



City Council Meeting Minutes Archive

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SEATAC CITY COUNCIL REGULAR MEETING MINUTES

January 9, 2001 - 6:00 PM
City Hall Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Shirley Thompson at 6:06 p.m.

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

ADMINISTRATIVE STAFF: Calvin Hoggard, City Manager; Judith L. Cary, City Clerk; Jay Holman, Assistant City Manager; Robert McAdams, City Attorney; Bruce Rayburn, Public Works Director; Jack Dodge, Principal Planner; Jim Downs, Fire Chief; Craig Ward, Programs Manager; Scott Somers, and Chief of Police Services; and Tom Flanagan, Police Sargent.

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

Mayor Thompson complimented the Fire Department on the excellent work they accomplish with the Explorers and gave special praise to the Explorers for their contribution to the City.

PRESENTATIONS:

Safe Cities Network Award

Bill Dickinson, Burien Chief of Police Services and Chair of the King County Police Chiefs' Association as well as a former SeaTac Chief of Police Services, presented the City of SeaTac, a member City of the King County Firearms Crime Coalition, a certificate from the Safe Cities Network recognizing the City's efforts in reducing firearm crime and violence in the community. The coalition consists of all major Police Departments, Sheriff's Office, and many Federal agencies in King County that have been dedicated to driving down the incidents of violence from firearm crimes. The coalition's mission is to work together to reach beyond their governing boundaries, including State level entities in a coordinated effort to reduce firearms crimes in the County. The organization acknowledges 10 Cities, nine across the nation and one coalition of Cities and Counties in State, County and Federal levels. The King County Coalition represents a regional approach to problem solving as opposed to a smaller geographical area. Chief Somers has been leading SeaTac's efforts both in his representation in the King County Chiefs' Association and the County Coalition.

Mayor Thompson stated that the City is honored to have been recognized for its efforts in crime prevention. She added that the City has been fortunate to always have excellent Police Chiefs, officers and staff.

PUBLIC COMMENTS: Mel M. Markham, 10604 2nd Avenue Southwest, Seattle, stated that he has received two code violation notices from the City's Code Enforcement Officer on a business he does not own, adding that he does not own any business in or out of the City of SeaTac. Mr. Markham has filed appeals to these notices at a total cost of \$200. He would like the Council to investigate this matter and reimburse him the appeal fees.

City Attorney McAdams stated that staff will examine this matter and relay to the Council and Mr. Markham, the results of their investigation.

PRESENTATIONS (Continued):

Recommendations on Marketing SeaTac

Assistant City Manager Holman stated that the Hotel/Motel Tax Advisory Committee, chaired by Councilmember Brennan, has been researching ways to identify the City as an attractive location for new business development. The committee decided that a study would be an appropriate way to examine this issue and hired Joann Hamick, consultant for IndexGroup, Public Affairs Consulting/Strategic Communications, to conduct the study. Upon a presentation by

Ms. Hamick detailing her report, the committee was very pleased with the results of her investigation and recommendations.

Ms. Hamick outlined the recommendations for marketing SeaTac in which she drew from the report she prepared for the advisory committee. Ms. Hamick conducted a current status "Situation Analysis" – 1) negative image; 2) noise factor; 3) airport dominated City; 4) lack of recognition for International Boulevard improvements; 5) lack of visitor attractions; 6) secondary hotel market; 7) few competitive advantages to attract developers and businesses; 8) little vacant land, redevelopment adds costs; 9) airport proximity not viewed as better than other local communities; 10) few competitive advantages compared to other Cities; 11) tension between local residents, airport and visitors; and 12) locals verses visitors issues.

She detailed the City's relationship with the airport since the airport is a dominating force in the South County region. The potential for effective partnership is not due to malice on the part of the airport. It stems from the fact that the City's well being is not fundamental to the airport.

Ms. Hamick's recommendations fall into these categories: 1) ways to use assets that are unknown or not widely recognized as offering a competitive advantage; 2) ways in which to position the City to communicate and highlight hidden advantages; 3) new audiences to target in promotional and economic development efforts; and 4) ways to build value in the assets the City already possesses.

Under these categories is the repositioning of SeaTac using key messages, advertising and publicity: 1) adopt the theme, "providing convenience and service to people and businesses that use the airport"; 2) choose a promotional name style: "SeaTac City"; 3) use key messages to expand or correct images of the City; 4) target the right audiences for the City's messages; 5) communicate the messages; 6) implement an initial advertising and publicity campaign; 7) develop community outreach to foster pride in serving visitors; 8) organize and enhance the guest experience at the City; 9) institute a proactive program to attract office development; 10) organize and package economic development tools; 11) focus initial economic development efforts on businesses requiring airport access; 12) create a demonstration project on the Hughes property; 13) preserve and enhance City's access to airport; 14) evaluate fiber optic competitiveness; 15) develop guidelines for Hotel/Motel Tax funded projects; and 16) think "indoors" and investigate development of a signature attraction to connect the City to the airport.

Mayor Thompson and Council thanked Ms. Hamick for her comprehensive reporting. Councilmember Brennan extended his thanks to Ms. Hamick for the extensive presentation given to the committee. Prior to hiring her for this study, the committee first researched the idea of a convention center in the City. Changing the City's name to "SeaTac City" was well received by the committee.

Council comments ensued as to some of the particulars in the recommendations. Councilmember Fisher had some concern that the attention is on tourism and not on the other businesses in the City. Mr. Holman replied that the committee felt that basic economic development needs not to be overlooked but instead linked to tourism. Councilmember Brennan exemplified Microsoft as a business that has attracted other businesses to the Bellevue area. The tourism industry would have the same result. Tom Dantzer, committee member, stated that the committee was impressed with Ms. Hamick's findings and industrious ways of amassing the particulars of the report. He added that she discussed the issues with the committee and took into consideration their views and suggestions. Councilmember Anderson had some concern that passengers arriving by aircraft are told they are arriving in Seattle. She suggested adding to the announcement that the airport is located in SeaTac.

CONSENT AGENDA:

Approval of claims vouchers in the amount of \$2,943,496.93 for the period ending December 21, 2000.

Approval of claims vouchers in the amount of \$99,247.51 for the period ending December 29, 2000.

Approval of employee vouchers in the amount of \$369,857.30 for the period ending December 15, 2000.

Approval of employee vouchers in the amount of \$523,173.27 for the period ending December 31, 2000.

Approval of firefighter vouchers in the amount of \$380.00 for the period ending December 31, 2000.

Approval of summary of \$5,000 - \$25,000 purchase requests for the period ending January 5, 2001.

Approval of Council Minutes:

Regular Council Meeting held December 12, 2000.

Special Council Meeting held December 19, 2000.

Acceptance of Advisory Committee Minutes:

Senior Citizen Advisory Committee Meeting held October 19, 2000 (committee approved December 21, 2000).

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

MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARING (*Continued from the December 12, 2000 Regular Council Meeting*):

Development Agreement between the City and Equitable Capital Group, to waive Interior Parking Lot Landscaping Requirements for an Interim Surface Parking Lot to be located at 20055 28th Avenue South - Planning

Mayor Thompson opened the public hearing at 7:16 p.m.

Planning Director Butler stated that this issue continued from the December 12, 2000 public hearing and Council input.

With no comments presented, Mayor Thompson closed the public hearing at 7:17 p.m.

NEW BUSINESS:

Agenda Bill #1943; Resolution #01-001

A Resolution authorizing a Development Agreement with the Equitable Capital Group (ECG) to allow a departure from the City's Interior Parking Lot Landscaping Requirements - City Manager / Planning

Summary: ECG is proposing the construction of an interim surface parking lot with 1,400 spaces on his property located a 20055 28th Avenue South. Perimeter parking lot landscaping will be provided, but no interior parking lot landscaping is proposed. As required by the City's Zoning Code, 10 percent of the interior of the parking lot is required to be landscaped. Mr. Dantzler is requesting a departure from this Code provision because the parking lot is intended as interim use of the property.

Under [RCW 36.70B.200](#) and Sections 15.22.055 and 16.07.030 of the SeaTac Municipal Code (SMC), the City may enter into a development agreement with a developer, provided that the benefits received by the City through the development agreement are equal or greater to the benefits required by the SMC.

The proposed permanent uses for the property include a parking structure, office, and commercial uses. The proposed interim parking lot is a permitted use of ECG's property and will be generally consistent with the current City development regulations. The requested departure as provided by the development agreement is offset by the public benefits to be accrued from the permanent uses of the property.

The SMC specifies 16 criteria that the City Council must consider prior to the adoption or denial of a development agreement. These criteria are outlined in the staff report.

City staff has prepared a proposed Development Agreement, with conditions, that would provide a departure from the interior parking lot landscaping requirements. The conditions of the Development Agreement related to the landscaping are as follows: 1) interior parking lot landscaping; 2) interior parking lot landscaping - when required; and 3) future use of the property.

MOVED BY DEHAN, SECONDED BY GEHRING TO PASS RESOLUTION N0. 01-001.

MOTION CARRIED UNANIMOUSLY.

Mr. Dantzler expressed his appreciation of the spirit of this agreement. As Ms. Hamick's program indicates, redevelopment in the area is much more costly than development in virgin land. His firm, ECG, has spent \$400,000 in

the relocation of a mobile home park with houses in the noise-impacted area that were demolished at a cost of \$100,000. The spirit of the agreement is to have this property as an interim surface parking lot while the Regional Transit Authority (RTA) program is being developed. ECG has contributed \$970,000 into the LID for the 28th/24th Avenue South Arterial and contributed other monies, time and energy, as well as has the Council and staff. With the current ecology issue (salmon preservation), the project cost that was \$38,500 in the original bid, rose to \$700,000 due to ecology restrictions. He concluded by stating his appreciation of the City staff's work. He added that staff has taken some of the steps Ms. Hamick has suggested in the field of technology, which he explained.

PUBLIC COMMENTS: There were no public comments.

CITY MANAGER'S COMMENTS: City Manager Hoggard added to Mr. Dantzler's remarks on technology, that the briefing on a technology system in Tacoma, which he and staff viewed, appears to be highly effective, using a much smaller amount of land, drawing the particulars out of stormwater. This technology shows a lot of promise for this local area and staff is very interested in researching it further.

COUNCIL COMMENTS: There were no comments made at this time.

ADJOURNMENT:

MOVED BY ANDERSON, SECONDED BY HANSEN TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 7:24 PM.

MOTION CARRIED UNANIMOUSLY.

Shirley Thompson, Mayor

Judith L. Cary, City Clerk

SEATAC CITY COUNCIL REGULAR MEETING MINUTES

January 23, 2001 - 6:00 PM
City Hall Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Deputy Mayor Kathy Gehring-Waters at 6:06 p.m.

ROLL CALL: Present: Deputy Mayor Kathy Gehring-Waters, Councilmembers Gene Fisher, Terry Anderson, Joe Brennan, and Don DeHan. Excused Absences: Mayor Shirley Thompson and Councilmember Frank Hansen.

ADMINISTRATIVE STAFF: Calvin Hoggard, City Manager; Judith L. Cary, City Clerk; Robert McAdams, City Attorney; Elizabeth Spencer, Finance Director; Bart Perman, Network Administrator; Bruce Rayburn, Public Works Director; Steve Butler, Planning Director; Holly Anderson, Senior Planner; Jim Downs, Fire Chief; and Scott Somers, Chief of Police Services.

FLAG SALUTE: Councilmember Anderson led the Council, staff and audience in the Pledge Allegiance.

PRESENTATIONS:

Toastmasters Proclamation

Deputy Mayor Gehring-Waters presented a proclamation from the City of SeaTac recognizing Toastmasters International Week, January 28 through February 3, 2001. Emma Hager, Toastmasters Division Governor, received the proclamation on behalf of the local Chapter. Councilmember Brennan stated that this organization was of great benefit to him in his early political years in developing essential communication skills.

Distributive Education Club of America (DECA) Proclamation

Deputy Mayor Gehring-Waters presented Chris Titus, Tyee High School DECA Chapter President, and Mandy Twiggs, Chapter Historian, with a certificate proclaiming February 5 through 9, 2001 as DECA Week in the City of SeaTac. DECA is a vocational student organization designed to develop respect for education, which will contribute to occupational competency in the field of marketing. Mr. Titus thanked the Council for their support of this organization.

Certificate of Recognition to Steve Pasztor, former SeaTac Public Works Maintenance Supervisor

Deputy Mayor Gehring-Waters presented a Certificate of Appreciation to Steve Pastzor, who left his position with the City as of December 14, 2001. The City Council awarded this certificate as a testimonial in appreciation of his loyal and dedicated service to the City commencing on February 25, 1991. Mr. Pastzor was accompanied by his two children, Brittany and Jordan.

PUBLIC COMMENTS: Roger Learn, 1040 South Henderson, Seattle, stated that his 75-year old father lives across the street from the SeaMar Community Care Center, 24215 International Boulevard, and would benefit from placement of a traffic light at South 138th Street and 24th Avenue South due to the high traffic volume at this intersection to the center and to North SeaTac Park (NSTP). He suggested a crosswalk signal light to be activated upon crosswalk need. Deputy Mayor Gehring-Waters stated that staff will review this request.

Chuck Vail, 20440 International Boulevard, Space 42, requested that the City consider an off-leash fenced-in area for dogs in the City. Currently, there is no public place for dogs to get exercise. He suggested the land along the Des Moines Creek Trail.

Councilmember Anderson stated that at a Suburban Cities Association (SCA) Meeting, Kent Councilmember Tom Brotherton is proposing to the Port of Seattle (POS) to furnish land for such use. Staff will give Mr. Vail and Mr. Zukos information on contacting Councilmember Brotherton on such a project.

Bob Zukos, 3033 South 204th Street, reiterated Mr. Vail's request. He has researched areas in the City for such a facility: 1) the northwest corner of Angle Lake Park (already fenced on two sides) that is not being used; and 2) the

open field on the west side of the Des Moines Creek Trail. He added that there are many apartment dwellers in SeaTac who would appreciate such an area for exercising their dogs.

PRESENTATIONS (Continued):

Proposal for Jail Contract

Chief of Police Services Somers stated that the jail costs for incarcerating prisoners in King County Jail have risen throughout the years. Alternatives have been examined and a presentation on the results was presented to the Public Safety and Justice (PS&J) Committee on January 22. An opportunity was discovered with the Yakima County Jail System for incarceration of prisoners at a lesser cost. For 2001, booking a prisoner cost \$139.39 with a daily maintenance fee of \$70.90 versus Yakima at no booking fee and \$48-51 a day. This would provide a savings of \$19.90 per prisoner a day and the \$139.39 booking fee. The direction from the PS&J Committee was to brief Council on this alternative and pursue an Interlocal Agreement (ILA) with Yakima County to house long-time (average 200 days) inmates. Yakima County would pick up and deliver prisoners as part of the cost at runs twice weekly.

Councilmember Brennan, Chair of the PS&J Committee, stated that after discussion with Chief Somers, the committee felt this was a good alternative to the current system and a cost savings to taxpayers. Chief Somers gave an example of five prisoners at 200 days (not uncommon for habitual traffic offenders and repeat domestic violence) with no booking fees and a lesser cost per day at the Yakima County Jail, resulting in savings of \$2,500.

E-GOV Alliance

Finance Director Spencer stated that the E-GOV Alliance was established as a joint effort of more than 20 Cities in King County to plan for the provision of electronic government services. The alliance is the first such effort in the nation.

Member Cities have come together to plan for the development of electronic government applications for their citizens and businesses' use on the Internet. The group will also explore joint purchasing and sharing of resources to accelerate the provision of government services on the web. Examples of the types of services to be explored include on-line applications for building permits, park and recreation programs and business licenses.

A coordinating committee has been created to guide the planning process. The Cities have contracted with Innovation Groups, a national non-profit organization, to assist as facilitator for the project. As of January 3, 2001, 22 King County Cities have committed to participate in the project, representing a total population of nearly 685,000.

The yearlong project will dedicate the first six months to development of an E-Government Strategic Plan for each member City. Community input will be sought to ensure that the strategic plan emphasizes those services important to SeaTac residents and businesses. The second phase will focus on implementation efforts. The cost to each member City to participate in the program is \$4,000, which is far less than the estimated cost of a City attempting to complete these initiatives independently.

The City's team for this project is City Manager Hoggard, Network Administrator Perman and Finance Director Spencer.

Ms. Spencer also reported on three E-Government projects currently in progress. The Municipal Research Services Center (MRSC) is leading an effort of 80-90 Washington Cities in providing business license application forms on the Internet, with the hope of implementing on-line submissions in the future. The City of Bellevue is leading a project in conjunction with Redmond, Kirkland, and Issaquah to issue over-the-counter building permits on-line by late spring 2001. The City of Mercer Island is initiating a project to allow for park program registrations on-line and has invited other Class software users to join in their project.

Councilmember Fisher noted that he is very pleased that City staff is working towards E-Government services.

CONSENT AGENDA:

Approval of claims vouchers in the amount of \$2,222,024.68 for the period ending January 19, 2001.

Approval of employee vouchers in the amount of \$354,988.78 for the period ending January 15, 2001.

Approval of summary of \$5,000 - \$25,000 purchase requests for the period ending January 19, 2001.

Approval of Council Minutes:

Study Session held March 21, 2000.

Regular Council Meeting held January 9, 2001.

Study Session held January 16, 2001.

Acceptance of Advisory Committee Minutes:

Civil Service Commission Meeting held November 13, 2000 (commission approved January 8, 2001).

Human Relations Advisory Committee Meeting held October 13, 2000 (committee approved January 11, 2001).

Human Services Advisory Committee Meeting held November 13, 2000 (committee approved January 8, 2001).

Approval of the following Ordinance and Motions recommended at the January 16, 2001 Study Session for placement on this Consent Agenda:

Agenda Bill #1944; Ordinance #01-1001

An Ordinance amending the Zoning Code to authorize the addition of a Zoning Code Appendix and Zoning Map Notations to track Property-Specific Zoning Standards and Development Agreements - Planning

Summary: Over the last few years, several Ordinances have been passed rezoning property, subject to certain property-specific standards. Additionally, development agreements have been adopted establishing conditions for the development of certain properties. Notations to the Zoning Map and a Zoning Appendix are proposed to more consistently reference and track the adopting Ordinances and to summarize the conditions for various properties. This will facilitate customer service at the counter, and provide easier access to governing regulations.

Sections are proposed to be added to the Zoning Code referencing the Zoning Code Appendix. Additionally, an existing section of the Zoning Code regarding review of King County property-specific conditions is proposed to be repealed since the action it directs has been completed.

Adoption of the proposed Ordinance would have no direct fiscal impact to the City.

Agenda Bill #1956

A Motion authorizing the City Manager to execute a Contract for providing Meals for the Senior Congregate Meal Program - Parks & Recreation

Summary: This Motion authorizes execution of a contract with Consolidated Food Management for providing meals for the Senior Congregate Meal Program. The City Council approved this program in the 2001 Budget.

The Parks & Recreation Department has a total of \$41,784 included in the 2001 Annual Budget for Meals. The total expenditure for this program is \$41,184, not to exceed \$41,784. Estimated revenue from meal donations from seniors is \$17,160 for 2001.

Agenda Bill #1957

A Motion declaring a Piano to be surplus and authorizing its disposal - Parks & Recreation

Summary: The Parks and Recreation Department has identified one piano as surplus and requests authority of its disposal. The item (an old upright piano) was donated to the community center in March 1993. The piano is no longer used due to the purchase of a new piano in 2000. The described item was originally donated to the Parks and Recreation Department and is now obsolete, needs much repair work, and is no longer needed at the community center. The surplus piano will be donated to another organization or will be disposed.

There is no fiscal impact to the City.

Agenda Bill #1958

A Motion authorizing the expenditure of the One-Percent of General Fund Operating Revenues for Human Services 2001 - 2002 Contracts - City Manager

Summary: This Motion authorizes entry into contracts with each of the applying human service agencies listed in the Ordinance attachment for the amounts and services specified in accordance with the policies established for the Human Services Program. The total amount of the 2001 program is \$200,000 as adopted in the 2001 budget. The additional funds for Domestic Violence Services will come from Criminal Justice Funds. As recommended, it would provide 31 services to 21 agencies.

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 passed, which committed the City to one percent of the General Fund for Human Services. In 1999, the City Council approved a two-year funding cycle, based on funds available and agency performance level. This has allowed staff and the advisory committee additional time to closely monitor agencies and has also allowed agencies to better document their outcome with the extended funding period.

The committee has been reviewing all the applications received through the requests for proposals (RFP) process for 2001-2002. In reviewing the applications, the committee is committed to funding agencies that provide services to SeaTac residents. Due to the fact that the level of requests from agencies surpassed the level available (\$331,120 requested versus \$200,000 available), the committee had to spend numerous hours reviewing the applications and making sure that they met the City's priorities and served the low- and moderate-income citizens accordingly. Amendments may be necessary for the year 2002 funding allocation based on that year's budget and each agency's performance.

Additionally, the City also has other human service programs administered by City staff. The newest program is the Domestic Violence Community Advocacy Program, which provides a part-time position, to conduct this work. This position has been very successful and for 2001, staff is trying to implement additional services, such as support group services, which are crucial for the victims and for the program's success. Funds for these services will be obtained from the Criminal Justice Funds and if available, unspent dollars from the 2000 budget.

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

MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARINGS:

Extending the Interim Design Standards for Multi-family Housing – Planning

Deputy Mayor Gehring-Waters opened the public hearing at 6:43 p.m.

Planning Director Butler gave a short briefing on to need to extend the standards as stated in the Agenda Bill No. 1938. Staff recommends passage of the interim standards for an additional six months until the appeal is finalized.

Deputy Mayor Gehring-Waters closed the public hearing at 6:44 p.m.

NEW BUSINESS:

Agenda Bill #1938; Resolution #01-002

A Resolution extending the Interim Design Standards for Multi-family Housing - City Manager / Planning

Summary: On January 11, 2000 the City Council adopted Interim Design Standards for Multi-family Housing under Ordinance No. 00-1002. The standards were extended for a period of six months by Resolution No. 00-017. The interim standards will expire February 10, 2001 unless renewed. The Council may extend the standards for an additional six months by holding a public hearing and adopting Findings-of-Fact in support of the extension. The appeal of the State Environmental Protection Agency (SEPA) determination on the standards is still not resolved.

A public hearing was held on March 7, 2000 and Findings-of Fact were made by Resolution No. 00-002 in support of the interim standards. The standards were adopted on an interim basis due to the outstanding appeal by Terry R. Johnson of the SEPA environmental review on the proposed multi-family standards.

While the City's Hearing Examiner ruled that the appeal was without merit, the SEPA was further appealed to Superior Court. Superior Court ruled with the City and also denied a motion for reconsideration. Mr. Johnson has, however, sought a further hearing from the appeal court, which is still working its way through the process.

The interim standards are intended to ensure that multi-family housing projects will be consistent with and implement the City's Comprehensive Plan, be compatible with surrounding neighborhoods, and incorporate Crime Prevention through Environmental Design (CPTED).

The proposed standards implement aspects of the Comprehensive Plan, such as features of the Land Use and Community Image Elements on design and transition between zones of differing density. The standards also address concerns regarding safety in the design of multi-family structures, and ensure that open space and recreational opportunities are provided in all new developments.

This Resolution reiterates and augments the Findings-of-Fact adopted by Resolution No. 00-002 and continues the interim standards for an additional six months until the appeal is finalized.

MOVED BY DEHAN, SECONDED BY BRENNAN TO PASS RESOLUTION NO. 01-002.

MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARINGS (Continued):

Vacating Streets to Port of Seattle (POS) Phase IV - Public Works

Deputy Mayor Gehring-Waters opened the public hearing at 6:50 p.m.

Public Works Director Rayburn gave a briefing on the vacating of various rights of way (ROWs) within the City of SeaTac. He added that this vacation consists of streets in seven locations within the City. Mr. Rayburn detailed the areas of vacation: a) in the north, two small areas just south of SR 518; b) down 12th Avenue South; c) a section of South 160th Street between Des Moines Memorial Drive (DMMD) and 12th Avenue South; d) two small segments at South 176th Street; and e) a small area north of South 174th Street. The total land to be vacated comprises of approximately seven and one half areas appraised at \$2.7 million. State law allows municipalities to receive a maximum of 50 percent of the fair market value. The total payment due from the POS on all street vacations, including this request is approximately \$5 million. That will leave approximately \$1.5 million yet to be paid to the City, for a final total of \$6.5 million for the vacation project.

Councilmember Brennan reiterated the fact that 50 percent is the maximum the City is allowed to collect. The City is not giving the POS a special discount; State law regulates the assessed valuation for developers.

He also outlined a small area left to be requested by the POS for vacation. This would conclude the vacation requests processed by the POS.

With no further input, Deputy Mayor Gehring-Waters closed the public hearing at 6:51 p.m.

NEW BUSINESS (Continued):

Agenda Bill #1939; Ordinance #01-1002

An Ordinance vacating Certain Street Rights-of-Way (ROW) within the City of SeaTac abutted on both sides by Port of Seattle (POS) Property - City Manager / Public Works

Summary: The City has agreed with the POS, as documented in the Port/City ILA dated September 4, 1997 as amended, to vacate certain ROWs. In exchange, the POS would reimburse the City based on 50 percent of the fair market value of the ROWs being vacated up to a maximum of \$6,500,000. The City Council held a public hearing (prior to this agenda bill presentation) to consider the merits of vacating the ROWs identified in this Ordinance. The passage of this Ordinance documents the City Council's concurrence in vacating these ROWs. These ROWs are only a portion of the ROWs in the ILA.

The procedures for vacating a public ROWs are defined in the Revised Code of W[Washington \(RCW](#) The date of the public hearing was set by Resolution adopted by the City Council on December 19, 2000 with the notice being posted on January 8, 2[Per the RCW](#) the date of the public hearing will not be neither 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.

All the utilities serving the City were given notice of the POS's request to vacate these ROWs. None of the utilities have requested that the City reserve an easement for their facilities in the streets being vacated.

The POS had the firm of Lamb Hanson Lamb Appraisal Associates, Inc. appraise the ROWs to be vacated to establish the fair market value. This appraisal has determined that the fair market value of these ROWs is \$2,674,307. Staff reviewed the appraisal and concurs with the POS's findings in-depth appraisal.

MOVED BY DEHAN, SECONDED BY BRENNAN TO ADOPT ORDINANCE NO. 01-1002.

MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENTS: There were no public comments at this time.

CITY MANAGER'S COMMENTS: City Manager Hoggard followed up on the public comments requesting a dog off-leash area in the City. He stated that the Parks Director held public meetings approximately a year ago on this issue for an area at North SeaTac Park. Staff will re-examine their findings. In King County, there has been the increasing interest among dog owners for this type of recreational use of land. The Hotel/Motel Committee received a suggestion by the consultant for use of funds for a dog off-leash area/facility for visitors/travelers with pets. If Council so directs, staff will come back to Council with their findings.

Council discussion ensued as to maintenance of the facility. Councilmember DeHan suggested the Hotel/Motel Committee review this proposal as to the possibility that it could be done from this funding source. Their recommendation could then be brought back to Council. Councilmember Brennan, Chair of this committee, stated that this item will be placed on the committee's next meeting agenda. The Council previously adopted a leash law and it would seem appropriate that a facility for dogs' off-leash area would be a befitting next step. He added that most dog owners, who use such areas, are conscientious enough to help maintain the facility. Councilmember Anderson stated concerns such as liability and users' age limit.

Secondly, Mr. Hoggard added that he just received a payment of \$1,337,654 from the POS for the street vacation project previously discussed in the public hearing section of this meeting.

COUNCIL COMMENTS: Councilmember Fisher stated concern as to the City's Capital Improvements. He feels they are directed toward grants for improvements on main streets, aiding tourism and not neighborhoods. He would like to set aside funds in the budget for these areas. With Council approval, he would like to start up a program for neighborhood improvements led by the Land Use and Parks (LUP) Committee and the neighborhoods. He exemplified the NSTP versus a McMicken Heights pocket park. The SeaTac residents would more beneficially use the McMicken Heights area per cost. Secondly, he received an email today from Sound Transit Executive Director Bob White regarding the alignment of the Sound Transit Light Rail system. According to hearsay, Mr. White resigned from his post today. Councilmember Fisher hopes Sound Transit closely examines the system running through the industrial areas in the valley for Boeing and other workers for ridership.

Councilmember Brennan stated that suggestions should be made to Sound Transit while the censure is on the agency to further explore a better, more effective and straight route. Secondly, he spoke on the Army Corps of Engineers' intended permit determination as to wetlands on the new City Hall (NCH) property. The cost to the City building this public facility will be outrageous if a permit and Endangered Species Act (ESA) requirements are applied.

City Attorney McAdams stated that the United States Supreme Court recently issued a decision (which favorably answers some of Councilmember Brennan's concerns) which holds that the constitutional authority of Congress under the Commerce Clause, though broad, does not extend to impingement upon the States' traditional and primary power over land and water use. Thus, intrastate wetlands, and non-navigable, isolated intrastate waters, such as those on the

NCH site, are beyond the regulatory authority of the Corps of Engineers, and a Section 404(d) permit is not required. This would be good for the City.

Regarding the Sound Transit issue, Councilmember DeHan stated that the agency has divided their initial segment into two portions, the University and Airport segments. The University segment would run from Lander Street to the University. There was an associated \$500 million contribution from the Federal government to aid in its initiation. However, there is some questioning on the part of the Federal government as to whether this funding should be released or whether further study is needed on the project. The second segment (Airport portion) will require approximately \$930 million of Federal funding. The SeaTac Council has worked diligently in reaching some compromises with Sound Transit, in conjunction with the POS, to find an alternative alignment through the City. In viewing the elevated system in Vancouver, B.C., this system is the best route and technology. This system would run from Northgate to downtown Seattle, down 4th Avenue to Marginal Way to the airport. However, Sound Transit members, among them government representatives, are convinced that the surface system is the best route.

Councilmember Anderson stated that on a Sunday, January 21 news broadcast, 8th District Representative Jennifer Dunn spoke her thoughts on sending this issue back to the voters. Mrs. Anderson felt Representative Dunn would be able to put this issue before the Washington legislature. Councilmember Anderson hopes the voters would see this proposal is not the same as the original initiative.

Deputy Mayor Gehring-Waters inquired as to whether Councilmember Brennan would be attending the Surface Water Management (SWM) Meeting on January 26. He stated that he plans to attend. The Airport Coalition Committee (ACC) and Citizens against Sea-Tac Expansion (C.A.S.E.), members are using this issue to impede the third runway progress. He added that local governments are more informed of what is best for the local area than Washington D.C. legislators.

RECESSED:

Deputy Mayor Gehring-Waters recessed the Regular Council Meeting to an Executive Session on Litigation at 7:10 p.m.

EXECUTIVE SESSION: Litigation

RECONVENED:

Deputy Mayor Gehring-Waters reconvened the Regular Council Meeting at 7:35 p.m.

ADJOURNMENT:

MOVED BY DEHAN, SECONDED BY ANDERSON TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 7:36 PM.

MOTION CARRIED UNANIMOUSLY.

Kathy Gehring-Waters, Deputy Mayor
Judith L. Cary, City Clerk

SEATAC CITY COUNCIL REGULAR MEETING MINUTES

February 13, 2001 - 6:00 PM
City Hall Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Shirley Thompson at 6:08 p.m.

ROLL CALL: Present: Mayor Shirley Thompson, Councilmembers Gene Fisher, Frank Hansen, Terry Anderson, Kathy Gehring-Waters, Joe Brennan, and Don DeHan.

ADMINISTRATIVE STAFF: Calvin Hoggard, City Manager; Jay Holman, Assistant City Manager-Economic Development; Judith L. Cary, City Clerk; Robert McAdams, City Attorney; Elizabeth Spencer, Finance Director; Lawrence Ellis, Recreation Supervisor; Jim Downs, Fire Chief; Jeff Richardson, Fire Battalion Chief; John Wilkins, Assistant Fire Captain; Scott Somers, Chief of Police Services; Tom Flanagan, Police Sargent; Craig Ward, Assistant City Manager; Bruce Rayburn, Public Works Director; Steve Butler, Planning Director; and Holly Anderson, Senior Planner.

FLAG SALUTE: Police Sargent Tom Flanagan led the Council, staff and audience in the Pledge of Allegiance.

PRESENTATIONS:

6th Annual Youth Art Contest Winners

Recreation Supervisor Ellis stated that the winners of the 6th Annual Youth Art Contest were selected on February 7 by the members of the community and City Staff and they are as follows: Finalists Anthony Cacallori - Seattle Christian School; Kellie Greer - Seattle Christian School; and Sarah Hubeek - Seattle Christian School. Honorable Mentions Kendra Snow - Chinook Middle School; Philip Catalan - Tyee High School; and Miyoung Joung - Pacific Christian School. Ms. Snow, Ms. Joung, and Ms. Greer were in attendance to receive their City certificates. Mr. Ellis stated that 51 entries were received. The artwork was judged on creativeness, originality and artistic ability. The winners artwork will be on exhibit with the rest of the entries at the North SeaTac Park Community Center (NSTPCC) until March 25. Mayor Thompson presented the certificates to the winners and stated that the City is proud to have such talented youths in the community.

Certificate of Recognition to Carlee Alari, former Executive Assistant to the City Manager

Mayor Thompson, on behalf of the Council, presented Ms. Alari with a certificate of recognition for her five years of service to the City. The Council all thanked Ms. Alari for her dedication to the Council and City during her tenure. She was of great assistance to the Council and will be missed.

Proclamation recognizing SeaTac Fire Department

Mayor Thompson, on behalf of the Council, presented the City Fire Department with a certificate of recognition for their vigilante and caring service to the City, its residents and businesses in responding and preventing critical incidents and in aiding and lessening the suffering that accompanies these incidents. The department has qualified for the Life Safety Achievement Award, the only Fire Department in the State of Washington to receive this award for five consecutive years. Fire Chief Down, Fire Battalion Chief Richardson, and Assistant Fire Captain Wilkins accepted the certificate on behalf of the Fire Department and thanked the Council for support of their services.

Proclamation recognizing SeaTac Police Department

Mayor Thompson, on behalf of the Council, presented the City Police Department with a certificate of recognition for their vigilante and caring stewardship in the City for its residents and businesses in responding to criminal activities. The City has contracted with King County for its police service since its inception. The partnership has been invaluable. The department has responded to and prevented crime and has endeavored to hold offenders accountable who violate and harm the community. They have made significant reduction in the incidents of crime and disorder by using technology, information and crime analysis to achieve positive results. Chief of Police Services Somers and Police Sargent Flanagan accepted the certificate on behalf of the Police Department and thanked the Council for their

support of their services.

PUBLIC COMMENTS: William Santjer, 16650 32nd Avenue South, expressed several complaints regarding a new neighbor adjacent to his property who is using his back lot to bring in, cut up and dispose of vehicles (as many as 13 on a continual basis). Six to seven vehicles are parked in front of the property. The front lawn has been replaced with dirt. Secondly, Mr. Santjer stated that another neighbor had, until recently, a rooster that woke the neighborhood every morning at 7:00 a.m. This neighbor also parks a large truck and trailer on the street where there is no parking area. The truck leaks oil and is blocking mail delivery. This neighbor also constructed a road between his and other neighbors' properties and is bringing in loads of concrete. Mr. Santjer reported to the Police Department that there is garbage strewn into the street, which is now being picked up. Also, a shack has been built against the backside of the house. Mr. Santjer feels these actions devalue his property and he would like the City to investigate these situations.

PRESENTATIONS (Continued):

Light Rail

Mr. Ward opened the presentation by introducing Bill Houppermans, Chief Engineer, and Leonard McGhee, both of Sound Transit Link Light Rail Department. Mr. Ward stated in December 2000, the City Council had a presentation from Sound Transit on the South 200th Street guideway design of which Council questions were posed. Those were answered this evening and discussed were recent decisions made by Sound Transit regarding the light rail system's six-month work plan in the City and third party agreements.

Mr. Houppermans detailed the Airport Link Six-month Work Program. He stated that the agency was over budgeted and has adjusted the budget for the entire light rail system. Sound Transit had preliminary negotiations regarding the largest contract, the Seattle Tunnel. Discussions were held with residents of First Hill, Capital Hill and Seattle regarding the now termed "University Link" and the grant funding for this link. The project has been rescheduled and the entire system is now scheduled to open in 2009. Thousands of dollars will be saved by the recent engineering technology now being applied to the project.

Another work program is now being detailed termed the "Airport Link" of which the agency has been working together with City staff. It is their intent to develop a memorandum of agreement (MOA) in 2001, which would empower the City to design and construct specific elements of the mitigation of the guideway and areas away from the station. Money will be saved with the City doing this portion of the project, which will enable the City to control and prioritize the different mitigations. This work program will be a win-win with both parties working through the details which will be presented to Council later this year. Sound Transit will conclude the footprint and basic architecture of South 200th Street Station in the first quarter of 2001 with input from the community, City staff and the architects. The next three years (2001 to 2003) Sound Transit will focus on monitoring and interfacing with the Port of Seattle (POS) on their work program and kept abreast on Airport Link activities. The City will be involved in the construction mitigation projects' plans associated with the Link.

The Link Work Program schedule for the City is as follows: final design - 2004 to 2005; civil construction - 2006 to 2007; electrical systems construction - 2008; and testing and start-up - 2009. This schedule is more in line with the Airport northend terminal scheduled to open up in 2009-2010.

Mr. Houppermans detailed the Federal funding assumptions and commitments for the Central Link with Transportation Efficiency Act-21st Century (TEA-21) funding of \$9.8 billion dollars through 2009 and commitments of pre-existing Full Funding Grant Agreement (FFGA) of \$4.8 billion leaving a balance of \$5 billion. This funding needs to be appropriated each year. He added that not once in the history of the TEA has the Federal government not funded a project. He explained the details on transportation funding to be dealt with the new administration in Washington. The new Secretary of Transportation Norman Y. Mineta (the only democrat President Bush elected) is a strong transit advocate. The competition for funding is tough. There are over 30 projects in preliminary engineering, including the Airport Link, which received authorization to proceed with final design. This is an excellent indication that the Link project will be a priority in Federal Transportation funding. There are 119 projects in the Federal Transportation funding listing and Sound Transit's link project for this area is now ranked No. 2. Sound Transit is asking for \$931 million for the years 2006 - 2015 which is in the low range (five percent of the total transit funding). He detailed the

historical new-start funding for specific Cities such as Portland which asked 8.6 percent for their 1992-2001 project (with ridership of 40,000, which will grow to 50-60,000 with their airport expansion) compared to this area's 120,000 people. Mr. Houppermans detailed ways other Cities have received additional Federal funding for the future exempling Dallas, Texas' transit project where 76 percent funding was requested and received. Sound Transit will be starting their request at 70 percent and hoping for 40-42 percent total funding of the project.

City Manager Hoggard questioned the percentile attrition which is the real key to the City receiving Federal funding for this end of the rail system. Mr. Houppermans stated that a good portion of this percentage is due to many agencies pursuing new rail technology using funding from Capital Bus Programs prior to a vote of the people and therefore, most initiatives do not pass for many specific regional and economic reasons. This area has the local funding; however, there are many views as to how the funds should be spent.

Council discussion ensued as to the alternatives and ridership levels for Duwamish verses the Rainier Valley Route. The SeaTac Council opposes the Rainier Valley Route defined through City Resolution. Mr. Houppermans stated that in a study of the Duwamish Route, it has travel time advantages but ridership disadvantages. A balance is needed and the Rainier Valley Route has that balance. Councilmember DeHan stated that the Light Rail Policy Committee met yesterday and the Duwamish alignment was discussed, SeaTac Council's choice. The study on this alignment revealed that the riderships would not be sufficient to warrant a route in that area. Mr. Houppermans stated that the ridership on the Rainier Valley Route far outweighs the travel time. Committee members Councilmembers DeHan and Fisher voiced their desire that the South 154th Street Station not be deleted from the Airport Route as this area is planned for high level development in the near future. Councilmember Hansen stated that he drove the Rainier Valley Route and felt the bus service was efficient for that area. As for ridership, the amount of people traveling to the airport outweighs the ridership in the valley. He exemplified the Portland system which works very effectively in that City. Mr. Houppermans stated Sound Transit has not made a decision on the South 154th Street Station except as a suggestion brought to the Board to balance their budget. There is more work to be done on options to balance the budget. South 154th Street is an important station for the Burien, Tukwila, and SeaTac area and the SeaTac Resolution will be taken into consideration during final decision-making. It is a fact that the automobile industry is behind the fight against mass transit. Councilmember Fisher stated the SeaTac Council would not stand for "landlocking" the people in this area. He was disappointed that the valley ridership numbers were made available but not those of the Duwamish corridor.

Lastly, Mr. Houppermans outlined the details of the Light Rail vehicle and its amenities. After reviewing the details of the interior of the cars and the dedicated luggage storage area, Councilmember Anderson stated her concern as to the safety of luggage. The luggage is in a visible area and the system has camera monitoring, lessening the possibility of theft.

Council thanked Mr. Houppermans for the excellent presentation and clarification of the Council concerns.

CONSENT AGENDA:

Approval of claims vouchers in the amount of \$793,267.84 for the period ending January 31, 2001.

Approval of claims vouchers in the amount of \$391,461.78 for the period ending February 8, 2001.

Approval of employee vouchers in the amount of \$506,691.07 for the period ending January 31, 2001.

Approval of firefighter vouchers in the amount of \$330.00 for the period ending January 31, 2001.

Approval of summary of \$5,000 - \$25,000 purchase requests for the period ending February 9, 2001.

Approval of Council Minutes:

City Council Retreat held January 7 - 9, 2001.

Regular Council Meeting held January 23, 2001.

Acceptance of Advisory Committee Minutes:

Planning Advisory Committee Meeting held November 20, 2000 (committee approved January 22, 2001).

Planning Advisory Committee Meeting held January 22, 2001 (committee approved February 5, 2001).

Volunteer Firefighter Pension Board Meeting held January 4, 2000 (board approved February 6, 2001).

Approval of the following Resolution and Motions recommended at the February 6, 2001 Study Session for placement on this Consent Agenda:

Agenda Bill #1955

A Motion accepting the Low Bid for Construction of Valley Ridge Park Frontage Improvements - Parks & Recreation

Summary: In the 2001 Budget, Council approved the completion of Valley Ridge Park Frontage Improvements. This Motion approves the low bid and authorizes a construction contract for the improvements with Paul Brothers, Inc. of Boring, Oregon. This contract includes a new park sign, new fence, irrigation and landscaping.

The project was bid September 2000 and staff rejected the bids because they exceeded the project budget. With this bidding process, there were 35 plan holders and 10 bidders. The low bid was \$100,000 less than the first bids. This is mainly due to the time of year the project was bid.

The bids were opened on January 30, 2001 with ten general contractors submitting bids. Paul Brothers, Inc. was the low bidder at \$161,492.40 including tax. This contractor has good references and has completed several jobs in King County. Staff added an eight-percent contingency for a total request of \$174,411.79 including tax.

The 2001 Budget includes \$225,665 for Valley Ridge Park Frontage Improvements.

Agenda Bill #1959; Resolution #01-003

A Resolution authorizing the City Manager to execute an Amendment to the existing Agreement with King County, allowing the City to accept additional Waste Reduction and Recycling (WR/R) Grant funding, and further authorizing entry into replacement Agreements for Amendments thereto in order to continue the WR/R Program - Public Works

Summary: This Resolution authorizes an amendment to the current County WR/R and City Optional Program Grant increasing funding from \$13,464 to \$44,312.

By Ordinance No. 90-1017 (now codified as Chapter 12.15 of the SeaTac Municipal Code [SMC]), the City Council adopted by reference the King County Comprehensive Solid Waste Management Plan and appointed the King County Solid Waste Division as the City's agency for disposal of solid waste generated or collected within the City. Beginning in 1992 and continuing thereafter, the County has substantially altered the Solid Waste Management Plan in a number of respects, including recycling and waste reduction goals and programs. In order to help meet these goals, the County Solid Waste Division has established the City Optional Program and a WR/R Grant Program for the Cities in the County and SeaTac has long been involved in these programs. The City Optional Program provides grant funds for Cities to conduct Special Recycling Events, which enable citizens to recycle materials that are not included in curbside collection programs, and to establish and maintain Business Waste Reduction and Recycling Programs and services. The WR/R Grant Program provides funding to further the development and enhancement of local waste reduction and recycling projects.

The purpose of the proposed amendment is to define the terms and conditions for funding to be provided to the City increased from \$13,464 to \$44,312 for various WR/R programs and services, as outlined in the new scopes of work and budgets attached to the amendment. It is appropriate to authorize entry into the proposed amendment and also to authorize entry into regular annual grant agreements and amendments, so long as future programs and the proportion of grant funds to local matching funds, if any, remain essentially similar.

The City would incur no additional costs. The increased grant funding will fully fund the waste reduction programs and staff time to administer the increased programs.

Agenda Bill #1961

A Motion authorizing 2001 Computer Hardware Replacement and declaring Replaced Equipment as surplus, allowing for its disposal - Finance

Summary: Approval is requested to proceed with computer hardware replacement as provided for in the 2001 Annual Budget and to dispose of replaced equipment as surplus property.

In the City's Six-Year Capital Improvement Plan (CIP), computer hardware is projected for replacement on the following schedule: Computers - four years; Monitors - five years; and Printers - eight years.

The 2001 Annual City Budget provides \$126,750 for scheduled replacement of the following equipment: 56 computers, one laptop computer; 57 monitors; one file server (Community Center); three laser printers; and one GIS Server/Workstation/Monitor.

Many of the computers to be replaced were actually scheduled for replacement in 2000, so they are one year beyond their estimated useful life. The GIS server/workstation/monitor system was purchased in 1995, so it is two years beyond its estimated life.

Approval is requested to authorize purchase of equipment based on competitive quotes obtained, as needed, throughout the year. Computers are replaced based on a methodology established two years ago. All City computer users are categorized into high, medium and low usage categories based on the quantity of work performed on the computer and the actual applications used. New computers are allocated to users in the high category every other year, and the replaced computers, which are generally two years old, are then allocated to medium and low category users.

Computers purchased in 2001 will have the following specifications: Intel Pentium III 1 GHz with 128 MB RAM, 17" monitor, 20 GB hard drive, CD ROM, Windows 98. The computers have a three-year onsite warranty.

This motion also declares the replaced equipment as surplus, allowing for its disposal. The City could potentially obtain a credit for replaced computers if the new computers are purchased from Gateway. Otherwise, as previously directed by the City Council, surplus property would be disposed of in the following priority order: donated to service agencies serving the citizens of SeaTac; donated to other service agencies; or donated to a refurbishing or recycling center.

All scheduled computer hardware replacement for 2001 has been included in the 2001 Annual City Budget at a total cost not to exceed \$126,750.

Agenda Bill #1962

A Motion authorizing the City Manager to execute a Contract for Financial System Upgrade - Finance

Summary: This Motion authorizes execution of a contract with Eden Systems, Inc. committing the City to upgrade the current financial system software to the Inforum Gold series for implementation effective January 1, 2003.

The City currently uses the Command Series financial system software from Eden Systems. The Command Series is a DOS-based system written in COBAL language and has become significantly outdated, with Edens having developed two more recent Windows-based products – Inforum and the recent Inforum Gold series. The Command Series, while still supported by Edens, has received limited upgrades. However, the vendor will retire all Command Series modules effective December 31, 2001.

The City's current package includes general ledger accounting and financial reporting, accounts payable, purchasing, accounts receivable, payroll, business licensing, fixed assets, Land Improvement District (LID) administration and cash receipting. It is staff's hope that the new financial package will also include a Human Resources module to eliminate the duplication of data entry currently required with the City's non-integrated packages.

Last year, the Council considered three options available to the City: 1) upgrade the current system to Edens Inforum Gold series; 2) continue to utilize the Command Series product, which will require the City to support the product on its own; or 3) purchase a new financial system software package from another software provider.

In an effort to retain its current clients, Eden Systems is offering a very attractive upgrade package which provides the base software licensing at no charge for existing modules and at a 25 percent discount for new modules. The upgrade

cost is limited to training, data conversion, project management and hardware purchase requirements, which the City would incur regardless of the software package selected. With a cost differential between option 1 and option 3 estimated at \$400,000, Council opted to pursue Option 1 as the preferred alternative.

Additional advantages with option 1 are the following: a) the City can delay implementation of the new module beyond 2001. Any current clients with Edens that sign a contract for the upgrade by July 31, 2001 will receive user support for the Command Series modules beyond the product retirement effective date. It is recommended that the City delay implementation of a new financial package to the beginning of 2003; and b) data conversion from one financial package to another requires significant staff time and cost. Upgrading from one Edens product to another significantly reduces this step and eliminates complications that may arise by requiring two software vendors to work together effectively. Eden Systems will also have the benefit of experience in upgrading various Command Series clients to the Inforum Gold package.

Finance Department staff received a demonstration of Eden Systems' Inforum Gold package on August 2, 2000. This third-generation product provides significant enhancements to those functions currently available in the Command Series modules. Staff was very impressed with the new product.

The estimated cost for the new system is estimated at \$200,000. The total cost is being provided over three years with \$50,000 set aside in 2000, \$75,000 included in the 2001 budget, and the remaining \$75,000 to be budgeted in 2002.

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

MOTION CARRIED UNANIMOUSLY.

NEW BUSINESS:

Agenda Bill #1867

An Ordinance amending Zoning Code Provisions regarding Accessory Dwelling Units (ADU) - Planning

Mayor Thompson stated this agenda item has previously been before the Council and at the February 2 Land Use and Parks (LUP) Committee. The committee discussed this item in detail and finally requested that this item be placed before the Council this evening since three members of the Council were not present at the February 6, 2001 Study Session at which time this item was discussed in detail.

Mr. Butler provided a brief history on this issue. There were two outstanding issues: 1) onsite parking and 2) registration of accessory dwelling units. He highlighted four points prior to discussing the two main issues of concern: 1) an ADU is a living unit with a separate kitchen and often a separate entrance, created within, added to or detached from a single-family residence; 2) ADU requirements are currently in the SMC; 3) provisions for ADUs are required by Washington State Law; and 4) the proposed Ordinance implements Comprehensive Plan strategies that direct revision of the current ADU standards to allow greater flexibility and provide design standards. The Council had requested staff to reexamine the existing standards and see if there are ways to provide more flexibility for ADUs. Staff requested Council direction in order to make any changes.

Councilmembers discussion ensued with a great deal of time spent on the parking issues. It appears that the real issue is the vehicular parking in City residential areas for existing housing and new construction. Other Cities were cited as examples of ADU provisions, such as Mercer Island. After much discussion, Council concurred to postpone this agenda item indefinitely. The issue will be re-addressed if the Code Enforcement Officers have the need for the Council attention on this matter.

PUBLIC COMMENTS: Linda Snider, 18700 36th Avenue South, stated she had wanted to discuss the ADU issue. She stated that one point the Planning Advisory Committee (PAC) considered was that in their recommendations they realize it would make it impossible for some people to have an ADU. She exemplified some situations that could happen if general rules are not set down.

Pat Carter, 3041 South 201st Street, stated that the "yellow car" has been removed for her neighborhood today. Many years ago, an apartment building was constructed at the end of their cul de sac with a fence in front of the building to

protect the many children from traffic. With the car removed, she noticed the fence was also removed. The apartment manager plans to move their dumpster off their parking area as it is ruining the asphalt and move it onto the street. The dumpster has glass and garbage all around it and she does not want that mess on their street. Councilmember Brennan stated that he was there prior to the Council Meeting and the dumpster will require a special truck to pick up the garbage which would not otherwise need to come down this street. The City has issued a stop-work order but the manager was working on it this evening. This is a gross violation to the neighborhood. Mayor Thompson requested staff investigate the fence issue as to whether it was part of the provisions in construction of the apartments in this cul de sac.

CITY MANAGER'S COMMENTS: City Manager Hoggard had the following items: 1) the seniors have invited the Council to join them at their 11:30 a.m. luncheon on Wednesday, February 21 at the NSTPCC to sample the new meal service; and 2) staff will follow up on the issues brought to Council attention this evening.

COUNCIL COMMENTS: Councilmember Fisher stated that the parking in the northend of the City is in crisis mode, specifically mentioning a church group whose many patrons park on the neighboring streets.

Mayor Thompson stated that prior to incorporation many residents paved over the County ditches in front of their homes. City Manager Hoggard stated that is correct, the right-of-way (ROW) is publicly owned and everyone has a right to park on it. However, the City has the power to restrict parking in areas, as the Council deems necessary. Mr. Fisher was referring to large influxes of people from outside the City coming to worship at a facility in a residential area.

Councilmember DeHan stated that it was brought to his attention that the trapping of gophers or other creatures in yards is now against the law if done so with "body traps".

Councilmember Brennan expressed another problem in Pat Carter's neighborhood. At South 201st Street, tires have been slashed and a resident at the corner of South 202nd Street and 32nd Avenue South had eight tires slashed. In the same area, a few weeks ago, car windows were broken, and prior to that, there was another rash of slashed tires. Police Chief Somers took action on this situation today. He added that the parking issue should be resolved as was done with the neighborhood behind the Double Tree Inn. Signs were posted and the problem has been eliminated.

Mayor Thompson stated that she was made aware of the fact that the Police Chief and staff are taking action on the abuse of handicap parking in City Hall's front parking lot during City Council Meetings. This issue was brought to Council attention during last week's meeting.

Councilmember Gehring stated that the Council received copies of a letter from AirPro Equipment Inc., a business located in the City. She requested staff address the issue and inform the Council of the results.

ADJOURNMENT:

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

MOTION CARRIED UNANIMOUSLY.

Shirley Thompson, Mayor
Judith L. Cary, City Clerk

SEATAC CITY COUNCIL REGULAR MEETING MINUTES

February 27, 2001 - 6:00 PM
City Hall Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Shirley Thompson at 6:08 p.m.

ROLL CALL: Present: Mayor Shirley Thompson, Councilmembers Gene Fisher, Frank Hansen, Terry Anderson, and Joe Brennan. Excused Absences: Councilmembers Kathy Gehring-Waters and Don DeHan.

ADMINISTRATIVE STAFF: Calvin Hoggard, City Manager; Jay Holman, Assistant City Manager-Economic Development; Judith L. Cary, City Clerk; Robert McAdams, City Attorney; Elizabeth Spencer, Finance Director; Jim Downs, Fire Chief; Tom Flanagan, Police Sergeant; Craig Ward, Assistant City Manager; Bruce Rayburn, Public Works Director; Don Monaghan, Assistant Public Works Director; and Kit Ledbetter, Parks & Recreation Director.

FLAG SALUTE: Jerry Fay, Executive Director, Washington State Transportation Improvement Board (TIB), led the Council, staff and audience in the Pledge of Allegiance.

PUBLIC COMMENTS: There were no comments at this time.

PRESENTATIONS:

Plaque of Appreciation to Jerry Fay, Executive Director, Washington State Transportation Improvement Board (TIB)

Mayor Thompson presented Mr. Fay with a plaque recognizing his support of the City in securing funding for the development of International Boulevard (IB). Mr. Fay is retiring from the TIB and the Council wished to show their appreciation of Mr. Fay's work on one of the City's major projects.

Councilmember Hansen added that Mr. Fay has supported the City since its inception and as a result, he has established a great working relationship with the Council and staff. The boulevard would not have transpired without his efforts.

4th Quarter 2000 Financial Report

Finance Director Spencer noted that the year-end financial results presented this evening are subject to audit by the State Auditor's Office, and a possibility exists that some minor adjustments could occur.

General Fund revenues for 2000 totaled \$23,533,358 and exceeded the budget by nearly \$1.5 million. It was noted that sales tax revenue on capital projects at Sea-Tac International Airport, which are tracked separately, totaled \$862,112. General Fund expenditures at year-end were \$1.9 million under budget and totaled \$20,884,189. Budgetary savings occurred primarily in salaries and benefits due to staff vacancies and in capital outlay. The net change in General Fund balance was \$2,649,169, nearly \$3.4 million stronger than the budget projected. The year-end General Fund balance is \$12,870,569.

City Street Fund revenues came in slightly below budget for the year, but expenditures were well below budget, resulting in a year-end fund balance of \$165,662. Arterial Street Fund revenue was nearly five percent over budget, due to an increase in parking tax revenue, which totaled \$4.7 million in 2000. Arterial Street Fund expenditures were nearly \$400,000 under budget, due in large part to sidewalk improvement expenditures to be carried over to 2001.

Revenue in the Municipal Facilities Capital Improvement Program (CIP) Fund totaled \$3.5 million and exceeded the budget by nearly \$700,000, due to higher interest revenue and an increase in the transfer from the General Fund for the new City Hall (NCH) project. Expenditures totaling \$491,565 was well below budget, due to the fact that construction

did not begin in 2000 as planned.

The Transportation CIP Fund reported revenues and expenditures below budget due to the timing of capital projects. The ending fund balance is just over \$5 million at December 31, 2000.

Revenue in the Surface Water Management (SWM) Utility Fund of \$2 million exceeded the budget by nearly 40 percent due to the SWM rate increase approved by Council for 2000, but not projected in the 2000 Budget. SWM Construction Fund revenues exceeded the budget, and expenditures were significantly below budget, due to the timing of capital projects.

The totals of all City Funds for 2000 were as follows:

Revenue \$55,902,126; Expenditures (\$47,521,349); and Ending Fund Balance \$55,903,328.

Councilmember Brennan thanked Ms. Spencer for the excellent reporting and relaying good news about the year-end 2000 budget. He added that the budget was well managed.

Councilmember Hansen questioned the Port of Seattle (POS)/City Interlocal Agreement (ILA) expenditures. Ms. Spencer replied that the fund balance was \$11.5 million, the revenue was \$2.7 million and expenditures were \$3.5 million. She added that \$3 million was the transfer to the Transportation CIP for the 28th/ 24th Arterial Street project and the ILA was amended to increase the street vacation fees. The other \$437,000 was, for the most part, for travel ad improvement solely from the interest revenue and the community relief monies, which leaves the initial \$10 million. There are street vacation funds that have yet to be spent.

Councilmember Fisher stated that the 2000 Transportation CIP fund had a budget of \$17.4 million with only \$12 million spent. He questioned what the 2001 budget (\$20+ million) would be spent on. Ms. Spencer stated that most of the cost in the Transportation CIP fund is for completion of the 28th/24th Street Arterial. That project is half completed with approximately \$12 million remaining on that project. Also budgeted for 2001 are completion of IB Phase 3 and the start of Phase 4.

Councilmember Brennan stated that from the City's inception, he has witnessed the growth and development of projects that have greatly improved living conditions in the City. He stated that he is proud of the work the Council, staff and community have done in the past 11 years and added that this budget reflects such good work.

