the bid amount, but well within the contract plus contingency amount and was completed on time. All work was completed per plans and specifications. The project included construction of asphalt pavement overlays on approximately 4.5 miles of City streets and reconstruction of 580 feet of South 154<sup>th</sup> Street, just east of SR518.

MOVED BY BRENNAN, SECONDED BY GEHRING TO ACCEPT THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY.

**PUBLIC HEARINGS (Continued):**

**2000 Community Development Block Grant (CDBG) Fund Allocation - City Manager's Office**

Mayor Anderson opened the public hearing at 6:37 p.m.

Programs Coordinator Assefa-Dawson reviewed the summary outlined below for Agenda Bill No. 1738.

There was no public input.

Mayor Anderson closed the public hearing at 6:40 p.m.

**NEW BUSINESS (Continued):****Agenda Bill #1738****A Motion recommending the allocation of City of SeaTac 2000 Community Development Block Grant (CDBG) Funds - City Manager**

**Summary:** For 2000, it is estimated that SeaTac will receive \$234,747; a share of King County's \$7 Million entitlement. The recommended allocation was reviewed and forwarded by the Human Services Advisory Committee, which was then reviewed by the Ways & Means (W&M) Committee. A total of \$245,231 was requested from Human Services agencies, King County and Parks and Recreation Department to provide services to SeaTac residents.

The Federal CDBG Program was created under Title 1 of the Housing and Community Development Act. The primary objective of the CDBG is the development of viable urban communities by providing adequate housing and living environments, and expanding economic opportunities especially for persons of low- and moderate-income. As a participating jurisdiction, the King County Consortium will receive approximately \$7 million in 2000, which is a \$100,000 reduction from 1999. CDBG funds are distributed to the Cities based on a formula of their share of the consortium's low- and moderate-income population.

The pass-through Cities, such as SeaTac, and the County have adopted local strategies based on housing and community development needs in their jurisdictions. In the past, SeaTac has allocated CDBG funds to projects administered by non-profit and other public agencies, which meet Federal regulations and further the City's adopted strategies.

Program regulations allocate all available funds into three categories. The City's share is Planning and Administration (\$32,526), Public Services (\$35,328), and Capital Funds (\$166,893). These allocations can not be transferred from one category to the other. King County is preparing for a 10 percent decrease in allocation, so the City is requested to have a contingency plan, should there be a decrease.

MOVED BY GEHRING, SECONDED BY BRENNAN TO ACCEPT AGENDA BILL NO. 1738.

MOTION CARRIED UNANIMOUSLY.

**PUBLIC COMMENTS:** Ray Overholt, 4448 South 175th Street, stated that, at the September 21 Study Session, there was a comment made that the City had to subsidize the funds for Agenda Bill No. 1750. It was mentioned that there were some additional funds in the Surface Water Management (SWM) funds that might be able to subsidize the cash shortfall. He questioned the source of the additional money.

**CITY MANAGER'S COMMENTS:** Assistant City Manager Holman had the following items: 1) the Highline Historical Society is inviting Council and staff to the opening of a photo exhibit from 3:00 – 4:00 p.m., Sunday, October 3 at the North SeaTac Park Community Center; and 2) Patricia Davis, Port Commissioner and Executive Director of the Washington Council of International Trade, will be speaking before the Southwest King County Chamber on Thursday, October 14, noon – 1:30 p.m.

**COUNCIL COMMENTS:** Councilmember Thompson stated that the King County Taxicab Annual Report includes the same complaints that were given tonight by Council. The Council's concerns and issues are not new to the Port and King County.

Councilmember Stevenson stated that a Councilmember brought mentioned some issues that were discussed in the confines of civil litigation. Unfortunately, as he looked through the information presented to the City, he recognized the variance between one of these pieces of evidence and the evidence he had submitted to the Superior Court. He submitted his evidence, as a whole, to the Council, for the record (See attached).

**RECESSED:** Mayor Anderson recessed the Regular Council Meeting to an Executive Session on Potential Litigation at 6:46 p.m.

**EXECUTIVE SESSION: Potential Litigation**

**RECONVENED:** Mayor Anderson reconvened the Regular Council Meeting at 7:00 p.m.

**ADJOURNMENT:** MOVED BY GEHRING SECONDED BY BRENNAN TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 7:05 PM.

MOTION CARRIED UNANIMOUSLY.

Terry Anderson, Mayor

Kristina Lowrey, Deputy City Clerk



# SEATAC CITY COUNCIL REGULAR MEETING MINUTES

October 12, 1999 - 6:00 PM  
City Hall Council Chambers

**CALL TO ORDER:** The SeaTac City Council Regular Meeting was called to order by Mayor Terry Anderson at 6:06 p.m.

**ROLL CALL:** Present: Mayor Terry Anderson, Councilmembers Steve Stevenson, Shirley Thompson, Frank Hansen, Kathy Gehring, Joe Brennan, and Don DeHan.

**ADMINISTRATIVE STAFF:** Calvin Hoggard, City Manager; Jay Holman, Assistant City Manager; Judith L. Cary, City Clerk; Julie Elsensohn, Assistant City Attorney; Brian Wiwel, Fire Battalion Chief; Julie Rodwell, Programs Manager; Ron Fischer, Plans Examiner II; and Scott Somers, Chief of Police Services.

**FLAG SALUTE:** Councilmember Stevenson led the Council, staff, and audience in the Pledge of Allegiance to the Flag.

## **INTRODUCTION:**

### **Introduction of new City Hall Employee Ron Fischer, Plans Examiner II**

City Manager Hoggard introduced Ron Fischer, the City's new Plans Examiner II. Mr. Fischer has spent the last 24 years working in the construction industry. He worked as a combination Inspector and Plans Examiner for the City of North Bend for the last nine years. Mr. Fischer is looking forward to the challenges his new position with the City will present.

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

## **PRESENTATIONS:**

### **Hotel/Motel Study Consultant Report**

Steven Spickard, Senior Vice President, Economics Research Associates, San Francisco Office and Robert Stevenson, of the same office, were present to address the Council. Mr. Spickard stated that the study will commence with a meeting with the Hotel/Motel Advisory Committee on October 13. The main focus will be on the foundation for the study with a focus on the highest priorities that can be funded with Hotel/Motel Tax monies beneficial to the City. The Council will be kept informed as the study evolves over the next few months.

Councilmember Thompson requested that the consultants contact each Councilmember for their input either in person or by telephone. Council concurred with this request.

### **City/Port Joint Advisory Committee (JAC) Update**

Programs Manager Rodwell gave a briefing on the October 6 monthly meeting with three main topics: 1) Surface Water Management (SWM) – regarding the SWM appeal, a presentation was given on the background for the rate analysis. It was apparent that the Port does not understand that entities involved with SWM are responsible for their own detention and treatment facilities but also have to incur SWM fees. The issue needs to be discussed in more depth. The appeal is going forward; 2) landscaping issues – The Port/City Interlocal Agreement (ILA) addresses a \$10 million landscaping program. There is a firm consensus on the first \$2 million and a fairly good consensus on the remaining \$8 million projects. The team agreed to adjust the \$8 million for the Seattle Consumers Price Index (CPI). There is debate on some issues, such as landscaping on the westside upon third runway completion; and 3) Joint Transportation Study (JTS) parking numbers will double with the doubling of planes in the next 20 years. This also means increased parking needs in the City. Both parties were comfortable with the numbers. Policy issues need to be discussed further. Another topic was the airport's taxi service and the rudeness of some drivers on short haul routes. The Port will look into this issue. The next JAC meeting is scheduled for November 3 at 10:00 a.m.

Mayor Anderson stated that she incurred the taxi issue at the airport Sunday night on her way home from a conference.

The taxi driver stated he did not want to do another short haul that day and was very rude in his manner when he finally consented to drive her home.

**CONSENT AGENDA:**

**Approval of claims vouchers** in the amount of \$898,209.45 for the period ending September 30, 1999.

**Approval of claims vouchers** in the amount of \$978,515.06 for the period ending October 8, 1999.

**Approval of employee vouchers** in the amount of \$500,611.26 for the period ending September 30, 1999.

**Approval of firefighter vouchers** in the amount of \$365.00 for the period ending September 30, 1999.

**Approval of summary of \$5,000 - \$25,000 purchase requests** for the period ending October 8, 1999.

**Approval of Council Minutes:**

**Study Session** held September 21, 1999.

**Regular Council Meeting** held September 28, 1999.

**Acceptance of Advisory Committee Minutes:**

**Planning Advisory Committee Meeting** held July 19, 1999 (approved by this committee October 4, 1999).

**Approval of the following Ordinance recommended at the October 5, 1999 Study Session for placement on this Consent Agenda:**

**Agenda Bill #1746; Ordinance #99-1034**

**An Ordinance amending Chapter 5.0 of the SeaTac Municipal Code (SMC) to clarify the requirements for placement on the Ambulance Operator Rotation List - Legal**

**Summary:** The State of Washington and King County set forth certain regulations for operating private ambulance services. However, these involve limited inspections, and minimum standards of service, equipment, personnel, and response times. The City has the authority to adopt more stringent local standards to regulate the operations and to assure the quality of protection for the community. This Ordinance provides for higher standards and permits qualified ambulance operators to enter into annual agreements for rotational dispatch to transport Emergency Medical Service (EMS) patients within the City.

There has been considerable discussion and public interest focused on the delivery of services and the imposition of charges for transport by private ambulance throughout the community. The City Council may declare it to be in the public interest, and for the protection of the health, safety and welfare of the residents of the City and its environs to provide for the highest level of EMS reasonably practicable. It is in the public interest to provide for the inspection, regulation and control of EMS to achieve high standards and thereby to eliminate inadequate, improper and harmful practices that may endanger the health and safety of the people. The Fire Chief should act as the City's representative with respect to matters of EMS and to coordinate ambulance transport with the Fire Department's mission of providing EMS, trauma care, and transport of seriously injured patients.

The Ordinance mandates the following: 1) a valid City business license; 2) minimum standards to assure quality of service; 3) quarterly reporting to the Fire Department; 4) submittal of schedules of rates; 5) sanctions for non-compliance; 6) patient selection of transport service; 7) maintenance of liability insurance; and 8) City indemnification.

No direct costs have been identified.

MOVED BY THOMPSON, SECONDED BY BRENNAN TO ACCEPT THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY.

**NEW BUSINESS:**

**Agenda Bill #1751**

**A Motion authorizing the Design and Associated Contracts for the New City Hall (NCH) - City Manager**

**Summary:** This Motion authorizes award of contract to Arai/Jackson for design of the NCH and Master Site Plan not to exceed \$762,716; award of contract to Heery International, Inc. for project management for the NCH design and construction not to exceed \$284,000; approval of the September 20, 1999 Master Site Plan and Facilities Program for the NCH; and approval of the NCH Project Budget not to exceed \$16,667,096.

The Arai/Jackson contract provides for design of the NCH, from schematics through construction administration based on the Facilities Program and Master Site Plan. The contract includes all design and construction documents required for bidding of the entire project, periodic reviews with City departments and agencies for design development and approvals, for a facility of approximately 50,400 square feet (sf) and parking for approximately 227 vehicles, a major portion of which will be structured parking, for a construction cost not to exceed \$9,143,965. Design is to be completed by August 2000.

The Heery International, Inc. contract provides for project management services for the design and construction of the NCH and associated parking, as the owner's agent in drafting and negotiating professional service contracts, in coordination and assembly of provisions for construction contracts, implementation and maintenance of cost management procedures, in expediting flow of information between the owner, design consultants, contractors and other parties, conducting regular job site meetings, advising the owner of contract prerogatives, and preparing monthly construction payment reports and close out documents.

The Master Site Plan depicts the conceptual plan for a two-story structure of approximately 50,400 sf and parking for 227 vehicles with associated roads, drives and landscape areas, including relocation of five Class III wetlands on a 6.6 acre site located at the intersection of South 188<sup>th</sup> Street and 36<sup>th</sup> Avenue South.

The Facilities Program includes the functional program and standards for a NCH of approximately 50,400 sf for the following functional groups: 1) Council and Executive Offices; 2) Finance and Information Systems; 3) City Clerk; 4) Legal; 5) Human Resources; 6) Municipal Court; 7) Planning; 8) Public Works – Administration, Building and Engineering; 9) Parks and Recreation; 10) Police, including patrol; and 11) Common and Support Facilities.

It also includes the rationale for the established 227 parking spaces, site parameters and design goals and tentative schedule for completion of the NCH complex.

The Project Budget provides a breakdown of costs by category associated with the NCH. The total \$16,667,096 includes site acquisition, design, project management, consultants, construction, artwork, furniture and equipment, taxes and contingency for the project based on a 50,400 sf building, 227 parking stalls (structured and surface combined) located on a 6.6 acre site at the corner of 188<sup>th</sup> Street and 36<sup>th</sup> Avenue South. It includes an escalation factor to mid-point of construction with a start of construction September 2000.

Arai/Jackson was the design team selected to prepare the Master Site Plan and Facilities Program for the NCH. They have worked with the City over the past years and are intimately familiar with the considerations addressed for the Site Plan and Departmental Functional Programs of the City. This contract is a continuation of services begun at the inception of the NCH concept.

Heery International, Inc. was retained to lead the City through the site planning, facilities program, professional services contract negotiations, budgeting and schedules for the NCH. They have worked with the City staff, committees and consultants to work through the various considerations for implementation of the NCH plans. This contract continues these services from design through completion of construction and closeout to bring continuity to the management of the process.

The Facilities Program, Master Site Plan and Budget have been reviewed and revised at all levels of the City Organization to meet the requirements set forth by the various departments, the Executive, the Council and related committees. The final documents reflect a conservative approach to a City Hall Complex to serve the community both now and for the long term at a reasonable cost.

The NCH Project Budget will be funded as follows:

Municipal Facilities Fund Balance \$ 4,007,708

Building Reserve Fund Balance 1,720,000

Hughes Property transfer to General Fund Balance 2,900,000

General Obligation Bond Proceeds 8,039,388

\$16,667,096

MOVED BY THOMPSON, SECONDED BY STEVENSON TO ACCEPT AGENDA BILL NO. 1751.\*

Project Manager Ricky Langford stated that this Motion was presented at the October 5 Study Session and further information was distributed to the Council for their review. She inquired as to whether there were any questions from the Council.

Councilmember Hansen stated that while he is certain that the staff, consultants, and committees have been working diligently on development of this project but he has some reservations as to the need for 50,400 sf for the NCH and the \$16 million for the budget cost. Therefore, he stated he would be opposing this agenda item. He would prefer a more modest approach on this project.

City Manager Hoggard stated that this Motion would be to embark on the design process at maximum size and budget. To-date, the only portion of the project that has been completed is the Program Plan. The team will budget tightly, with the idea that less is best, whenever possible. However, it is critical not to make changes now in the Program Plan as that would entail more cost in the long run.

\*MOTION CARRIED WITH HANSEN AND GEHRING VOTING NO.

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

**CITY MANAGER'S COMMENTS:** City Manager Hoggard had the following items of business: 1) The Kilroy lawsuit has been dismissed by the judge and it has now been finalized; and 2) Police Chief Somers notified him that there were several inquiries into the Police activity on South 200<sup>th</sup> Street and International Boulevard. The incident was an occupied stolen vehicle caught in action. Councilmember Thompson inquired as to the corner at South 176<sup>th</sup> Street where the fence and trees were damaged. Chief Somers will investigate this matter.

**COUNCIL COMMENTS:**

Mayor Anderson stated that the managers and staff at the 7-Eleven convenience store at South 216<sup>th</sup> Street have high regard for the City's Police Department and their work and presence in their neighborhood. They were also amazed at the good relationship between the SeaTac and Des Moines Police Departments.

Councilmember DeHan thanked the Council for their indulgence of his absence for the past two week. His wife, Betty and he traveled back east to meet their newest grandson.

Councilmember Brennan gave a briefing on the cruise tour on the waterfront along the eastside of the sound that he, as Chair of Central Puget Sound Watershed Committee, took with members of the committee and the National Marine Fisheries Service, University of Washington and State representatives. About 90 percent of the waterfront is bulkhead, which is a disturbance to the natural flow of marine life in the sound. The group traveled on to Dumas Bay where there is no bulkheading and the water was full of marine life. If corrective action is not done on the shore level, all waters will suffer and the endangered marine species will diminish even further. The group then traveled to the other side which is approximately 20 percent bulkheaded and where the quarry is located where gravel is being considered for third runway. Twenty years ago, two large barges were sunk in this area and have become fish habitats. The abundance of marine life was outstanding. Councilmember Brennan added that chairing on this committee has been an honor and a real learning experience for him.

Councilmember Thompson stated that Mayor Anderson and she attended the ribbon cutting at the Windsor Heights Apartments (formerly Continental Courts). Also in attendance were King County Executive Ron Sims, Senator Julia

Patterson, Councilmember DeHan, Police Chief Somers, City Manager Hoggard, many firefighters and City Hall staff, as well as many citizens. Two years ago, the complex was in shambles with junk cars and other debris. To see the change that the King County Housing Authority has made with funding from the State, County and the City was remarkable. The pride that the residents have in the refurbish complex makes it all worth it. Teenagers created a quilt in honor of this occasion and its is being displayed in the complex's community center.

Mayor Anderson added that when taking over this project from King County Housing Authority, the Council received negative feedback and now this project has added monies to the City's budget as the complex will not need City services as much with the occupants taking pride in their residence and responsibility for its upkeep.

Councilmember DeHan mentioned that his wife and he attended the North SeaTac Park Community Center's Annual Fine Arts Exhibit on October 7 and were pleased with the quality of the various artwork. The City purchased three outstanding artworks for City Hall display. He added that Recreation Supervisor Larry Ellis did an outstanding job of overseeing the event.

Mayor Anderson stated that a dedication of the Valley Ridge Park will be held on October 29 at 1:15 p.m. Secondly, she added that Councilmember Hansen and she attended the Greater Seattle Chamber of Commerce Leadership Conference in Spokane on October 7 – 9, 1999. Blake Nordstrom, of the Nordstrom Stores, was a key speaker. The company had their distribution center in Tukwila until it was closed due to tax expenses in Washington and relocated to Portland, Oregon. She stated that it was a shame that this locally owned business had to move their business to another State in order to gain a profit.

**ADJOURNMENT:** MOVED BY STEVENSON, SECONDED BY THOMPSON TO ADJOURN THE REGULAR COUNCIL MEETING OF THE SEATAC CITY COUNCIL AT 6:40 P.M.

MOTION CARRIED UNANIMOUSLY.

Terry Anderson, Mayor  
Judith L. Cary, City Clerk

# SEATAC CITY COUNCIL REGULAR MEETING MINUTES

October 26, 1999 - 6:00 PM  
City Hall Council Chambers

**CALL TO ORDER:** The SeaTac City Council Regular Meeting was called to order by Mayor Terry Anderson at 6:04 p.m.

**ROLL CALL:** Present: Mayor Terry Anderson, Councilmembers Steve Stevenson, Shirley Thompson, Frank Hansen, Kathy Gehring, Joe Brennan, and Don DeHan.

**ADMINISTRATIVE STAFF:** Calvin Hoggard, City Manager; Jay Holman, Assistant City Manager; Judith L. Cary, City Clerk; Robert McAdams, City Attorney; Lawrence Ellis, Recreation Supervisor; Jim Downs, Fire Chief; Julie Rodwell, Programs Manager; Steve Butler, Planning Director; Bruce Rayburn, Public Works Director; Don Monaghan, Assistant Public Works Director, and Scott Somers, Chief of Police Services.

**FLAG SALUTE:** Fire Chief Downs led the Council, staff, and audience in the Pledge of Allegiance to the Flag.

**PUBLIC COMMENTS:** There were no public comments at this time.

## **PRESENTATIONS:**

### **Fine Art Exhibit Award Winners Artwork**

Recreation Supervisor Ellis briefed on the City's 4<sup>th</sup> Annual Art Exhibit, which was held at the North SeaTac Park Community Center on October 7 with 38 artworks exhibited from 67 submitted.

The artworks are on display for the month of October at the community center. The three winning artworks, purchased by the City, are now on display in the City Hall Council Chambers. They are "Trillium" by Kathleen Fruge-Brown (a purchase award winner for the last two years), "Image at Dusk" by Lenore Barnett and "Delores" by Susan Gans. These pieces will increase a current total of photographs and artworks displayed throughout City Hall and the community center to 19 pieces.

Councilmember DeHan commented that Mr. Ellis organized an excellent exhibition of artwork again this year. Mr. Ellis stated that the jurists were Bank of America Art Gallery Manager Peggy Weiss and Arts, Parks and Recreation Committee Chair Lisa Allen. Councilmember Brennan proposed having a "Peoples' Choice" award at future exhibits. Council concurred with this suggestion.

### **Transit Update**

Programs Manager Rodwell gave a briefing on the Policy Committee which was modeled after the Joint Advisory Committee (JAC). The Memorandum of Understanding (MOU) calls for a Policy Committee of two Sound Transit boardmembers, Federal Way Councilmember Mary Gates, Kirkland Councilmember Dave Russell, and SeaTac Councilmembers Don DeHan and Steve Stevenson. The committee last met in February. The committee will resume its mission with the nearing of the Final Local Preferred Alternative (LPA). In discussions as to the City's relationship with Sound Transit, it was determined that the committee should be ongoing. Regional issues were discussed. The Environmental Impact Statement (EIS) is due for publication this week. Sound Transit received the Federal Transit Authority's approval. Also discussed was the Seattle Press Conference on October 14 at which the board stated their commitment to finding funds for the Northgate Station. They were assured that if there were to be a Northgate Station, it would not affect the funding for the South County segment of the light rail. It was mentioned that Sound Transit is doing an early acquisition of the Microtel site at South 200<sup>th</sup> Street, which is in a proposed station area. The committee discussed the briefing book, which will go to the board for decision-making. The City has reviewed it, which resulted in some wordsmithing. The Resolution has not been drafted to-date, which will contain the LPA

language. Copies will be provided to all boardmembers in the briefing packet prior to November 18 board decision-making. Siting has been a difficult task but the decisions now have the support of the boardmembers. Lastly, the mitigation aspect was discussed which still needs more work. The next committee meeting is scheduled for November 15, three days prior to board voting.

Sound Transit South Corridor Manager Sue Comis stated that there is consensus with the City, the Sound Transit board and staff, and the Port of Seattle (POS) on the light rail route in SeaTac. The consensus is nearing on the rest of the route in time for the board decision. She outlined the board's schedule: South County Public Forum scheduled to be held on November 4 at 6:00 to 9:00 p.m. at the Tukwila Community Center; Final EIS's official publication date is November 5; and Sound Transit Board's decision is scheduled for their November 18 meeting.

Sound Transit Project Coordinator Diana Painter briefed on the work schedule with the POS over the next two years. A meeting was held today on the Automated People Mover (APM) and Light Rail Transit (LRT) alignment through the POS property. POS staff is continuing to work on those issues. The SR 509/Airport South Lane Open House will be held October 27 oriented towards their environmental work. The architectural design will be the focus in the year 2000 with particular attention to South 154<sup>th</sup> and 200<sup>th</sup> Street Stations and work on the airport on the Northend Aviation Terminal (NEAT) Station design. There will be a year break before the start of the engineering design waiting for the POS to complete their conceptual engineering and environmental work on the roadway projects and associated projects. In 2001, the professional engineering work will begin. In order to meet Sound Transit's objectives, construction is sited for 2004. Many of the projects need to be phased in with various work needing to be done in the same location.

### **3<sup>rd</sup> Quarter 1999 Financial Report**

Finance Director Spencer presented the City's Financial Report for the quarter ended September 30, 1999 and provided the first estimate of 1999 year-end results. General Fund revenue is expected to exceed the budget for 1999 by \$1.7 million due to sales tax, permit and plan review fee collections on POS capital projects. Expenditures in the General Fund are anticipated to end the year nearly \$800,000 under budget. Of the \$2.5 million budgetary surplus anticipated, \$1.3 million must be carried forward to fund commitments for 1999, which will be paid in future years. The City Street Fund revenues and expenditures are on target at September 30 and no significant fluctuations are anticipated for year-end. The Arterial Street Fund is slightly below budget for parking tax revenue, which has been tracked by staff and discussed by the Ways and Means (W&M) Committee several times this year.

The Municipal Facilities Capital Improvement Program (CIP) Fund reports a significant deviation from budget in revenues due to the assumption in the 1999 Budget that bonds would be issued for City Hall. Debt financing for the City Hall project is now projected in the year 2001. The Transportation CIP Fund is significantly below budget in both revenues and expenditures, due to timing of capital projects. The Surface Water Management (SWM) Utility Fund reports revenues and expenditures on target for budget at September 30, and no significant variances are anticipated at year-end. The SWM CIP Fund revenue is on target at September 30 and the year-end estimate projects a slight favorable variance. Expenditures in this fund are well under budget, and will be for the year-end as well, due to the timing of capital projects.

### **Preliminary Budget to Council**

Finance Director Spencer reported that City staff and Council have been working on the 2000 Budget since July 1999. Six Council Budget workshops have been conducted. This evening, the 2000 Preliminary Budget is presented to Council, which is the City Manager's Funding Recommendations for 2000. Two public hearings will be conducted on the 2000 Preliminary Budget, on November 9 and on November 23. The Council is scheduled to adopt the 2000 Annual Budget following the second public hearing on November 23.

Ms. Spencer reviewed the significant assumptions used in preparing the preliminary budget:

Property tax levy increase over 1999 of 1.4 percent, which would reduce the tax levy rate from \$2.90 to \$2.84 if assessed valuations increase by the estimate of 3.5 percent.

Sales tax revenue increase assumed at 3.5 percent over 1999 actuals, and sales tax collections on POS capital projects

are used to support capital outlay, rather than operating costs.

Salary increases for 2000: 3.9 percent COLA for firefighters and 2.9 percent increase for all other City employees, which represents 90 percent of the Consumer Price Index (CPI).

POS permitting "sub-fund" established whereby permit revenues paid by the POS for projects are set aside to fund positions dedicated to POS permitting activities, which will be required for several years.

The financial impacts of Initiative 695 have not been included in the preliminary budget. If I-695 is passed on November 2, the City will need to reduce 2000 revenue estimates by \$380,000. To offset this reduction, it is proposed that Council approve a property tax levy rate increase to \$2.96 to increase revenue by an estimated \$347,000. The remaining loss would be absorbed within the General Fund operating budget.

In the POS Interlocal Agreement (ILA) Fund, only interest earned is appropriated, keeping the initial community relief monies intact.

The SWM Utility Fund budget includes a SWM rate increase, which will be brought to Council for approval in November by Public Works.

Bond issue for 28th/24th Avenue Street Project, the debt service on which is paid in total through assessments to the benefited property owners. No other debt issuance is anticipated in 2000.

Ms. Spencer provided summaries of General Fund revenue estimates by type and General Fund expenditures by department. The total General Fund revenue estimate for 2000 of \$22 million represents a 3.86 percent increase over the 1999 estimated actual revenues. Most of this increase is due to POS permit revenue for capital projects. The preliminary budget for General Fund expenditures totals \$22.4 million but includes transfers to reserves of \$1,350,000. A summary of the impact on fund balance shows that the preliminary budget projects a December 31, 2000, fund balance in the General Fund of \$9.4 million. After deducting designations of fund balance for future anticipated expenditures, the net balance of \$6.9 million exceeds the Council's target fund balance of 4 months' operating revenues by \$547,920 (\$514,920 if I-695 is passed).

Four positions are proposed for addition in the General Fund – Maintenance Worker I in Parks, Combination Building Inspector, Code Enforcement Officer and a half-time Administrative Assistant in Public Works. The Combination Building Inspector and half-time Administrative Assistant positions would be funded from Port permitting revenues. Capital improvements totaling \$1.2 million are proposed, with non-General Fund sources funding all but \$205,000 of the total cost. Other funding sources include grant revenues, POS ILA Fund interest revenue, and sales tax on POS capital projects.

Following this detailed discussion of the General Fund, Ms. Spencer presented summaries of all other City funds, noting the projected beginning fund balance, revenue, expenditures and projected ending fund balance of each fund for 2000. The 2000 Preliminary Budget for the City in total is as follows:

Projected January 1, 2000 Fund Balance \$ 46,708,653

Revenues 51,100,845

Expenditures (56,330,583)

Projected December 31, 2000 Fund Balance \$ 41,478,915

Although total City expenditures are greater than revenues for 2000, this difference is due to capital project expenditures in 2000 for transportation improvements and the New City Hall (NCH). These expenditures are funded from bond proceeds or accumulations of funds over time. Ms. Spencer noted that all operating budgets proposed for 2000 are balanced, with revenues sufficient to cover expenditures.



**CONSENT AGENDA:**

**Approval of claims vouchers** in the amount of \$682,182.38 for the period ending October 22, 1999.

**Approval of employee vouchers** in the amount of \$351,937.67 for the period ending October 15, 1999.

**Approval of summary of \$5,000 - \$25,000 purchase requests** for the period ending October 22, 1999.

**Approval of Council Minutes:**

**2000 Budget Workshop IV** held October 11, 1999.

**Regular Council Meeting** held October 12, 1999.

**2000 Budget Workshop V** held October 14, 1999.

**Study Session** held October 19, 1999.

**Acceptance of Advisory Committee Minutes:**

**Civil Service Commission Meeting** held August 9, 1999 (approved by this commission October 11, 1999).

**Human Relations Advisory Committee Meeting** held July 8, 1999 (approved by this committee October 14, 1999).

**Library Advisory Committee Meeting** held August 12, 1999 (approved by this committee October 14, 1999).

**Planning Advisory Committee Meeting** held August 2, 1999 (approved by this committee October 18, 1999).

**Approval of the following Ordinances and Resolution recommended at the October 19, 1999 Study Session for placement on this Consent Agenda:**

**Agenda Bill #1754; Ordinance #99-1035**

**An Ordinance amending the 1999 Annual Budget for unanticipated items – Finance**

**Summary:** This Ordinance amends the City's 1999 Annual Budget due to unanticipated items, as well as amends the budget for a change in assumptions regarding bond issuance for the NCH.

When the 1999 Annual Budget was adopted in November of 1998, the assumption was made that the City would issue General Obligation Bonds during 1999 to fund the construction of a NCH. To fund the estimated debt service on this bond issue in 1999, the City appropriated a transfer of \$250,000 from the General Fund to the Limited Tax General Obligation (LTGO) Debt Service Fund and a \$250,000 transfer from the POS ILA Fund to the LTGO Debt Service Fund. Because bonds will not be issued in 1999 for the City Hall, staff is recommending that the 1999 Annual Budget be amended to make these two transfers to the Municipal Facilities CIP Fund, instead of the LTGO Debt Service Fund, which will reduce the bond financing eventually needed.

In 1998, the City issued \$5 million in bonds backed by Hotel/Motel tax collections. All bond issuance costs should have been paid in 1998, so no appropriation was considered necessary in 1999. However, bond counsel did not bill the City until April of 1999, so the expenditure had to be charged to the 1999 Budget. An amendment is requested to provide a carryover of 1998 appropriations to the 1999 Annual Budget in the amount of \$9,945.

Costs associated with arbitrage rebate calculations were not included in the 1999 Annual Budget for three 1994 bond issues that the City has outstanding. An amendment is requested to provide for an additional appropriation totaling \$12,000 to allow for these costs, mandated by the Federal government.

**Agenda Bill #1733; Ordinance #99-1036**

**An Ordinance amending and repealing certain Sections of Chapter 7.30 of the SeaTac Municipal Code (SMC) for the purpose of updating burning regulations to reflect the current standards of the Puget Sound Air Pollution Control Agency (PSAPCA) – Fire**

**Summary:** The current SMC Chapter 7.30 contains burning regulations governing outdoor fires in the City. These regulations were adopted in 1991, in accordance with, and to reflect, the standards set forth by the PSAPCA at that time. Since 1991, PSAPCA's standards have changed. The proposed Ordinance reflects those changes.

The City previously adopted its outdoor burning regulations in accordance with PSAPCA standards and fire permitting process. PSAPCA controls and establishes the regulations for clean air within our region pursuant to state law. PSAPCA changed its standards in 1992 to disallow all residential burning. Although, the City has not amended its

regulations accordingly, we have been following the PSAPCA standards. The City has not allowed residential burning since 1992. Therefore, this Ordinance updates the burning regulations to reflect the existing Fire Department policy and PSAPCA standards.

**Agenda Bill #1734; Resolution #99-025**

**A Resolution authorizing entry into a Memorandum of Understanding (MOU) between the Puget Sound Air Pollution Control Agency (PSAPCA) and the City of SeaTac – Fire**

**Summary:** Entering into a MOU with PSAPCA would clearly define the division of responsibilities regarding the regulation of outdoor burning, response to complaints, and mitigation of illegal burning.

The PSAPCA and the City of SeaTac Fire Department each deem outdoor burning to be a fire, health, and air quality hazard. PSAPCA controls the regulations for clean air within our region pursuant to state law. The City Fire Department acknowledges that a cooperative effort with PSAPCA is necessary to properly safeguard the public from the effects of outdoor burning. A MOU between the parties would clearly define the division of responsibilities and authorities governing outdoor burning.

MOVED BY STEVENSON, SECONDED BY DEHAN TO ACCEPT THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY.

**PUBLIC HEARINGS:**

*(The following public hearing was moved forward in the meeting agenda to accommodate the SunReal, Inc. representative, a participate in the now second hearing.)*

**Public Hearing on extending the Interim City Center Standards - Planning**

Mayor Anderson opened the Public Hearing at 7:04 p.m.

Planning Director Butler gave a briefing on the following Agenda Bill No. 1761, which would keep the Interim Standards in effect until either March 14, 2000 or until the effective date of the Final Standards, whichever is sooner. Mr. Butler reviewed the proposed adoption schedule for the Final City Center Standards: 1) open house and public hearing before the Planning Advisory Committee (PAC) on November 8; 2) public hearing continued, if needed and PAC recommendations on November 15; 3) PAC recommendations continued, if needed on December 6; 4) Council adoption of Final Standards on December 14; and 5) Final Standards effective and Interim Standards removed on January 13.

Cathy Heiberg, 810 58<sup>th</sup> Avenue Northeast, Tacoma, a property owner in the proposed City Center area, requested that each Councilmember closely review each standard to determine if all of the standards written over a year ago are still appropriate and needed and truly reflect what they want in the City, keeping in mind the already existing businesses and ownership or if perhaps some could be less prescriptive and more flexible. There is a new draft of the City Center Plan, a separate document study, different from the Special Designs Standards for the City Center, that are to help accomplish good planning for the City Center over the next 20 years. Ms. Heiberg stated she has reviewed the two documents and she pointed out new changes in the plan that are of concern to her.

City Manager Hoggard stated that Ms. Heiberg's concerns are directed at the City Center Plan, which is currently being drafted for presentation to the PAC. The Council has not received the plan document since it is still at the PAC level. This public hearing is for an extension of the Interim Standards, which is a separate item from the plan.

With no further comments, Mayor Anderson closed the Public Hearing at 7:16 p.m.

**NEW BUSINESS:**

**Agenda Bill #1761; Resolution #99-026**

**A Resolution authorizing the extension of the Interim Special Standards for the City Center – Planning**

**Summary:** The City Center Interim Special Standards were adopted on May 19, 1998, which were incorporated into the Zoning Code. This action was then followed by the removal of a moratorium on development within the City Center area, which had been enacted on November 25, 1997. The standards were extended on November 10, 1998 and again on April 27, 1999 until October 27, 1999 to provide time for the City Center Study to be finished.

The study's original completion date was extended in order to respond to Sound Transit's LRT Draft EIS and to provide enough time to adequately prepare the study. Given that one of the study's outcomes was to evaluate whether and how the Special Standards might be modified, that the Study's new completion date is December 14, 1999, and that the effective date of new or revised permanent standards occurs 30 days after adoption of such standards, staff recommends that the Special Standards be kept in effect another six months to allow the study to be completed and the City Center Plan and Special Standards to be adopted and become effective. This schedule provides more than adequate time after the anticipated effective date of new standards as a contingency. The recommended six-month period would extend the applicability of the Special Standards until March 2000.

MOVED BY THOMPSON, SECONDED BY DEHAN TO PASS RESOLUTION NO. 99-026.

MOTION CARRIED UNANIMOUSLY.

### **PUBLIC HEARINGS:**

#### **A Development Agreement with SunReal, Inc. – Legal**

Mayor Anderson continued the public hearing at 7:17 p.m. from the September 28, 1999 Regular Council Meeting (RCM).

City Attorney McAdams stated that this development agreement, for an additional parking garage on land north of the cemetery, was first scheduled for September 28 and was at that time, continued to this meeting date. City staff has been conferring with Mr. David Schroedl, SunReal President, in an effort to come to an understanding in terms of a development agreement. To-date, that has not yet been accomplished. Staff suggests that this public hearing be continued to November 23 at which time it is hoped that a draft development agreement will be available for Council review and public input.

Council and Mr. Schroedl agreed to this proposal.

At 7:18 p.m., Mayor Anderson continued the Public Hearing to the November 23, 1999 RCM.

*(Councilmember Hansen excused himself from the meeting at this point in the agenda.)*

#### **The vacating of that portion of South 195<sup>th</sup> Place lying between the new west Right-of-Way of 28<sup>th</sup> Avenue South and a line 201 feet westerly and perpendicular to said road centerline - Public Works**

Mayor Anderson opened the public hearing at 7:19 p.m.

Public Works Director Rayburn stated that this item was discussed at the October 19 Study Session. He indicated on a map the location of the street vacation. He stated that the proposed property owner owns the land north and south of this property.

Councilmember Brennan, Chair of the Transportation and Public Works (T&PW) Committee, stated that this item has been reviewed by the committee and recommended for Council consideration.

There was no public input.

Mayor Anderson closed the Public Hearing at 7:21 p.m.

#### **Agenda Bill #1755; Ordinance #99-1037**

**An Ordinance approving the vacation of that portion of South 195<sup>th</sup> Place lying between the new west Right-of-Way of 28<sup>th</sup> Avenue South and a line 201 feet westerly and perpendicular to said road centerline - Public Works**

**Summary:** The petition to vacate South 195<sup>th</sup> Place was filed with King County in 1989. After the City incorporated, the file was transferred to the City for further processing. However, the petition could not be successfully processed because the cul-de-sac west of this request had not been vacated. The cul-de-sac was vacated to the POS in December 1998. Since that time, the City has been in the process of designing the improvements to 28<sup>th</sup>/24<sup>th</sup> Avenue South, which would require additional right-of-way. Until the right-of-way needed for the 28<sup>th</sup>/24<sup>th</sup> Avenue South Improvement Project could be defined, staff could not recommend this vacation. Once this was done, staff requested that the City Council hold a public hearing to consider the merits of this request. Resolution No. 99-023 was approved by the Council on September 28, 1999 setting the public hearing to consider this request on October 26, 1999. The utility companies serving the area were contacted and none of them indicated a need for an easement in the area to be vacated. The area of the right-of-way to be vacated is 8,763 square feet, which at \$7.50 per square foot equates to a value of \$65,722.50. This square foot value is one-half the price the City is paying for the property being acquired for the 28<sup>th</sup>/24<sup>th</sup> Avenue South Improvement Project from the property owner.

MOVED BY DEHAN, SECONDED BY THOMPSON TO ADOPT ORDINANCE NO. 99-1037.

MOTION CARRIED UNANIMOUSLY.

**The vacating of that portion of 34<sup>th</sup> Avenue South lying South of South 222<sup>nd</sup> Street - Public Works**

Mayor Anderson opened the public hearing at 7:22 p.m.

Public Works Director Rayburn stated that this item was discussed at the October 19 Study Session. He indicated on a map the location of the street vacation. He stated that the proposed property owner owns the property adjacent to the right-of-way. The property will be placed on the tax register and maintained by the proposed owner.

Councilmember Brennan, Chair of the T&PW Committee, stated this item has been reviewed by the committee and recommended for Council consideration.

Bruce Davies, 3333 222<sup>nd</sup> Avenue South, proposed owner, stated his concurrence to this proposal.

Mayor Anderson closed the public hearing at 7:26 p.m.

**Agenda Bill #1756; Ordinance #99-1038**

**An Ordinance vacating that portion of 34<sup>th</sup> Avenue South lying South of South 222<sup>nd</sup> Street - Public Works**

**Summary:** A petition to vacate a portion of 34<sup>th</sup> Avenue South has been filed with the City. On September 28, 1999, the City Council adopted Resolution No. 99-024, setting a public hearing on October 26, 1999 to consider the merits of this request. Staff recommends that the Council approve the vacation.

The utility companies serving the area were contacted and none of them indicated a need for an easement over the area to be vacated. However, the City has storm sewer piping in the right-of-way to be vacated and would, therefore, require the reservation of a utility easement on the easterly 15 feet of the proposed vacation. Since the right-of-way in question is unopened and unimproved, staff recommends that the vacation be approved at no cost other than for the \$250 application and \$250 processing fees.

MOVED BY BRENNAN, SECONDED BY STEVENSON TO ADOPT ORDINANCE NO. 99-1038.

MOTION CARRIED UNANIMOUSLY.

**PUBLIC COMMENTS:** There were no public comments at this time.

**CITY MANAGER'S COMMENTS:** City Manager Hoggard provided to Council for their review, copies of a letter he drafted to King County Executive Ron Sims. Mr. Hoggard stated that the contents outlines the efforts that the City has made over the past nearly ten years (since the Tri-Party agreement was signed to make North SeaTac Park a regional park) unsuccessfully to establish formal partnership with the County for the designation and operation of the park as a regional facility. The County has given verbal support but not with any form of action. The letter outlines that concern and indicates that the City is carrying the burden for regional acts and the additional ones are not justified. He told the Council that the ballfields expenses are approximately \$125,000 annually. Net expenses after revenue are approximately \$75,000 a year. The County operates several other regional parks within Cities. Based on these facts and concerns, the City will need to take steps to no longer incur these costs to operate a regional facility. He suggested, starting in January, notifying outside field users that they would have to pay a "full cost" fee or simply not be able to use the facilities. Hopefully, this would inspire the County to put funds into the park and to meet with the City and formulate an agreement to work on this issue.

Council discussion ensued as to the City's fee schedule and the issue of the possible passage of I-695. Council agreed that the letter states the City's position well and made a few suggestions to add to the letter. SeaTac's two major parks are used primarily by outside public more than residents of the City. The City would do a graduated response to the County if they do not respond in favor of supporting the park. Councilmember Thompson suggested staff work on options that Council can review after the November 2 elections, assuming I-695 passes, such as how the City would be able to keep the parks open and where the funding would be derived from. Councilmember Brennan stated that every senior trip and the many diverse recreational programs are subject to fee changes constantly. City Manager Hoggard stated that this is one of the elements of I-695 that borders on unworkable. Every fee to be set for a monetary increase would have to be submitted to the voters for approval prior to assessment by the City. This extends to every type of fee the government assesses in the State. The City would have to address these issues. One idea would be to set a series of fees high enough so reduction is possible, if needed. Reduction would not require a vote of the people but would cause an administrative effect.

**COUNCIL COMMENTS:** Councilmember Gehring stated that she received notice that she has been appointed to the National League of Cities Finance Committee effective January 2000. Secondly, she questioned whether the tour of the South King County's Low-income Housing Facilities was still scheduled.

Mayor Anderson stated that Alvin Anderson, a long time resident of SeaTac, recently passed away and since he had donated the old Riverton School Bell for the "Gathering Place" sculpture at the North SeaTac Community Center, she suggested that some sort of recognition be done in his honor. Secondly, she stated that she received two telephone calls from residents who use post office box addresses and are not receiving City mail, i.e. the SeaTac Report. Staff will investigate these issues.

**ADDITIONAL PUBLIC COMMENT:** A member of the audience (name not provided) inquired as to the Smoke Shop (Still Smokin') that is opening at South 200<sup>th</sup> Street and International Boulevard. A petition was sent to Council regarding opposition to this business. City Manager Hoggard stated that the shop has not been issued a business license and the City is continuing its investigation into its application.

#### **ADJOURNMENT:**

MOVED BY STEVENSON, SECONDED BY DEHAN TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 7:42 PM.

MOTION CARRIED UNANIMOUSLY.

Terry Anderson, Mayor

Judith L. Cary, City Clerk

# SEATAC CITY COUNCIL REGULAR MEETING MINUTES

November 9, 1999 - 6:00 PM  
City Hall Council Chambers

**CALL TO ORDER:** The SeaTac City Council Regular Meeting was called to order by Mayor Terry Anderson at 6:05 p.m.

**ROLL CALL:** Present: Mayor Terry Anderson, Councilmembers Steve Stevenson, Shirley Thompson, Kathy Gehring, Joe Brennan, and Don DeHan. Absent: Councilmember Frank Hansen.

**ADMINISTRATIVE STAFF:** Calvin Hoggard, City Manager; Judith L. Cary, City Clerk; Robert McAdams, City Attorney; Jim Downs, Fire Chief; Steve Butler, Planning Director; Craig Ward, Principal Planner; Blake Liebermann, Associate Planner; Don Monaghan, Assistant Public Works Director; Scott Somers, Chief of Police Services; and Tom Flanagan, Police Sergeant.

**FLAG SALUTE:** City Manager Hoggard led the Council, staff, and audience in the Pledge of Allegiance to the Flag.

## **INTRODUCTIONS:**

### **Introduction of new SeaTac Police Sergeant Tom Flanagan**

City Manager Hoggard introduced Police Sergeant Flanagan, who comes to the City with 22 years of law enforcement experience and has spent 20 years with the King County Sheriff's Office. He has worked in Patrol, Special Operations, which includes both SWAT and dignitary protection, and as a detective in Special Assault. He is married and has two sons. The Council and City welcomed Sergeant Flanagan. He stated he was pleased to be a part of the SeaTac staff and looks forward to service with the City.

City Manager Hoggard mentioned that Ted Stensland, former SeaTac Police Sergeant, has been promoted to King County Police Captain and is now working with former SeaTac Police Chief Frank Kinney, now King County Police Major at Maple Valley's Precinct 3.

Councilmember Stevenson introduced his successor, Gene Fisher, who was in the audience. Council welcomed Mr. Fisher. He will assume Council Position 1 as of January 1, 2000.

**PUBLIC COMMENTS:** Linda Snider, 18700 36<sup>th</sup> Avenue South, read from a letter she addressed to the Council in which she referred to her request at the November 2 Study Session on behalf of the property owners at 3700, 3712 South 188<sup>th</sup> Street, and 18706, 18700, 18614, 18606 36<sup>th</sup> Avenue South, that the City not rezone these properties as proposed through the Comprehensive Plan land use changes. However, as a result of discussions with the King County Assessor's Office, the property owners no longer feel their initial request would be in their best interest, and therefore, now desire that the City continue with the proposed rezone of their properties. She apologized for any confusion that may have been created.

## **PRESENTATIONS:**

*The update on the City/Port Joint Advisory Committee (JAC) scheduled for this meeting was cancelled.*

### **Comprehensive Plan Amendments and Related City-Initiated Rezones (City Center)**

Planning Director Butler provided an overview of the components of the City Center Plan. Mr. Butler explained that the plan has been in the making for some time and staff would now be providing an update and changes to the plan, since the Council was last briefed.

Principal Planner Ward addressed in more detail the changes to the plan. He discussed the plan's replacement pages, which include amended zoning maps, changes to plan strategies and an updated Capital Facilities Plan for the City Center Plan. Mr. Ward explained the slight differences between the two replacement zoning maps, which are intended to show different zoning alternatives for the Colacurcio property. He also explained that changes to the Transportation

section strategies bring the table into conformity with the Capital Facilities Phasing Map and addressed changes to the Phasing Plan and Map.

Council discussion ensued as to the proposed Main Street roadway. It was recommended that if it should come to be in the future, the road alignment go from the northend of 36<sup>th</sup> Avenue South to the southend of 32<sup>nd</sup> Avenue South at South 188<sup>th</sup> Street, bi-passing the Bow Lake Mobile Home Park (MHP), rather than through it. Mr. Ward stated that the plan does provide for that flexibility in its language.

Mr. Ward introduced a set of policy issues for which Council direction would be needed. The policy issues addressed public and private investments; housing issues such as owner occupancy and buffering from adjacent residential neighborhoods; zoning issues, such as the preclusion of hotels in Multi-family zones and new Townhouse and Restricted Office/Commercial (O/CM) zones; public amenity issues, such as a regional stormwater facility at Bow Lake; and the relationship to Port projects.