Light Rail Transit (LRT) Policy Committee Update

Assistant City Manager Ward stated that the committee consists of Councilmembers DeHan and Fisher, and Sound Transit members Mary Gates, Councilmember - Federal Way, and Kevin Phelps, Councilmember - Tacoma. The committee has met monthly and will shortly be meeting quarterly in the future for the purpose of policy issues and to track the development of the LRT system. At this past meeting, there were four agenda items, which Mr. Ward elaborated on: 1) an update on the January 11 Sound Transit Board decision on a full-funded grant agreement. There has been a 33 percent increase in the development expenses, part due to the addition of the tunnel. A small portion includes the SeaTac area. Sound Transit was clear on the fact that a decision has not been made regarding the South 154th Street Station. Sound Transit staff gave a menu of ways in which they could come up with approximately an additional \$40 million to bring the freeway route off the Tukwila IB and down along I-5. Deferral of the South 154th Street Station was one of the items on their list. Ms. Gates stated neither she nor Mr. Phelps, nor many members of the board, support the deferral of the South 154th Street Station. The board has instructed staff to include the Tukwila route in their environmental impact statement (EIS). The board's final decision will be forthcoming in the May/June time frame. SeaTac representatives requested advanced notice of this item coming before the board in order to support the South 154th Street Station; 2) a briefing was given on the six-month work plan for the Airport Link (Lander Street in Seattle through to SeaTac). Council was briefed on this issue on February 13. A decision on the plan has been deferred until March 8; 3) The permitting process is in the memorandum of Understanding (MOU) but needs more review. There is also the issue of staffing costs for the continuation of the process; 4) the Policy Committee asked that the MOU be amended to provide that the committee be consulted on any joint positions on controversial issues before the board acts upon them; and 5) the committee discussed the items needed in order to receive an essential public

facilities (EPF) permit, which will require mitigation negotiations between Sound Transit and the City. Sound Transit wants the committee to draw up a list of important items and cost estimate them. They will, in turn, fund to build those projects. The advantage is that many of the items are not vital to the system such as a pedestrian bridge across IB at South 154th Street. Sound Transit feels the City could manage this sort of project better than in their system development. The committee has requested some changes to the South 200th Street Station, such as moving the entrance further to the west and moving the entire guideway to center over the street rather than the arch offset to the north. Sound Transit has agreed to move the station, which means 28th Avenue South, south of South 200th Street, would have to be closed. Another important element to their project is emergency access points and standpipes, which the committee is working on with the City's Fire Department. Lastly, he stated that the committee is scheduled to meet on April 21 with Tukwila to discuss South 154th Street plans, design mitigation negotiations, Fire Life Safety, and more on the South 200th Street Station design.

Council discussion ensued as to the newspaper articles on the LRT system and the actual facts. Councilmember Fisher stated that the public needs the South 154th Street Station to commute to Seattle and it is important that the local communities support this station. Councilmember Anderson questioned the funding increase and whether this revised system will have to go before a public vote again since it differs from the original vote. Mr. Ward stated that Sound Transit would have to respond to that issue. However, he feels the board would argue that this is the system that was originally voter approved. Sound Transit is not looking at alternatives to technology such as monorail, free buses and other systems, including what SeaTac wants, alternative alignments. They have committed to look at alternatives to stations on their locally preferred alignment and perhaps an alternative to the tunnel, such as a bridge over Portage Bay.

Joint Advisory Committee (JAC) Update

Mr. Ward reported on the February 22 JAC meeting with Councilmembers Anderson, Hansen and Gehring-Waters and Port representatives, Commissioners Clare Nordquist and Paige Miller.

There were three main issues discussed:

1) Issues resolved: Flag Pavilion, which has been downsized to four flagpoles. The City had requested that it receive the extra poles. However, the poles could not be extracted wholly due to being securely embedded in the ground. Parks Director Ledbetter presented a draft landscaping plan for the area. Due to cost, there was discussion as to the City and Port partnering in the cost of landscaping the north and south sides of the entranceway. Mr. Ledbetter plans to reexamine the plan for budget reduction. Councilmember Brennan agreed that the Port should partner in the cost and, as it is the entrance off IB to the airport and an important area for both entities. Councilmember Hansen stated that the Port had a proposed drawing that the JAC felt was outstanding and a benefit to the City and the Port. Mr. Ledbetter stated that the entry bronze plaque would state, "Welcome to SeaTac" from the airport to entry to the City;

2) Update on the maintenance shop and the 40 acres received some consideration. This issue has not been resolved to date as to the potential boundaries of the acres in North SeaTac Park that are not developed. The ILA calls for a trade of 50 acres of land to the Port in exchange for a westside trail. Options were presented. The Port has met with the Federal Aviation Authority (FAA) on this issue and progress seems probable. Trail design is being held up until the Port's 401 and 404 wetlands and street storm water permits have been issued; and

3) Land acquisition needs and procedures. Mr. Ward outlined the area involved regarding the third runway protection zone. The City's concern is what properties the Port intends to acquire. The City does not want them to buy any more area than necessary. This area is a thriving part of the City. The Port has informed the City that they do not want to buy any land that they do not need. However, the FAA considers the area to be an "object free zone." The FAA would like the Port to acquire everything within the approach transition zone and the Port stated that they would prefer not to. The Port is researching alternatives. Council discussion ensued with staff. Councilmember Brennan questioned what percentage of the City has the Port already taken. Staff will research this for Council. Mayor Thompson suggested that the City meet with the FAA to express its view on this issue and also examine State support. In closing, Mr. Ward outlined the issues that were under Issues Resolved: Police coordination and a follow up meeting held between the City Manager and the Port Director. Lastly, the redevelopment of the borrow pits is still unresolved but a proposal is

in the making to be presented at an upcoming JAC meeting.

CONSENT AGENDA:

Approval of claims vouchers in the amount of \$446,830.13 for the period ending February 22, 2001.

Approval of employee vouchers in the amount of \$349,463.25 for the period ending February 15, 2001.

Approval of summary of \$5,000 - \$25,000 purchase requests for the period ending February 23, 2001.

Approval of Council Minutes:

Regular Council Meeting held February 13, 2001.

Study Session held February 20, 2001.

Acceptance of Advisory Committee Minutes:

Senior Citizens Advisory Committee Meeting held December 21, 2000 (committee approved January 18, 2001).

Senior Citizens Advisory Committee Meeting held January 18, 2001 (committee approved February 15, 2001).

Approval of the following Ordinance and Resolution recommended at the February 20, 2001 Study Session for placement on this Consent Agenda:

Agenda Bill #1965, Resolution #01-004

A Resolution authorizing the formation of a Domestic Violence (DV) Impact Panel - Municipal Court

Summary: This Resolution authorizes the formation and maintenance of a DV Impact Panel, provides a fee for attendance, and provides for fee expenditures.

SeaTac Municipal Court wishes to create this panel to provide education and awareness to batterers of the impacts of DV upon victims and the community. The panel speakers will consist of batterers and victims and/or their families. The speakers, all volunteers, will relate their stories of DV and the painful and life changing effects upon them. Those attending the panel will include batterers ordered to attend by either the SeaTac Municipal Court, another court in the State or batterers referred from treatment agencies or probation departments.

Each panelist must pay a \$25.00 fee, which will be used to offset expenses of providing the panel, such as printing of forms and mileage reimbursement for speakers. Any leftover funds will be used to fund victim services.

SeaTac's panel is designed after the Fife Municipal Court panel that began in June 1999. Just under 500 people attended their panel during its first year. The response to their panel has been nothing but positive by both panel speakers and batterers alike.

The panel will be offered once a month at the SeaTac Municipal Court on the second Wednesday of the month from 7:00 p.m. to 9:00 p.m. The SeaTac Court Administrator will facilitate the panel. In addition to attending the two-hour session, participants must complete an evaluation form about the panel. Participants must also have a compliance form signed by the facilitator to give to their respective court.

This panel offers an opportunity to stop the cycle of violence. It is SeaTac Court's hope to make batterers more accountable. The belief is that connecting early intervention with responsibility for one's actions is critically important to change behavior.

Adoption of the Resolution may initially have a fiscal impact on the City due to the cost of forms related to the panel formation, however, the fee collected by panel attendees is anticipated to cover all further expenses.

A dedicated BARS account has been created to account for the receipts and disbursements associated with this project. If year-end disbursements exceed receipts, expenditure appropriation by Council is necessary.

Agenda Bill #1951, Ordinance #01-1003

An Ordinance amending Subsection 13.06.030(F) of the SeaTac Municipal Code (SMC) relating to Fire Sprinkler Requirements - Public Works

Summary: This Ordinance exempts Open Parking Garages, as defined in the Uniform Building Code (UBC), from the current fire sprinkler requirements.

The SMC is more restrictive than nationally recognized codes and currently requires all structures over 6,000 square feet, except single-family homes, to have a fire sprinkler system installed. After reviewing this issue, staff has concluded that unless required by the UBC, in the future, fire sprinklers need not be installed in Open Parking Garages. This decision is based upon the following factors:

Open Parking Garages are required to be constructed of noncombustible, fire resistive materials;

Fire sprinkler systems are not effective extinguishing automobile fires as the water does not reach inside the automobile and the water can spread gasoline fires;

The installation of fire sprinkler systems is more expensive and not cost effective in Open Parking Garages because freeze protection is required; and

Open Parking Garages have a good fire-safety record.

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

MOTION CARRIED UNANIMOUSLY.

NEW BUSINESS:

Agenda Bill #1964

A Motion approving the Intergovernmental Land Transfer Agreement between King County and the City of SeaTac relating to the Conveyance of Des Moines Creek, Grandview and Sunset Parks to the City - Parks

Summary: This Motion approves the Intergovernmental Land Transfer Agreement by which the County will convey to the City the three park properties stated above.

These parks were not transferred along with the other parks in early 1990 from the County to the City. Parks and Recreation Director Ledbetter requested the County transfer the three remaining parks to the City. The City Attorney has reviewed and approved the park transfer agreements. Mr. Ledbetter presented the park transfer issue to the Land Use and Parks (LUP) Committee on February 9, 2001. The committee recommended sending the Land Transfer Agreement to the City Council for approval.

MOVED BY BRENNAN, SECONDED BY ANDERSON TO ACCEPT AGENDA BILL NO. 1964.*

Councilmember Fisher objected to the inclusion of Grandview Park in this land transfer agreement. City Manager Hoggard stated that a deed conveyed this property to the County from the Federal Government had restrictions as to park operations. If it is not used as a park, it reverts back to Federal ownership. If the City accepts this land, the City would also have the same obligations. Council discussion ensued as to whether the Park would be a financial burden to the City versus its usage by City residents and asset to the City in general. City Manager Hoggard stated that the park is costing the City approximately \$100,000 more than revenue taken in. Councilmember Brennan stated that the City is currently budgeted to maintain the park, which is used for soccer field. The City already owns an outer portion of the park that would be isolated if it does not own the rest. He feels the park is an asset to the City.

MOVED BY FISHER, SECONDED BY ANDERSON TO AMEND THE ORIGINAL MOTION TO DELETE GRANDVIEW PARK FOR FURTHER DISCUSSION PURPOSES.

MOTION DENIED WITH FISHER AND ANDERSON VOTING YES AND HANSEN, THOMPSON AND BRENNAN VOTING NO.

*ORIGINAL MOTION CARRIED UNANIMOUSLY.

Agenda Bill #1914**A Motion approving and authorizing the City Manager to execute an Interlocal Agreement (ILA) for the Final Design and Permitting for the Des Moines Creek Basin Plan Capital Improvements - Public Works**

Summary: This Motion approves an ILA between the Cities of SeaTac and Des Moines, King County, Port of Seattle (POS) and the Washington State Department of Transportation (WSDOT) to prepare the final design and secure permits for the Basin Plan Capital Improvements. These improvements are needed to address drainage, flooding, erosion, sedimentation, fish habitat degradation, and water quality problems throughout the basin.

The Cities and the POS entered into the Basin Plan Development ILA in January 1996. The purpose of that ILA was to perform a comprehensive analysis of the basin and to provide recommendations for preserving or improving as a regional resource the quality of the creek. The end result of this first ILA was a basin plan, which has been formally endorsed by all four of the participating agencies. A significant element of the basin plan was the proposed capital improvement plan (CIP) that would preserve and protect Des Moines Creek.

In June 1998, these same parties entered into an ILA to analyze the recommendations of the Basin Plan and prepare a design report and recommendation on the preferred alternatives.

In September 1999, a Public Works Trust Fund grant application was submitted for preparation of the final design. Although the City was not successful in securing a grant, it was offered a low interest loan in the amount of \$526,426.00. The City Council authorized staff to accept this loan on March 26, 2000.

An ILA to prepare the final design and secure permits for the Basin Plan Capital Improvements has been negotiated between the parties to include WSDOT. These CIP projects will control damaging stream flows and improve water quality and fish habitat in the basin. The major components of this final design effort will be a regional storm water retention pond, a bypass pipeline, stream flow augmentation to address summer low flows in the creek and habitat restoration in the creek.

It will take approximately two years to complete the design of these projects. During that time, the Basin Committee will be working on developing a strategy to fund the construction of these improvements. This strategy will include grant funding, greater participation by WSDOT and different percentages of participation in the cost of the improvements by the other jurisdictions on the Basin Committee. This ILA also includes the continued administrative support for the committee.

The cost of the work to be performed under this agreement is not to exceed \$926,509. The cost of the final design is \$856,509 and the Endangered Species Act (ESA) and basin committee administrative support is \$70,000. The City of SeaTac is responsible for 67 percent or \$573,861 of the total cost for the work to be covered under this agreement. This is a two-year project and the current 2001 budgetary appropriation for this project is \$300,000 for the final design and permitting and \$30,000 for continued administrative support for the basin committee. The remainder will be appropriated in 2002 in accordance with the CIP.

Public Works Director Rayburn stated that at the February 13 Study Session, Council requested further information on this study. Mr. Rayburn introduced David Masters, King County Basin Plan Management, who presented background information the basin plan. Mr. Masters stated that this is an exciting project which provides an excellent educational and recreation resources in this urban area. He detailed the various elements of the basin project.

Councilmember Fisher questioned the basin location in each of the involved Cities and their financial contribution to the project. Assistant Public Works Director Monaghan stated that Des Moines has been a participant in the basin study from the beginning and have been paying equitably until this ILA. They have also taken the primary lead on the funding and advancement of the bridge over the creek at Des Moines Way. There are some inequities in the cost share in this agreement, which is being recognized and will be corrected in the final construction ILA, which will contain most of the funding monies spent. City Manager Hoggard added that the entire area is factored in, not just the area in this agenda bill. A good share of the land involved is in SeaTac.

MOVED BY BRENNAN, SECONDED BY ANDERSON TO ACCEPT AGENDA BILL NO. 1914.

MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENTS: J. B. Freer, 18925 37th Avenue South, had the following comments: 1) reiterated the issue of speeding vehicles on South 188th Street, which has not been resolved. She feels this is a public safety issue; 2) a police car was traveling on International Boulevard at a dangerous speed and she felt more caution should have been taken as to not put others in harm's way; 3) commended the Police Officer who responded to her request to pull over the dangerously driven car on IB off South 200th Street; 4) the hole in her street was patched by the City but she felt the other holes in that roadway should also have been patched; and 5) stated her appreciation of Mayor Thompson's response time to the public and their issues. Mayor Thompson stated that staff would address Ms. Freer's concerns. She added that in the 2001 budget, reductions were necessary and one motorcycle officer was deleted from the force. Council may have to reevaluate this and discuss it at an upcoming Finance Committee Meeting. Councilmember Brennan suggested the use of the new type of speed bump system, that is to be implemented on 4th Avenue South, should be considered for South 188th Street.

CITY MANAGER'S COMMENTS: City Manager Hoggard had the following items of business: 1) Council received a letter from Lutheran Social Services (LSS) thanking the Council for their attendance on a tour of their Northwest Area Office. They enjoyed meeting the Council and answering questions; 2) an Open House at the LSS's SeaTac facility will be held on Wednesday, February 28 from 4:30 to 6:00 p.m. to discuss senior housing, social service offices, possibly child care services, senior center and health facilities. The public is welcome; and 3) On Thursday, March 1, 2001, 7:00 to 8:30 p.m., there will be a meeting at the Valley Ridge Community Center regarding the Washington Mutual Inc. Corporate Training Center to be developed on the Colacurcio property.

COUNCIL COMMENTS: Councilmember Brennan proposed that the issue of cars parking on front lawns be further discussed at the March 6 Study Session with some resolution to be presented for Council consideration at the March 13 Regular Council Meeting.

Councilmember Anderson stated that the Suburban Cities Association (SCA) is having a March 14 meeting at Lake Sammamish. They requested that City staff attend, if possible, to discuss transportation issues.

Mayor Thompson commented on the City's letter replying to Paula Taylor's concerns regarding impacts to her property presented at the February 13 Study Session. In addition to the Councilmembers making personal visits to the Taylor home, the City Manager, Assistant City Manager Holman, Police Chief and Fire Chief also examined the issues Ms. Taylor brought forth. Mayor Thompson complimented staff on their responsiveness and added that as with this issue, the current form of government is working well in the City of SeaTac. Regarding the Corporate Training Center to be developed in the City, the Council is proud of the fact that Council and staff are working very diligently with the corporation to fast track this project. Planning Director Butler has done an excellent job taking the lead on this project. It will be a great cornerstone to the new City Hall (NCH). She also thanked resident Dick Jordan for his positive comments in an article in the South County Journal regarding viable neighborhoods in SeaTac. She also stated her appreciation of Highline Times reporter, Eric Mathison, for his accurate and fair reporting adding that he is the best reporter the City has had in its history. Lastly, she cancelled the February 28 Council Workshop due to lack of attendees for that evening. The issues on the agenda require the full Council's attention.

ADJOURNMENT:

MOVED BY ANDERSON, SECONDED BY BRENNAN TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 7:58 P.M.

MOTION CARRIED UNANIMOUSLY.

Shirley Thompson, Mayor
Judith L. Cary, City Clerk

SEATAC CITY COUNCIL SPECIAL MEETING MINUTES

March 6, 2001 - 6:00 PM
City Hall Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Shirley Thompson at 6:05 p.m.

ROLL CALL: Present: Mayor Shirley Thompson, Councilmembers Gene Fisher, Frank Hansen, Terry Anderson, Kathy Gehring-Waters and Joe Brennan. Excused Absence: Councilmember Don DeHan.

ADMINISTRATIVE STAFF: Calvin Hoggard, City Manager; Jay Holman, Assistant City Manager-Economic Development; Judith L. Cary, City Clerk; Robert McAdams, City Attorney; Elizabeth Spencer, Finance Director; Jim Downs, Fire Chief; Tom Flanagan, Police Sargent; Lesa Newman, Executive Assistant to the City Manager; Craig Ward, Assistant City Manager; Bruce Rayburn, Public Works Director; Don Monaghan, Assistant Public Works Director; and Steve Butler, Planning Director.

FLAG SALUTE: John P. Kenny, ERA Commercial Properties, led the Council, staff and audience in the Pledge of Allegiance.

INTRODUCTION:

New City Employee: Lesa Newman, Executive Assistant to the City Manager

City Manager Hoggard introduced Ms. Newman to the Council, staff and audience. Lesa was born in Minnesota but raised in West Seattle. In the mid-70's, her family moved to the SeaTac area where she attended Chinook Junior High and Tyee Senior High Schools. She began a career in City Government in 1990 with the City of SeaTac as Secretary in the Planning and Community Development Department. In 1992, she transferred to the position of Executive Assistant to the City Manager and City Council and remained with the City until October 1995. In 1996, she was instrumental in the incorporation of the City of Lakewood and for the last five years, she has been working as Lakewood's Executive Assistant. As of February 27, Lesa reconvened her position with the City of SeaTac and is delighted to be back where she has many good friends within the staff and is well known by most of the City Council. On a personal note, Lesa resides in the Angle Lake neighborhood. On behalf of the Council, Mayor Thompson welcomed Ms. Newman back to the City staff.

PUBLIC HEARING:

Development Agreement for the Corporate Training Center Project – Planning

Mayor Thompson opened the Public Hearing at 6:09 p.m.

Planning Director Butler gave an overview of the presentation on this project between the City and Washington Mutual Inc. to develop a Corporate Training Center on property, located generally at 18501 36th Avenue South, often referred to as the Colacurcio property. He stated that there have been public presentations on this project; one to the local Hotel/Lodging Association and one to a neighborhood meeting sponsored by the City. This proposed project was well received at both presentations. Mr. Butler introduced Linda Clarke-Santos, Senior Vice President, Washington Mutual Inc.; John Oppenheimer, President and CEO of Columbia Hospitality; and Jim Moore, GGLO Principal Architect, each describing their participation in the project.

Ms. Clark-Santos briefed on the corporation's background. The company is currently 127 on the Fortune 500 listing. It has been headquartered in Washington State since 1889 and is the 7th largest financial institution in the nation. Interestingly, 85 percent of their employees resided outside the State. One of the reasons the firm would like to build a training center in SeaTac is that it is a chance for them to bring employees from outside the State to their corporate base. The center would be a place where bank officials could learn and build a strong future for the company. The center's location is excellent and the City staff and the general community have been very responsive to their plans.

Mr. Oppenheimer, future operator of the facility, gave an overview of the project and reiterated Ms. Clark-Santos appreciation of the cooperation of the City Council, staff and community. This project will benefit the City, region and State. It will be a place where corporate officials will come from all over the nation for academic-rich programs. His firm's role will be the operators of the daily curriculum of the facility. Ms. Clark-Santos will develop the curriculum and substance of the studies. Washington Mutual has charged the team to be a good neighbor in the community. The center will be a facility the City can be proud of. It will stimulate local economy with usage of the City's other emanates. The facility will have a low traffic level and there will be no impact on the local schools. The firm sees the facility as having only a positive impact on the City with its low-density use.

Mr. Moore continued with the description of the project site and design. Their firm has designed numerous hotels and inns. Washington Mutual operates eight facilities and GGLO has designed three of them, all of which have been in neighborhoods focused on "fitting in instead of standing out." He gave a brief description of the project, site designs, community benefits and the schedule of construction. The center will support the training, dining and overnight accommodations for employees and immediate family. It will also be available for non-corporate use on weekends for wedding receptions and other social events. Washington Mutual wants a northwestern-style campus setting within its overall 100,000+ square feet of floor area and courtyards between the buildings. There will be four buildings; one to three stories tall, with 120 guestrooms, four training rooms seating up to 300 people, one boardroom for 20 seats, a dining room for 150 seats and a small employees' fitness center. The property will have extensive landscaping with the existing wetlands substantially enhanced. There will be a gatehouse (caretaker's house) at the western boundary of the site. The grounds will have a park-like setting with a walkway the public is welcome to use. He added that Lease Crutcher Lewis Contractors, another member of the team, a firm sensitive to complex construction within existing neighborhoods. The construction is scheduled to commence in the summer of 2001 with completion in the summer of 2002.

Mr. Butler concluded the presentation with a summary of the potential development agreement with Washington Mutual Corporate Training Center: 1) Recitals; 2) Land Uses: Current UH-900 Zoning is fixed; 3) SEPA Determination; 4) Easements; 5) Dedication of Wetlands; 6) City Improvements on 36th Avenue South Right-of-Way (ROW); 7) Maintenance of ROW Improvements; 8) Surface Water Management (SWM) Provisions; 9) Transportation Impact Fees/Parking; 10) Dispute Resolution; and 11) General Provisions.

Council questions and discussion ensued with staff and panel answering their concerns. Mr. Moore explained the emergency ingress and egress gated for fire and police vehicles with key box entry at 38th Avenue South.

Councilmember Brennan stated that this project is so much superior to the use of the property by other developers (apartment and condominiums that would greatly increase traffic and impact the schools). The project also will need no zoning changes as would the apartments and condominiums. He stated that he was highly impressed with this development project.

Liz Bolian, General Manager, Days Inn, 19015 International Boulevard, spoke on behalf of the Hotel/Lodging Association. This project was presented to them at their February meeting. Most of the attendees were excited about it and see it as a positive addition to the City. The facility plans are of quality and add business to the other businesses in the City. The association looks forward to working with the center. Mayor Thompson thanked Ms. Bolian for the positive endorsement from the business community.

Linda Snider, 18700 36th Avenue South, as a resident in the proposed development area, stated that she is very pleased with this project and feels it will be a definite asset to the community. With the other proposals, she was very concerned about the traffic impact.

Joe Dixon, 19211 35th Avenue South, stated he had opposed the previous proposals for this property but is more than relieved that such a quality project is being proposed. He highly endorses the Washington Mutual Project.

Mayor Thompson added that she too endorses this project and had also been against the other proposals for this neighborhood. She stated her concern that the west side of the City has suffered a great loss of residential property due to POS projects. She added that she appreciates that the Washington Mutual Training Center will be of high quality

and have a park-like atmosphere for the public. She complemented the staff for their diligent work on researching a quality development for this property.

With no further input, Mayor Thompson closed the public hearing at 6:48 p.m.

NEW BUSINESS:

Agenda Bill #1966; Resolution #01-005

A Resolution authorizing the City Manager to execute a Development Agreement with Washington Mutual Inc. to develop a Corporate Training Center on Property, located generally at 18501 36th Avenue South - City Manager / Planning

Summary: The proposed Development Agreement between the City and Washington Mutual Inc. specifies key parameters regarding possible investments on the part of the City and conditions on site development on the part of Washington Mutual Inc. The agreement will bind the current property owner/developer, and will require that any subsequent owner/developer develop the property consistent with the terms of the agreement.

The property will primarily be used as a "corporate training facility" with additional incidental use, on a short-term and for-fee basis, for uses such as weddings, family reunions, and academic and governmental events. The zoning on the property will continue to be Urban High-900 (UH-900).

The cost of traffic improvements (including street construction along 36th Avenue South between South 188th Street and the subject property, and a traffic light at the intersection of South 188th Street and 36th Avenue South) is to be paid by the City. The property owners would deed the property's wetland area to SeaTac at no cost, with the City being responsible for undertaking all necessary wetlands improvements and maintenance improvements. The property owner would be responsible for improvements to, and maintenance of the wetland buffer.

Preliminary estimated costs for the City include \$900,000 in traffic improvements and \$178,000 in wetlands mitigation-related improvements, subject to final estimates based upon approved designs. Maintenance of the wetlands will involve future costs to the City.

MOVED BY GEHRING-WATERS, SECONDED BY ANDERSON TO PASS RESOLUTION NO. 01-005.

MOTION CARRIED UNANIMOUSLY.

Mayor Thompson added that City Manager Hoggard and she spoke with Councilmember DeHan on the phone and he highly supports this project.

Agenda Bill #1974

A Motion ratifying and confirming the Mayoral Proclamation of Emergency - City Manager

Summary: Mayor Thompson proclaimed an emergency as a result of the February 28, 2001 earthquake for the purpose of authorizing recovery actions and obtaining reimbursement of City funds so expended.

Municipal Research and Services Center (MRSC) has advised all Cities to issue a local proclamation of emergency, and to obtain confirmation and ratification by the City Council, in order to ensure eligibility for reimbursement of any costs of recovery from the Federal Emergency Management Administration (FEMA). Accordingly, the Mayor has issued an appropriate proclamation. Confirmation and ratification by the City Council was requested.

There is no fiscal impact due to passage of this Motion. However, if public funds are expended in the process of recovery, reimbursement from FEMA will be possible.

MOVED BY ANDERSON, SECONDED BY GEHRING-WATERS TO ACCEPT AGENDA BILL NO. 1974.

MOTION CARRIED UNANIMOUSLY.

Mayor Thompson added that City Manager Hoggard and she spoke with Councilmember DeHan on the phone and he also supports this proclamation.

ADJOURNMENT:

MAYOR THOMPSON ADJOURNED THE SPECIAL MEETING OF THE SEATAC CITY COUNCIL AT 6:55 PM.

Shirley Thompson, Mayor
Judith L. Cary, City Clerk

SEATAC CITY COUNCIL SPECIAL MEETING MINUTES

March 12, 2001 (Monday) - 4:00 PM
City Hall Conference Room 401G

CALL TO ORDER: The SeaTac City Council Special Meeting was called to order by Mayor Shirley Thompson at 4:06 p.m.

ROLL CALL: Present: Mayor Shirley Thompson, Councilmembers Gene Fisher, Terry Anderson, Kathy Gehring-Waters, and Joe Brennan. Excused Absences: Councilmembers Frank Hansen and Don DeHan.

ADMINISTRATIVE STAFF: Calvin Hoggard, City Manager; Jay Holman, Assistant City Manager-Economic Development; Judith L. Cary, City Clerk; Robert McAdams, City Attorney; Elizabeth Spencer, Finance Director; and Bruce Rayburn, Public Works Director.

RECESSED: Mayor Thompson recessed the meeting to an Executive Session on Potential Litigation at 4:08 p.m.

EXECUTIVE SESSION: Continuation of discussion of Potential Litigation from the March 6, 2001 Executive Session.

RECONVENED: Mayor Thompson reconvened the meeting at 5:55 p.m.

ADJOURNMENT:

MOVED BY ANDERSON, SECONDED BY BRENNAN TO ADJOURN THE SPECIAL MEETING OF THE SEATAC CITY COUNCIL AT 5:56 P.M.

MOTION CARRIED UNANIMOUSLY.

Shirley Thompson, Mayor
Judith L. Cary, City Clerk

SEATAC CITY COUNCIL REGULAR MEETING MINUTES

March 13, 2001 - 6:00 PM
City Hall Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Shirley Thompson at 6:04 p.m.

ROLL CALL: Present: Mayor Shirley Thompson, Councilmembers Gene Fisher, Terry Anderson, Kathy Gehring-Waters and Joe Brennan. Excused Absences: Councilmembers Frank Hansen and Don DeHan.

ADMINISTRATIVE STAFF: Calvin Hoggard, City Manager; Jay Holman, Assistant City Manager-Economic Development; Judith L. Cary, City Clerk; Robert McAdams, City Attorney; Elizabeth Spencer, Finance Director; Bob Myers, Assistant Fire Chief; Kit Ledbetter, Parks and Recreation Director; and Tom Flanagan, Police Sergeant.

FLAG SALUTE: Roger McCracken, McCracken & Associates, led the Council, staff and audience in the Pledge of Allegiance.

PUBLIC COMMENTS: J. B. Freer, 18925 37th Avenue South, suggested that the trees to be taken off the new City Hall (NCH) property be donated to SeaTac residents in need of wood to heat their homes in the winter months. She volunteered to help with this project. Regarding Agenda Bill No. 1973, which was discussed at the March 6 Study Session, she questioned the mention of the City having a "negative" image and would like clarification on this matter. Mayor Thompson stated that this item is on this evening's agenda under New Business and her concern would be addressed at that time.

CONSENT AGENDA:

Approval of claims vouchers in the amount of \$508,963.64 for the period ending February 28, 2001.

Approval of claims vouchers in the amount of \$183,041.95 for the period ending March 8, 2001.

Approval of employee vouchers in the amount of \$495,682.44 for the period ending February 28, 2001.

Approval of firefighter vouchers in the amount of \$330.00 for the period ending February 28, 2001.

Approval of summary of \$5,000 - \$25,000 purchase requests for the period ending March 9, 2001.

Approval of Council Minutes:

Study Session held February 6, 2001.

Special Council Meeting held March 6, 2001.

Acceptance of Advisory Committee Minutes:

Human Relations Committee Meeting held January 11, 2001 (committee approved March 8, 2001).

Planning Advisory Committee Meeting held February 5, 2001 (committee approved February 26, 2001).

Planning Advisory Committee Meeting held February 26, 2001 (committee approved March 5, 2001).

MOVED BY GEHRING-WATERS, SECONDED BY ANDERSON TO ACCEPT THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY.

NEW BUSINESS:

Agenda Bill #1973

A Motion approving the Implementation of an Image/Advertising Campaign - City Manager's Office

Summary: This motion would approve a yearlong radio campaign and give authority to proceed with costing out an additional five steps of the overall campaign.

The consultant, The Indexgroup (Joann Hamick), recommends a sustained yearlong media advertising program to do the following: communicate that SeaTac is a City; position the City as a service to those that use the airport; correct the negative image of the City, and replace it with a friendly image. It is felt that other promotional and economic development activities will have little impact unless it begins to reduce the negative image. The recommended radio campaign will build positive awareness slowly, over the one-year period. The recommended theme for SeaTac City is "providing convenience and service to people and businesses that use the airport." Radio is recommended because it offers much lower costs than other media sources. Reach and repetition are key to the success of the campaign. Recommended stations are KIRO, KVI and KNWX (770 AM). Other parts to the suggested marketing plan include developer initiatives, creating and augmenting economic development tools, assisting with the Hughes property "model project," creating airport parking sign design, and overall publicity. These last five parts, if approved in concept by the Council, would be brought back, with associated costs, for formal Council approval.

The cost of this first step of the campaign is \$193,663 from Hotel/Motel (H/M) Tax funds. The 2001 budget amendment will be presented with the additional five steps within a few weeks.

Assistant City Manager Holman opened the discussion by re-introducing Joann Hamick, IndexGroup and introducing Roger McCracken, McCracken & Associates and Sam Uchello, General Manager, SeaTac Marriott Hotel, members of the H/M Tax Advisory Committee. Mr. Holman briefed on the above summary, which was presented to Council at the March 6 Study Session.

Councilmember Brennan, as Chair of the committee, stated that the committee was very supportive of this advertising campaign.

Ms. Hamick reviewed the questions posed by Council at the Study Session:

1) Why Radio Advertising – The campaign is an ambitious one addressing a positive image of the City. The committee felt that radio would be the best initial media in reaching an audience of listener who would be interested in developing businesses in SeaTac. This media is the most effective for the least amount of money. The audience would be regional leaders, business leaders and travelers, developers and financiers. The ad would present details that are not generally known about SeaTac. Whether it is lack of knowledge or a negative image, the public needs to know SeaTac is an "A+" City for development and business opportunities. Advertising repetition is the best way to get people to listen and change their views and radio can do that affordably. Written publications only allow for the same advertisement monthly or quarterly. With radio, the ad spots could be changed within the repetitive series to further capture the interest of the public. There will be opportunities in the future for additional advertising media, such as specialty publications.

2) Delivering the Right Messages - There are various types of audiences the campaign is trying to reach. Its aim is to expand and correct the image about the City and build value in the City's location next to a major airport. The H/M Tax funds have regulations that specifically direct the usage of the monies. The City is required to create a program to support the City's hospitality industry. The industry needs to lengthen the stays of visitors and unless there is more to attract them to stay in the City, they will leave. This City is the most convenient starting point to access the region's attractions.

Mr. Uchello stated that the hotel community wants to use the H/M Tax funds to increase their occupancies. They have determined that if there were economic development in the City, it would indirectly help the hotel business. They felt that the initial radio advertising directed at image building would be the best initial step.

Mr. McCracken stated that the committee has spent over two years designing the right approach for the advertising campaign. He felt this plan was the best of those reviewed by the committee. The image that the consultant is trying to change is not a "good or bad" image, but is not an advertised image. The campaign focuses on why this City could be good for their businesses, investments and futures. The City is well connected with the airport. A better international environment could be created. Retail is one area that needs to be promoted but at the same time, they have to have a good reason to establish their business in this City. Advertising that the airport is in SeaTac is a good factor for drawing business into the community. Creating more development will bring in clients who stay in the hotels. The ad campaign is the first step in the plan. It builds the entire image of SeaTac.

Council discussion with the committee ensued on issues such as the connection between the City and the airport, the repetitive advertising, and whether radio is the right format versus written publications. Councilmember Brennan stated that the H/M funds have been available since 1997 and to date the only use has been for the Tyee High School Travel and Tourism Academy. If the funds are not being use, the State may transfer the money to other uses. He feels the campaign will pay for itself in the long run. Councilmember Anderson stated that she felt the advertising is to let people know that the City of SeaTac exists and is not just an airport with a few services right outside the airport. Ms. Hamick agreed that there was not a general awareness that there is a City here with lots to be offered. Mayor Thompson wants the advertising to focus on the community as well as business aspect of the City. She questioned the type of business this campaign would entice and was not sure the image was negative now that the City has been incorporated for 11 years and established a good reputation with its police, fire and the other City departments' diligent work under the guidance of the City Council and the community.

After further discussion answering their concerns, the Council concurred to proceed with the radio campaign with updates on its progress brought back to Council periodically. On behalf of the Council, Mayor Thompson thanked Ms. Hamick, Councilmember Brennan, Mr. Holman and the committee for their diligent work on this study and campaign.

MOVED BY BRENNAN, SECONDED BY ANDERSON TO ACCEPT AGENDA BILL NO. 1973.

MOTION CARRIED UNANIMOUSLY.

Agenda Bill #1971; Ordinance #01-1004

An Ordinance amending the City's 2001 Annual Budget for 2000 Carryovers

Summary: This Ordinance amends the 2001 Annual City Budget to include items budgeted in 2000, but not completed, requiring a carry over of the appropriation to the following year.

When departments develop their requests for the annual budget preparation process each year, they are required to provide estimates of the actual year-end expenditures by line item for the current year. In doing so, they make projections on what items will be completed during the months of October, November and December. Due to various circumstances, some of these items are not completed, and the budget appropriation must be carried over and added to the following year's budget to allow the expenditures. Following is a brief description of carryovers requested by various departments for 2001:

General Fund:

City Manager - Professional Services and Human Services Contracts; Finance - Accounting & Auditing, GIS Professional Services and Computer Software; Police Services - Criminal Justice Areas No. 1, 2, and 3, Bureau of Justice Assistance (BJA) Grant Program; Parks & Recreation - Camps/Supplies and Maxicom System; and Planning - Professional Services; Other Funds - City Street Fund - Maxicom System; Arterial Street Fund - South Access Environmental Impact Statement (EIS) Study and Pedestrian Improvements; Transit Planning Fund - Professional Services; H/M Tax Fund - Economic Development Study and Tyee Scholarship Program; and Surface Water Management (SWM) Construction Fund - Spot Drainage Improvements.

All carryovers requested in this agenda bill were included in the 2000 Annual Budget. They were also included in year-end 2000 estimates used to determine fund balance levels available to fund 2001 Budget requests. Therefore, there is no fiscal impact of this Ordinance, which simply changes the timing of the expenditures (2001 instead of 2000).

Without an Ordinance amending the 2001 Budget, the authority for these expenditures will lapse as of December 31, 2000, and the expenditures can not be made. It is important to note that legal and/or contractual obligations require carryover of many of these items.

MOVED BY BRENNAN, SECONDED BY GEHRING-WATERS TO ADOPT ORDINANCE NO. 01-1004.*

MOVED BY FISHER, SECONDED BY ANDERSON TO AMEND THE ORIGINAL MOTION TO ENSURE

THAT THE EXCESS \$17,000 TO BE ROLLED OVER TO THE HUMAN SERVICES CONTRACT IS BROUGHT BACK TO THE CITY COUNCIL FOR AUTHORIZATION OF EXPENDITURE PRIOR TO DISTRIBUTION.

MOTION CARRIED UNANIMOUSLY.

Councilmember Gehring posed questions to Ms. Spencer as to the usage of the carryovers. Councilmember Fisher requested that the construction projects are date specific so there are no carryovers and projects are completed on time as stated in the contracts.

*MOTION CARRIED UNANIMOUSLY.

ITEM ADDED TO NEW BUSINESS:

Agenda Bill #1977

A Motion for Reconsideration of the Council's prior approval of the Intergovernmental Land Transfer Agreement relating to the conveyance of Parks to the City - Parks

Summary: This Motion was requested by Councilmember Anderson, for reconsideration of the Council's approval on February 27, 2001 of Agenda Bill No. 1964, entitled "A Motion approving the Intergovernmental Land Transfer Agreement between King County and the City of SeaTac relating to the Conveyance of Des Moines Creek, Grandview and Sunset Parks to the City."

Prior to passage, an amendment to delete Grandview Park from the approved conveyance was offered by Councilmember Fisher and was seconded by Councilmember Anderson. The amendment was defeated with Councilmembers Thompson, Hansen, and Brennan voting nay. The original Motion was then passed unanimously (no Councilmember abstaining or audibly voting nay).

The Land Use and Parks (LUP) Committee of the Council met on March 8, 2001 and considered the issues relating to Grandview Park. The committee reached consensus to recommend to the full City Council that the City Manager and Parks Director initiate discussions with King County to resolve specific issues relating to Grandview Park and all other outstanding park issues. Accordingly, Councilmember Anderson, as chair of the LUP Committee, has stated intent to move for reconsideration of the Council's prior approval of the Intergovernmental Land Transfer Agreement until all of the park issues have been resolved between the City and King County.

As an alternative, Grandview Park could be removed from authorization to enter into the Intergovernmental Land Transfer Agreement so that Sunset Park and Des Moines Creek Park may be conveyed from King County to the City pending determination of ownership, maintenance, and operation of Grandview Park. However, the proposed agreement relates to all three parks and approval by the City Council only in regard to Sunset Park and Des Moines Creek Park constitutes a counteroffer, which is subject to approval or disapproval by the County. Thus, there can be no assurance that Sunset Park and Des Moines Creek Park would be conveyed to the City in the absence of agreement to accept Grandview Park.

Grandview Park was a former Nike Missile Site, owned by the United States. The site was declared surplus and conveyed to the County subject to a number of restrictions and a right of reversion to the United States.

The deed restrictions and right of reversion are summarized as follows:

1. Use of the property is limited to public park and public recreational purposes in accordance with a "program of utilization;"
2. Biennial reports as to use of the property must be filed with the Secretary of the Interior;
3. The property may not be sold or otherwise disposed of except to another local governmental agency approved by the Secretary of the Interior;
4. In event of any breach of the restrictive covenants, the property may revert to ownership of the United States, at its

election;

5. All use of the property shall be in compliance with Title VI of the Civil Rights Act of 1964; and

6. The original deed from the United States to the County (dated July 27, 1965) provided for a right of reoccupation by the United States in event of national emergency, but only for the term of twenty years following the date of conveyance. Thus, the right of reoccupation in event of national emergency has now expired.

As noted in Item 1, use of the property as a public park and recreational area must be in accordance with an "approved program of utilization". The nearly illegible microfilm copy of King County's "Program of Utilization" includes public touring of the underground missile silos. It will be necessary to obtain further information from the County as to the status of the silos and missile equipment on site and as to any termination of the requirement to maintain Grandview Park as a "public touring show place".

By Resolution No. 90-150, the City Council authorized an agreement between the County and the City for the "ownership, funding, operations and maintenance of parks, open space, recreation facilities and programs". The agreement, which was executed by the City on January 3, 1991, provided, as to Grandview Park (in addition to eight other parks and properties) for conveyance of an undivided equal interest on or about January 1, 1991, so that both the County and the City would be co-owners of the Park. The agreement further provided that the County would continue to operate, maintain, and repair the various park sites (subject to a pro-rata share of the costs of operation and maintenance to be paid by the City in 1991, 1992, and 1993) wherefore the City would assume full and complete responsibility on January 1, 1994. Pursuant to the agreement, the County was to convey all of its interest in Grandview Park (and the other parks and properties) to the City on or about January 1, 1994.

All of the properties recited in the 1991 Agreement were transferred to the City in 1994, pursuant to terms of the agreement with the sole exception of Grandview Park. This omission may well have resulted from delay in the County's receipt of approval for the conveyance by the United States Secretary of the Interior, or designee (apparently the National Park Service). The Intergovernmental Land Transfer Agreement now proposed by the County recites, as a fact, that the National Park Service approved the transfer of Grandview Park on March 4, 1994.

It is possible, that conveyance of Grandview Park was withheld by reason of the City's withholding of the December 31, 1993 operation and maintenance payment of \$179,000 due to a dispute as to the County responsibility for effecting Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973. Correspondence from 1992 and 1993 memorializes the dispute but no resolution has ever been reached. King County Executive Ron Sims has requested that this long-standing dispute be resolved in the context of the recently proposed conveyance to the City of Hilltop Park, primarily to facilitate installation of an underground SWM retention/detention facility at that site.

It may be noted that conveyance of Sunset Park and the County's portion of the Des Moines Creek Park emanates from Phase I and Phase II Agreements Relating to the Development of North SeaTac Park, dated May 15, 1990 and July 9, 1991, respectively. Pursuant to the Phase II Agreement, the County was to convey Sunset Park to the City on or about January 1, 1994. Again, there was a specified transition period from January 1, 1991 through December 31, 1995 to "avoid disruption of service to the public who use the athletic fields at Sunset Park." The provisions relating to what would come to be known as the Des Moines Creek Park are rather convoluted and have not been followed in many respects. Suffice it to say that the County should, indeed, convey to the City that portion of Des Moines Creek Park lying within the City boundaries.

This matter is within the discretion of the Council. However, staff would recommend reconsideration and a subsequent vote to not approve the original Motion approving the Intergovernmental Land Transfer Agreement. This will permit the City Manager and staff to negotiate settlement of all outstanding park issues with the County.

There is no identified fiscal impact by reason of this Motion.

MOVED BY ANDERSON, SECONDED BY FISHER TO RECONSIDER AGENDA BILL NO. 1967.

MOTION CARRIED UNANIMOUSLY.

MOVED BY ANDERSON, SECONDED BY FISHER TO ACCEPT AGENDA BILL NO. 1977 TO DELETE THE GRANDVIEW PARK FROM THE INTERGOVERNMENTAL AGREEMENT FOR FUTHER REVIEW.

MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENTS: There were no public comments.

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

COUNCIL COMMENTS: Councilmember Brennan stated that he, along with other SeaTac Councilmembers, attended the memorial services for slain Des Moines Police Officer Steven Underwood, 33, today at Christian Faith Center, SeaTac. Attendance was estimated at 5,000. Officer Underwood was highly regarded as was verbalize by friends, family, co-workers and government officials. Governor Gary Locke spoke as a father of a two-year old, the same age as Officer Underwood's young son. SeaTac Fire and Police assisted in traffic control and participated in the one hour and 45 minute funeral procession along with other Fire and Police Officers from around the State. Secondly, Councilmember Brennan inquired as to whether the Tyee High School Band was participating in the NCH Groundbreaking Ceremony on Wednesday, March 21. Parks Director Ledbetter stated that it was doubtful. Councilmember Brennan stated that he would speak with the principal tomorrow as to their participation.

Councilmember Gehring-Waters reported that the March 6 Finance Committee items were brought forth in this evening's Council Meeting. She requested of the City Manager that the Council meet to discuss the Sign Code Ordinance. This issue will be on an upcoming Study Session. Secondly, she concurred with Councilmember Brennan as to the ceremony for Officer Underwood. Officials also included King County Executive Ron Sims, State Senator Julia Patterson, and Seattle Mayor Paul Schell.

ADJOURNMENT:

MOVED BY GEHRING-WATERS, SECONDED BY ANDERSON TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 7:13 P.M.

MOTION CARRIED UNANIMOUSLY.

Shirley Thompson, Mayor
Judith L. Cary, City Clerk

SEATAC CITY COUNCIL REGULAR MEETING MINUTES

March 27, 2001 - 6:00 PM
City Hall Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Shirley Thompson at 6:06 p.m.

ROLL CALL: Present: Mayor Shirley Thompson, Councilmembers Gene Fisher, Frank Hansen, Terry Anderson, Kathy Gehring-Waters, Joe Brennan, and Don DeHan.

ADMINISTRATIVE STAFF: Calvin Hoggard, City Manager; Jay Holman, Assistant City Manager-Economic Development; Judith L. Cary, City Clerk; Robert McAdams, City Attorney; Elizabeth Spencer, Finance Director; Jim Downs, Fire Chief; and Tom Flanagan, Police Sergeant.

FLAG SALUTE: City Clerk Cary led the Council, staff and audience in the Pledge of Allegiance.

PUBLIC COMMENTS: Cameron Smock, Vice President/General Manager of Washington Memorial Cemetery, 16445 International Boulevard (IB) spoke in support of the IB Phase III improvement project. He verbalized his appreciation of Tom Gut, Public Works Assistant Engineering Manager, who has been cooperatively working with his business on addressing the impacts to the cemetery. He feels this improvement will greatly benefit the access to the cemetery and the community for years to come. One aspect that is important to his property is the addition of a signal light at their main entrance on IB. It will greatly improve safety for both pedestrian and vehicular traffic. This signal light in the City's Main Street development project will allow both the City and his business to enhance their emanates that can be offered to the community. He urged Council to support this project. Mayor Thompson thanked Mr. Smock for his appreciation of the City's proposed IB improvement.

J. B. Freer, 18925 37th Avenue South, spoke on Agenda Bill No. 1978 regarding the condemnation of the land and property for public use. This subject land is adjacent to the New City Hall (NCH) property and in condemning the property it will uproot several homes when the current City Hall building was not agreed upon for condemnation for public use. Secondly, she thanked all those involved in trying to help supply the City's elderly with cut wood from the NCH site. She was informed that this suggestion might not be possible in accordance with the City's contract with the contractor of the site.

Peggy Sullivan, 2934 South 144th Street, spoke regarding the fiber optics lines to be placed on South 144th Street from Military Road west to 24th Avenue South. Her concern is that many elderly residents and handicapped persons use this street to access the shopping area on IB. She suggested pedestrian shoulders or sidewalks be installed by the fiber optics firm as a courtesy to the City for allowing their lines to run through this area. School buses are using this area to pull off on to load and unload the children, which is very dangerous. There is no turn off for these buses so there is no other alternative. Many commercial trucks also use this street. She urged the City to review this matter.

PRESENTATION:

· 2001 Annual City Budget

Finance Director Spencer reported that the Finance Department has completed the 2001 Annual Budget document, which is being published this week. A historical theme was used this year, with the budget cover composed of pictures from the SeaTac area in the late 1800s and early 1900s. The divider pages of the document include historical facts about the local area. Credit for the cover design was given to Assistant Finance

Director Michael McCarty and Parks Administrative Assistant III Gwen Osaki. Copies of the budget can be obtained by contacting the Finance Department. Council thanked Ms. Spencer for the document's outstanding cover and content layout.

CONSENT AGENDA:

- **Approval of claims vouchers** in the amount of \$900,628.12 for the period ending March 20, 2001.
- **Approval of employee vouchers** in the amount of \$349,729.93 for the period ending March 15, 2001.
- **Approval of summary of \$5,000 - \$25,000 purchase requests** for the period ending March 23, 2001.

Approval of Council Minutes:

- **Regular Council Meeting** held February 27, 2001.
- **Special Council Meeting** held March 12, 2001.
- **Regular Council Meeting** held March 13, 2001.

Acceptance of Advisory Committee Minutes:

- **Civil Service Commission Meeting** held January 8, 2001 (commission approved March 12, 2001).
- **Human Services Advisory Committee Meeting** held January 8, 2001 (committee approved March 12, 2001).
- **Planning Advisory Committee Meeting** held March 5, 2001 (committee approved March 19, 2001).
- **Senior Citizens' Advisory Committee Meeting** held February 15, 2001 (committee approved March 15, 2001).

Approval of the following Ordinances and Motion recommended at the March 20, 2001 Study Session for placement on the Consent Agenda:

Agenda Bill #1972

An Ordinance amending, adding, and repealing certain sections of Chapter 1.15 of the SeaTac Municipal Code (SMC) relating to Code Enforcement, and making other technical amendments and repealing certain sections of the SMC to comply with the Code Enforcement changes - Public Works

Agenda Bill #1975; Ordinance #01-1005

An Ordinance amending the 2001 Annual City Budget to move the Community Advocate Program from Police to City Manager - Finance / City Manager

Summary: This Ordinance amends the 2001 Annual City Budget to move the costs associated with the Community Advocate Program from the Police Department to the City Manager's Office.

In 2000, Council approved the creation of a Domestic Violence (DV) Community Advocate position, to be funded from the money previously paid to the Domestic Abuse Women's Network (DAWN). The position was originally placed in the Police Department. However, it is now recommended that the position and program expenses be moved to the Human Services' Division of the City Manager's Office.

The funding for this position was allocated from the one-percent Human Services' allocation, and additional DV services programs are funded through Criminal Justice funds. It was the Human Services Advisory Committee's recommendation that the Community Advocate position be moved back to the City Manager's Office for better accountability and programming. The Programs Coordinator position, which will be supervising the DV

Community Advocate, is in the City Manager's Office and oversees the budget. The two positions work together on several projects and frequently serve the same clients in different capacities. Joint projects include the various voucher programs, Adopt-a-Family at Christmas, Clothing Bank and the Toiletries Program. There are many meetings and occasions where both need to be represented, such as SeaTac/Tukwila Providers Meeting, Human Services Meeting, DV Impact Panel, other regional DV-related meetings, and the Apartment Manager's Network. With the two positions working together on a day-to-day basis, more can be done to meet the needs of SeaTac residents. This change will also allow for a backup when the Community Advocate is not available, so there will be a continuity of service for the client.

Agenda Bill #1976

A Motion authorizing the City Manager to enter a Service Agreement with Southwest King County Chamber of Commerce (SWKCCC) for 2001 - City Manager

Summary: The proposed Motion authorizes entry into a Service Agreement with the SWKCCC and provides for payments by the City to the Chamber in the total amount of \$20,000.

The City has entered into annual Service Agreements with the Chamber since 1990 to provide certain services in its ongoing effort in the promotion of tourism, economic development and image enhancement. This Motion authorizes similar services in 2001.

The 2001 approved budget for this Service Agreement is \$20,000, \$10,000 from the nondepartmental membership appropriation and \$10,000 from the Hotel-Motel Tax fund membership appropriation.

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

Councilmember Fisher requested that Agenda Bill No. 1972 be removed from the Consent Agenda and placed under New Business for further discussion as to the wording in the Ordinance.

MOVED BY DEHAN, SECONDED BY BRENNAN TO ACCEPT THE CONSENT AGENDA WITH THE REMOVAL OF AGENDA BILL NO. 1972 TO BE PLACED UNDER NEW BUSINESS.

MOTION CARRIED UNANIMOUSLY.

*ORIGINAL MOTION CARRIED UNANIMOUSLY WITH THE REMOVAL OF AGENDA BILL NO. 1972 TO BE PLACED UNDER NEW BUSINESS.

NEW BUSINESS:

Agenda Bill #1972; Ordinance #01-1006

An Ordinance amending, adding, and repealing certain sections of Chapter 1.15 of the SeaTac Municipal Code (SMC) relating to Code Enforcement, and making other technical amendments and repealing certain sections of the SMC to comply with the Code Enforcement changes - Public Works

Summary: This Ordinance amends Chapter 1.15 of the SMC and specifically empowers Code Enforcement Officers (CEO) to issue Notices of Infraction (NOI) for certain violations. The Ordinance also makes other technical amendments throughout the SMC to provide consistency with the code enforcement changes.

The bulk of the proposed amendments are for the purposes of updating and clarifying the existing language. The most significant changes are the creation of a Correction Agreement and provisions giving the CEO authority to issue a NOI for business license, property maintenance, and junk vehicle violations. The new provisions are intended to expedite the City's code enforcement process, yet in a fair and reasonable manner.

For property maintenance, junk vehicle, and business license violations, the violator will be given an opportunity to enter into a Correction Agreement with the City. The agreement is an agreement wherein the offender agrees to abate the violation within a specified time and forfeits the right to appeal, and no monetary penalty is assessed. If the violator chooses not to sign the agreement, or fails to abide by the agreement, or cannot be located, the CEO may then issue a NOI. A NOI is a civil citation similar to a traffic ticket and it can be appealed to the Municipal Court Judge.

Most building code and zoning code violations will continue to use the existing Notice and Order process. Zoning and building code issues are often more technical and complicated and the existing process, including the right of appeal to the hearing examiner, is better suited to these types of violations. However, a NOI may be issued for a zoning or building code violation when the violator is a repeat offender.

City staff will continue to work with all citizens and show the appropriate flexibility when resolving violations regardless of which enforcement method is utilized.

It is not intended to have any fiscal impacts. However, there may be a revenue increase depending on how many NOI's are issued and actual monetary penalties paid.

Councilmember Fisher reiterated his statement from the March 20 Study Session that he does not believe businesses should be fined a higher fee for a code violation of a private residence. He stated he feels this is not a good way to keep businesses in the City. He also had concern as to the wordage in the Ordinance regarding the timing of the recommendation by committee and the wordage as to the City's right to enter residences and businesses. He agrees with the Notices of Violations but the above issues are of concern to him.

Councilmember Brennan stated that this issue has been in the making for at least eight years and the last four years in active pursuit of modification. Most of the Ordinance is the original version. The item of substance is giving authority to the CEO to write citations. The Council and involved staff toured the City on March 26 and viewed several businesses and residences as being in violation of the City Code.

City Attorney McAdams stated that there are many technical changes to this Ordinance but the purpose of the amendment was to give the CEOs authority to issue a civil infraction and to bring it before the Municipal Court rather than going through the NOI procedure. It has more substance than NOI. As a result of creating the amendment, there were other numerous existing provisions that needed some minor technical changes. There are no substantive changes other than the main amendment. The revision has retained the difference between businesses and residences. Regarding the question as to administering the inspections, Councilmember Fisher is correct in that the City does not have the authority to enter a business or private residence without a search warrant granted by the judge upon probable cause.

MOVED BY ANDERSON, SECONDED BY BRENNAN TO ADOPT ORDINANCE NO. 01-1006.

MOTION CARRIED WITH FISHER VOTING NO, AND HANSEN ABSTAINING FROM THE VOTE.

Mayor Thompson requested that staff explain the definition of condemnation for clarification to the audience as to Agenda Bill No. 1978.

City Attorney McAdams stated that before the City may address condemnation or contact a property owner and entry into negotiations for a purchase in lieu of condemnation, the Council must give staff the authority to do so through an Ordinance authorizing condemnation. There is specific language in this Ordinance, which provides that condemnation is authorized if negotiations are not successful in reaching an agreement of purchase of sale. If negotiations agreement is not reached, and the Council wishes to proceed with condemnation, the Legal Department files an eminent domain action in Superior Court and continues to negotiate and work out an agreement. If not reached, the matter proceeds to a court hearing for determination of public use or a necessity. Finally, the matter goes to a jury trial and the jury determines just compensation to the property owner.

City Manager Hoggard requested an Executive Session be called on Potential Litigation to briefly discuss this

bill prior to Council vote.

RECESSED: Mayor Thompson recessed the meeting at 6:31 p.m. for an Executive Session on Potential Litigation.

EXECUTIVE SESSION: Potential Litigation

RECONVENED: Mayor Thompson reconvened the meeting at 6:46 p.m.

Agenda Bill #1978

An Ordinance authorizing the condemnation of land and property, declaring the same to be for public use and to be necessary, and authorizing payment therefore from the 306 Municipal Facilities Capital Improvement Program (CIP) Fund – Legal

Councilmember Hansen requested that Agenda Bill No. 1978 be removed from the agenda for further review by Council. Mayor Thompson concurred with this action.

PUBLIC COMMENTS: There were no public comments.

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

COUNCIL COMMENTS: Councilmember DeHan stated that he spoke with Ms. Sullivan prior to this meeting regarding her two items of concern: 1) the fiber optics line to be run along South 144th Street; and 2) the understanding Mrs. Sullivan and her husband had that after the sewer assessments were paid off prior to City incorporation, the County had agreed to install sidewalks on the street. He would like staff to research this possibility.

Councilmember Brennan had the following items of business: 1) regarding the City's radio advertisement campaign on City enhancement through the Hotel/Motel Tax funding, he requested Council consideration of keeping the current name of the City, "City of SeaTac" or changing it to "SeaTac City". This will need to be decided upon for all advertising output. He would like the Council to consider this over the next few weeks and let him know what they desire; and 2) he stated his disappointment in not being able to adopt the condemnation Ordinance this evening. He saw it as an opportunity to acquire land for a senior center in the future.

Councilmember Gehring-Waters requested that staff obtain Councilmember Fisher's statement referring to the Ordinance not being in compliance according to Municipal Research and Science Center (MRSC). Councilmember Fisher stated that he would get this information to Council. Secondly, Councilmember Gehring-Waters added that she has been contacted twice regarding the intersection at South 204th Street and IB. The school bus is dropping children off on the west side of IB and they have to cross this busy roadway to reach home. Apparently the bus has no alternative but to stop there.

Councilmember Anderson stated her agreement with Councilmember Brennan regarding not adopting the condemnation Ordinance.

ADJOURNMENT:

MOVED BY DEHAN, SECONDED BY ANDERSON TO ADJOURN THE REGULAR MEETING OF THE SEATAC COUNCIL AT 6:52 P.M.