Lastly, Mr. Ward provided an overview of the upcoming City Center Plan schedule, which includes Special Standards, Council briefing on November 16, public hearing for all City-wide rezones on December 7, and final adoption of the City Center Plan, Standards and Comprehensive Plan amendments on December 14.

### **CONSENT AGENDA:**

**Approval of claims vouchers** in the amount of \$759,033.29 for the period ending October 29, 1999.

**Approval of claims vouchers** in the amount of \$358,952.60 for the period ending November 4, 1999.

**Approval of employee vouchers** in the amount of \$472,899.72 for the period ending October 31, 1999.

**Approval of firefighter vouchers** in the amount of \$440.00 for the period ending October 31, 1999.

**Approval of summary of \$5,000 - \$25,000 purchase requests** for the period ending November 5, 1999.

### **Approval of Council Minutes:**

**Study Session** held October 5, 1999.

**2000 Budget Workshop VI** held October 25, 1999.

**Regular Council Meeting** held October 26, 1999.

MOVED BY THOMPSON, SECONDED BY STEVENSON TO ACCEPT THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY.

### **PUBLIC HEARING:**

#### **1<sup>st</sup> Public Hearing on the 2000 Preliminary Budget – Finance**

Mayor Anderson opened the Public Hearing at 6:44 p.m.

Finance Director Spencer provided summary schedules pertaining to the 2000 Preliminary Budget, the City Manager's funding recommendations for 2000, which were presented formally to the Council at its October 26 meeting. A second public hearing on the 2000 Preliminary Budget is scheduled for November 23, after which the Council will consider an Ordinance adopting the 2000 Annual Budget.

On November 2, Washington voters approved Initiative 695 repealing the Motor Vehicle Excise Tax (MVET), which is effective January 1, 2000. General Fund revenue losses in 2000, as a result of I-695's passage, are estimated at \$380,000. Ms. Spencer noted that the annual impact is approximately \$465,000, but in 2000, the City will collect one quarter of MVET revenue collected in the fourth quarter of 1999. Although department directors were asked to consider reductions in their budget to offset the revenue losses, reductions in programs and services provided by the City were not considered to be in the best interests of the City. Therefore, the 2000 Preliminary Budget proposes an increase in the 2000 property tax levy of six percent over the 1999 levy, which will add \$347,000 in property tax revenue for 2000. For a property with an assessed valuation of \$150,000, annual property taxes would increase by \$10.50 as a result of this proposed increase. The remaining revenue loss of \$33,000 would be absorbed within the City's General Fund operating budget.

The 2000 Preliminary Budget would result in a December 31, 2000 fund balance in the General Fund totaling nearly \$9.4 million. After reducing the fund balance for future commitments, the City's net undesignated fund balance is projected to exceed the City Council's target of four months of operating revenue by \$515,000.

There were no public comments.

Mayor Anderson closed the Public Hearing at 6:56 p.m.

**NEW BUSINESS:**

**Agenda Bill #1571 - *An Ordinance amending the Development Review Code establishing a Procedure for consideration of Development Agreements was removed from this evening's meeting agenda.***

**Agenda Bill #1772; Resolution #99-027**

**A Resolution setting a Public Hearing on the Final Assessment Roll for Local Improvement District (LID) No. 1 for 28<sup>th</sup>/24<sup>th</sup> Avenue South Arterial Improvement Project- Public Works**

**Summary:** This Resolution sets December 6, 1999 at 4:00 p.m., at Valley Ridge Community Center for the hearing before the City Hearing Examiner.

The City Council passed Resolution No. 97-025 on September 23, 1997, declaring its intent to order certain local improvements within the City and to create a LID. The Council held a hearing on October 14, 1997 to consider this matter. After due consideration, the City Council adopted Ordinance No. 97-1017 ordering the improvements and creating LID No. 1. The City interviewed consulting firms interested in assisting the City on this project. The consulting firm of Parsons, Brinckerhoff, Quade, and Douglas, Inc. was selected to prepare the plans, specifications and estimates for the proposed improvements. The design was completed and a bid opening was held on October 28, 1999 with eight bids received. The low bid submitted by Gary Merlino Construction Co. was within budget. As a result of the passage of I-695, the City has been advised by bond counsel that it would be in its best interest and the property owners if the LID was finalized prior to December 31, 1999.

Setting the hearing has no financial impact. However, the Hearing Examiner will hear requests from property owners to adjust their LID assessment. Based upon the Hearing Examiners findings and his recommendation to the City Council, as the Board of Equalization, there might be a financial impact to the City at that time.

MOVED BY DEHAN, SECONDED BY THOMPSON TO PASS RESOLUTION NO. 99-027.

MOTION CARRIED UNANIMOUSLY

**Agenda Bill #1760**

**A Motion authorizing an Agreement with Puget Sound Energy (PSE) for conversion of Overhead Power Lines and Street Lighting for the 28<sup>th</sup>/24<sup>th</sup> Avenue South Improvement Project- Public Works**

**Summary:** As part of the 28<sup>th</sup>/24<sup>th</sup> Avenue South Improvement Project, it is desirable to work with PSE to cause the existing overhead distribution power system to be replaced with a comparable underground distribution power system. Per this agreement, PSE would provide and install a main distribution system under 15,000 volts and remove the existing overhead system, including associated wires and PSE-owned poles. The City would perform all trenching, restoration, surveying, and the installation of all conduit, vaults, ground plates and handholds. PSE will provide and deliver all conduit, vaults, ground plates, and handholes, along with an inspector to monitor the installation of such equipment. PSE will also install the street lighting system for the project. The City shall be responsible for coordinating all the above mentioned work and notification to the public. The City will also notify the property owners when they can begin to convert their overhead services.

The current estimate for the undergrounding distribution system is \$1,001,354.78. The City will reimburse PSE 30 percent of the actual costs of the work to install the underground, estimated to be \$300,406.44 in accordance with the adopted Utilities & Transportation Commission (UTC) Tariffs. The City shall also reimburse PSE 100 percent of the



costs for the street lighting system and associated circuitry, which is estimated to be \$236,392.18. The total estimated cost for this work is \$536,798.62. These costs were included in the project estimate and are within budget. PSE would own, operate and maintain both systems.

MOVED BY BRENNAN, SECONDED BY DEHAN TO ACCEPT AGENDA BILL NO. 1760.

MOTION CARRIED UNANIMOUSLY.

#### **Agenda Bill #1759**

#### **A Motion authorizing an Interlocal Agreement (ILA) with King County, the Cities of Burien and Normandy Park, and the Port of Seattle (POS), for the preparation of a Miller and Salmon Creek Basin Plan - Public Works**

**Summary:** The ILA proposes to prepare a basin plan for addressing surface water and fish habitat issues within the Miller and Salmon Creek Basins and develop an implementation program acceptable for endorsement by the participating agencies. The plan will evaluate the effects of existing development and future land use on the existing aquatic resources in the basins. When completed, the basin plan will be presented to the legislative authority of each agency for consideration and endorsement of the implementation strategies. The basin plan will serve as a policy framework for guiding decisions and expenditures concerning surface water capital and fish habitat improvements, drainage regulations and enforcement, storm water maintenance, land use, zoning, and other related actions contributing to existing and future problems identified in this basin planning effort.

The cost of the work is estimated to be \$343,340 with a contingency of \$35,000, for a total project cost of \$378,340. The City's contribution toward the project is five percent of the cost or \$18,917. The proposed 2000 budget has \$25,000 programmed for this project.

MOVED BY BRENNAN, SECONDED BY DEHAN TO ACCEPT AGENDA BILL NO. 1759.\*

Assistant Public Works Director Monaghan briefed on the above summary and added that in addition to the current members of the Basin Plan Committee, in the future, the Washington State Department of Transportation (WSDOT) plans to join the committee. The City of Burien had been supportive in this effort with approximately 50 percent of the cost of the study.

\*MOTION CARRIED UNANIMOUSLY.

#### **Agenda Bill #1765**

#### **A Motion authorizing a Grant to the Highline Water District of an Easement across Valley Ridge Park – Legal**

**Summary:** The Highline Water District has previously briefed the Council on its 30-inch dedicated water transmission main project, which is to run from the Crestview reservoir site to the Mansion Hill tanks.

In connection with its new 30-inch water transmission main, the district has now requested a permanent easement, together with a temporary construction easement, to allow the water main to cross a corner of Valley Ridge Park. The proposed permanent easement would be approximately 200 feet in length and 15 feet wide. The temporary construction easement would extend 15 feet to both sides of the permanent easement to permit access by construction crews and equipment. The district will limit the period of construction across the easement to a two-month time frame.

The district initially offered compensation of \$1,900 for the permanent easement and \$350 for the temporary construction easement. Working with Parks & Recreation Director Kit Ledbetter, a copy of the appraisal was obtained and evaluated against the recent appraisals obtained by the City in regard to the new City Hall site and the adjacent property. Based upon that assessment, it was determined that, with appropriate changes to the language of the proposed easement (to reserve greater use of the surface of the easement to the City) fair compensation for the permanent easement would be in excess of \$9,000. Reasonable "rental" value for the temporary construction easement was evaluated as not less than twice the amount of the district's offer.

Following negotiations, and further review by the district's appraiser, it was agreed that fair compensation for the permanent easement would be \$9,430. The "rental" value of the temporary construction easement was set at \$900 (being \$450 per month for a total of two months).

The district agreed to pay the statutory sum of \$600 to offset the expense of reviewing and responding to the district's appraisal and offer, pursuant to [RCW 8.25.020](#), as amended in 1999.

There presently exists a drainage problem at the subject corner of the Valley Ridge Park. Accordingly, Mr. Ledbetter requested that the water district have its contractor install a new catch basin and regrade the existing access road, and restore the surfaces in order to eliminate the drainage problem. The district's engineers estimated the cost of these improvements to be \$3,000, and the City's Maintenance Supervisor and Engineering Manager agreed that the estimate was reasonable. Accordingly, a credit of \$3,000 may be granted to the district against the fair compensation to be paid to the City for the easements. The City will receive a net sum of \$7,330 for the grant of easement interests in the Valley Ridge Park, will receive \$3,000 worth of drainage improvements to the Park, and will receive reimbursement for the expense of evaluating the District's appraisal and offer in the sum of \$600.

MOVED BY BRENNAN, SECONDED BY DEHAN TO ACCEPT AGENDA BILL NO. 1765.\*

Councilmember Stevenson stated that fair compensation should be given to the two private property owners for the easements on their land. Currently, the district has offered the owners a lesser fee (\$3,000) than what was offered to the City for the park easement. He also feels the district could find another way to align the main, other than on private property. With the easements, the property owners would have to go back 20 feet on their property line if they wish to expand their home on their land.

Councilmember Thompson stated that she, along with Councilmembers Brennan and Stevenson, attended a public meeting sponsored by the district. The two involved property owners were also in attendance. The Council requested that the district research other alignments and bring them to the full Council. Councilmember Thompson requested that staff continue to work with the district as to alternative alignments without utilizing private property.

City Attorney McAdams stated that the district has the right to condemnation and since water is an essential utility, the City cannot dictate the alignment but can require conditions and mitigation. Councilmember Thompson added that the City needs the 30-inch water main for the City Center in order to be in compliance with the Growth Management Act (GMA).

Council discussion ensued as to fair compensations for the property owners. It was the general consensus of the Council that the City's compensation settlement might set a precedence for the property value at a considerably higher fee than originally offered the two property owners.

\*MOTION CARRIED WITH STEVENSON VOTING NO.

The Council requested staff notify the two property owners of the City's compensation settlement.

#### **ADDITIONAL NEW BUSINESS:**

Mayor Anderson requested Council consideration of her selection of Rick Lucas and Linda Snider as replacements of the two vacancies on the Planning Advisory Committee effective January 1, 2000.

MOVED BY THOMPSON, SECONDED BY STEVENSON TO APPOINT RICK LUCAS AND LINDA SNIDER TO THE PLANNING ADVISORY COMMITTEE EFFECTIVE JANUARY 1, 2000.

MOTION CARRIED UNANIMOUSLY.

Secondly, Mayor Anderson requested that Council consider plaques be presented to Richard Jordan and Dennis Olson, the outgoing members of the committee, for their extensive years of service to the City on this committee. Council concurred.

**PUBLIC COMMENTS:** Joe Dixon, 19211 35<sup>th</sup> Avenue South, spoke regarding the presentation on the Comprehensive Plan amendment and the issue of the street bi-sectioning the Bow Lake MHP. He suggested that the Council direct staff to display the route as flexible and that it could be directed around the park. Mayor Anderson stated that is the Council's desire. City Manager Hoggard stated that staff would produce maps depicting the flexibility of the street route.

**CITY MANAGER'S COMMENTS:** City Manager Hoggard had the following items of business: 1) a question was raised at the last Council Meeting regarding the SeaTac Report not being delivered to post office boxes of City residents. Staff researched this issue, and discovered that over 2,000 zip codes are not City residents but are using post office addresses. If residents would notify City Hall that they are not receiving the newsletter, their names and addresses will be added to the official send-out list; 2) The Public Safety & Justice (PS&J) Committee will meet on November 15 at 4:00 p.m. and the Transportation & Public Works (T&PW) Committee will meet on November 16 at 4:00 p.m.; 3) staff is organizing a public meeting of City residents who petitioned the City regarding the smoke shop on South 216<sup>th</sup> Street; and 4) Assistant City Manager Holman is attending a public hearing this evening with the Bonneville Power Administration (BPA) in Tukwila. Mr. Holman will speak on behalf of PSE SeaTac ratepayers that the City wants BPA to maintain proper equity in the distribution of Federally subsidized power to all ratepayers, public utility districts and private distributors. It is the City's understanding that there is a proposal before BPA that would result in a rate increase because it diverts additional Federal power away from PSE.

**COUNCIL COMMENTS:** Councilmember DeHan stated that a public hearing was held last week at the Tukwila Community Center regarding Sound Transit alignment, primarily the southern segment of the light rail. He, along with Mayor Anderson, and City staff attended the hearing. The City's discussion with the board went well, reiterating its agreement with Sound Transit and the Port, the City alignment and stationary siting. However, there were only two Sound Transit Boardmembers (out of 18 members) in attendance. Also in attendance were 200 people opposing the current alignment down the boulevard, favoring the route on I-5 and SR518. Sound Transit's decision on its preferred alternative will be made on November 18. Secondly, he stated that at the South County Area Transportation Board (SCATBD) meeting, discussion ensued regarding the status of the Seattle bus tunnel. The tunnel was created by Metro and is proposed to be become a light rail tunnel. King County/Metro Council's position is that since they own the tunnel, Sound Transit could buy it, with the equity returned to Metro and Sound Transit assuming the bond debts. That is being negotiated between King County Executive Ron Sims, County Council and Sound Transit. Mayor Anderson added that in a meeting with County Executive Sims, he implied that if Metro is required to do this transaction, and if Northgate businesses object to a Northgate Station, Federal dollars would be withdrawn. Councilmember DeHan added that it is the County Council's position that taking the current buses out of the tunnel will delay the surface traffic through downtown Seattle and 40 more buses would be needed to augment the traffic. It is their position that funding for the additional buses would have to be assumed by Sound Transit verses the taxpayers.

Councilmember Gehring stated that the Ways & Means (W&M) Committee met on November 8 with six Councilmembers in attendance to discuss the passage of Initiative 695. Secondly, she expressed concern as to the proposed increase of City fees; the property tax, the SWM fee and transportation bond issue. Mayor Anderson stated that if the Fee Ordinances are adopted, it does not mean that the City will initiate them into effect. The Ordinances need to be in place by the end of 1999.

Councilmember Stevenson inquired as to the projected revenue from the casino and new hotels that may offset the loss of revenue from the transportation tax.

Councilmember Thompson stated she requested that staff estimate the inflation figures. Citizens have high expectations from their governments as to roads, fire and police services paid for by taxes. She agrees with their expectations. The Council needs to be prepared. Secondly, she complimented Parks & Recreation Director Ledbetter for the work he has accomplished in his tenure. She noted that his staff organized a successful Halloween Party for the community. She heard praises from friends on this event. Her second appreciation was for the City's new Chief of Police Services, Scott Somers, for personally attending to needs of City residents. She added a special thanks to the entire staff at City Hall for their work supporting the Council and the citizens of SeaTac.

Regarding Sound Transit's public meeting, Joe Dixon added that former City Manager, now Pierce County Executive

and Sound Transit Board member, Doug Sutherland, was also in attendance but arrived late.

**ADJOURNMENT:**

MOVED BY DEHAN, SECONDED BY THOMPSON TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 7:45 P.M.

MOTION CARRIED UNANIMOUSLY.

Terry Anderson, Mayor  
Judith L. Cary, City Clerk

# SEATAC CITY COUNCIL REGULAR MEETING MINUTES

November 23, 1999 - 6:00 PM  
City Hall Council Chambers

**CALL TO ORDER:** The SeaTac City Council Regular Meeting was called to order by Mayor Terry Anderson at 6:02 p.m.

**ROLL CALL:** Present: Mayor Terry Anderson, Councilmembers Steve Stevenson, Shirley Thompson, Frank Hansen, Kathy Gehring, Joe Brennan, and Don DeHan.

**ADMINISTRATIVE STAFF:** Calvin Hoggard, City Manager; Jay Holman, Assistant City Manager; Judith L. Cary, City Clerk; Robert McAdams, City Attorney; Elizabeth Spencer, Finance Director; Jim Downs, Fire Chief; Steve Butler, Planning Director; Craig Ward, Principal Planner; Holly Anderson, Senior Planner; Bruce Rayburn, Public Works Director; Don Monaghan, Assistant Public Works Director; Julie Rodwell; Programs Manager; and Tom Flanagan, Police Sergeant.

**FLAG SALUTE:** Councilmember Brennan led the Council, staff, and audience in the Pledge of Allegiance to the Flag.

**PUBLIC COMMENTS:** Mayor Anderson opened the public comments by wishing City Manager Hoggard a happy birthday and presenting him with a Seahawks ball cap.

Maxine Hankins, 18121 45<sup>th</sup> Avenue South, stated her opposition to the proposed increase in property taxes. She and her husband have resided for 41 years in their home and hoped to not be taxed out of it. She urged Council to adjust the budget, if possible, instead of raising this tax.

Keith Smith, Port of Seattle (POS) Water Resource Manager for Sea-Tac International Airport, spoke on behalf of the POS opposing Agenda Bill Nos.1773 and 1774, the Surface Water Management (SWM) fee structure. He stated that the POS strongly urges the Council to study this issue thoroughly and adhere to the terms of the Port/City Interlocal Agreement (ILA) regarding the SWM fees.

Tom Hubbard POS, POS Surface Water Manager, reiterated his comment made at the November 16 Study Session, opposing Agenda Bill Nos.1773 and 1774 on the SWM fee structure. He stated that the POS has its own surface water retention facilities. The POS does not feel they should pay SWM fees to the City for services they provide for their own SWM. He hoped that the City would resolve the fee issue with the POS. To date, there is no agreed upon solution.

Mike Ruark, Attorney representing the POS on SWM related issues, reiterated his comment made at the November 16 Study Session regarding Agenda Bill Nos.1773 and 1774. He urged Council to consider the ramifications of their actions.

Gene Fisher, 2857 South 152<sup>nd</sup> Street, spoke on the 2000 budget. He stated he feels the loss to the City over the passage of Initiative 695 is miniscule compared to the size of the City's 2000 budget. He compared the budget revenue to its expenditures. He urged to the Council to listen to the will of the taxpayers and the ramifications of their decisions.

Chris St. John, 16035 42<sup>nd</sup> Avenue South, a 45-year resident of SeaTac, agreed with the POS comments on SWM. Secondly, he urged Council to produce a budget that does not increase ratepayers' taxes.

City Manager Hoggard stated that the City has reserves of \$56 million and has assets far exceeding any debts at the present time. The budget envisions only one expenditure, the new City Hall (NCH) building, where a moderate amount of outside funding will eventually be needed. It also proposes a "pay as we go" basis with 50 percent of the budget for this project to be funded from the current budget. The end result will be a building worth far more than spent. The

proposed budget is very conservative as to fiscal responsibility.

## **PRESENTATIONS:**

### **Presentation on proposed Comprehensive Plan Amendments, City Center Subarea Plan and Associated Rezones**

Planning Director Butler and Principal Planner Ward briefed the Council on the following policy issues that will need to be brought before Council on December 14 for final action:

1) Comprehensive Plan Amendments - Potential annexation area southeast of the City: Options: A) High Density Commercial & Multi-family requested by applicant; B) Do nothing - Business Park & Single-family recommended by the Planning Advisory Committee (PAC); or C) All Single-family (existing King County zoning). Both the Cities of Tukwila and SeaTac claim this area for future potential annexation. The Growth Management Act (GMA) requires that Cities with unincorporated areas adjacent to their boundaries must show future potential annexations. Tukwila has requested that SeaTac make no changes at this time. Rezoning will only go into effect if and when the properties are annexed into the City. Councilmember Thompson stated she met with property owners who spoke on this issue at the November 9 Council Meeting. There are two factions of property owners who do not agree as to which City they desire to be annexed to. They have asked that SeaTac give them time to work out their situation and then they will bring their selection to the Cities. Council discussion ensued and it was decided that Option B would be in the best interest of the City and the property owners at this time. Rezoning can be accomplished at a future date, if desired.

2) Rezones (Non-City Center): The Lutheran Social Services (LSS). Options: A) Office/Commercial Medium (O/CM) Restricted zone, with uses limited to senior housing, day care, and social service offices; B) O/CM Restricted zone, with uses limited to senior housing, day care, "expanded list" of social service activities and a community center; and C) Do nothing – Single-Family UL-7200 zone (Senior Housing and Day Care as conditional uses). An Advisory Committee was formed, which includes Councilmember Thompson and Assistant City Manager Holman. The committee desired Option B with more flexibility. The Land Use, Parks, and Economic Development (LUPED) Committee recommends Option A. Even with the reduced number of uses, this committee felt more restrictions could be determined through the property specific zoning process. Councilmember Thompson stated that she, along with Councilmember DeHan, City Manager Hoggard, and Assistant City Manager Holman joined LSS members in a tour of two Human Services facilities in Seattle. The services are geared to the community the facility is located in and are similar to what is being suggested for SeaTac. Councilmember DeHan stated he was impressed with the complexes they toured and pleased with the community minded efforts and quality of work presented by the agencies. City Manager Hoggard agreed with the previous remarks. Option A was supported by the Council.

3) Rezones (City Center): a) Colacurcio property located in the southeast portion of the City near Bow Lake, with access off of 36<sup>th</sup> Avenue South. Options: A) O/CM Restricted zone, subject to a development agreement, preferred by the owners; B) O/CM Restricted zone; C) Townhouse zone; or D) Do nothing – Multi-family residential UH-900 zone. Council discussion ensued and subsequently supported re-entering into discussions with the owners, to which the owners were agreeable.

b) Properties West of 36<sup>th</sup> Avenue South. Options: A) O/CM Restricted zone; or B) Do nothing – Single-family UL-7200 zone. The City Center Subarea Plan with Medium Density Commercial land use and potential O/CM Restricted Zoning is recommended. Property owners could subsequently request a rezone to O/CM Restricted. Council discussion ensued. As the gateway into the City Center with its different uses, this area would be a combination of townhouses, garden apartments, and some small scale home office that would fit in with the current development pattern. Council concurred the designate the westside into the Subarea Plan but concurred with Option B to rezone in the future if desired. Some of the property owners have agreed to Option B and the rest will be contacted as to their preference. The PAC Committee also agreed with this selection. Mr. Butler stated that since Council will be holding a public hearing on zoning on December 7, the PAC did not make a recommendation on the zoning. He clarified that in terms of future use, the preference would be, if it is not O/CM Restricted, there are other options. Mayor Anderson stated her opposition to commercial businesses across the street from the remaining residents. Mr. Butler explained that the businesses would be of an upscale type.

Linda Snider, 18700 36<sup>th</sup> Avenue South, resident on the eastside of the avenue, clarified that she and her neighbors

favor this area being changed in the Comprehensive Plan and rezoned to O/CM Restricted to tie in with the proposed City Center Plan.

Mary Hoey, 18609 36<sup>th</sup> Avenue South, resident on the westside of the avenue, had a concern that the designation of O/CM Restricted does not actually restrict much. Mr. Ward outlined businesses that would be allowed in complexes where there is commercial on the ground floor and residential on upper floors. He encouraged input as to what the Council and public aspire for this area. Councilmember Thompson requested that Ms. Hoey converse with her neighbors as to their preference of the desired businesses.

4) City Center Plan: Bow Lake Mobile Home Park (BLMHP) Street. Options: A) Show plan with blank BLMHP and five alternative alignments as a separate figure; or B) Show existing Main Street Plan alignment and four alternatives as a separate figure (PAC recommendation). Mr. Butler reviewed with Council the two options and the alternative alignments for the Main Street. Council discussion ensued as to the routing of the roadway from 32<sup>nd</sup> to 36<sup>th</sup> Avenues South. Staff will bring this issue back at the next Council Meeting with more graphic layouts of the possible route plans. Council thanked staff for their intense undertaking of producing various route alternatives.

### **Presentation on Port of Seattle's (POS) Proposed Change to Westside Rezoning Process**

Planning Director Butler stated that this topic was brought up at the LUPED Committee on November 9 with more discussion occurring since that time. He explained that the POS did not have much notice of this issue being brought to Council tonight so they will be given an opportunity to detail their proposal at the next Council Meeting. However, Dave Walsh, POS Project Management Office, was in attendance for this agenda item. Mr. Butler reviewed the current status of the westside rezoning process previously adopted by Council in January 1998 and the POS's proposal for this area. Mr. Butler outlined the potential changes to the process as proposed by the POS. The current approach adopted by Council allows for rezoning in the westside only after a set procedure is followed and certain conditions are met by the POS. He outlined the conditions: 1) The POS has to acquire all the property within that district before rezone takes affect. The westside being divided into six areas which Mr. Butler outlined; 2) the POS was to maintain a 20-foot buffer of existing vegetation and up a six-foot high solid fence around the POS's third runway construction activity area if there were nearby property owners still resident. The current process lays out the possibility that the City could require additional landscaping, fence height and other buffering, if circumstances warrant it; and 3) the POS was to provide the City with information regarding a Construction and Earthwork Management Plan for the entire westside before the area was to be rezoned.

Next, Mr. Butler outlined the proposed changes to procedures and conditions. Rather than the districts described in the current process, POS desires to change those boundaries and have identified three areas for Phase I rezoning which he outlined with the aid of a map. Mr. Butler outlined the areas currently acquired by the POS and areas not acquired to date but are in various stages of acquisition, or are in condemnation. He described the POS's various construction stages for the westside areas and the conditions that would be imposed to minimize the impact to the remaining residents. Councilmember Gehring commented on the POS's lack of input to the remaining residents. She stated that since there is no vegetation between a 20-foot buffer and the residents' homes, it would do nothing to shield the noise and disruption of the construction work. Regarding this issue, Mr. Butler stated that the POS is willing to go beyond the minimum standards to ease the impact to the residents. Council discussion ensued as to the impact to the remaining residents. Mr. Butler concluded by stating that this issue will be brought back to next week's Council Meeting for the POS's input.

### **CONSENT AGENDA:**

**Approval of claims vouchers** in the amount of \$432,590.24 for the period ending November 19, 1999.

**Approval of employee vouchers** in the amount of \$332,663.21 for the period ending November 15, 1999.

**Approval of summary of \$5,000 - \$25,000 purchase requests** for the period ending November 19, 1999.

### **Approval of Council Minutes:**

**Regular Council Meeting** held November 9, 1999.

**Study Session** held November 16, 1999.

### **Acceptance of Advisory Committee Minutes:**

**ADA Citizens Access Committee Meeting** held July 12, 1999 (approved by this committee November 15, 1999).

**Human Services Advisory Committee Meeting** held September 13, 1999 (approved by this committee November 8, 1999).

**Planning Advisory Committee Meetings** held October 18 and November 8, 1999 (approved by this committee November 15, 1999).

MOVED BY HANSEN, SECONDED BY THOMPSON TO ACCEPT THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY.

## **PUBLIC HEARINGS:**

### **2<sup>nd</sup> Public Hearing on the 2000 Preliminary Budget - Finance**

Mayor Anderson opened the Public Hearing at 7:46 p.m.

Finance Director Spencer noted that the City began its 2000 Budget preparation process in July and six Council Budget Workshops. The 2000 Preliminary Budget with the City Manager's funding recommendations, were presented to Council on October 26. The first public hearing was held on November 9, and Council will consider an Ordinance establishing the 2000 Annual Budget this evening following the second public hearing.

A summary of the 2000 Preliminary Budget was presented by Ms. Spencer, who noted that General Fund revenues have been reduced by \$384,000 to reflect the loss of Motor Vehicle Excise Taxes (MVET) due to the voters' approval of Initiative 695. A property tax levy increase of six percent over 1999 is proposed to offset \$349,000 of the lost revenues to continue provision of services by the City at the current level. In the Surface Water Management (SWM) Utility Fund, a SWM rate increase has been proposed. A bond issue for the 28<sup>th</sup>/24<sup>th</sup> Avenue South Improvement Project is included in the 2000 Preliminary Budget, the debt service being paid by assessments to benefiting property owners. No other bond issues are anticipated for 2000.

General Fund revenues totaling \$22.2 million and General Fund expenditures of \$22.5 million are projected which will result in a December 31, 2000 fund balance in the General Fund of nearly \$9.6 million. This fund balance, after reductions for future commitments and targeted fund balance at four months of operating revenue, would exceed the Council's target fund balance by \$588,000. Five additional positions are proposed for the General Fund, including two positions to be funded by permitting and plan review fees from the POS capital improvements. Capital Improvements totaling \$1.2 million are included in the General Fund 2000 Proposed Budget which are funded almost entirely by grant revenues, POS ILA fund interest revenue, and sales tax received from POS capital projects at the airport.

The City's 2000 Preliminary Budget totals \$51.3 million in revenue and \$56.4 million in expenditures. Included in the total expenditures are \$7.5 million in transfers between City funds, leaving a net \$48.9 million reduction in City resources. Referencing the public comment testimony by Gene Fisher, Ms. Spencer noted that the total expenditures exceeding revenue was due to capital outlay expenditures made from resources accumulated over several years. Ms. Spencer further noted that all operating budgets proposed for 2000 are balanced, meaning the operating revenues for the year exceed the operating expenditures. Significant capital outlay is anticipated for 2000 in transportation improvements and construction of a new City Hall (NCH), which are funded from transfers from the General Fund over several years and proceeds of bonds issued in 1994.

In response to an inquiry by Councilmember Stevenson, Ms. Spencer noted that gambling tax revenue, estimated at \$250,000, has indeed been projected for 2000 under the category of excise taxes.

Councilmember Stevenson inquired as to whether additional revenue is projected for pending hotel projects, but Ms. Spencer stated that since the levy is established based on current assessed valuations, as certified by the King County Assessor's Office, the property tax revenue would not reflect additional property tax revenue generated by current or planned construction. Councilmember Stevenson stated that he is not convinced the property tax increase is necessary and would like to see the list of cuts staff would propose for an "across the board" decrease in the General Fund budget of three percent.



Councilmember Thompson requested that the Ordinance establishing the 2000 Annual Budget be held for consideration by Council until after the SWM rate and tax levy are considered later this evening. The Council agreed to delay consideration of Agenda Bill No. 1740 until these items have been considered.

Mayor Anderson requested to be excused from the meeting due to flight travel plans. At 8:30 p.m., Mayor Anderson passed the gavel over to Deputy Mayor Thompson.

Maxine Hankins requested that the City not replace the piano at the North SeaTac Park Community Center, as indicated in the budget summary. She prefers the existing piano to a new one. She plays the piano at the community center for the senior activities and it is more than satisfactory.

Linda Snider requested additional detail as to the improvements on Bow Lake Elementary School property and expressed concern about continued park improvements at schools in SeaTac. She referred to Tyee High School's recent access issues at Valley Ridge Park. City Manager Hoggard noted that the improvements would be similar to those completed at McMicken Heights.

An unidentified speaker noted that the City should not need to raise the property tax levy when taxes are going up significantly as noted on in the budget summary. Ms. Spencer clarified that a significant portion of that increase in tax revenue is due to the proposed tax levy increase. Mr. Hoggard added that increases in revenues are seen from one year to the next due to economic activity which require demands for additional City services, therefore, the cost to the City fluctuates accordingly.

Deputy Mayor Thompson closed the Public Hearing at 8:40 p.m.

**RECESSED:** Deputy Mayor Thompson recessed the meeting for a five-minute break.

**RECONVENED:** Deputy Mayor Thompson reconvened the meeting at 8:48 p.m.

**PUBLIC HEARINGS (Continued):**

**Development Agreement with SunReal, Inc. - Legal**

Deputy Mayor Thompson requested City Attorney McAdams report on this item of business.

City Attorney Robert McAdams expressed that the president of SunReal, Inc. provided a letter to Council in which he requested that the matter not be taken off this agenda but continue for the public hearing and consideration of the development agreement. He added that this item has been continued several times after the initial publication of the public hearing notice. Therefore, staff suggests that the matter should be taken off the agenda and when the agreement is ready to be brought forward, an appropriate notice can be re-published.

Deputy Mayor Thompson stated that this public hearing and Agenda Bill 1753 have been postponed to a date indefinite.

**NEW BUSINESS:**

*Postponed to a date indefinite: Agenda Bill #1753*

**A Resolution authorizing entry into a Development Agreement with SunReal, Inc. – Legal**

*(The following agenda item has been moved forward to accommodate the presenter.)*

**Agenda Bill #1767; Resolution #99-028**

**A Resolution authorizing amendment of the "Zoning Map" included in the Interlocal Agreement (ILA) with the Port of Seattle (POS) - Planning**

**Summary:** As part of the ILA agreement, existing Port properties and properties identified to be acquired by the Port received potential zoning designations of either Aviation Operation (AVO) or Aviation Commercial (AVC). These properties are identified in the Zoning Map contained in the ILA. Since the signing of the ILA, the POS has determined that a small number of properties on the westside are no longer needed by the POS as part of the third runway improvements. These properties are currently identified in the ILA Zoning Map to receive the Aviation

Commercial (AVC) zoning designation. Therefore, the POS and City staff are requesting an amendment to the Zoning Map in the ILA to exclude the identified properties, with no designation indicated.

MOVED BY HANSEN, SECONDED BY DEHAN TO PASS RESOLUTION NO. 99-029.\*

Planning Director Butler stated that this agenda item was discussed at the November 1 Study Session and a minor change has been made to the Resolution under the third "Whereas", that the POS's "voluntary acquisition" status has been referenced. The intent of the map was designate areas that the POS currently owns or plans to acquire. However, a voluntary acquisition program is in force whereas properties which are either zoned commercial use or have been used recently for commercial activities, if those property owners desire, they can opt out of the acquisition. Therefore, the ILA map will only show the properties owned by the POS.

\*MOTION CARRIED UNANIMOUSLY.

### **Agenda Bill #1774**

#### **A Motion accepting and adopting the City of SeaTac Comprehensive Surface Water Management (SWM) Rate Study - Public Works**

**Summary:** The City of SeaTac interviewed and selected Economic and Engineering Services, Inc. (EES) to perform a SWM Rate Study. The City entered into a contract with EES on June 9, 1998. The final draft of the study was completed in September 1999. Once the study has been adopted by the City Council, the final report will be prepared to include any Council changes or revisions.

In July 1997, the Council accepted the Surface Water Plan, which was prepared by Earthtech, Inc. A detailed analysis of rates and program costs were not part of the preparation of the Surface Water Plan. Therefore, it was the recommendation of the plan that a detailed analysis of rate and program costs be performed to optimize the cost and utility rates needed to provide the recommended surface water services to the community. During that same time frame, the City was negotiating an ILA with the POS. As part of these negotiations, the City agreed to conduct a study of its SWM fees. The City subsequently interviewed and selected a consultant to perform an analysis of its SWM service charges. The City entered into a consultant contract with EES to perform an analysis of the City's SWM funding needs. A citizen advisory committee was also formed to solicit ratepayers' input. The committee consisted of representatives from property owners, mobile home park residents, business owners, the POS and the Highline School District. The committee did not reach any firm conclusions or consensus on the key rate issues associated with the study. It was, however, important for the consultant and staff to have the committee members verbalize their concerns on these issues. Based upon the program needs and the committee's input, the consultant performed the analysis and prepared the City's Comprehensive SWM Rate Study. Included in the study are recommended service charges that would support the SWM Program as recommended in the Surface Water Plan accepted by the City Council in 1997.

MOVED BY BRENNAN, SECONDED BY STEVENSON TO ACCEPT AGENDA BILL NO. 1774.\*

Public Works Director Rayburn briefed on the above summary, displaying the rate study tables comparisons between current SWM rates in the City for the various categories. He answered Council's question from the November 16 Study Session as to what would occur if the SWM rates were not increased. This information was given to Council in their Friday packet, which indicated the projects that would be delayed. They are spot drainage improvements, a maintenance and storage facility for both Parks and Public Works Departments, Hill Top Drainage Basin - Phase II, and 38<sup>th</sup> Avenue South to South 182<sup>nd</sup> Street (east of BLMHP) work to include the pedestrian walk through between those two streets. Mr. Rayburn explained why these projects were chosen for deletion. One project that is destined to move forward is that due to \$2 million funds being earmarked for 2001 to the 28<sup>th</sup>/24 Avenue South project for the regional storm detention system incorporated with this project. This project is committed to go forward. The LID is currently being finalized and would jeopardize LID funds if it were delayed.

Council and staff discussion ensued as to the pros and cons of spacing out the SWM plan, ILA funding in part for the Miller Creek Basin project funding in part by ILA monies, and the issue of County funding increases. Mr. Rayburn stated that staff is recommending an increase is to "pay as we go" SWM rate rather than issuing a new SWM bond as

done in 1994, which has now depleted. A "pay as you go" plan has been the Council's desire.

Councilmember DeHan stated that this rate increase is an attempt to stay lower than the County's rate but to match funds to cover cost for necessary projects without another bond measure.

Mr. Rayburn reviewed a section of the SWM Agreement regarding rate actions. Meetings with the POS staff have just begun for the purpose of coming to some agreement as to whether there should be adjustment to the POS fees.

Pertaining to the SWM rate structure in the proposed Ordinance, Assistant Public Works Director Monaghan reviewed the Section 4 of SMC 12.10.225.A, that relates to Agenda Bill No. 1773, outlining the rate structure as pertaining to not strictly SWM drainage but the entire program. The program is more complex than that one element. He also reviewed Section 2 of SMC 12.10.165 pertaining to contracts for storm drain cleaning and its availability to the commercial customer. Section 4 of SMC 12.10.225.G pertains to rebates and credit issues and an equitable approach to all classes of property.

Mr. Rayburn reviewed the inferior condition of the SWM system the City inherited from the County and private property owners. The program has been greatly improved and continues to be improved as was the wishes of the City residents upon incorporation.

Council discussion ensued as to the SWM issue, the related past bond, and the need for an increase, and the issue of an equitable amount being proposed in the SWM rates. Councilmember Hansen stated that the Transportation and Public Works (T&PW) Committee reviewed this issue in length and felt the SWM projects completed to-date were justified. The rate has been and would continue to be lower than the County rate, a savings to the ratepayers. The inherited system has been upgraded substantially. He did have some concern as to the rate to the POS and felt that City discussions with the POS should continue in order to arrive at a consensus.

Councilmember DeHan stated that the SWM rate structure should be thought of in term of the common good of the community.

City Manager Hoggard explained that the King County Airport pays SWM fees to Greater Seattle and Tukwila and also maintain a complete comprehensive SWM drain system and has runoffs from the cities, which are handled by the airport. The City maintains runoff from the Sea-Tac airport. Mutual agreement regarding the airport's SWM fees are being discussed. The POS is ignoring their responsibility to the surrounding entities.

Council discussion continued as to the rate increase and possible need to extend the projects out into the future. Deputy Mayor suggested that Agenda Bill No. 1774 be accepted and Agenda Bill No. 1773 be set over until next week. She requested staff review the residential rates with the Council.

\*MOTION CARRIED UNANIMOUSLY.

### **Agenda Bill #1773**

#### **An Ordinance amending the Surface Water Management (SWM) Program of Chapter 12.10 of the SeaTac Municipal Code (SMC) and increasing the Annual Service Charges - Public Works**

**Summary:** This Ordinance amends "Chapter 12.10.225 Rate Structure" of the SMC increasing the annual service charges in accordance with the recommendations of the 1999 Comprehensive SWM Rate Study.

The City entered into a consultant contract with Economic and Engineering Services, Inc. (EES) on June 9, 1998 to perform an analysis of the City's SWM funding needs and recommend service charges that would support the SWM Program. By prior action, Council has passed a Motion accepting the study and its recommendations. This Ordinance will implement the recommended increases to the annual SWM service charges.

In December 1992, the Council passed Ordinance No. 92-1052, which established the annual SWM service charge at \$60 per residential unit beginning in 1994. The 1993 rate was set at \$45 per residential unit by this same Ordinance in order to step the increase. It was expected at the time this rate increase was implemented that it would be sufficient to

adequately fund the SWM program for approximately five years. One of the Capital Improvement projects that was to be funded by this increase was the preparation of a Surface Water Plan, which was completed in July 1997. A detailed analysis of rates and program cost was not part of the Plan preparation. Therefore, it was one of the recommendations of the Plan that a detailed analysis of rates and program costs be performed to optimize the cost and utility rates needed to support providing the recommended surface water services to the community. During that same time frame, the City was negotiating an ILA with the POS. As part of these negotiations the City agreed to conduct a study of its SWM fees. The City subsequently interviewed and selected a consultant to perform an analysis of its SWM service charges. The City entered into a consultant contract with EES on June 9, 1998 to perform an analysis of the City's SWM funding needs. The consultant performed the analysis and prepared the City of SeaTac Comprehensive SWM Rate Study, which recommends service charges that would support the SWM program at an acceptable level. The recommended service charge for each specific category of property is defined in the Ordinance. The proposed increase in the service charges is 38 percent for all properties except for mobile homes where the proposed increase is 3.5 percent.

MOVED BY BRENNAN, SECONDED BY DEHAN TO ADOPT AGENDA BILL NO. 1773.\*

Deputy Mayor Thompson requested that Council pass Agenda Bill No. 1773 with the understanding that staff will work with the T&PW Committee to adjust the residential rates and amend the bill. City Attorney McAdams stated that could be done if it is a decrease.

UPON A ROLL CALL VOTE, AGENDA BILL NO. 1773 FAILED WITH HANSEN, BRENNAN, AND DEHAN VOTING YES AND STEVENSON, THOMPSON, AND GEHRING VOTING NO.

*(The following Agenda Bill Nos. 1741 and 1740 were postponed to this point in the meeting to allow for Council action on the above Agenda Bill #1773)*

**Agenda Bill #1741; Ordinance #99-1040**

**An Ordinance establishing the 2000 Ad Valorem Property Tax Levy – Finance**

**Summary:** The City Council is requested to adopt this Ordinance establishing the amount to be levied in 2000 by taxation on the assessed valuation of the property in the City and setting the levy rate for the year 2000. This Ordinance proposes a 2000 tax levy rate of \$2.97 per \$1,000 of assessed valuation, an increase from the 1999 levy rate of \$2.90 per \$1,000 of assessed valuation.

The total assessed valuation of the City of SeaTac for 2000, as certified by the King County Assessor on November 8, is \$2,695,703,965. This amount represents an increase of 3.55 percent as compared to the 1999 assessed valuation total. Referendum 47, approved by Washington voters on November 4, 1997, provides that for Cities with a population greater than 10,000, the increase in property taxes levied is limited to the "implicit price deflator (IPD)," one measure of inflation. This limitation is applied to both the increase in the levy rate and the increase in the total dollar levy, before new construction and any increase in State-assessed property. With a super-majority vote, the City Council may declare a finding of substantial need and approve a levy increase to a maximum of six percent. The IPD for 2000 is 1.4 percent.

I-695 was recently approved by Washington voters and takes effect on January 1, 2000. The initiative repeals the motor vehicle excise tax (MVET), eliminating \$384,192 in 2000 General Fund revenue for the City. After significant consideration of potential program and staff cuts to reduce expenditures, the City Manager recommends that the Council declare a finding of substantial need and approve a six percent increase in the property tax levy to generate additional revenue of \$353,940. The shortfall of approximately \$30,000 would be absorbed within the General Fund operating budget. The six percent increase will result in an additional \$10.50 in property taxes on a property assessed at \$150,000. Even after this increase, the City's levy rate remains well below the statutory maximum levy rate of \$3.10.

Staff recommends approval of the Ordinance establishing the 2000 property tax levy rate at \$2.97 per \$1,000 assessed valuation.

MOVED BY DEHAN, SECONDED BY BRENNAN TO ADOPT ORDINANCE NO. 99-1040.\*

Finance Director Spencer provided a summary of three options regarding the 2000 property tax levy. Option No. 1 would establish a 2000 levy that exceeds the 1999 levy by 1.4 percent, which is the implicit price deflator, a measure of inflation identified in Referendum 47 as the maximum levy increase that can be adopted by the Council with a simple majority. Under this option, the property tax rate would decrease from \$2.90 in 1999 to \$2.86 in 2000. Option No. 2 would establish a 2000 levy that exceeds the 1999 levy by 6 percent and would result in a 2000 tax levy rate of \$2.97. Option No. 3 is not recommended but illustrates the maximum levy allowable. Because the City Council has over the past several years made significant efforts to decrease the tax levy rate, they do have the ability to levy taxes at the statutory maximum rate of \$3.10 because the statutes allow a levy to be based upon the highest allowable levy since 1986. Adopting a levy at the rate of \$3.10 would generate \$358,591 in revenue above the 2000 Preliminary Budget.

As suggested earlier in the evening by Mayor Anderson, Ms. Spencer noted that the Council could consider a tax levy at the same rate as 1999 (\$2.90), which would result in an increase in the total levy of 3.55 percent due solely to increases in property values. This option would result in a reduction in the 2000 Preliminary Budget General Fund revenue of approximately \$189,000.

MOVED BY HANSEN, SECONDED BY DEHAN TO AMEND ORDINANCE NO. 99-1040 TO LEVY A RATE OF \$2.90 IN 2000.

MOTION CARRIED WITH BRENNAN VOTING NO.

\*ORIGINAL MOTION CARRIED UNANIMOUSLY AS AMENDED.

**Agenda Bill #1740; Ordinance #99-1039**  
**An Ordinance establishing the 2000 Annual Budget – Finance**

**Summary:** The City Council is requested to adopt this Ordinance establishing the 2000 Annual Budget. The total recommended budget, including all operating expenditures, capital outlay and transfers to reserves is \$56,371,453.

The 2000 Annual Budget preparation process began with departmental requests submitted to the Finance Department in August 1999. The City Manager conducted meetings with each department director to obtain input regarding 2000 Budget requests. At Council Budget Workshops on September 18 and 22, and October 11, each department director reported on 1999 achievements, 2000 goals and 2000 budget requests. An October 25 budget workshop was held at which the City Manager presented funding recommendations to the Councilmembers. The 2000 Preliminary Budget, containing funding recommendations submitted by the City Manager for Council consideration, was presented to the City Council at its October 26 meeting. The first Public Hearing on the 2000 budget proposal was held at the November 9 Regular Council Meeting. A second Public Hearing was held this evening prior to the Council's anticipated adoption of the 2000 Annual Budget.

The following changes have been made to the 2000 Preliminary Budget:

Initiative 695 was approved by Washington voters on November 2 and repeals the Motor Vehicle Excise Tax (MVET) effective January 1, 2000. As a result, General Fund revenue estimates for 2000 have been reduced by \$384,192. To offset this loss in revenue and preserve the current level of services provided to the City, property tax revenue has been increased by \$349,925 to reflect a six percent increase in the property tax levy over 1999. The remaining loss in revenues will be absorbed within the General Fund operating budget.

General Fund revenues have also been adjusted to reflect estimated gambling tax revenues and a reduction in grant revenue for the Bow Lake Study to reflect the actual amount awarded. General Fund expenditures have been reduced in the Planning Department to reflect a reduced cost for the study. General Fund expenditures have been increased to recommend funding for an Associate City Attorney position in the Legal Department. General Fund expenditures have been amended to provide for operating costs on City Hall-related matters such as meetings and mailings.