MOTION CARRIED UNANIMOUSLY.

Shirley Thompson, Mayor Judith L. Cary, City Clerk

SEATAC CITY COUNCIL REGULAR MEETING MINUTES

April 10, 2001 - 6:00 PM
City Hall Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Shirley Thompson at 6:06 p.m.

ROLL CALL: Present: Mayor Shirley Thompson, Councilmembers Gene Fisher, Frank Hansen, Terry Anderson, Joe Brennan, and Don DeHan. Absent: Councilmember Kathy Gehring-Waters.

ADMINISTRATIVE STAFF: Calvin Hoggard, City Manager; Jay Holman, Assistant City Manager-Economic Development; Judith L. Cary, City Clerk; Robert McAdams, City Attorney; Elizabeth Spencer, Finance Director; Jim Downs, Fire Chief; Bruce Rayburn, Public Works Director; Don Monaghan, Assistant Public Works Director; and Tom Flanagan, Police Sergeant.

FLAG SALUTE: Betty Brennan, wife of Councilmember Joe Brennan, led the Council, staff and audience in the Pledge of Allegiance.

PUBLIC COMMENTS:

INTRODUCTION:

- **King County Councilmember Les Thomas** (*This introduction was moved to the end of the agenda awaiting Mr. Thomas' arrival.*)

Councilmember Brennan announced that his sister, Marietta Brennan, visiting from Oak Lawn, Illinois, who was in attendance at this evening's meeting.

CONSENT AGENDA:

- **Approval of claims vouchers** in the amount of \$23,187.99 for the period ending March 30, 2001.
- **Approval of claims vouchers** in the amount of \$720,762.41 for the period ending April 5, 2001.
- **Approval of employee vouchers** in the amount of \$539,215.07 for the period ending March 31, 2001.
- **Approval of firefighter vouchers** in the amount of \$390.00 for the period ending March 31, 2001.
- **Approval of summary of \$5,000 - \$25,000 purchases requests** for the period ending April 6, 2001.

Approval of Council Minutes:

- **Study Session** held March 20, 2001.
- **Regular Council Meeting** held March 27, 2001.
- **Study Session** held April 3, 2001.

Acceptance of Advisory Committee Minutes:

- **Library Advisory Committee Meeting** held November 2, 2000 (committee approved March 29, 2001).

Approval of the following Ordinance and Resolutions recommended at the April 3, 2001 Study Session for placement on the Consent Agenda:

Agenda Bill #1984, Ordinance #01-1007

An Ordinance amending the 2001 Annual City Budget authorizing change in Finance Department Administrative Assistant/Part-Time to Administrative Assistant/Full-Time – Finance

Summary: Currently, the City of SeaTac has no central accounts receivable function. Operating departments send out a variety of invoices in differing formats with no staff person centrally responsible for following up on collections. The Finance Department can at no time produce a report that indicates who owes the City and how much, except for a fiscal year-end report required by the State Auditor's Office that is prepared substantially from collections in January through March of the following year. Nearly \$15,000 remains due and payable to the City from receivables recorded at the end of 1999, while total receivables at the end of 2000 amount to more than \$1.5 million. A central accounts receivable/grants receivable billing process would ensure that the City receives the funds it is owed in a timely manner, increasing interest revenue.

In the past six months, two significant billing functions have been assumed by Finance. In 2000, the City offered a new program related to the Surface Water Management (SWM) utility whereby property owners can contract with the City's provider for annual maintenance and receive a credit against their annual SWM fees. In the fourth quarter of each calendar year, a program participant is provided a refund or an invoice depending on whether the SWM rate credit exceeds the contract cleaning charges for the year. In 2000, the City had 32 participants in the program, for whom statements were prepared, billings issued and/or refund checks processed by Finance. In 2001, the City was required to issue the first of 15 annual installment invoices for property owners in the Local Improvement District (LID) No. 1 project area who have opted to pay their assessments over 15 years. Finance issued 69 invoices in February for the 2001 billing, of which only 2/3 had been paid by the due date of March 22. Additional collection effort will now be necessary, as well as billing of penalties.

The Finance staff has increasingly been required to work overtime to perform administrative tasks, as there is no designated administrative support currently in the department. A change to make the part-time Administrative Assistant, who is currently responsible for purchase orders and procurement support, a full-time position would provide three significant benefits: 1) improve internal controls in the receivables area to ensure that amounts owed to the City are recorded and monitored; 2) increase revenue by improving the collection rate on receivables as well as increasing interest revenue by ensuring that payments to the City are made in a more timely fashion; and 3) provide much needed administrative support to the Finance staff.

It is proposed that the added salary and benefit costs required by the change from part-time to full-time be funded from the Transportation Capitol Improvement Program (CIP) Fund. All LID No. 1 billing and collection efforts occur due to the 28th/24th Avenue South Arterial project, which is funded from the Transportation CIP Fund. Furthermore, Finance has assumed responsibility for transportation grant billing, which totaled \$5.8 million for 2000. Providing a staff person to prepare these billings more frequently will result in increased interest revenue that is deposited to the Transportation CIP Fund.

Conversion of the part-time Administrative Assistant position to full-time, effective April 16, 2001, will have a 2001 fiscal impact to the Finance Department budget of \$14,450. It is proposed that the position be funded 50 percent from the General Fund and 50 percent from the Transportation CIP Fund.

Agenda Bill #1980, Resolution #01-006

A Resolution fixing the date and time for a Public Hearing to consider the Merits of Vacating a Portion of the 28th Avenue South Right-of-Way (ROW) north of South 188th Street in the City of SeaTac and abutted on both sides by Port of Seattle (POS) Property – Public Works

Summary: This Resolution sets May 22, 2001 at 6:00 P.M. to conduct a public hearing to consider the merits of

vacating a portion of the 28th Avenue South ROW abutted by POS property. The procedures for the vacation of a public ROW are defined in the Revised Code of Washington ([RCW](#)). The date of the public hearing must 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 POS has undertaken the South Terminal Expansion Project, which includes the relocation of 28th Avenue South/Air Cargo Road. The POS owns all of the property abutting the portion of the ROW it is requesting be vacated. The relocated portion of the roadway that will be on Port property will be secured and not accessible to the general public. The relocated roadway alignment will also eliminate a secondary access to the West Coast Gateway Hotel and Sharps Restaurant. This access was a permitted access as long as the POS had no use for the property it crossed. The POS has notified these businesses, as well as the other businesses along 28th Avenue South, north of South 188th Street of the vacation request and the realignment of the roadway. The property owners must also be notified of the vacation request and the public hearing by the City staff.

In lieu of payment for the ROW, staff suggested the City enter into an agreement whereby the City and POS exchange the ROW to be vacated for an equal amount of property adjacent to the future light rail station at South 184th Street. The agreement would also allow the City to have input into the decision process relating to architectural features that would now or in the future be visible from a public ROW.

Agenda Bill #1981, Resolution #01-007

A Resolution adjusting the Boundary Line between the City of SeaTac and the City of Kent along 42nd Avenue South between South 212th Street and South 216th Street – Public Works

Summary: As a condition of developing the Kent Highlands project south of South 216th Street and 42nd Avenue South, the City of Kent required the developer, Polygon Northwest, to improve the intersection of 42nd Avenue South and South 216th Street as well as 42nd Avenue South. In order to construct the required improvements, the developer had to acquire additional ROW on the west side of the roadway. As the SeaTac City limit line is the west right-of-way line of 42nd Avenue South, the property purchased for the road improvements is in the City of SeaTac. Without adjusting the boundary line between SeaTac and Kent, SeaTac would be responsible for the operation and maintenance of that portion of the roadway within its limits, but owned by Kent. Responsibility for a roadway by multiple jurisdictions has been recognized as problematic and is no longer allowed by State statute.

Agenda Bill #1979, Resolution #01-008

A Resolution approving and authorizing entry into a Contract with Puget Sound Access (PSA), a Non-profit Corporation, for administration and operation of a Public Access Cable Television Studio and Channels; authorizing entry into an Agreement with AT&T Broadband for Monetary Payment to extinguish its Franchise Obligation to provide the Public Access Studio and Channels; and providing for full release of AT&T from the said Franchise Obligation – City Manager

Summary: The Council has been updated at several Council Meetings over the past two years, as well as in several Friday Update articles. In addition to the Resolution, a proposed contract has been drafted between SeaTac and PSA, a non-profit corporation, as well as a proposed agreement between AT&T and the six involved south-end Cities of Auburn, Burien, Kent, Renton, SeaTac and Tukwila. The Resolution releases AT&T from its obligation to provide a public access studio in consideration of its payment to the Cities of \$3,701,942. The PSA contract provides that they will do the following: operate the public access channel, administer an educational access channel if requested, operate a community access center, implement training, maintain equipment, conduct promotion, and manage funds, etc. The AT&T/Cities Agreement provides that AT&T will pay PSA \$3,701,942 for the purpose of constructing, operating and maintaining a public access studio. PSA will fulfill its obligation to the Cities through January 1, 2011. PSA will contract with each of the Cities. PSA will administer

the funds and its board will invest the funds. The Cities agree to release AT&T from its franchise obligation to provide for a public access studio in exchange for the \$3,701,942. PSA holds the Cities harmless from any and all claims by a third party arising out of this agreement.

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

MOTION CARRIED UNANIMOUSLY.

NEW BUSINESS:

Agenda Bill #1947

A Motion approving the Request for Proposals (RFP) for sale of Hughes Angle Lake Property – City Manager

Summary: This Motion will result in the City soliciting proposals from qualified developers or their agents to purchase and develop the four plus acre Hughes Angle Lake Property.

The City is considering selling the property, but would like it developed in a manner consistent with the neighborhood, the City's Comprehensive Plan, and the wishes of the City Council. There is a potential for a waterfront trail from Angle Lake Park south through the subject property, as well as through other properties along the lakefront to South 200th Street, tying in with the light rail station. Public access along the shoreline during the day is desired, especially if waterfront use is not central to the proposed development.

While not required, a joint development with the City will be considered. Some manner of public/private parking will be considered favorably that will allow public access and maximize beneficial development potential. The City reserves the right to reject all offers or proposals or to further negotiate.

The subject property lies within the City's commercial core and is zoned Urban High Density/Urban Center Residential (UH-UCR). The purpose of the UH-UCR zone is to create a high-density multi-family housing environment that encourages and, when possible, utilizes high capacity transit modes and allows for a limited amount of small resident-oriented businesses. In general, the following uses may be permitted outright or by conditional use permit (CUP). The City desires a development that incorporates one or more of the following in the order listed: 1) public access and uses of the waterfront public spaces, facilities and amenities; 2) mixed-use residential development, including condominiums and/or townhouses. Ground floor space in residential mixed-use projects may be used for specified pedestrian-oriented retail, service and commercial uses; 3) restaurants (CUP, but only accessory to a primary use or within a hotel, no fast food restaurants); 4) public/private parking accessory to a primary use(s); 5) professional offices; 6) hotels (CUP); and 7) other, consistent with zoning.

It is suggested that two weeks should be sufficient time for the proposal period.

MOVED BY ANDERSON, SECONDED BY DEHAN TO ACCEPT AGENDA BILL NO. 1947.*

City Manager Hoggard and Assistant City Manager Holman outlined the above summary, adding that the City does not have to accept any of the proposals if deemed undesirable. Timing is not an issue however, with the construction season upon us, it would be helpful to see what offers there are at this time.

Council discussion ensued as to the possible developments and the Council's desire to have quality development with a substantial profit on this unique property. This is the only property the City owns other than the parks and the new City Hall (NCH) site. The Hughes property is securing a \$5 million bond against the Hotel/Motel Tax. Councilmember Fisher expressed concern that the Shoreline Management Act (SMA) regulations have not been determined by the City. He stated that prior to attracting high-quality proposals, the City should do pre-permitting work and that the \$30,000 deposit is unusually high. City Manager Hoggard replied that the deposit is a common requirement for these types of RFPs. The intent is to demonstrate that the proposals are sincere. He

added that the SMA language is State regulated. Councilmember Hansen also had concerns as to the deposit request. He feels many qualified developers would be deterred from submitting RFPs, which require a deposit and call for a trail to link up with the light rail at South 200th Street. Assistant City Manager Holman stated that \$30,000 is one percent or less of the property value and it is not a fixed amount if the Council wishes otherwise. City Manger Hoggard stated that the language in the RFP could be changed to indicate that the City would require some type of a deposit on a serious proposal of purchase in order to enter into negotiations. Council concurred with this suggestion.

Further discussion ensued with the following suggested amendment by Councilmember Hansen.

MOVED BY HANSON, SECONDED BRENNAN TO AMEND THE ORIGINAL MOTION TO DELETE THE \$30,000 DEPOSIT, REQUIRING NO MONATARY DEPOSIT SUBMITTAL WITH REQUESTS FOR PROPOSALS.

AMENDED MOTION CARRIED UNAMIOUSLY.

Mayor Thompson complimented the staff on their diligent efforts for acting on Council requests on this issue. The Council wants quality developers to submit their proposals and if the City is not clear on its desires at the start, many of the submittals will be undesirable for the City on this particular property.

***ORIGINAL MOTION CARRIED UNAMIOUSLY AS AMENDED.**

· King County Councilmember Les Thomas

County Councilmember Thomas arrived at this point in the meeting. Mr. Thomas was appointed to the King County position Chris Vance left to accept a position at State level with the Republican Party. Councilmember Thomas offered a greeting from the King County Council and added that he wanted the City Council to know he finds it a great privilege to serve in this manner and looks forward to working with the City on mutual issues of concern. He listed his committee assignments as Chair of the Regional Transit Committee, Vice Chair of County Transportation Committee, and a member of the Law and Justice Committee. Councilmember Hansen expressed his appreciation of Councilmember Thomas's involvement on the SR 509 Executive Committee.

Mayor Thompson petitioned Councilmember Thomas' support on North SeaTac Park ownership issue. The City Council feels that it should be a regional park due to its use, by not only our residents, but by others outside of the City. Councilmember Thomas stated that he would be glad to work with the City on this issue. He added that he plans to become more informed on this matter as it is in his district as well as in the City.

The Mayor thanked Councilmember Thomas, on behalf of the Council and the City, for taking the time to introduce himself and wished him well on his new position.

PUBLIC COMMENTS: Joe Dixon, 19211 35th Avenue South, stated that he had previously suggested a task force be appointed to recommend uses for the Hughes property. He was surprised that the City is requesting submittal from developers without citizen input. He suggested that the portion of the property bordering International Boulevard could be separated from the other half of the property, which could remain a park. He urged the Council to consider his suggestion upon review of the proposals. Mayor Thompson stated that his suggestion would be taken into consideration.

Councilmember Fisher stated he was against buying this property initially. Now that the City owns it, he wants serious consideration to be given as to its future use.

CITY MANAGER'S COMMENTS: City Manager Hoggard stated that he feels Council's approval of the Request for Proposals (RFP) for sale of Hughes Angle Lake Property is a positive move for the City.

COUNCIL COMMENTS: Councilmember Fisher stated that at the last Finance Committee Meeting, he voted against the subject full-time employee for the Finance Department. He explained his reasoning on this decision.

He knows the staff is overtaxed in work and desperately need a full-time employee, which will provide better service to the taxpayers. He feels staff does this objective very well. However, he stated the issue of checks and balances is with the politicians, not the staff. He feels that instead of increasing full time staff, decrease unrequested and unrequired services.

Councilmember Brennan stated his pleasure as to the passage of the RFP issue. He agreed with Mr. Dixon that a Citizens' Advisory Committee should be formed to review the proposals. Councilmember DeHan replied that the RFP process will be open information to be discussed in Study Session format and the public is welcome to give input on this issue.

Councilmember Anderson presented a copy of the Fred Hutchinson Clinic Budget Report, which will be put it in the Mayor's Office for Council review of taxpayers' money at work.

Mayor Thompson followed up on Councilmember Fisher's comments regarding public initiatives to lower taxes. The public have been asking for salary increases, better roads, and all the amenities that tax provide. Taxes are paid to contribute to society and support these requests. It is a difficult decision for elected officials to meet both ends of the spectrum. She reiterated her appreciation of City staff for their continued support in carrying out Council policy requests.

ADJOURNMENT:

MOVED BY DEHAN, SECONDED BY BRENNAN TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 6:46 P. M.

MOTION CARRIED UNANIMOUSLY.

Shirley Thompson, Mayor Judith L. Cary, City Clerk

SEATAC CITY COUNCIL REGULAR MEETING MINUTES

April 24, 2001 - 6:00 PM
City Hall Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Deputy Mayor Kathy Gehring-Waters at 6:07 p.m.

ROLL CALL: Present: Deputy Mayor Kathy Gehring-Waters, Councilmembers Gene Fisher, Frank Hansen, Terry Anderson, and Don DeHan. Excused Absence: Mayor Shirley Thompson and Councilmember Joe Brennan.

ADMINISTRATIVE STAFF: Calvin Hoggard, City Manager; Jay Holman, Assistant City Manager-Economic Development; Judith L. Cary, City Clerk; Robert McAdams, City Attorney; Elizabeth Spencer, Finance Director; Jim Downs, Fire Chief; Bruce Rayburn, Public Works Director; Don Monaghan, Assistant Public Works Director; Tom Phillips, Building Official; Steve Butler, Planning Director; Jack Dodge, Principal Planner; Holly Anderson, Senior Planner; Lawrence Ellis, Recreation Supervisor; and Tom Flanagan, Police Sergeant.

FLAG SALUTE: John Thompson, SeaTac resident, led the Council, staff and audience in the Pledge of Allegiance.

PUBLIC COMMENTS: John Thompson, 2504 South 148th Street, spoke regarding the cargo containers issue (Agenda Bill No. 1969). His concerns centered on containers in residential zones, particularly ones such as he has on his property, which are 35 feet in height. He felt that these areas were not clearly addressed in the proposed Ordinance. He would like to be assured that these containers could be left on the property.

Stella Easton, 14244 24th Avenue South, stated she has lived on this property for 41 years. She voiced her concern that the City has placed a code violation on the two trucks parked on her property. She requested enough time to empty and sell the trucks. She cannot afford to have the vehicles hauled away and the allowed two weeks is not enough time to dispose of them.

Leo Levinski, 14244 24th Avenue South, Ms. Easton's brother, stated that the trucks are his and have been on the property for over 25 years. He stated that a person living four miles from the property initiated the complaint, as a harassment measure. He reported this to the City's Police Chief. Mr. Levinski added that both he and his sister are in poor health and do not have the resources to move the vehicles in the allotted time.

City Manager Hoggard stated that the City's Building Official, Tom Phillips, was in the audience and could speak to these residents on their issue.

PRESENTATION:

1ST Quarter 2001 Financial Report

Finance Director Spencer distributed copies of the 1st Quarter 2001 Financial Report, noting that budget versus actual revenues and expenditures are reported for several of the City's more significant funds. Revenues of \$3.1 million were collected in the General Fund for the first quarter of the year, which represents 14.2 percent of the total budget for the year. The primary reason for the variance is that property tax revenue is received around the two installment due dates of April 30 and October 31. General Fund expenditures totaled just under \$3.1 million at March 31, well below budget projections due to the fact that King County has not yet billed the City for first quarter police services.

The City Street Fund finished the first quarter very close to budget projections, with 25 percent of budgeted revenue collected and 24 percent of budgeted expenditures spent. The Arterial Street Fund was similarly on target with revenue and expenditures totaling 22 percent and 20 percent of budget, respectively.

The Municipal Facilities Capital Improvement Program (CIP) Fund, which accounts for the New City Hall (NCH) project, was well below budget in revenues and expenditures due to the fact that construction has not yet begun and

anticipated bonds to fund the remainder of the project have not been issued. Transportation CIP Fund revenues of \$1.2 million and expenditures of \$1.3 million represent 10 percent and seven percent, respectively, of budget for the year. These variances are due to the timing of capital projects.

The Surface Water Management (SWM) Utility Fund reported March 31 year-to-date revenues of \$105,000, representing only six percent of the budget due to the fact that SWM fees are collected on property tax bills and are received around the two installment dates of April 30 and October 31. Expenditures of \$688,000 represent 20 percent of the annual budget. SWM CIP Fund revenues totaling \$592,000 represent 26 percent of the budget and consist primarily of transfers from the SWM Utility Fund. Expenditures of \$591,000 were on target, at 19 percent of the annual budget.

Ms. Spencer noted that actual revenue and expenditures of all City funds at March 31 were as expected, with no significant variances indicating any needed change in year-end projections.

CONSENT AGENDA:

Approval of claims vouchers in the amount of \$ 282,059.27 for the period ending April 20, 2001.

Approval of employee vouchers in the amount of \$ 358,781.59 for the period ending April 15, 2001.

Approval of summary of \$5,000 - \$25,000 purchase requests for the period ending April 20, 2001.

Approval of Council Minutes:

Regular Council Meeting held April 10, 2001.

Acceptance of Advisory Committee Minutes:

Human Relations Advisory Committee Meeting held March 8, 2001 (committee approved April 18, 2001).

Human Services Advisory Committee Meeting held March 12, 2001 (committee approved April 9, 2001).

Planning Advisory Committee Meeting held March 19, 2001 (committee approved April 16, 2001).

Approval of the following Ordinances and Motions recommended at the April 17, 2001 Study Session for placement on the Consent Agenda:

Agenda Bill #1983

A Motion authorizing acceptance of a King County Youth Sports Facility Grant for installation of Ballfield Improvements to two Baseball Fields at Bow Lake Elementary School - Parks & Recreation

Summary: In 2000, improvements were made at the Bow Lake Elementary School play yard, which included a new backstop for one of the baseball fields. Nevertheless, the field is still currently inadequate to address the needs of the teams and youths in the community due to poor playing conditions. During the spring and summer months, the fields lack the proper irrigation for baseball practice and games and during the fall and winter months, soccer games and practice. Without irrigation, the field becomes dry, dusty and lumpy, and the uneven surface is hard to run on and can cause turned ankles. Plus, the lack of moisture and added dust on the infield increases the potential of eye and throat irritation throughout the park. The new irrigation system will allow the turf to grow throughout the year and it will allow maintenance to control weeds throughout the field and playing surface.

The total project cost is \$48,815. The Youth Sports Facility Grant will cover \$35,280 of the total cost. The difference of \$13,535 will come from the City's General Fund as matching funds. Of the \$13,535 difference, \$5,535 will be in volunteer labor and professional services.

Agenda Bill #1990

An Ordinance amending the 2001 Annual City Budget for an administrative Assistant II Position in the Public Works Department to support the City's Code Enforcement Officers – Public Works / Finance

Agenda Bill #1970

A Motion authorizing the City Manager to enter into a Consulting Contract regarding preparation of a

Supplemental Environmental Impact Statement (SEIS) for the South Riverton Heights Subarea Plan – Planning

Agenda Bill #1991

An Ordinance amending the 2001 Annual City Budget for a SEIS for the South Riverton Heights Subarea Plan – Planning / Finance

Agenda Bill #1969

An Ordinance amending the Zoning Code to regulate the use of Cargo Containers in the City of SeaTac – Planning

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

Councilmember DeHan requested that Agenda Bill No. 1969 be removed from the Consent Agenda and placed under New Business for further discussion. Councilmember Fisher requested that Agenda Bills No. 1990, 1970, and 1991 also be removed from the Consent Agenda and placed under New Business for further discussion.

MOVED BY ANDERSON, SECONDED BY DEHAN TO ACCEPT THE CONSENT AGENDA WITH THE REMOVAL OF AGENDA BILL NOS. 1990, 1970, 1991, AND 1969 TO NEW BUSINESS FOR FURTHER DISCUSSION.

MOTION CARRIED UNANIMOUSLY.

*ORIGINAL MOTION CARRIED UNANIMOUSLY AS AMENDED.

Councilmember Fisher stated that at the April 17 Study Session, he was corrected as to his statement regarding the City of Shoreline's Code Enforcement Officer (CEO) Program. He contacted Shoreline staff as to the misinterpretation. He was informed that there was, in fact, only one CEO for their City of a population twice the size of SeaTac. They also have two \$10,000 retainer contracts for advice on permitting of sensitive issues such as environmental issues and wetlands. He feels that a system similar to Shoreline's would be a good concept for SeaTac. He feels the City should utilize and take care of the existing employees in the best manner possible and not necessarily add to the number of employees.

QUASI-JUDICIAL HEARING:

Amendment to the Development Agreement of July 17, 2000, which is now held by SeaTac Investments, LLC (STI) - Legal / Planning

Deputy Mayor Gehring-Waters opened the Quasi-Judicial Hearing at 6:40 p.m.

City Attorney McAdams opened the discussion by reminding the Council that this is a Quasi-Judicial Hearing as well as a Public Hearing. The reason is that if there were a dispute as to terms of amendment to the development agreement, Council would sit as the judge to rule on the alternatives or to settle the dispute. Mr. McAdams further explains the rules for which the Council must abide by as judge in this proceeding. He added that, to date, there are no alternates or disputes between the City and SeaTac Investments, LLC.

Mr. McAdams continued by stating that the City had previously created a development agreement with David Schroedl, SunReal, Inc. President. STI has been assigned SunReal's interest and now hold the agreement. They are, at this time, requesting an amendment to the existing agreement. Staff has previously provided a summary of changes to Council and SeaTac Investment for review.

Planning Director Steve Butler summarized the potential Development Agreement with SeaTac Investments LLC regarding the amendments to the SunReal Development Agreement:

- 1) STI as Successor in Interest to SunReal;
- 2) Phase I Surface Parking;
- 3) Revisions to Timing for Phase II Structured

Parking; 4) Parking Configuration, Safety and Fire Protection; 5) Wetlands and Landscaping; 6) Carwash Use; 7) Signage; 8) Stormwater; 9) Off-Site Improvement and Traffic Mitigation; 10) Hazardous Materials; 11) SEPA Review; 12) Fire Station; 13) Temporary Construction Easement; and 14) Notices.

After Mr. Butler completed his reporting, Deputy Mayor Gehring-Waters call the proponent, Roger McCracken to state his case.

Roger McCracken, 24033 Southeast Issaquah-Fall City Road, Issaquah, proponent and STI business partner, stated his appreciation of City staff in working on this complex agreement issue with him to come to a mutual consensus acceptable to City staff and his firm.

Upon a question posed by Councilmember Fisher regarding the easement on the Collop property, Mr. McCracken stated that the usable portion of that property does not meet up with International Boulevard (IB). There is a wetland in front the Collop property and that has not been addressed. His firm would be pleased to negotiate with Mr. Collop if need be.

Mr. McAdams stated that the Engineering Department does not require any easement fronting the Collop property. The only concern was a temporary construction easement on the frontage of the Scarsella/Cavey property.

Councilmember DeHan noted that the agreement specifics a period of 10 years to develop the site, which seems a longer period of time than normal. Mr. McCracken replied that the time is needed for: 1) absolute accumulation of the mass of property to create an appropriate garage or development on the property; 2) from facts discussed in negotiation with the Department of Ecology (DOE), the firm may possibly need to monitor the ground water over an extended period of time. If so, financing will become difficult on this project. A plan is in place to eliminate the contamination on the site that has accumulated over the years. This will take a considerable amount time; and 3) time is also needed to insure that the economic factors, the market factors, and all of the other elements are in place to create a quality development on the site.

Mr. McAdams further clarified the DOE requirement as to the Clean Water Act in relation to the 10-year period. If additional requirements are imposed during this period, the developer will have to comply with any changes in regulations.

Councilmember Anderson questioned the entry to this property as to its effect on the IB project. City Manager Hoggard stated that the agreement addresses a future intersection improvement if needed and approved by Washington State Department of Transportation (WSDOT).

Councilmember Fisher questioned the drainage from the property and the flow of the water. Mr. McCracken stated that a complete water quality and retention system would be installed on the property. There is also 11 acres of cemetery above the subject property that currently has no drainage and a bypass system will be installed across their property to take care of this issue. The water would leave the property through the ground at a normal rate from the retention pond. Under their action plan, they will remove the three underground storage tanks on the Scarsella property. During the excavation of the tanks, the dirt will be removed from the site. During the trenching of the storm water retention pond, the water will be tested by the DOE to determine contamination. If contaminated, the dirt and water will be removed from the site. Mr. McCracken further explained the water flow into the wetland, which drains north and east to the Green River.

Cameron Smock, General Manager, Washington Memorial Cemetery, 16445 International Boulevard, spoke in favor of Agenda Bill No. 1985. The cemetery has executed a Letter of Understanding (LOU) with STI, which addresses their mutual interests. Mr. Smock complimented STI for their efforts to ensure that the cemetery's property owners' long-term interests are protected. He is confident that this project will be consistent with the City's core values. He encouraged the Council to approve this agenda bill.

John Demco, Attorney for Theresa Loudon at 16015 International Boulevard, stated that Ms. Loudon owns the property immediately north and adjacent to the Scarsella parcel and borders South 160th Street. He stated that Ms. Loudon objects to the proposal because it would require use of an easement over Ms. Loudon's property for the

benefit of lots not contemplated by the easement. Also, the use of 3,300 vehicles would vastly and unlawfully increase the frequency and intensity of existing use of the easement. The easement area, once 60 feet wide, is constricted by a Court judgment and the area of historical use has been only a narrow driveway. The easement would have a potential impact for fire and emergency vehicle access from South 160th Street due to the narrowness of road.

With no further comments, Deputy Mayor Gehring-Waters closed the Quasi-Judicial Hearing at 7:24 p.m.

NEW BUSINESS:

Agenda Bill #1985, Resolution # 01-009

A Resolution approving and authorizing entry into an amendment to the Development Agreement of July 17, 2000 which is now held by SeaTac Investments, LLC (STI).

Summary: STI now holds the development agreement previously entered into between the City and SunReal, Inc., and has requested an amendment, due to changed circumstances, in certain specific respects discussed below.

Following a quasi-judicial hearing and public comments, the Council may take final action on the proposed amendment

Following prolonged negotiations with SunReal, Inc., the Council adopted Resolution No. 00-009 approving and authorizing entry into a development agreement. The agreement was executed effective as of July 17, 2000. Subsequently, SunReal, Inc. made request for a substantial amendment to the agreement. Many of the requested amendments were not acceptable to City staff and negotiations were not fruitful.

SunReal has subsequently assigned its rights in the development agreement to STI. This firm has now requested an amendment, which is based upon changed and unforeseen circumstances, as well as due to more realistic financial analysis and projections explained by Roger McCracken and Rod Olson, who are two of the principals in STI.

A temporary construction easement is needed to allow room for equipment during installation of sidewalks, along the STI property, as part of the IB Phase III project. STI has agreed to grant such an easement as an appropriate, partial quid pro quo for Council approval of the requested amendment. This will be accomplished in a separate easement document.

Councilmember Hansen requested a continuation of Agenda Bill No. 1985 due to the absence of Mayor Thompson and Councilmember Brennan, who has been actively involved in this entire project.

City Manager Hoggard stated that the developer is anxious to move forward with the project. Councilmember DeHan would like to move on this item this evening. Further Council discussion ensued as to the option of continuance of this item before a full Council. Upon a question regarding Mr. Demco's comments in the hearing portion, Mr. McAdams stated that Ms. Loudon and Loudon Real Estate have not been involved in this agreement because they are not parties to the development agreement. STI has the absolute right of permitted use to use the surface parking lot that now exists on the Scarsella property. The amendment to the development agreement simply permits an extension of the use. Nothing in the agreement references the easement. If Mr. Demco is correct and the easement is shut down and cannot be used for fire emergency access or for any other access, STI would be relegated to the other points of ingress and egress. Therefore, the easement does not impact this development agreement.

MOVED BY HANSEN, SECONDED BY FISHER TO CONTINUE THIS AGENDA BILL ACTION UNTIL ALL COUNCILMEMBERS ARE PRESENT.

UPON A ROLL CALL VOTE, MOTION WAS DENIED WITH FISHER AND HANSEN VOTING YES AND ANDERSON, GEHRING-WATERS, AND DEHAN VOTING NO.

MOVED BY ANDERSON, SECONDED BY DEHAN TO PASS RESOLUTION NO. 01-009.

UPON A ROLL CALL VOTE, MOTION CARRIED WITH ANDERSON, GEHRING-WATERS, AND DEHAN VOTING YES AND FISHER AND HANSEN VOTING NO.

Agenda Bill #1990, Ordinance #01-1008

An Ordinance amending the 2001 Annual City Budget for an administrative Assistant II Position in the Public Works Department to support the City's Code Enforcement Officers – Public Works / Finance

Summary: This item was presented to the Transportation and Public Works (T&PW) Committee on March 20 and the Finance Committee on April 3. The position would enable the City to operate its Code Enforcement Program more efficiently. The Code Enforcement Officers (CEOs) would be able to spend much more time in the field opening new cases and providing better follow up. Currently, the CEOs combined open about 40 cases per month. Code enforcement cases often require extensive clerical work and meticulous documentation. This includes creating a file, inputting data into the computer system, researching codes and parcel information, explaining codes to citizens and writing and mailing letters and notices. These administrative activities require each CEO to spend an average of four to six hours each day in the office. This new position would allow the City to process at least 20 more cases per month. The Finance Committee recommended adding this position now but wants to review it again in the 2002 budget preparation process.

With a start date of May 16, 2001, the total wages and benefits would be \$27,162 for the remainder of this year. A computer for this position would cost approximately \$1,750. The total appropriation of \$28,912 would reduce estimated year-end fund balance of the General Fund.

MOVED BY ANDERSON, SECONDED BY DEHAN TO ADOPT ORDINANCE NO. 01-1008.

UPON A ROLL CALL VOTE, MOTION CARRIED WITH HANSEN, ANDERSON, GEHRING-WATERS, AND DEHAN VOTING YES AND FISHER VOTING NO.

Agenda Bill #1970

A Motion authorizing the City Manager to enter into a Consulting Contract regarding preparation of a Supplemental Environmental Impact Statement (SEIS) for the South Riverton Heights Subarea Plan – Planning

Summary: Council requested that staff prepare a subarea plan for the South Riverton Heights Subarea, based on a comprehensive plan amendment proposal that was submitted to the City in 2000. Adoption of a subarea plan will require preparation and adoption of an Environmental Impact Statement (EIS) under State regulations (RCW 43.21C). Due to the extensive nature of preparing an EIS, staff proposes to secure the services of a consultant.

The scope of services calls for the consultant to assist with developing the land use alternatives; perform an analysis of the existing transportation system including identifying necessary improvements, depending on the preferred land use alternative; produce the Supplemental EIS document, including analysis of housing and air quality impacts; produce the Final EIS document; and assist with public meetings, including preparing graphics and display materials.

Still in the proposal review stage, the estimates from consulting firms range from \$95,480 to \$116,480.

MOVED BY DEHAN, SECONDED BY HANSEN TO ACCEPT AGENDA BILL 1970.*

Councilmember Fisher voiced his approval of passage of this agenda bill item, stating that the City should safeguard land in the City before the Port of Seattle (POS) acquires more property at residential prices.

*MOTION CARRIED WITH FISHER ABSTAINING FROM THE VOTE DUE TO OWNING PROPERTY IN THE SOUTH RIVERTON HEIGHTS SUBAREA.

Agenda Bill #1991, Ordinance #01-1009

An Ordinance amending the 2001 Annual City Budget for a SEIS for the South Riverton Heights Subarea Plan – Planning / Finance

Summary: This Ordinance amends the 2001 Annual City Budget to provide an appropriation for consulting fees related to preparation of a Supplemental EIS for the South Riverton Heights Subarea Plan. Please refer to companion

Agenda Bill #1970 for details of this item.

The total estimated cost for this project is \$95,480 to \$116,480. The Council has approved a previous Budget Amendment Ordinance providing \$11,000 in 2000 carryover funds to partially offset this cost. The remaining appropriation of up to \$105,480 would reduce estimated year-end fund balance of the General Fund.

A budget appropriation is required to proceed with the consulting contract proposed in Agenda Bill No. 1970.

MOVED BY DEHAN, SECONDED BY ANDERSON TO ADOPT ORDINANCE NO. 01-1009.

MOTION CARRIED WITH FISHER ABSTAINING FROM THE VOTE DUE TO OWNING PROPERTY IN THE SOUTH RIVERTON HEIGHTS SUBAREA.

Agenda Bill #1969, Ordinance #01-1010

An Ordinance amending the Zoning Code to regulate the use of Cargo Containers in the City of SeaTac – Planning

Summary: The proposed code amendments would regulate the number, size, and location of cargo containers within SeaTac for purposes other than transportation.

Currently, cargo containers are not regulated within the City. Within the Neighborhood Business (NB), Community Business (CB), Aviation Business Center (ABC), and Industrial (I) zones, any number of containers may be stacked and located on the property without any screening. Cargo containers can be placed in the residential zones without any screening requirements. The proposed regulations would: 1) provide a definition for cargo containers; 2) list the zones where cargo containers would be allowed (CB, CB-C, ABC, and I zones) subject to screening requirements; 3) allow cargo containers as an accessory use to permitted and conditional uses in all other zone classifications, but not including dwelling units, subject to screening and size requirements; and 4) define under what conditions a legal nonconforming grandfathered cargo container would lose its legal nonconforming status.

A) A summary of the cargo container regulations are as follows: Definition – 1) a standardized, reusable vessel, designed without an axle or wheels, which was: a) originally, specifically, or formerly designed for or used in the packing, shipping, movement or transportation of freight, articles, goods or commodities, and/or, b) designed for/or capable of being mounted or moved on a rail car, and/or, c) designed for/or capable of being mounted on a chassis or bogie for movement by truck trailer or loaded on a ship; and d) when used for any purpose other than those listed in A above, a cargo container is a structure (15.10.631).

B) Cargo Containers – Where Allowed: The proposed regulations would permit cargo containers to be located in the following zoning districts: 1) CB Zone; 2) CB-C Zone, provided they are not used as stand-alone warehousing or storage (a warehouse/storage land use is not a permitted use in the CB-C Zone); 3) ABC Zone; and 4) I Zone.

Cargo containers allowed within the proceeding zones are subject to the certain provisions.

C) Containers – Accessory Use in Other Zones - Cargo containers would be allowed as an accessory use for permitted or conditional uses, but not including dwelling units, in all other Zoning Districts subject to Planning Department approval and certain provisions.

D) Containers – Loss of Nonconforming Status: cargo containers, which were located legally on property prior to the adoption of this Ordinance, would not be required to conform with the proposed regulations. The containers would be legal nonconforming uses "grandfathered" on the property. However, legal nonconforming cargo containers would lose their nonconforming status under the certain circumstances.

E) Containers – Use: cargo containers used as structures must comply with the Building Code and Zoning Code.

MOVED BY HANSEN, SECONDED BY DEHAN TO ADOPT ORDINANCE NO. 01-1010.

MOTION CARRIED WITH FISHER ABSTAINING FROM THE VOTE DUE TO OWNING A CARGO CONTAINER IN THE CITY OF SEATAC.

Councilmember Fisher asked for clarification of the issue of grandfathering in of specific containers. Mr. Butler stated that cargo containers that are associated with non-residential use are grandfathered.

Agenda Bill #1968, Ordinance #01-1011

An Ordinance amending the Zoning Code regarding Community Residential Facilities (CRFs) and Transitional Housing

Summary: These amendments to the SeaTac Zoning Code clarify the Code's regulations regarding CRFs by tightening the definition and creating a separate, new definition for Transitional Housing. The amendments also propose to limit the zones in which CRF II (seven persons or more) are permitted.

SeaTac's current zoning provisions were adopted in 1999 to ensure compliance with Federal and State Fair Housing Law. The Land Use and Parks (LUP) Committee recently requested a review of these Zoning Code sections to ensure that they are providing adequate regulation of the various group housing uses. A review of the regulations, and experience over the past two years since their adoption, suggests that the zoning provisions have been working fairly well. However, it is recommended that a "such as" phrase in the definition of CRF be removed in order to tighten the definition, and a separate definition for "transitional housing" be created to clarify the regulations. Additionally, it has been suggested that certain facilities be restricted from the neighborhood business zone that often borders single-family residential areas.

CRFs are intended to allow housing for disabled persons, as required by State and Federal Law. However, the definition does not strictly limit the facilities to disabled persons due to the inclusion of a "such as" phrase within the definition. Since these facilities are allowed in the single-family and multi-family zones, staff proposed tighten the definition by changing the "such as" phrase to "limited to."

Additionally, Transitional Housing is a type of housing that does not neatly fall under the City's existing definitions. Transitional Housing generally refers to programs offering housing along with social services for individuals in transition from unemployment or homelessness. Such programs are generally offered to specific individuals for several months at a time and so are different from overnight shelters. They also do not fit within the definition of CRFs since they are not necessarily housing for disabled persons.

The amendments propose the following definition for Transitional Housing: housing provided under a program, offering 24-hour access to specific persons, for periods of one month or more for human services purposes, such as helping unemployed or homeless individuals to obtain employment and housing. This is not a transient accommodation.

It is proposed that transitional housing be allowed in the CB and ABC Zones, and be a Conditional Use in the UHR and O/CM Zones with condition added as detailed in the Ordinance.

Senior Planner Holly Anderson reviewed the following changes made in response to Council comments at the April 17 Study Session. The revised CRF Definition: 1) Publicly or privately operated group residential facilities, (removal of such as) limited to homes for: a) children; b) those with disabilities; c) the elderly; and d) recovering, non-using alcoholics and addicts domestic violence victims. CRFs do not include Halfway Houses, Overnight Shelters, or Transitional Housing.

The added criteria for Transitional Housing was proposed as follows: 1) must have adequate on-site and program management, and satisfactory written policies and procedures including those describing tenant selection, assistance, denial or termination, and housing safety standards. Screening must not allow residents persons who have been classified as Class III sexual offenders; 2) CB and ABC Zones applied administratively; and 3) UH and O/CM Zones applied through Hearing Examiner Conditional Use Process (CUP) and criteria.

MOVED BY ANDERSON, SECONDED BY DEHAN TO ADOPT ORDINANCE NO. 01-1011.

MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENTS: John Thompson thanked the Council and staff for supporting his concern regarding the cargo container issue.

CITY MANAGER'S COMMENTS: City Manager Hoggard had the following items of business: 1) requested Finance Director Spencer explain to Council the newest item added to the City's Web Page. Ms. Spencer stated the technology enhancement to the City's Web Site is both a comprehensive plan map and a zoning map for the City. She further explained the various options this quality addition offers the public through display and printing. Councilmember Fisher added that the City of Auburn has created an outstanding web site (www.sao.wa.gov) which can compare other Cities as to populations, employees' wages, etc. that could be linked to SeaTac's web page; 2) a letter to the POS has been drafted requesting the Port Commission enter into discussions with the City as to keeping the golf course open. The letter will be presented to the Port at the City/Port Joint Advisory Committee (JAC) Meeting this week; 3) A State bill has been passed that may or may not have an effect in SeaTac. It specifies how Code Cities would change their plan of government and it provides in the reorganization that officers would continue to serve for the remainder of their terms; 4) Regarding the scheduling of a public hearing on a street vacation on behalf of the Port on the 28th Avenue South project, there was direction to staff to examine the possibility of a property swap. Because of the status of the planning in that vicinity, the Port did not have enough certainty as to whether or not they could affirm a property swap. Therefore, he told the Port that the City would proceed with a normal street vacation process where they would pay for the property. A State legislative bill was recently passed that would require the Port to pay 100 percent of the value of the property; and 5) A Ninth Circuit Court Ruling was issued today on the lawsuit brought about by 14 Cities, which included the City of SeaTac against Qwest Telecommunications. The Court ruled that Qwest must continue to pay the count of relocation caused by street projects.

COUNCIL COMMENTS: Councilmember DeHan thanked City Manager Hoggard for drafting the letter on the golf course issue. The Port Commissioners and City staff have agreed to co-author a study as to the viability of having a golf course. It came back with positive feedback that the City could have such an amenity. It is in the interest of the POS to have a new runway without the obstruction of a golf course in its path.

RECESSED: Deputy Mayor Gehring-Waters recessed the Regular Council Meeting to an Executive Session on a Real Estate Issue at 8:04 p.m.

EXECUTIVE SESSION: Real Estate Issue

RECONVENED: Deputy Mayor Gehring-Waters reconvened the Regular Council Meeting at 8:34 p.m.

ADJOURNMENT:

MOVED BY HANSEN, SECONDED BY FISHER TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 8:35 PM.

MOTION CARRIED UNANIMOUSLY.

Kathy Gehring-Waters, Deputy Mayor
Judith L. Cary, City Clerk

SEATAC CITY COUNCIL REGULAR MEETING MINUTES

May 8, 2001 - 6:00 PM
City Hall Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Shirley Thompson at 6:05p.m.

ROLL CALL: Present: Mayor Shirley Thompson; Councilmembers Gene Fisher, Frank Hansen, Terry Anderson, Kathy Gehring-Waters, Joe Brennan, and Don DeHan.

ADMINISTRATIVE STAFF: Calvin Hoggard, City Manager; Jay Holman, Assistant City Manager-Economic Development; Judith L. Cary, City Clerk; Robert McAdams, City Attorney; Jim Downs, Fire Chief; Bruce Rayburn, Public Works Director; Don Monaghan, Assistant Public Works Director; Steve Butler, Planning Director; Jack Dodge, Principal Planner; Holly Anderson, Senior Planner; and Tom Flanagan, Police Sergeant.

FLAG SALUTE: Cathy Heiberg, SeaTac business owner, led the Council, staff and audience in the Pledge of Allegiance.

INTRODUCTION OF NEW CITY EMPLOYEES:

Cal Smith, Engineering Technician III (Replacement Position; Jay White, Park Operations Worker (Replacement Position); and Pat Olds, New City Hall (NCH) Construction Coordinator

City Manager Hoggard introduced the new City employees:

Cal Smith has had 30 years experience with the Washington State Department of Transportation (WSDOT), retiring as the Transportation Data Office Manager. He is a member of the WSDOT Urban Search and Rescue Team. Mr. Smith has been a part-time commercial salmon troller and an active executive boardmember of the Washington Trollers Association.

Jay White comes to the City's Parks Department with three years experience in irrigation installation and repair. Mr. White was previously employed with Thornhill Services working in all phases of landscape maintenance. In his last season with Thornhill, he was the crew lead. Just prior coming to the City, he worked for Loomis-Fargo Armored Car Company.

Pat Olds comes to the City after 10 years with King County, first in the Office of Open Space, then the Surface Water Management (SWM) Division, and lastly, with the King County Airport at Boeing Field. Prior to coming to Washington, Pat lived in Fairbanks, Alaska for 19 years where she was self-employed, providing construction administration support to contractors and government agencies. She also worked for the Fairbanks Development Authority with their downtown renovation projects.

PUBLIC COMMENTS: There were no public comments.

PRESENTATION:

SeaTac Image Campaign through Radio Ads

Joann Hamick, IndexGroup Consultant, Public Affairs Consulting/Strategic Communications and Cathy Heiberg, SeaTac business owner/ Hotel Motel Advisory Committee member, presented an audio demonstration of two of the four 50 second radio advertising spots to be aired over three radio stations; KIRO, KVI, and KNWX in the morning commute time slot. The ads are set in "Talk Show" format, starting with a catchy phrase to get the listener's attention and continuing with the message and are designed to provide useful information about the City that people would find beneficial to their lives. There will be testimonies by businesses in the City. The first interview will be by the SeaTac Mayor welcoming people to the City.

Ms. Heiberg added that Councilmember Brennan chairs the Hotel/Motel Advisory Committee, with membership consisting of Councilmember DeHan and professional business owners in the City. Different campaign concepts have been review, with this concept well received by the committee. All funding for these ads have been placed in the Hotel/Motel Fund reserve and no additional expenditure is needed.

Ms. Hamick stated that ad three will pertain to the driving distance of businesses from the airport with traffic volume being a prevalent factor, making SeaTac a choice location that would be beneficial to businesses and customers alike. The new Hilton Inn and Conference Center in SeaTac will be mentioned in the ad as to big businesses moving into the City. The fourth ad would interview a Washington Mutual Training Center representative discussing their decision to locate the center in SeaTac.

Councilmember DeHan stated that he feels the direction this campaign is taking will give SeaTac the identity it is lacking. Many people are still unaware that SeaTac is a City. He also mentioned that the Texas Transportation Institute Study released last week shows the Puget Sound area as having the second worse traffic congestion in the nation.

CONSENT AGENDA:

Approval of claims vouchers in the amount of \$1,449.52 for the period ending April 30, 2001.

Approval of claims vouchers in the amount of \$1,499,432.04 for the period ending May 4, 2001.

Approval of employee vouchers in the amount of \$513,149.27 for the period ending April 30, 2001.

Approval of firefighter vouchers in the amount of \$245.00 for the period ending April 30, 2001.

Approval of summary of \$5,000 - \$25,000 purchase requests for the period ending May 4, 2001.

Approval of Council Minutes:

Study Session held March 6, 2001.

Study Session held April 17, 2001.

Study Session held May 1, 2001.

Approval of the following Resolution and Motions recommended at the May 1, 2001 Study Session for placement on the Consent Agenda:

Agenda Bill #1992

A Motion authorizing an Agreement with Puget Sound Energy (PSE) for conversion of Overhead Power Lines and a custom Street Lighting Order on the South 170th Street Phase II Improvements Project - Public Works

Summary: This agreement covers the conversion of overhead power lines to underground. The City will pay 30 percent of the conversion cost for work between 37th Avenue South and Military Road South. The street lighting work order is for the installation and maintenance of new streetlights. The City will pay 100 percent of the cost of installing and maintaining streetlights. PSE will own, operate and maintain both systems.

As part of the South 170th Street Phase II Improvements 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 will provide and install the main distribution system and remove the existing overhead system of 15,000 volts or less. The City will perform all trenching, restoration, surveying, and the installation of all conduit, vaults, ground plates and handholds. PSE will provide conduit, vaults, ground plates, and handholes, along with an inspector to monitor the installation of such equipment. PSE will design and install a street lighting system. The City will be responsible for coordinating the work, including public notification.

The City will reimburse PSE for the work to install the underground distribution and street lighting systems in accordance with the adopted Washington Utilities and Transportation Commission (WUTC) tariffs. The City's portion of the conversion costs is estimated to be \$136,461.00. The City will also reimburse PSE for the installation costs for the street lighting system and associated circuitry, which is estimated to be \$15,038.41. The total estimated amount to convert the power lines to underground and to install streetlights is \$151,499.41. The monthly maintenance and energy charge, per WUTC tariffs, for all streetlights in the project area is \$57.71.

Agenda Bill #1993; Resolution #01-010

A Resolution authorizing an Agreement with Yakima County for the housing of inmates in the Yakima County Jail - Municipal Court

Summary: The Yakima County Director of Corrections has proposed the use of the Yakima County Jail as a place of confinement for incarceration of SeaTac's prisoners. The charge will range from \$48 to \$51 per day per prisoner, without any booking fee. Pursuant to the agreement, the City proposes to utilize the Yakima County Jail for prisoners with sentences of two days or longer. Yakima County will perform one to two transports per week between Yakima and the two King County jails, located downtown Seattle and Kent. Additionally, Yakima County agrees to perform one additional transport per week, at no additional charge, when at least three prisoners await transport from all the combined South King County jurisdictions under contract with Yakima County.

The King County Jail currently charges \$70.90 per day, in addition to booking fees of \$139.39 per prisoner with the City's jail bill averaging \$25,000 per month. It is anticipated that this figure will reduce significantly if the City enters into this agreement.

The costs of medical attention, above and beyond what the Yakima County jail can provide, are the responsibility of the City. Prisoners sent to the Yakima County Jail will need to be screened for medical conditions that pose a likelihood for medical services. Those with increased risks will continue to be housed with King County where medical attention is part of that contract.

Several other Cities, including Federal Way, Tukwila, and Des Moines, are already using the Yakima County Jail as an alternative to the King County Jails.

Agenda Bill #1994

A Motion authorizing an Emergency Dispatch Agreement for Fire Service with Valley Communications (Valley Com) Center – Fire

Summary: This agreement authorizes Valley Com to provide dispatch services to the City for all emergency, fire and medical calls beginning approximately February 2002.

Since 1993, South County Communications (South Com) has provided dispatch services for fire and emergency calls within the City. South Com will be ceasing its operation in 2002, and therefore, the City requires a new provider for dispatch services. Valley Com, located in Kent, Washington, is presently the only group available to conduct dispatch services on a contract basis. The agreement states that it shall become effective on January 1, 2002. However, Valley Com is constructing a new facility to conduct its operations and a six-month delay in providing dispatch services is anticipated due to construction. In the meantime, South Com will continue to provide services under the current contract until Valley Com is operational. The agreement with Valley Com will automatically renew annually on January 1 unless otherwise terminated pursuant to the agreement.

The 2001 cost for dispatch services to South Com is \$104,545.00. The established contract rate with Valley Com will be established after Valley Com's 2002 budget is approved. However, based upon 2001 rates, the Valley Com fees should be a reduction in per call charge compared to the present South Com call rate.

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

MOTION CARRIED UNANIMOUSLY.

**QUASI-JUDICIAL HEARING: (cancelled and rescheduled to the May 29, 2001 Special Council Meeting)
Amendment to the Gateway Development Agreement - Planning / Legal**

Mayor Thompson announced the cancellation and rescheduling of the Quasi-Judicial Hearing to May 29, 2001 in a Special Council Meeting. She added that the reason for the cancellation versus a continuation of the hearing is that notice has been given to the involved parties that the hearing has been cancelled.

NEW BUSINESS:

Agenda Bill #1998; Resolution #01-011

A Resolution clarifying Council Intent regarding a Section of the Sign Code, SeaTac Municipal Code (SMC) 15.16.110D - Legal / Planning

Summary: Staff is requesting that the City Council declare, by Resolution, its intent regarding a particular section of the City's Sign Code, SMC 15.16.110 D.

In March 1992, the City Council adopted an Interim Sign Code that prohibited, "Signs which rotate or have a part or parts that move or revolve. Also signs with the movement of the hands of a clock or digital changes indicating time and temperature or national market indices or which advertise a specific company or commodity..."

Signs containing such features were referred to as electronic message centers in City Council Meeting and Planning Commission Meeting Minutes where the Sign Code was discussed.

The final Sign Code, adopted in October 1992, prohibited, "Signs which rotate or have a part(s) which move or revolve except the movement of the hands of a clock or digital changes indicating time and temperature or national market indices, or advertis[ing] a specific company or commodity, located on site..."

The final Sign Code does not define the phrase "digital changes," nor does it define electronic message centers.

Staff has studied the legislative record in order to determine the Council's intent regarding these phrases or words and what the Council considered electronic message centers. However, staff has been unable to ascertain such intent. Therefore, staff is requesting a statement of such intention from the Council in the form of a Resolution to include a definition or description of electronic message centers and whether "digital changes" refers only to text or may include graphics, or other display medium.

Ms. Elsensohn stated that the reason staff is asking for clarification is that the City has received applications for signs which are of a more advanced technology than what was contemplated in 1992 when the Sign Code was adopted. There is currently, one case pending before the Hearing Examiner and it would be helpful for staff to determine the Council's intent for the proceedings.

Mr. Butler continued with a background on the original adoption of the City's Sign Code as stated above in the agenda bill summary. Council discussion ensued with staff as to their original intent of the wordage, "Electronic Message Centers." Mr. Butler explained that the issue of amending the Sign Code to adjust to the current environment would be forthcoming at a later date.

Mr. Dodge stated that staff had requested a continuance of the hearing until May 17 or early June and these dates were denied by the Hearing Examiner and instead the item was scheduled for May 10, 2000.

Mayor Thompson called for a Council consensus and polled the Councilmembers as to their recollection of their intent regarding electronic message centers. The Council consensus was that the language proposed by Assistant City Attorney Elsensohn, which was the result of Council's input at this meeting, properly reflected their intent behind the 1992 Sign Code on electronic message centers. The proposed language read as follows, "The Council intended electronic message centers to mean a portion of an allowed sign consisting of digital text and/or simple graphics that advertise a specific company or commodity located on site. The Council further intended that the digital text and/or graphics may change, but not move or scroll or flash." A Resolution was not passed but rather a consensus was taken to resolve this issue.

ADDED ITEM:

Councilmember Gehring-Waters stated that she would like to see the parking garage development issue to be located by the Washington Memorial Cemetery be revisited. She added that she, along with other members of the Council, have some concerns that this issue was not sufficiently discussed for Council passage.

Councilmember DeHan stated that it was his belief that since this item was passed by Resolution at the April 24

Council Meeting, it is not timely to revisit this issue without placing the City in jeopardy. This would be breaking a contract that has been agreed to and signed. He believes there was sufficient discussion and the decision was a good one.

Councilmembers Fisher and Brennan agreed with Councilmember Gehring-Waters' comments. Councilmember Fisher stated that he is not pleased as to how this item was presented at the April 24 Council Meeting without first being brought to Council Committee and/or a Study Session for discussion purposes. He has concerns as to the drainage on this land and possible runoff to other properties.

City Attorney McAdams explained that the Resolution on this matter was passed and became effective on April 24, therefore, the development agreement was approved and the proponents, SeaTac Investments, LLC, were engaged in finalizing their purchases to the extent of several million dollars for business decisions that had to be made. It would be a serious problem to try to contravene the constitutional provision that the legislature should not breach a contract.

City Manager Hoggard stated that for purposes of clarification for future development agreements, it would be appropriate to review the concerns that might have arisen in the context of this agreement. In addition, he stated his opposition to a Quasi-Judicial Hearing, which is imposed on the City by law but which is awkward for a legislative body to act as a judiciary function when that body is a legislative function. In the case of development agreements, the Council has the option of not conducting a Quasi-Judicial Hearing if the City Code were changed. He has requested the City Attorney prepare an Ordinance that would bring this issue before Council for their consideration.

Councilmember Hansen stated that he voted against the Resolution and was very distressed as to the way it was presented. Development is extremely important to the City and the Council has expressed repeatedly that they do not want the City to become a big surface parking lot. The agreement is a major change from SunReal, Inc.'s proposal of an 11-story garage. He feels the developer should be obligated to construct the originally proposed parking garage. The vote on the Resolution was made without the full Council present as he had suggested.

PUBLIC COMMENTS: There were no public comments.

CITY MANAGER'S COMMENTS: City Manager Hoggard reminded Council and audience that there is an informational meeting to be held on May 16 in the Council Chambers, 1:00 - 3:30 p.m., by the Department of Ecology (DOE) regarding the Tacoma Smeller Plume Project to discuss the facts that have been determined relating to the fallout issue.

COUNCIL COMMENTS: Councilmember Brennan gave heartfelt thanks for all the warm well wishes on his successful recovery from heart surgery two weeks ago. He stated that he has the best wife, family and friends and is thankful for his wonderful life.

Council stated their gratification that Councilmember Brennan is recovering so well.

Councilmember Anderson thanked Assistant City Manager Craig Ward for seeing to it that the debris was removed from 37th Avenue South that she mentioned at the May 1 Study Session.

Mayor Thompson stated that the regularly scheduled Council Dinner Workshop to be held on May 23 has been cancelled as it poses a problem with attendance on that date. Council agreed to change the workshop date to June 6, 2001.

RECESSED: Mayor Thompson recessed the Regular Council Meeting to an Executive Session on Personnel Issues / Land Acquisition at 7:27 p.m.

EXECUTIVE SESSION: Personnel Issues / Land Acquisition

RECONVENED: Mayor Thompson reconvened the Regular Council Meeting at 8:39 p.m.

ADJOURNMENT:

MOVED BY DEHAN, SECONDED BY BRENNAN TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 8:40 P.M.

MOTION CARRIED UNANIMOUSLY.