In the Transit Planning Fund, revenues have been decreased by \$36,000 for Sound Transit intergovernmental service

revenues.

Some revisions have been made to the 2000-2005 Capital Improvement Program (CIP) to reflect revised cost estimates of some projects. None of these revisions impact year 2000 expenditures.

MOVED BY HANSEN, SECONDED BY GEHRING TO ADOPT ORDINANCE #99-1039.\*

Finance Director Spencer noted that this Ordinance establishing the 2000 Annual Budget provides for appropriations, or expenditures, included in the budget and does not require amendment due to actions taken this evening regarding the tax levy and SWM rates. The final budget document will be amended to reduce General Fund property tax levy revenue and SWM Utility Fund revenue due to actions taken by Council this evening. In response to an inquiry by Councilmember DeHan, City Manager Hoggard noted that he does not believe the reduced tax levy increase will require a reduction in General Fund expenditures.

\*MOTION CARRIED UNANIMOUSLY.

**Agenda Bill #1784; Resolution #99-030**

**A Resolution co-sponsoring and supporting a National League of Cities' (NLC) Resolution on Pipeline Safety Improvements - City Manager**

**Summary:** This Resolution co-sponsors and supports a proposed NLC Resolution seeking to strengthen the Federal Pipeline Safety Act.

Oil pipelines are weakly regulated at the Federal level. Yet, "Federal pre-emption" prevents States and local communities from applying their own more stringent safety requirements. The Federal Pipeline Safety Act is due for re-authorization in 2000 and presents an opportunity to both strengthen the Federal procedures, and also to delegate Federal powers to States and allow them to have more stringent procedures if they desire. The proposed National League of Cities (NLC) Resolution is one of many steps that will be required if such a result is to be obtained.

MOVED BY HANSEN, SECONDED BY DEHAN TO PASS RESOLUTION NO. 99-030.\*

Programs Manager Rodwell reviewed the above summary.

Deputy Mayor Thompson stated that Councilmember Gehring and she will be attending the NLC the next week at which she will express the City's concerns on this issue.

\*MOTION CARRIED UNANIMOUSLY.

**PUBLIC COMMENTS:** Linda Snider clarified her desire for the rezoning of the properties west of 36<sup>th</sup> Avenue South. She stated she meant no disrespect to the homeowners west of the avenue. If the City Center Plan is approved, any one of the revisions includes widening of 36<sup>th</sup> Avenue South. When the Colacurcio property is developed, this road will have to be widened. This will turn the area into an uninhabitable neighborhood. She hopes the Council will examine the restrictions of usage that can be done.

**CITY MANAGER'S COMMENTS:** City Manager Hoggard stated that regarding the SWM Ordinance, an Ordinance will be prepared that simply addresses the language changes and clarifications that are necessary with no rate changes, if it the pleasure of the Council. Deputy Mayor concurred.

**COUNCIL COMMENTS:** Councilmember DeHan stated that he spoke on behalf of the Council on November 18 at the Sound Transit Board Proceedings at their Union Square Headquarters. The City prevailed with its selection of the light rail alignment in SeaTac.

Councilmember Brennan thanked all those involved in the many City issues discussed at this meeting as well as the audience for their participation. Secondly, he stated his dismay regarding the appalling comments made by the POS's attorney and staff as to the SWM fees issues. He stated that SeaTac is the only City around that is not suing the POS

regarding the third runway. The City has worked continuously with the POS to resolve issues on the runway construction. He requested that the City draft a strong letter to the POS Commissioners expressed the Council's discontent with the views of their attorney said in the manner in which the threat of suing the City was expressed. Council concurred with sending the letter which Deputy Mayor Thompson requested City Manager Hoggard draft.

Councilmember Gehring inquired as to whether a City representative will be attending the I-695 workshop. Finance Director Spencer stated she will be in attendance. Secondly, Councilmember Gehring stated she attended the Westside Community Meeting held on November 18. The residents would like to receive notice of any meetings relating to the westside rezoning issues.

City Manager Hoggard stated that he conversed with the King County Council regarding the Police budget and its effect on staffing in the City. The budget cuts have been restored and the Community Service Officer's position (Eloise Kruger) will not be uninterrupted. Deputy Mayor Thompson thanked Mr. Hoggard for attending the meeting and bringing these issues before the County Council.

Councilmember Gehring inquired as to the issue of the North SeaTac Park issue with the County. Deputy Mayor Thompson suggested that this issue be sent to the LUPED Committee and bring it back to Council at a later date.

**ADJOURNMENT:**

MOVED BY DEHAN, SECONDED BY STEVENSON TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 10:17 PM.

MOTION CARRIED UNANIMOUSLY.

Terry Anderson, Mayor  
Shirley Thompson, Deputy Mayor  
Judith L. Cary, City Clerk

# SEATAC CITY COUNCIL SPECIAL MEETING MINUTES

November 30, 1999 - 6:00 PM  
City Hall Council Chambers

**CALL TO ORDER:** The SeaTac City Council Special Meeting was called to order by Mayor Terry Anderson at 6:03 p.m.

**ROLL CALL:** Present: Mayor Terry Anderson, Councilmembers Steve Stevenson, Frank Hansen, Kathy Gehring, Joe Brennan, and Don DeHan. Absent: Councilmember Shirley Thompson.

**ADMINISTRATIVE STAFF:** Calvin Hoggard, City Manager; Jay Holman, Assistant City Manager; Kristina Lowrey, Deputy City Clerk; Robert McAdams, City Attorney; Jim Downs, Fire Chief; Steve Butler, Planning Director; Craig Ward, Principal Planner; Holly Anderson, Associate Planner; Bruce Rayburn Public Works Director; Don Monaghan, Assistant Public Works Director; and Lydia Assefa-Dawson, Programs Coordinator.

**FLAG SALUTE:** Boy Scout Taylor Evans-Race led the Council, staff, and audience in the Pledge of Allegiance to the Flag.

Councilmember Stevenson questioned the purpose of the Special Council Meeting. City Manager Hoggard stated that this meeting is necessary in order to handle the heavy workload over the next few weeks. This will avoid scheduling meetings later in December.

Councilmember Stevenson pointed out that the Mayor and three other Councilmembers may call Special Meetings by written notice delivered to all Councilmembers. The intent of Special Meetings is for issues of emergency or when timeliness is critical. He requested that Agenda Bill No. 1786 be removed from the agenda as it is in opposition of the City Council Administrative Procedures. He read a portion from the procedures (section 8): "When a question has been decided, any Councilmember who voted in the majority may move for a reconsideration but no motion for reconsideration of a vote may be made until the next Regular City Council Meeting." The intent of that was to make sure that a Special Meeting was not scheduled when Council was out of town.

City Attorney McAdams stated that there has been no request for reconsideration. The prior agenda bill and proposed Ordinance failed for lack of a majority. This is an item of new business under a new agenda bill number. It can be placed on the agenda pursuant to the administrative procedures.

Councilmember Stevenson left the Chambers at this time.

## **PUBLIC COMMENTS:**

Michael Feldman, Director of Aviation Facilities at Sea-Tac International Airport, commented on Agenda Bill No. 1786. He stated the testimony provided at the November 23 Regular Council Meeting regarding the Surface Water Management (SWM) fees was meant to inform Council about the Port of Seattle's (POS) perspective on the issues and the potential legal vulnerabilities that the POS believes exists if the City increases the SWM fees. He reassured Council that their intent was not to threaten them but to inform them. He submitted a copy of the previous testimony to be included as part of the record (see attached). The POS is not opposed to paying its fair share, including secondary benefits it may receive from the City's SWM system.

Councilmember Brennan stated that he could not conceive of a situation where the City would send its attorney to a Port Commission meeting. The testimony given by the POS Attorney was a threat of a lawsuit.

Mr. Feldman stated that he was not present to hear the testimony given by the POS Attorney. The instructions given were to make Council aware of what the POS felt the legal vulnerabilities are. That might be difficult to do without using the term lawsuit, because that really is the only recourse available to any one that feels the fee has not been a fairly established process. He does not condone the way the testimony was provided.



Discussion ensued regarding communication between City and POS staff.

Glenn Ruth, 14048 24<sup>th</sup> Avenue South, stated that during the last election he received 40 percent of the votes. At that time, he had stated that after the election, taxes would be raised, and now it is happening. The budget increased 21.6 percent, property taxes were proposed to be raised from \$2.90 to \$2.96, now fees for SWM are proposed to be increased 38 percent. Citizens do not mind paying taxes if the Council is held accountable and explains the need for the increase. He stated his objection to the SWM fees increase.

Chris St. John, 16035 42<sup>nd</sup> Avenue South, 45-year resident, stated that Council took an oath to represent, first and foremost, the citizens of SeaTac. He requested that the Council listen to the citizens. The Council is good at handling people, business, and money and have many complicated issues. He stated that Council should handle these issues, but do not come after the citizens property or the small businesses.

## **PRESENTATIONS:**

### **Certificate of Recognition to Taylor Evans-Race for Eagle Scout Landscaping Project**

Boy Scout Taylor Evans-Race reviewed his landscaping project with Council. He recognized other Scouts that helped him and thanked Council for their support.

Mayor Anderson presented Taylor Evans-Race with a Certificate of Recognition for a job well done.

## **Citizens' Advisory Committee Reports**

**ADA Citizens' Advisory Committee:** Vice Chair Michelle Germann reviewed the committee's work plan:

Continue advocating for the formation, training and ongoing funding for a citizens' volunteer patrol group to help law enforcement with the surveillance of disabled parking places violations;

Advocate awareness for proper signage for disabled parking spaces. If there is no signage, a parking violation ticket cannot be enforced;

The "deaf children" signage on South 188<sup>th</sup> Street needs to be more significantly placed or have a flashing light so as to be more noticeable by drivers;

A Special Needs Recreation Program, supported by a grant, ended when the funds were exhausted. The committee is hoping that the program will be renewed; and

Advocate awareness during the development for the New City Hall (NCH) and the City Center regarding consideration of ADA requirements as to the architectural design.

**Human Relations Advisory Committee:** Acting Chair Connie Cook stated that during the past year the committee has become more active for the SeaTac City Council on diversity issues:

Sponsors an Annual Outstanding SeaTac Employee Diversity Award;

Advocated for a Southeast Chamber of Commerce Diversity Award to business in the area that demonstrates leadership in diversity or that works for positive change in a diverse environment – First award was recently given to the Reddot Corporation; and

Raising awareness of common human goals.

**Human Services Advisory Committee:** Chair Carey Roos thanked Programs Coordinator / committee Liaison Lydia Assefa-Dawson for her support of the committee. Mr. Roos reviewed the 1999 Committee accomplishments:

Through the City Council, King County, Lutheran Social Services (LSS), and local businesses support, a task force was formed to review 24-hour childcare;

Toured many Human Services facilities and received staff reports ensuring the interests of SeaTac citizens are being served and the service goals are being met;

Domestic Abuse Women's Network (DAWN) has continued to be a concern. Within the last two months, ten employees have left DAWN and all of the advocates, except SeaTac's, have submitted resignations, effective December 10. The committee will continue to review this issue and advise the Council as to their recommendation;

Toured Ruth Dykeman Children's Center In-Home Counseling;

Through CDBG Funds, SeaTac citizens have received major home repair funding and the Windsor Heights project was also supported;

Served 5,903 SeaTac residents through funds allocated to Human Services agencies that SeaTac supports. SeaTac has

accomplished much through Human Service dollars it generates. A generous amount of this money goes to agencies to bring their services into the City of SeaTac.

The committee's goal for the year 2000 is to recommend ways the City might be able to encourage infrastructure into the City for Human Services. This could be done through business and social service partnerships.

**Planning Advisory Committee:** Committee member Dick Jordan stated that the committee's goals were established in February, and most of them have been accomplished.

Accomplishments regarding issues on:

Code amendments on group homes;

Transit-design;

Extended-stay Hotel;

Gas Stations;

Multi-family Housing;

Property Specific Development Standards;

Parking Standards;

City Center Standards;

Design Review;

Comprehensive Plan Amendment Process; and

City Center Plan.

Mr. Jordan thanked staff for their assistance on the committee. The year 2000 brings on two new members to the committee: Linda Snider and Rick Lucas, replacing Dick Jordan and Dennis Olson.

**Solid Waste Advisory Committee:** Chair Terry Broyles reviewed the committee's accomplishments since last reporting to Council:

Recycling event: collected as much material as normal;

Yard Debris event: served 300 households;

Recycling Centers: the committee has been made aware of complaints regarding illegal dumping. The haulers are not as quick to respond as they use to;

Haulers: The City's current waste system was grandfathered in and is governed by the Washington Utilities and Transportation Commission (WUTC). A presentation to Council earlier this year was regarding taking control of the City's contracts. To start this process, the City must give the haulers a seven-year notice. The WUTC has just determined that after the seven-year period, the City can back out and remain with the WUTC. Rates have been coming in within the last six months and it is clear that Cities with their own franchise have better rates and better service.

King County Regional Plan: King County is being forced to change its 10 and 20-year plans due to competition. The large haulers are using their own transfer facilities, which in effect diverts garbage from the County owned facilities, thus reducing County revenue. All Cities are involved in this effort. If the County rates change, the Cities' rates change. Currently, the City has no control over the rate changes.

**Library Advisory Committee:** Chair Jackie Krutz reviewed the following items:

New Managing Librarian at Valley View Library, Karen Hardiman;

New Program, Talk Time - conversational English as a Second Language (ESL) program on Wednesday evenings.

Currently, American Literacy Core and the Friends of the Library are sponsoring this with funding through June 2000;

Christmas Tree at Library with gifting tags;

The Seattle Christian School Chorus will be performing at the library on December 20, at 2:30 p.m.;

Concerned about the flashing caution light at the corner of South 179<sup>th</sup> Street and Military Road. Even with the light and large signage "do not drive on shoulder", daily from 3:30 until 5:00 p.m., there is a long line on Military Road and drivers become impatient and use the shoulder. The committee would like to lobby for a pedestrian-activated red light.

The electricity is already there; and

Thanked the Council for allowing the library to place a small notice in each issue of the SeaTac Report as to current events and ongoing services at the library.

**PRESENTATIONS (Continued):**

**New City Hall (NCH) Update**

NCH Project Manager Ricky Langford stated that the consultants would be giving an update on the status of the NCH Design Construction. Over the last month, meetings have been held with the departments and the Ad Hoc Design Committee to discuss adjacencies and the site work at the NCH.

Steve Arai, Arai/Jackson Architects and Planners, stated that the last update was given in mid-summer before approval of the site master plan, the design program, and the budget. The schematic design process commenced the first part of November and will be concluded by the end of January 2000. To date, room data sheets and room adjacency workshops have been completed. Also, meetings with the Ad Hoc Committee have been held on building and entering public spaces. There were five key issues from the Ad Hoc Committee: 1) entrances to the building; 2) signage; 3) Parking and Crime Prevention Through Economic Development (CPTED); 4) wetlands; and 5) entrance and pedestrian access to the site.

Mr. Arai reviewed the upcoming schedule: December 14 - Council update for design alternatives (three to five major concepts); end of January - Council update with a preferred concept; design development to conclude in early May; construction documents to conclude at end of September with construction to commence at end of October. At the end of the schematic design, the drawings will be made available for the ADA Citizens' Advisory Committee to review and confirm that the site is compliant with ADA requirements.

**Multi-family Development Standards**

Planning Director Steve Butler stated that tonight's presentation will review issues pertaining to the Multi-family Development Standards.

The reasons the design standards were developed were to improve the quality of living for SeaTac's residents and citizens, the compatibility of future multi-family development projects; and security.

A moratorium has been in place for over a year and was last extended through February 10, 2000. A public hearing was held in May and a Council presentation held in June. An appeal filed by a property owner was reviewed by the City's Hearing Examiner, and was dismissed. The action of the Hearing Examiner was then appealed to the King County Superior Court and is still working its way through their process.

The standards will be before Council at the December 7 Study Session for adoption at the December 14 Regular Council Meeting. If this issue is adopted, the moratorium that is in place will be lifted at the same time as the effective date of the standards.

Senior Planner Holly Anderson stated that the basic issues that will be covered in the design standards deal with site design, building design, vehicular access and circulation, design of surface and structured parking, recreation and open space, incentives, townhouse zone, and small lot single family development.

Ms. Anderson reviewed the provisions for small lot single family, townhouse zone, and open space standards.

An example of multi-family development was shown of a Seattle development. Council discussion ensued.

Mayor Anderson stated that many of the developers cannot develop because of height restrictions. Mr. Butler stated that much depends on the price of the land, which can be based upon the zoning, and FAA restrictions.

**Proposed Comprehensive Plan Amendments, City Center Subarea Plan, City Center Standards and Associated Rezones**

Planning Director Butler stated that this presentation is a follow up on items raised at the November 23 Regular Council Meeting (RCM): 1) rezone of properties west of 36<sup>th</sup> Avenue South; 2) Office/Commercial Medium (O/CM) Restricted uses; 3) Colacurcio property zoning; 4) Main Street Alignment Alternatives; and 5) Multi-family height next to Single-Family dwellings.

Regarding issue no. 1, three questions were raised at the RCM: 1) whether to rezone the eastern side and/or the western side; 2) uses allowed in O/CM Restricted zone; and 3) whether the proposed heights are appropriate for the O/CM

zone. One option is to change both sides of 36<sup>th</sup> Avenue South from Urban Low Residential to O/CM Restricted in the City Center Subarea Plan and to rezone both sides. Staff is recommending that the plan be changed for both sides of 36<sup>th</sup> Avenue South, but only rezone the properties on the east side of the street.

Council concurred with staff's recommendation.

Principal Planner Craig Ward reviewed the list of O/CM Restricted Use proposed changes. Council discussion ensued regarding the list with minor changes being requested.

City Manager Hoggard encouraged Council review the list and refer changes and questions to staff.

Council discussion ensued regarding adding conditional standards to the uses on a case by case basis and reviewing other zones for possible changes. It was agreed that changes to other zones could not be completed this year but could be done at a later date.

Councilmember DeHan stated that there are two different zoning classifications, O/CM Standard (existing), and O/CM Restricted (proposed). Both zones will exist even after the restricted zone is adopted. The proposed zone is more restrictive on what types of businesses can be next to residential areas. The two zones are being reviewed to be applied to the City Center Zoning Map with the understanding that a South 188<sup>th</sup> Street Study will be done where Council can put in a Comprehensive Plan change in the early 2000 and rezone the properties on South 188<sup>th</sup> Street more appropriately.

Mr. Ward stated that the City Center Plan shows a proposed land use designation for the properties on South 188<sup>th</sup> Street of Medium Density Commercial. O/CM is a zone allowable within this designation. Changing from O/CM Restricted to O/CM Standard would fall within the land use designation for these properties.

Mr. Butler stated that what was presented at the November 23 RCM was the recommendation of the Planning Advisory Committee (PAC). What is being presented tonight is a tighter version of the committee's recommendation.

Mr. Hoggard stated that the City is establishing a new zoning category of O/CM Restricted, which does apply to other areas of the City so it is important to decide what that category will include.

Mr. Butler stated that the Colacurcio zoning issue was discussed at the November 23, 1999 RCM. There are four options and Council direction was for Option 1: O/CM Restricted Zone, subject to a development agreement. Staff reviewed that option in more detail and realized that the development agreement needed to be examined further. Staff is asking Council for more guidance on a few issues. Discussions in September with the applicant/property owner looked at limiting the uses and also dealt with the right-of-way (ROW) issue. The ROW issue is subject to potential litigation and is best discussed in Council Executive Session. Staff is asking for more clarification in terms of staff discussions with the property owner and whether or not Council wished to pursue this issue.

Mr. Butler reviewed an outline for a proposed letter of understanding (LOU) with the Colacurcio property. The following issues are included in the proposed LOU: right-of-way, land use/zoning/density, wetlands, traffic light at South 188<sup>th</sup> Street and 36<sup>th</sup> Avenue South, and development agreement.

Mr. Butler stated that if Council chooses Option 1, but would like to take the ROW issue off the table, and keep the townhome development. At this point, the owners are not interested in doing primarily townhome, with some garden style, without some other consideration.

Mr. Hoggard stated that this scenario under the O/CM Restricted was in the context of a packaged negotiation. They currently have zoning UH-900 which is less restrictive than O/CM, but staff was trying to respond to concerns heard from the Council and the community. In essence, staff is coming forward with an option that is buying down that density to a level more acceptable to the community by virtue of putting City dollars into that ROW. By doing that, the City was offsetting the negative at the bottom line and drafting their project for them. If staff tells the owners that the City is withdrawing consideration for any acquisition of ROW, the owners would probably be satisfied with the

current zoning. They may also question, why should any restrictions or downzone be acceptable.

Mayor Anderson stated that the City rezoned the property at the owner's request. That made this ROW worth a great deal more than before it was rezoned. The owner is asking the City to pay full market value for the property.

Discussion ensued regarding the option of a right-of-way across the wetlands. It was determined that would be very expensive.

Mr. Ward reviewed the advantages, disadvantages, and costs for the five Main Street Alignment Alternatives. Alternatives One and Two have already been assessed in the Environmental Impact Statement (EIS) for the City Center. The other alternatives, however, may require the City to do a Supplemental EIS based on the existing plan. South 182<sup>nd</sup> Street would be closed in Alternatives Four and Five.

### **Port of Seattle's (POS) Proposed Change to Westside Rezoning Process**

Mayor Anderson read the following statement from Councilmember Thompson: "I am reiterating my stand on the Westside. No further work should be done until all properties, including homes, have been purchased and everyone has moved."

Mr. Butler reviewed the Westside Conditional Rezoning Map that indicates the existing boundaries and rezones and the areas that the POS and City staff discussed as being an alternative approach that would meet some of the needs of the POS.

POS Senior Planner Troy Brown stated that since the City adopted the Rezone Ordinance in 1998, the POS has done more design work on the runway project. The POS is now proposing rezones in three key areas: northern portion, central portion, and southern portion, areas that the POS has identified for activities needed for the runway construction in year 2000.

Mr. Brown stated that the initial request was for a 50 to 60 percent rezone. The request has been scaled down and this is the first phase. City staff was concerned about adequate buffering between construction related activities and the remaining residential properties. The POS intends to protect any residents remaining by providing a very substantial buffer of property that the POS already owns that would not be proposed for rezone at this time. The POS would provide at least a 20 foot minimum buffer between POS property and the adjacent residences. The POS would maintain the existing vegetation and put in fencing.

Mr. Brown reiterated the POS commitment through the ILA that the POS would follow best management practices for construction activities on these parcels.

Mayor Anderson stated that a 20 foot buffer zone is not a big enough.

Mr. Brown stated that 20 feet is required by current City Ordinance. There may be the potential to review certain cases where that could be expanded. In the central area, the POS has proposed Type A landscaping, maintaining the existing vegetation and putting in a full visual landscaping screen.

Council discussion ensued regarding the buyout of the remaining houses and the restriction of work hours. City Attorney McAdams stated that the current agreement provides for the rezone upon acquisition of the property changing ownership. POS Construction Manager Earl Munday stated that the restriction of hours is already in the Noise Ordinance. Noises are not to impact the residents in the off-hours.

Upon a question by Councilmember DeHan, POS Senior Acquisition Specialist Pat Proulx stated that once an offer has been made on a property and been accepted, after 30 days, the homeowner is allowed in escrow in 90 days before they are required to vacate. If it goes into second and third appraisals, it could take six to eighteen months.

Charles Schuh, 1006 South 174<sup>th</sup> Street, stated that according to the best management practice of exhibit D of the ILA, it would be impossible to monitor the noise.

Mr. Butler stated that there are two choices before the Council: 1) stay with the current process; or 2) come up with a different approach along the lines of what the POS is requesting. Staff needs Council direction.

Mr. Munday stated that the earliest construction would start in March or April. Most of the buyouts should be settled by then. The reason the POS is requesting the rezone now is that in order to start work in March or April, the POS needs to go out to bid in early January 2000.

An unidentified citizen stated that an issue that is being overlooked is the matter of the dirt being hauled and the excavation that is going to occur in the middle section. Her property is above SR 509. In 1998, when they were hauling a lot of dirt on SR 509, her house got tons of dirt on the outside.