Shirley Thompson, Mayor
Judith L. Cary, City Clerk

SEATAC CITY COUNCIL REGULAR MEETING MINUTES

May 22, 2001 - 6:00 PM
City Hall Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Deputy Mayor Kathy Gehring-Waters at 6:04 p.m.

ROLL CALL: Present: Deputy Mayor Kathy Gehring-Waters, Councilmembers Gene Fisher, Frank Hansen, Terry Anderson, Joe Brennan, and Don DeHan. Excused Absence: Mayor Shirley Thompson.

ADMINISTRATIVE STAFF: Calvin Hoggard, City Manager; Jay Holman, Assistant City Manager-Economic Development; Kristina Lowrey, Deputy City Clerk; Mary Mirante, Senior Assistant City Attorney; Julie Elsensohn, Assistant City Attorney; Craig Ward, Assistant City Manager; Elizabeth Spencer, Finance Director; Jim Downs, Fire Chief; Bruce Rayburn, Public Works Director; Don Monaghan, Assistant Public Works Director; Steve Butler, Planning Director; Jack Dodge, Principal Planner; Holly Anderson, Senior Planner; and Scott Somers, Chief of Police Services.

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

PUBLIC COMMENTS: Tom Roush, 2420 2nd Avenue, Seattle, submitted a letter to Council. Approximately two years ago he represented Bowmont Terrace, block one homeowners on the west side of 3rd Avenue South. He negotiated the sales of their homes to Gateway, which were developed into the present Master Park Parking Lot. Last November, Gateway requested that he represent them on purchasing the homes in Bowmont Terrace, blocks two, three and four. The homes in block one are larger than the other blocks and sold for an average of \$21.50 per foot. Opening offers were made to all homeowners in blocks two, three, and four at \$23 per foot. After much negotiating, Gateway is paying approximately \$27 to \$28 per square foot for an increase of over 26 percent in a two-year period. He urged Council approval of the Development Agreement.

Roger McCracken, 24033 Southeast Fall City Road, Issaquah, stated that he is one of the Gateway Principals' who built the Master Park. He thanked the City staff for the good negotiation period. He stated that there are three critical elements of this development: 1) clean environmental issues on the existing dirt (Gateway is working on the clean up); 2) build mass of land to attract large development groups; and 3) need willing participant to commit time and effort to accumulate that mass of land (Gateway).

The following citizens stated their support for the Gateway Development Agreement: Janice and Myron Knight, 17028 31st Place South; James Strayhorn, 3121 South 170th Street; Daniene Giessen, 3160 South 172nd Street (representing herself, her husband, Lester Jasper, Phyliss Pump, Kim O'Rourke, and Sara Miller, and via a letter of support, Jody Shaw); Mark Behrmann, 17031 31st Place South; Robert Hickey, 3113 South 170th Street; Jess Vanderhoof, 17025 31st Place South; Robert White, 17020 31st Avenue South; Lester Jaspers 17020 31st Place South; Rod Cramer, 17014 31st Avenue South; and Christie Khalaf, 3105 South 170th Street. Each citizen stated that they received a fair deal in the negotiations, were treated decently, and would like this issue to move forward.

William Santjer, 16650 32nd Avenue South, reiterated a complaint he made at the February 13, 2001 Council Meeting. His neighbor is still bringing numerous vehicles on his property and has brought in a container and is building around it. Mr. Santjer is trying to sell his home and he feels his neighbor's property is devaluing his property. He submitted photographs for Council to review.

PRESENTATIONS:

Port of Seattle (POS) Airport North End Development Program (NEDP), Phase 3

Assistant City Manager Ward clarified that the NEDP essentially begins at the Radisson Hotel Site and continues to SR 518. However, the POS would then need to relocate some uses, and the POS "L Shape" property is north of SR518. The City engaged in a subarea planning project on the South Riverton Heights area for with a meeting held last week. It is indirectly related to the NEDP. Tonight's presentation is for informational purposes only.

NEDP Assistant Director Dave Soike stated that Phases 1 and 2 represent \$2 - 3 million of work with two purposes: 1) renew the existing terminal; and 2) upgrade the terminal to bring more capacity to it. Phase 3 creates a new second terminal that should handle between 40 and 50 percent of the passenger traffic as 2020 and 2030 approaches. There are several components to the NEDP: new terminal; roadways; piers; light rail; Automated People Mover; Transportation Center; and main entry and ticketing. The roadways and airfield work are scheduled for completion in 2010 with the new terminal in 2014.

In trying to accomplish a project of this size, after completing the environmental review, the following sequences would need to be approached simultaneously:

Airside: 1) relocate the taxiway and existing facilities; 2) build underground infrastructure – utilities piping, utility and access tunnels, future passenger tunnels, and future cargo road tunnel; 3) build aircraft pavement areas – overnight parking, and passenger loading from ground; and 4) construct piers or concourse(s), and main entry and ticketing.

Landside: 1) relocate expressway(s); 2) work on South 160th and 170th Streets; and 3) construct the Transportation Center, Automatic People Mover, Sound Transit Link to SeaTac, new roadways, and main entry and ticketing.

The Rental Car Facility is the first project that will be seen, but it is not in the NEDP. It is in the Phase 2 project. The facility is expected to be opened in 2005 or 2006. Mr. Soike described the building stating that the principles of the facility are high quality appearance, office occupies façade along International Boulevard (IB), and traffic and pedestrian access.

The Transportation Center Project elements include busses, cruise passengers, parking, Automatic People Mover, and baggage check-in. The principles of the center are: 1) aesthetics – high quality appearance, office occupies façade along IB, and access options remain open; and 2) Joint Transportation Study – considering access from South 170th Street and IB.

The Port "L-Shape" property is in the Riverton Heights neighborhood. The POS work in that area is being done in conjunction with the Riverton Heights work. The Port property is already zoned for air cargo use. To make it an effective use for both citizens and POS, separated traffic routes may be needed. In addition, a set of aesthetic buffers may be implemented.

There are several ways that the POS and SeaTac foresee citizen involvement in the NEDP: Riverton Heights / City of SeaTac Process; Master Plan; Public Scoping Process of NEDP Environmental Review; Washington State Department of Transportation (WSDOT) Environmental Process; and involved Business Interests – Chamber of Commerce, Cargo Firms, etc. The POS has a web site – [www:\portseattle.org](http://www.portseattle.org) for further information.

Gateway's Amendment to the Development Agreement

Planning Director Butler stated that this issue is regarding the Gateway property, just south of South 170th Street, between 32nd Avenue South, 31st Place South and 31st Avenue South. There are two actions that Council is requested to make a decision on at the May 29, 2001 Special Council Meeting: 1) rezone request; and 2) action on the Gateway Development Agreement.

Mr. Butler reviewed the rezone request. There are two separate rezones: 1) Urban Low (UL-7200) to Community Business / Urban Center - remaining from the original development agreement; and 2) UL-7200 to Office / Commercial Medium (O/CM).

Mr. Butler discussed the summary of potential amendments to the Gateway Development Agreement, stating that the agreement is a work in progress: 1) vacation of 31st Avenue South and 31st Place South (new connecting street, the

South 172nd Street extension); 2) rezone application; 3) review of applications; 4) rezone timing (begin no later than June 1, 2001); 5) concurrent environmental review; 6) parking configuration and characteristics for Gateway expansion properties; 7) construction of improvements (minimum mixed-use development of not less than 50,000 square feet); 8) interim fire lanes and turnaround; 9) extension of dates for easement reversion and monetary payment; 10) relocation of multilevel parking; 11) pedestrian bridge; and 12) stormwater review.

Upon a question posed by Councilmember Anderson, Mr. McCracken stated that the total number of cars for this lot would be approximately 1,400. Council discussion ensued regarding the dates for easement reversion and monetary payment. Council was concerned that 20 years is too long a period of time. Mr. McCracken stated that the reason for the 20 years is that Gateway does not know how long it will take to clean up the site. Gateway is following the procedures as set by the Department of Ecology (DOE). Gateway cannot obtain any financing until they receive DOE approval. It is in the best of interest of all parties involved to complete the clean up as soon as possible, but it is dependent on DOE. Once the site is cleared, Gateway has 6 years to develop the site.

CONSENT AGENDA:

- Approval of claims vouchers** in the amount of \$855,116.70 for the period ending May 18, 2001.
- Approval of employee vouchers** in the amount of \$363,878.57 for the period ending May 15, 2001.
- Approval of summary of \$5,000 - \$25,000 purchase requests** for the period ending May 18, 2001.

Approval of Council Minutes:

- Regular Council Meeting** held April 24, 2001.
- Regular Council Meeting** held May 8, 2001.

Acceptance of Advisory Committee Minutes:

- Civil Service Commission Meeting** held March 12, 2001 (commission approved May 14, 2001).
- Human Relations Advisory Committee Meeting** held April 18, 2001 (committee approved May 16, 2001).
- Planning Advisory Committee Meeting** held May 7, 2001 (committee approved May 7, 2001).

Approval of the following Ordinance and Motion recommended at the May 15, 2001 Study Session for placement on the Consent Agenda:

Agenda Bill #1986

A Motion authorizing an Agreement for conducting the Third International Crime-Free Conference - City Manager

Summary: This Motion authorizes the execution of an agreement with the International Crime-Free Association (ICFA), located in Mesa, Arizona for joint hosting of the Third International Crime-Free Conference in SeaTac.

The annual conference has been held in San Diego for the past two years. SeaTac competed with Cities from other parts of the Country and Canada to host the next conference, and was awarded the August 2001 hosting.

The ICFA is a non-profit organization with pending Internal Revenue Service (IRS) status as a publicly-supported organization. The Crime-Free Program is also sponsored by Mesa, Arizona Police Department. Although this is only the third annual conference, the program has been in existence since 1992 and has spread to 38 States, 3 Canadian Provinces, and over 700 Cities. The components of the program include Crime-Free Multi-Housing, Mobile-Housing, Condominiums, Storage Lockers, Hotel/Motel and most recently, Family Life Styles (i.e. block watch) was added to the program. The City became interested in the conference in conjunction with the formation of the Apartment Manager's Network and the City's efforts to improve the quality of life for the substantial portion of the population who reside in apartment housing.

Once the City's apartment managers and owners become more aware of what is available to them, it is hopeful that they will go through the Crime-Free Multi-Housing Seminar conducted by SeaTac Police Officer Doug Reynolds and others at Highline Community College, to certify their properties as participants in SeaTac's Crime-Free Multi-Housing Program. The Crime-Free Program has been documented to reduce incidents of criminal activities and the number of calls for services from life safety professionals (i.e. police, fire and code enforcement). This program is

currently mandated by some neighboring Cities, while others are considering making it mandatory. However, at this point, SeaTac is working on means to increase voluntary participation in the program by managers/owners.

The two purposes for bringing the conference to our City are to: 1) involve more of the SeaTac Apartment Managers and Owners and to increase their understanding of the programs available to them and the utilization of those tools, and 2) capture an opportunity to promote tourism in SeaTac.

This conference will be co-hosted by the City of SeaTac and ICFA in conjunction with the Mesa Police Department. The agreement is for the purpose of establishing the terms and for hosting the conference.

It is estimated that 300 registrants will attend the conference. By utilizing the appropriated Hotel/Motel Tax dollars, the event can be hosted at the Doubletree Hotel. It is evident that the conference, through lodging, meals, car rentals and purchasing of goods will bring revenue to SeaTac businesses.

The registration fee is expected to cover participants' meals. The seed money from the ICFA will cover travel and accommodation for presenters, as well as promotional supplies and materials. The \$10,000 from the City Hotel/Motel Tax revenue will go toward guest speakers, rental of the conference facility, other promotional materials and awards. Some corporate sponsorship is anticipated, but the level of commitment is not yet determined. If the level is high enough to cover costs, other components can be added to the conference.

All registration fees, financial support and expenditures will be processed through the City and so the City's purchasing rules will apply to this activity. At the conclusion of the conference, any remaining money from this conference will go to the ICFA to contribute to next year's conference host City.

Council, with recommendation of the Hotel/Motel Tax Advisory Committee, previously approved and budgeted \$10,000 in Hotel/Motel Tax dollars in the 2001 Budget toward the conference.

Agenda Bill #2000; Ordinance # 01-1012

An Ordinance amending the 2001 Annual City Budget authorizing a Construction Coordinator Position for the New City Hall (NCH) Project Administration - City Manager

Summary: The Construction Coordinator is the contact point for all parties to the project, including architectural and engineering firms, the project manager, general contractor and owner. Primary duties include maintaining correspondence logs, information, and project documentation. This position is responsible for maintaining records regarding contract issues from the point of bid preparation to close out of the NCH project.

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

MOTION CARRIED UNANIMOUSLY.

RECESSED: Deputy Mayor Gehring-Waters recessed the Regular Council Meeting to an Executive Session on Land Acquisition / Potential Litigation at 7:37 p.m.

EXECUTIVE SESSION: Land Acquisition / Potential Litigation

Councilmember Brennan left the meeting during the Executive Session (approximately 7:55 p.m.).

RECONVENED: Deputy Mayor Gehring-Waters reconvened the Regular Council Meeting at 9:27 p.m.

PUBLIC HEARING:

Vacating a portion of 28th Avenue South, north of South 188th Street - Public Works

Deputy Mayor Gehring-Waters opened the Public Hearing at 9:27 p.m.

Public Works Director Rayburn stated that the POS has requested that 28th Avenue South, north of South 188th Street,

be vacated to accommodate major construction (expansion of Concourse A and relocation of some of the road network).

Eric Cutbirth, POS Program Management Group Project Manager briefed Council on the right-of-way (ROW) vacation request. The retaining wall was designed and bid as a cast and place concrete wall. The contractor had suggested that he would like to change that to be a brick building block wall.

Councilmember DeHan stated that the Transportation and Public Works (T&PW) Committee met today and agreed that all of the Council's concerns had been met. T&PW requested the wall have a graffiti resistant finish.

Council discussion ensued regarding the types of material for the retaining wall with no consensus reached.

Since the City will not be issuing a permit for this retaining wall, Mr. Rayburn suggested that the POS continue working with the contractor and obtain alternatives from the contractor, along with costs. The POS staff will then analyze the data and inform the City of their choice and request City input.

Deputy Mayor Gehring-Waters closed the public hearing at 9:40 p.m.

NEW BUSINESS:

Agenda Bill #1996; Resolution #01-011

A Resolution approving the Midway Sewer District 2000 Comprehensive Sewer System Plan - Public Works

Summary: Water and sewer districts are required to periodically update their comprehensive plans. When a portion of a district's service area is within a City, the district is also required by Revised Code of Washington (RCW) 57.16.010 to secure the approval of the City within which it is providing service. Planning and engineering staff have reviewed a draft plan and forwarded a list of concerns to the district for a response. City and district staff have met and reviewed these concerns which have been satisfactorily addressed in the final plan.

Mr. Rayburn stated that this request originated from the Midway Sewer District for formal acceptance of their new Comprehensive Plan, which covers the entire district on sanitary sewer. At the May 15, 2001 Study Session, many questions arose from Council. Additional information addressing those questions was provided with the agenda bill.

City Manager Hoggard suggested that the information be included as an expression of the Council's desire in a letter to the Sewer District. Council concurred.

MOVED BY HANSEN, SECONDED BY ANDERSON TO PASS RESOLUTION NO. 01-011.

MOTION CARRIED UNANIMOUSLY.

Chief of Police Services Scott Somers stated SeaTac's Master Police Officer (MPO) Raphael Crenshaw has been selected as the King County Sheriff's Office Officer of the Year. Raphael was selected over a number of other outstanding officers and detectives serving communities throughout King County. Additionally, Mickey Kraut was again selected as Volunteer of the Year. A ceremony, to honor these and other officers whose conduct has earned recognition, will be held on Thursday, May 31 at 1:30 p.m. in the Courthouse 4th floor Snoqualmie Room.

Council requested that proclamations be prepared for these two individuals.

PUBLIC COMMENTS: There were no public comments

CITY MANAGER'S COMMENTS: City Manager Hoggard stated that the Washington Memorial Park will be honoring those who have served the Nation, past and present, including uniformed Fire and Police personnel. The ceremony will be held on May 28 at 4:00 p.m. at the park.

COUNCIL COMMENTS: Councilmember DeHan stated that the T&PW Committee, which normally meets on the third Tuesday of each month at 4 p.m., will now be meeting the second Tuesday of each month at 4 p.m.

Deputy Mayor Gehring-Waters stated that she would be absent from the May 29, 2001 Special Council Meeting.

ADJOURNMENT:

MOVED BY DEHAN, SECONDED BY ANDERSON TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 9:48 PM.

MOTION CARRIED UNANIMOUSLY.

Kathy Gehring-Water, Deputy Mayor
Kristina Lowrey, Deputy City Clerk

SEATAC CITY COUNCIL SPECIAL MEETING MINUTES

June 5, 2001 - 3:00 PM
City Hall Council Chambers

(The regularly scheduled Study Session was cancelled.)

CALL TO ORDER: The SeaTac City Council Special Meeting was called to order by Mayor Thompson at 3:06 p.m.

ROLL CALL: Present: Mayor Shirley Thompson, Councilmembers Gene Fisher, Frank Hansen, Terry Anderson, Kathy Gehring-Waters, Joe Brennan, and Don DeHan.

ADMINISTRATIVE STAFF: Calvin Hoggard, City Manager; Jay Holman, Assistant City Manager-Economic Development; Judith Cary, City Clerk; Mary Mirante, Senior Assistant City Attorney; Craig Ward, Assistant City Manager; Bruce Rayburn, Public Works Director; Bob Meyer, Fire Marshall; Steve Butler, Planning Director; Kit Ledbetter, Parks & Recreation Director; and Scott Somers, Chief of Police Services.

RECESSED: Mayor Thompson recessed the Special Council Meeting to an Executive Session on Potential Litigation / Land Acquisition at 3:07 p.m.

EXECUTIVE SESSION: Potential Litigation / Land Acquisition

RECONVENED: Mayor Thompson reconvened the Special Council Meeting at 6:10 p.m.

ANNOUNCEMENT: Mayor Thompson announced that the Monthly Council Workshop scheduled for June 6 has been cancelled and will be rescheduled. Also cancelled was the July 3 Study Session.

NEW BUSINESS:

Agenda Bill #1967

A Motion authorizing a Contract with Osborne Construction Company for the construction of a New City Hall (NCH) Building at South 188th Street and 37th Avenue South – City Manager

With the consensus of the Council, Mayor Thompson removed Agenda Bill No. 1967 from the agenda and rescheduled to the July 10, 2001 Council Meeting.

Agenda Bill #2004

A Motion authorizing the approval of Amendment Nos. 1, 2, 3, 4, and 5 to the existing City of SeaTac / Heery International Contract – City Manager

Summary: This Motion authorizes funding of services already performed by Heery International in assessing the feasibility of possible purchase of the Valley Ridge Corporate Center, in oversight of the new City Hall (NCH) building design and bid document production, and provides funds for future special services. It also provides an extension in time of the existing City of SeaTac-Heery International project management contract necessitated by building design delays.

The special services outlined in Amendment Nos. 1, 3, and 4 have been negotiated and performed by Heery International. The amendment amounts are \$17,330, \$14,021, and \$56,335 respectively. Amendment No. 2 in the amount of \$295,000 provides for continuing services from Heery International from October 24, 2001 until October 24, 2002. Amendment No. 5 will provide for expeditious request (by the City) and response (by Heery) for future work in the general areas of project, building, or site assessments/studies; amendment amount is not to exceed \$20,000.

Amendment No. 1, 2, 3, 4, and 5 to the existing City of SeaTac-Heery International contract would be funded from the 'contingency' line item of the NCH's project budget; no additional project budget funds will be needed.

MOVED BY GEHRING-WATERS, SECONDED BY ANDERSON TO ACCEPT AGENDA BILL NO. 2004 WITH THE REMOVAL OF AMENDMENT NO. 2 FROM THE CONTRACT.

MOTION CARRIED UNANIMOUSLY.

Agenda Bill #2001

A Motion authorizing the City to accept 2002 Community Development Block Grant (CDBG) Funds as a Pass-through City – City Manager

Council approved the public hearing, as required by law, scheduled for the June 12, 2001 Regular Council Meeting. Following a public hearing, Council will consider adoption of this agenda bill item on this date.

Agenda Bill #1989

A Motion authorizing a Contract with Tydico, Inc., for the South 170th Street Phase II Improvement Project (37th Avenue South to Military Road South) - Public Works

Summary: This project was advertised for bids and the bid opening was held on May 7 with eight bids received. Tydico, Inc. was the low bidder with a total bid of \$1,289,301, 7.7 percent below Reid Middleton, Consulting Engineer's estimate of \$1,398,000. Tydico, Inc. successfully completed access improvements at South 184th Street and International Boulevard (IB) (Washington Mutual / Doubletree Hotel) for the City in 1997.

Reid Middleton, Consulting Engineers, designed the project and prepared the bid documents. This project consists of new curb, gutters, sidewalks, flashing beacon at 40th Avenue South, street illumination, underground utilities and storm drainage facilities. The roadway will be rebuilt to 36 feet wide to allow for two travel lanes and two bike lanes.

Staff recommends a 10 percent contingency of \$128,930, for a total contract budget of \$1,418,231. The total project cost, including construction contract, contingency and electric underground conversion is \$1,569,730. The project is to be funded by State Transportation Improvement Board (TIB) grant funds, utility reimbursements and City funds of \$708,127. The engineer's estimate was \$1,398,000. Since the original award, TIB has increased the grant by \$34,333 to a total of \$760,333. City funds of \$34,127 are also recommended to be from the Surface Water Construction Fund, Spot Drainage Improvements that has a current balance of \$117,437.

Mr. Rayburn added that this item was discussed at the May 22, 2001 Transportation and Public Works (T&PW) Committee. Upon a question posed by Councilmember Fisher, Mr. Rayburn stated that the project would consist of 280 calendar days, scheduled to be completed by early 2002.

MOVED BY ANDERSON, SECONDED BY BRENNAN TO ACCEPT AGENDA BILL NO. 1989.

MOTION CARRIED UNANIMOUSLY.

Agenda Bill #2002; Resolution #01-013

A Resolution fixing the date and time for a Public Hearing to consider the merits of vacating certain Street Rights-of-Way (ROW) in the City of SeaTac abutted on both sides by Port of Seattle (POS) Property – Public Works

Summary: This Resolution sets July 24, 2001 at 6:00 p.m. as the date to conduct a public hearing to consider the merits of vacating street ROWs abutted by POS property.

The City has agreed with the POS, as documented in the Interlocal Agreement (ILA) dated September 4, 1997, to vacate certain ROWs and to receive direct and community relief payments as compensation for the ROWs and partial mitigation for the impacts from the third runway and its construction. The POS owns all of the property abutting these ROWs that are listed in the ILA.

The procedures for the vacation of a public ROWs are defined in the Revised Code of Washington (RCW). The date of

the public hearing is set by a Resolution of the City Council and 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 July 24, 2001 has been selected as the regularly scheduled City Council meeting that meets this criterion.

The POS will reimburse the City for the vacation of these ROWs in accordance with the terms and conditions agreed to in the ILA.

Public Works Director Rayburn reviewed the above summary and outlined the involved area of Phase 5, the last of the phases with the POS for the third runway project. He added that the State legislature is in the process of changing the valuation to be paid by the party receiving ROWs, the POS and changing the payment from 50 percent of the true value to 100 percent. The appraised value of this action is over \$1.5 million, which will increase to over \$3 million after the State action has been taken.

MOVED BY DEHAN, SECONDED BY GEHRING-WATERS TO PASS RESOLUTION NO. 01-013.

MOTION CARRIED UNANIMOUSLY.

Agenda Bill #1997; Resolution #01-014

A Resolution authorizing the City Manager to amend and renew the Memorandum of Understanding (MOU) with the Central Puget Sound Regional Transit Authority - City Manager

Summary: In March 1998, the City entered into a MOU with the Central Puget Sound Regional Transit Authority (Sound Transit) addressing interagency coordination needs during the light rail transit (LRT) siting phase. Since adoption of the 1998 MOU, Sound Transit and the City have implemented many of its original provisions, and are planning additional steps to address specifics of the design and construction phases not addressed in the original MOU. Updating and renewing the MOU and its scope of services, deliverables, and budget for work to be performed from 2000 to 2003 would make the MOU consistent with the existing status of City and Sound Transit procedures, plans and understandings. Additionally, the amended MOU would serve as the basis for interagency coordination for the next nine years.

The proposed amendments address the following key points: 1) Term of the Agreement - The MOU will be extended until 2009. After 2009, a new MOU would be needed to address operational procedures and agreements of the LRT system; 2) How Siting Decisions would be made - MOU provisions citing the decision process have been updated to be consistent with the City's adopted Essential Public Facility (EPF) process; 3) Policy Committee Role - Provisions have been added to clarify the role of the Policy Committee in recommending solutions to policy differences related to LRT siting, design or construction to the City Council; and 4) Scope and Deliverables - The MOU attachment describes a three-year work program and deliverables that the City would undertake at Sound Transit's cost. Costs incurred from 2000 to the present will be reimbursed.

Additional Memoranda of Agreements will address the process and schedule for reimbursement of City costs relating to the 2004-2009 LRT construction period including mitigation, administration, and permitting. A new MOU to address post-construction operational issues is also anticipated.

Adoption of the proposed MOU would authorize Sound Transit to reimburse the City for \$152,374 in administrative costs incurred in 2000. The City's projected 2001-2003 administrative costs of \$248,538 would also be authorized for reimbursement.

City Manager Hoggard briefed on the above summary stating that this MOU is an amendment to the existing MOU, updating the language to reflect the work completed and sets perimeters for future negotiation costs and other reimbursements for City expenses on the project. Importantly, it also allows for payment of City work already accomplished. Councilmember DeHan added that this also reconstitutes the Policy Committee, which was under the original MOU, and was instrumental in the progress to date with Sound Transit.

MOVED BY DEHAN, SECONDED BY BRENNAN TO PASS RESOLUTION NO. 01-014.

MOTION CARRIED UNANIMOUSLY.

Agenda Bill #1988

A Motion authorizing continued negotiation toward a City Satellite Senior Center at the Lutheran Social Services (LSS) Site – City Manager

Summary: The senior adult recreation programs are conducted at the North SeaTac Park Community Center (NSTPCC), which has limited space and parking, and is located at the far north end of the City. This Motion is for developing a centralized satellite senior center within the LSS development.

The LSS site is in the process of being redeveloped. Staff has been working with LSS President/CEO Roberta Nestaas to determine space availability, possible location on the site, and possible costs. The City's Parks Director met with his staff to examine possible options for a senior center. One of the options was a more centralized satellite site working with the new LSS development. The Parks Director presented a report on the possible options for a senior center to the Finance Committee. The committee recommended that the City Manager and Parks Director work with the LSS Director to further explore the satellite senior center in the LSS development. The committee also recommended bringing the satellite senior center within the LSS development to a City Council for their consideration.

This Motion seeks City Council direction to the possible lease of building and parking space at the LSS site. LSS needs a commitment from the City or to seek another client for the space. The City Manager and Parks Director are very preliminary in negotiations with LSS.

Mayor Thompson stated that the Council has discussed this option thoroughly and a decision has been made.

MOVED BY GEHRING, SECONDED BY BRENNAN TO ACCEPT AGENDA BILL NO. 1988.*

Councilmember Brennan suggested that the Council vote no on this item as he feels it would not be the right facility for the City's seniors not residing at the LSS facility. He feels it is an excellent facility for the seniors residing at the facility. Councilmember Anderson concurred. It was tried in the past unsuccessfully. Councilmember DeHan stated his opinion that this is a missed opportunity but also feels that this venture is not prudent at this time.

*MOTION FAILED UNANIMOUSLY.

PRESENTATION:

Presentation on the South Riverton Heights and Lutheran Social Services (LSS) Subarea Plans

Planning Director Butler reported on results of the May 16 Public Meeting attended by a good representation of approximately 80 people. Questionnaires were completed by 22 people, with comments recorded. Issues raised were increased traffic, community fragmentation, displacement of long-time residents, cost of relocating, and effects on property taxes. Since the meeting staff has received 14 letters, 12 opposing any change in the subarea, one was from the City of Tukwila, raising questions they felt should be addressed in the Environmental Impact Statement (EIS) and one in favor of change to commercial land use (from an absentee property owner). Also received were two petitions. The first was signed by 93 people, representing 62 households requesting expansion of 29th Avenue South and the new boulevard be removed from consideration. The second requested no change to area: preferring "no action" alternative. Mr. Butler added that these issues were discussed at the Land Use and Park (LUP) Committee meeting earlier today. He outlined the following revised alternatives: 1) no action (existing plans); 2) new alternative (proposed), basically existing plans with Business Park (BP) adjacent to POS property; 3) BP land use with no closure of east/west streets through POS property (unchanged, with new number); and 4) Commercial Medium with BP Service Station property adjacent to POS property, and east/west streets closed through POS property (unchanged). These alternatives were presented to both the City Council and LUP Committee.

Based on the comments, a new Alternative 2 was created that would reflect the fact that the POS is likely to acquire land to the east of their current property. This alternative shows a designation to BP as a possibility. The rest of the area would remain as is in the Comprehensive Plan. He outlined the areas owned by property owners within the subarea.

Incorporating public LUP Committee comments the following points were: 1) some change in the area is inevitable and beyond City's ability to prevent such as POS acquisition of property; 2) continue strong public involvement process to help the community deal with change; and 3) Councilmembers are encouraged to attend the next public meeting scheduled for Wednesday, June 20, 6:30 p.m., open house at 7:00 p.m. at City Hall or Central Washington University - SeaTac Branch building, if available.

Council discussion ensued as to Alternative 2 as the best choice. Councilmember Anderson, Chair of the LUP committee, stated that there is public concern that if the rezone were executed, the property taxes would rise. She clarified that the taxes would not rise until the change in title. Also, there was concern that those property owners who sell between now and that time would not receive the same amount of money and would make it harder to sell. Perhaps the westside property owners bought out by the POS could speak to these landowners in order to help them decide if they are in favor of a rezone. Councilmember Fisher concurred with these remarks, exemplifying the previous buyout situation.

Lastly, on South Riverton Heights subarea plan, Mr. Butler reviewed the possibility of vacation of streets and addition of new streets that may need to occur with this alternative.

Next, Mr. Butler reviewed the LSS's proposed Subarea Plan Comprehensive Plan and Zoning Change, which has been previously discussed by Council and the LUP Committee. He stated that in 1999, the LSS site was granted a Comprehensive Plan and Zoning change to Office/Commercial Medium (O/CM) Restricted, limiting uses only to: a) senior housing; b) day care; and c) social service offices.

LSS has requested that additional uses be allowed on the site; A Comprehensive Plan and Zoning Change would be required to consider adding the following as permitted uses: 1) medical/dental clinic, 4,000 square foot (s.f.) maximum; or 2) senior center, 4,000 s.f. maximum; and 3) professional office, 500 s.f. maximum. Additionally, there is need to clarify whether "social service offices" should be limited to administrative offices, or may also include program offices.

Mr. Butler outlined on a map the LSS property and proposed facilities. He reviewed the following schedule: a public meeting was held on May 30; publish plan and environmental review on June 21; Planning Advisory Committee (PAC) review on June 25; PAC Public Hearing scheduled tentatively for July 2 or 9 and City Council review on July 17 and 24. There was good attendance and good questions posed to staff. Some of the comments were: bus service, bus shelter, park 'n ride facility, senior housing, medical services, traffic impacts, building design and size, and parking. Representatives from LSS and Lutheran Alliance To Create Housing (LATCH) were in attendance.

The outstanding issue is the parking/zoning at Angle Lake Neighborhood Church for the overflow of vehicles parking to: 1) allow some parking for LSS (maximum 30 percent of required parking for the community services building); and 2) to allow their church use outright on the property. This would not require a zoning map change, but rather a change to the text in the Zoning Code. Council concern was expressed as to the need for this change in the text. Commercial establishments (hotels) are now on occasion using the lot for their parking overflow. The options are: 1) no changes; 2) propose that off-site parking (limit 30 percent) be allowed between neighboring nonprofit uses without a zoning map change (LUP Committee recommendation); or 3) propose a zoning map change for Angle Lake Neighborhood Church to O/CM, restricted to church, church accessory use and public/private parking for non-profit use only.

Mr. Butler reviewed the issues discussed by the LUP Committee: 1) neighbors are concerned that the addition of the medical/dental clinic is creating added height to the community services building and will create too much traffic to the site; 2) unknowns about range of services offered by the clinic, and the numbers of staff and clientele; and 3) need to ask specific questions, as with other developers, and limit the facility as appropriate.

He then reviewed the LUP Committee recommendations: 1) allow change to uses on LSS site, limited by specific criteria; 2) limit the Community Services building to one story; 3) allow medical services only for the senior housing residents and day care children; and 4) allow Administrative and Program Offices; 5) regarding parking, allow reciprocal parking with Angle Lake Neighborhood Church for LSS employees only. Other issues to clarify are: 1) whether to remove the senior center as a requested use on the property which Council agreed to; and 2) whether the

use of Professional Office, maximum of 500 s.f. is supported by Council.

Council comments ensued as to the limiting of the community service building on the easterly corner of the property from three stories to one story. The LUP Committee had concerns that this building might be too high for that area. Mayor Thompson stated that medical/dental services may or may not be provided. The committee agreed that four stories in the senior housing building were applicable to the land. However, if the medical/dental services would support persons as far as north Pierce County, various transportation modes would be used. It was felt that if the building size was limited, it would also limit the senior housing and day care and administrative and program offices, thus decreasing traffic and parking problems.

Councilmember DeHan clarified that the City not sponsoring a senior center at LSS does not preclude LSS from having their own center. As for the Community Services building, he supports a four-story building but would like to know what medical services would be offered. Councilmember Hansen added that the LSS operates other such facilities and he is confident of their intentions and services.

In answer to Mayor Thompson's question, LSS volunteer Frank Jennings, Chair of the LSS Property Task Force, and former 20-year resident of SeaTac, stated the 500 s.f. for a professional office is a contingency. The YMCA is interested in the possibility of having an office in the building as a coordinator for this area. LSS is open to other offers as appropriate.

Ms. Nestaas stated that in building their facilities, LSS tries to incorporate the growth factor and if the space can be used by a complimentary agency until LSS needs more room, it would assist economically.

Council concerns were expressed as to the medical center use, which Ms. Nestaas stated that it would be better to have the Community Health Center Director or a representative outline the medical services this facility could provide. She stated that 2,500-3,500 s.f. is the minimum needed in order to have a physician, nurse practitioner and examining rooms. Mr. Jennings said they anticipate a walk-in clinic with one or two physicians. Mayor Thompson concurred that a briefing by the Community Health Center Director or a representative would be appropriate for a request for the needed space. She had concern that the medical center was not part of the original proposal.

Ms. Nestaas stated that at the public meeting, concern was expressed as to the height of the four-story building at the west-end of the property. She detailed the use of the community services building at the east end of the property, which has always been at three stories and 10,000 s.f. per story.

Mr. Jennings stated that the potential for a senior center or a community health center were not in LSS's original plans. The City brought the senior center proposal to the LSS and the proposal for a medical center was brought to LSS by the Community Health Center and that is why they were not discussed in the early stages of this proposed project. He added that limiting the community services building into a single floor essentially cancels the project. The housing project would most likely be cancelled too because the LATCH agency would not be able to afford the project without the other partners. This building is the lowest of the three story buildings.

Ms. Nestaas stated that the building details have not been drafted to date except for the s.f. of each floor.

Mayor Thompson requested some approximately figures on the amount of additional traffic anticipated to impact this neighborhood. Mr. Butler stated that he would arrange for representatives of the Community Health Center of King County and LATCH to present Council with their proposed use of the facility.

ADJOURNMENT:

MOVED BY BRENNAN, SECONDED BY ANDERSON TO ADJOURN THE SPECIAL MEETING OF THE SEATAC COUNCIL AT 7:34 P.M.

MOTION CARRIED UNANIMOUSLY.

Shirley Thompson, Mayor
Judith Cary, City Clerk

SEATAC CITY COUNCIL REGULAR MEETING MINUTES

July 10, 2001 - 6:00 PM
City Hall Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Shirley Thompson at 6:06 p.m.

ROLL CALL: Present: Mayor Shirley Thompson, Councilmembers Gene Fisher, Frank Hansen, Terry Anderson, Kathy Gehring-Waters, Joe Brennan, and Don DeHan.

ADMINISTRATIVE STAFF: Calvin Hoggard, City Manager; Jay Holman, Assistant City Manager-Economic Development; Judith Cary, City Clerk; Robert McAdams, City Attorney; Jim Downs, Fire Chief; Lydia Assefa Dawson, Project Coordinator; Dale Schroeder, Public Works Engineering Manager; Elizabeth Spencer, Finance Director; Kit Ledbetter, Parks & Recreation Director; Steve Butler, Planning Director; Jack Dodge, Principal Planner; and Scott Somers, Chief of Police Services.

FLAG SALUTE: Steve Stevenson, Former City Councilmember, led the Council, staff and audience in the Pledge of Allegiance.

PUBLIC COMMENTS: Daniene Giessen, 3708 South 168th Street, McMicken Heights Elementary School facility member, urged the Council to approve the funding for playground equipment being proposed in Agenda Bill No. 2013 for use by both the school and community. It is a much-needed project for this community.

Steve Stevenson, 18122 47th Avenue South, stated his opposition to Council's change of plans not to build a new City Hall (NCH) but rather purchase the Valley Ridge Corporate Center building for the NCH site. He expressed his aversion to placing City Hall in a 20-year old building not designed to meet the needs of City Hall business without requiring extensive renovation.

PRESENTATIONS:

Emergency Medical Services (EMS) Task Force Report

Fire Chief Downs introduced the Director of King County EMS, Tom Hearne, PhD, and recognized him for his 23 years in the program and his nationally recognized leadership role.

Dr. Hearne briefly reviewed the history of the King County Program, which began in 1974. It was the Nation's first program designed to deliver emergency room medical care to patients at the scene of an emergency. Thus, this was the beginning of the era of Field Medics, more commonly known as Paramedic and Fire-Medic Services.

Dr. Hearne further indicated that King County EMS has earned recognition as the world leader in the life saves for heart attack victims. King County EMS responded to more than 149,000 calls in 1999 (last year of completed records) of which more than 50,000 resulted in Advanced Life Support (ALS) Paramedic responses. Also, 39 Fire Departments are First Responders providing Basic Life Support (BLS) services.

Dr. Hearne indicated the failure of the 1997 EMS Levy (received more than 50 percent of the vote but required 60 percent) resulted in a three-year emergency funding ending in 2001. The Task Force recommended a six-year levy be placed on the November 2001 ballot with a stable \$.25 per thousand of Assessed Valuation (AV). Inflationary factors project the six-year levy to increase by approximately \$14 million and would permit annual cost of living allowance (COLA) adjustments for BLS payments and to increase 4.5 ALS units over the life of the levy. It also indicated the mandatory approval of the County's six largest Cities.

Dr. Hearne responded to Council's questions and asked for Council's support.

CONSENT AGENDA:

Approval of claims vouchers in the amount of \$30,647.13 for the period ending June 29, 2001.

Approval of claims vouchers in the amount of \$1,385,256.84 for the period ending July 5, 2001.

Approval of employee vouchers in the amount of \$551,072.47 for the period ending June 30, 2001.

Approval of summary of \$5,000 - \$25,000 purchase requests for the period ending July 6, 2001.

Acceptance of Advisory Committee Minutes:

Planning Advisory Committee Meeting held June 11, 2001 (committee approved June 25, 2001).

MOVED BY GEHRING-WATERS, SECONDED BY DEHAN TO ACCEPT THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARINGS:**Community Development Block Grant (CDBG) for Madrona and McMicken Heights Elementary School Projects - City Manager / Parks & Recreation**

Mayor Thompson opened the Public Hearing at 6:36 p.m.

Project Coordinator Lydia Assefa-Dawson gave a briefing on this allocation request of CDBG funds as summarized in Agenda Bill No. 2013 following this public hearing.

Councilmember Gehring-Waters inquired as to the possibility that Madrona Elementary School may be demolished and eventually rebuilt. Mr. Hoggard replied that a levy on this matter is being proposed for the November ballot and if it passes, the school will be destroyed and a new one will be built in its place. The site plan indicates the playground will be retained.

Councilmember DeHan complemented staff for their work preparing the grant request and obtaining the maintenance agreement with the Highline School District (HSD). Councilmember Fisher concurred with Councilmember DeHan's remarks and added that the grounds maintenance agreement was handled in a fair and equitable manner.

Mayor Thompson closed the Public Hearing at 6:40 p.m.

NEW BUSINESS:**Agenda Bill #2013****A Motion authorizing 2001-2002 Allocation of CDBG Funds for Madrona and McMicken Heights Elementary Schools Projects and authorizing entry into Interlocal Maintenance Agreements - City Manager / Parks & Recreation**

Summary: This Motion is being requested due to the fact that at the time the CDBG projects were submitted to King County for acceptance, the scope of these two projects was not available, so the funds were set aside until the City was ready to submit a proposal. The proposed projects are designed to benefit the students and area children within the two schools' neighborhoods, which are designated low-income.

The Parks & Recreation Capital Improvement Plan (CIP) includes making improvements to most of the elementary school play yards in SeaTac over the next 10 years. It is less expensive to use the school property and make improvements than to purchase additional property. Some Councilmembers previously expressed their concern that an Interlocal Maintenance Agreement exist with the HSD before approving any future expenditure for the elementary school properties. The ILA between the City and the HSD is scheduled to go to the School Board on August 8, 2001. The two school projects include the following improvements:

McMicken Heights Elementary School PlaygroundEstimated Budget

Walking track \$10,000

Improve small backstops w/benches \$5,000

Replace two old basketball poles & hoops \$4,000

Add big toy items - some at ground level \$20,975

Asphalt area by back entrance to building \$5,000

Landscape Architect \$3,000

Install drinking fountain \$2,000

TOTAL \$49,975

Madrona Elementary School Playground

Estimated Budget

1/4 mile walking/running track \$10,000

Portable soccer goals \$1,500

Big Toy \$27,500

Lights for basketball court \$7,000

Landscape Architect \$3,000

TOTAL \$49,000

There is a total of \$98,975 set aside in the City's CDBG allocation for 2001. When staff went before Council in the fall of 2000 for CDBG allocation, the amount available was \$89,485 for this project. However, there were additional funds made available to the City for Capital Projects. Although staff is working to complete these projects in 2001, based on all of the approvals and bidding requirements, it is likely the project will be completed in 2002.

MOVED BY ANDERSON, SECONDED BY BRENNAN TO ACCEPT AGENDA BILL NO. 2013.

MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARINGS (Continued):

Extension of the Interim Multi-family Design Standards – Planning

Mayor Thompson opened the Public Hearing at 6:41 p.m.

Planning Director Butler stated that this issue was presented in detail to Council at the June 26 Council Meeting as outlined in the Agenda Bill No. 2006 summary.

Mayor Thompson closed the Public Hearing at 6:42 p.m.

NEW BUSINESS (Continued):

Agenda Bill #2006; Resolution #01-018

A Resolution extending the Interim Design Standards for Multi-family Housing - Planning

Summary: The proposed Resolution reiterates the findings of fact adopted by Resolution No. 00-002 and continues the Interim Standards for an additional six months.

The Revised Code of Washington (RCW) allows adoption of an Interim Zoning Ordinance subject to a public hearing and findings of facts justifying the adoption of the Interim Ordinance. The Council adopted Interim Zoning Regulations regarding multi-family development at the January 11, 2000 Council Meeting. A public hearing was held on March 7, 2000 and findings of fact were made by Resolution No. 00-002 in support of the Interim Standards. The standards were adopted on an interim basis due to the outstanding appeal by Terry R. Johnson of the SEPA environmental review on the proposed multi-family standards.

While the City's Hearing Examiner ruled that the appeal was without merit, the State Environmental Policy Act (SEPA) was further appealed to Superior Court. This appeal was eventually dismissed, allowing the standards to be considered for adoption on a permanent basis. However, adoption of permanent standards will require a public hearing and a 30-day period before which the standards become effective. Council has also stated the desire to discuss selected sections for possible amendment prior to final adoption.

The Interim Standards are intended to ensure that multi-family housing projects will be consistent with and implement the City's Comprehensive Plan, be compatible with surrounding neighborhoods, and incorporate crime prevention through environmental design (CPTED).

The standards implement aspects of the Comprehensive Plan, such as features of the Land Use and Community Image Elements on design and transition between zones of differing density. The standards also address concerns regarding safety in the design of multi-family structures, and ensure that open space and recreational opportunities are provided in all new developments.

MOVED BY ANDERSON, SECONDED BY GEHRING-WATERS TO PASS RESOLUTION NO. 01-018.

MOTION CARRIED UNANIMOUSLY.

UNFINISHED BUSINESS:

Agenda Bill #1967; Resolution #01-019

A Motion authorizing a Contract with Osborne Construction Company for the construction of a New City Hall (NCH) Building at South 188th Street and 37th Avenue South, or in the alternative, a Resolution to reject all bids - City Manager / Heery International

Summary: The NCH construction project was advertised for bids from March 26 to May 9, 2001. The bid opening was held on May 9 and the project estimate was \$11,540,032. There were 12 bids received. After the bids were reviewed and corrected for mathematical errors, Osborne Construction Company was determined to be the apparent low bidder with a total base bid of \$11,500,000. One bid was permitted to be withdrawn.

Arai/Jackson Architects designed the project, provided additional informational items, and prepared the bid documents. The project consists of a new two-story building, approximately 50,400 square feet, consisting of Council Chambers, Court Room, Police Station, conference rooms, and administrative areas; site work to include parking areas and driveways, site utilities and hardscape.

It is recommended that Council authorize a contract with Osborne Construction Company in the amount of \$11,629,000; this reflects the total base bid plus three alternates listed in the contract.

The total project cost, including construction contract, contingency and City project costs is \$17,412,196. The project is to be funded by General Obligation Bonds and the City General Fund.

MOVED BY HANSEN, SECONDED BY BRENNAN TO PASS RESOLUTION NO. 01-019 REJECTING ALL BIDS.

MOTION CARRIED WITH ANDERSON, THOMPSON AND DEHAN VOTING NO.

NEW BUSINESS (Continued):

Added Item:

Agenda Bill #2021; Ordinance #01-1015

An Ordinance authorizing the condemnation of Land and Property, declaring the same to be for Public Use and to be necessary, and authorizing payment therefore from the 306 Municipal Facilities Capital Improvement Program (CIP) Fund - City Manager

Summary: The City has, pursuant to Resolution No. 98-017, previously purchased real property located at 3521 South 188th Street, SeaTac, Washington as the site for a NCH. Final construction drawings for the NCH on the said site have been completed, an invitation to bid was published commencing March 26, 2001, bids were opened on May 9, 2001, an apparent low bidder was identified, and a Motion to award the contract was placed upon the June 5, 2001 Special Council Meeting Agenda, but which was continued. Prior to the aforesaid bid opening, the City received information that the Valley Ridge Corporate Center (VRCC) building, located at 4800 South 188th Street, was listed with a real estate brokerage for sale. The City entered into negotiations for an option to purchase the said building and, subsequently, retained Craig Kinzer & Company to continue negotiations.

The Council finds, on the basis of appraisal and documentary information and analysis provided by Craig Kinzer & Company, that acquisition of the VRCC building, and real property, is necessary for a public use pursuant to the Washington State Constitution and Revised Code of [Washington \(RCW](#) In the event that negotiated acquisition is not successful in a timely manner, it is essential that the City be prepared to initiate condemnation proceedings as early as possible.

The City Council finds that payment of just compensation and costs of litigation should be made from the 306 Municipal Facilities CIP Fund.

Acquisition of the subject property will require payment of fair market value, whether by agreed purchase and sale or by condemnation. A condemnation action would include a court filing fee of \$110 and fees for the service of process (summons and complaint) together with fees of outside counsel and expert appraisers, economist, and real estate consultant. In addition to paying just compensation for the property, other financial implications may include payment of the owner's attorneys' fees, court reporting fees and other costs depending upon what settlement offer the City presents and what ultimate award might be granted by the jury.

MOVED BY HANSEN, SECONDED BY BRENNAN TO ADOPT ORDINANCE NO. 01-1015.

MOTION CARRIED WITH ANDERSON, THOMPSON AND DEHAN VOTING NO.

Agenda Bill #2014

A Motion accepting the Bid of Western Asphalt, Inc. for construction of the 2001 Overlay Project and a Ten Percent Contingency, and authorizing the City Manager to enter into the Contract - Public Works

Summary: This project was advertised for bids June 13 to June 29, 2001. The bid opening was held on June 29 and five bids were received. The Engineer's Estimate was \$350,013. Western Asphalt, Inc. submitted the low bid at \$365,117.75, as calculated after correcting minor mathematical errors.

This contract will provide work on the following projects: 1) reconstruction of 710 lineal feet of South 154th Street from 28th to 32nd Avenues South. This work will complete repair and restoration on South 154th Street from the SR 518 Bridge to International Boulevard; 2) repair and overlay South 200th Street from 26th to 18th Avenues South, South 164th Street from 34th Avenue South to Military Road South, and South 168th Street from Military Road South to 51st Avenue South; 3) full depth grind, regrade, and pave South 190th Street from 32nd Avenue South to 200 feet west; 4) South 190th Street requires nearly a complete rebuild due to the severity of asphalt failure; and 5) pave a new school bus pullout at McMicken Heights Elementary off of 37th Avenue South. The new pullout will present a safer

spot for children to board the bus.

Western Asphalt, Inc. has not previously been under contract with the City. However, staff has received positive references from neighboring municipalities.

The total contract amount is \$365,117.75 with a ten-percent contingency of \$36,511, for a total budget of \$401,628.75. This project will be funded through the Street Overlay Fund with \$19,740 to be funded through an increase in the budget of the 102 Arterial Street Fund as proposed in Agenda Bill No. 2020.

MOVED BY DEHAN, SECONDED BY BRENNAN TO ACCEPT AGENDA BILL NO. 2014.

MOTION CARRIED UNANIMOUSLY.

Agenda Bill #2020; Ordinance #01-1016

An Ordinance amending the 2001 Annual City Budget for the 2001 Street Overlay Project - Finance

Summary: This Ordinance amends the budget to increase the Arterial Street Fund for the 2001 Street Overlay Project, as requested in Agenda Bill No. 2014. Award of bid will require an increase of \$19,740.

MOVED BY DEHAN, SECONDED BY BRENNAN TO ADOPT ORDINANCE NO. 01-1016.

MOTION CARRIED UNANIMOUSLY.

Agenda Bill #1726; Ordinance #01-1017

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 already exist. The standards would apply to all new development, and would not be retroactive. Amendments are proposed in the following areas: 1) requires 1,000 square feet (SF) of commercial space to be available at the time of occupancy; 2) no special setback standards are required. Setbacks would be those already required in the zoning regulations; 3) provides a new definition for parking lots and for public and private parking; 4) provides for a "one size fits all" off-street parking stall; 5) changes the Landscape Code to require additional landscape islands within a parking lot. Changes would make the Code consistent with the City Center standards; 6) drive aisle widths for standard or compact space would be the same; 7) requires pedestrian circulation within a parking lot; 8) adopts design standards for structured parking lots (includes building offsets, cornices, parapets); 9) minimizes views into parking structures using landscaping, screening, and/or trellis works; 10) requires parking garage entrances to be subordinate to other entrances in multi-use buildings; 11) requires that at least 50 percent of the length of the ground floor façade facing a right-of-way (ROW) be either built out or is convertible to commercial use; and 12) encourages the joint use of driveways.

Mr. Butler reviewed the above summary with Council. This item has been discussed with Council on several occasions. The new set of design standards for parking structures include: 1) parking structure design which Council is in agreement; 2) character and massing; 3) minimizing views into the structure's interior; and 4) ground floor uses (including commercial space). A revision was proposed of 1,000 SF of usable ground floor commercial space be provided at the time of occupancy as is consistent with the SeaTac Investment LLC (formerly SunReal) Development Agreement.

Council discussion ensued as to what seems to be more lineate design standards for surface parking than for parking structures. Mayor Thompson stated that staff was requested by Council to clarify and simplify the two design standards. This item should be taken back to committee for further review if Council is not in agreement with what has been brought forth. Councilmember Brennan expressed his views on the extensive scrutiny the SunReal parking garage proposal was subject to versus the fast tracking of the surface parking standards for SeaTac Investments. Councilmember Anderson questioned the interim basis for the surface parking with future plans for a parking structure.

Mr. Hoggard stated that there was a major difference with negotiations with SunReal and SeaTac Investments. The latter has acquired additional property, which was already entitled to have surface parking on it. The agreement still requires a parking structure on the rest of the property.

Mr. Butler stated that the "one-size-fits-all" parking standards needed to be addressed prior to Council action. Council was in overall agreement as to having one size parking stalls versus the current standard of 50 percent for compact/50 percent regular size. There are two options: 1) Staff recommendation is to maintain a constant parking module width of 60 feet (18 feet+ 24 feet + 18 feet; and 2) Transportation & Public Works (T&PW) Committee recommendation is to allow the drive aisle width to be reduced, in exchange for increased parking stall width (i.e., a 3 footaisle width reduction for every 1 foot increase in parking stall width).

Councilmember DeHan, Chair of T&PW, stated that he felt the committee had agreed to give as much latitude to the Parking Garage operators as needed.

Councilmember Hansen stated his opposition to the Ordinance as it is written and feels it should go back to committee for more review. Councilmember Gehring-Waters suggested that this Ordinance be adopted now and in the future, if issues arise, the document could be refined.

Mayor Thompson requested that the Ordinance be adopted now with the understanding that staff will take it back to the T&PW Committee.

MOVED BY GEHRING-WATERS, SECONDED BY BRENNAN TO ADOPT ORDINANCE NO. 01-1017 WITH OPTION TWO.

MOTION CARRIED WITH HANSEN VOTING NO.

Agenda Bill #2015; Resolution #01-020

A Resolution appointing an Agent to whom Statutory Notices of Claim must be presented - Legal

Summary: This Resolution complies with a new statutory amendment requiring appointment of an agent to whom notices of claims for injury or damages must be presented prior to payment by the City or commencement of a lawsuit by the claimant.

Prior to filing a lawsuit against a Code City, a person alleging injury or damage by reason of an act or negligence of the City or a City employee must, pursuant to the State Code, file a notice of claim "in the manner set forth in the Code. No lawsuit can be commenced against the City until a claim has been on file for 60 days, per the State Code. The 60-day period provides the City an opportunity to investigate, determine liability, and make payment if deemed appropriate.

The State Code previously provided that the notice of claim must be filed with the "governing body" of the City. This language has led to some confusion because, if read literally, it would be necessary to file the claim at a Council Meeting when a quorum was present or, worse yet, to serve a copy on each Councilmember at home.

To avoid the above possibilities, the City previously followed the State Code provision for acceptance of summons and complaint by the City Manager, Executive Assistant to the City Manager, or the City Clerk, but staff has also accepted claims handed to other employees or received by mail.

The State Legislature has amended the Code to require the governing body of each governmental entity appoint an agent to whom notices of claim must be presented. This legislation becomes effective on July 22, 2001.

It is recommended that City Clerk Judith L. Cary be appointed as agent to accept notices of claim. As City Clerk, she is currently responsible for logging documents and distributing claims to the City's Risk Manager and involved Departments.

The new legislation also requires that the identity of the agent and the address where he or she may be reached during

normal business hours must be recorded with the County Auditor/Recorder.

MOVED BY DEHAN, SECONDED BY HANSEN TO PASS RESOLUTION NO. 01-020.

MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENTS: Bo Lindstrom, a civil engineer/architect, residing at 19740 Military Road, spoke on the parking standard issue. The first time this issue was brought to Council, it was specifically spelled out that it was for International Boulevard and South 188th and 200th Streets. As it is written now, it is a general application for the entire City. He recommended using the same standards as King County's rather than allowing each jurisdiction to set their own various parking standards. He also gave his opinion that if a Councilmember states a comment that the public approves of, applause should be allowed. Mayor Thompson replied that this is business meeting and generally speaking, applause following comments is not acceptable at such meetings. It is the policy of the Council that these public meetings are conducted as business meetings. She invited Mr. Lindstrom to attend the T&PW Committee meeting to speak on his concerns as to the parking standard issue.

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

COUNCIL COMMENTS: Councilmember DeHan stated that regarding the decision to choose the VRCC for a NCH, he was among those opposing the purchasing of this building. Now that the majority of the Council has selected it, he would be a staunch supporter of seeing that adequate funds are spent to make that facility a functional City Hall. He feels it will be a very expensive project.

Councilmember Brennan stated that this venture is the biggest spending of monies the City has executed. Council did not take the decision lightly. The original plan for the NCH was in the construction bidding stage when this building came on the market. It was prudent that Council examine the potential of it for the NCH. It can fit the needs of a City Hall for a lesser amount of money versus constructing a NCH building, thus, saving millions of taxpayers' money. He concluded that he feels the Council made the right decision to select the VRCC. He respects each Councilmember's opinion on this issue as there are pros and cons on both projects. The price of the VRCC is yet to be confirmed and if it does not work out, it is possible to reconsider the option to build the NCH.

Councilmember Gehring-Waters stated that she requested of staff that the trail off of South 200th Street be addressed as to its condition. She would also like staff to discuss with Des Moines staff the issue of removing their fence, which shortens the trail. Lastly, she complimented the lifeguards at Angle Lake as doing an excellent job of controlling the area. The park has been experiencing hundreds of visitors.

Councilmember Anderson stated that she would do her best to support the majority vote for VRCC. However, she is concerned as to the ingress and egress to the site. Secondly, she added that car thefts are on the rise within the last few months. She wanted the public to be careful, lock their vehicles and be cautious of those around you as you exit and approach your vehicle.

Councilmember Fisher reiterated Councilmember Brennan's remarks as to the NCH site decision. An analysis was done on each option and the decision was easy as a business deal, providing the price comes in as anticipated. He wanted a new building, as did the staff, but the funding comes from the taxpayers.

Mayor Thompson remarked as to her decision to vote against purchasing an existing building. She feels the decision to go with the existing building will end up costing dollars to save pennies. She does not believe money will be saved with a corporate building being converted into a functioning City Hall. The location is poor and is not conducive to the City Center plans. The ingress and egress is and will continue to be a traffic issue with left turns out of the property on to South 188th Street. Increased traffic on Military Road will also be an issue. Lastly, she stated that staff is of utmost importance as they are the ones who will be working in the building and their working conditions should be an important consideration. However, the decision has been made and the majority rules. She only hopes that the future Council will be generous in funding the needs for a quality City Hall.

ADJOURNMENT:

MOVED BY HANSEN, SECONDED BY DEHAN TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 7:28 PM.

MOTION CARRIED UNANIMOUSLY.

Shirley Thompson, Mayor
Judith L. Cary, City Clerk

SEATAC CITY COUNCIL SPECIAL MEETING MINUTES

July 10, 2001 - 9:00 a.m.
City Hall Conference Room 401E

CALL TO ORDER: The SeaTac City Council Special Meeting was called to order by Mayor Thompson at 9:05 a.m.

ROLL CALL: Present: Mayor Shirley Thompson, Councilmembers Gene Fisher, Frank Hansen, Terry Anderson, Kathy Gehring-Waters, Joe Brennan, and Don DeHan.

ADMINISTRATIVE STAFF: Calvin Hoggard, City Manager; Jay Holman, Assistant City Manager-Economic Development; Judith L. Cary, City Clerk; Robert McAdams, City Attorney; and Bruce Rayburn, Public Works Director.]