Councilmember DeHan stated that it is his understanding that Council would like accelerated acquisition and large buffer zones but that staff should continue working with the POS. Council concurred.

Mr. Schuh stated that he lives adjacent to the southend area where the POS is proposing an on-ramp to SR 509 for hauling trucks. This was first proposed by the POS to the City in mid-September. He stated his disappointment that this is still being considered, giving the existing regulations and Ordinances. He urged Council not to give the rezone acceleration request any further attention.

Councilmember Stevenson returned at this point in the meeting (9:12 p.m.).

*(The order of the agenda items was changed.)*

#### **Upcoming Legislative Issues**

Assistant City Manager Holman stated, regarding Initiative-695, there is discussion of using the State's Contingency Fund for hard hit public service areas. There will be some legislative challenges on this issue. At this time, there is no consensus on any solution. There will again be an effort to assist Cities with unfunded mandates.

After the City's "victory" last year regarding SR-509, I-695 has stopped major highway construction funding. The City still has significant design funds so that design effort can proceed. Staff has heard that the City has the only major pending Washington State Department of Transportation (WSDOT) project (SR-509) that has not been completely stopped due to I-695.

A bill will be introduced to establish a State Office of Pipeline Regulation. Proposed legislation would create more local involvement in pipeline safety if Federal preemption issues can be addressed. Federal legislation will be proposed next year that would provide for more local level accountability.

LEOFF II could easily be a financial problem for Cities. The total Statewide impact last year was estimated at \$5.8 million. It would have allowed early retirement at age 50, with 15 years of service, and only a two percent early retirement penalty. This year they are considering age 53.

A bill will be introduced to provide for more local control for gambling. The Association of Washington Cities (AWC) says local control authority is in effect but others say the law needs clarification. A City would be specifically authorized to exercise its planning and zoning powers with respect to social card game activities.

The City is planning to work with local school districts (particularly Highline) and neighboring Cities to obtain capital funding preference for area schools.

A new group of building codes has been created, the International Codes, that combine the three existing United States Codes into one. Washington State must change current law to allow for the adoption of any codes other than the Uniform Codes. The Plumbers Union is lobbying the State Legislature not to change the law as their union would lose the control without the Uniform Plumbing Code.

The City would like to be able to use the Hotel/Motel Tax for other purposes than strictly tourism related. This will be very difficult to accomplish.

### **Consideration of a Memorandum of Agreement (MOA) between Tukwila and SeaTac regarding Potential Annexation**

Planning Director Butler stated that at the November 23 RCM, Council discussed the unincorporated King County section at the southeast City Boundary that both the Cities of SeaTac and Tukwila are claiming. Staff received clear Council direction on how to deal with the land use issue. Mr. Butler has had some discussions with the Tukwila Planning Director as to whether or not it made sense to draw a line in this area before going to the Boundary Review Board, whether or not certain sections should go to Tukwila and certain sections to SeaTac when annexation occurs. Council's direction was for staff to discuss with the residents exactly what they want. At this point, it is Council's desire that staff halt discussions with Tukwila about dividing up the property until staff has had a chance to talk with those residents in 2000.

Mr. Hoggard stated that there was also the issue as to the balance of the cost for maintaining that substantial section of Orillia Road versus the tax base that would be generated there.

Council discussion ensued regarding whether it is worth continuing with these discussions. Council concurred to leave the matter as is and not continue with discussions at this time.

### **NEW BUSINESS:**

#### **Agenda Bill #1786; Ordinance #99-1042**

#### **An Ordinance amending the Surface Water Management (SWM) Program of Chapter 12.10 of the SeaTac Municipal Code (SMC) and increasing the Annual Service Charges - Public Works**

**Summary:** This Ordinance amends the SWM Program and increases the annual service charges in accordance with the recommendations of the 1999 Comprehensive SWM Rate Study.

In December 1992, Council adopted Ordinance No. 92-1052 establishing the annual SWM fee at \$60 per residential unit beginning in 1994. The 1993 rate was set at \$45 per residential unit by this same Ordinance in order to step the increase. It was expected at that time that this rate increase was implemented that it would adequately fund the SWM program for approximately five years. One of the Capital Improvement Projects that was to be funded by this rate increase was the preparation of a Surface Water Plan, which was completed in July 1997. A detailed analysis of rates and program cost was not part of the plan preparation. Therefore, it was recommended that a detailed analysis of rates and program costs be performed to optimize the cost and utility rates needed to support providing the recommended surface water services to the community. During that same time frame, the City was negotiating an Interlocal Agreement (ILA) with the POS. As part of these negotiations the City agreed to conduct a study of its SWM fees. The City subsequently advertised, interviewed and selected a consultant to perform an analysis of its SWM service charges. The City entered into a consultant contract with Economic and Engineering Services, Inc. (EES) on June 9, 1998. The consultant performed the analysis and prepared the City's Comprehensive SWM Rate Study, which recommends service charges that would support the SWM Program at an acceptable level. The recommended service charge for each specific category of property is defined in the Ordinance. The proposed increase in the service charges is 38 percent for all properties except for mobile homes where the proposed increase is 3.5 percent.

Upon a question posed by Councilmember Stevenson, Council discussion ensued as to the legality of again reviewing this item.

Mr. Hoggard stated that there were necessary language changes in the agenda bill that was before Council at the November 23 RCM. It is necessary to bring this Ordinance before Council to address at least that element, aside from the rate changes.

Councilmember Gehring stated she is not convinced that the fee increase is needed. She stated that her vote is no.

*(Councilmember Gehring left the meeting at 9:12 p.m.)*

MOVED BY HANSEN, SECONDED BY BRENNAN TO ADOPT ORDINANCE NO. 99-1042.\*

Councilmember Hansen stated that Council has extensively studied this issue for a couple of years, before I-695 was

erected. SWM is one of the City's major concerns. Council and staff has carefully analyzed this issue and done everything correct in this procedure.

Councilmember DeHan stated that nobody can deny the fact that there are certain maintenance and operation costs that are going to continue whether capital improvements are done, but indeed, the capital improvements have been put forward to the Council and have been argued as having merit. The Transportation & Public Works (T&PW) Committee has said this is one way to get the SWM system and process up-to-date. Also, it became clear during the November election that bond indebtedness is not the preference of many of the SeaTac rate payers. The option for that is a "pay-as-you-go" program that has been advocated by many of the Councilmembers for some time. The program means an increase in the SWM Fee. Percentages are somewhat misleading, because in actuality, the percentage is larger than the fee amount. Although the proposed increase is 38 percent, the average residential property fee will increase by only \$22 a year.

**\*UPON A ROLL CALL VOTE, THE MOTION PASSED WITH ANDERSON, HANSEN, BRENNAN AND DEHAN VOTING YES AND STEVENSON VOTING NO.**

**RECESSED:** Mayor Anderson recessed the meeting to an Executive Session on Potential Litigation at 9:40 p.m.

**EXECUTIVE SESSION: Potential Litigation**

**RECONVENED:** Mayor Anderson reconvened the meeting at 10:25 p.m.

**NEW BUSINESS (Continued):**

**Agenda Bill #1739; Ordinance #99-1043**

**An Ordinance granting Seattle City Light (SCL) a Non-exclusive Franchise to install, operate and maintain an Electric Utility System in the City of SeaTac - Public Works**

**Summary:** This franchise allows SCL to provide service to SeaTac residents. The franchise outlines the rights and responsibilities of both the City and SCL for the installation of facilities and the ongoing operation and maintenance of these facilities.

SCL generally serves that portion of the City lying north of South 160<sup>th</sup> Street and has done so since before incorporation. It is required that a utility wishing to install their facilities in the rights-of-way of the City to secure a franchise. The purpose of the franchise is to formalize the rights and responsibilities of the City and the franchisee as it relates to the franchisee's facilities and the City's public right-of-way.

Built into SCL's rate structure is a six-percent utility tax that all customers pay, which in turn, is paid into the City of Seattle general fund. With the pending deregulation of the electric utility industry and the objections over the utility tax distribution, SCL entered into franchise negotiations with those Cities within its service area. The City of Shoreline had the most to gain with regards to the utility tax issue, and therefore, was the first City to complete the negotiation of a franchise. Using that franchise as a model, Public Works staff entered into negotiations with SCL. Besides the utility tax issue, the City had street lighting, undergrounding and permitting issues that it wanted the franchise to address. These issues were negotiated to the satisfaction of City staff with SCL. Therefore, it would be timely to grant a franchise to SCL to cover the facilities that are already in the City's ROW as well as those that will be installed in the ROW in the future.

**MOVED BY BRENNAN, SECONDED BY HANSEN TO ADOPT ORDINANCE NO. 99-1043.**

**MOTION CARRIED UNANIMOUSLY WITH STEVENSON ABSTAINING, GIVING NO REASON.**

**Agenda Bill #1757**

**A Motion approving and authorizing the City Manager to execute a Contract with Best Parking Lot Cleaning for Street Sweeping Services - Public Works**

**Summary:** This contract will provide street sweeping services which include arterial streets (12 times per year),



residential streets (four times per year) and emergency or additionally scheduled sweeping and/or street flushing services on an as needed basis.

On Monday, November 15, 1999, bids were opened for the Year 2000 Street Sweeping Contract. A total of four bids were received. The low bid was submitted by Best Parking Lot Cleaning. Using a private vendor is more cost effective for the City and the City is able to control the quantity and quality of the street sweeping services. The low bidder's references have been verified and appear reasonable.

MOVED BY BRENNAN, SECONDED BY HANSEN TO ACCEPT AGENDA BILL NO. 1757.

MOTION CARRIED UNANIMOUSLY WITH STEVENSON ABSTAINING, GIVING NO REASON.

### **Agenda Bill #1758**

#### **A Motion authorizing the City Manager to enter into a Contract to prepare Land Use Plans for Light Rail Stations - Planning / City Manager**

**Summary:** Staff recommends that Callison Architecture, Inc. be selected to prepare market analyses of station area land uses, conduct public outreach, prepare development alternatives, and draft marketing prospectuses for light rail station areas in the City.

The Memorandum of Understanding (MOU) and related Work Program between the City and Sound Transit provides for the City to prepare land use plans for light rail station areas. Four firms were interviewed on August 6, 1999: Callison Architecture, Inc., Cascade Design Collaborative, Economic Research Associates, and the IBI Group. The interview committee unanimously recommends Callison Architecture, Inc. as the team best suited to perform the Scope of Work as demonstrated by the quality of their written proposal and oral presentation, the qualifications and balance of their team, and their proposed approach to the project.

The proposed Scope of Work calls for the assessment of alternative land uses and development regulations for station areas as proposed in the adopted Sound Transit Locally Preferred Alternative (LPA): South 154<sup>th</sup> Street, North End Airport Terminal (NEAT), South 184<sup>th</sup> Street, and South 200<sup>th</sup> Street.

Most of the project effort is to be directed at the South 154<sup>th</sup> Street and South 200<sup>th</sup> Street station areas, as the City Center Study has already assessed most of the issues related to the station areas at NEAT and South 184<sup>th</sup> Street. In addition to updating market analyses of station area land uses, conducting public outreach, preparing development alternatives, and proposing land use plans and development regulations, the project includes preparation of marketing prospectuses for each of the four station areas that will provide potential developers with a clear vision of the City and Sound Transit's expectations for appropriate station area development.

MOVED BY DEHAN, SECONDED BY BRENNAN TO ACCEPT AGENDA BILL 1758.\*

Mr. Butler stated that this issue was brought before Council over a month ago, at which time Council requested it be carried over until after the Sound Transit Board's decision, November 18. Sound Transit agreed with SeaTac's alignment and the station locations requested by the City. The main focus of the stationary planning will be on South 200<sup>th</sup> Street and South 154<sup>th</sup> Street.

Councilmember DeHan stated that this MOU falls in line with the LPA Sound Transit passed two weeks ago. It primarily deals with South 154<sup>th</sup> Street and South 200<sup>th</sup> Street in that the NEAT Station will be entirely on POS property and South 184<sup>th</sup> Street is planned for the future. This primarily deals with egress and access to POS property for the NEAT Station or the InterModal Center (IMC) Station.

\*MOTION CARRIED UNANIMOUSLY WITH STEVENSON ABSTAINING, GIVING NO REASON.

### **Agenda Bill 1688; Ordinance #99-1044**

#### **An Ordinance amending Section 5.05.010 of the SeaTac Municipal Code to include the renting or leasing of**

**residential occupancies within the definition of "business" required to be licensed – Legal**

**Summary:** Although meetings are still ongoing with the residential rental property owners and managers to determine the most appropriate and acceptable means of regulation, it is necessary to impose the standard business license fee on such business activities.

The City is desirous of obtaining a database as to residential rental premises, and is further desirous of ensuring decent, safe, and sanitary housing, over and above the provisions of the Residential Landlord-Tenant Act. The City has been hosting meetings with residential rental property owners and managers to determine the most appropriate and acceptable means of regulation to accomplish those purposes. The said meetings and receipt of comments and input are continuing. It is necessary to immediately include the renting or leasing of residential occupancies within the definition of businesses subject to the standard business license fee. The City Council is committed to modifying, as soon as practicable, specific regulations applicable to rental businesses after all input from owners, managers, and other interested persons is obtained and reviewed.

MOVED BY HANSEN, SECONDED BY BRENNAN TO ADOPT ORDINANCE NO. 99-1044.\*

Mr. McAdams reviewed the above summary.

\*MOTION CARRIED UNANIMOUSLY WITH STEVENSON ABSTAINING, GIVING NO REASON.

**CITY MANAGER'S COMMENTS:** City Manager Hoggard had the following items: 1) letter has been prepared for Council signature regarding the POS tactics as to the SWM fee increase; 2) T&PW Committee meeting, scheduled for December 21, has been cancelled; 3) Chief of Police Services Somers was excused from attending tonight's meeting due to supporting the World Trade Organization (WTO); and 4) White Paper on Olympic Pipeline was distributed to Council. The unfortunate aspect of this issue is that the City is not in a safe situation right now. Expert help has been obtained to assist the City in reviewing some of the issues the City is having to deal with. December 13 the City of Bellevue is sponsoring a forum on the pipeline.

**COUNCIL COMMENTS:** Councilmember DeHan stated that he assisted the Secretary of State and POS staff in welcoming the WTO delegates. There were no demonstrators at the airport. While there, he had an opportunity to talk with POS representatives regarding the POS appearance at last week's RCM. They apologized and stated that it was not their intent to threaten the City.

Councilmember Hansen stated that he too welcomed the WTO delegates and spoke with POS representatives who were most apologetic. The POS wants to work with the City. He suggested that the City take a renewed look at the issue.

**ADJOURNMENT:**

MOVED BY DEHAN, SECONDED BY HANSEN TO ADJOURN THE SPECIAL MEETING OF THE SEATAC CITY COUNCIL AT 10:40 PM.

MOTION CARRIED UNANIMOUSLY.

Terry Anderson, Mayor  
Kristina Lowrey, Deputy City Clerk

# SEATAC CITY COUNCIL SPECIAL MEETING MINUTES

December 7, 1999 - Immediately following the Study Session  
City Hall Council Chambers

**CALL TO ORDER:** The SeaTac City Council Special Meeting was called to order by Mayor Terry Anderson at 6:06 p.m.

**ROLL CALL:** Present: Mayor Terry Anderson, Councilmembers Steve Stevenson, Shirley Thompson (arrived at 6:12 p.m.), Joe Brennan, and Don DeHan. Absent: Councilmembers Frank Hansen and Kathy Gehring.

**ADMINISTRATIVE STAFF:** Calvin Hoggard, City Manager; Jay Holman, Assistant City Manager; Judith Cary, City Clerk; Robert McAdams, City Attorney; Elizabeth Spencer, Finance Director; Julie Rodwell, Programs Manager; Steve Butler, Planning Director; Craig Ward, Principal Planner; Holly Anderson, Associate Planner; Bruce Rayburn, Public Works Director; Don Monaghan, Assistant Public Works Director; Jim Downs, Fire Chief; and Scott Somers, Chief of Police Services.

**FLAG SALUTE:** Councilmember DeHan led the Council, staff, and audience in the Pledge of Allegiance to the Flag.

## **PUBLIC HEARING:**

### **Citywide Rezones (both City Center Plan-Related and Non-City Center) - Planning**

Mayor Anderson opened the Public Hearing at 6:07 p.m.

Planning Director Steve Butler summarized the two sets of 1999 proposed zoning reclassifications: Non-City Center and City Center-related.

There were five Non-City Center rezone requests/proposed actions: 1) Westside, recommended by staff to be deferred; 2) Seattle Public Utilities Reservoir site to be considered for approval; 3) SunReal proposed area, recommended for a Conditional Rezone per notice of property ownership by SunReal; 4) Lutheran Social Services (LSS) site, recommended by staff for rezoning with property specific conditions and uses; and 5) Washington Memorial Park Cemetery, recommending by staff for a rezone to Park.

Principal Planner Ward stated that staff has had communication with Burien staff who were concerned about the proposed westside rezone and the impact it would make on Burien residents across the street from the rezone. City Manager Hoggard stated that he spoke with the Burien City Manager as well as received a letter to the SeaTac Council outlining their concerns. He stated that he would recommend deferment of the rezone and revisit this issue next year. Mr. Hoggard also recommended approval of the Comprehensive Plan changes. Council concurred with Mr. Hoggard's recommendations.

Mary Jackson, 3422 South 187<sup>th</sup> Street, submitted her letter and a letter from Martin Stickle, 18608 36<sup>th</sup> Avenue South, which she read, as well as a petition from Bow Vista homeowners, stating their opposition to two City Center proposed rezones (Colacurcio and the 36<sup>th</sup> Avenue South properties). She added that the residents oppose the change of 36<sup>th</sup> Avenue South to the Main Street thoroughfare, adding that the community does not want to be surrounded by commercial endeavors.

Linda Snider, 18700 36<sup>th</sup> Avenue South, stated that she read the complete draft City Center Plan, the draft Environmental Statement (EIS), and the Executive Summary. She felt she needed to rethink her position on their property as it relates to the City's plans after reading the material and after discussions with eight property owners on the eastside of 36<sup>th</sup> Avenue South and directly behind her property. As a result, a request was made for their properties to be included in the City Center Plan boundaries and Comprehensive Plan amendment. The changes being requested are in direct line with the City Center Plan. She commended the Council for striving to keep the City in line with Washington mandates through the Growth Management Act (GMA), as well as having a vision for the City to carry

out this plan to modernize the appearance of the City and help meet with high quality housing and an identifiable City Center Core. She encouraged citizens to volunteer to assist the Council and staff in developing the City in the best interest of its residents and businesses.

Lynn Crawford, 3242 South 187<sup>th</sup> Street, stated her opposition to the proposed rezones (Colacurcio property west of the Bow Vista Community, the 36<sup>th</sup> Avenue South properties and the alternate Main Street acquisition on 32<sup>nd</sup> Street). She added that the rezones would completely land-lock their community with commercial properties and devalue their homes. The new City Hall (NCH) would take on the appearance of commercial which would complete the encirclement. Her main opposition is the development of 36<sup>th</sup> Avenue South as a main thoroughfare. She suggested Military Road as a connection to South 188<sup>th</sup> Street to International Boulevard, ending with South 170<sup>th</sup> Street, which would surround the City and not divide it.

Gladys Gould, 3437 South 186<sup>th</sup> Street, wants to continue to reside in her home and would like to see this issue resolved in a manner that would satisfy the involved parties.

Elizabeth Dezutter, 3219 South 186<sup>th</sup> Street, a resident since 1959, stated her opposition to all rezoning.

Thai An Blanchard, property owner of 18703 36<sup>th</sup> Avenue South, stated her support of the rezoning.

Richard Aramburu, attorney at 505 Madison Street, Seattle, spoke on behalf of the property owners at 15416 Des Moines Way South, a part of the westside rezoning area, immediately adjacent to the northend of the third runway. The property owner has requested that it be rezoned to a community business as the area is not suitable for single family use (current zoning). The property owners have been informed that there has been a change in this designation of these properties favoring the Port of Seattle (POS). He requested that the Council refuse to change the staff's recommendation with respect to this property and rezone from single family to community business.

Charles "Ted" Watts, attorney at 10900 Northeast 4<sup>th</sup> Street, Bellevue, spoke on behalf of the Colacurcio property owners. He relayed the history of the property as agricultural, Colacurcio family ownership since 1945, and the various proposals of rezoning during the moratorium. The owners have been prepared to submit an application to the City using the UH 900 zoning classification. They will be happy to work with the City on a development agreement. The property is 17 acres of key land in the City. It is not Commercial Retail Office property as originally proposed by the City. They cannot continue to operate with the moratorium in place, which ends in February 2000, hopefully with a Resolution to resolve the entire City Center concept issue.

Christine Caviness, 18603 36<sup>th</sup> Avenue South, stated her opposition to the proposed rezones to the Colacurcio and 36<sup>th</sup> Avenue South properties. She added that the negative environmental impact to her neighborhood would be overwhelming. She questioned as to whether there has been a traffic impact study done and, if so, requested a copy be mailed to her, as well as any EIS on the Bow Vista community. She requested the eastside of 36<sup>th</sup> Avenue South property owners withdraw their rezoning request.

Martha Stickels, 18608 36<sup>th</sup> Avenue South, stated her opposition to the rezoning. She stated she has a handicapped child and does not want low-income apartments built in her neighborhood. This would not be a good environment for the neighborhood children.

Deeann Puffert, Child Care Resource, 15015 Main Street, Bellevue, encourages the Council to support the rezoning of the LSS property. The reason for her advocacy is that the agency is not only committed to servicing the seniors' housing needs but are also proposing an inclusion of a Child Care facility. It would offer a unique opportunity for seniors and children to be together. The limited source of flexible child care in the City affects SeaTac businesses and working parents.

Bill Ravander, 15818 Des Moines Way South, resident of the SeaTac area since 1949 and living in the POS buyout area, stated his opposition to this rezoning until either all the properties have been bought out or be rezoned all

together in that area. He feels the City has abandoned the westside residents. He added that the POS is difficult to work with, such as with their unfair appraisals.

Virginia Storm, 3232 South 186<sup>th</sup> Street, resident since 1955, stated her opposition of the rezoning.

Jennifer Storm, 3232 South 186<sup>th</sup> Street, stated that the rezoning of the Colacurcio 36<sup>th</sup> Avenue South properties to Office Commercial Medium (O/CM) would harm the integrity of their neighborhood and lead to the possible destruction of their long standing community. She urged the Council to vote accordingly. She suggested the City buy the Colacurcio property and make it into a park.

Vergie Drury, 18620 32<sup>nd</sup> Avenue South, stated her concern about the area between 36<sup>th</sup> and 32<sup>nd</sup> Avenues South. She questioned as to why this is happening to their community.

Gary Hickam, 3409 South 187<sup>th</sup> Street, a 20-year resident, opposes the rezoning of the Colacurcio and 36<sup>th</sup> Avenue South properties to O/CM. He agreed with Mrs. Storm in making the Colacurcio property into a park. He also suggested the City buy the Patterson property and make it into a parking lot with a walkway across South 188<sup>th</sup> Street to the NCH.

Kenneth Schultz, 3415 South 187<sup>th</sup> Street, resident since 1956, spoke in opposition to the rezoning of the Colacurcio and 36<sup>th</sup> Avenue South properties to O/CM. He plans to make this his retirement home.

Mark Johanson, Sr., 3412 South 187<sup>th</sup> Street, a new resident of SeaTac, stated that his family has been warmly welcomed and they are enjoying the community spirit. He stated his opposition to the proposed rezoning.

Mary Hoey, 18609 36<sup>th</sup> Avenue South, reiterated, from past meetings, her opposition to the rezoning to O/CM in her neighborhood.

Rod Spencer, 18624 39<sup>th</sup> Avenue South, spoke regarding the proposed rezoning of the LSS property. He attended a Planning Advisory Committee (PAC) meeting in which he stated his opposition to rezoning to O/CM Restricted. Since that time, site specific conditions have been placed on the property, making sure the LSS would develop the property as senior homes and community service projects such as child care. He appreciates this plan and is not opposed to the LSS's plans for the property.