RECESSED: Mayor Thompson recessed the Special Council Meeting to an Executive Session on Land Acquisition at 9:06 a.m.

EXECUTIVE SESSION: Land Acquisition

RECONVENED: Mayor Thompson reconvened the Special Council Meeting at 10:22 a.m.

RECESSED: Mayor Thompson recessed the Special Council Meeting to an Executive Session on Personnel Issues at 10: 25 a.m.

EXECUTIVE SESSION: Personnel Issues

RECONVENED: Mayor Thompson reconvened the Special Council Meeting at 11:49 a.m.

NEW BUSINESS:

Agenda Bill #1999

A Motion extending the Employment Contract of City Manager Calvin P. Hoggard - Council

Summary: Extension of the employment contract 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. A merit increase in salary is also to be considered based upon the said performance review. Employment was previously extended to May 1, 2002. 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 Executive Session during the Regular Council Meeting of May 8, 2001 and concluded that his performance as City Manager warrants extension of his employment. Review of the performance of a public employee may be conducted in Executive Session pursuant to [RCW 42.30.110](#)(1)(g), a section of the Open Public Meetings Act.

The existing employment agreement may be extended by action of the Council, with agreement of Mr. Hoggard; within one-year prior to the scheduled termination date of the existing agreement, which is May 1, 2002.

An extension of employment for an additional period, from May 1, 2002 to May 1, 2003 is warranted. The employment agreement provides for an automatic cost of living allowance equal to the Consumer Price Index-Washington (CPI-W) Seattle-Tacoma-Bremerton as reported every six months.

UPON A MOTION AND SECOND, THE CITY MANAGER'S EMPLOYMENT AGREEMENT WAS EXTENDED FOR ONE YEAR TO MAY 2003 BY A VOTE OF FIVE IN THE AFFIRMATIVE TO TWO IN THE NEGATIVE.

MOTION CARRIED.

ADJOURNMENT: MOVED BY GEHRING-WATERS, SECONDED BY ANDERSON TO ADJOURN THE SPECIAL COUNCIL MEETING AT 11:50 A.M.

MOTION CARRIED UNANIMOUSLY.

Shirley Thompson, Mayor
Judith L. Cary, City Clerk

SPECIAL NOTICE

THE SPECIAL MEETING OF THE SEATAC CITY COUNCIL TO BE HELD ON TUESDAY, JULY 17, 2001 AT 6:00 PM AT CITY HALL COUNCIL CHAMBERS AT 17900 INTERNATIONAL BLVD., SUITE 401, SEATAC, WA 98188 HAS BEEN CANCELLED DUE TO A LACK OF QUORUM. THE CITY COUNCIL WILL RECONVENE ON TUESDAY, JULY 24, 2001 FOR A REGULAR COUNCIL MEETING.

SEATAC CITY COUNCIL REGULAR MEETING MINUTES

July 24, 2001 - 6:00 PM
City Hall Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Shirley Thompson at 6:03 p.m.

ROLL CALL: Present: Mayor Shirley Thompson; Councilmembers Gene Fisher, Frank Hansen, Terry Anderson, Kathy Gehring-Waters, Joe Brennan, and Don DeHan.

ADMINISTRATIVE STAFF: Calvin Hoggard, City Manager; Jay Holman, Assistant City Manager-Economic Development; Judith Cary, City Clerk; Robert McAdams, City Attorney; Dale Schroeder, Public Works Engineering Manager; Desmond Machuca, Public Works Programs Coordinator; Elizabeth Spencer, Finance Director; Jim Downs, Fire Chief; Steve Butler, Planning Director; Holly Anderson, Senior Planner; and Scott Somers, Chief of Police Services.

FLAG SALUTE: Kerry Killinger, CEO/President/Chair of Washington Mutual Bank, led the Council, staff and audience in the Pledge of Allegiance to the Flag.

(The following item was moved forward on the agenda to accommodate one of the Committee appointees.)

CONFIRMATION OF APPOINTMENTS:

Mayoral Appointments of Three Members to the Human Services Advisory Committee

MAYOR THOMPSON MOVED TO CONFIRM THE MAYORAL APPOINTMENTS OF RYO KUMASAKA, JO KRAFT, AND KAREN KUEVER TO THE HUMAN SERVICES ADVISORY COMMITTEE.

MOTION CARRIED UNANIMOUSLY.

Deputy Mayor Gehring-Waters read the certificates and Mayor Thompson presented the certificates to the newly appointed Human Services Advisory Committee Members and thanked the appointees for volunteering their service to the City.

PRESENTATIONS:

Washington Mutual Training Center (WMTC) Project

City Manager Hoggard introduced John Oppenheimer, CEO-President of Columbia Hospitality, who in turn, introduced Kerry Killinger, CEO/President/Chair of Washington Mutual Bank, and Jim Moore, GGLO Architect for GGLO Architectural Firm.

Mr. Oppenheimer stated his appreciation of being able to present an update on the plans for the WMTC. The City has been very supportive of the WMTC project. The concept of the project is credited to Mr. Killinger. It was his vision to expand the corporation with a training center for its lead personnel. Under his leadership, Washington Mutual has become a Fortune 200 Company and considered one of the most successful and prominent companies in the Nation. It is fortunate that Washington Mutual is headquartered in this State. Mr. Oppenheimer concluded by stating that as a locally based hospitality company, Columbia Hospitality is appreciative to both the City and Washington Mutual for the opportunity to be involved in this project.

Mr. Killinger expressed his appreciation to meet with the City Council and for the cooperative efforts Washington Mutual has had in putting this important project together with the City and the other project team members. He stated that he takes great personal interest in this project. Mr. Killinger added that he feels the City will be very pleased with this quality project as a positive addition to the community. This center will communicate the message that SeaTac is an outstanding place to conduct business. He added his special thanks to the City staff who were directly involved with

the planning of this project. They presented an attitude of a win-win situation for SeaTac and Washington Mutual. Lead Bank personnel from all over the Nation will be coming to the training center and will be able to enjoy the northwest atmosphere in this facility.

Mr. Moore gave a follow-up to the initial presentation given Council on the development of the project. The project consist of three buildings, the primary building is two stories, 47,000 square foot (sf) to be used as the leadership center and guest quarters located in two buildings, two stories each, totaling 60,000 SF. The total size of the project is approximately 107,000 SF.

He reviewed the community benefits: wetland enhancements and public accesses, high quality design; low scale buildings, minimal traffic impact; high quality professional users and no impact to schools.

As for the project schedule, the construction will commence in the fall 2001 and is planned for completion by the fall 2002. The WMTC project team will be working closely with City staff.

Mr. Moore described the landscaping aspect of the project, a key element due to the location of the project. There will be lush mature and native vegetation around the buildings. A surrounding boardwalk will circle the wetland buffer with water features, giving a northwest atmosphere. Lastly, Mr. Moore described the architectural design of the buildings and corridor features of a northwest theme to integrate with the landscape.

Mr. Hoggard stated that it was a pleasure working with the WMTC team. The City is excited about the project and is committed to make it work for Washington Mutual. It is a real honor that Washington Mutual Bank with its status desires to place its training center in this community.

Mayor Thompson praised the partnership between the WMTC team and City staff as a team that will accomplish a successful project.

Councilmember DeHan added that the Council is delighted with this project in the City and the partnership of the City with the bank and is anxious to see the completion of the center.

Councilmember Brennan, Chair of the Hotel/Motel Tax Committee, concurred with Councilmember DeHan's comments, stating that the committee is researching ways to attract tourism in the City and this project is an excellent way to do just that.

INTRODUCTIONS:

New City Employees: Erica Brehm, Office Technician - Court; and, Pat Sweeney, Park Operations Worker (Both hires are replacement positions.)

City Manager Hoggard introduced Erica Brehm, Office Technician. Erica comes to the City from the State of Washington Office of Administrative Hearings in Seattle, where she held various office positions in her two and one half years with that agency. She attended Evergreen State College on academic and soccer scholarships, earning a Bachelor of Science Degree in 1997 in Biology. Erica was born and raised in Kirkland and currently resides in Renton.

Mr. Hoggard introduced Patrick Sweeney, Park Operations Worker. Prior to becoming employed with the City of SeaTac, Pat held positions at World-Net Computers for two years, McLendon's Hardware for three years and Lumber Supply & Warehouse for six years. He began working at the City in the Parks Department as a Seasonal Worker four months ago. When a full-time position became available, he applied and was hired in June as a Park Operations Worker. Pat was born and raised in South King County and currently resides in SeaTac with his wife and two small children.

Mayor Thompson, on behalf of the Council, welcomed the two new staff members and added that the City is proud of the quality of people applying for work at the City.

PUBLIC COMMENTS: J. B. Freer, 18925 37th Avenue South, had the following neighborhood issues: 1) the property previously sited for the new City Hall (NCH) needs to be mowed; 2) the City property on the north side of

her property is full of Blackberry bushes and Morning Glories, which she has been controlling from impeding unto her property; 3) inquired as to whether the City has addressed her complaint regarding the neighbor's unkempt property; and 4) commended the Council for their decision to examine another option for a City Hall site and making a change of location for the good of the City.

Joe Dixon, 19211 35th Avenue South, stated his concern that the Valley Ridge Corporate Building was brought forth by Council and finalized as the new site for a City Hall without input from the Citizens' NCH Design Committee. He advised the Council to track the monies spent on this building. Lastly, he stated his support of the Councilmembers who voted against this option.

Lee Spencer, 19740 35th Avenue South, spoke in support of Agenda Bill No. 2008 regarding the zoning change for the Lutheran Social Services (LSS) project. She stated she feels it is a positive change, which will increase services to SeaTac residents. Ms. Spencer is a community volunteer on the LSS Task Force. She was impressed with the quality of the project and the agency's intent to center the focus on the community. She urged the Council to vote in favor of this bill.

Mid-Year 2001 Financial Presentation to City Council

Finance Director Spencer provided a summary of the City's financial position as of June 30, 2001, compared to Budget. General Fund Revenue is on target, with Property Tax slightly exceeding budget for the year-to-date and Sales Tax exceeding projections when adjusted for the delay in receipts from the Department of Revenue. The City receives Sales Tax on Capital Projects at the Airport, which is accounted for separately from Sales Tax supporting Operating Expenditures. On June 30, Collections total \$436,000 for the year.

General Fund Expenditures as of June 30 are as follows. Salary and Benefit costs of \$4.5 million are slightly below budget reflecting some vacancy savings. Other services and charges of just under \$4 million are 40.4 percent of budget, with the variance comprised of various line items, which are below budget for the year-to-date. A variance in transfers to other funds exists due to \$560,000 reserved for debt service on City Hall bonds which have not been issued, and a variance in Capital Outlay will occur throughout the year due to Angle Lake Park Phase II improvements to be deferred until 2002.

City Street Fund Revenues and Expenditures are within budget projections. Arterial Street Fund Revenues and Expenditures are below budget due to timing of Parking Tax Collections and Capital Outlay Expenditures. The Municipal Facilities Capital Improvement Program (CIP) Fund reports significant variances in both revenue and expenditures based solely on timing of costs associated with the new City Hall. Transportation CIP Fund Revenues and Expenditures also vary from budget due to the timing of capital outlay on street improvements, resulting in a delay in grant reimbursements.

The Solid Waste Management (SWM) Utility Fund revenues exceed budget projections for the year-to-date because the Port of Seattle (POS) has made its entire 2001 payment at mid-year, rather than paying in two installments. Expenditures are slightly below budget due to the timing of debt service payments on outstanding Revenue Bonds. The SWM Construction Fund reports revenues on pace with budget projections and expenditures slightly below budget due to timing of capital improvements.

Overall, Ms. Spencer noted that no significant variances are noted at mid-year and year-end results are expected to meet or exceed budget projections at this time. In response to inquiries by Councilmembers Hansen and DeHan, Ms. Spencer noted that the POS contributes roughly 85 percent of the total Parking Tax Revenue collected due to the fact that their annual revenue per parking space far exceeds other lot operators in the City.

CONSENT AGENDA:

Approval of claims vouchers in the amount of \$217,410.17 for the period ending July 20, 2001.

Approval of employee vouchers in the amount of \$381,856.06 for the period ending July 15, 2001.

Approval of summary of \$5,000 - \$25,000 purchase requests for the period ending July 20, 2001.

Approval of Council Meeting Minutes:

Study Session held May 15, 2001.

Regular Council Meeting held June 26, 2001.

Special Council Meeting held July 10, 2001.

Budget Workshop I held July 10, 2001.

Acceptance of Advisory Committee Minutes:

Human Relations Advisory Committee Meeting held May 16, 2001 (committee approved July 18, 2001).

Planning Advisory Committee Meeting held June 25, 2001 (committee approved July 9, 2001).

Senior Citizen Advisory Committee Meeting held May 17, 2001 (committee approved June 21, 2001).

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

MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARING:

Port of Seattle (POS) Street Vacation No. 5 - Public Works

Mayor Thompson opened the Public Hearing at 6:50 p.m.

City Manager Hoggard stated that this public hearing pertains to Agenda Bill No. 2003 regarding vacation of rights-of-way (ROWs) in accordance with the City/POS Interlocal Agreement (ILA).

Mayor Thompson closed the public hearing at 6:51 p.m.

NEW BUSINESS:

Agenda Bill #2003; Ordinance #01-1018

An Ordinance vacating certain Street Right-of-Way (ROW) within the City of SeaTac abutted on both sides by Port of Seattle (POS) Property - Public Works

Summary: The City has agreed with the POS, as documented in the City/POS ILA dated September 4, 1997 as amended, to vacate certain ROWs. In exchange, the POS would reimburse the City for the ROWs being vacated up to a maximum of \$6,500,000. The City Council held a public hearing on July 24, 2001 to consider the merits of vacating the ROWs identified in this Ordinance.

All the utilities serving the City were given notice of the POS's request to vacate these ROWs. Southwest Suburban Sewer District has requested that the City reserve an easement for their facilities in some of the streets being vacated.

In the State's past legislative session, House Bill No. 1750 was passed and went into effect on July 21, 2001. This bill allows jurisdictions vacating a ROW to charge 100 percent of the appraised value of the ROW. The ROWs to be vacated have been appraised by the firm of Lamb Hanson Lamb Appraisal Associates, Inc. hired by the POS. The appraised value of these ROWs is \$1,526,500. There is also a \$500 processing fee for a street vacation. Based upon full value and the standard processing fee, the payment to the City for vacating these ROWs will be \$1,527,000.

MOVED BY HANSEN, SECONDED BY ANDERSON TO ADOPT ORDINANCE NO. 01-1018.

MOTION CARRIED UNANIMOUSLY.

Agenda Bill #1982

An Ordinance vacating a portion of 28th Avenue South Right-of-Way (ROW) being north of South 188th Street in the City of SeaTac and abutted on both sides by Port of Seattle (POS) Property - Public Works

Summary: This ROW is not identified in the 1997 City/POS ILA as one of the ROWs the City has agreed to vacate to the POS. Therefore, the POS's payment for this vacation is over and above the maximum of \$6,500,000 that was agreed upon in the ILA, as amended.

The POS has undertaken the South Terminal Expansion Project, which includes the relocation of 28th Avenue South/Air Cargo Road. The POS owns all of the property abutting the portion of the ROWs it is requesting to be vacated. The relocated portion of the roadway will be on POS property and be secured with no access by the general public. The City has requested the POS allow it to have input into the decision-making process relating to architectural features that would now or in the future be visible from a public ROW.

The relocated roadway alignment will eliminate a secondary access to the West Coast Gateway Hotel and Sharps Restaurant. This access was allowed across POS property so long as the POS was not using the property. The POS has notified these businesses, as well as the other businesses along 28th Avenue South north of South 188th Street, of the vacation request and the realignment of the roadway. These property owners were also notified by City staff of the vacation request and the May 22, 2001 public hearing to consider the merits of the application to vacate the street in question. No objections were raised at the public hearing to this vacation.

All the utilities serving the City were given notice of the POS's request to vacate this ROW. Puget Sound Energy (PSE) has requested that the City reserve an easement for their facilities in this area.

The POS had Lamb Hanson Lamb Appraisal Associates, Inc. appraise the ROW to be vacated. This appraisal estimates that the fair market value of the ROW is \$8 per sf for a total of \$115,000. Based upon the prices the City has recently been paying for ROW for 28/24th Avenue South and International Boulevard Phase 3, staff arranged for an independent review of the appraisal. The review appraisal prepared for the City has determined that the fair market value of the property is \$21 per sf or \$301,600.

MOVED BY BRENNAN, SECONDED BY HANSEN TO ADOPT AGENDA BILL NO. 1982.

City Manager Hoggard reviewed the above summary with Council.

Councilmember Brennan requested that this item be set back for reconsideration. He stated that this street is a very important entrance to the City. When favorable conditions are met, he stated he would vote for this item. At the last Transportation and Public Works (T&PW) Committee meeting, a POS Engineering Department representative updated the committee as to the south access to the airport. As of now, the POS's consideration is that there be no access at South 188th Street but rather at South 200th Street. This would be devastating to the City's Hotel businesses.

Councilmember Anderson agreed with Councilmember Brennan and added that the POS proposes to close the entrance at South 182nd Street, which would also have a serious effect on the hotel/motel businesses.

Councilmember Fisher agreed with both Councilmembers remarks. A lot of time and money has already been spent on the 28th/24th Street Improvement Project with Local Improvement District (LID) funds without knowing that this area was not going to be an accessible route to the City.

Councilmember DeHan stated that the important issue in this era is that it is not the distance but the time it takes to travel to one's destination. The businesses across the street from the airport need quick access to and from the airport in order to make them competitive with other local businesses. This issue needs to be discussed further as to ways to enhance the businesses in the City by easy access to the airport. Council and staff have been significantly involved in the extension of SR 509. According to the POS's plans, if this roadway is extended, it will shut off the City.

Councilmember Hansen stated this decision happened suddenly regarding this last 1,000 feet of roadway after working on the South Access/South 28/24th Avenue South/SR 509 project for 12 years and suddenly the POS was not planning to allow any traffic in this way. He stated that this issue will be discussed at the July 26 POS/City Joint Advisory Committee (JAC) Meeting.

Councilmember DeHan added that the POS considered South 188th Street as one of their options but economic issues played a factor in their decision against this roadway. He feels the City should show the POS that it would be in both the City and the POS's interest economically and for the ability to move the travelers in and out of the airport swiftly.

Mayor Thompson requested Agenda Bill No. 1982 be sent back to the T&PW Committee for further review.

Agenda Bill #2019

A Motion authorizing an Agreement with Washington State Department of Transportation (WSDOT) to accept Grant Funding to support the City's Commute Trip Reduction (CTR) Program - Public Works

Summary: The City of SeaTac is eligible to receive funding through WSDOT to continue implementing the City's CTR plans and programs for a two-year period, July 1, 2001 to June 30, 2003.

The agreement provides \$27,694.88 to the City to develop Ordinances, plans and programs to reduce Vehicle Miles Traveled (VMT) and Single Occupant Vehicle (SOV) commute trips and thereby reduce vehicle-related air pollution, traffic congestion and energy use. The City and King County have entered into similar agreements for the past six years, however, this agreement will allow the City to contract directly with WSDOT to administer the City's CTR program, rather than contract with the County.

Public Works Programs Coordinator Machuca briefed the Council on the above summary.

MOVED BY HANSEN, SECONDED BY DEHAN TO ACCEPT AGENDA BILL NO. 2019.

MOTION CARRIED UNANIMOUSLY.

Agenda Bill #2024; Ordinance #01-1019

An Ordinance amending the City of SeaTac Zoning Code to establish Minimum Parking Requirements, and modify Maximum Parking Limitations within the City Center, for Low and Moderate Income Senior Housing Uses - Planning

Summary: The proposed amendments would establish eight parking spaces per housing unit as the minimum requirement for low and moderate-income senior housing uses, in contrast to the one to two spaces per unit requirement for other types of multi-family developments. Secondly, in the City Center, where maximum parking requirements apply, the proposed amendments would allow for exceptions if a parking plan demonstrated an increased need to serve residents. Thirdly, an ambiguous standard of 1.25 parking spaces per housing unit for multi-family uses would be removed.

The proposed LSS project at 4040 South 188th Street, which would result in day care, medical/dental services, and low and moderate income senior housing services to residents, has provided documentation to the City demonstrating a reduced need for parking for housing facilities serving senior citizens. The reduced parking standard would allow a greater number of housing units for low and moderate-income seniors to be provided on the proposed site. The amendments would provide the same benefit for similar projects elsewhere in the City, and would limit the application of the reduced standard to low- and moderate-income senior housing uses.

The Zoning Code specifies a number of parking spaces per residential unit, based on the number of bedrooms in the unit. The elimination of the 1.25 spaces per unit for multi-family uses in general is a housekeeping measure that simply removes an unnecessary standard from the Zoning Code.

The Planning Advisory Committee (PAC) held a public hearing regarding the proposed Zoning Code amendment on July 9, 2001 and recommends approval by the City Council.

City Manager Hoggard stated that this bill would change the zoning area for the category of low and moderate senior housing only to adjust the required amount of parking as stated in the above summary.

Councilmember Anderson, Chair of the Land Use and Parks (LUP) Committee, stated that the committee recommended Council adoption of this Ordinance.

MOVED BY HANSEN, SECONDED BY DEHAN TO ADOPT ORDINANCE NO. 01-1019.

MOTION CARRIED UNANIMOUSLY.

Agenda Bill #2007; Ordinance #01-1020

An Ordinance adopting a Subarea Plan for the Lutheran Social Services (LSS) Property and amending the Comprehensive Plan Designation as specified in Alternative 2 of the Plan - Planning

Summary: The proposed Subarea Plan evaluates two Comprehensive Plan Land Use Alternatives for the LSS property: 1) no action; and 2) the proposed change. The proposed change in Alternative 2 would amend the property-specific conditions of the property's existing Office/Commercial Medium (O/CM) Comprehensive Plan designation to allow Social Service Program Offices, a Medical/Dental Clinic of a maximum of 4,000 sf, and professional office (maximum of 500 sf). These uses would be in addition to the uses already allowed under the O/CM designation, which are senior housing, 24-hour day care, and Social Service Administrative Offices.

The medical clinic is proposed to be operated by the King County Community Health Centers on a sliding-fee scale, based on income, providing for medical services at an affordable level to those who do not have health insurance, or those on Medicaid. A small, two-doctor family medical-type practice is envisioned that would complement the other services offered on-site.

The proposed types of social services programs offered by LSS include international counseling and services, general counseling, foster care recruiting, adoption services, a family support center and a program that would coordinate in-home care for seniors.

The rationale for the 500 sf of professional office space is to allow for sub-leasing of space for three to five years or until LSS fully expands, filling the space.

The Subarea Plan analyzes the alternatives and concludes that the proposed change (Alternative 2) meets the criteria required for a Comprehensive Plan Change.

The PAC held a public hearing regarding the proposed Subarea Plan on July 9, 2001 and recommends approval by the City Council.

MOVED BY DEHAN SECONDED BY BRENNAN TO ADOPT ORDINANCE NO. 01-1020.

MOTION CARRIED UNANIMOUSLY.

Agenda Bill #2008; Ordinance #01-1021

An Ordinance adopting an Amendment of the Official Zoning Map for the LSS Property - Planning

Summary: The proposed amendment to the Official Zoning Map would amend the property-specific conditions of the property's existing O/CM Zoning to be in accordance with Ordinance No. 01-1020.

The City Council adopted a change to the zoning for the LSS property in 1999, changing the zoning from single-family to O/CM restricted, limiting the uses to Senior Housing, 24-hour Day Care and Social Service Offices. Since that time, LSS has requested that an additional amendment be considered that would allow up to 4,000 SF of the Medical/Dental Offices to be located at the site, along with up to 500 SF of Professional Office. Additionally, the proposed change would specify that that program offices, as well as administrative offices, are allowed on the property.

The PAC held a public hearing regarding the proposed Zoning Map change on July 9, 2001 and recommends approval by the City Council.

MOVED BY DEHAN, SECONDED BY ANDERSON TO ADOPT ORDINANCE NO. 01-1021.

MOTION CARRIED UNANIMOUSLY.

Mayor Thompson stated her appreciation of the Planning staff and the LSS staff for their diligent work on this project.

It will be a positive addition to the City.

Agenda Bill #2022; Ordinance #01-1022

An Ordinance revising the Procedure for Consideration and Approval of Development Agreements and amending Sections of the SeaTac Municipal Code (SMC) - Legal

Summary: This Ordinance revises the procedure for negotiating and approving development agreements with the primary purpose of placing responsibility for negotiating the terms of such agreements upon the City Manager, or designees, and eliminating the quasi-judicial status of proceedings before the Council.

The procedures for approving development agreements, pursuant to Ordinance No. 99-1045, interjected the City Council into the negotiation process, required quasi-judicial status for hearings, which limited discussion and fact-finding by the Council, and raised the potential for development regulation vesting of long-term interim uses with only conceptual final development plans of questionable public benefit. The existing procedures for negotiation and approval of development agreements should be revised for mutual benefit to the City, owners and developers of real property, and to the public. The primary revisions are outlined in the Ordinance documents.

City Manager Hoggard gave a brief overview of the above summary of this Ordinance.

City Attorney McAdams further explained that upon adoption of this amendment, staff will research further into the criteria as to development agreements approval procedure in the future and perhaps bring back to Council some additional changes due to the fact that these agreements have been requested by developers without any project in mind. The purpose of a development agreement procedure, as passed by the State, was to ensure certainty in the development projects. He concluded by saying that no development agreement will be considered unless it is of benefit to the City. Council concurred.

MOVED BY DEHAN, SECONDED BY ANDERSON TO ADOPT ORDINANCE NO. 01-1022.

MOTION CARRIED UNANIMOUSLY.

Agenda Bill #2025

A Motion authorizing the Jail Negotiation Process, enabling the City to participate in Joint Negotiations with King County (KC) or a new Jail Services Contract - City Manager

Summary: The County has notified all Cities in the County that existing contracts to provide jail services will be cancelled effective December 31, 2001. Cities are working together to negotiate a jail services contract with the KC through the adoption of the Jail Negotiation Process and participation in the Jail Negotiating Oversight Group (JNOG). It is anticipated that coordinated negotiations will provide greater benefits to Cities than would individual negotiations.

Participating Cities are required to approve the Jail Negotiation Process, which provides a framework for negotiations. During the negotiation process, participating Cities will agree not to negotiate separate jail contracts with the KC. These Cities are not obligated to accept the Jail Contract resulting from the negotiating process, and existing service agreements with other jurisdictions will not be affected. This Motion does not obligate the City to participate as a member of the Negotiating Team.

A second request from the Negotiating Team is for each City to indicate its list of issues about the Jail Contract. In the course of discussion of this Motion, the City Manager requests that Jail Contract issues of concern to the Council be identified. The following issues are of concern to the City Manager: 1) cost to Cities of jail services in general (i.e., booking and daily charges) should be kept at rates of inflation or less; 2) labor costs (i.e., salaries and benefits) are at the high end of the market for the KC Jail. Efforts to bring this back to mid-range should be committed to by the KC; 3) Cities should continue to be free to seek whatever outside alternatives to use of the KC Jail they choose; 4) State and Regional tax dollars have paid for the jail facilities and KC should not be able to assert a right to lock out City prisoners from the KC Jail; 5) reasonable and cost effective alternatives to incarceration should be pursued aggressively, not scaled back. Such programs as the North Rehab Facility, work release, electronic detention, jail work crews, remote booking, jail video should be increased; 6) KC should pursue incarceration contracts with other

jurisdictions or the private sector, if cost competitive, and should establish and retain the right in labor agreements for use of lower cost alternatives, then make these alternatives available to Cities; 7) Jail booking and daily charges should not discriminate between users who contribute to Regional and State taxes that are paying for the facilities. Non-tax contributors should pay the cost of the facility in addition to operation and maintenance; 8) new facilities, if any, should be located adjacent to the existing jails in Seattle and Kent to take advantage of operating efficiencies that would result. Further, decentralization of jail facilities should be discouraged; 9) jail operations should be conducted so as to minimize costs to Cities of police time spent in the booking process and court. KC should minimize prisoner transport, booking and court time for Cities; 10) prisoner transport services should be provided in a cost-effective manner for the Cities, not just for KC; 11) KC should provide court space to Cities at the Regional Justice Center (RJC), if requested; 12) Cities should determine length of time City prisoners are in jail, not KC; 13) charges to Cities should accurately reflect the true cost of the jail service provided, not more and not less. However, capital costs of facilities that have already been paid by State and County taxpayers should not be charged a second time; 14) a Jail Contract Customer Oversight Committee, similar to the Police Oversight Committee, should be established with appropriate standing to establish jail accountability to its contract customers; 15) KC should not charge the City and the prisoners both for the same service, such as electronic detention, etc.; 16) no City should get a better deal than another for jail or court services; and 17) the KC Jail needs to commit to a customer service attitude that solves problems, keeps communication open and serves the Cities. Working relationships should not be one-sided in favor of the jail.

The JNOG may contract for services to support the Negotiating Team's efforts. The cost for this service would be proportionally distributed across the JNOG membership based on population. The 2001 budget includes \$340,000 for jail service.

City Manager Hoggard briefed on the above summary.

MOVED BY ANDERSON, SECONDED BY BRENNAN TO ACCEPT AGENDA BILL NO. 2025. *

Councilmember Anderson stated that this was one of the major issues at the Suburban Cities Association (SCA) Meetings. Without shared costs by the Cities, it would be pointless.

Upon a question posed by Councilmember Fisher regarding transporting prisoners to Yakima, Mr. Hoggard stated that it is a right the City has under the current Jail Services Contract to find other jails to use if it is economically beneficial. The issue was medical costs for prisoners when the City takes in prisoners and sentences them to jail. The City assumes responsibility for their medical well-being while they are in the City's custody, therefore, clarification was needed as to out-of-town medical coverage. With the KC Contract, those expenses are covered and services are provided by Harborview Hospital. A cheaper daily rate may not be cost effective if medical care is not included.

Upon a question posed by Councilmember Anderson regarding the 90-day notice clause of termination in the KC Contract, Mr. Hoggard stated that it is KC's intent to terminate the contract at the end of the year with the intent to negotiate a new one to be effective in the first of 2002. He has serious doubt it can be done in that period of time.

Councilmember Brennan stated that this issue was discussed thoroughly at the Public Safety & Justice (PS&J) Committee meeting. The committee stated that if the Cities all work together, the force of numbers would be an advantage.

Councilmember DeHan stated that he recently spoke with an employee of the Snohomish County Detention Center and he remarked that they are using Okanogan County's facilities. It might be wise to examine this source too. Mr. Hoggard stated that Vancouver has also shown an interest in facilitating this service.

*MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENTS: Marion Henry, 3808 South 198th Street, commented that she had the opportunity to review the City's Comprehensive Plans for the future. She toured Renton's downtown area and observed the extensive improvements they are making. The buildings are now storefronts with apartments in upper floors. It was very impressive. This concept may not fit into SeaTac's vision but she felt it was worth exploring.

CITY MANAGER'S COMMENTS: City Manager Hoggard requested Mr. Butler give a short update on the Riverton Heights Subarea. Mr. Butler stated that the POS's Open House on the South Riverton Heights neighborhood is July 25 from 5:00-8:00 p.m. where they will present their vision for that area. It will be a chance for the residents to ask direct questions. Secondly, he stated that staff had tentatively scheduled a meeting on August 8 at the North SeaTac Park Community Center. There are two objectives to be discussed at that meeting: 1) give the residents a chance to ask the City questions after the POS's meeting; and 2) to have a City-hired appraiser there to answer questions regarding property values. There will also be a POS representative present. Appraisal firms have been contacted as to their interest in participating. At the POS's meeting, City staff will ask the residents if they are in favor of a meeting by the City two weeks after the POS meeting.

Councilmembers agreed with the residents listening to the POS remarks and have the City following up with another meeting if they need more clarification. It has to be stressed to the residents that the POS has eminent domain and that it is in their best interest.

Mr. Hoggard added that Mr. Butler has project managed the City's involvement with Washington Mutual and the success to date is largely due to his diligent work on this major project in the City. Councilmember Fisher added that the group at the last South Riverton Heights meeting was somewhat hostile and Mr. Butler handled the situation very well.

COUNCIL COMMENTS: Councilmember Anderson agreed with Ms. Henry's remarks regarding the upscaling of the Renton downtown area. She also had an opportunity to tour the area. The buildings are being constructed by a conglomerate called REET, made up of people who have jointly used their own money to build these structures and in doing so have achieved a tax advantage. She agreed that this concept should be examined for SeaTac.

Councilmember DeHan attended the following McMicken Heights Community Club Meetings: 1) June 20 - Code Enforcement presentation; and 2) July 18 - overview of the City's Comprehensive Plan, both presented by the City staff. Both were informative to the audience.

Councilmember Brennan agreed with Councilmember Fisher as to the hostile remarks, both for and against the POS's proposal at the last South Riverton Heights Meeting.

Councilmember Gehring-Waters, Chair of the Finance Committee, stated that the committee met earlier today beginning with a discussion with the State Auditor regarding the City's recent audit. The dialogue went well. There were a number of issues on the committee's agenda: 1) City's marketing program presentation by the Hotel/Motel Ad Hoc Committee requesting more enhancement to the program; 2) Angle Lake property proposals which the committee recommended for an upcoming Study Session; 3) Finance Director requested additional credit cards for City purchases by staff, which will be reviewed further at another committee meeting; 4) banking services proposals will be going out for bid with a recommendation that the offer be extended to City banks; 5) SBC Phone Service information was presented and will have to be further reviewed; 6) E-Government update by the Finance Director. This will be presented to Council at a future Study Session; and 7) Councilmember Anderson brought forward an issue regarding the SCA, which will also be brought to Council at a future Study Session. The next Finance Committee meeting is scheduled for August 7 at 2:00 p.m. due to the Special Council Meeting at 4:00 p.m.

Mayor Thompson stated she attended a National Organization to Insure Sound-controlled Environment (Noise) Conference last week in Oregon. There were several discussions and she was asked to speak on a panel regarding how citizens' groups are working with airports, airlines and the Federal Aviation Authority (FAA) to manage aircraft noise. A POS representative also spoke on the panel. She spoke about the partnership the City of SeaTac Council formed in the first year of incorporation in an ILA and the funding that the ILA has afforded the City to control the noise. She will be asking Council to consider joining this organization during the budget workshop process as she feels the information and ideas derived from this organization would benefit the local community.

Councilmember Gehring-Waters stated that the Des Moines Creek Trail has been cleaned up and the area is beautiful due to the work of City staff from SeaTac and Burien. However, during a walk with a friend recently, she was approached about vehicles being vandalized while people were on the path. She wanted to bring this to the attention of

the Police Chief who was in the audience. The people she spoke with said they had called the police who were unresponsive. She requested that the police make themselves more visible due to the heavier usage of this path. She also inquired as to when the Des Moines fence across the trail will be removed.

Councilmember Brennan inquired as to the status of the proposed Ordinance on vehicles parking on lawns. A new family moved into his neighborhood and a large number of vehicles are being parked on their lawn. Council previously discussed this issue. Councilmember DeHan stated that the T&PW Committee was requested to review this issue. He met with Code Enforcement personnel and Planning Department staff. The Ordinance is in development and will be brought to Council soon in draft form.

Based on other comments made, Mayor Thompson requested that the PS&J Committee discuss the idea of having citizens work with the City Police Department to patrol the parking lot and other areas of vandalism concern. Many Cities are successfully using Citizen Patrols. She asked the Highline Times reporter to consider writing an article on car thefts in South KC and the fact that the Police can testify that thieves will bypass vehicles with visible alarm systems. Her own car was stolen recently and fortunately was later recovered. Insurance rates will continue to rise with this type of negative activity. Lastly, she stated that the Budget Workshops have been cancelled for July and August and will resume in September.

ADJOURNMENT:

MOVED BY DEHAN, SECONDED BY BRENNAN TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 7:40 PM.

MOTION CARRIED UNANIMOUSLY.

Shirley Thompson, Mayor
Judith L. Cary, City Clerk

SEATAC CITY COUNCIL SPECIAL MEETING MINUTES

August 7, 2001 - 4:00 PM
City Hall Council Chambers

(The regularly scheduled Study Session was cancelled and replaced by this Special Council Meeting.)

CALL TO ORDER: The SeaTac City Council Special Meeting was called to order by Mayor Shirley Thompson at 4:02 p.m.

ROLL CALL: Present: Mayor Shirley Thompson; Councilmembers Gene Fisher, Frank Hansen, Terry Anderson, Kathy Gehring-Waters, Joe Brennan, and Don DeHan.

ADMINISTRATIVE STAFF: Calvin Hoggard, City Manager; Jay Holman, Assistant City Manager-Economic Development; Judith Cary, City Clerk; Robert McAdams, City Attorney; Marcia Rugg, City Clerk's Office Administrative Assistant II; Julie Elsensohn, Assistant City Attorney/Prosecutor; Steve Butler, Planning Director; and Holly Anderson, Senior Planner.

FLAG SALUTE: Marcia Rugg, City Staffer, led the Council, staff and audience in the Pledge of Allegiance.

PUBLIC HEARING:

Moratorium on Light Emitting Diode (LED) Signs – Planning

Mayor Thompson opened the public hearing at 4:04 p.m.

Assistant City Attorney/Prosecutor Elsensohn briefed the Council on the purpose of the public hearing and the regulations governing the proceedings as outlined in Agenda Bill No. 2017.

Planning Director Butler summarized the findings of fact in support of the LED/Electronic Message Center Sign Moratorium. He stated that the City has become aware of newer advanced sign technology, which makes it possible for a sign's text, graphics or images to occur at very fast rates of speed. The current Sign Code does not clearly and specifically regulate these newer sign technologies. These types of signs may: 1) distract drivers and thereby increase the incidents of traffic accidents; 2) cause unwanted illumination onto residential neighborhoods; and 3) greatly affect the aesthetic value and livability of the City. In addition, the Comprehensive Plan contains policies encouraging: 1) commercial land uses that serve the needs of residents, businesses, and visitors; 2) a well designed and community oriented environment in the Urban Center; and 3) attractive and well-scaled signage to enhance the community image. The proposed changes will be beneficial to public health, safety and welfare, and the envisioned appearance and design standards of the City to study and possibly augment the existing Sign Code. Therefore, continuing the moratorium will permit time for further study and development of any necessary amendments.

Steve Bumstead, President of Bumstead Display Consulting, 12806 Southeast 45th Place, Bellevue, stated that his company deals with LEDs and technology is constantly changing. He was concerned that the City staff does not have the necessary expertise to adequately regulate these types of signs. Studies have proven that LEDs do not cause traffic accidents by distracting the drivers. The findings actually show that these signs tend to slow drivers down and enhance driver awareness. He urged Council to seek expert advice as to present and future LED technology.

Mayor Thompson stated that a Land Use & Parks (LUP) Committee Meeting was held today and she was asked to make a presentation to the City's business community requesting their involvement in upgrades to the Sign Code. She added that after the City incorporated, the Sign Code was adopted with the involvement of the business community and experts in the field. This moratorium would allow time to update the code to meet the needs of the City. She invited Mr. Bumstead to make recommendations to the City regarding LEDs in the City. Council discussion with Mr. Bumstead ensued as to past, current, and future technology in this subject. The issue of comparing the City's LED signs to the one on I-5 at Fife was discussed. Mr. Bumstead said that although that sign has not been a problem with traffic or a cause of accidents, he hoped that sign (which is on Indian Trust land) was not used as a typical example of

LEDs as it is 10 times larger than what is allowed by the City's Sign Code. Councilmember Fisher stated his opposition to this moratorium as the City already limits the size and location of these signs. He feels the signs ought to be the responsibility of the businesses as long as they are in commercial business zones. Councilmember DeHan stated his support of the moratorium. The Council had agreed that the businesses should have broad latitude as to the design of the signs. The City should be more concerned with placement and size. Mayor Thompson added that International Boulevard is a State highway, therefore, it also falls under State law. The City can update the code as long as it does not lessen the State Code.

Mayor Thompson closed the public hearing at 4:19 p.m.

NEW BUSINESS:

Agenda Bill #2017; Resolution #01-021

A Resolution adopting Findings of Fact in support of Resolution No. 01-015 and continuing the Moratorium on acceptance of Applications for LED Signs or Electronic Message Center Signs - Planning

Summary: Resolution No. 01-015 established a moratorium on acceptance of applications for sign permits for LED signs or electronic message center signs pending study and possible amendments to the present Sign Code to address such signs. As required by State law, a public hearing must be held within 60 days and findings of fact must be adopted justifying the moratorium. This Resolution adopts findings of fact and continues the moratorium until December 11, 2001.

The City adopted its current Sign Code by Ordinance No. 92-1041 on October 27, 1992. Since that time, advancing technology has made possible a myriad of signs not specifically contemplated by the existing Sign Code, such as LED signs, Liquid Crystal Display (LCD) signs, fiber optic signs, plasma display screen signs, and incandescent signs.

It is desired that, before accepting and acting upon Sign Code permits for LED or electronic message center signs, City staff and the Planning Advisory Committee (PAC) have time to research and address the issues listed above and develop amendments to the Sign Code for presentation to the Council for consideration prior to the expiration of the moratorium.

MOVED BY BRENNAN, SECONDED BY DEHAN TO PASS RESOLUTION NO. 01-021.

MOTION CARRIED WITH FISHER VOTING NO.

CITY MANAGER'S COMMENTS: City Manager Hoggard gave an update on the status of the large gatherings at the Islamic Church on South 150th Street. The City has responded to concerns posed by the neighboring residents as to church members' vehicles blocking the streets and driveways and the safety issues of the overcrowding of the church. The City Police have monitored the area and while there were some violations regarding parking at the start of the investigation, dialogue with the church leaders have resulted in no ongoing parking problem. Since the church restricts women from entering the building, the attendance of 15 parishioners is normal so no occupancy standards have been violated. Also, contrary to the reports, staff has found the church leaders to be very cooperative in problem solving and being good neighbors.

COUNCIL COMMENTS: Councilmember Gehring-Waters stated that the Finance Committee met earlier in the day and the following items were discussed: 1) recommended a budget amendment for Thermal Imaging Cameras for the Fire Department; 2) recommended authorization of surplus of City property; 3) recommended acceptance of the Fiscal Year 2001 Local Law Enforcement Block Grant (LLEBG); 4) an update was given on different telephone systems and the committee decided to delay this issue until the new City Hall (NCH) move; 5) information was given on the E-Government Alliance Proposal; 6) discussion was held as to the 2001 budget carryovers; and 7) the next meeting will be held on September 18 at 4:00 p.m.

Councilmember Brennan restated his concern of last week, that numerous cars are being parked on the lawn and street at a home in his neighborhood. The neighbors are upset about this situation having previously dealt with a similar problem. Several of the neighbors complained to him about this situation, one in particular who is selling his home and is concerned about the devaluation of his property. Secondly, he inquired into the matter of streetlights in the

neighborhoods. City Manager Hoggard replied that this item would be discussed in the 2001 budget requests.

Councilmember Anderson stated that the State Legislature's final decisions included non-funding of three major transportation projects in the South King County, one being SR 509. Mr. Hoggard stated that there is still some minimal funding for the SR 509 project. Long term transportation funding is needed to complete this and the other major road projects.

Mayor Thompson confirmed her selection of applicants to the Citizens' Advisory Committee vacancies. The reasons for bringing these applications before Council at this time was to allow Council to approve/disapprove her selections, so that the appointment confirmations could take place at the August 14, 2001 Regular Council Meeting, prior to Council's Summer Recess. Council concurred with her selection. Secondly, she suggested Council consider sunsetting the ADA Citizens' Access Committee as the need for this committee on a constant basis has diminished. She suggested that as ADA related issues arise, a special ad hoc committee be formed to address the concerns. Council also concurred with this suggestion. Lastly, she mentioned that she was at Renton City Hall earlier this week and noticed "Outstanding Citizen's Recognition" application forms were made available for public input. She suggested the Council consider this concept for SeaTac. Renton also had napkins with their logo on them available to the general public. Perhaps SeaTac could provide some item of City/community value for public distribution.

RECESSED: Mayor Thompson recessed the Special Council Meeting to an Executive Session on Land Acquisition at 4:30 p.m.

EXECUTIVE SESSION: Land Acquisition

RECONVENED: Mayor Thompson reconvened the Special Council Meeting at 5:37 p.m.

ADJOURNMENT:

MOVED BY DEHAN, SECONDED BY ANDERSON TO ADJOURN THE SPECIAL MEETING OF THE SEATAC CITY COUNCIL AT 5:38 PM.

MOTION CARRIED UNANIMOUSLY.

Shirley Thompson, Mayor
Judith L. Cary, City Clerk

SEATAC CITY COUNCIL REGULAR MEETING MINUTES

August 14, 2001 - 6:00 PM
City Hall Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Shirley Thompson at 6:05 p.m.

ROLL CALL: Present: Mayor Shirley Thompson, Councilmembers Frank Hansen, Terry Anderson, Kathy Gehring-Waters, Joe Brennan, and Don DeHan. Absent: Councilmember Gene Fisher.

ADMINISTRATIVE STAFF: Calvin Hoggard, City Manager; Jay Holman, Assistant City Manager-Economic Development; Kristina Lowrey, Deputy City Clerk; Robert McAdams, City Attorney; Jim Downs, Fire Chief; Bob Meyer, Fire Marshall; Brian Wiwel, Fire Battalion Chief; Elizabeth Spencer, Finance Director; Kit Ledbetter, Parks & Recreation Director; Gwen Osaki, Administrative Assistant III - Parks & Recreation; Jack Dodge, Principal Planner; Michael Scarey, Senior Planner; Bruce Rayburn, Public Works Director; Dale Schroeder, Public Works Engineering Manager; and Scott Somers, Chief of Police Services.

FLAG SALUTE: Darleene Thompson, Senior Citizen Advisory Committee Chair led the Council, staff and audience in the Pledge of Allegiance.

CERTIFICATE OF RECOGNITION:

Certificate of Recognition to Gwen Osaki, Administrative Assistant III - Parks & Recreation, for her Outstanding Contribution to the 2001 International Festival

Mayor Thompson read the certificate and presented it to Mrs. Osaki. Mayor Thompson stated that Mrs. Osaki deserves outstanding recognition for her work on this year's successful International Festival.

CERTIFICATE OF APPRECIATION:

Certificate of Appreciation to One Former Planning Advisory Committee (PAC) Member and One Former Library Advisory Committee Member

Mayor Thompson read the certificate and presented it to Rhonda Tyge, former PAC member. Former Library Advisory Committee Member Marilyn Campbell was unable to attend this presentation. Her certificate will be sent to her. Mayor Thompson, on behalf of the Council, thanked the former committee members for their service to the City.

CONFIRMATION OF MAYORAL APPOINTMENTS:

Confirmation of Mayoral Selection of Three Members to the Library Advisory Committee and Three Members to the Senior Citizen Advisory Committee

MOVED BY BRENNAN, SECONDED BY ANDERSON TO CONFIRM THE MAYORAL APPOINTMENT OF DONNA CHAVEZ TO THE LIBRARY ADVISORY COMMITTEE.

MOTION CARRIED UNANIMOUSLY.

MOVED BY DEHAN, SECONDED BY BRENNAN TO CONFIRM THE MAYORAL REAPPOINTMENTS OF TARYN HILL AND MEL MCDONALD TO THE LIBRARY ADVISORY COMMITTEE AND JON ANCELL, JOE SMITH AND DARLEENE THOMPSON TO THE SENIOR CITIZEN ADVISORY COMMITTEE.

MOTION CARRIED UNANIMOUSLY.

Mayor Thompson read the certificates and presented Donna Chavez, Joe Smith and Darleene Thompson with their certificates. Taryn Hill, Mel McDonald, and Jon Ansell were unable to attend this presentation. Their certificates will be sent to them. Mayor Thompson, on behalf of the Council, thanked the new and reappointed committee members for

their willingness to serve on these committees.

PUBLIC COMMENTS: Alex Augello, 19107 33rd Avenue South, and Larry Smith, 19101 33rd Avenue South, spoke regarding the Super 8 Motel at South 192nd Street and International Boulevard (IB). The motel installed two lights in the parking lot on August 1 that shine directly on the neighboring houses. Five or six neighbors have called and complained to the owner to no avail.

PRESENTATION:

Centralized Crime Analysis

Chief of Police Services Somers introduced Crime Analyst Gina Chatterson from the King County Sheriff's Office Centralized Crime Analysis Unit (CCAU). Chief Somers stated that gathering and analyzing accurate and timely crime information is the first step that SeaTac Police do to achieve the goals of reducing crime and the fear of crime. The CCAU is the most important tool for doing this.

Ms. Chatterson outlined the structure and organization of the CCAU and distributed 2nd Quarter 2001 crime maps as examples of her work. She also explained the services provided by the CCAU.

CONSENT AGENDA:

Approval of claims vouchers in the amount of \$250.81 for the period ending July 31, 2001.

Approval of claims vouchers in the amount of \$686,835.60 for the period ending August 3, 2001.

Approval of employee vouchers in the amount of \$498,411.92 for the period ending July 31, 2001.

Approval of firefighter vouchers in the amount of \$200.00 for the period ending July 31, 2001.

Approval of summary of \$5,000 - \$25,000 purchase requests for the period ending August 10, 2001.

Approval of Council Meeting Minutes:

Regular Council Meeting held July 10, 2001.

Special Council Meeting held August 7, 2001.

Acceptance of Advisory Committee Minutes:

Planning Advisory Committee Meeting held July 9, 2001 (committee approved July 23, 2001).

Senior Citizen's Advisory Committee Meeting held June 21, 2001 (committee approved July 19, 2001).

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

MOTION CARRIED UNANIMOUSLY.

NEW BUSINESS:

Agenda Bill #2010

A Motion approving and authorizing additional Marketing of the City by the IndexGroup - City Manager / IndexGroup

Summary: This Motion authorizes six economic development and marketing steps, in addition to the media advertising campaign, to be conducted by Joann Hamick, IndexGroup.

Based upon recommendation of the Hotel/Motel Tax Advisory Committee, the Council heard a presentation by Joann Hamick of the IndexGroup regarding a study and report on improving the image and marketing of the City. A Motion approving a Consultant Contract for that purpose was passed, under Agenda Bill No. 1893, at the July 25, 2000 Regular Council Meeting (RCM). The total cost was not to exceed the sum of \$65,000, which would be paid from the Hotel/Motel Tax Fund. Ordinance No. 00-1031 was adopted to amend the City Budget to increase expenditures from the fund.

A Letter of Understanding was executed for a three-phase work plan consisting of research; recommendation of a creative image makeover for the City; and preparation of a detailed marketing plan. At the January 9, 2001 RCM, Ms.

Hamick presented her written report and recommendations for a comprehensive marketing program.

At the March 6, 2001 Study Session (SS), Council discussed implementing the recommended year-long radio advertising campaign to enhance the City's image, at a maximum cost of \$193,663. A Motion, under Agenda Bill No. 1973, was subsequently approved at the March 13, 2001 RCM to implement the advertising campaign. It was also decided, at that time, to consider implementation of the additional economic development and marketing recommendations and an appropriate budget amendment, at a later time.

The demonstration radio advertisements were presented to the Council at the May 8, 2001 RCM, and the campaign is now underway.

It is now recommended by the Hotel/Motel Tax Advisory Committee and the Finance Committee that additional steps in the marketing effort be approved. The grand total of this effort is not to exceed the sum of \$115,564 from the Hotel/Motel Tax fund. In summary, the additional marketing steps are as follows: 1) create various marketing materials, e.g., brochures, CD's and fact folders; 2) implement targeted marketing; 3) create a City economic development web site; 4) develop a plan for organizing a "guest experience"; 5) develop and process a year-long publicity program to promote articles and mention in print and broadcast media; and 6) project administration.

These additional marketing steps will augment and continue the media advertising campaign, which is currently ongoing. The result should be establishment of a positive image, elimination of any barriers to economic development, increased and improved development projects, and financial benefit to the City and its residents.

Assistant City Manager – Economic Development Holman reviewed the above summary.

Councilmember Brennan stated that he attended the Hotel/Motel Tax Advisory Committee meeting and the members of that committee are very interested in this issue.

MOVED BY DEHAN, SECONDED BY GEHRING-WATERS TO ACCEPT AGENDA BILL NO. 2010.

MOTION CARRIED UNANIMOUSLY.

Agenda Bill #2023; Ordinance #01-1023

An Ordinance amending the 2001 Annual City Budget for Marketing of SeaTac - Finance

Summary: This Ordinance amends the 2001 Annual City Budget to provide for continuing SeaTac marketing efforts funded from Hotel/Motel Tax revenues. This budget amendment increases the total 2001 budgeted expenditures in the Hotel/Motel Tax Fund by \$115,564.

Finance Director Spencer noted that this item is a companion to Agenda Bill No. 2010.

MOVED BY DEHAN, SECONDED BY HANSEN TO ADOPT ORDINANCE NO. 01-1023.

MOTION CARRIED UNANIMOUSLY.

Agenda Bill #2028

A Motion declaring Surplus Property and authorizing its Disposal - Finance

Summary: This Motion declares certain City Hall property as surplus and authorizes its disposal. These items are not used for City operations and have little salvage value. Most of the items are computers and monitors that have been replaced and are being stored unused at City facilities. In disposing of the property, staff will first offer the items for donation to all Human Service agencies serving SeaTac residents and schools located within the City. The Finance Committee has requested that staff attempt to locate an agency that would coordinate the donation of computers to SeaTac residents who can show a financial need. Any equipment not requested by these agencies will be auctioned off, with any net proceeds deposited to the General Fund. The City will be utilizing a new online auction process offered by the City of Seattle in auctioning off any remaining equipment.

MOVED BY DEHAN, SECONDED BY GEHRING-WATERS TO ACCEPT AGENDA BILL NO. 2028.

MOTION CARRIED UNANIMOUSLY.

Agenda Bill #2030

A Motion authorizing Acceptance of a Fiscal Year 2001 Local Law Enforcement Block Grant (LLEBG) - Finance

Summary: The City has received notice from the Bureau of Justice Assistance (BJA) that it has been awarded a LLEBG for the Fiscal Year 2001. Notification of the grant award was received on July 24 and the City has only 45 days to formally accept the award, or the funds will be de-obligated and redistributed to other eligible applicants. The purpose of the LLEBG program is to reduce crime and improve public safety. The grant award will reimburse the City 90 percent of its qualifying expenditures for the purchase of equipment to assist police enforcement efforts to a maximum of \$43,799.

Following acceptance of the grant, the City must take the following steps: 1) establish an advisory committee that will review the Police Department's recommended expenditures under the grant; 2) hold a public hearing at which the proposed expenditures and committee's recommendation shall be considered, along with any public testimony; 3) expenditure approval by the City Council; and 4) qualifying expenditures must be made within 24 months of the date the City receives the grant funds.

Ms. Spencer noted that the City has been a recipient of this annual grant for several years. Recommendation regarding expenditures to be made with these grant funds will be presented as part of the Police Department's 2002 Budget request. This Motion allows staff to formally accept the \$43,799 grant within the 45-day window.

MOVED BY DEHAN, SECONDED BY GEHRING-WATERS TO ACCEPT AGENDA BILL NO. 2030.

MOTION CARRIED UNANIMOUSLY.

Agenda Bill #2033; Ordinance #01-1024

An Ordinance amending the 2001 Annual City Budget and authorizing Purchase of four Thermal Imaging Cameras - Fire

Summary: Fire Department staff have been researching, testing and evaluating thermal imaging cameras. These imaging cameras are devices used to search for victims in a fire and for locating hidden fires behind walls and ceilings. The cameras work on a principle of "seeing" a heat signature with infrared technology.

Fire personnel have attended training classes and tested different types of cameras in live fire conditions at the Bellevue Training Facility, the Federal Way Burn Building, and the North Bend Academy. Based upon their review, it is recommended that the City purchase the MSA Evolution 4000 Thermal Imaging Camera. Of three brands for which pricing was obtained, the MSA brand came in slightly higher than the Bullard brand, but the MSA brand run time is longer. After purchasing additional batteries required with the Bullard camera, the MSA model is the lowest cost unit.

Fire Marshal Meyer and Battalion Chief Wiwel provided a brief demonstration on the use of the cameras. This Ordinance provides appropriation authority within the Fire Department's 2001 Budget to purchase four thermal imaging cameras at a total cost of \$73,200.

MOVED BY DEHAN, SECONED BY BRENNAN TO ADOPT ORDINANCE NO. 01-1024.

MOTION CARRIED UNANIMOUSLY.

Agenda Bill #2027

A Motion authorizing the execution of Amendment Number 1 to the Watershed Resource Inventory Area (WRIA) 9 Interlocal Agreement (ILA) for Watershed Planning - Public Works

Summary: Council passed a Resolution on November 28, 2000 to enter into an ILA with the WRIA 9 jurisdictions for watershed planning. Since that date, the City of Tacoma, as a large property owner within the WRIA 9 boundaries, requested to be a voting participant in the WRIA 9 Forum. It was decided to address this request in an amendment rather than restart the ILA approval process. The City of Tacoma has agreed to contribute its share (\$24,500) based upon the existing participation formula. Also, during this time, King County was working on transferring Vashon Island from WRIA 15 to WRIA 9. Having Vashon Island in WRIA 9 was a logical fit for King County because of significant near-shore habitat. The transfer has been approved and the County will adjust its contribution upward (\$12,551) in accordance with the existing participation formula.

In the course of trying to conduct business, the forum has encountered difficulty meeting the quorum requirement in order to conduct business. It was, therefore, recommended that the ILA be modified to allow jurisdictions to appoint an alternative who could be an elected official or a senior staff member. Due to interest among the jurisdictions, the membership of the Management Committee needs to be increased from five to seven members. Individually, each of these items would require formal amendment to the ILA.

Public Works Director Rayburn reviewed the above summary.

Councilmember Brennan stated that this is essentially an insurance policy. For example, the City could be sued by any party under the Endangered Species Act (ESA) 4(d) Rule, but being a member of WRIA, the City's defense will be conducted by the National Marine Fisheries and WRIA instead of the City funding the defense.

MOVED BY BRENNAN, SECONDED BY DEHAN TO ACCEPT AGENDA BILL NO. 2027.

MOTION CARRIED UNANIMOUSLY.

Agenda Bill #2034

A Motion authorizing an Amendment to the Professional Service Contract with Shannon and Wilson, Inc. for the 28th/24th Avenue South Arterial Project - Public Works

Summary: This Motion authorizes the City Manager to amend the professional service contract with Shannon and Wilson, Inc. for professional and engineering services.

On March 7, 2000, the City contracted Shannon and Wilson, Inc. to perform specialized consulting services for the 28th/24th Avenue South Arterial Street Project. This firm provides services including soils investigation, stability and inspection of walls and the detention pond berm and keyway. Because the requirements by the Department of Ecology (DOE) Dam Safety Section have been much more demanding than originally scoped in Shannon and Wilson's contract, their services have been required extensively.

The original contract was for \$60,000, which has been amended once by an additional \$22,688. At this time, pond construction is nearly completed; however, additional services to complete the project are necessary.

The DOE is requiring a final Dam Safety Report along with all the daily reports and a safety evaluation plan as part of their final acceptance. The firm will need to prepare plans, and finalize and certify all reports. Shannon and Wilson estimates the cost of doing this additional work to be \$32,790 for a final contract amount of \$115,478.

Mr. Rayburn reviewed the above summary.

MOVED BY DEHAN, SECONDED BY BRENNAN TO ACCEPT AGENDA BILL NO. 2034.*

Councilmember DeHan stated that this issue was reviewed at the Transportation & Public Works (T&PW) Committee earlier today and the committee recommended approval.

Councilmember Gehring-Waters questioned what project would not be completed due to this amendment. Mr. Rayburn stated that it all depends on the costs. There could be cost savings in other areas, allowing all projects to be completed.

*MOTION CARRIED UNANIMOUSLY.

Agenda Bill #2029

A Motion accepting, for further consideration, the 2001 Final Docket of Proposed Comprehensive Plan Amendments - Planning

Summary: This Motion establishes the 2001 Final Docket of proposed Comprehensive Plan amendments. The City of SeaTac procedures for amending the Comprehensive Plan provide for consideration of proposed amendments for the 2001 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; 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 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 the designations of other properties 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 2001 amendments to the Comprehensive Plan. Conversely, all proposed amendments that satisfy these criteria, along with the 2001 draft Capital Facilities Plan (to be submitted later in the year), are recommended to be included in the Final Docket. The latter amendments will be subjected to State Environmental Agency Act (SEPA) review and public notice requirements, and considered in a PAC public hearing. Council is scheduled to act upon the Final Docket in November or December 2001. The City Council may elect, at that time, to not adopt proposals that are included in the Final Docket at this stage of the process.

Principal Planner Dodge reviewed the above summary.

City Manager Hoggard stated that this is a milestone in the Comprehensive Plan Amendments process. Council is called upon to establish the Final Docket of items to be considered and move forward for SEPA review and additional public hearings.

Senior Planner Scarey reiterated that the purpose of this Motion is for Council recommendation on amendments to be included in the Final Docket. The GMA allows Cities to amend their Comprehensive Plans once per year. SeaTac has amended the Comprehensive Plan annually since its 1994 adoption. The process is open to the public whereas public and/or staff can propose amendments.

The 2001 Schedule through the end of year is as follows: August - proposals reviewed and recommended for inclusion in final docket; September through October - PAC review of final docket amendment proposals; October/November - PAC public hearing; and November/December - Council review of amendment proposals.

The PAC and staff concur that the proposals included in the "Preliminary Docket Staff Report" should be included in the Final Docket for evaluation/final Council action. The proposed amendments include one amendment to the Land Use Plan Map, IB / South 160th Street Properties; Zoning Map/Text Amendment/Land Use Plan Map relationship; as well as other minor text amendments.

MOVED BY DEHAN, SECONDED BY ANDERSON TO ACCEPT AGENDA BILL NO. 2029.

MOTION CARRIED UNANIMOUSLY.

Agenda Bill #2031; Resolution #01-022

A Resolution calling for an Election on the proposition of whether the City's present Council-Manager Plan of Government should be abandoned and the Mayor-Council Plan of Government be adopted - Legal

Summary: Because a petition for change of the plan of government has been certified by King County (KC) as sufficient State law requires the Council to call, by Resolution, for an election to submit the proposition for change of plan of government to the voters of the City.

A petition for reorganization of the City so as to abandon the current Council-Manager plan of government and to establish the Mayor-Council plan of government in its place has been certified as sufficient to require a vote of the City electorate. Certification is accomplished by the Manager of the Elections Section of the KC Records and Elections Division as ex officio supervisor of City elections. It was determined that the minimum 584 signatures (10 percent of the votes cast at the last City election) was exceeded by 688 signatures of registered City voters, and the petition was therefore certified as sufficient on July 3, 2001.

The proposal for change of the plan of government must be voted upon at the next general election, if held within 180 days after the certificate of sufficiency. The next general election, which will be held on November 6, 2001, is within the said statutory 180-day period. Thus, by statute, the election must be scheduled for the November 6, 2001 General Election.

The proposed Resolution includes the language of the ballot proposition, as certified by the City Attorney, pursuant to law, which is limited to no more than 75 words.

Following adoption of the Resolution, a certified copy shall be transmitted by the City Clerk to the King County Records and Elections Division for review as to legality by the Office of Prosecuting Attorney, and placement upon the ballot of the general election.

Pursuant to the recent 2001 legislative amendment, all incumbent Councilmembers will retain their seats for the balance of their respective terms of office if the voters approve the change of plan of government. The Council will be required to call for a special election of the Mayor following the general election of November 6, 2001. However, no action need be taken until the results of the general election are known.

City Attorney McAdams reviewed the above summary. He stated that the City as a whole and employees can not use City time, facilities, or money to support or not support the ballot proposition. The City is limited to providing neutral information for educational purposes.

MOVED BY HANSEN, SECONDED BY BRENNAN TO PASS RESOLUTION NO. 01-022.

MOTION CARRIED UNANIMOUSLY.

Agenda Bill #2037; Resolution No. 01-023

A Resolution appointing Committees to draft Pro and Con Arguments for the Local Voters' Pamphlet in regards to the proposed Change in Form of Government - Legal

Summary: This Resolution provides, pursuant to State law, for appointment of committees to prepare Local Voters' Pamphlet arguments for and against the change of plan of government.

Prior to the general election of November 6, 2001, KC will publish a Local Voters' Pamphlet. The City is required to prepare a neutral statement as to the effect of the proposition. The City Attorney will prepare that statement. In addition, [RCW 29.81A.080](#) states that "the legislative authority of the jurisdiction shall formally appoint" no more than three members to prepare arguments advocating voters' approval of the proposition and a similar committee to prepare arguments advocating voters' rejection of the proposition. Committee members are to be appointed from persons known to favor or oppose the proposition. Each committee selects its own spokesperson.

The City must submit to King County the names of persons appointed to the committees no later than 45 days before the publication date of the Local Voters' Pamphlet. It is appropriate, however, that the committees be confirmed as soon as possible in order to allow sufficient time for drafting of the respective arguments.

If persons favoring or opposing the proposition are not immediately known, the City should employ some formal

means of notifying the public that members for the proponent or opponent committee are being sought. KC recommends that members should not be drawn from the City Council or City staff, in order to avoid any appearance of a conflict of interest. However, this is not a statutory limitation. If the City is unable to identify persons to serve on either or both statement committees, it is necessary to notify KC Records and Elections Division no later than the deadline date for committee appointments. Such notification shall detail the efforts made to establish the committee(s). A statement to that effect will be placed in the Local Voters' Pamphlet.

City Attorney McAdams reviewed the above summary. This Resolution appoints Frank Hughes, Mary Hoey, and Tony Scocollo to the committee advocating approval and Councilmember DeHan, Patricia Carter, and Carolyn Cloutier to the committee advocating rejection.

MOVED BY ANDERSON, SECONDED BY BRENNAN TO PASS RESOLUTION NO. 01-023.

MOTION CARRIED WITH COUNCILMEMBER DEHAN ABSTAINING.

PUBLIC COMMENTS: There were no public comments.

CITY MANAGER'S COMMENTS: City Manager Hoggard stated that the Port of Seattle (POS) has scheduled a community update for Thursday, August 16 at 7:30 a.m. at the Renton Community Center.

COUNCIL COMMENTS: Councilmember Hansen requested that Chief of Police Somers speak about the hostage situation that occurred on Wednesday, August 8, at the Bank of America on IB. Chief Somers stated that a suspect entered the bank early. One employee fled while one employee hid, contacting the police. There was an estimated 15-second gap in seeing where the suspect went. The employee in the bank heard sounds indicating that the suspect was still inside. It was treated as a hostage situation. What is known now is that the suspect fled before the police arrived. The investigations are continuing. Another incident that occurred was a carjacking in the City of Burien. Four police cars were totaled in a pursuit that ensued, which included about 16 rounds being fired. It ended in SeaTac. Also, August 12, a pedestrian was hit on IB at South 195th Street. The pedestrian is in critical condition. Chief Somers stated that the vast majority of SeaTac pedestrian accidents are on IB.

Councilmember DeHan stated that a Residential Parking Ordinance is being developed and was briefly discussed at the T&PW Committee meeting with continued discussions scheduled for September's meeting.

RECESSED: Mayor Thompson recessed the Regular Council Meeting to an Executive Session on Property Acquisition at 7:36 p.m.

EXECUTIVE SESSION: Property Acquisition

RECONVENED: Mayor Thompson reconvened the Regular Council Meeting at 8:27 p.m.

ADJOURNMENT:

MOVED BY ANDERSON, SECONDED BY DEHAN TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 8:28 PM.

MOTION CARRIED UNANIMOUSLY.

Shirley Thompson, Mayor
Kristina Lowrey, Deputy City Clerk

SEATAC CITY COUNCIL REGULAR MEETING MINUTES

September 11, 2001 - 6:00 PM
City Hall Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Deputy Mayor Kathy Gehring-Waters at 6:05 p.m.

ROLL CALL: Present: Deputy Mayor Kathy Gehring-Waters; Councilmembers Gene Fisher, Frank Hansen (arrived at 6:15 p.m.), Joe Brennan, and Don DeHan. Excused Absence: Mayor Shirley Thompson and Councilmember Terry Anderson.

ADMINISTRATIVE STAFF: Calvin Hoggard, City Manager; Jay Holman, Assistant City Manager-Economic Development; Kristina Lowrey, Deputy City Clerk; Robert McAdams, City Attorney; Don Monaghan, Assistant Public Works Director; Elizabeth Spencer, Finance Director; Bob Meyers, Assistant Fire Chief; and Scott Somers, Chief of Police Services.

MOMENT OF SILENCE: Deputy Mayor Gehring-Waters requested a moment of silence for the devastation the United States of America felt on September 11, 2001.

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

CONFIRMATION OF MAYORAL APPOINTMENT:

Mayoral Appointment of one (1) Member to the Human Relations Advisory Committee

MOVED BY BRENNAN, SECONDED BY DEHAN TO CONFIRM THE MAYORAL APPOINTMENT OF JANICE RUST TO THE HUMAN RELATIONS ADVISORY COMMITTEE.

MOTION CARRIED UNANIMOUSLY.

Councilmember Brennan read the certificate and presented it to the newly appointed committee member.

INTRODUCTIONS:

New City Employees: Jana McBride, Administrative Assistant II - Finance; and Toni Martin, Administrative Assistant II - Code Enforcement

City Manager Hoggard introduced Toni Martin, Administrative Assistant II - Code Enforcement. Toni was born and raised in Renton, Washington. She began her work career at Jafco/Best Products for 10 years as the lead in the Electronics Department. She then attended Renton Technical College and received a Medical Office Assistant Certificate and worked in various departments at Virginia Mason Medical Center for over a period of eight years. Toni has taught Water Aerobics for 10 years at a local health club and is currently enrolled at South Seattle Community College in landscape design. She enjoys landscaping, cooking, forest/mountains, swimming, animals and biking. Toni has been married to Andy for over 10 years and currently resides in Renton.

Mr. Hoggard introduced Jana McBride, Administrative Assistant II - Finance. Prior to employment with the City, she held the position of Office Assistant at Beverly Park Elementary School in the Highline School District (HSD). Jana was also the General and Administrative Manager for Ingram Entertainment until it closed its Washington office. Jana was born in San Diego, California and raised in Winterset, Iowa. She is married and has an 11 year-old son. Jana and her family take pleasure in working together on community projects (i.e. Bike Rodeo). They also enjoy camping and fishing. Jana is on the Beverly Park PTA board and resides in South King County (KC).

PUBLIC COMMENTS: Cheryl Forbes, 5008 South 182nd Street, Secretary for the Highline Citizens for Schools, spoke on behalf of the school bond initiative. She thanked Council for the letter of support published in the Highline Times. She stated that she is a parent of a three year-old who will be attending school in the HSD. City support is vital

to the campaign. She reminded everyone to vote in the Primary Election on September 18, 2001.

Stewart Jender, 200 Southwest 178th Street, Normandy Park, reiterated Ms. Forbes remarks of appreciation for the Council support. More information on the bond initiative can be obtained by visiting the schools personally or visiting the website www.supporthighlineschools.com. He described some of the necessary changes that will be made if the bond is approved.

Phyllis Byers, 18302 29th Avenue South, stated that her husband and she were raised and educated in SeaTac. She thanked the Council for their generous support of Highline Schools in SeaTac. The Port of Seattle (POS), the Federal Aviation Administration (FAA), the State of Washington, and the HSD have entered into an agreement. With passage of this bond, sound installation will be ensured for the 15 schools affected by runway noise.

CONSENT AGENDA:

Approval of claims vouchers in the amount of \$419,517.22 for the period ending August 20, 2001.

Approval of claims vouchers in the amount of \$356.34 for the period ending August 31, 2001.

Approval of claims vouchers in the amount of \$1,244,488.11 for the period ending September 5, 2001.

Approval of employee vouchers in the amount of \$378,457.31 for the period ending August 15, 2001.

Approval of employee vouchers in the amount of \$497,033.29 for the period ending August 31, 2001.

Approval of firefighter vouchers in the amount of \$160.00 for the period ending August 31, 2001.

Approval of summary of \$5,000 - \$25,000 purchase requests for the period ending September 7, 2001.

Approval of Council Meeting Minutes:

Regular Council Meeting held July 24, 2001.

Regular Council Meeting held August 14, 2001.

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

MOTION CARRIED UNANIMOUSLY.

PRESENTATION:

Silent Witness Exhibit: Programs Coordinator Assefa-Dawson stated that SeaTac was able to obtain 11 of the 30 Washington State exhibits for viewing. These exhibits depict actual women who were murdered by their significant other in 1995. The 31st silhouette represents all the women's cases, which were unsolved or were not domestic violence. The goal of this exhibit is to eliminate domestic violence cases in the year 2010.

PUBLIC HEARING:

2002 Community Development Block Grant (CDBG) - City Manager

Deputy Mayor Gehring-Waters opened the Public Hearing at 6:25 p.m.

There were no comments, therefore, Deputy Mayor Gehring-Waters closed the public hearing at 6:26 p.m.

NEW BUSINESS:

Agenda Bill #2036

A Motion recommending the Allocation of City of SeaTac 2002 CDBG Funds - City Manager

Summary: For 2002, the City will be awarded \$245,113 (with a possibility of up to a 10 percent increase or decrease); a share of KC's \$7.3 million entitlement fund from Housing Urban Development (HUD). The recommended allocation was reviewed and forwarded by the Human Services Advisory Committee.

This item was not presented at a Study Session (SS) due to Council summer recess, and the timeline for submission to KC is the end of September. 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. CDBG funds are distributed to the Cities based on the City's share of the CDBG

Consortium's low and moderate-income population.

The pass-through Cities 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 and are not transferable from one category to the other. The Planning and Administration budget and Public Services ceilings are based on the projected entitlement and program income from loans paid back from the Community Development Interim Loan (CDIL), Housing Stability Project (HSP) and Housing Repair Program. Annually, KC prepares for possible decreases or increases in allocation, so the City is requested to have a contingency plan, should there be a change.

Ms. Assefa-Dawson reviewed the above summary.

MOVED BY BRENNAN, SECONDED BY FISHER TO ACCEPT AGENDA BILL NO. 2036.

MOTION CARRIED UNANIMOUSLY.

Agenda Bill #2047

A Motion authorizing Lease of Eight Photocopiers - Finance

Summary: The City has eight photocopier leases expiring this fall. Ten proposals from five different vendors were received in response to a recent request for bids. A staff committee was formed to look at various options presented by the vendors in their proposals. All copier vendors are moving toward digital machines, which are far more expensive than analog copiers. However, the City's current provider did offer the City an option to retain the current analog copiers for an extended term of 24 months. While two of the eight copiers currently require replacement, the remaining six are operating well and meet the needs of the users, so the lease extension is being recommended to allow for an overall assessment of needs following a move to a new City Hall (NCH). This recommendation also provides a two-year delay in absorbing the large cost increases associated with additional digital machines.

For the two machines that require replacement, digital copiers with comparable options and speed to the existing machines are proposed.

Finance Director Spencer reported that the City's current provider, Ikon Office Solutions, offered the City various options of extending current leases for 24 additional months at the current lease costs. A staff committee formed to review the proposals recommends that six existing analog copier leases be extended an additional 24 months and two existing machines, in Planning and City Clerk's offices, be replaced with new digital photocopiers with 48-month leases. The resulting increase in lease costs can be absorbed within the existing budget.

Councilmember DeHan stated that the Finance Committee recommends approval of this item.

MOVED BY BRENNAN, SECONDED BY DEHAN TO ACCEPT AGENDA BILL NO. 2047.

MOTION CARRIED UNANIMOUSLY.

Agenda Bill #2041

A Motion authorizing Preparation of Bid Documents for Issuance of Parking Tax Bonds - Finance

Deputy Mayor Gehring-Waters requested removal of this agenda bill for discussion at a future SS.

Agenda Bill #2035

A Motion authorizing Final Acceptance of the Purchase and Installation of the Computerized Irrigation Control System - Parks & Recreation

Summary: This Motion authorizes Council to accept completion of the installation of the Computerized Irrigation

Control System. TrueGreen Landcare, LLC has completed purchase, installation and training of the system.

On June 13, 2000 Council approved purchasing the Computerized Irrigation Controllers and two computers for a total project cost of \$45,768.94. Unfortunately, the project required two Change Orders adding an additional cost of \$4,625. Following is a breakdown of Change Order costs before sales tax: Change Order #1: \$1,625 (need for a strongbox enclosure for new satellite at South 188th Street/24th Avenue South); and Change Order #2: \$3,000 (lighting destroyed the irrigation controller at Angle Lake Park; need for grounding rods for proper grounding at each controller and computerized control unit location to prevent lighting from destroying the irrigation controllers).

Parks and Public Works staff have inspected and undergone training on the new system. The system is installed and functioning in the City parks and street landscape islands. The Computerized Irrigation Control System has saved labor and water for the City of SeaTac.

Parks & Recreation Director Ledbetter discussed the change orders in detail. The project came in under budget at a total cost of \$48,821.13 versus the \$51,000 budgeted.

MOVED BY HANSEN, SECONDED BY DEHAN TO ACCEPT AGENDA BILL NO. 2035.

MOTION CARRIED UNANIMOUSLY.

Agenda Bill #'s 2043, 2044, and 2045

A Motion approving the Intergovernmental Land Transfer Agreement between KC and the City of SeaTac relating to the Conveyance of Des Moines Creek Park (2043), Sunset Park (2044) and Grandview Park (2045) to the City - Parks & Recreation

Summary: In early 1990, ownership of Grandview Park; Sunset Park; and Des Moines Creek Park were not transferred from KC to the City along with the other parks. Parks & Recreation Director Ledbetter requested KC to transfer the three remaining parks to the City. The City Attorney has reviewed and approved the park transfer agreements from KC. Mr. Ledbetter presented the park transfer issue to the Land Use and Parks (LUP) Committee on February 9, 2001. The LUP Committee recommended sending the Land Transfer Agreement to the City Council for approval.

Council approved the park transfers at the February 27, 2001 Council Meeting. Then at the March 13 Council Meeting the park transfer was delayed for reconsideration and further review. City Manager Hoggard and Mr. Ledbetter met with KC again to find a means to receive KC's assistance with North SeaTac Park. After several meetings, it was concluded that the City will not receive any assistance from KC with the park or any other park.

Following are the deed restrictions for each park:

Des Moines Creek and Sunset Parks: The City covenants to operate and maintain the site in perpetuity as a public open space or as a public park's recreational facility except that the City may trade the site or part of the site for property of equal or greater parks and recreational value or open space value. The City will not limit access to the park so as to restrict usage by non-City residents and that any and all user fees, including charges made by any lessees, concessionaires, or other assignees shall be at the same rate for non-City residents as for the residents of the City, unless the City has imposed specifically dedicated resources to fund recreation programs, and such different fees provide for equitable contributions to be made by City and non-City residents.

Grandview Park: This conveyance is subject to the approval of the National Parks Service (NPS), and the General Services Administration (GSA) in accordance with the 1949 Federal Property and Administrative Services Act, as amended. The warranty herein is limited to the acts of the Grantor, and against claims and demands of all persons claiming by, through and under the Grantor herein.

The City covenants to operate and maintain the site in perpetuity as a public open space or as a public parks recreational facility. The City further covenants that it will not limit access to the park so as to restrict usage by non-City residents and that any and all user fees, including charges made by any lessees, concessionaires, or other assignees

shall be at the same rate for non-City residents as for the residents of the City, unless the City has imposed specifically dedicated resources to fund recreation programs, and such different fees provide for equitable contributions to be made by City and non-City residents.

Mr. Ledbetter stated that these three agenda items are related in that they are park transfers that did not occur due to KC not following through with the deeds to the City.

MOVED BY BRENNAN, SECONDED BY DEHAN TO ACCEPT AGENDA BILL NO. 2043.

MOTION CARRIED UNANIMOUSLY.

MOVED BY DEHAN, SECONDED BY BRENNAN TO ACCEPT AGENDA BILL NO. 2044.

MOTION CARRIED UNANIMOUSLY.

Discussion on Agenda Bill No. 2045 (Grandview Park):

Mr. Ledbetter stated that if the City does not want the property, it will revert back to KC. If KC does not want to keep the property as a park, it will revert back to the original owner, NPS. Then it would be NPS' decision as to what happens to the property. This park costs the City more money (\$100,000 a year) than what is received from revenue. It is estimated that only two percent of the users are SeaTac residents.

Discussion ensued as to park security issues. It was decided that the City of SeaTac, regardless of who owns the property, would respond to any police calls made to this property.

Discussion ensued as to possible ways to lower the costs to the City while maintaining the property as a park.

Councilmember DeHan stated that the City is assuming that the NPS will take over the property. He suggested the City allow KC the opportunity to explore its options.

Mr. Ledbetter stated that KC Parks Department is becoming part of the Department of Natural Resources and is trying to give away its current parks.

MOTION TO ACCEPT AGENDA BILL NO. 2045.

MOTION FAILED UNANIMOUSLY.

Agenda Bill #2048; Resolution #01-024

A Resolution authorizing the purchase of the Valley Ridge Corporate Center (VRCC) Office Building located at 4800 South 188th Street in the City of SeaTac - Legal

Summary: This Resolution confirms the Purchase and Sale Agreement (P&SA) for acquisition by the City of the VRCC Office Building and authorizes proceedings to close the transaction.

By Resolution No. 01-019, adopted on July 10, 2001, Council rejected all bids for construction of a NCH on property acquired for that purpose at 3521 South 188th Street within the City, and directed staff to pursue acquisition of an existing structure, known as the VRCC, located at 4800 South 188th Street within the City. On the same date, July 10, 2001, the Council enacted Ordinance No. 01-1015 authorizing acquisition of the VRCC through exercise of the power of eminent domain. The City's agent, Craig Kinzer & Company, negotiated terms of a purchase and sale under threat of, and in lieu of, eminent domain. The Council finds that the purchase is necessary for the public use of renovating the existing structure as the NCH, and is in the public interest.

CAPITAL COSTS

Purchase Price \$9,775,000

Estimated Closing Costs \$ 15,000
Rental Mitigation Payment *
(04/15/01 to 09/30/01) \$ 166,000
Total \$9,956,000

*Note: additional charges may accrue after September 30, 2001. In addition, an alternative optional payment can be made pursuant to Paragraph 13 of the P&SA.

PROFESSIONAL SERVICES

Kinzer Commission (2.5%) \$244,375

Kinzer Incentive Fee \$153,750

Estimated Subcontract Legal

and Other Fees \$ 5,000

Total \$403,125

The total purchase price will be paid from the Municipal Facilities Capital Improvement Program (CIP) Fund. The 2001 Annual Budget appropriated \$12.6 million for construction costs, which will instead be used for this property acquisition. An administrative line-item transfer from the construction account to the site acquisition account will be made and does not require separate Council approval.

MOVED BY BRENNAN, SECONDED BY DEHAN TO PASS RESOLUTION NO. 01-024.*

City Manager Hoggard stated that this Resolution authorizes the purchase of the VRCC Office Building. There have been extensive negotiations with the professional negotiator hired by the City.

City Attorney McAdams stated that even today four revised documents were received from the seller. He stated that an Executive Session prior to voting would be appropriate due to the possible property condemnation.

RECESSED: Deputy Mayor Gehring-Waters recessed the Regular Council Meeting to an Executive Session on Potential Litigation at 6:54 p.m.

EXECUTIVE SESSION: Potential Litigation

RECONVENED: Deputy Mayor Gehring-Waters reconvened the Regular Council Meeting at 7:39 p.m.

NEW BUSINESS (Continued):

Agenda Bill #2048; Resolution #01-024 (Continued): Craig Kinzer stated that the current (revised) P&SA has more favorable terms. The difference between the one placed in the Friday packet and the one distributed at this meeting is that the seller has agreed to remove language associated with the prepayment penalty. The purchase price is \$9,775,000, plus an additional rent cost of \$166,000.

*MOTION CARRIED UNANIMOUSLY.

Agenda Bill #2040; Ordinance #01-1025

An Ordinance creating the Building Management Fund and amending the 2001 Annual City Budget to provide for Anticipated Operating Costs - Finance

Summary: This Ordinance establishes a new City fund to account for operating revenues and costs associated with managing tenant leases at the newly acquired VRCC and provides a budget of activity for the remainder of 2001.

Upon signing of a P&SA to acquire the property commonly referred to as the VRCC, SeaTac assumes responsibility

for building maintenance, lease administration and other duties associated with the existing lease of office space in the building to various tenants. To ease the accounting for these activities, it is recommended that Council establish a new fund titled the Building Management Fund to account for rental revenues and operating costs for building maintenance, tenant improvements, and management services should they be contracted.

In order to provide City staff appropriation authority to pay any costs immediately necessary, it is also proposed that the 2001 City Budget be amended to provide revenue and expenditure budgets for the remainder of 2001.

Finance Director Spencer noted that upon the purchase closing by the City of the VRCC Office Building, the City will have to assume building management responsibilities.

MOVED BY HANSEN, SECONDED BY FISHER TO ADOPT ORDINANCE NO. 01-1025.

MOTION CARRIED UNANIMOUSLY.

Agenda Bill #2042; Resolution #01-025

A Resolution authorizing an Interfund Loan for Property Acquisition to be repaid from Bond Issue Proceeds - Finance

Summary: This Resolution authorizes a temporary loan from the City/Port ILA Fund to the Municipal Facilities CIP Fund to provide monies for the purchase of property commonly referred to as the VRCC.

On September 11, Council will consider a P&SA for the acquisition of the property commonly referred to as the VRCC for a NCH. This purchase is expected to close before a revised City Hall project budget is developed and necessary financing is obtained. Therefore, it is recommended that the Council approve this Resolution authorizing a temporary loan of funds available in the ILA Fund to the Municipal Facilities CIP Fund. This temporary loan would be repaid, with interest, upon issuance of bonds to fund the NCH project. The interest rate to be applied to the loan will adjust monthly based on the net interest rate earned by the City for funds deposited in the Local Government Investment Pool.

Finance Director Spencer noted that the VRCC purchase will be completed prior to the determination of a project budget for the NCH and issuance of bonds to fund the project.

MOVED BY BRENNAN, SECONDED BY HANSEN TO PASS RESOLUTION NO. 01-025.

MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENTS: There were no public comments.

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

COUNCIL COMMENTS: Councilmember Hansen questioned if a Resolution was needed to retain Craig Kinzer and Company to handle the lease. Mr. Hoggard stated that this item would be before Council at the September 18, 2001 Special Council Meeting.

Councilmember DeHan distributed a handout to the Council on the residential parking options to be discussed at the next Transportation and Public Works (T&PW) Committee Meeting.

Deputy Mayor Gehring-Waters stated that the City Manager has asked for input on the renovation of the VRCC and has yet to receive any. She appointed Councilmembers Hansen and Brennan to sit on a renovation committee with City Manager Hoggard and staff.

ADJOURNMENT:

MOVED BY BRENNAN, SECONDED BY DEHAN TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 7:49 PM.

MOTION CARRIED UNANIMOUSLY.

**Kathy Gehring-Waters, Deputy Mayor
Kristina Lowrey, Deputy City Clerk**

SEATAC CITY COUNCIL SPECIAL MEETING MINUTES

September 18, 2001 - 6:00 PM
City Hall Council Chambers

Upon a request by Deputy Mayor Kathy Gehring-Waters, prior to commencement of the Special Council Meeting (SCM), City Attorney McAdams stated that without a quorum, the agenda items of both the SCM and the regularly scheduled Study Session (SS) could still be discussed but that no action could be taken.

After some discussion with the attending Councilmembers, Deputy Mayor Gehring-Waters declared the SCM and the SS cancelled due to a lack of a quorum with two members out of town, one recovering from surgery and another incurring a death in the family. Attending Councilmembers concurred with this action. After further discussion, Deputy Mayor Gehring-Waters and the attending Councilmembers concurred that the items on the SCM and the SS be set over to the September 25, 2001 Regular Council Meeting (RCM).

Deputy Mayor Gehring-Waters allowed Public Comments to be part of the record.

PUBLIC COMMENTS: Pat Carter, 3041 South 204th Street, stated that an article in the Primary Voters' Pamphlet stated that she chaired the 2001 International Parade Committee. She stated that this information is incorrect. The City staff worked very hard on this year's committee and deserves credit for their participation. She, with the assistance of her daughter, Carolyn Cloutier, chaired the 2000 Parade Committee. She stated that this endeavor takes a lot of time and effort and the persons responsible for its success should be acknowledged. Secondly, she stated that the City's Friday Letter and City Council Meeting minutes erroneously indicated that she was concerned that approximately \$16 million would be spent to build a new City Hall (NCH). She stated that she was not concerned about the dollar amount but rather with the fact that an existing office building was being purchased rather than following through with construction of a NCH.

A representative of the Highline Botanical Garden Volunteer Committee agreed to the rescheduling of their SS presentation, in as much as a member of their panel was not in attendance this evening.

CITY MANAGER'S COMMENTS: City Manager Hoggard stated that the Purchase and Sale Agreement for the Valley Ridge Corporate Center (VRCC) has been signed by the City and the Seller. The closing of the sale will occur the first of October 2001 and at that time, the City will own this building.

COUNCIL COMMENTS: Deputy Mayor Gehring-Waters added that Mayor Thompson was recovering from her recent surgery quite well and will soon be back on the Council. Secondly, she mentioned that a member of the City's Human Resources staff, Stephanie Owens, incurred a serious tragedy with the death of her daughter, Ivy, in a vehicle accident on September 16. Mrs. Owens is a valued staff member. The Council sends their sympathy and prayers to the Owens family. In addition the Council extended its sympathy to Councilmember DeHan and family on the loss of his sister.

ADDITIONAL PUBLIC COMMENT: Paul Takashima, 11840 Roseburg Avenue South, Seattle, Vice President, North SeaTac Equestrian Association, reported on the safety issues relating to the North SeaTac Park. The group has been monitoring the park and through participation in a Crime Prevention through Environmental Design (CPTED) Class instructed by SeaTac Police Officer Doug Reynolds, a picture report was done to expose the safety needs in the park for future government funding. The group is scheduled to present their findings and recommendations to King County Executive Ron Sims' Office and the King County Council. Mr. Takashima stated that SeaTac has created excellent signage and maintenance of specific areas, however, the Equestrian Association is still concerned with other safety issues.

Deputy-Mayor Gehring-Waters adjourned the City Council meeting at 6: 20 p.m.

Kathy Gehring-Waters, Deputy Mayor

Judith L. Cary, City Clerk

SEATAC CITY COUNCIL REGULAR MEETING MINUTES

September 25, 2001 - 6:00 PM
City Hall Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Deputy Mayor Kathy Gehring-Waters at 6:05 p.m.

ROLL CALL: Present: Deputy Mayor Kathy Gehring-Waters; Councilmembers Gene Fisher, Terry Anderson, Joe Brennan, and Don DeHan. Excused Absence: Mayor Shirley Thompson and Councilmember Frank Hansen.

ADMINISTRATIVE STAFF: Jay Holman, Assistant City Manager-Economic Development; Judith Cary, City Clerk; Robert McAdams, City Attorney; Bruce Rayburn, Public Works Director; Don Monaghan, Assistant Public Works Director; Tom Gut, Public Works Assistant Engineering Manager; Elizabeth Spencer, Finance Director; Kit Ledbetter, Parks & Recreation Director; Bob Meyers, Assistant Fire Chief; and Scott Somers, Chief of Police Services.

FLAG SALUTE: Dick Jordan, SeaTac resident, led the Council, staff and audience in the Pledge of Allegiance.

PUBLIC COMMENTS: Mike Siefkes, 16808 37th Avenue South, spoke on a neighborhood concern to the local residents, a stand-alone basketball hoop, situated on the unpaved driveway of 16803 37th Avenue South. Mr. Siefkes stated he would like the hoop removed as that area is the gathering place for youths who tend to harass each other and the children leaving McMicken Heights Elementary School (across the street from the subject area), block traffic, attracts anti-social persons of all ages (10 to 40 year olds), drugs and other offensive behavior.

City Attorney McAdams stated that Council has addressed this issue several times in the past. He suggested to Council that a City Code Enforcement Officer investigate this residence.

Dick Jordan, 16060 Military Road South, a McMicken Heights Community Club member, stated he is familiar with the subject area. He mentioned that the club is holding a community meeting on October 14 at Chinook Middle School to seek answers and a place(s) for the youth to have constructive activities. He invited Mr. Siefkes to bring this issue forward to the club at this meeting.

CONSENT AGENDA:

Approval of claims vouchers in the amount of \$603,229.98 for the period ending September 20, 2001.

Approval of employee vouchers in the amount of \$369,934.86 for the period ending September 15, 2001.

Approval of summary of \$5,000 - \$25,000 purchase requests for the period ending September 21, 2001.

Approval of Council Meeting Minutes:

Council Budget Workshop II held September 11, 2001.

Special Council Meeting of September 18, 2001.

Acceptance of Advisory Committee Minutes:

Civil Service Commission Meeting held June 11, 2001 (commission approved September 10, 2001).

Human Relations Advisory Committee Meeting held July 22, 2001 (committee approved September 19, 2001).

Human Services Advisory Committee Meeting held August 6, 2001 (committee approved September 10, 2001).

Planning Advisory Committee Meeting held July 23, 2001 (committee approved September 10, 2001).

Senior Citizens Advisory Committee Meeting held July 19, 2001 (committee approved August 16, 2001).

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

MOTION CARRIED UNANIMOUSLY.

NEW BUSINESS:

Agenda Bill #2065; Resolution #01-026

A Resolution condemning the recent Terrorist Attack on the United States of America; commemorating the Victims; and expressing support for Relief Efforts and for our National Leaders - City Council

Summary: This Resolution condemns the September 11, 2001 terrorist attack, commemorates victims, encourages support for relief efforts, and encourages tolerance and support of all peace and freedom loving persons of any nationality or religion.

The proposed Resolution is based upon statements of President George W. Bush, publications of the National League of Cities and the U.S. Equal Employment Opportunity Commission, as well as original expressions of resolve and determination by City Councilmembers and City staff. The Resolution will express publicly the position of this City Council in support of the on-going resolve of our Country, and its National leaders, to eradicate terrorism. In addition, the proposed Resolution encourages local tolerance and friendship in regard to all freedom and peace loving persons of any nationality, religion, or other diverse background.

Assistant City Manager Holman summarized the above statement. He added that the Hotel/Motel Tax Advisory Committee sent out blank sympathy notes to the various businesses in City and in City Hall on which persons could write their words of caring and encouragement to the people involved in the September 11 National tragedy. To date, over 500 of these notes have been returned to City Hall for send off to the Mayors of the involved Cities and the President of the United States, along with a cover letter signed by the Mayor of SeaTac.

Councilmember Fisher stated that most everyone has been emotional or financially touched by this terrible event. He mentioned that his fishing business has been shut down and his daughter has been drafted back into the military due to the recent tragedy.

MOVED BY FISHER, SECONDED BY BRENNAN TO PASS RESOLUTION NO. 01-026.

MOTION CARRIED UNANIMOUSLY.

Agenda Bill #2062

An Ordinance amending the 2001 Annual City Budget for Software Licensing - Finance

Deputy Mayor Gehring-Waters stated that Council concurred to remove this item from the evening's agenda for discussion during the 2002 budget workshop process.

Agenda Bill #2060

A Motion authorizing the City Manager to execute a Contract for Surveying the proposed Parks and Public Works Maintenance Facility Site - Parks & Recreation

Summary: This Motion authorizes execution of a contract with David Evans & Associates, Inc. to perform a land survey of the 4.3-acre site for the facility.

Staff is currently in the process of assembling needed information for the facility. The services of a consultant are needed in order to perform a base map survey to accurately design the new maintenance shop. The City and the Port of Seattle (POS) will finalize the agreement to use the site as a maintenance shop and bring it to the City Council in October. The survey is needed to help complete negotiations with the architect.

Bid proposal results are as follows: David Evans & Associates, Inc. - \$9,880, DHA Duane Hartman & Associates, Inc. - \$9,939.36, Huitt-Zollars, Inc. - \$10,900, and Dowl Engineers - \$12,340. The project total budget is \$2,000,000.

Parks & Recreation Director Ledbetter summarized the above statement.

Councilmember Fisher reiterated his request to review the costs on this project to contract out this work verses the cost after the facility is built. He added that private industries are currently shying away from maintenance facilities and contracting such work. He stated that the Port is proposing such a facility in the north end and suggested staff

investigate the possibility of sharing the facility. Councilmember Anderson stated that this issue was discussed at the Joint Advisory Committee (JAC) meeting and the POS is not interested in sharing the facility.

Mr. Ledbetter added that he would answer Councilmember Fisher's concerns as to the costs involved in contracting out the surveying for this project.

MOVED BY ANDERSON, SECONDED BY BRENNAN TO ACCEPT AGENDA BILL NO. 2060.

MOTION CARRIED UNANIMOUSLY.

Agenda Bill #2046; Resolution #01-027

A Resolution fixing the Date and Time for a Public Hearing to consider the merits of vacating certain Street Rights-of-Way (ROW) abutted on both sides by Port of Seattle (POS) and State of Washington Property - Public Works

Summary: This Resolution sets October 23, 2001 at 6:00 p.m. as the date and time to conduct a public hearing to consider the merits of vacating street ROWs abutted by POS and Washington State property.

The City has agreed with the POS, as documented in the City/Port Interlocal Agreement (ILA) dated September 4, 1997, to vacate certain ROWs and to receive direct and community relief payments as compensation for the ROWs and partial mitigation for the impacts from the third runway and its construction. The Washington State Department of Transportation (WSDOT) has indicated that it will need the ROWs adjacent to its ownership in connection with the construction of SR 509. The POS and Washington State own all the property abutting these ROWs, which are listed in the ILA.

The procedures for the vacation of a public ROW are defined in the Revised Code of Washington (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 23, 2001 has been selected as the regularly scheduled City Council Meeting that meets these criteria.

The POS will reimburse the City for the vacation of these ROWs in accordance with the terms and conditions agreed to in the ILA and State law.

Assistant Public Works Director Monaghan briefed the Council on the above summary, outlining the areas proposed to be vacated.

Councilmember DeHan stated that the POS needs this property as the borrow pit for soil for the construction of its third runway. Councilmember Anderson stated that the POS is reimbursing the City for these roads. Mr. Monaghan added that this money is specified in the ILA, as well as is the additional Land Improvement District (LID) monies and will be the final payment of the \$6 million, including all interest. The payment, based on an estimated payment date of November 2, will be \$358,754.

Councilmember Brennan stated that he does not want to give up the 28th Avenue South property until the POS can guarantee an exit/entrance off South 188th Street. Mr. Monaghan stated that he has been working with the POS to gather information to resolve the access issue and will bring this information back to Council.

Public Works Director Rayburn added that this item is on the next JAC meeting agenda. Councilmember Brennan agreed to attend that meeting in place of Councilmember Anderson who will not be available to attend.

MOVED BY BRENNAN, SECONDED BY FISHER TO PASS RESOLUTION NO. 01-027.

MOTION CARRIED UNANIMOUSLY.

Agenda Bill #2049

A Motion authorizing the City Manager to enter into a Memorandum of Understanding (MOU) with the Port

of Seattle (POS) to incorporate Airport Related Infrastructure Improvements into the International Boulevard (IB) Phase III Improvements - Public Works

Summary: The POS has identified various infrastructure improvements to support activity at Seattle/Tacoma International Airport. These proposed improvements are located in the area of the City's IB Phase III improvements. A MOU is necessary to identify the terms by which the POS's improvements can be incorporated into the City's Phase III project.

The POS has identified improvements to sewer, electric power, communications and natural gas utilities that are needed to support airport related activity. In addition, the 1997 City/Port ILA identified responsibility for certain channelization and signalization improvements at the IB and South 160th Street intersection.

The proposed MOU outlines the terms by which POS's improvement items will be incorporated into the City's construction plans for the Phase III project. The POS will be responsible for the design, permits and preparation of plans and specifications. The City will be responsible for advertising the project, awarding the contract and inspecting. By incorporating the POS's work into the City's project, public inconvenience will be minimized and incorporating the POS's work into the City's project will eliminate future pavement excavations.

Under terms of the MOU, the POS would reimburse the City for costs incurred.

Public Works Assistant Engineering Manager Gut briefed the Council on the above summary outlining the various components of the infrastructure improvements.

Councilmember DeHan stated that this item was presented at the T&PW Committee and the committee recommended it for Council approval.

MOVED BY DEHAN, SECONDED BY BRENNAN TO ACCEPT AGENDA BILL NO. 2049.

MOTION CARRIED UNANIMOUSLY.

Agenda Bill #2050

A Motion authorizing the City Manager to enter into an Interlocal Agreement (ILA) with the City of Tukwila for Conversion of Overhead Services Lines in conjunction with the International Boulevard (IB) Phase III Improvement Project - Public Works

Summary: Existing overhead utility distribution lines will be converted to underground as part of the IB Phase III Improvement Project. The conversion work includes distribution lines adjacent to property and businesses in Tukwila from South 160th Street to SR 518. An ILA is needed to facilitate the conversion of overhead service lines for those affected properties and businesses in Tukwila.

As part of SeaTac's IB Phase III Improvements, the overhead distribution lines will be converted to underground. The City of SeaTac has been working with the affected utilities, Seattle City Light, Puget Sound Energy (PSE), Qwest and AT&T to develop plans and specifications to be included in the City's IB Phase III improvements. In the project corridor, Seattle City Light provides electric power north of South 160th Street and PSE provides service south of South 160th Street. The distribution lines are owned and operated by the respective utilities. The City of SeaTac's Municipal Code (SMC), Chapter 11.20, requires owners of real property abutting an underground project to be responsible for converting to underground service. In this situation, it is impossible to enforce the SMC beyond its City boundary and require businesses in Tukwila to convert their service lines to underground. However, the City of Tukwila has a similar Underground Ordinance in place and desires the affected service lines to be converted. It is also in the City of SeaTac's best interest to see the service lines converted to underground.

By entering into an ILA, both Cities affirm their desire for the service lines to be converted along with the distribution lines. The City of SeaTac would act as the lead and, upon availability of the new underground distribution system, notify the affected property owners of the requirement to convert their service lines. Approximately six businesses

would be affected.

Public Works Assistant Engineering Manager Gut briefed the Council on the above summary outlining the various components of the underground utility conversion that will occur with the project.

Councilmember DeHan stated that this item was presented to the T&PW Committee and the committee recommended it for Council approval. He added that when the City was first incorporated, the Boundary Review Board gave SeaTac the responsibility of the entire street, not just to the centerline. It is the City's responsibility to take the action needed to underground the utilities. This ILA states that the City of Tukwila will require the six affected businesses in their City to comply with the undergrounding project.

MOVED BY DEHAN, SECONDED BY BRENNAN TO ACCEPT AGENDA BILL NO. 2050.

MOTION CARRIED UNANIMOUSLY.

Agenda Bill #2039

A Motion extending the City Manager's Employment Contract retroactively effective as of May 1, 2001 -City Manager

Summary: A City Manager Employment Agreement was entered into between the City and Calvin Hoggard on April 3, 1996, with an effective commencement date of May 1, 1996. Section 6 thereof provides for a performance review by the City Council at six-month intervals. Section 4 of the agreement provides for extensions of the initial 24-month duration, in the following language: "At any time before the remaining term of this agreement or any subsequent extensions, equals not less than one year, the City, with agreement of the employee, may extend the term of this Agreement for an additional six months or more. The City hereby agrees to make its decision as to extension of the term of this agreement and to notify the employee of that decision before the remaining term of this agreement, or of any subsequent extensions, is less than one year."

The agreement has been extended for one-year periods on May 27, 1997, April 28, 1998, August 10, 1999, and April 25, 2000. To comply with terms of the agreement, the Council should have formally made its decision whether or not to extend the term by May 1, 2001, and, therefore, needs to make this decision as soon as possible.

Because the agreement is to be extended, if at all, prior to one-year before its termination date, it is appropriate that the effective date of the extension herein be made retroactive to May 1, 2001. At a minimum, in order to meet the contractual requirement for an extension decision before the remaining term is less than one year, an extension, at least until this date of next year, would be required.

Extension obligates the City to pay salary and benefits through April 30, 2003, unless the agreement should be earlier terminated pursuant to its terms.

MOVED BY DEHAN, SECONDED BY BRENNAN TO ACCEPT AGENDA BILL NO. 2039.

MOTION CARRIED UNANIMOUSLY.

Agenda Bill #2061

A Motion approving the Leasing Services Agreement with W. C. Kinzer and Company - City Manager

Summary: This Motion approves the Leasing Services Agreement with Craig Kinzer & Co. for their services in regard to renewing, relocating and possibly terminating leases in the Valley Ridge Corporate Center (VRCC).

The City expects to have responsibility for the leasing of tenant space in the VRCC beginning October 1, 2001. Several tenants have leases about to expire and one or more present tenants will probably need to be moved. The City desires a proven, full service real estate consulting company to facilitate tenant renewals, terminations and/or relocations within the building. Mr. Kinzer & Co. is a proven real estate firm.

The proposed contract commences August 16, 2001 and terminates June 30, 2002. Cost to the City is estimated at \$54,153 for two lease renewals and one renewal/relocation. The cost will increase if additional leasing services are purchased.

Assistant City Manager Holman briefed the Council on the above summary.

Councilmember Anderson questioned the Federal Aviation Authority's (FAA) location on the 2nd floor. Mr. Holman explained that the plan currently is for the City to use the 1st and 2nd floors of the building. However, upon termination of the FAA's lease, if they were to consider moving out of the building, the 3rd floor could be negotiated.

Councilmember Anderson added that ecological barriers have been placed in the VRCC's parking lot due to the national movement to secure FAA locations. Mr. Holman replied that the local FAA is not pleased with the placement of the barriers. They expect their removal within a few weeks. The barriers will then be available for City use. Mr. Holman added that the City is researching the possibility of additional parking, both across the South 188th Street exit from the freeway and across Military Road on State property.

MOVED BY BRENNAN, SECONDED BY DEHAN TO ACCEPT AGENDA BILL NO. 2061.

MOTION CARRIED UNANIMOUSLY.

Agenda Bill #2064

A Motion authorizing the City Manager to execute a Professional Services Agreement with Arai/Jackson Architects and Planners, for Predesign Services in regard to renovation of the Valley Ridge Corporate Center (VRCC) as the New SeaTac City Hall - City Manager

Summary: Arai/Jackson was selected in a competitive selection process as the architect for the new City Hall (NCH) at 3521 South 188th Street, SeaTac. The proposed location of the NCH has changed, but the Council's City Hall Renovation Ad Hoc Committee directed that Arai/Jackson be selected Arai/Jackson to continue to assist the City in this project. The Ad Hoc Committee felt that with the company's previous experience with issues directly relating to the design of NCH and its knowledge of the City's proposed program, Arai/Jackson is best prepared to provide predesign services for renovating the VRCC to serve as the NCH in a timely manner. The contract may be amended as to minor details at the discretion of the City Manager. The costs of Aria/Jackson's services are based upon hourly rates with total compensation not to exceed \$129,150.

Assistant City Manager Holman briefed the Council on the above summary.

Councilmember Brennan stated that continuing to employ this firm seems only logical, as they are most knowledgeable in the Council's directions and the functioning needs of City Hall.

Councilmember DeHan agreed with Councilmember Brennan's remarks. He advised a performance system be implemented to monitor the cost and schedule more closely. Mr. Holman stated he believed it was City Manager Hoggard's intent to hire a project manager to oversee this aspect of the project.

MOVED BY BRENNAN, SECONDED BY ANDERSON TO ACCEPT AGENDA BILL NO. 2064.

MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENTS: There were no public comments.

CITY MANAGER'S COMMENTS: Assistant City Manager Holman stated that a Special Study Session is being arranged to review the Hughes Property proposals on October 16 from 9 a.m. to noon with a Council Budget Workshop to follow from 1 to 4 p.m. and the Regular Council Meeting at 6 p.m. Council will verify if their schedules are open to the date and time of this Special Study Session and inform the City Manager's Office.

COUNCIL COMMENTS: Councilmember DeHan stated his appreciation of the many expressions of sympathy concerning the recent passing of his sister.

Councilmember Anderson mentioned that Bob Hankins, an active resident in the City, recently had a stroke and is in Providence Hospital. Cards of concern would be appreciated from the City, especially from the community center where Maxine and Bob Hankins' perform their musical medleys every Wednesday for the Senior Lunches.

Councilmember Brennan stated that prior to this meeting, a Budget Workshop was held to discuss the need for changes in the 2002 budget due to the recent attack on the nation. The City has taken a large cut of an estimated \$1.5 million due to its tax revenue generated mainly from the airport industry and related businesses. Also, Initiative 747, if passed, will lower the City's and other Cities revenues. The one percent funding of Hotel/Motel Taxes will not be affected. He suggested that some of this tax funding be expended to further promote the City during this economy-stricken time. He requested staff schedule a special meeting for the committee, Council, hotel/motel representatives, the POS, and others interested in attending to discuss ways to endorse the City's hospitality provisions.

Councilmember Anderson questioned whether the City could use some of the Hotels/Motel monies for a temporary Code Enforcement Officer to clean up IB.

Councilmember DeHan added to Councilmember Brennan's statement. He stated that visitors renting rooms within the City generate hotel and motel revenues. The final goal is for the funds to increase the percentage of occupancy of the hotels and motels. Therefore, it would seem appropriate to spend some of the monies to create and sustain the City's revenues.

Deputy Mayor Gehring-Waters stated that the Finance Committee met this afternoon and discussed the decreases in the 2002 revenues and its affect on the City's budget. Secondly, she stated she spoke with the City Manager after the Council received an email from the Southwest County Chamber of Commerce Executive Committee requesting the City of SeaTac name the three top issues to work on with Tukwila and Burien. She stated that City Manager Hoggard agreed with her that the City not plan to team with Tukwila and Burien at this time as their issues are not those of SeaTac. The City's desires of the Chamber will be discussed further.

ADJOURNMENT:

MOVED BY ANDERSON, SECONDED BY DEHAN TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 6:47 P.M.

MOTION CARRIED UNANIMOUSLY.

Kathy Gehring-Waters, Deputy Mayor
Judith L. Cary, City Clerk

SEATAC CITY COUNCIL SPECIAL MEETING MINUTES

October 2, 2001 - 6:00 p.m.
City Hall Council Chambers

CALL TO ORDER: The SeaTac City Council Special Meeting was called to order by Deputy Mayor Kathy Gehring-Waters at 6:02 p.m.

ROLL CALL: Present: Deputy Mayor Kathy Gehring-Waters; Councilmembers Frank Hansen, Terry Anderson, and Joe Brennan. Excused Absence: Mayor Shirley Thompson, Councilmembers Gene Fisher and Don DeHan.

ADMINISTRATIVE STAFF: Calvin Hoggard, City Manager; Jay Holman, Assistant City Manager-Economic Development; Judith Cary, City Clerk; Robert McAdams, City Attorney; Elizabeth Spencer, Finance Director; Kit Ledbetter, Parks & Recreation Director; and Scott Somers, Chief of Police Services.

FLAG SALUTE: Tom Dantzler, SeaTac business owner, led the Council, staff and audience in the Pledge of Allegiance.

CONSENT AGENDA:

Approval of Council Meeting Minutes:

Council Workshop held September 26, 2001.

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

MOTION CARRIED UNANIMOUSLY.

ADJOURNMENT:

DEPUTY MAYOR GEHRING-WATERS ADJORNED THE SPECIAL MEETING OF THE SEATAC CITY COUNCIL AT 6:03 P.M.

Kathy Gehring-Waters, Deputy Mayor
Judith L. Cary, City Clerk

(The regularly scheduled Study Session immediately followed this Special Council Meeting.)

SEATAC CITY COUNCIL REGULAR MEETING MINUTES

October 23, 2001 - 6:00 PM
City Hall Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Deputy Mayor Kathy Gehring-Waters at 6:01 p.m.

ROLL CALL: Present: Deputy Mayor Kathy Gehring-Waters; Councilmembers Gene Fisher, Frank Hansen, Terry Anderson, Joe Brennan, and Don DeHan. Excused Absence: Mayor Shirley Thompson.

ADMINISTRATIVE STAFF: Calvin Hoggard, City Manager; Jay Holman, Assistant City Manager-Economic Development; Judith Cary, City Clerk; Robert McAdams, City Attorney; Bruce Rayburn, Public Works Director; Don Monaghan, Assistant Public Works Director; Tom Gut, Public Works Assistant Engineering Manager; Elizabeth Spencer, Finance & Systems Director; Kit Ledbetter, Parks & Recreation Director; Jim Downs, Fire Chief; Bob Meyer, Assistant Fire Chief; MaryAnn Cromwell, Fire Department Administrative Assistant III; and Scott Somers, Chief of Police Services.

FLAG SALUTE: Janet Klingshirn, Firefighter, led the Council, staff and audience in the Pledge of Allegiance.

CONFIRMATION OF MAYORAL APPOINTMENT:

Mayoral Appointment of one (1) Member to the Human Services Advisory Committee

MOVED BY BRENNAN, SECONDED BY DEHAN TO CONFIRM THE MAYORAL APPOINTMENT OF JANELLE MCCRAY AS A MEMBER TO THE HUMAN SERVICES ADVISORY COMMITTEE.

MOTION CARRIED UNANIMOUSLY.

Councilmember Brennan read the certificate and Deputy Mayor Gehring-Waters presented it to the appointee, Janelle McCray. The Council thanked Ms. McCray for volunteering to serve the City on this committee.

INTRODUCTIONS:

New Firefighter: Janet Klingshirn, Firefighter

City Manager Hoggard introduced the City's first female Firefighter, Janet Klingshirn. Recruit Firefighter Klingshirn was accompanied by her close friend, Federal Way Firefighter Todd Williams. Firefighter Klingshirn was hired on July 16 and was sent to the Washington State Fire Academy in North Bend, where she graduated on October 10. She is a native Washingtonian and comes to the City with exceptional credentials and experience: an Associate Degree from Edmonds Community College with a Major in Business and Technological Management. Her work experience is: five years as a Project Manager with the Boeing Corporation and seven years with the North Shore Utility District, responsible for human relations, payroll and accounting. Her community service involvement includes: serving for six years as a 4-H Leader, also served as a community lifeguard and swim and water aerobics instructor. Being the first female Firefighter in a department is not new to her as she previously was the first female resident Firefighter at Skyway Fire District 20 and one of the first at Vashon Fire District 13, where she was employed at the time the City hired her. Her brother-in-law is a company commander with the Seattle Fire Department and introduced her to the Fire Service as a career and served as her mentor. Yesterday was her first 24-hour shift as a Firefighter and she has been assigned to Engine-45 (headquarters station) on B-shift. Council welcomed Firefighter Recruit Klingshirn to the SeaTac City Staff.

New City Employee: Jamie Kerin, Office Technician (Replacement Position) - Court

City Manager Hoggard introduced Jamie Kerin, the City's new Court Office Technician. Mrs. Kerin worked in the SeaTac Municipal Court in 1992 and 1993 and has now rejoined the Court staff effective September 17. Jamie has worked in the judicial system for several years in both municipal and district courts. In her free time, she enjoys hiking, fishing, hunting and all outdoor sports. Jamie resides in Kent with her husband, Brendan. He is a Tukwila Police Officer and has recently been reactivated as Chief in the Coast Guard Reserves. The Council welcomed Mrs.

Kerin back to SeaTac.

PUBLIC COMMENTS: *The following individuals spoke in opposition to the passage of Agenda Bill No. 2054, reasoning that the land trade between the City of SeaTac and the Port of Seattle (POS) would diminish the value, acreage, and proper usage of North SeaTac Park (NSTP). The speakers voiced their rationale for wanting the park to remain for the following usage: walking trails, horseback riding, BMX bike trails, and other recreational utilization. They felt that having commercial business adjacent to the park activities would impair the park's recreational purposes. The noise level would increase and disrupt the atmosphere of a park setting. Acreage would be lost and the business traffic would affect the safety of users, especially children.*

The speakers were: Dan Norton, Marymoor Velodrome Association, 19719 Military Road South; Greg Butler, Highline Botanical Garden member, 14451 11th Avenue Southwest, Des Moines; Claudia and Chris Konker, Residential Homeowners' Group, 14018 29th Avenue South, spoke on behalf of nine other homeowners listed on a submitted petition; Chris Titus, BMX Bike Club member, 12318 Military Road South, Seattle; Tyler Twiggs, BMX Bike Club member, 12318 Military Road South; Craig Homan, 12809 24th Avenue South; Paul Takashima, President of the North SeaTac Equestrian Club, 11840 Roseburg Avenue South, Seattle, spoke on behalf of NSTP users listed on a submitted petition; Michael Wicklund, 21635 14th Avenue South; Sean Wittmer, Cyclist, 4707 46th Avenue Southwest; Elizabeth Jones, Equestrian, 2218 South 136th Street; and Courtney Cockim, 14210 26th Lane South.

PRESENTATION:

3rd Quarter 2001 Financial Report

Finance Director Spencer provided a summary of financial operations for the quarter ending September 30, 2001. General Fund revenues are on target with the budget projections for the year, with property tax revenue slightly behind due to the October 31 second installment due date. Sales tax revenue reflected only eight months due to the delay in receiving collections from the Department of Revenue, so this revenue is ahead of the September 30 target date. Other General Fund revenues are on pace to meet budget projections for the year, with gambling tax, franchise fees and inspection fees over budget, while permit and traffic infraction revenues are down. Ms. Spencer noted that the City has collected \$761,000 in sales tax on capital projects at the Airport as of September 30. This revenue is earmarked for capital outlay or other one-time expenditures in the year following receipt.

Summarizing General Fund expenditures, Ms. Spencer noted that salary and benefit costs are slightly below budget as of September 30, showing a small savings from vacancies and a reduction in the contribution rates for pension plans. Other services and charges as of September 30 represent only 52.3 percent of the annual budget primarily due to the fact that King County has only billed for seven months of police services. Transfers to other funds are well below budget due to \$560,000 projected for City Hall bond debt service, which will instead be transferred directly to the City Hall project fund. Capital outlay is well below budget due to the fact that Angle Lake Park improvements have been delayed until next year.

The 2001 Budget projects a \$619,000 reduction in the General Fund balance. As of September 30, however, the General Fund reports an operating surplus of \$2.5 million.

Providing a brief summary for other significant funds, Ms. Spencer noted that the City Street Fund revenues and expenditures as of September 30 are on pace with the annual budget. Revenue of the Arterial Street Fund is on pace as of September 30, but a shortfall is likely to occur in the 4th quarter due to reduced parking tax collections as a result of the September 11 terrorist attacks and a reduction in air travel. Expenditures of the Arterial Street Fund are well below budget due to delays in capital projects. Revenue in the Municipal Facilities Capital Improvement Program (CIP) Fund is well below budget due to an anticipated 2001 bond issue for the new City Hall (NCH), but the bond issue will not occur until 2002. The purchase of the Valley Ridge Corporate Center (VRCC), which occurred in September 2001, will be funded in the short-term through an inter-fund loan, which results in a September 30 fund balance deficit.