Pat Patterson, 4221 South 185<sup>th</sup> Street, stated that, over the years, major improvements have been made to the City, such as International Boulevard, neighborhood sidewalks, Valley Ridge Park improvements and the future NCH. He feels the City is doing a good job on the City Center Plan. To-date, the City is seen as a conglomerate of hotels and houses surrounding the airport. This plan is an opportunity for the City to establish a much needed urban core and in the process, is meeting GMA requirements. It will also give the City the opportunity to provide high quality housing in an era of unprecedented growth. Without the central core improvement and the investment in infrastructure, the City will age and depreciate, while the surrounding Cities continue to progress. The proposed improvements will attract higher quality businesses, which in turn, will attract higher paying jobs, leading to an increased tax base and improved schools and public services. The SeaTac residents deserve these benefits. He stated that the City Council has a record of doing an outstanding job and he encouraged them to continue and vote for the Comprehensive Plan and the proposed rezones.

Ben Stark, 1310 South 230<sup>th</sup> Street, stated that the Westside Steering Committee discussed the westside rezoning in length and they would like the issue postponed until the POS buyout has been completed. They do not want any additional disruption to their neighborhood.

Councilmember Brennan spoke in length regarding the input at the public hearing. Residents of all of the rezoning areas have been represented in the hearing proceedings. However, something is going to occur in these areas whatever is done. As stated by the Colacurcio attorney, the area was rezoned before the City incorporated to Residential High

(RH) 900 which is currently Urban High (UH) 900. The moratorium on multi-family dwelling has been in place for over a year and is soon to be at State Statute limits of restricting zoning by moratorium. The City has to move ahead. The original plan was to build 490 apartments on the property, which would have placed a large burden on the local schools. Currently 36<sup>th</sup> Avenue South is the only way into the property. There is no way the City can stop the developer from building up to 490 apartments. The issue has been studied by staff, committees and in Council meetings during the moratorium period. The Bow Vista community is one of the most solid core neighborhoods of the City. The City has been studying ways to develop this area for less than the 490 apartments. A park in this area would cost the City taxpayers to purchase, maintain, and police this land. SeaTac has more park acreage than any of the surrounding Cities. It would take a balancing act to satisfy all parties. The Council and staff have put forth their best effort to arrive at a fair plan. Mayor Anderson agreed with Councilmember Brennan's remarks on the City's purchase of the Colacurcio property for a park. Supporting a park is an expensive proposition and the City now has more than its share of parks Countywide.

Councilmember Thompson stated that it seems to be the perception that the rezoning will take place immediately. It is a 20-year plan. The City is complying with the GMA requirements. SeaTac is one of the last areas in the County where homes can still be purchased at a reasonable cost. The Council has no desire to eliminate any more homes than necessary. The airport is buying over 500 homes and in the next 10 to 15 years, they will probably buy another 600. What the City is doing is planning and complying with regulations and requests for rezoning and at the same time assuring that only quality business construction takes place.

Council added that the public is welcome to contact each of them, as input is important to their decision making. Mayor Anderson added that a road is not going to be constructed through the Bow Lake Mobile Home Park (BLMHP). That will be a decision of the park owner and they do not see any change in their property for the next 20 plus years.

Steve Crosby, property owner of 3416 South 32<sup>nd</sup> Avenue South, stated that with all the airport parking in the City, he suggested that the City buy the Colacurcio for a parking lot and shuttle bus. City Attorney McAdams clarified that municipalities cannot acquire property for the sole purpose of making a profit in a private enterprise. It is only if there is a public purpose that real property can be purchased and operated, such as for a utility or for the normal function of City government.

Councilmember Brennan added that the largest parking structure in the country is the SeaTac airport and from it and all the private parking lots in SeaTac, the City acquires \$1 for every car that parks in their lots. That is what is paying for the City projects and keeps the property taxes as low as possible. SeaTac has the least Ad Valorem taxation in all the surrounding Cities at \$2.90.

Gary Hickam added that perhaps the City ought to raise the parking tax by \$.50 so the City would have the funds to buy the Colacurcio property for a park.

Pat Carter, 3041 South 201<sup>st</sup> Street, stated that the parking tax monies can only be used for roads and the Hotel/Motel tax funds can only be used for tourism-related projects. City Manager Hoggard concurred, however, stating that nothing prevents citizens from lobbying their legislators to change those statutes. Kevin Hamlet, 3218 South 182<sup>nd</sup> Street, regarding a use of the Colacurcio property and paying for a park, suggested a parking lot for carpool users for private businesses to rent.

John Kenny, 18305 Southeast Newport Way, Issaquah, representative for the Colacurcio property, stated that it was not the landowners who proposed the zoning, it was proposed by the City and they have been trying to work with the City to bring down the density. Some trade-offs will most likely have to be made in order to get 490 units down to 220-230. He stated that he does see a workable solution. He added that, as of this morning, Mr. Colacurcio once again offered the property to the City at a discount. Councilmember Brennan stated that the City will continue to work with the landowner to achieve a solution.

Mayor Anderson closed the Public Hearing at 7:37 p.m.

*(Councilmember Stevenson left at this point in the meeting.)*

**RECESSED:** Mayor Anderson recessed the Special Meeting for a five-minute break at 7:37 p.m.

**RECONVENED:** Mayor Anderson reconvened the Special Meeting at 7:42 p.m.

**NEW BUSINESS:**

**Agenda Bill #1571; Ordinance #99-1045**

**An Ordinance amending the Development Review Code establishing a Procedure for consideration of Development Agreements – Planning**

**Summary:** The proposed amendments are intended to provide procedures for the approval of development agreements. The amendments were presented to the Land Use, Parks, and Economic Development (LUPED) Committee on November 9, 1999, with three different options regarding the review body that would conduct the public hearing for development agreements. These options are: 1) The City Council would conduct the public hearing. The Council's decision would be final unless appealed to Superior Court; 2) the Hearing Examiner would conduct the public hearing. His decision would be final unless appealed to the City Council; or 3) the Hearing Examiner would conduct the public hearing. His decision would be final unless appealed to Superior Court.

The LUPED Committee recommended the Option 1 regarding the approval of development agreements.

Under the Revised Code of Washington ([RCW 36.70B.170](#)), development agreements are authorized between the City and a property owner. An agreement is intended to vest a developer with a project proposal with the regulations in effect at the time of the development agreement. [RCW 36.70B.170](#) (1) states in part "A development agreement must set forth the development standards and other provisions that shall apply to and govern and vest the development, use, and mitigation of the development of the real property for the duration specified in the agreement. A development agreement shall be consistent with applicable development regulations adopted by a local government planning under [chapter 36.70A RCW](#). The agreement provides certainty to a developer that the development regulations will not change between the time he/she may be arranging financing for a project and the actual time of Building Permit submittals. This would help in avoiding potentially costly changes in design of a development proposal.

[RCW 36.70B.200](#) requires that a public hearing must be conducted prior to the approval of a development agreement. Under State law, the public hearing can be conducted before either the City Council, Hearing Examiner, PAC, or other body designated by the City Council. The proposed Ordinance has the public hearing conducted by the City Council. The decision of the Council is final unless appealed to Superior Court.

Further, the contents of a development agreement would be required to be available at least 14 days in advance of the public hearing with public notices sent to all properties within 500 feet of the lot boundaries of the property considered for the agreement.

As stated earlier, under [RCW 36.70B.170](#), development agreements shall be consistent with applicable development regulations adopted by a local government. These development regulations include, in part, Zoning, Subdivision, and Shoreline regulations. Development agreements are not intended to set aside or ignore development regulations currently in effect; however, some departures can be made. Therefore, the Ordinance amends Chapter 15.22 of the Zoning Code to provide for specific criteria that must be used to determine if a development agreement should be approved.

Principal Planner Dodge reviewed the above summary with the Council and after Council discussion it was decided that the best option would be Option No. 1.

**MOVED BY DEHAN, SECONDED BY THOMPSON TO ADOPT ORDINANCE NO. 99-1045 USING OPTION NO. 1: "THE CITY COUNCIL WOULD MAKE THE DECISIONS REGARDING DEVELOPMENT AGREEMENTS AND CONDUCT THE PUBLIC HEARINGS".**

**MOTION CARRIED UNANIMOUSLY.**

**ADJOURNMENT:**

MOVED BY DEHAN, SECONDED BY THOMPSON TO ADJOURN THE SPECIAL MEETING OF THE SEATAC CITY COUNCIL AT 7:45 PM.

MOTION CARRIED UNANIMOUSLY.

Terry Anderson, Mayor  
Judith L. Cary, City Clerk



# SEATAC CITY COUNCIL REGULAR MEETING MINUTES

December 14, 1999 - 4:30 PM  
City Hall Council Chambers

**CALL TO ORDER:** The SeaTac City Council Regular Meeting was called to order by Mayor Terry Anderson at 4:34 p.m.

**ROLL CALL:** Present: Mayor Terry Anderson, Councilmembers Steve Stevenson, Shirley Thompson, Frank Hansen, Kathy Gehring, Joe Brennan, and Don DeHan.

**AMINISTRATIVE STAFF:** Calvin Hoggard, City Manager; Jay Holman, Assistant City Manager; Kristina Lowrey, Deputy City Clerk; Robert McAdams, City Attorney; Jim Downs, Fire Chief; Steve Butler, Planning Director; Craig Ward, Principal Planner; Blake Liebermann, Associate Planner; Bruce Rayburn, Public Works Director; Elizabeth Spencer, Finance Director; Kerry Sievers, Human Resources Director; Lawrence Ellis, Recreation Supervisor; Rebecca Bregel, Recreation Program Specialist; and Scott Somers, Chief of Police Services.

**FLAG SALUTE:** Councilmember DeHan led the Council, staff, and audience in the Pledge of Allegiance to the Flag.

## INTRODUCTION:

**New City Employee Rebecca Bregel, Recreation Program Specialist** City Manager Hoggard introduced Ms. Bregel. Ms. Bregel graduated from Western Washington University with a degree in Recreation and Leisure Services. She interned with the National Recreation and Park Association and worked with the Teen Programs in Auburn. She is looking forward to working with and contributing to the well-established Teen Program at SeaTac.

## PUBLIC COMMENTS:

The following comment was received in written format from Martin Sticken, 18608 36<sup>th</sup> Avenue South, stating that he is in favor of the rezone.

Joe Dixon, 19211 35<sup>th</sup> Avenue South, stated that he has, at recent Council meetings, complimented staff. He now complimented Council. He stated he does not know how Council manages all the meetings they attend and how underpaid they are. They have done much for the City in the last ten years.

Rick Aramburu, Attorney, 505 Madison Street, Seattle, on behalf of RST Enterprises, had the following items regarding the Comprehensive Plan: 1) it is being proposed that conditions be placed upon the Comprehensive Plan and zoning amendments which were not discussed at the December 7 Study Session (SS). He stated that they have not reviewed those conditions and would like the opportunity to do so. He requested that matters related to the RST properties, 15414 Des Moines Way South, be continued until they have reviewed these conditions; 2) at the December 7 SS, he requested Lot No. 92 be rezoned to Community Business (CB), which he reiterated; and 3) Council received a request from the City of Burien to delay the westside rezoning. He requested that Council deny any further delays of the adoption of CB zoning for these properties and zone them accordingly.

Jennifer Storm, 3232 South 186<sup>th</sup> Street, read her letter which she distributed to Council, in regard to the proposed rezoning and development of the Colacurcio Property, located within the SeaTac City Center Plan Study Area. She requested that this property be purchased by the City to be developed as a park and that the historic farmhouse and outbuildings located on this property be preserved as reminders of the City's agricultural past. She suggested ways to finance this venture.

*(Councilmember Gehring arrived at 4:45 p.m.)*

Christine Caviness, 18603 36<sup>th</sup> Avenue South, spoke regarding the rezone changes of the eastside of 36<sup>th</sup> Avenue South, and the Colacurcio property. She stated that she is satisfied with the current zoning. She requested a traffic

safety study and an environmental study be completed in this area.

Jim Caviness, 18610 32<sup>nd</sup> Avenue South, stated his opposition to the proposed rezone.

Lynn Crawford, 3242 South 187<sup>th</sup> Street, representing the signers on the petition presented at the December 7 SS, stated that they are against the rezoning of the Patterson property and the six houses on 36<sup>th</sup> Avenue South. She requested that the rezone be reconsidered at a later date. She stated that it was her understanding that Mayor Anderson and Councilmember Thompson met with Colacurcio representatives after the SS and an agreement was reached. She questioned if that could happen without the whole Council being there.

JB Freer, 18925 37<sup>th</sup> Avenue South, concurred with Mr. Dixon's comments of appreciation for the Council. She commented on the 36<sup>th</sup> Avenue South rezone: 1) requested Council act on the residents' opposition at the December 7 SS; 2) several months ago, Senator Julia Patterson requested a rezone which was denied due to the fact that it would be spot zoning, which is not allowed by State Statute. Now, her property is included in the 36<sup>th</sup> Avenue South rezone. She questioned if this was made possible by the rezoning of this street; 3) she questioned why Council does not just rezone South 188<sup>th</sup> Street to commercial; and 4) she reiterated her opposition to the New City Hall (NCH) Site. She stated that in June, citizens were told that more meetings would be held, which have not occurred. Now, plans have been developed.

## **PRESENTATION:**

### **New City Hall (NCH) Update**

NCH Project Manager Ricky Langford gave an update on the NCH design process. Arai/Jackson Architects, Principal-in-Charge of Management and Design, Steve Arai was also in attendance for questions. Ms. Langford stated that the Master Site Plan has now been refined. The Department Directors and the Ad Hoc Committee have reviewed the plan, the internal traffic flow, the parking areas, and the roadways around the building. The NCH is still proposed as a two-story building, with a 36,000 square foot floor plate (what covers the actual ground area), 227 parking spaces, and the upper floor of the building over one wing of the "L" shaped building. An entrance area has been designated for the Police and Court and a main entrance for the rest of the City Hall and Council Chambers. This plan will be shown in detail as adjacencies of departments are determined. The final Traffic Study for South 188<sup>th</sup> Street/36<sup>th</sup> Avenue South has not been completed yet because the alignment of the driveway into City Hall was just finalized this past week. The onsite parking has been divided into surface parking and a parking deck. The deck area, due to the terrain of this site, will be below the surface of the rest of the site. It is currently thought that that area will be reserved for employees. The public will have access at the surface level, with direct entrance to City Hall. How City Hall might be designed in a conceptual level is being reviewed. Natural light into the building is one of the major focuses of design. The process will move forward into January with more schematic design and department adjacencies.

Discussion ensued regarding the parking deck. Transit stops and ADA compliance have become major focuses.

Mayor Anderson requested a schedule be made available to the public of upcoming meetings.

## **CONSENT AGENDA:**

**Approval of claims vouchers** in the amount of \$556,381.88 for the period ending November 30, 1999.

**Approval of claims vouchers** in the amount of \$2,748,165.31 for the period ending December 10, 1999.

**Approval of employee vouchers** in the amount of \$478,701.56 for the period ending November 30, 1999.

**Approval of firefighter vouchers** in the amount of \$355.00 for the period ending November 30, 1999.

**Approval of summary of \$5,000 - \$25,000 purchase requests** for the period ending December 10, 1999.

### **Approval of Council Minutes:**

**Regular Council Meeting** held November 23, 1999.

**Special Council Meeting** held November 30, 1999.

**Special Council Meeting** held December 7, 1999.

**Acceptance of Advisory Committee Minutes:**

**Planning Advisory Committee Meeting** held November 15 (approved by this committee December 6, 1999).

**Senior Citizen Advisory Committee Meeting** held September 9 (approved by this committee October 14, 1999).

**Senior Citizen Advisory Committee Meeting** held October 14 (approved by this committee November 18, 1999).

**Approval of the following Resolutions recommended at the December 7, 1999 Study Session for placement on this Consent Agenda:****Agenda Bill #1785; Resolution #99-030****A Resolution authorizing temporary increase in Fire Station #1 Petty Cash Fund – Finance**

**Summary:** A great deal of attention has been given to the "Y2K Bug" and the possibility of computers and electronic equipment not functioning properly when the year changes from 1999 to 2000. In the event problems are encountered and staff need to purchase small amounts of supplies during the holiday weekend, it is recommended that the City temporarily increase the Fire Station No. 1 petty cash fund.

Although the City has made a significant effort in ensuring that City systems are Y2K compliant, impacts of utilities, businesses and airport operations are unknown and could result in increased service calls or, at worst, full activation of the City's Emergency Operations Center (EOC). Due to the rollover occurring on a weekend when City Hall will be closed, Police and Fire personnel may need access to City funds to purchase supplies. Furthermore, Y2K could cause problems with credit card processing equipment, price scanners or cash registers, requiring a need for cash to purchase those supplies. This Resolution would authorize a temporary increase in the petty cash fund at the Fire Station to ensure that funds are available in the event they are needed.

**Agenda Bill #1764; Resolution #99-031****A Resolution extending the Agreement with the Port of Seattle (POS) for Melody McCutcheon, Interlocal Agreement (ILA) Owner's Manual Manager - City Manager**

**Summary:** The extension is for continuation of the City's 20 percent cost commitment for services of Attorney/Mediator Melody McCutcheon relating to implementation of the City/POS ILA. When the ILA was signed in September 1997, it was agreed that its detailed administration would require further policy and procedures. It was agreed that these would be developed in the form of signed documents gathered in an ILA Owner's Manual available to all POS and City staff working on ILA issues. In 1998, the POS recommended hiring Ms. McCutcheon as she had done extensive work interfacing between the Marine Division and the City of Seattle and was very familiar with municipal code and jurisdiction issues, as well as being a trained Mediator and Facilitator. The City and POS have been able to resolve many issues with her assistance and would like to continue the use of her services.

To-date, Ms. McCutcheon has been instrumental in the following areas: 1) designed and led the Port-City Team-Building Retreat that was needed in the ILA; 2) led the Port/City Task Force on demolition procedures for the Westside Third Runway buyout area which led to an adopted Policy and Procedure document; 3) led the team that negotiated City/Port Development Review and Project Notification processes, resulting in Port development review procedures including a Port Development Review Committee (PDRC) process tailored to Port and City needs; 4) led a team that clarified the relationship of the 1992 City/Port ILA to the 1997 ILA; 5) mediated short-term debates on development standards, the City's Essential Public Facilities (EPF) Ordinance; 6) developed format for an agreed-upon ILA Owners' Manual which has been provided to all City/Port staff working on ILA issues, so that all are "on the same page" in implementing the ILA; 7) conducted ILA trainings for Port project management staff on the 100+ Port projects that need City review; 8) worked with the Development Review Task Force on developing contaminated soils procedures; and 9) led a Task Force on grading permits.

The basic funding of services commenced with a letter of agreement (LOA) for services at a total cost of \$23,000. The POS was the contracting lead agency with the City's 20 percent share being \$4,600. This did not require Council approval.

The contract was extended in 1998 when the Council approved an additional amount of \$7,500 to pay the City's 20 percent share. There has been a total expenditure between the POS and City of \$53,000, of which the City's 20 percent to-date is \$10,600. Thus the City's funds are almost depleted and additional tasks will need more funding.

There is a need to continue the services for proposed activities: final resolution of where City needs to issue grading permits for Port projects; and assistance with amending the ILA to incorporate the many policy and procedure agreements made at staff level, and preparing clarifying language on several issues including landscaping, dispute resolution, and use of City parking taxes.

In order to deal with future works tasks, an additional amount of \$7,900 is recommended. The total expenditures, with this approval, for services to-date and anticipated in the year 2000, would be \$20,000.

The City, if this action is approved, would enter into another LOA between the City Manager and Port Aviation Director.

MOVED BY THOMPSON, SECONDED BY DEHAN TO ACCEPT THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY.

#### **NEW BUSINESS:**

#### **Agenda Bill #1779; Resolution #99-032**

#### **A Resolution amending the City of SeaTac Schedule of License Fees, Permit Fees, and other Fees and Charges for City Services – Finance**

**Summary:** Initiative 695, approved by Washington voters on November 2, will become effective on January 1, 2000. One provision of I-695 is that any new or increased tax or fee must be approved by voters. Language in the initiative is far reaching, providing that any increase in a monetary charge by government would require voter approval. City staff have been reviewing the schedule for several weeks in an effort to identify fees which: 1) need to be revised; 2) warrant consideration of a fee increase; or 3) have been omitted in previous versions of the Schedule of Fees and are now recommended for inclusion.

At this time, it is uncertain whether I-695 can withstand legal challenges or how its language will be interpreted in application of the new requirements. Seeking voter approval for fee increases will cost the City approximately \$25,000 if a special election is required. In an effort to maintain as much flexibility in the fee schedule as possible, staff considered several approaches in setting fees: 1) set fee as a percentage of cost; 2) establish a fee range by category; 3) establish a high maximum fee, but charge less; and 4) tie regular increases (ie. annually) to a measure of inflation.

A combination of approaches No. 1 and No. 2 have been used in the proposed fee schedule under consideration. A summary of changes by major category are discussed below:

Animal Control – Animal Control activities are performed by King County. The City serves as a pass-through agency that collects the fees and remits them to the County. All fee rates are established by King County, so the schedule of fees has been revised to eliminate this section in favor of footnote language referencing King County fee schedules.

City Clerk and General Government – This section has a few minor revisions. A fee for documents from microfilm has been added, as well as a passport application execution fee, which is currently being collected. An increase in cost of mailing weekly City Council Agenda Packets has been proposed due to an increase in the size of the packets (average of 75 pages) and postage costs.

Finance – Increases in various budget and financial reports have been proposed to more accurately reflect the actual cost incurred by the City in producing these documents. A Geographic Information Services (GIS) program fee schedule is proposed due to the significant number of data and map requests the City receives from outside entities.

Business Licenses – The Police Department recommends increasing the annual business license for adult entertainment from \$750 per year to \$825 to better reflect costs incurred by the City to monitor these businesses throughout the year.

Fire Department – An increase in the civil service test fee was implemented in 1999, but the schedule of fees was not updated. Fire personnel propose restructuring of the Uniform Fire Code permit fees. Fire Sprinkler permit fees have been updated to reflect SeaTac Municipal Code (SMC) changes previously adopted by Council.

Planning and Community Development – The Planning Department has proposed the most significant fee changes in an effort to recover more of the cost incurred by the City for their activities. It is important to note that the fee levels proposed by the Planning Department still do not reflect a 100 percent cost recovery.

Public Works – Building permit fee schedule reference has been amended. Electrical and mechanical permit fee schedules have been amended to reflect changes previously approved by the Council.

Consultant Fees – In the Planning and Public Works sections, a fee has been inserted for use of an outside consultant. The fee proposed is "100 percent of cost" which will result in a pass-through from the consultant to the developer. It is the intention of staff that the City would pay the consultant and then be reimbursed by the developer. Should the City face a legal challenge of this fee under I-695, the City could instead require that the consultant bill the developer directly; however, this approach would not be in the best interests of the consultant, developer or the City.

Standard Hourly Rate – The City currently charges a standard hourly rate of \$50 per hour, a rate that was established several years ago. This revised schedule of fees proposes an increase in the standard hourly rate to \$65 per hour to more accurately reflect the City's current cost of salaries, benefits and administrative costs.

Parks and Recreation – Many Parks and Recreation fees have been informally set in regular brochure mailings. Due to a wide variety in programs, class size and City funding level, these fees can fluctuate significantly. There is some concern, however, that the City should not continue setting fees through quarterly mailings in light of I-695. In an effort to retain as much flexibility as possible, program fees have been established by broad category with a wide fee range being provided. Provided the fees charged for programs remain within the established range and are perceived as reasonable, the City would less likely face a legal challenge.

Pipeline Franchise Fee – This fee has been added to the Schedule of Fees in the event a franchise agreement and fee is adopted in the future.

Facility Rental – Due to the possibility that the City may wish to rent new facilities in the future (ie. City Hall), a fee range has been inserted to accommodate those charges. The fee range is rather broad to allow for various sizes of rooms that might be available.

MOVED BY BRENNAN, SECONDED BY HANSEN TO PASS RESOLUTION NO. 99-032.\*

Finance Director Spencer distributed a final copy of the proposed changes in the Schedule of Fees, reflecting a few minor changes since the December 7 SS, including changes recommended at the December 13 Ways & Means (W&M) Committee meeting. Councilmember Stevenson asked whether it was possible to extend the fees as a percentage of cost to the Parks program fees, primarily due to his concern that the ability exists for park program fees to fluctuate within the wide range specified. Ms. Spencer noted that the wide fee range was used in this revised schedule due to the fact that park program fees do fluctuate significantly based on duration of program, number of participants and cost incurred by the City to conduct the program. Although a percentage of cost fee structure is possible, Ms. Spencer noted that it might be difficult for Council to establish an "across-the-board" level at which the City would partially fund park programs.