Revenues and expenditures in the Transportation CIP Fund are well below budget projections due to delays in capital projects such as International Boulevard (IB) Phase III. Revenues in the Surface Water Management (SWM) Utility Fund are below budget projections due to the 2nd installment due date of October 31. SWM Utility Fund expenditures

are below budget due to bond debt service payments due on December 1. SWM Construction Fund revenue exceeds the budget for the year to date due to unanticipated proceeds of a Public Works Trust Fund loan. Expenditures are well below budget in this fund due to the timing of capital improvements.

CONSENT AGENDA:

Approval of claims vouchers in the amount of \$1,069,520.21 for the period ending October 5, 2001.

Approval of claims vouchers in the amount of \$822,530.57 for the period ending October 20, 2001.

Approval of employee vouchers in the amount of \$365,861.58 for the period ending October 15, 2001.

Approval of summary of \$5,000 - \$25,000 purchase requests for the period ending October 19, 2001.

Approval of Council Meeting Minutes:

Study Session held October 2, 2001.

Council Budget Workshop III held October 9, 2001.

Regular Council Meeting held October 9, 2001.

Council Budget Workshop IV held October 16, 2001.

Acceptance of Advisory Committee Minutes:

Civil Services Commission Meeting held September 10, 2001 (commission approved October 8, 2001).

Human Relations Advisory Committee Meeting held September 19, 2001 (committee approved October 17, 2001).

Human Services Advisory Committee Meeting held September 10, 2001 (committee approved October 8, 2001).

Planning Advisory Committee Meeting held October 1, 2001 (committee approved October 15, 2001).

Approval of the following Agenda Items recommended at the October 16, 2001 Study Session for placement on this Consent Agenda:

Agenda Bill #2079

A Motion authorizing the City Manager to execute an Agreement with the Washington State Department of Information Services (DIS) for Online Credit Card Processing - Finance

Summary: This Motion authorizes an agreement with the Washington State DIS to provide online credit card transaction processing on their network for a trial period to run October 1, 2001 through April 30, 2002.

Finance Department staff has been working with the City of Federal Way to develop an online Internet application for renewing City business licenses. It is projected that this E-Government initiative will be completed and available to the public on December 1, 2001. With support from the Municipal Research Services Center (MRSC), the City has negotiated with DIS to make their online credit card processing system available for this application for a trial period. This trial period is intended to allow the State an opportunity to test their infrastructure, security and software issues involved in an effort to determine whether they would make this service available to other jurisdictions. The City will only be charged \$50 per month for the trial period. The City benefits from this agreement in that it does not need to purchase all of the hardware and software necessary to process online credit card payments.

Agenda Bill #2076; Resolution #01-028

A Resolution authorizing Property Management and Leasing Functions and Services in regard to the new City Hall (NCH) and Tenants - Parks & Recreation

Summary: This Resolution authorizes acquisition and retention of property management services, to include an outside property management professional, to ensure day-to-day financial and physical management, operations, maintenance, and repairs of the NCH building and grounds, formerly known as the VRCC and tenancies. The Resolution also establishes parameters for administrative oversight of property management and leasing activities, and authorizes entry into an interim Property Management Services Agreement with Colliers International.

The City acquired ownership of the former VRCC (4800 South 188th Street, SeaTac) on October 1, 2001 and thus became responsible for operation, maintenance, and repair of the building and grounds. Existing leases and tenancies within the building were accepted and, therefore, the City also became responsible for the collection of rental payments, accounting for tenant deposits, and for discharge of all lessor obligations pursuant to the leases.

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

Because the City Hall usage will not occupy the entire 75,000-plus square feet (SF) of usable area within the building, approximately 16,000 SF will remain available for lease on a long-term basis. Recognizing the available leasing potential and resultant cash flow, the Council approved by Motion on September 25, 2001, a Lease Brokering Agreement with Craig Kinzer & Company which provides for obtaining, extending or renewing, relocating, and terminating tenancies but which does not extend to property management.

Day-to-day operations, maintenance, repair, and financial activities of a large building and adjacent grounds and parking lots, particularly without physical presence of City staff, entail considerable expenditures of time and require specialized knowledge and expertise, which are within the property manager's duties.

Commercial leasing of office space is not a legislative or governmental function, but is a "proprietary" or commercial function best left, to the extent possible, for the executive branch of government as an administrative matter, subject to oversight of the legislative body. It is highly recommended that the City Manager and professional property manager be given maximum autonomy, within the approved annual budget and rental income, to attend to tenant concerns and property operations through purchases, service contracts, and otherwise, without the necessity and delay of obtaining formal Council approval.

It would be appropriate for the Council to provide for and facilitate the management and operations of the City Hall building through a professional property management organization, or other means, under direct control and supervision of the City Manager and designees, subject to oversight of the Council. Such oversight should include receipt of annual budget regular financial reports. Provision should also be made for future alternative means of management and operations so that flexibility is available.

The estimated monthly maintenance fee will likely be a minimum of \$2,500. Net operating income to the City is estimated at \$373,196, which will be deposited to the Building Maintenance Fund (to be established).

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

MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARINGS:

Port of Seattle (POS) Street Vacation No. 6 - Public Works

Deputy Mayor Gehring-Waters opened the public hearing at 7:06 p.m.

Public Works Director Rayburn briefed on the subject street right-of-ways (ROWS) and their location as stated in Agenda Bill No. 2055 following this public hearing.

Councilmember Brennan reminded the audience that the City has funded many City street improvements since its incorporation, which were neglected by King County and much in need of repair. The same is true of these ROWs. These roads are in the buyout area and still belong to the SeaTac taxpayers. Maintenance is expensive and is funded by property taxes. This action will reduce the residents' property taxes. Cities surrounding SeaTac charge at least \$3.10 per \$1,000 value of homes with SeaTac having a rate of \$2.85. This lower rate amounts to savings for the property owners.

Upon a question posed by Chris Konker as to why this park land is so much more desirable for POS use than another area that would not impact so many homes, City Manager Hoggard stated that this property is slated for soil removable for the construction of the third runway. The City/POS Interlocal Agreement (ILA) stated the stipulations the POS must meet in this project. They are required to proceed immediately with the use of the property for airport related development under certain conditions such as landscaping and access.

Deputy Mayor Gehring-Waters closed the public hearing at 7:17 p.m.

NEW BUSINESS:

Agenda Bill #2055

An Ordinance vacating certain Street Rights-of-Ways (ROWs) within the City of SeaTac abutted on both sides by Port of Seattle (POS) and State of Washington property - Public Works

Summary: The City has agreed with the POS, as documented in the City/POS ILA dated September 4, 1997 as amended, to vacate certain ROWs. In exchange, the POS would reimburse the City based on fair market value of the ROWs being vacated up to a maximum of \$6,500,000. The Washington State Department of Transportation (WSDOT) has indicated that it will need the ROWs adjacent to its ownership in connection with the construction of SR 509. The POS and Washington State own all the property abutting these ROWs, listed in the ILA.

All the utilities serving the City were given notice of this request to vacate these ROWs. Highline Water District has requested that the City reserve easements for their facilities in the streets being vacated. The POS and Washington State have agreed to these easements.

The POS had the firm of Lamb Hanson Lamb Appraisal Associates, Inc. appraise the ROWs to be vacated to establish the fair market value. This appraisal has determined that the fair market value of these ROWs is \$693,700. Staff reviewed the appraisal and concurs with its findings. This will be the final payment on the \$6,500,000 for the ROWs. There is also a \$500 processing fee for a street vacation. The remaining payment due on the \$6,500,000 agreed to in the ILA is \$359,057, which includes accrued interest and adjustments for the consumer price index. Based upon this amount and the standard processing fee, the payment to the City for vacating these ROWs will be \$359,557. These funds will be paid to the City on November 16, 2001 to include accrued interest.

City Manager Hoggard stated that there was discussion at the October 16 Study Session to hold this item over for further discussions with the POS concerning reaching the financial limit required in the ILA.

Council agreed with holding the item over for future action, as there may be some way to renegotiate the financial amount.

PUBLIC HEARINGS (Continued):

Local Law Enforcement Block Grant (LLEBG) - Police

Deputy Mayor Gehring-Waters opened the public hearing at 7:20 p.m.

Chief of Police Services Somers briefed on the Bureau of Justice Administration (BJA) grant funding for the purchase of equipment, operations and training needed to support the programs listed in the following Agenda Bill No. 2073. This is a continuation of grant funding as stated in the City's annual budget for the year 2000. Chief Somers added that the grant required advisory committee met on October 19 and recommended funding of these items, which are in line with goals of public safety.

Deputy Mayor Gehring-Waters closed the public hearing at 7:25 p.m.

NEW BUSINESS (Continued):

Agenda Bill #2073

A Motion approving the Expenditure of the 2002 Local Law Enforcement Block Funds - Police

Summary: The City Council is requested to approve this Motion authorizing the following items: 1) purchase of equipment and associated training to support the Active Shooting and Patrol Response (ASAP) program to better manage active shooting situations; 2) purchase and operation of cellular telephones for officers and detectives to improve communication with citizens, especially those who have telephoned in complaints; 3) protective equipment to help protect officers from hazardous materials; 4) less lethal force equipment, such a Tasers, to enhance officers' ability to deal with violent individuals and reduce injuries; and 5) purchase of a LCD projector to make community

presentations.

The 2002 budget includes a \$48,666 Police Department appropriation for equipment and training to improve the delivery of Police services. The purchase of equipment and training is funded with \$43,779 in 2002 BJA grant monies and \$4,867 in General Fund revenues. The equipment and training is in direct support of the Police Department's 2002 Goals.

MOVED BY BRENNAN, SECONDED BY HANSEN TO ACCEPT AGENDA BILL NO. 2073.

MOTION CARRIED UNANIMOUSLY.

Agenda Bill #2054

A Resolution approving Amendments to North SeaTac Park (NSTP) so as to alter the Park Boundaries and to amend other Lease Provisions and authorizing the City Manager to execute the Amendments - Parks & Recreation

Summary: This Resolution authorizes amendments to the two NSTP leases with the Port of Seattle (POS) altering the boundaries and amending other provisions in order to effect the transfer of control of 54.22 acres of NSTP to the POS for aviation-related uses, in consideration of uses by the City of a 4.22 acre area as a combined maintenance facility for the Public Works and Parks Departments.

The POS and the City entered into two leases covering the City's occupancy of property for the NSTP Community Center and for several hundred additional acres, all of which is now known as NSTP. The September 4, 1997 City/POS ILA provides that the two parties would cooperate to revise the leases at NSTP to allow commercial development by the POS of 50 acres of the site on mutually acceptable terms. The parties have subsequently determined that the total acreage to be deleted from the leased areas should be 54.22 acres, rather than 50 acres, in order to provide for the City's use of 4.22 acres of NSTP as a maintenance shop for the Public Works and Parks Departments. These amendments to the leases would implement these provisions, subject to approval by the Federal Aviation Administration (FAA), the POS, the City Council and the City Manager.

The ILA provides, upon adoption of a trail plan for the Westside, that the City and POS will revise the NSTP agreement and leases to allow economic development of 50 acres of the park. In the interest of furthering the City's plans to construct a maintenance facility for the Public Works and Parks Departments and to enhance economic development of the City and POS, the proposed Resolution precedes the adoption of a specific trail plan for the Westside, but is otherwise consistent with the requirements of the ILA. The POS would continue to be bound by the requirements of the ILA regarding the trail, and will work with the City to design and construct the trail consistent with the outcomes of joint planning and permitting processes for the affected area.

Although this action would make some undeveloped area unavailable as open space and for future recreation uses, these amendments would benefit the City by supporting economic development and removing City costs and liability for maintaining and policing undeveloped parkland. The City is not a regional park provider, and reducing the size of NSTP would allow our limited staff to maintain the remaining park land more efficiently. It would also make available, at no cost to the City, a 4.22 acre site with an approximate value of \$400,000 – \$500,000 for development as a maintenance shop. In addition, the Port will continue to be obligated to either build, or contribute up to \$1,500,000 toward City construction of a Westside Regional multi-use trail. These benefits would appear to compensate for the loss of open space that this action would entail.

In the interest of protecting adjacent land uses and properties from the impacts of development on the 54.22 acre area identified as the deleted property in the proposed lease amendments, development would be subject to development standards for POS-owned property provided for in the ILA, and could also be addressed in an agreement to be negotiated between the City and POS. Preliminary discussions suggest that redevelopment conditions could include a Master Redevelopment Plan for the property which would control access to the property, define acceptable truck routes, limit permitted land uses, and impose construction and development standards. Any subsequent agreement affecting redevelopment of the deleted property would be subject to future action by the City Council and POS.

Adoption of the proposed Resolution would have no direct fiscal impact to the City. Indirect impacts include saving the cost of acquiring property for a maintenance shop and reducing maintenance and policing costs of undeveloped park land.

Assistant City Manager Ward introduced POS representatives Diane Summerhays and Bob Wells who were present to answer any questions. Mr. Ward updated the Council on issues that have come forward since the last presentation on this matter at the October 16 Study Session. If these amendments are approved, there will still be 150 acres of park land. This transfer would reduce the park size by 25 percent. The new BMX Track will not be affected but will be preserved and buffered, the old BMX track and trails will be impacted. There were long standing negotiations with the County to persuade them to contribute toward the updating and maintenance of the park to serve as a regional park. Due to the County not agreeing to this action and their divesting of currently owned parks, Mr. Ward stated that he was not optimistic that they will agree to contribute more to the improvements or maintenance of NSTP. The POS states that they will work with the City as stated in the 1997 ILA provisions on the Westside Trail. If the deleted property reverted back to POS control and is developed and leased out, the City would be the recipient of leasehold tax. This would be additional revenue for the City. City staff met with POS representatives and they agreed that a separate agreement would be drafted dealing with redevelopment of the 54 acres slated for early 2002. In a response to a request by Councilmember Anderson, Mr. Ward offered the Council an alternate Resolution that adds language that a subsequent agreement regarding the redevelopment of the 54 acres would be drafted. Lastly, they discussed the request of the Botanical Gardens to consider a proposal to adjust the boundaries to include some areas to the south. The POS was open to this request and to the continuance of recreational use of the Equestrian Club until they are prepared to redevelop the site. Policing responsibilities will have to be addressed. Mr. Ward briefed on the next steps to be taken. There would be some minor changes to the Comprehensive Plan (CP) and Zoning maps. The boundaries outlining the park need to be amended in with the 2002 CP changes.

Councilmember Fisher stated he realized that the maintenance facility is really needed. Upon a question posed by Mr. Fisher, City Attorney McAdams clarified that the ILA requires the City to release 50 acres of the land leased from the POS subject to the POS's agreement to assist with the development of the Westside Trail, not to exceed their financial obligation of \$1.5 million. Mr. Fisher stated that no specific release date is established in the ILA. City Manager Hoggard stated that at the end of the lease term on NSTP, it would terminate, as the POS owns it.

Council discussion ensued with staff and POS representatives as to the details of the land trade and whether the parties are ready for final approval of all the conditions. Mr. Fisher suggested the use of one of the soon to be auctioned off schools as a maintenance facility. An ad hoc committee made up of a group of Councilmembers, staff and citizens was suggested by Councilmember Brennan to further discuss the options. He questioned whether there was a time constraint to taking action on this item to which Mr. Ward replied that there was not but that staff was responding to Council's direction made at their January 2001 Council Retreat for staff to continue with efforts to go out to bid on the maintenance facility by the end of the year. The POS does not actively have any plans for the 54 acres and are not prepared to move forward on the trail.

POS Airport Community Programs Manager Diane Summerhays stated that the POS does not have any immediate plans for the acreage. They are reviewing a number of options. However, the ILA does require that the City and POS reach agreement of development of that land. Regarding the Westside Trail, a decision is being delayed due to permitting requirement and FAA's input. The POS is committed to funding of the trail. Mr. Ledbetter stated that the BMX Track was moved to a more visible and secure location. The old track became a safety problem.

Councilmember Hansen stated that the City has spent an enormous amount of money on improvements to the park as well as the POS having built the community center, and now the theme garden is in development. The park is immense and too large for the City's taxpayers to support.

Councilmember DeHan suggested that the equestrians consider Grandview Park for their recreational pursuits. It is above the financial ability of the City to maintain this park. The petition submitted to Council this evening reflects that of the approximate 250 signatures, only 10 are SeaTac residents. This demonstrates what the Council has been saying for years, that the park is truly a regional park and needs to be supported regionally.

Deputy Mayor Gehring-Waters suggested that SeaTac taxpayers approach the County Council for its support of the park. The City has tried unsuccessfully to get their support. SeaTac taxpayers are in a better position to make this request. The Council does not want the park to cease to exist but the City needs the support of outside entities as it is used as a regional park but is supported solely by SeaTac taxpayers.

Councilmember Anderson added that she attended a meeting of local City Officials today and all of the attending representatives stated that their park revenues were declining due to the expense of maintaining them.

Council agreed to hold this item over until the outstanding issues were settled.

PUBLIC COMMENTS: Amy Diaz, 14040 29th Avenue South, requested that the City be more forthcoming in information in its public notices regarding issues such as were discussed this evening.

CITY MANAGER'S COMMENTS: City Manager Hoggard reminded Council that the next Budget Workshop is set for Tuesday, October 30, 1:00 to 4:00 p.m. There will be no Council Meeting that evening as it is the 5th Tuesday of the month.

COUNCIL COMMENTS: Councilmember Anderson stated that she attended the first meeting of the Reinvesting of Youth Steering Committee led by Jim Street, former Seattle Judge and Councilmember. Other distinguished County and City officials were present to discuss this issue. The principal goal of the committee is to find ways for youths-at-risk to find alternative recreational activities to aid in the reduction of youth-related crimes.

Deputy Mayor Gehring-Water stated that the October 24 Council Workshop will commence at 5:00 p.m. instead of the regular time of 6:00 p.m. Secondly, she reminded everyone that the City's Fall Yard Debris Event is set for this Saturday at Tyee High School.

ADJOURNMENT:

MOVED BY ANDERSON, SECONDED BY DEHAN TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 8:01 PM.

MOTION CARRIED UNANIMOUSLY.

Kathy Gehring-Waters, Deputy Mayor
Judith L. Cary, City Clerk

Prior to opening this evening's scheduled Special Meeting, Deputy Mayor Gehring-Waters conducted the following recognition.

CERTIFICATE OF RECOGNITION:

Certificate of Recognition to outgoing Finance & Systems Director Elizabeth Spencer

Deputy Mayor Gehring-Waters presented the certificate to Ms. Spencer for her outstanding work for the City of SeaTac from August 1997 through November 9, 2001. She stated, on behalf of the Council, that Ms. Spencer was a valuable asset to the City in the Finance Department and in supporting the Council with the City's annual budgets. Councilmembers remarked that Ms. Spencer performed an immeasurable role to both the City Council and staff and will be greatly missed by all. Ms. Spencer thanked the Council and staff for the remarkable learning experience she enjoyed at SeaTac and for the wonderful friendships, which she will miss.

**SEATAC CITY COUNCIL
SPECIAL MEETING MINUTES**

**November 6, 2001 - 6:00 PM
City Hall Council Chambers**

CALL TO ORDER: The SeaTac City Council Special Meeting was called to order by Deputy Mayor Kathy Gehring-Waters at 6:25 p.m.

ROLL CALL: Present: Deputy Mayor Kathy Gehring-Waters, Councilmembers Gene Fisher, Terry Anderson, Joe Brennan, and Don DeHan. Excused Absence: Mayor Shirley Thompson and Councilmember Frank Hansen.

ADMINISTRATIVE STAFF: Calvin Hoggard, City Manager; Jay Holman, Assistant City Manager-Economic Development; Judith Cary, City Clerk; Robert McAdams, City Attorney; Elizabeth Spencer, Finance & Systems Director; Michael McCarty, Assistant Finance Director; Bruce Rayburn, Public Works Director; Steve Butler, Planning Director; Jack Dodge, Principal Planner; Craig Ward, Assistant City Manager; Jim Downs, Fire Chief; and Scott Somers, Chief of Police Services.

FLAG SALUTE: Elizabeth Spencer, outgoing Finance Director, led the Council, staff and audience in the Pledge of Allegiance.

SPECIAL PRESENTATION (added to the agenda)

Fire Chief Downs presented Deputy Mayor Gehring-Waters with a Certificate of Accomplishment for her participation in the Live Fire Training Exercise on October 27, 2001. Deputy Mayor Gehring-Waters thanked the Fire Chief and department for the privilege of taking part in the exercise. She stated that the experience raised her conscious level as to the intensity of the work the firefighters endure during real fire cases. Fire Chief Downs added that he is always pleased with City Council and staff's willing participation in the department's exercises such as this training.

PUBLIC COMMENTS: Nettie Weaver, 22211 Cliff Avenue South, Des Moines (a former 34-years resident of SeaTac and an eight year volunteer with the Des Moines Food Bank), expressed her concern at the lack of public contributions to the local food banks since the September 11 National Tragedy. Donations are being sent to victims of the tragedy and the local communities' needs are being neglected. She detailed the declining income of the food bank's donations. Ms. Weaver urged the Council to support the local needs by increasing their financial sponsorship of the Human Services funding as many SeaTac seniors depend on this source of assistance.

Councilmember Anderson stated that she would be attending the monthly South County Food Bank Committee Meeting. She added that local community firefighters have been conducting a food collection for years and the contributions are significantly lower this year. The support for the local needy is at an all time low.

Ms. Weaver requested more agencies' services be reported to the local area to ensure they are serving the local needy.

Lori Corkum, 14210 26 Avenue South, reiterated her opposition from the October 23 Regular Council Meeting as to the City' proposed North SeaTac Park (NSTP) land trade with the Port of Seattle (POS). She stated that the park users would like the park to remain as is, for walking trails, horseback riding, BMX bike trail usage, botanical garden, and other recreational functions. She submitted photographs of the National Mountain Bike Race, sponsored by REI, which took place this past weekend at the park. As suggested by the Council last week, Mrs. Corkum stated that the petitioners plan to take their case to the King County Council in an effort to make NSTP a regional park.

Linda Snider, 18700 36th Avenue South, added her praise to Ms. Spencer, from a citizen's viewpoint, for the outstanding contribution she has made to the City of SeaTac.

PUBLIC HEARING:

Amendment to the Interlocal Agreement (ILA) between the Port of Seattle (POS) and the City of SeaTac to allow for Soil Extraction from the Borrow Pits - City Manager

Deputy Mayor Gehring-Waters opened the public hearing at 6:44 p.m.

Assistant City Manager Ward gave a briefing on the proposed amendments to the ILA. This amendment would add borrow/surface mining operations as a permitted use in the Aviation Operations (AVO)/Aviation Commercial (AVC) Zones. In the ILA, the City agreed to the POS Master Plan that includes two sites (Sites 3 and 4) to be used for borrowing soil within the City. The agreement contains protection measures to the neighborhoods surrounding the work area.

Deputy Mayor Gehring-Waters closed the public hearing at 6:46 p.m.

NEW BUSINESS:

Agenda Bill #2052; Resolution #01-029

A Resolution authorizing Amendment No. 4 to the 1997 City of SeaTac/POS ILA so as to add Borrow/Surface Mining Operations as a Permitted Use in the AVO/AVC Zones - City Manager

Summary: This Resolution authorizes an amendment to the 1997 ILA, which is consistent with and complementary to the related Agenda Bill No. 2051 authorizing Ordinance No. 01-1027.

This amendment is also consistent with and complementary to the related City/POS ILA for the development of certain POS-owned properties, which is the subject of Agenda Bill No. 2053 authorizing Resolution No. 01-030, which provides for Borrow/Mining Reclamation, and commercial development of Sites 3 and 4.

MOVED BY BRENNAN, SECONDED BY ANDERSON TO PASS RESOLUTION NO. 01-029.

MOTION CARRIED UNANIMOUSLY.

Agenda Bill #2051; Ordinance #01-1027

An Ordinance amending the Zoning Code to allow Borrow/Mining Operations in the AVO/AVC Zones, define "Commercial/Industrial Accessory Uses", define "Borrow/Surface Mining Operations; and allow a deferral of Landscape Improvements - Planning

Summary: Changes to the use tables in Chapter 15.25 of the SeaTac Municipal Code (SMC) would allow Borrow/Mining Operations in the AVO/AVC Zones subject to the City/POS ILA. Commercial/Industrial Accessory Use would allow non-permitted uses in the City's Commercial/Industrial Zones. Changes to the landscape regulations would allow an applicant to delay the installation of required landscaping due to drought conditions declared by the State.

1. AVO/AVC Zoning – Borrow/Surface Mining Operations

The current use charts within Chapter 15.25 of SMC (Development Standards – AVO and AVC Development standards) do not list Borrow/Surface Mining Operations as a land use. The POS is proposing to mine portions of its property south of the airport for fill for the third runway project. The proposed amendment to the use charts would

allow the Borrow/Surface Mining Operations in the AVO/AVC zone subject to the following provisions: a. The operations would be subject to Best Management Practices (BMPs); b. Any borrow/mining operation would protect and not impact adjacent residential properties subject to an agreement in advance between the City and the POS; and c. In no case would public parking be allowed on the property after the borrow/mining operations are completed. The proposed Code amendment also provides a definition for Borrow/Surface Mining Operations.

2. Commercial/Industrial Accessory Uses

Commercial/Industrial Accessory Uses are currently listed under the use charts in Chapter 15.12 of the SMC. While the use is listed, a Commercial/Industrial Accessory Use is not defined within the Code. The proposed definition would allow a non-permitted use on the property, up to 25 percent of the gross floor area of all of the buildings on the property. The accessory use would have to be directly related to the permitted use on the property.

3. Deferral of Landscape Improvements during Drought Conditions

During the past summer and spring, drought conditions were declared by the State Governor's Office. Based on the drought conditions and the need to conserve water, the City received requests to defer the installation of required landscaping on new projects. The stated purpose behind the requests was that the required landscaping would have a low survivability rate because the newly installed landscaping could not be irrigated on a regular basis due to the drought conditions. The City allowed the deferral until the end of the drought; however, there are no provisions within the Landscape Code Regulations to allow this deferral. This amendment would allow the deferral.

MOVED BY ANDERSON, SECONDED BY BRENNAN TO ADOPT ORDINANCE NO. 01-1027.*

In response to a Council inquiry, Ralph Wessels, Third Runway Project Manager, Aviation Project Management Group, stated that the POS would be excavating north of South 200th to 196th Streets in 2002 and south of South 200th Street in 2003.

Council discussion ensued with staff and Mr. Wessels as to protection of the neighborhoods in lessening the dust, noise, and hours of operation. The draft agreement addresses these concerns. Mr. Wessels stated that the POS is working with the Department of Ecology to address the issue of pollution discharge elimination.

*MOTION CARRIED UNANIMOUSLY.

Agenda Bill #2082

A Motion approving and authorizing the City Manager to sign a Contract with EDAW Inc for work on the Bow Lake Trail Design Project - Phase I - Planning

Summary: In June 2000, the Bow Lake Joint-Use Facilities Study was completed by EDAW, Inc. The joint-use study analyzed storm drainage and pedestrian access alternatives around Bow Lake. Three pedestrian access alternatives were reviewed by the study. These alternatives included the Neighborhood Access Plan, the Natural Open Space Plan, and the Urban Focus Plan. Preliminary cost estimates for constructing a pedestrian trail based on each alternative were provided.

The Bow Lake Trail Design Project – Phase I is the next step in constructing a pedestrian trail around the lake. The consultant will provide schematic construction drawings for a trail system based upon staff discussions with the stakeholders around Bow Lake. Based on the drawings, a more accurate cost estimate for the construction of the pedestrian trail will be provided. The consultant will also assist City staff regarding the necessary permitting processes on the State and Federal level for construction of the trail system partially within the wetland area of Bow Lake.

EDAW Inc. was selected from a group of three consultants that submitted proposals for the design project. Based on interviews, staff determined that EDAW Inc. was the firm most qualified to continue with the City's vision to construct a pedestrian trail around Bow Lake. The fiscal impact is \$20,000.

Planning Director Butler briefed on the above summary and added that this item was brought before the Land Use and Parks (LUP) Committee.

Councilmember Fisher questioned the various phases of this project and the cost of the proposed steps. Mr. Butler explained the steps and the need to comply with Federal and State requirements in order to proceed with the work. City Manager Hoggard stated that the issue is to define the project and in order to do so, determination must be made as to the type of project that is feasible and this process is being done incrementally. Mr. Butler added that meetings would be scheduled to hear public input. Councilmember Fisher stated that the Bow Lake residents are concerned about security issues. Mr. Butler replied that the initial trail would not be located near the residential park.

MOVED BY DEHAN, SECONDED BY FISHER TO ACCEPT AGENDA BILL NO. 2082.

MOTION CARRIED UNANIMOUSLY.

Agenda Bill #2053; Resolution #01-030

A Resolution authorizing the City Manager to sign an Agreement between the Port of Seattle (POS) and the City of SeaTac for the Development of Certain Port-owned Properties - City Manager

Summary: This Resolution authorizes an agreement between the POS and the City for the development of certain port-owned properties, specifically of Borrow Sites 3 and 4.

The September 4, 1997 City/POS ILA provides that the POS would appropriately mitigate borrow pits within the City, and reclaim and consider economic development of these sites. The sites that are the subject of this agreement are collectively described as the property in the ILA. They are located south of South 200th Street and west of 18th Avenue South (Borrow Area 3) and north of South 200th Street and west and south of 18th Avenue South and South 196th Street (Borrow Area 4). The ILA addresses the potential redevelopment of these sites. The POS intends to begin excavation ("Borrow") activities on Site 4 in 2002, and on Site 3 in 2004. By defining conditions for redeveloping the property including land uses, permitting procedures, development regulations and conditions, access, reclamation, marketing, future redevelopment, street vacation, and public involvement, this ILA would permit the POS's proposed borrow activities to proceed, would mitigate the impacts of excavation of the sites, and would serve to reclaim the economic potential of these sites. The adopted ILA is subject to final approval by the Federal Aviation Administration (FAA), the POS, and the City Manager.

The proposed ILA would benefit the City by supporting economic development and providing for the protection of adjacent properties both during the soil excavation and hauling phases and when the property is subsequently redeveloped. In the interest of protecting adjacent land uses and properties from the impacts of excavation and haul activities, this ILA commits the POS to the City's preferred haul routes, and establishes Best Management Practices (BMP) that address hours of operation, noise, dust emissions, and lighting of excavation activities. Permitting both the excavation and redevelopment phases would be subject to POS authority and procedures as defined under the 2000 ILA that settled litigation concerning surface water management (SWM) fees and provided for the administration and implementation of the Uniform Codes by the POS, but development standards would be enhanced to protect adjacent neighborhoods by limiting the range of permissible land uses, and enhancing landscaped buffers of both the single-family neighborhood to the west of the site and of South 200th Street. The ILA provides for vehicular and pedestrian access that would increase the value of the Property for redevelopment purposes. The ILA also commits the POS to actively market the Property for redevelopment purposes, in concert with City and Port goals to enhance economic development.

MOVED BY ANDERSON, SECONDED BY DEHAN TO PASS RESOLUTION NO. 01-030.*

Assistant City Manager Ward gave an overview of the agreement issues regarding Borrow Sites 3 and 4. The agreement seeks to mitigate, reclaim and consider economic development of borrow pits both for the POS and the City. In addition, Business Park Design Standards would apply. The key provisions are the call for a Master Redevelopment Plan. It would define the uses, addresses the need for development regulations, it establishes BMPs to minimize adjacent neighborhood impacts, and stay in tune with the POS's marketing of the sites. Mr. Ward defined the locations, interim uses of the sites as borrow/mining, development issues, access from SR 509, South 200th Street and 8th Avenue South, and permanent uses as business park for air cargo and truck terminals (public and employee parking

not allowed in the agreement on the sites), while keeping in mind the protection of adjacent uses (homes, cemetery and the park usages, i.e. trails and a future golf course).

Upon a question posed by Deputy Mayor Gehring-Waters regarding the impact to the walking trail and the current golf course, Mr. Ward replied that the Des Moines Creek Trail is fairly removed from the sites being partly protected by natural vegetation and existing developed area. If a golf course were developed on Site 3, it would be adjacent to the trail. Councilmember DeHan exemplified the Riverbend Golf Course and the trail along the river as having a cohesive co-existence and are both used respectively by their patrons.

Mr. Ward detailed the development solutions as deep wetland setbacks, wider buffers, possible voluntary acquisitions, a preferred haul route, development standards, marketing commitments, POS open houses for neighborhood updating and input and the City's monitoring of the development standards and provision for adjustments as needed.

The preferred hauling route on Sites 3 and 4 run through the Tye Golf Course and would initially go over the tunnel to the third runway and return on Des Moines Memorial Drive (DMMD) to South 188th Street back to the sites. The proposed 24-hour operation option is the most agreeable with the City and has the least impact to residents, businesses, and regional traffic.

In summary, Mr. Ward outlined the benefits to the City as promoting usability of sites for air cargo, protecting adjacent uses, enhancing economic development, locating haul largely on POS land and roads, and securing marketing commitment. The benefits to the POS are provision for soil extraction, creating building pads for redevelopment, and increasing developable property. He mentioned that the FAA is reviewing the draft agreement and the agency has made additional language changes.

The next steps are to execute City street vacations by the end of the year, complete the FAA agreement approval, execute a final agreement, conduct open houses prior to excavation and monitor and adjust standards, as appropriate.

Councilmember Fisher stated that he contacted the POS today to be assured the development of certain POS owned property as were stated this evening. He was given that assurance. Councilmember Brennan stated that he strongly advises no buyouts be conducted until the entire buyout plan is complete, therefore keeping the properties on the City's tax rolls. This would ensure the buyout residents of City Fire and Police services to the final buyout execution.

*MOTION CARRIED UNANIMOUSLY.

PRESENTATION:

2002 Preliminary Budget to Council

Finance Director Spencer distributed copies of the 2002 Preliminary Budget document to the Council with summary packets available to all meeting attendees. The 2002 Preliminary Budget represents the City Manager's funding recommendations for Council consideration in adopting the 2002 Annual City Budget. Ms. Spencer reported that the budget preparation process began in July and has included five Council Budget Workshops. Two public hearings on the 2002 Preliminary Budget are scheduled for November 13 and 27, with adoption of the 2002 Annual City Budget currently slated for the November 27 Council Meeting following the second public hearing.

Summarizing the budget process, Ms. Spencer noted that City Departments prepare base budget line item requests for current programs and the Finance Department prepares salary and benefit projections at current staffing levels. In addition, departments may submit Decision Cards for funding requests of new positions, new programs, capital outlay, or other one-time expenditures. Certain departments also complete six-year Capital Improvement Program (CIP) requests for scheduled maintenance and other capital projects.

Certain assumptions are made regarding significant policy decisions in preparing the 2002 Preliminary Budget. Ms. Spencer summarized the assumptions used for 2002. In estimating property tax revenue for 2002, the levy is capped at a one percent increase over the 2001 levy based on expectation that voters will approve Initiative 747 on November 6. Levy increase capacity, which was banked by Council Ordinance when the 1999 levy was approved, would be utilized to increase the 2002 levy by approximately \$147,000. No decrease in airline valuations for property tax purposes

would occur until 2003. It is also assumed that voters in the November 6 election pass the Emergency Medical Services (EMS) or Medic One levy.

In estimating 2002 sales tax collections, projections have been reduced by \$1.2 million due to the September 11, 2001 terrorist attacks and resulting decrease in air travel. Ms. Spencer noted that 45 percent of the City's sales tax collections are derived from airlines, rental car agencies and hotels. Sales tax collected on major capital projects at the airport continue to be tracked separately so that the revenues can be set aside for capital outlay in the year following receipt. To date, the City has collected \$862,000 for 2001, which is available to fund 2002 expenditures.

Due to the fact that both labor contracts will have expired prior to January 1, 2002, no cost of living adjustment (COLA) has been assumed for employee salaries. An amount has been included in the Non-departmental section of the General Fund to provide salary and benefit increases as Council approves contracts. It was noted that the City's insurance provider has sent notification that medical insurance premiums will increase by 21 percent for 2002.

Based upon the assumptions used, budget reductions of nearly \$2 million annually are proposed in the General Fund. The reductions are proposed to occur in phases throughout the year to allow for quarterly review of revenue collections to determine the necessity of the cuts. The cost associated with phasing the cuts can be accomplished without utilizing General Fund reserves. Reductions involving higher priority services such as public safety are scheduled at October 1, 2002 and January 1, 2003 to allow for the maximum period of time for revenues to return to prior levels. Should all budget reductions be required, sixteen full-time and five part-time positions would be eliminated.

Summaries of General Fund revenue and expenditures by category were provided, as well as the resulting impact on fund balance. The 2002 Preliminary Budget projects a General Fund balance of \$13.9 million at the end of 2002, well over the Council minimum target of four month's operating revenue (\$6.8 million). Summaries were then provided for each of the twenty remaining City funds. Ms. Spencer noted that no budget has been proposed at this time for the Municipal Facilities CIP Fund since a revised project budget for the new City Hall (NCH) is still being developed.

Ms. Spencer noted some of the highlights of the 2002 Preliminary Budget: 1) Human Service Program funding continues at 1 percent of General Fund operating revenue; 2) Angle Lake Park improvements of \$960,000 and Valley Ridge Park improvements of \$89,000 are planned; 3) Hotel/Motel Tax revenues will be used to fund \$400,000 in developing a pedestrian trail at Bow Lake (two-year project to be completed in 2003); 4) International Boulevard (IB) improvements will continue with Phase III construction and Phase IV design plan; and 5) Preparations will be made to move operations to a NCH.

In summarizing the total 2002 City Budget, including all funds, Ms. Spencer noted that proposed expenditures total \$44.7 million with a projected total fund reserves at December 31, 2002 of \$53.4 million.

Councilmember Anderson noted her desire to further delay public safety cuts with the funds set aside for Angle Lake Park improvements. Councilmember DeHan noted that the funds for Angle Lake Park are one-time revenues so they would not be able to postpone public safety cuts indefinitely. Deputy Mayor Gehring-Waters and Councilmember DeHan noted their appreciation of a creative budget strategy presented by staff that will allow the Council some time to assess the long-lasting impacts on revenues that recent events will have.

RECESSED: Deputy Mayor Gehring-Waters recessed the Special Meeting for a five-minute break at 8:20 p.m.

RECONVENED: Deputy Mayor Gehring-Waters reconvened the Special Meeting at 8:25 p.m.

NEW BUSINESS (Continued):

Agenda Bill #2077

A Motion authorizing Final Acceptance of the 2001 Annual Overlay Project - Public Works

Summary: The 2001 Annual Overlay Project was physically completed September 12, 2001. Staff is recommending final acceptance and close out of the project.

On July 10, 2001, City Council awarded the 2001 Annual Overlay Contract to Western Asphalt, Inc. for a contract

amount of \$365,117.75, plus a 10 percent contingency of \$36,511 for a total budgeted amount of \$401,628.75. Work began in late July 2001 and reached substantial completion (open to traffic) by the middle of August 2001. The project is now complete, including cleanup and punch list items.

The project included construction of asphalt pavement overlays on approximately three miles of City streets and reconstruction of 700 feet of South 154th Street east of SR 518. All work was completed within the schedule and in accordance with the specifications. The actual costs of the project were significantly lower than the contract amount due to better than anticipated sub-grade conditions resulting in a reduction in the amount of roadway excavation and material used for sub-grade repair.

It is recommended that the City Council authorize final acceptance of the 2001 Annual Overlay Project and establish a 45-day lien period as required by State law.

The actual project expenditures totaled \$311,520.75, an amount lower than budgeted.

MOVED BY BRENNAN, SECONDED BY DEHAN TO ACCEPT AGENDA BILL NO. 2077.*

Council remarked favorably on the improved roadway and its accessibility to the Riverton Heights Post Office. Public Works Director Rayburn stated that staff has received positive comments on the newly improved roadway.

*MOTION CARRIED UNANIMOUSLY.

Agenda Bill #2078

A Motion authorizing Final Acceptance of the Des Moines Memorial Drive (DMMD) South Improvement Project - South 188th to 194th Streets - Public Works

Summary: On June 27, 2000, City Council awarded the DMMD South Improvement Contract to Gary Merlino Construction Company, Inc. in the amount of \$2,454,491, plus a 10 percent contingency of \$245,449, for a total budgeted amount of \$2,699,940. Work began in late August 2000 and reached substantial completion (final paving) by September 14, 2001. The project is now complete.

The final contract cost is well within the contract, plus contingency amount. All work was completed per plans and specifications. The project included new curb, gutter, sidewalk, landscaping restoration, conversion to underground utilities and drainage improvements.

It is recommended that the Mayor and City Council approve and authorize final acceptance of the DMMD South Improvement Project as complete and establish a 45-day lien period as required by State law.

MOVED BY BRENNAN, SECONDED BY DEHAN TO ACCEPT AGENDA BILL NO. 2078.*

Public Works Director Rayburn briefed on the above summary, adding that the ribbon-cutting ceremony for the completion of this project is scheduled for November 14 at 2:00 p.m. on DMMD at South 192nd Street. Council concurred that this project's end result is outstanding.

*MOTION CARRIED UNANIMOUSLY.

Agenda Bill #2018

A Motion accepting the low bid for a Construction Contract for Residential Sidewalk Projects plus a 10 percent contingency and authorizing the City Manager to enter into the Contract - Public Works

Summary: This project was advertised for bids October 22 through November 5, 2001. The bid opening was November 5, 2001 with the engineer's estimate at \$502,000.

Each year, the City sets aside \$250,000 in the Arterial Street Fund dedicated to construct or improve pedestrian facilities. The funds have been used in the past for both stand-alone projects and to finance sidewalks on larger street

projects. Generally, the fund has not been spent each and every year since the total yearly amount is relatively small in construction dollars. It has often been carried over for a number of years and then spent on a group of projects. This year, the Transportation and Public Works Committee (T&PW) directed staff to recommend sidewalk projects that connected schools and neighborhoods. The committee selected three smaller projects. They are South 166th Street from 32nd Avenue South to 37th to 32nd Avenue South from South 200th to South 204th and South 192nd Streets from IB to 33rd Avenue South.

This project will be funded through the Pedestrian Improvement Program that has a balance of \$280,210. In 2002, there is a balance of \$620,000.

MOVED BY BRENNAN, SECONDED BY DEHAN TO ACCEPT AGENDA BILL NO. 2018.

MOTION CARRIED UNANIMOUSLY.

Agenda Bill #2086

A Motion authorizing the City Manager to enter into a Contract with David Evans and Associates for Engineering Design Services for South 188th Street/Military Road Improvements - Public Works

Summary: The South 188th Street corridor in the area of 46th Avenue South, Military Road and I-5 is one of the most congested in the City of SeaTac. Preliminary results of the Joint Transportation Study indicate that South 188th Street at 46th Avenue South and at Military Road South are currently operating at level of service F during the PM peak hours. Some operational improvements will be realized when the SR 509 / I-5 corridor is improved. At this time, staff is exploring more immediate alternatives to alleviate congestion in the area and has elected to seek professional assistance from an engineering consultant for this task. Three consulting firms were selected from the Small Works Roster and interviewed. David Evans and Associates was selected as the best-qualified firm for the task.

The draft contract and fee was subsequently negotiated. The fee is reasonable for the services to be provided. The contract amount is \$199,456. The 2002 budget has a total of \$1,000,000 allocated for design services and construction of improvements to South 188th Street and Military Road.

MOVED BY DEHAN, SECONDED BY ANDERSON TO ACCEPT AGENDA BILL NO. 2086.*

Public Works Director Rayburn briefed on the above summary. Councilmember DeHan added that he feels it is in the City's best interest to expedite this contract so that traffic will be able to safely access and depart from the new City Hill (NCH) site. He had discussed with Mr. Rayburn to take this issue directly to the whole Council rather than wait for the next T&PW Committee Meeting.

*MOTION CARRIED UNANIMOUSLY.

Agenda Bill #2080

A Motion authorizing the purchase of Four 800 MHz Hand Held Radios for the Fire Department - Fire

Summary: The Fire Department has identified a critical need to add an additional four 800 MHz handheld radios to assure emergency scene communications and Firefighter safety. This need has been addressed in 2002 proposed budget. However, in 1992 the voters approved the King County's 911 System and provided funds to implement a new 800 MHz Radio System for the County's Police and Fire Service Agencies. It has been determined the City of SeaTac has an unencumbered balance of \$17,442.38 within the original funding and the account can not be used for other than 800 MHz related purchases.

At the March 19, 2001 Public Safety & Justice (PS&J) Committee meeting, the committee directed Fire to secure Council's authorization prior to requesting King County to purchase from this City allocated account. The quote was estimated at \$9,865 to \$11,151 for four radios and a written acceptance received from King County for the fiscal responsibility for such purchase.

There is no fiscal impact to the City of SeaTac budget for the radio purchases. However, there is a monthly radio maintenance fee of \$22.50 per radio per month that is reflected within Fire's Annual Operating Budget.

MOVED BY BRENNAN, SECONDED BY ANDERSON TO ACCEPT AGENDA BILL NO. 2080.*

Fire Chief Downs briefed on the above summary, explaining the use and urgent need for this system.

*MOTION CARRIED UNANIMOUSLY.

CITY MANAGER'S COMMENTS: City Manager Hoggard stated that Chief of Police Services Somers and he discussed the various City concerns that needed to be addressed due to the September 11, 2001 National Terrorist Attack. The Federal Emergency Management Agency (FEMA) is offering a "Consequences of Terrorism" course in Virginia in 2002. He requested Council's approval to apply for application to this training to consist of a team of representatives from Councilmembers, City Manager, Public Works, Fire and Police Departments. Council agreed to having a Mayoral-appointed team, with Council concurrence, attend the training.

COUNCIL COMMENTS: There were no Council comments.

ADJOURNMENT:

MOVED BY DEHAN, SECONDED BY ANDERSON TO ADJOURN THE SPECIAL MEETING OF THE SEATAC CITY COUNCIL AT 8:55 PM.

MOTION CARRIED UNANIMOUSLY.

Kathy Gehring-Waters, Deputy Mayor

Judith L. Cary, City Clerk

SEATAC CITY COUNCIL REGULAR MEETING MINUTES

November 13, 2001 - 6:00 PM
City Hall Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Deputy Mayor Kathy Gehring-Waters at 6:02 p.m.

ROLL CALL: Present: Deputy Mayor Kathy Gehring-Waters, Councilmembers Gene Fisher, Frank Hansen, Terry Anderson, and Joe Brennan. Excused Absence: Mayor Shirley Thompson and Councilmember Don DeHan.

ADMINISTRATIVE STAFF: Calvin Hoggard, City Manager; Jay Holman, Assistant City Manager-Economic Development; Judith Cary, City Clerk; Robert McAdams, City Attorney; Michael McCarty, Acting Finance & Systems Director; Steve Butler, Planning Director; Holly Anderson, Senior Planner; Mike Scarey, Senior Planner; Jim Downs, Fire Chief; and Scott Somers, Chief of Police Services.

FLAG SALUTE: Marion Henry, SeaTac resident, led the Council, staff and audience in the Pledge of Allegiance.

PUBLIC COMMENTS: Helen Casswell, owner of Helen's Auto Sales, 20848 International Boulevard (IB), stated her concern as to the Sign Code requirement regarding temporary banners/signs on business fronts not being allowed in the City. She had sent each Councilmember a letter regarding the proposed Code Amendment's effect on her business. She gave statistics on the year 2000 verses 2001 indicating her business sales declined 75 percent without her advertising banner and a-frame. Since her business is set back 100 feet from IB, without such advertising, potential customers do not notice her business. She requested the Council make exception to her business due to the circumstances she addressed.

Councilmember Brennan stated that the Sign Code prohibits large obstructing signs in the City. Her banner does not fall into that category. He added that this issue would be discussed under New Business.

Phyllis Byers, Highline School District, Vice President, Board of Directors, voiced her appreciation as to the partnership between the City of SeaTac and Chinook Middle and Tyee High Schools. The two schools have an after-school program called "Communities at Tyee and Chinook (Catch-21)." CATCH-21's goal is to keep students off the street and engaged in safe social and academic programs. The City's Park & Recreation Department staff, Brian Tomisser and Rebecca Bregel, have joined in this effort, which has expanded the program. Their hands-on approach has had a significant affect on the participants. This joint effort has solidified the connection between the schools and the City and has helped build the Teen Program at the North SeaTac Park Community Center (NSTPCC). The other vital piece of this program is the School Resource Officer (SRO) Program provided by the City of SeaTac. The two Police Officers, Ryan Mikulcik at Chinook and Bill Kennamer at Tyee, provided services that are timely and valuable. The officers have built the youth/police officer relationship by educating the students about law enforcement as it relates to their situations. Officer Bill has introduced a program called "Cops and Docs" which presents real life illustrations of these public safety services involving youths and guns. Officer Bill has flexed his hours to work for the program's needs. He has helped build a sense of trust between youths and officer authority and is an excellent mentor to the students. Both staff and students report feeling safer and staff is able to enforce school expectations. In the City's budget process, Ms. Byers urged Council to remember the valuable service the SRO program is giving to the community's children.

Councilmember Brennan stated that visited Tyee and observed how the students were enjoying and participating in the CATCH-21 program. The attention and courtesy the students displayed were outstanding.

Bernadette Jones, 2218 South 136th Street, reiterated her concern as to the City/Port of Seattle (POS) land trade and future usage of the NSTP. She requested that the public is updated on current information on this issue. She referenced the fall issue of the SeaTac Report on the land trade and the trail. She felt the article presented an incorrect view of the park's current usage and she fears POS's taking over a portion of the park.

PRESENTATIONS:

Briefing on the Proposed Zoning Code Amendments regarding Electronic Signs and Other Sign Standards

Senior Planner Anderson presented a proposal for amending the Zoning Code in regards to electronic signs. The moratorium on electronic signs will expire on December 12, 2001. The proposal will be brought to Council for action at the November 27 Council Meeting. Ms. Anderson gave a presentation, which included the City's goals in adopting the regulations, exemplifying electronic signs with: 1) text messages; 2) graphics and pictures; 3) video display; and 4) animation. The proposed approach is to allow electronic signs in certain zones, provided that the images change no faster than every 1.5 seconds. Video and animation would not be allowed.

Ms. Anderson summarized the zones where electronic signs would be allowed and proposed surface area of signage to be allowed as a portion of the total sign. Flashing and other effects such as twisting, spinning, etc. would not be allowed. Movement limited to scrolling or traveling of a message would be allowed under the proposal, as recommended by the Land Use & Parks (LUP) Committee. Maximum brightness of the display would be set, and where there is a sign allowed in a residential zone (for a church or school, for instance), the hours of operation would be limited. Additionally, a few other related and miscellaneous changes are proposed to the Sign Code. Council and staff discussion included whether the proposal would limit such displays as Christmas lights. Ms. Anderson stated that seasonal decorations were exempt from regulation under the Sign Code.

Briefing on the Proposed Final Multi-Family Design Standards

Senior Planner Anderson presented a proposal for adopting the current Interim Multi-family Design Standards as permanent standards. The standards were adopted on an interim basis in January 2000 due to a State Environmental Protection Act (SEPA) appeal. The SEPA appeal has now been dismissed. The Interim Standards will expire in January 2002 unless adopted on a permanent basis. A public hearing was held November 5, 2002 with several comments made which have been incorporated into the proposal.

The purpose of the Multi-family Design Standards is to promote high-quality design; to minimize conflicts with adjacent uses; and to prevent crime through environmental design. Major features are site design that increases visibility, reducing opportunities for crime; building design requirements for façade modulation and roof variation; transition height adjacent to single-family; recreation/open space for each unit; townhouse zone standards; an option for small lot single-family in multi-family zones; and incentives.

When the Interim Standards were adopted, the Council requested that prior to final adoption several issues be re-visited. These are density calculation (exclusion of sensitive areas from the area used to calculate allowed number of units); the transition height adjacent to single-family; the amount of recreation/open space; and using a variety of colors or materials in a project to reduce apparent bulk. In regards to transition height, Council asked about the status of a previous proposal to raise the height limits in some areas of the City. Staff indicated that the 110-foot height proposal had been put on hold due to previous Council direction. Council requested that it be brought forward again for consideration.

Briefing on the Proposed 2001 Comprehensive Plan Amendments

Senior Planner Scarey stated that the summary of amendments to the Comprehensive Plan had been recommended for inclusion in the Final Docket by the Planning Advisory Committee (PAC) and staff. He added that the 2001 amendments would be presented at two meetings, the second being the November 27 Regular Council Meeting with this evening's meeting focusing on the amendments to the Capital Facilities Element.

Mr. Scarey explained that the central Capital Facilities Plan (CFP)-related issue for the 2001 Amendment Process was regarding the adopted Level-of-Service (LOS) Standards for several types of facilities: Regional Park, Community Park, and Fire Services. He reviewed the purpose of LOS standards, which is to forecast the City's needs for the various types of facilities that it provides to its citizens, and explained that the current method of applying the LOS calculation would result in a shortfall of facilities for the three facilities by 2007, the final year in the six-year CFP required by the State Growth Management Act (GMA). He reminded the Council that if a shortfall in facilities occurs, the City has two choices: 1) to fund and provide the required facilities, or 2) to reduce the adopted LOS. Mr. Scarey stated that the City has taken the approach of investing in improving the usability of its parks, rather than increasing the acreage available, and gave North SeaTac, Angle Lake, and Valley Ridge Parks as examples, pointing out that the

current method of measuring LOS doesn't take this type of enhancement into account. He said that the PAC and staff have recommended adoption of reduced LOS standards for Regional Park, Community Park, and Fire Services, while more relevant ("operational LOS") standards for these facilities are developed during the course of 2002. The new LOS standards would be discussed with the Council and proposed for adoption during the 2002 Comprehensive Plan Amendment Process.

Upon a question posed by Councilmember Anderson regarding the Police Service, Mr. Butler explained that this element of service is being provided by Fire facilities services. In summary, City Manager Hoggard stated that with the most recent population estimate, approximately 25,500, the existing standards are no longer appropriate to service actuality, particularly in parks and fire. For example, it is not necessary that an additional station be constructed; the current staffing can handle additional calls. However, response time and operational needs need to be faced with high-rise buildings verses residential buildings. The facilities are sufficient but the standard for measures there needs to be revised for the current needs. Therefore, staff is recommending that the City adopt revised LOS standards for a year while developing relevant LOS measures for guidance in the City's Capital Investments.

CONSENT AGENDA:

Approval of claims vouchers in the amount of \$47.98 for the period ending October 31, 2001.

Approval of claims vouchers in the amount of \$259,487.01 for the period ending November 5, 2001.

Approval of employee vouchers in the amount of \$499,046.73 for the period ending October 31, 2001.

Approval of firefighter vouchers in the amount of \$295.00 for the period ending October 31, 2001.

Approval of summary of \$5,000 - \$25,000 purchase requests for the period ending November 9, 2001.

Approval of Council Meeting Minutes:

Regular Council Meeting held October 23, 2001.

Council Workshop held October 24, 2001.

Council Budget Workshop V held October 30, 2001.

Acceptance of Advisory Committee Minutes:

Human Services Advisory Committee Meeting held October 8, 2001 (committee approved November 5, 2001).

Planning Advisory Committee Meeting held October 15, 2001 (committee approved November 5, 2001).

Senior Citizen Advisory Committee Meeting held September 20, 2001 (committee approved October 18, 2001).

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

MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARING:

First Public Hearing on the 2002 Annual City Budget - Finance

Deputy Mayor Gehring-Waters opened the public hearing at 7:24 p.m.

Acting Finance Director McCarty stated that at the November 6 Special Council Meeting, the Council was presented with the City Manager's funding recommendations for the 2002 Preliminary Budget. This followed a series of five Council Budget Workshops during September and October. The budget, as recommended by the City Manager, for the General Fund expenditures totaled \$222.3 million and the all City Fund expenditures totaled \$44.7 million. A second public hearing will be held on November 27 followed by Council consideration of adoption of the 2002 Budget. There will be some minor issues addressed at the public hearing, which will be included in the Budget Ordinance. Mr. McCarty noted that the recommended budget included the assumption that Initiative 747 would be passed by the voters (*note: I-747 passed*). The assumption made in the budget for property taxes included a one-percent increase over last year's revenue estimate.

Councilmember Brennan stated for the record that the Council and staff worked hard on the budget to avoid staff layoffs. He stated that the budget would be re-examined quarterly for possible changes. He reiterated his desire that the City's reserves be used to avoid jeopardizing the City's public safety and welfare services with position layoffs. He added that the City has been progressing upwardly for 12 years and he would hope that the quality of services would,

at the very least, continue at its current level.

Councilmember Anderson agreed, adding that it was her understanding that the layoffs have been delayed to the third quarter of 2002. Mr. Hoggard stated that this is true. However, positions that are currently vacant will not be filled, and therefore, some reserves are being used to allow additional time to re-examine the budget quarterly to determine whether layoffs are necessary. Mr. McCarty added that careful review of sales tax figures will be conducted, which is the main area of revenue behind the potential cuts. He added that in the spring of 2002, the POS will be initiating their first review of their 2003 budget and the City will then have some indication of the revenue trend.

Upon questions posed by Deputy Mayor Gehring-Waters, Mr. Hoggard stated that the City's lobbyist would keep the City apprised of legislative changes that might alter the City's revenue outlook. He added that in the long run beyond 2002, a change in the property taxes is the City's revenue option depending on the airlines forecast and I-747's ramifications.

Deputy Mayor Gehring-Waters closed the Public Hearing at 7:36 p.m.

NEW BUSINESS:

Agenda Bill #2081

A Motion directing the City Manager to add to the 2002 Preliminary Budget an additional appropriation of \$10,000 from Hotel/Motel Tax revenue to be added to the present appropriation of \$50,000 for the Tyee High School Academy of Travel and Tourism (AOTT) for the Year 2002

Summary: The AOTT 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 \$20,000 (an increase of \$10,000) of a one-year program for student scholarships, as well as renews a "two for one" match by the City of monies raised by the academy, up to a maximum total of \$40,000 City contribution. At the end of this year, the program would be evaluated to determine further funding.

The academy is one of approximately 80 such training programs and was the first in the Pacific Northwest. The program serves 120 students in grades nine through 12. Nine students graduated in 2000 and 17 students in 2001.

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 directorship are assigned to designated educators at no additional cost to the district or school. Curriculum and teaching materials are provided by the school's instructional budget. All other costs are not covered by public dollars generated by the tax base. Supplementary materials, FAM trips, program promotions, and staff development are also funded by grants received from outside the school district.

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

In 1999, the Council authorized entry into a grant agreement with the school district establishing terms and conditions of the City's support for the academy and foundation. This agreement is automatically renewed on an annual basis if the Council appropriates funds from Hotel/Motel (H/M) Tax revenues.

The H/M Advisory Committee feels that any funds obtained by the academy will benefit the City in that the dollars will "come back to the City." The committee supports the matching provision as an incentive program.

MOVED BY BRENNAN, SECONDED BY ANDERSON TO ACCEPT AGENDA BILL NO. 2081.*

Assistant City Manager Holman briefed on the above summary adding that the major difference in this year's request is the \$10,000 increase in City funding. He added that Dr. Chris Katayama, Tyee High School Principal and Nancy Brani, AOTT Program Director, were present to answer any questions by Council.