Councilmember Thompson expressed concern about the significant increases in Planning-related fees and stated that she cannot support the fee schedule as proposed because these fees would be passed on to new home buyers by developers. Councilmember Hansen noted that his concerns regarding these increases were eased after reviewing the proposed fee levels as to a percentage of cost incurred by the City to provide the services, stating that he does not feel that ad valorem tax revenues should be used to support new development in the City. Councilmember Brennan noted that if these fees remain at current levels, it would be difficult for the Council to keep the tax levy rate low. Councilmember Gehring added that the Planning Department fee analysis, done by Finance staff and presented at the December 13 W&M meeting, clarified many of her concerns regarding these fee increases, but she would still like to see a reduction in the proposed development agreement application fee.

MOVED BY HANSEN, SECONDED BY BRENNAN TO AMEND THE DEVELOPMENT AGREEMENT

APPLICATION FEE TO \$2,500.\*\*

Councilmember Hansen requested that staff prepare a report with all fees verses cost information for the January 10 W&M Meeting.

\*\*MOTION CARRIED UNANIMOUSLY.

\*UPON A ROLL CALL VOTE, MOTION CARRIED AS AMENDED WITH ANDERSON, HANSEN, GEHRING, AND BRENNAN VOTING YES AND STEVENSON AND THOMPSON VOTING NO,

**Agenda Bill #1778; Ordinance #99-1046**

**An Ordinance amending the Pay and Compensation Plan for Non-represented Employees of the City of SeaTac - Human Resources**

**Summary:** A cost of living adjustment (COLA) of 90 percent of the CPI-W for the Seattle region (2.9 percent) effective January 1, 2000 is proposed for non-represented employees. Ninety percent of the CPI-W for the Seattle region has been the COLA increase provided to both represented and non-represented employees since 1993.

The COLA of 2.9 percent ensures that the salary ranges for the City's non-represented classifications remain at a competitive level in the local labor market. In addition, it ensures that the current salary differentials between the non-represented and represented classifications remain intact.

MOVED BY DEHAN, SECONDED BY BRENNAN TO ADOPT ORDINANCE NO. 99-1046.\*

Human Resources Director Sievers reviewed the above summary.

Councilmember Gehring stated that Ms. Sievers surveyed 20 cities. Ms. Sievers stated that most cities use the CPI-W for the Seattle/Tacoma/Bremerton Region for adjusting their salary ranges. Although the percentage of that CPI-W does vary, most Cities use 90 percent. There are a few Cities that have merit pay plans for their non-represented employees. SeaTac's step increases are based on merit in that they can be denied by a supervisor for unsatisfactory performance. All the Cities that do have merit pay plans, do still apply the COLA to the salaries.

Councilmember Gehring stated that it is important that the City pay its people to retain them. At the December 13 W&M meeting, she requested that Ms. Sievers provide Council with a detailed staffing report during the first part of 2000 including the range/step an employee started and the level they are at now.

\*MOTION CARRIED UNANIMOUSLY.

**Agenda Bill #1781; Ordinance #99-1047**

**An Ordinance adopting Amendments to the Comprehensive Plan – Planning**

**Summary:** Resolution No. 97-001 authorized the Planning Department to implement procedures for amending the Comprehensive Plan, which provide for consideration of proposed amendments for the 1999 calendar year in two stages. The recommended amendments were evaluated according to the preliminary and final docket criteria.

SEPA review was completed November 12, 1999 and the only appeal of the SEPA determination, by the City of Burien, was withdrawn. The proposed amendments were subject to review by the City Attorney. The proposed amendments reflect consideration of public comments received at a public hearing held before the Planning Advisory Committee (PAC) on November 8, 1999. The PAC recommended adoption of the proposed amendments on November 15, 1999, except as noted on the Final Docket Staff Report of recommendations for 1999 amendments to the Comprehensive Plan.

MOVED BY HANSEN, SECONDED BY DEHAN TO ADOPT ORDINANCE NO. 99-1047.\*

Planning Director Butler stated that two items were added to the information previously submitted. Exhibit C was

added with the intent to clearly lay out the fact that there are conditions in some cases, on the Comprehensive Plan map amendments being suggested. The corresponding Ordinance and Exhibit A were also revised. From the Comprehensive Plan map perspective, there were some proposed rezone changes on the westside of the City. The City of Burien filed an appeal on the City's SEPA Determination of Nonsignificance (DNS). By adding some language, staff has addressed Burien's issue on the Comprehensive Plan amendment sufficiently so that they have withdrawn their appeal of the comprehensive DNS. In respect to the westside, one of the parcels owned by RST is not being proposed to be changed as part of this amendment process. The RST properties are designated as Airport (AVC) in the Comprehensive Plan because when the City/POS ILA was developed, the POS thought they would be purchasing all of the properties on the westside. The reason why the City has chosen to go forward with all of these Comprehensive Plan changes is that these are the properties that the POS has identified as being covered under their voluntary acquisition program which means they are properties either zoned for business use or are being used now or have been in the past for business use. In those cases where the POS has made a determination, they have identified those, and said that in those cases, because the property owners have asked for a rezone, either an airport-related one or a City one, that they wanted to go forward with that. These properties have the agreement of the POS and the City staff to have a City designation, not the airport designation. They are proposed to have a Commercial High designation from a Comprehensive Plan perspective, with conditions.

Council discussion ensued. Mr. Butler stated that the reason the change to the ILA map has been recommended, was that unless the POS concurs, there is no ability for the City, unilaterally, to make these changes. This has been explored by staff and presented to the board. Those properties which the POS is not planning for airport use, it make sense to not have those designated as Airport in the Comprehensive Plan, and to have an airport-related zone. The City only has the ability now to change the Comprehensive Plan and rezone the properties indicated. It does not mean that the City has to change those properties.

Council discussion ensued regarding the apartments in the proposed rezone area. The POS has acquired most but not all the apartments. City of Burien Planning Director Rob Odle stated that the Lora Lake Apartments has been acquired by the POS. At this time the City of Burien is not planning to make any Comprehensive Plan or rezone changes on that property currently zoned Multi-family.

Mr. Aramburu, stated that RST owns all of the properties being proposed for rezone and the property to the north which has been slated for acquisition by the POS and is not being proposed for rezone. The ILA outlines the requirements once the POS acquires the property but does not restrict what is done in advance of that. With respect to the property to the north, if Council retains the current designation, that property will be zoned Single-family. The property is less than 400 feet from the start of the third runway and less than 1,000 feet from the centerline of the third runway. The City should not be zoning properties based on the owner. Properties should be zoned on their best and most appropriate use. The appropriate use of this property is the same as the properties to the south.

City Attorney McAdams stated that the ILA contemplated a Comprehensive Plan Map which would provide for all of the properties which the POS had identified to be rezoned to Aviation Commercial (AVC) or Aviation Operations (AVO) upon acquisition. These properties being proposed were eliminated from the POS acquisition plans. The proposed properties were changed in order to reflect the fact that the POS would not acquire them.

Mr. Hoggard reminded Council as to the purpose of the ILA. It was a jurisdictional dispute between the City and the POS. That settlement went to the powers of jurisdiction that relate to these kinds of issues. In this case, the City did agree with the POS as to how the City would designate land use in areas where the POS was to acquire the property. Staff's recommendation is consistent with the ILA.

Councilmember Thompson stated that she is concerned that the City will create spot zoning, in spite of the ILA. She questioned whether this item could be delayed until January. Mr. Butler stated that this is a Comprehensive Plan change. It could be set over but it would have to be put into the 2000 annual process.

Mr. Hoggard stated that the City has requested the POS to not acquire those properties in areas where it is not necessary for them to do so and to leave those properties in the private sector and in the zoning purview of the City so that the private market place can make the best use of those properties.

Mr. Butler stated that the City of Burien had filed an appeal on both the Comprehensive Plan change and the non-City Center rezones. Burien withdrew the appeal on the Comprehensive Plan change. Their concern is that the intensity of use on these properties might be greater than what would fit in across the street. Burien suggested that SeaTac impose, now or at some point in the future, some property specific standards that would limit such things as height, encourage shared use of driveways, and increase the shielding of the rooftop equipment.

Council discussion ensued regarding the fact that the POS might buy the most northerly RST property. Mr. Aramburu stated that the POS is actively pursuing this property. Mr. Aramburu stated that the POS recently filed a condemnation action. The properties have been without tenants since the POS told the property owners to remove their existing tenants. Now, the POS has changed its mind. POS Aviation Professional and Technical Services Director Michael Feldman stated that the POS is actively working to acquire the property. The POS was complying with the City's wishes, where acquisition became unnecessary, or where the POS clarified on its plan, to not acquire the property and it would remain in its current use as part of the City's ongoing planning process.

Councilmember DeHan stated that Mr. Jovanovich and Mr. McBream are satisfied with the outcome of their properties. The POS acted in good faith.

Mayor Anderson stated that when other property owners on the westside asked for the same thing as RST, the City did not approve the request and honored the ILA.

Councilmember Thompson stated that the Council should honor the ILA. Any dispute should be resolved in court. She also feels that the City would be remiss if the Council agrees to the POS's westside rezone request.

Principal Planner Ward reviewed with Council the conditions to the RST properties.

Mr. Butler stated that the Council indicated to staff at a prior meeting that they did not want the potential annexation area map included. To enact that action, Council would need to amend the Motion to exclude Comprehensive Plan Map Amendment No. 5.

MOVED BY THOMPSON, SECONDED BY DEHAN TO AMEND ORDINANCE NO. 99-1047 BY REMOVING COMPREHENSIVE PLAN MAP AMENDMENT NO. 5.\*\*

\*\*MOTION CARRIED UNANIMOUSLY.

\*AMENDED MOTION CARRIED UNANIMOUSLY.

**RECESSED:** Mayor Anderson recessed the Council Meeting at 6:30 p.m. to allow the Court Reporter set up.

**RECONVENED:** Mayor Anderson reconvened the Council Meeting at 6:36 p.m.

*(The order of the agenda items was changed to accommodate the participants of the Quasi-Judicial Hearing.)*

#### **QUASI-JUDICIAL HEARING:**

#### **Findings and Recommendations on Local Improvement District (LID) No. 1 on the Final Assessment Roll by Hearing Examiner Irv Berteig and Consideration of Appeals of Objections by LID Participants**

*During the Quasi-Judicial Hearing, Merry L. Westwood, Court Reporter, was present and prepared a verbatim transcript of the proceedings. The full transcript is available in the City Clerk's Office.*

Mayor Anderson opened the hearing at 6:38 p.m.

City Attorney McAdams instructed the Council on the Appearance of Fairness Doctrine.

Hearing Examiner Irv Berteig presented his Findings of Fact, Conclusions of Law, and Recommendation regarding LID No. 1 Final Assessment Roll, and the objections.



Nicholas Gellert, Attorney at Law representing the Highline School District; Scott Smith, Attorney at Law representing three property owners, Sheen, Malmberg, and Condor Development; and Anne Lawler, Attorney at Law, representing Budget, gave argument on behalf of the appeals as to individual assessments.

Nancy Neraas, Bond Counsel for the City of SeaTac, and Deborah Foreman, Appraiser, provided information on behalf of the LID No. 1 Final Assessment Roll.

Mayor Anderson closed the hearing at 8:10 p.m.

**NEW BUSINESS (Continued):**

**Agenda Bill #1775; Ordinance #99-1048**

**An Ordinance approving and confirming the Final Assessment Roll for Local Improvement District (LID) No. 1 and levying and assessing the amount thereof against the Lots, Tracts, Parcels of Land and other Property shown on the Roll - Public Works**

**Summary:** Council passed Resolution No. 97-025 on September 23, 1997, declaring its intent to order certain local improvements within the City and to create a LID. Council held a hearing on October 14, 1997 to consider this matter. After due consideration, Council adopted Ordinance No. 97-1017 ordering the improvements and creating LID No. 1. The City advertised for and interviewed consulting firms interested in assisting the City on this project. The consulting firm of Parsons Brinckerhoff Quade and Douglas, Inc. was selected to prepare the plans, specifications and cost estimates for the proposed improvements. The design was completed and a call for bids was published on September 28, 1999. Eight bids were received and opened on October 28, 1999. The low bid submitted by Gary Merlino Construction Co. was within budget. As a result of the passage of I-695, the City has been advised by bond counsel that it would be in the City and the property owners' best interest if the LID was finalized prior to December 31, 1999. Therefore, a hearing before the City Hearing Examiner was held at 4:00 p.m. on December 6, 1999 at the Valley Ridge Community Center. At the hearing the Hearing Examiner accepted written and oral testimony from staff and LID participants who are protesting the assessment against their property. The Hearing Examiner, having considered the staff report and protests, will report his finding and recommendations to Council at the December 14, 1999 Council Meeting. The City Council, sitting as the Board of Equalization, is required to give due consideration to the recommendation of the Hearing Examiner and to hear appeals based upon all written and oral protests to the final assessment roll. Having done so, the City Council may make any revisions to the roll it deems necessary. After closing the hearing, the Council can determine that the final assessment roll for LID No. 1 is just and equitable and no assessment against property within the LID No.1 is greater than the special benefit derived from the improvements. Having made these determinations, the Council can approve and confirm the final assessment roll for LID No. 1 and levy and assess the amount thereof against the lots, tracts, parcels of land and other property shown on the roll.

MOVED BY HANSEN, SECONDED BY BRENNAN TO ADOPT ORDINANCE NO. 99-1048.

MOTION CARRIED UNANIMOUSLY.

**Agenda Bill #1791; Resolution #99-033**

**A Resolution authorizing the City Manager to execute an amendment to the September 4, 1997 Interlocal Agreement (ILA) between the City of SeaTac and the Port of Seattle (POS) regarding the 28<sup>th</sup>/24<sup>th</sup> Avenue South Local Improvement District (LID) and vacation of street rights-of-way within the City of SeaTac – Legal**

**Summary:** Due to the Federal Aviation Administration's (FAA) objection to payment by the POS of \$3 million in "special institutional benefit" toward the 28<sup>th</sup>/24<sup>th</sup> Avenue South arterial project, the ILA is amended to remove that benefit and to increase the payment by the POS for right-of-way vacation in the same sum of \$3 million.

The City/POS ILA was entered into to establish a mutual and cooperative system for exercising their respective jurisdiction. ILA Exhibit C, Section 5.1.2.1 calls for the POS to pay its assessment share of the LID for Phase I of the 28<sup>th</sup>/24<sup>th</sup> Avenue South project commensurate with other property owners. The ILA identifies the POS's share as having a reasonable portion of the assessment plus an institutional benefit assessment.

The FAA has informed the POS that it considers the institutional benefit assessment to be an unjustified diversion of airport funds, and therefore, prohibited under federal regulations. The POS has proposed to the City removal of the institutional benefit assessment requirement from the ILA. Current appraisals support a fair and reasonable value for City vacation of street rights-of-way in excess of that provided in ILA Exhibit C, Section 9.2.

Mr. McAdams reviewed the above summary.

MOVED BY HANSEN, SECONDED BY STEVENSON TO PASS RESOLUTION NO. 99-033.

MOTION CARRIED UNANIMOUSLY.

**RECESSED:** Mayor Anderson recessed the Regular Council Meeting at 8:20 p.m.

**RECONVENED:** Mayor Anderson reconvened the Regular Council Meeting at 8:25 p.m.

### **Agenda Bill #1766**

#### **An Ordinance amending the Official Zoning Map (Non-City Center) – Planning**

**Summary:** In response to various anticipated amendments to the Comprehensive Plan's Land Use Plan Map, the Planning Department has prepared related amendments to the Official Zoning Map that would enhance consistency between the Zoning Map and the Comprehensive Plan.

SEPA review was completed November 12, 1999 and the deadline for appeal of the SEPA determination will expire on December 9, 1999. The proposed amendments were subject to review by the City Attorney. The amendments reflect consideration of public comments received at a public hearing held before the SeaTac City Council on December 7, 1999. All proposed amendments would be consistent with the Comprehensive Plan, as amended on December 14, 1999.

Mr. Butler stated that discussion will be held on this issue but in the end, no action will be taken due to the City of Burien's appeal. He reviewed the proposed property specific conditions suggested by Burien. If Council agrees to these conditions, it could result in Burien's withdrawal of their appeal.

Council discussion ensued regarding the 20-foot setback condition.

COUNCIL CONCURRED TO TAKE NO ACTION DUE TO THE OUTSTANDING APPEAL.

### **Agenda Bill #1690; Ordinance #99-1049**

#### **An Ordinance adopting a Subarea Plan for the City Center – Planning**

**Summary:** A study of the City Center area has been completed which recommends that the City Center Plan, a Subarea Plan for the City Center, be adopted. Staff recommends that the City Center Plan be adopted and implemented in accordance with the Plan provisions.

The City Center Study has been a joint City and POS project that was called for in the City/POS ILA. The City Center concept is a critical component of the City's vision, as identified in the City's Comprehensive Plan and Transit Supportive Land Use Master Plan (TSLUMP). These City documents describe the future City Center as a densely developed, mixed use area that includes an additional four million square feet of non-residential development, up to 3,000 new housing units, pedestrian-oriented retail, civic spaces, public transit facilities and a pedestrian connection to the airport terminal. In addition to creating a new focal point for the City, the City Center could enhance the airport's image as a first-class international gateway and enhance customer service levels for airline passengers. The study refined the earlier work completed by the City, confirmed the market viability of the concept, integrates the City's plans with the Port's issues, and addresses how light rail and bus transit will serve both the airport and City Center.

SEPA review was completed November 12, 1999 and no appeal was filed. The proposed amendments were subject to review by the City Attorney. The proposed amendments reflect consideration of public comments received at a public

hearing held before the PAC on November 8, 1999. All proposed amendments would be consistent with and implemented in the Comprehensive Plan, as amended on December 14, 1999. The PAC recommended adoption of the proposed City Center Plan on November 15, 1999.

The proposed effective date of the City Center Plan would be January 14, 2000. Plan implementation would occur through adoption of the Special Standards for the City Center, through the citywide Capital Facility Plan, and through other steps as described in Chapter 6 of the City Center Plan.

Mr. Butler stated that the Subarea Plan has been the subject of many presentations. At this point, staff has developed two options for Council consideration: 1) adopt as is; or 2) revise and adopt. With these options, staff was trying to respond to Council comment to leave the options open and come back to this at some point in the future if and when the need arises.

MOVED BY DEHAN, SECONDED BY THOMPSON TO ADOPT ORDINANCE NO. 99-1049 AS AMENDED WITH OPTION NO. 2.

MOTION CARRIED UNANIMOUSLY.

**Agenda Bill #1691; Ordinance #99-1050**

**An Ordinance amending the Zoning Code regarding Special Standards for the City Center – Planning**

**Summary:** On May 19, 1998, the City Council adopted new "Interim Special Standards for the City Center," which were incorporated into the Zoning Code. The Special Standards were adopted on an interim basis to provide time for the City Center Study to be completed. The applicability of the Special Standards was extended on October 26, 1999 until March 25, 2000.

The City Center Study evaluated and recommends the Special Standards for adoption, as modified from the Interim Special Standards. Upon adoption of the "final standards", the interim standards should be repealed.

SEPA review was completed November 12, 1999 and the deadline for appeal of the SEPA determination will expire on December 9, 1999. The proposed amendments were subject to review by the City Attorney. The proposed amendments reflect consideration of public comments received at a public hearing held before the PAC on November 8, 1999. All proposed amendments would be consistent with and implemented in the Comprehensive Plan, as amended on December 14, 1999, and the City Center Subarea Plan, as adopted. The PAC recommended adoption of the proposed Special Standards on November 15, 1999.

Mr. Butler stated that staff recommends adoption of the Special Standards with the addition of a change to the Residential Use Charts. This adds the topic of Community Residential Facility (CRF1) and complies with changes recently made to the group homes issue. Mr. McAdams confirmed that the City would be in compliance with all applicable court cases. In a townhouse zone, CRF1 would be allowed.

MOVED BY THOMPSON, SECONDED BY DEHAN TO ADOPT ORDINANCE NO. 99-1050.\*

Councilmember Thompson questioned mother-in-law apartments and/or add ons. Mr. Butler stated that would be a topic to be addressed under an entire change to the Zoning Code.

\*MOTION CARRIED UNANIMOUSLY.

**Agenda Bill #1782; Ordinance #99-1051**

**An Ordinance amending the Official Zoning Map (City Center Plan-related) – Planning**

**Summary:** In response to the proposed adoption of the City Center Subarea Plan, which would amend the Comprehensive Plan's Land Use Plan Map, staff has prepared related amendments to the Official Zoning Map that would enhance consistency between the Zoning Map, the City Center Plan and Comprehensive Plan.

SEPA review was completed November 12, 1999 and the deadline for appeal expired on December 9, 1999. The proposed amendments were subject to review by the City Attorney. The proposed amendments reflect consideration of public comments received at a public hearing held before the Council on December 7, 1999. All proposed amendments would be consistent with the Comprehensive Plan, as amended on December 14, 1999, and the City Center Subarea Plan, as adopted.

Mr. Butler stated that staff is recommending that maps 6, 9 and 10 be adopted as recommended and that action on the rezoning of map 7 (Colacurcio) be deferred.

MOVED BY HANSEN, SECONDED BY THOMPSON TO ADOPT ORDINANCE NO. 99-1051.\*

MOVED BY HANSEN, SECONDED BY DEHAN TO AMEND ORDINANCE NO. 99-1051 TO DEFER MAP NO. 7 UNTIL JANUARY 2000.\*\*

\*\*AMENDMENT CARRIED UNANIMOUSLY.

\*MOTION CARRIED UNANIMOUSLY AS AMENDED.

**PUBLIC COMMENTS:** Linda Snider, 18700 36<sup>th</sup> Avenue South, thanked Council for their hard work and time.

**CITY MANAGER'S COMMENTS:** City Manager Hoggard had the following items: 1) expressed his thanks to the Planning Department for their hard work; 2) Public Safety & Justice (PS&J) Committee meeting is scheduled for December 20; 3) the December Transportation & Public Works (T&PW) Committee meeting has been cancelled; and 4) expressed his thanks to Councilmember Stevenson at this, his last Council meeting.

**COUNCIL COMMENTS:**

Councilmember DeHan thanked Councilmember Stevenson for his diligence and participation.

Councilmember Brennan stated that it has been quite a decade since the City first met with a borrowed Clerk, typewriter, chairs and table in an old room. It has been hard from time to time, but many accomplishments have been made in the past 10-years.

Mayor Anderson commented that when the Council first convened, Julia Patterson filled Position No. 1 and she was in attendance at tonight's meeting.

Councilmember Thompson stated that she is frequently asked what it is like to be an elected official and she tells them that it is every description you can think of, both positive and negative. It is an honor to be an elected official. She stated that it has been a joy working with Councilmember Stevenson and she looks forward to Mr. Fisher joining the Council.

Councilmember Stevenson stated that the last four years have been the most learning years he has ever had. It has been a joy to work with the Council. He stated that one of his largest accomplishments was being the only one to hold Position No. 1 for four years. He thanked everyone and stated that he hoped Council would keep him in mind if a committee position becomes vacant. He will be glad to contribute.

Mayor Anderson stated that she has formed a committee of two Councilmembers (Anderson and Brennan), two citizens (Betty Brennan and Pat Carter), and four City staff (Judith Cary, Lawrence Ellis, Nikki Smith, and Ruth Black) to organize a 10-year celebration of the City's incorporation (February 28, 2000). The committee will have its first "brainstorming" meeting on December 29 to discuss events for the year 2000, create a special 10-year City Logo, and discuss various other ways to make this celebration special for the City and its citizens.

Mayor Anderson and Council expressed their appreciation of Council and staff and wished everyone a Happy Holiday Season.

**ADJOURNMENT:**

MOVED BY HANSEN, SECONDED BY THOMPSON TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 8:57 P.M.

MOTION CARRIED UNANIMOUSLY.

Terry Anderson, Mayor  
Kristina Lowrey, Deputy City Clerk