Councilmember Brennan, chair of the committee, stated that the committee members are very supportive of this

program. The \$10,000 was a recommendation of hotel owners and was unanimously supported by the rest of the committee. As for the matching funds, a minority of the committee wanted to discontinue the City's match unless the students work more diligently on meeting their share of the funding.

Regarding the matching funds, Councilmember Fisher stated that he offered the 50-member Tyee High School Band the opportunity to sell 100 Christmas Trees from his lot. To date, he has only received one call after sending out the notice three weeks ago.

Dr. Katayama stated that she would take this information back to the Band Director so that this project moves forward. The AOTT is a different organization of the school. Perhaps the academy students could cooperate along with the band students on this project. She was unaware of this situation and appreciates the donation of trees.

Councilmember Brennan added that on a negative note, on two different occasions [the City's 10-year Anniversary and the New City Hall (NCH) Groundbreaking], the City asked for the Tyee High School Band's participation at these City events and were denied its requests. Dr. Katayama stated her disappointment in the lack of support by the school. She requested that ample notice of City events be given the school, adding that working with the City is important. The students' schedules are sometime problematical outside of school hours but with more notice, there would be a greater chance of student participation. Dr. Katayama concluded by stating that as for the AOTT, the teachers and students do appreciate the support of the City in this worthwhile program. It is important that the school is represented in community events.

*MOTION CARRIED UNANIMOUSLY.

Agenda Bill #2087; Resolution #01-031

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

Summary: The H/M Tax Advisory Committee is requesting expenditure of approximately \$300,000 to \$350,000 annually over the next three years, in conjunction with Tukwila and/or the Southwest King County Chamber (SWKCC) of Commerce, under a Cooperative Tourism Promotion Plan, using its own contracted employee. The money would be used for special promotional programs subject to a formal plan and approval by the City Council, Tukwila, and potentially, the Chamber. The City Council would also have oversight with a status report given to the Council at least annually. The City Manager is directed to commence development of a Cooperative Tourism Promotion Plan.

MOVED BY BRENNAN, SECONDED BY ANDERSON TO PASS RESOLUTION NO. 01-031.*

Councilmember Brennan stated that this issue has been discussed with Council on several occasions and was unanimously recommended by the H/M Tax Advisory Committee for Council approval.

Mr. Holman added that a discussion on the specifics of this tax fund would be addressed at their committee meeting to be held on November 14. A formal plan will be developed and brought back to Council.

Councilmember Hansen stated that he approves of the project and principal, however, since it consists of over \$1 million over a period of the three years, he questioned entering into an agreement of this sort with the City of Tukwila and the SWKCC. Councilmember Brennan explained the need to work cooperatively with the other two entities, for which Council concurred. After some discussion, Council agreed with Councilmember Hansen's suggestion of the following Amendment to the Original Motion.

MOVED BY HANSEN, SECONDED BY ANDERSON TO AMEND RESOLUTION NO. 01-031 ON PAGE 3, PARAGRAPH 3. TO READ: THE CITY MANAGER IS AUTHORIZED AND DIRECTED TO COMMENCE DEVELOPMENT OF A COOPERATIVE TOURISM PROMOTION PLAN TO PROVIDE FOR APPROPRIATE

PROJECTS, ACTIVITIES, CONSULTANTS, EMPLOYMENT, AND ANCILLARY EXPENSES TO APPROPRIATELY UTILIZE THE ANNUAL APPROPRIATION FROM HOTEL/MOTEL FUNDS FOR THE PROMOTION OF TOURISM, AS MAY BE DEEMED APPROPRIATE BY THE COUNCIL.

AMENDMENT CARRIED UNANIMOUSLY.

*ORIGINAL MOTION CARRIED UNANIMOUSLY AS AMENDED.

PUBLIC COMMENTS: There were no public comments at this time.

CITY MANAGER'S COMMENTS: City Manager Hoggard stated that staff has created a new City Web Page that updates the page with current events and issues relating to City business. The update was a time consuming effort by representatives from all departments and the result is a more efficient and informational City Web Page, which can be accessed on the Internet at www.seatac.wa.gov.

COUNCIL COMMENTS: Councilmember Fisher stated that he is pleased with the new look on the City Web Page, adding that the links from one topic to another related one are easy to access.

Councilmember Anderson stated that the local food banks are in dire need of food supplies and cash donations. The local Fire Departments have agreed to take in donations of food and monies at their station houses and deliver the donations to the Des Moines and Highline Food Banks. Secondly, she mentioned that the City's seniors are conducting a White Elephant/Bake Sale this Saturday at the NSTPCC.

Councilmember Brennan informed the Council, staff and audience that Councilmember DeHan's absence from the meeting this evening was due to surgery his wife underwent today. Secondly, he stated his appreciation of the discussion on the uses of the H/M Tax funds. He feels sure these programs will support the City's economy in the long run.

Deputy Mayor Gehring-Waters mentioned that the Ribbon Cutting Ceremony for the Des Moines Memorial Drive (DMMD) South Improvements is scheduled for Wednesday, November 14 at 2:00 p.m. at DMMD South and South 192nd Street. All those interested are welcome to attend.

ADJOURNMENT:

MOVED BY ANDERSON, SECONDED BY BRENNAN TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 8:19 PM.

MOTION CARRIED UNANIMOUSLY.

Kathy Gehring-Waters, Deputy Mayor
Judith L. Cary, City Clerk

SEATAC CITY COUNCIL REGULAR MEETING MINUTES

November 27, 2001 - 6:00 PM
City Hall Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Shirley Thompson at 6:04 p.m.

PRESENTATION:

Presentation to Councilmember Kathy Gehring-Waters:

Mayor Thompson presented Councilmember Gehring-Waters with a floral arrangement in appreciation for presiding over the Council Meetings during her recent excused medical leave of absence as Mayor.

ROLL CALL: Present: Mayor Shirley Thompson, Councilmembers Gene Fisher, Frank Hansen, Kathy Gehring-Waters, and Joe Brennan. Excused Absence: Councilmembers Terry Anderson and Don DeHan.

ADMINISTRATIVE STAFF: Calvin Hoggard, City Manager; Craig Ward, Assistant City Manager; Judith Cary, City Clerk; Robert McAdams, City Attorney; Julie Elsensohn, Assistant City Attorney; Michael McCarty, Acting Finance Director; Steve Mahaffey, Human Resources Director; Steve Butler, Planning Director; Mike Scarey, Senior Planner; Holly Anderson, Senior 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: Steve Mahaffey, Human Resources Director, led the Council, staff and audience in the Pledge of Allegiance.

PUBLIC COMMENTS: Ken Mundt, representing Project Look, a Human Services non-profit agency that assists in the welfare of some of King County's poorest children and families in SeaTac and Burien. Mr. Mundt thanked Council for support of the agency. He is aware that the City is facing difficult decisions with its recent decrease in revenue. Mr. Mundt exemplified one of the services Project Look provides. The agency assisted a SeaTac mother and children in mediations in order to keep the children at home rather than in foster care. The end result has been very positive. Mayor Thompson added that she had the privilege of being a part of the startup of Project Look and knows of its outstanding work.

PRESENTATIONS:

SR 509 / South Access Environmental Impact Statement (EIS)

Public Works Director Rayburn introduced Washington State Department of Transportation (WSDOT) representative Craig Stone. Mr. Rayburn briefed on the project, which as been long in the development with steady progress made.

Mr. Stone updated the Council on the status and key milestone of the project. A project level EIS is scheduled for early 2002, leading to a Record of Decision of the work in late 2002. Mr. Stone explained why this project is important to this region. Interstate-5 from Seattle to Tacoma has the most traffic congestion on a corridor in the State. I-5 has 70 percent of the State's growth in traffic. It is commercial freight's heaviest used facility. Sea-Tac International Airport is the 18th busiest airport in the nation and 19th for air cargo.

The project will reduce congestion between Seattle and Federal Way by the use of this route and will also expand I-5 with direct access to the south. The freight connection in itself has put the project in the forefront of State economy. The project will connect the largest manufacturing centers in the northwest, with the fourth or fifth largest distribution center in the nation in the Green River Valley.

The project is now at the level of obtaining the consensus from all the agencies involved in this preliminary preferred alternative. Mr. Stone detailed the corridor design concept. One key roadway area would split the volumes of traffic into the valley, which is a major need for freight mobility. The City of Kent is very excited about this element of the project.

The cost of the project is approximately \$681 million with 20 percent engineering at this point. Analysts have determined that this is an eight to one in benefits to cost, a substantial turn around on the investment. Statistics point out that the transportation needs are very mature in this area. Mr. Stone described the various agencies WSDOT has been working with to ensure the protection of waterways, wildlife and fisheries and other such elements to prevent unwarranted impacts due to road construction. Once the EIS is approved, the details on the Record of Decision (the Federal action on the project) can take place.

The next step is to continue to work on the storm water treatment and retention and completion of a project can be addressed as to elements of concerns and comments in order to move forward to the final record staging analysis. There are approximately 300 property purchases/relocations that will need coordination with the City and the POS over a three-year period of time, predominantly from Highway 99 to the east towards I-5 to Mansion Hills and down to Midway Interchange. The schedule is as follows: January 2002 - completion of the revised draft EIS, February – public hearing, December – Record of Decision, and, implement a number of scenarios by 2010, driven by availability of funding. This project rates number two on a Statewide Freight Mobility Institution Investment Board's priority list.

Council discussion ensued with Mr. Stone as to the various elements of this 10-12 year project. Mr. Stone stated that the corridor will reduce traffic on I-5 with a lane's worth of volume or 20,000 plus trips a day. This will be of benefit to all South King County highways in balancing the transportation system throughout Seattle to Federal Way. Upon a question posed by City Manager Hoggard, Mr. Stone stated that six months ago, the State was concerned with congestion relief and now it is focused on economic stimulus. The State's answer is to package projects that would help the economy. The SR 509 project is clearly part of the discussion. Part of the team's strategy is to keep moving forward on the project and be ready to take advantage of opportunities as they emerge. Councilmember Fisher stated that statistics seem to show that SR 509 is a number one project in the State. Mr. Stone stated that due to the February 2002 earthquake, the Alaskan Way Viaduct is the top priority. But SR 509 is in the forefront of other transportation projects. The State legislature will be the key decision-maker as to the priority of projects. The Secretary of State has become very supportive of this project and has stated that over the next 10 years; there are four or five major projects (SR 509, I-405, Alaskan Way Viaduct, and SR 520) that need to move forward using potentially half the department's entire program's dollars.

Mayor Thompson suggested using the services of the City's lobbyist and the aid of local Cities that would also benefit from partnership in this project. Mr. Stone agreed and stated that partnership is very important to the success of this project.

Mr. Rayburn gave a short historical briefing on this project. In 1990, the POS, with the aid of the Cities of SeaTac and Des Moines, completed a feasibility study titled South Access, which is the proposed south route out of the airport and connecting up with the regional system. The title of this project now includes I-5, extension of SR 509, and South Access. In 1991, the City of SeaTac made the decision to break off the 28th/24th Arterial project to go along with South Access. This was done due to the indefinite timeline of the South Access project. The 28th/24th Arterial project has recently been completed. After that decision was made, South Access was piggybacked onto the SR 509 extension with WSDOT being the lead agency. Since 1994-5, the work has been on SR 509, including South Access. He concluded by saying the extensive work done in this area should keep this project in the forefront of the State's Transportation projects.

Briefing on the Proposed 2001 Comprehensive Plan Amendments

Planning Director Butler briefed the Council on the annual amendment process needed to comply with the Growth Management Act (GMA). The Planning Advisory Committee (PAC) held a public hearing on November 5 with a few changes recommended. The State Environmental Protection Act (SEPA) process was completed on November 19 with Land Use & Parks (LUP) Committee review on May 15 and November 8. This presentation precludes Council action on the amendments scheduled for the December 11 Regular Council Meeting (RCM).

Senior Planner Scarey detailed the 13 amendments as follows: Land Use Element – 1) update Multi-family policies outside the Urban Center; and 2) add footnote to the Land Use Plan Map under Background Report to clarify relationship between Comprehensive Plan and Zoning Maps. There are no changes to the Land Use Plan Map;

Housing and Neighborhoods Element – 3) add a policy to address impacts of new development on existing homes; Transportation Element – 4) update strategies to address bicycle facility needs; 5) add Bike and Pedestrian Facility Map; and change the classification of 28th/24th Avenue from Minor to Principal Arterial; (Noted: All amendments will be renumbered in the final draft presented at the December 11 RCM due to this addition to the amendments); Capital Facilities Program (CFP) Element (reviewed at the November 13 Special Council Meeting) – 6) update six-year CFP and amend Level of Service (LOS) Standards for: a) Community Park, b) Regional Park, and c) Fire Services; and 7) clarify language regarding regional water quality facilities in Surface Water Management (SWM) section of Background Report, and 8) update LOS description in SWM section of Background Report; Utilities Element – 9) update the Utilities Map to reflect new water main; Environment, Management Element – 10) update strategies regarding implementing the Endangered Species Act (ESA) policies; (implement the recommendation of the Bow Lake Joint Use Facilities Study regarding surface water improvements to that facility and work with King County to implement the Des Moines Basin Plan improvements); Parks, Recreation and Open Space Element – 11) update Background Report to incorporate the findings of the Parks and Recreation Needs Assessment; Human Services Element – 12) update Goals and Policies and Background Report; and All Elements – 13) update Strategies to indicate those completed.

Councilmember Gehring-Waters added that the LUP Committee reviewed and recommended the amendments.

CONSIDERATION OF MAYORAL SELECTION OF APPOINTMENT/REAPPOINTMENTS:

Council Consideration of one (1) Appointment and one (1) Reappointment to the Planning Advisory Committee, and two (2) Reappointments to the Human Relations Advisory Committee; and one (1) Reappointment to the Human Services Advisory Committee

Mayor Thompson requested Council consideration of her selection of appointment and reappointment of members to the above stated citizen committees. She added that some reappointees are at their term limits. Fewer individuals are applying for volunteer work due in part to the many obligations households now experience. The City is fortunate to have dedicated members who are willing to be reappointed. Council action will take place at the December 11 RCM.

CONSENT AGENDA:

Approval of claims vouchers in the amount of \$1,206,507.14 for the period ending November 20, 2001.

Approval of employee vouchers in the amount of \$360,080.01 for the period ending November 15, 2001.

Approval of summary of \$5,000 - \$25,000 purchase requests for the period ending November 21, 2001.

Approval of Council Meeting Minutes:

Special Council Meeting held November 6, 2001.

Acceptance of Advisory Committee Minutes:

Planning Advisory Committee Meeting held November 5, 2001 (committee approved November 19, 2001).

MOVED BY GEHRING-WATERS, SECONDED BY HANSEN TO ACCEPT THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARING:

Second Public Hearing on the 2002 Annual City Budget - Finance

Mayor Thompson opened the Public Hearing at 6:50 p.m.

Acting Finance Director McCarty discussed the various summary schedules related to the 2002 Preliminary Budget. This budget represents the City Manager's funding recommendations for Council consideration in adopting the 2002 Annual City Budget. Mr. McCarty reported that the budget preparation process began in July with a Budget Workshop to discuss Council priorities and assumptions. At subsequent budget workshops, Department Directors reported on their 2002 budget requests, which includes decision cards for funding requests of new positions, new programs, capital outlay, or other one-time expenditures.

Mr. McCarty reported that the September 11, 2001 terrorist attacks and the subsequent reduction in air travel had a significant impact on the development of the 2002 annual budget. In estimating 2002 sales tax collections, projections were reduced by \$1.2 million due to the fact that 45 percent of the City's sales tax collections are derived from airlines, rental car agencies and hotels. City Manager Hoggard asked Department Directors to identify potential reductions within their budgets. Mr. McCarty noted that these reductions were discussed at the budget workshops for the Council's information and input.

Second Public Hearing on the 2002 Annual City Budget: Nearly \$2 million in annualized reductions are proposed in the General Fund. The reductions are proposed to occur in phases throughout the year to allow for quarterly review of revenue collections to determine the necessity of the cuts. Reductions involving higher priority services, such as public safety, are scheduled later in the year to allow for the maximum period of time for revenues to return to prior levels. Mr. McCarty noted that if all the budget reductions are required, 16 full-time and five part-time positions would be eliminated.

In summarizing the total 2002 City Budget, including all funds, Mr. McCarty reported that proposed expenditures total \$45.1 million. The General Fund proposed expenditures for 2002 total \$22.3 million. It was noted that a budget for the Municipal Facilities Fund has not been included in the 2002 Budget presented this evening because the City has not received cost estimates for the renovations to the New City Hall (NCH) facility. An appropriation for this fund will occur in a 2002 Budget amendment that will be presented at a future Council Meeting.

Mr. McCarty presented additional schedules that provided information related to the development of the 2002 Annual Budget. These schedules included a detailed summary of the General Fund proposed budget, a listing of the decision cards submitted with City Manager funding recommendations, the proposed position reductions, and the full listing of the recommended budget reductions. City Manager Hoggard noted that the General Fund appropriation total includes \$127,200 that had been provided for costs related to the change in form of government measure on the November 6, 2001 ballot that was defeated, and will require an amendment to the budget to reduce the General Fund appropriation by this amount.

Councilmember Brennan added that the public's safety and welfare cannot be compromised by the proposed staff cuts. He added that all City jobs are important and if even one position is deleted, the City's general upkeep will suffer, as will the various commercial developments in the City. The budget will be reviewed quarterly with the objective of saving staff. He reiterated his point that the City has reserves for such times as these.

Councilmember Hansen agreed with Councilmember Brennan, adding his suggestion to delete the Angle Lake Park Improvements Phase II project from the 2002 budget. Councilmember Brennan said he agreed with deleting this item because of the fiscal constraints the City is facing. Upon a questions posed by Councilmember Fisher as to where the funds allocated for this project would go, City Manager Hoggard stated that the money would go back into the General Fund.

Linda Rasmussen, YWCA South King County Regional Director, 1010 South 2nd Street, Renton, thanked the Council for its support of their agency's homeless prevention and shelter program in the City's budget for Human Services. The budget situation and need for decreases is unfortunate and with this in mind, it might be wise to consider that human services will be needed even more with the current trend of layoffs due to the economic downturn the nation is experiencing. Mayor Thompson thanked Ms. Rasmussen for her acknowledgement of the City's service to the community's Human Services agencies.

Mayor Thompson closed the Public Hearing at 7:28 p.m.

NEW BUSINESS:

Agenda Bill #2066; Ordinance #01-1028

An Ordinance establishing the 2002 Annual City Budget - Finance

Summary: This Ordinance adopts the 2002 Annual City Budget for all City funds. The total recommended budget, including all operating expenditures, capital outlay and transfers to reserves is \$45,079,530.

The budget preparation process began with a July 10 Council Budget Workshop held to discuss priorities and assumptions. At this workshop, there was discussion of Initiative 747, slated for the fall ballot that would limit property tax levy increases to one percent. Council directed staff to prepare the budget with the assumption that voters would approve I-747, which occurred on November 6. Departmental requests for 2002 funding were submitted to the Finance Department in August. The City Manager conducted meetings with each Department Director to obtain input regarding budget requests. At the September 11 and October 9 Budget Workshops, each Director reported on his/her budget requests.

Nearly \$2 million in annualized reductions in the General Fund are proposed to occur in phases. The cost associated with delaying the budget reductions can be absorbed with one-time revenues and will not require the use of reserves.

The 2002 Preliminary Budget does, however, provide for various projects funded from one-time or dedicated revenue sources. The City's commitment to Human Service programs will continue at one percent of General Fund operating revenue. The Police Department will purchase \$49,000 in additional equipment that is 90 percent funded from Federal grant revenue. Park improvements of \$960,000 at Angle Lake Park and \$89,000 at Valley Ridge Park are planned. A two-year project for a Bow Lake Pedestrian Trail will begin in 2002, funded from Hotel/Motel (H/M) Tax revenues. Construction will begin on International Boulevard (IB) Phase III improvements, and Phase IV design will be substantially completed. The City will prepare to move its operations to a NCH at South 188th Street and Military Road.

The 2002 Preliminary Budget, representing the City Manager's 2002 funding recommendations for Council consideration, was presented to the Council at its November 6 meeting. The first public hearing on the Preliminary Budget proposal was held at the November 13 RCM with the second hearing held tonight.

Two amendments to the budget have been required. To date, the following revisions have been made in accordance with November 13 Council action regarding added funds to the H/M Tax Fund: 1) \$350,000 for the Cooperative Tourism Promotion Plan; and 2) \$10,000 for additional student scholarships for the Tyee High School Academy of Travel and Tourism (AOTT).

There are two outstanding issues that have not been incorporated into the 2002 Budget at this point and will require a budget amendment at a later date: 1) establish a Fund 306 appropriation for renovations to the NCH. Cost estimates from the architects for the project are not anticipated until November 28; and 2) cost of living adjustments (COLA) for AFSCME represented employees and non-represented employees that are on tonight's agenda for Council consideration. These two items will be included in a budget amendment that will be presented at the December 11 RCM, along with the Ordinance establishing the 2002 Property Tax Levy.

MOVED BY HANSEN, SECONDED BY GEHRING-WATERS TO ADOPT ORDINANCE NO. 01-1028.*

MOVED BY HANSEN, SECONDED BY BRENNAN TO DELETE FROM THE 2002 GENERAL FUND BUDGET APPROPRIATION OF \$960,925 ALLOTTED FOR THE ANGLE LAKE PARK PHASE II IMPROVEMENT PROJECT.

MOTION CARRIED UNANIMOUSLY.

MOVED BY BRENNAN, SECONDED BY GEHRING-WATERS TO DELETE FROM THE 2002 GENERAL FUND BUDGET APPROPRIATION OF \$127,200 ALLOTTED FOR FUNDING RELATED TO THE CHANGE IN FORM OF GOVERNMENT MEASURE THAT WAS DEFEATED AT THE NOVEMBER 6, 2001 ELECTION POLLS.

MOTION CARRIED UNANIMOUSLY.

*ORIGINAL MOTION AS AMENDED CARRIED UNANIMOUSLY.

Agenda Bill #2088

A Motion authorizing the expenditure of one percent of the General Fund Operating Revenue for Human Services 2002 Contracts - City Manager

Summary: This Motion authorizes entry into contracts with a designated list of Human Service agencies for the amounts and services specified in accordance with the Human Services Program policies. The City is committed to a one percent of the General Fund for Human Services. The City's 2002 budget includes \$192,000 for Human Services contracts to provide services to SeaTac low- and moderate-income citizens. As recommended, it would provide funding to 19 agencies for 24 services. Other funding sources such as Community Development Block Grant (CDBG) and Criminal Justice Funds will be utilized for additional services for the City's low-moderate income residents as well as for domestic violence victims.

In 1999, the City Council approved a two-year funding cycle, based on funds available and agency performance level. In January 2001, the Council approved a contract for 2001-2002 and now will be entering into the second year of that contract. During Council presentation for that contract, it was clearly stated that amendments may be necessary for the 2002 year based on the budget and the agency's performance. Due to the proposed Citywide budget cuts, the Human Services Advisory Committee will be in the process of negotiating new second year contracts with the agencies. Although the City is changing the existing signed contract, the contractual agreement gives the City this provision.

After being notified of reduction in general fund monies, the committee reviewed quarterly reports to examine the agencies' performances. Several methods of reducing funding were discussed, which ranged from reducing every program by 10 percent, with the exception of City-run programs, and to discontinue funding some of the agencies, based on their performance and the City's needs. After much discussion, the committee gave the directive to staff to draft a recommendation to bring before Council based on the parameter set forth by the committee.

Programs Coordinator Assefa-Dawson reviewed the above summary with Council. She detailed a list of the recommended agencies to be funded. Councilmember Fisher stated that the system the City uses for determining funding has been very effective.

Councilmember Hansen expressed his desire for the City to contribute additional funding to the local food banks that are in dire need of donations during the holidays due in part to the recent national events as well as the Boeing and other companies' layoffs. City Manager Hoggard stated that this request needs to be in the form of a separate 2001 Budget amendment which can be done at the next Council Meeting and still meet the needed timeframe. Councilmember Gehring-Waters suggested that a count be submitted by each of the local food banks as to the percentage of SeaTac residents using their facilities in order to proportion the allocation fairly.

Councilmember Fisher mentioned that the Public Safety & Justice (PS&J) Committee was approached with a request for \$3,500 for accident victims' families. He was concerned that if the City donates funds aside from the allocated percent for Human Services, there will be no guideline to follow.

MOVED BY HANSEN, SECONDED BY BRENNAN TO ACCEPT AGENDA BILL NO. 2088.*

Councilmember Hansen explained for Councilmember Fisher's benefit the history of SeaTac's one percent for Human Services and the funding allocation distribution system, which was established in 1990. Councilmember Brennan concurred with Councilmember Hansen's request for assistance to the food banks. There are other such emergency feeding and food programs that the City supports. Mayor Thompson stated that the City has periodically stepped outside the one- percent grant to assist the community as appropriately needed.

***MOTION CARRIED UNANIMOUSLY.**

Agenda Bill #2092; Ordinance #01-1029

An Ordinance amending the Pay and Compensation Plan for Non-Represented Employees of the City of SeaTac - Human Resources

Summary: This Ordinance amends the pay and compensation plan for non-represented employees of the City of SeaTac by adding limited cost of living adjustment (COLA) increases and having highly-compensated employees pay

a portion of the medical insurance premiums.

A COLA of 90 percent of the CPI-W for the Seattle-Tacoma-Bremerton region effective January 1, 2002 is proposed for those non-represented employees with an annual salary less than \$60,000, resulting in a 3.51 percent increase for the 17 non-represented employees in this category. A COLA equal to one-half of 90 percent of the CPI-W for the Seattle-Tacoma-Bremerton region effective January 1, 2002 is proposed for those non-represented employees with an annual salary more than \$60,000, resulting in a 1.755 percent increase for the 23 non-represented employees in this category. Since 1993, 90 percent of the CPI-W for the Seattle region has been the COLA increase provided to both represented and non-represented employees.

The 2002 Preliminary Budget contains a significant number of budget reductions due to the September 11, 2001 terrorist attacks and the resulting impact to 2002 estimated sales tax collections. As an additional component of the COLA budget reduction for the 23 non-represented employees, they are being asked to pay a portion of their medical premium for health insurance coverage. Non-represented employees with an annual salary less than \$60,000 would not be required to pay a portion of their medical premium.

The budget impact for the proposed COLA would be \$68,211 for 2002, of which \$57,136 would be from the General Fund. This figure includes the associated increase in mandatory benefits such as paid retirement, unemployment and Medicare contributions.

The reduced COLA for the 23 highest paid non-represented employees will save the City \$36,507 in salary and benefit costs during 2002, of which \$32,701 would be from the General Fund. In addition, the cost savings of having these employees pay a substantial amount towards their health insurance premium would save the City \$17,745, of which \$15,321 would be a savings to the General Fund.

Therefore, the net budget impact of the proposed COLA and employee health insurance premium participation is \$50,466 for 2002, of which \$41,815 would be from the General Fund.

Human Resources Director Mahaffey briefed on the above summary on this two part Ordinance regarding two different employee pay increase schedules to be considered by Council.

MOVED BY BRENNAN, SECONDED BY FISHER TO ADOPT ORDINANCE NO. 01-1029.*

Council discussion ensued as to fairness in the difference in the COLA increases for the two employee groups. City Manager Hoggard stated that the upper pay level has been targeted for a lesser increase on a one-time basis in order to assist in balancing the City's budget. Further discussion ensued as to the CPIs used by other local Cities. SeaTac is using a CPI percentage designed to keep pace with the cost of living in the market place. The 1.755 percentage will place upper management staff in a slightly lower pay level and therefore, for the City to maintain a competitive level with other Cities, the COLA would have to be raised as appropriate in future years.

*MOTION CARRIED UNANIMOUSLY.

Agenda Bill #2089; Resolution #01-032

A Resolution authorizing an extension of the American Federal of State, County and Municipal Employees (AFSCME) Bargaining Agreement through 2002 with modifications - Human Resources

Summary: This Resolution extends the current AFSCME bargaining agreement for one year, through December 31, 2002. A COLA of 90 percent of the CPI-W for the Seattle-Tacoma-Bremerton region is proposed for the AFSCME bargaining group. This would result in a 3.51 percent increase for the 79 City's employees who are represented by AFSCME Local 3830.

The COLA of 3.51 percent provides a salary increase for AFSCME represented employees using the same formula as in previous bargaining agreements to provide adjustments to salary ranges. In addition, an error in the current contract language regarding part-time benefits has been corrected. The current contract incorrectly states that part-time employees are provided life insurance on a pro-rated basis. The City's insurance plan does not provide life insurance

for part-time employees.

The budget impact of the proposed COLA would be \$124,571.82. This figure includes the associated increase in mandatory benefits such as City paid retirement, unemployment and Medicare contributions.

Human Resources Director Mahaffey briefed on the above summary.

MOVED BY BRENNAN, SECONDED BY GEHRING-WATERS TO PASS RESOLUTION NO. 01-032.*

Council discussion ensued with staff as to the insurance issue stated above. Mr. Mahaffey stated that Association of Washington Cities (AWC) does not provide for life insurance benefits for part-time employees. In surveying other entities, even in layoff periods, union employees generally receive the standard COLA increases to keep a competitive edge in the market place. City Manager Hoggard concluded that if employees were not paid the market rate, some would seek employment elsewhere costing the City turnover expense. He feels it is prudent to keep good employees at a fair and competitive salary rate. The method recommended will allow the City time to examine its current economic situation and to gauge the situation for the following year. Mayor Thompson agreed with these comments as being the most positive approach to take.

Councilmember Hansen questioned the fairness of the proposal with the current conditions the City is facing in its revenue shortage (45 percent from the airline industry) due to the September 11 terrorists attacks.

*MOTION CARRIED WITH THOMPSON, GEHRING-WATERS AND BRENNAN VOTING YES AND HANSEN AND FISHER VOTING NO.

Agenda Bill #2090; Resolution #01-033

A Resolution fixing the Date and Time for a Public Hearing to consider the merits of vacating a portion of 31st Avenue South and 31st Place South Rights-of-Way (ROW) lying south of South 170th Street abutted on both sides by Gateway Investment LLC Property - Public Works

Summary: This Resolution sets the date to conduct a public hearing to consider the merits of vacating two street ROW abutted by Gateway Investment LLC property.

The City has agreed with Gateway Investment LLC, as documented in the amendment dated July 1, 2001 of the Interlocal Agreement (ILA) dated May 26, 1998, to vacate certain ROW. Gateway Investment LLC owns all the property abutting these ROW.

The procedures for the vacation of a public ROW are defined in the Revised Code of Washington (RCW). A public hearing is to be held to consider the merits of the requested street vacation. The date of the public hearing is set by a Resolution of the City Council. 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 January 22, 2002 at 6:00 p.m. has been selected as the RCM that meets this criteria.

In exchange for vacating these ROW, Gateway Investment LLC will provide a 48-foot ROW and construct, at no expense to the City, the westerly extension of South 172nd Street from 31st Place South to 31st Avenue South in accordance with the terms and conditions agreed to in the ILA and State law.

Public Works Director Rayburn briefed on the above summary regarding the request for a vacation of the two ROWs relative to the "Park 'n Fly" business currently located at South 170th Street and IB.

MOVED BY BRENNAN, SECONDED BY HANSEN TO PASS RESOLUTION NO. 01-033.*

Councilmember Hansen stated that he heard today that Gateway is attempting to buy other homes. Assistant Public Works Director Monaghan stated that he has asked Gateway representatives to examine the status of the ownership of properties on 31st Place South and 31st Avenue South in case something had changed. They are in the process of

obtaining the information. At this time, City Manager Hoggard added that the City is unaware of Gateway buying properties outside of the proposed ROWs.

Councilmember Brennan stated that this project has been discussed several times in Transportation & Public Works (T&PW) Committee meetings. Mr. Rayburn mentioned that this proposal is an offshoot of a development agreement that the Council had agreed to approximately two years ago with a different developer. City Attorney McAdams clarified that this proposal was initiated in May 1998.

*MOTION CARRIED UNANIMOUSLY.

(It is to be noted that Councilmember Hansen excused himself from the meeting at this point in the agenda.)

Agenda Bill #2067; Ordinance #01-1030

An Ordinance repealing the Moratorium adopted by Resolution No. 01-015, amending and adding sections to the City's Sign Code at SeaTac Municipal Code (SMC) 15.16 to provide regulations for Electronic Signs, and making certain other clarifying and/or technical amendments - Planning / Legal

Summary: This Ordinance creates new regulations for electronic signs, adds definitions throughout the Sign Code related to the new regulations, and makes certain technical amendments related to illumination, number of signs allowed, and housekeeping changes to the sign standards for certain uses in residential zones. Furthermore, the Ordinance ends the City's moratorium on acceptance of LED and electronic message center sign permit applications.

On June 12, 2001, Council passed Resolution No. 01-015 imposing a moratorium on the acceptance of sign permit application for electronic signs. The moratorium was adopted in order to allow City staff time to research and formulate amendments to the existing Sign Code regulation due to Council's concern that the existing regulation did not adequately regulate electronic signs. The moratorium is scheduled to end December 12, 2001.

After June 12, 2001, the City commenced research into the issue of signage, particularly with respect to the newer technologies of electronic signs such as LED, video display, and changing electronic message centers. The City studied the type, design and effects of these newer technology signs in order to develop regulations consistent with the City's overall Comprehensive Plan, envisioned appearance, and safety standards.

The City formed several working committees to assist in the development of new regulations. These committees included a group of sign industry representatives, a group of cross-departmental staff, and members of the local business community. The City also engaged the service of a consultant to review its proposed standards from a traffic safety aspect. Lastly, the PAC and LUP Committee were each given many opportunities for review and comment as the new regulations were being drafted.

It was generally agreed among all the committees that certain electronic signs should be allowed. The committees considered such issues as what type of electronic signs should be allowed, location of such signs, issues of brightness, type of display, and speed of display. Taking into account the various comments and input, City staff drafted the new sign regulations as set forth in the Ordinance.

During its review of the Sign Code, staff identified certain other areas of the code that required clarification. Therefore, certain other changes not directly related to electronic signs were proposed

The regulations are also recommended by the PAC, with one exception. The PAC wants to allow movement or animation of a display as it comes onto or leaves the signboard.

Location and Size: The Ordinance allows up to 55 square feet (sf) of electronic signage as a portion of a freestanding/monument sign in the higher intensity commercial zones and 25 sf in the lower intensity commercial zones. Other zones (the residential, park, and mixed-use zones) allow 25 sf of electronic signage only for schools, churches, community and commercial uses on a principal arterial.

Display: The proposed Ordinance requires that each display hold for 1.5 seconds without moving; limited scrolling or

traveling of a display would be allowed; the sign may not display animation or moving video; and maximum brightness levels are set.

The Ordinance also makes a few miscellaneous amendments to the Sign Code, which Planning Director Butler summarized. He gave a brief summary on this issue which has previously been discussed with Council, the LUP Committee, PAC and staff many times. The topic is complicated and clarification of existing and future changing sign structures and designs became necessary. Therefore, a moratorium was imposed to allow time to refine the regulations. Staff needs Council direction prior to the moratorium expiring. He added that the Southwest King County Chamber of Commerce (SWKCC) is hosting a meeting for all City businesses scheduled for December 11, 8:30 to 10:00 a.m. at the Doubletree Hotel on this issue.

Ms. Anderson briefly reviewed the above summary giving a presentation on the Ordinance showing examples of the types of electronic sign displays that would be allowed under the Ordinance. The Ordinance would establish clear regulations regarding electronic signs and lift the moratorium on acceptance of permits for these signs.

Council and staff discussion ensued regarding the PAC proposal, which varied slightly in terms of allowed display for electronic signs. The pros and cons were discussed to their proposal.

Mayor Thompson questioned why the PAC wanted a broader approach to the proposal. Linda Snider, PAC member, replied by briefing on the situation that occurred in PAC's review of staff's proposal. As a result of in-depth discussion, the PAC basically concurred with staff's proposal. Mr. Butler summarized the result of these discussions, resulting in the proposed Ordinance.

Mike Murphy, attorney for Dollar Development, spoke on the proposal, stating that his client is in the process of investing in a large electronic sign and he is unsure of how the regulations would apply to his client. Assistant City Attorney Elsensohn stated that the proposed Dollar sign was submitted prior to the moratorium and would be covered under the City's previous regulations.

After much discussion, the Council adopted the Ordinance per the staff proposal.

MOVED BY BRENNAN, SECONDED BY GEHRING-WATERS TO ADOPT ORDINANCE NO. 01-1030.

MOTION CARRIED UNANIMOUSLY.

Agenda Bill #2068; Ordinance #01-1031

An Ordinance adopting Design Standards for Multi-family Housing - Planning

Summary: On January 11, 2000, Council adopted Multi-family Housing Interim Design Standards under Ordinance No. 00-1002. The standards were extended on three separate occasions, due to an outstanding appeal of the SEPA determination on the standards. The SEPA appeal was dismissed by the Courts. The Interim Standards will expire January 10, 2002. Adopting permanent standards for Multi-family Housing will ensure that standards remain in place to promote high-quality design, security, and compatibility as new Multi-family projects are built.

The City initially imposed a moratorium on Multi-family Development to address issues of concern regarding compatibility of Multi-family with adjacent Single-family, quality/aesthetics of Multi-family Housing design, and security concerns in Multi-family Housing. The Interim Standards, adopted in January 2000, addressed these concerns and lifted the moratorium. Several hearings have been held to extend the Interim Standards while an appeal of the SEPA review was being heard by the hearing examiner and subsequently, the court system.

Council stated at previous hearings, that prior to final adoption of the standards, they would like to review some of the standards, including those relating to density, open space and variety of colors. These issues were reviewed at the November 8, 2001 LUP Committee meeting and the November 13, 2001 RCM and no changes were suggested. However, three changes are being recommended based on testimony given at the recent PAC Public Hearing: 1) clarifying half-flight up entries; 2) clarifying transition height adjacent to Single-family properties; and 3) clarifying play space for children.

The proposed standards implement aspects of the Comprehensive Plan, such as features of the Land Use and Community Image Elements on design and transition between zones of differing density. The standards also address concerns regarding safety in the design of Multi-family structures through principles of crime prevention through environmental design (CPTED), and ensure that open space and recreational opportunities are provided in all new developments. The standards further provide incentives for owner-occupied and senior housing; set design standards for the townhouse zone, and allow for small-lot Single-family houses as an alternative to Multi-family housing in low density Multi-family Zones.

Ben Stark, 1310 South 230th Street, stated his concurrence with the Ordinance with the exception of the section related to transition height adjacent to Single-family. He suggested revised language for allowed height. Council asked staff whether it would be possible to incorporate the revised language. Staff stated that it would. After more discussion by Council and staff on specific concerns, Council agreed with the proposal.

MOVED BY BRENNAN, SECONDED BY FISHER TO ADOPT ORDINANCE NO. 01-1031, TO INCLUDE THE INCORPORATION OF THE REVISED LANGUAGE REGARDING THE ALLOWED HEIGHT.

MOTION CARRIED AS AMENDED.

PUBLIC COMMENTS: There were no public comments.

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

COUNCIL COMMENTS: Mayor Thompson reminded Council, staff and audience that the December 4, 2001 Study Session has been cancelled due to the National League of Cities (NLC) Conference timing and Council schedules.

ADJOURNMENT:

MAYOR THOMPSON ADJOURNED THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 9:40 PM.

Shirley Thompson, Mayor
Judith L. Cary, City Clerk

SEATAC CITY COUNCIL REGULAR MEETING MINUTES

December 11, 2001 - 6:00 PM
City Hall Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Shirley Thompson at 6:07 p.m.

ROLL CALL: Present: Mayor Shirley Thompson, Councilmembers Gene Fisher, Terry Anderson, Frank Hansen, and Joe Brennan. Excused Absence: Councilmembers Kathy Gehring-Waters and Don DeHan.

ADMINISTRATIVE STAFF: Calvin Hoggard, City Manager; Craig Ward, Assistant City Manager; Judith Cary, City Clerk; Robert McAdams, City Attorney; Michael McCarty, Acting Finance Director; Steve Mahaffey, Human Resources Director; Steve Butler, Planning Director; Holly Anderson, Senior Planner; Mike Scarey, Senior Planner; Bruce Rayburn, Public Works Director; Jim Downs, Fire Chief; and Scott Somers, Chief of Police Services.

FLAG SALUTE: Tom Dantzler, SeaTac business owner/Planning Advisory Committee (PAC) member, led the Council, staff and audience in the Pledge of Allegiance.

CERTIFICATE OF APPRECIATION:

Certificate of Appreciation to outgoing ADA Citizens Access Committee Member Michelle A. Germann

Ms. Germann was unable to attend this meeting to receive her Certification of Appreciation; therefore, Mayor Thompson requested the document be sent to her. She expressed the Council's appreciation of her service to the City on the ADA Citizens Access Committee.

CONFIRMATION OF MAYORAL APPOINTMENT/REAPPOINTMENTS:

Confirmation of one (1) Appointment and one (1) Reappointment to the Planning Advisory Committee (PAC), two (2) Reappointments to the Human Relations Advisory Committee, and one (1) Reappointment to the Human Services Advisory Committee

MOVED BY ANDERSON, SECONDED BY BRENNAN TO CONFIRM THE MAYORAL APPOINTMENT OF CRYSTAL D. BENJAMIN AND THE REAPPOINTMENT OF TOM DANTZLER TO THE PLANNING ADVISORY COMMITTEE, AND THE REAPPOINTMENTS OF JACK E. NICHOLS AND CONNIE LEE COOK TO THE HUMAN RELATIONS ADVISORY COMMITTEE, AND CAREY A. ROOS TO THE HUMAN SERVICES ADVISORY COMMITTEE.

MOTION CARRIED UNANIMOUSLY.

Mayor Thompson presented the Certificates of Appointment to the newly appointed and reappointed committee members. She expressed the Council's appreciation of their willingness to serve the City on these committees, adding that it is getting difficult to find volunteers for these committees with the numerous responsibilities households experience today.

PUBLIC COMMENTS: Rick Jordan, 16060 Military Road South, on behalf of the McMicken Heights Community Club, stated their appreciation of Council and staff for the installation of the six-foot fencing at the building site. Mayor Thompson stated that this project was a combined effort of the Council, staff and residents of that area; a partnering that is well appreciated by the Council.

PRESENTATIONS:

South Riverton Heights Subarea Plan Update

Planning Director Butler updated the Council on the status of the planning process. The Port of Seattle's (POS's) plans for an L-shaped area is on hold with the revenue downturn following the September 11 National terrorist events

affecting the POS's Capital Budget. The timing of relocating the northend cargo facilities is now uncertain. He added that this project was presented by staff to Council in early fall as to this possibility.

A City public meeting was held on October 24 with 67 percent of the attendees favoring placing the public planning process on hold until the POS's plans are more clear. This is also the Land Use and Park (LUP) Committee and staff recommendation to Council. Council concurred with this recommendation. Staff will notify the community of Council's decision on this matter.

Briefing on Status of New City Hall (NCH)

City Manager Hoggard gave a briefing on the status of the NCH renovation. He stated that the NCH Ad Hoc Committee, consisting of Councilmembers Kathy Gehring-Waters, Frank Hansen and Joe Brennan and staff members Kit Ledbetter and Bruce Rayburn meet weekly with the architect to discuss the renovations. The Council's direction was to install the Council Chambers/Municipal Court in the southwest corner of the building on the first floor. He explained the advantages of using this area for these proceedings. He described the renovation proposal and public access to this multi-use area from the lobby. Also on the first floor would be Human Resources and City Clerk functions. A Council decision is needed as to the timeframe of development of a Police Station to be located in the northeast corner on the first floor adjacent to Police personnel with a separate entrance on the north side where the loading dock currently is located. The dock would be relocated and minimized to accommodate a plaza with a separate entrance for Court functions, thus separating this function from the public entrance on the south side of the building. Private tenancies would be consolidated on the second floor. The City's Agent, Craig Kinzer of Craig Kinzer and Company is currently working with the tenants in order to make this change. However, the tenants occupying the third floor would not be terminating their lease until May 2002. Thus, this space will be last renovated to City offices. This floor would be dedicated to the remaining City functions, i.e., Executive Offices, Council Office, Finance, Legal, Planning and Public Works. The most renovation to this floor would be the establishment of a central public service counter. The issues related to the building that needed to be addressed are: 1) seismic stabilization, which the architect suggested some minor work; 2) roof repair (repair needed but not a replacement of the roof); and 3) the heating, ventilation and air conditioning (HVAC) system with two options considered, with the ad hoc committee's suggestion that the system be maintained as is and replace heat pumps as it becomes necessary. There were two very different estimates given by the architect: \$9.6 million for a full build out and \$5 million, which would be of lesser renovations. Mr. Hoggard felt both figures for the proposed work were higher than necessary for a well-functioning City Hall. Once the report is finalized, an agenda item will be presented at the December 18 Special Council Meeting requesting authorization to contract with a NCH Project Manager and to limit further architectural services to specific work. A phased work program is being proposed, as the first floor is currently vacant and could be a first project. Mr. Hoggard detailed the police area and discussions with the Police Chief as to whether to use the current King County contract model or employ a City model. Both models would basically be of the same cost with a shift in responsibilities from a County/City-shared operation to a City-operated department dedicated solely to SeaTac. He recommended seriously considering the City model. This option needs to be initially decided upon by Council in order to complete the first floor design, begin renovation and use the Council area as soon as renovation is completed.

Council discussion ensued with Mr. Hoggard as to the architect's two cost estimates and related work. Councilmember Brennan stated that the first proposal presented to the ad hoc committee was overstated as to the HVAC needs in order to occupy the building for City Hall functions. The second estimate was more reasonable and would still give adequate service. Councilmember Hansen concurred with Councilmember Brennan's comments adding that he would recommend a more in-house approach to the work needed to move into the building with the aid of a Project Manager. Councilmember Fisher questioned the cost difference between the County Police model and the City model for which Mr. Hoggard clarified that the main cost is in manpower, not in the capital investment of moving the police into the NCH. He added that the current City Hall lease expires the end of November 2002 but if need be, the lease could go on a monthly rate (probably at a higher rate). Lastly, the architect's timetable was to commence renovation in November 2002, whereas Mr. Hoggard suggested the move-in be in November 2002 if at all possible.

CONSENT AGENDA:

Approval of claims vouchers in the amount of \$144,120.04 for the period ending November 30, 2001.

Approval of claims vouchers in the amount of \$2,418,645.52 for the period ending December 5, 2001.

Approval of employee vouchers in the amount of \$494,812.21 for the period ending November 30, 2001.
Approval of summary of \$5,000 - \$25,000 purchase requests for the period ending December 7, 2001.

Approval of Council Meeting Minutes:

Study Session held October 16, 2001.

Regular Council Meeting held November 13, 2001.

Acceptance of Advisory Committee Minutes:

Library Advisory Committee Meeting held September 20, 2001 (committee approved December 6, 2001).

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

MOTION CARRIED UNANIMOUSLY.

NEW BUSINESS:

Agenda Bill #2069; Ordinance #01-1032

An Ordinance establishing the 2002 Ad Valorem Property Tax Levy - Finance

Summary: This Ordinance establishes the 2002 ad valorem property tax levy, based on the assessed valuation of property in the City, as certified by the King County Assessor's Office.

The total assessed valuation of the City of SeaTac for 2002, as certified by the King County Assessor on November 29, is \$3,042,645,615. This amount represents an increase of 4.93 percent as compared to the 2001 assessed valuation total.

Initiative 747, approved by the voters on November 6, 2001, limits annual property tax increases to the lower of one percent or inflation, defined by the implicit price deflator (IPD). The IPD for 2002 is 1.89 percent, resulting in all regular property tax levies being limited to an increase of one percent over the previous year, excluding new construction. At the first Council Budget Workshop held on July 10, staff were directed to prepare the 2002 Annual Budget with the assumption that voters would approve the initiative. The 2002 Budget was adopted on November 27 based on a property tax revenue estimate in conformance with the provisions of I-747.

I-747 does not prohibit the City from using banked levy capacity from previous years. A taxing district that had banked levy capacity for future use can increase its levy in a year after the initiative has taken effect, meaning that a taxing district's levy amount would have a one-year increase in excess of one percent. The City Council adopted Ordinance No. 98-1053 in December 1998 that banked unused levy capacity for the year 1999 that could be used in the future should the need arise. The 2002 Annual Budget was adopted with the assumption that this banked capacity would be used in 2002 to make up for lost revenues from I-747, resulting in \$147,000 additional property tax revenue.

The initiative will have an affect on a taxing district's ability to bank levy capacity in the future, simply because the maximum levy increase has been lowered from a maximum of 106 percent to 101 percent. In future years, only those Cities that chose to take less than a one percent increase in any year would be able to bank the difference for use in a subsequent year. It is conceivable that a taxing district would take less than the one percent increase allowed under the initiative and thus bank some levy capacity, but the amount that is bankable will be substantially reduced under the initiative. The proposed 2002 levy rate in the Ordinance includes the maximum one percent increase, so there is no levy capacity to bank this year.

This Ordinance provides for a one percent increase in the base property tax levy over the prior year plus new construction. It also includes an additional \$147,000 of previously banked levy capacity. The levy amount would total \$8,517,073 and the levy rate would fall from \$2.85 to \$2.80.

MOVED BY HANSEN, SECONDED BY BRENNAN TO ADOPT ORDINANCE NO. 01-1032.*

Acting Finance Director McCarty briefed on the above summary. Councilmember Hansen questioned whether the City

has the option to leave the rate for 2002 at \$2.85. Mr. McCarty replied that the combination of the increase in the assessed valuation and the limitations of I-747 require that the City drop the rate to \$2.80.

*MOTION CARRIED UNANIMOUSLY.

Agenda Bill #2093; Ordinance #01-1033

An Ordinance amending the 2001 Annual City Budget for Miscellaneous Items - Finance

Summary: This Ordinance amends the 2001 Annual City Budget for unanticipated items. As part of the 2002 budget preparation process, City departments were required to submit estimates for year-end actual expenditures for the current year. These year-end projections are used to estimate fund balances at December 31, 2001, from which proposed expenditures for 2002 may be funded. In preparing these estimates, variances from the budget amount are easily identified. While line-item account adjustments are not required, significant variances that impact the total budget at the department or fund level require budget amendment. A discussion of each individual amendment is provided below:

Equipment Rental Fund: Vehicle operating and maintenance costs are estimated to exceed the budget. The City changed vehicle service vendors that are providing a more comprehensive analysis of service needs. The City also experienced an unanticipated large number of vehicle repairs in 2001. A budget increase for this fund of \$29,000 is recommended to offset these expenditures and to provide a contingency for unanticipated repair and maintenance costs in the final month of the fiscal year.

City Hall Bonds Debt Service: The 2001 General Fund Budget includes a \$560,000 transfer to the Long-Term General Obligation Bond Fund for debt service on bonds to be issued to construct a NCH. It has been determined that bonds will not be issued until 2002, and therefore it is recommended that the transfer be made to the Municipal Facilities Capital Improvement Plan (CIP) Fund to reduce the 2002 amount required for bond funding.

Food Bank Assistance: A Motion was passed at the November 27 Regular Council Meeting to provide \$10,000 to local food banks. The increasing number of citizens facing layoffs has put a strain on the resources of these organizations. The budget adjustment of \$10,000 can be offset by a reduction in police service costs, due to the 2000 overtime credit adjustment against the 2001 contract amount.

All General Fund amendments are offset by savings elsewhere, resulting in no impact on the General Fund fund balance. The amendment to the Equipment Rental Fund increases the annual budget for that fund by \$29,000.

MOVED BY BRENNAN, SECONDED BY HANSEN TO ADOPT ORDINANCE NO. 01-1033.*

Acting Finance Director reviewed the above summary with Council.

*MOTION CARRIED UNANIMOUSLY.

Agenda Bill #2070; Ordinance #01-1034

An Ordinance adopting the 2001 Comprehensive Plan Amendments – Planning

Summary: State law allows the City to amend its Comprehensive Plan once annually. The 2001 amendments are staff proposals, both to the text of the Comprehensive Plan document and to maps contained within the plan, and to a minor extent, to the plan's Land Use Plan Map.

By Resolution No. 97-001, the City Council authorized the Planning Department to implement procedures for amending the plan, which provide for consideration of proposed amendments for the 2001 calendar year in two stages. The recommended amendments were evaluated according to the preliminary and final docket criteria.

The City's procedures for amending the Comprehensive Plan include completion of State Environmental Protection Act (SEPA) review by the City Attorney, and consideration of public testimony by the PAC in a Public Hearing. The SEPA review (SEP01-00023) was completed November 19, 2001. The amendments reflect consideration of public

comments received at the PAC Public Hearing held on November 5, 2001. The PAC made its recommendation about the proposed amendments on November 5, 2001.

MOVED BY BRENNAN, SECONDED BY ANDERSON TO ADOPT ORDINANCE NO. 01-1034.*

Planning Director Butler reviewed the 2001 Comprehensive Plan amendment process and Senior Planner Scarey reviewed the amendments, including Council changes made at the December 8 Study Session: 1) removal of the Angle Lake Park Phase II Capital Project from 2002 to 2003; 2) reclassification of the new 28th/24th Avenue from Minor Arterial to Principal Arterial; and 3) language clarification regarding the Surface Water Management (SWM) Levels of Service (LOS) – "The standards and requirements of the King County Surface Water Design Manual are intended ...to not have a degrading effect on ambient water quality." The State Office of Community Development requested this amendment.

***MOTION CARRIED UNANIMOUSLY.**

Agenda Bill #2094 (This item was set over to the 12/18/01 Special Council Meeting)

A Motion authorizing the City Manager to employ a New City Hall (NCH) Project Manager/Architect - City Manager

PUBLIC COMMENTS: There were no public comments.

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

COUNCIL COMMENTS: Councilmember Anderson reported on her attendance at the National League of Cities Conference held December 4 - 8, 2001 in Atlanta, Georgia. She attended a tour of a City developed for first-time offenders. She was very impressed with its operations and the benefit to these youngsters.

RECESSED: Mayor Thompson recessed the Regular Council Meeting to an Executive Session on Personnel Issues at 7:00 p.m.

EXECUTIVE SESSION: Personnel Issues

RECONVENED: Mayor Thompson reconvened the Regular Council Meeting at 7:53 p.m.

ADJOURNMENT:

MOVED BY HANSEN, SECONDED BY FISHER TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 7:55 P.M.

MOTION CARRIED UNANIMOUSLY.

Shirley Thompson, Mayor
Judith L. Cary, City Clerk

SEATAC CITY COUNCIL SPECIAL MEETING MINUTES

December 18, 2001 - 6:00 PM
City Hall Council Chambers

CALL TO ORDER: The SeaTac City Council Special Meeting was called to order by Mayor Shirley Thompson at 6:09 p.m.

ROLL CALL: Present: Mayor Shirley Thompson, Councilmembers Gene Fisher, Terry Anderson, Frank Hansen, Kathy Gehring-Waters, Joe Brennan, and Don DeHan.

ADMINISTRATIVE STAFF: Calvin Hoggard, City Manager; Jay Holman, Assistant City Manager – Economic Development; Craig Ward, Assistant City Manager; Judith Cary, City Clerk; Robert McAdams, City Attorney; Michael McCarty, Acting Finance Director; Steve Mahaffey, Human Resources Director; Steve Butler, Planning Director; Bruce Rayburn, Public Works Director; Kit Ledbetter, Parks & Recreation Director; Jim Downs, Fire Chief; and Scott Somers, Chief of Police Services.

FLAG SALUTE: Mayor Shirley Thompson led the Council, staff and audience in the Pledge of Allegiance.

NEW BUSINESS:

Agenda Bill #2094

A Motion authorizing the City Manager to employ a New City Hall (NCH) Architect - Parks & Recreation

Summary: This Motion authorizes a design contract with Dave Clark Architects to complete the NCH Council Chambers/Municipal Court area. This area is available January 1, 2002 to design renovations. Dave Clark Architects has completed similar projects (Renton City Hall) and is a one-person firm that accepts only one or two projects at a time. The plan is to complete the design and bid the project in February 2002. Construction on the area should begin in March 2002, and be completed in May or June 2002.

The total cost estimate for the Chambers/Court project is not to exceed \$689,274. The architectural, interior design and engineering fees for Dave Clark Architects is not to exceed \$69,277. Staff is recommending proceeding with the area as the first step and to determine if this firm's work is satisfactory for the next phase.

City Manager Hoggard reviewed the above summary.

MOVED BY BRENNAN, SECONDED BY ANDERSON TO ACCEPT AGENDA BILL NO. 2094.*

MOVED BY FISHER, SECONDED BY HANSEN TO AMEND THE ORIGINAL MOTION TO ALSO AUTHORIZE THE HIRING OF A PROJECT MANAGER/CONSTRUCTION COORDINATOR ON A YEAR-TO-YEAR CONTRACT TO OVERSEE THE ARCHITECTURAL WORK.**

Councilmember Fisher suggested the hiring of Pat Patterson as the Project Manager/Construction Coordinator. He has all of the qualifications and is a SeaTac resident.

Councilmember DeHan suggested Mr. Patterson be considered as a potential candidate.

**MOTION CARRIED UNANIMOUSLY.

*MOTION CARRIED UNANIMOUSLY AS AMENDED.

Added Items:

Councilmember Brennan stated that he was recently approached by the Salvation Army regarding teddy bear distribution to children on Christmas Eve at the Sea-Tac International Airport.

MOVED BY BRENNAN, SECONDED BY HANSEN TO AUTHORIZE THE PURCHASE OF 1,000 TEDDY BEARS AT THE COST OF \$1.85 EACH TO BE DISTRIBUTED BY THE SALVATION ARMY AT THE AIRPORT ON CHRISTMAS EVE TO CHILDREN BOARDING FLIGHTS.

MOTION CARRIED UNANIMOUSLY.

Councilmember Brennan stated that a Council Workshop was held today regarding the development of the Hughes property with a theatre, restaurant condos, office buildings and possibly a hotel with parking for 400 cars. Four Councilmembers attended the meeting with a unanimous consensus to prepare a letter of intent to support moving forward with this project.

MOVED BY BRENNAN, SECONDED BY ANDERSON TO APPROVE A LETTER OF INTENT TO OPUS AND COLUMBIA DEVELOPMENT CORPORATIONS FOR FURTHER NEGOTIATIONS ON THE DEVELOPMENT OF THE HUGHES PROPERTY.

MOTION CARRIED UNANIMOUSLY.

PUBLIC SWEARING IN:

Public swearing in of Kay Lasco as a newly Elected Councilmember and Frank Hansen and Joe Brennan as newly Re-elected Councilmembers effective January 1, 2002

Municipal Judge Paul Codd administered the Oaths of Office to the newly elected and re-elected Councilmembers.

Councilmembers Lasco, Hansen and Brennan signed their Oaths of Office with City Clerk Judith Cary.

PLAQUES OF APPRECIATION:

Deputy Mayor Gehring-Waters, on behalf of the Council, presented two plaques to Mayor Thompson: one for her tenure as a Councilmember (September 1989 – December 2001) and one for her tenure as a Mayor (January 1, 2000 – December 31, 2001).

City Manager Hoggard and Council expressed their appreciation to Mayor Thompson for her dedicated service to the City.

Mayor Thompson stated that it has been an honor to be an elected official, which she felt was her finest professional achievement. She thanked all those who supported her during her tenure.

ADJOURNMENT:

MAYOR THOMPSON ADJOURNED THE SPECIAL MEETING OF THE SEATAC CITY COUNCIL AT 6:43 PM.

RECEPTION:

A Reception honoring Outgoing Mayor / Retiring Councilmember Shirley Thompson, Newly Elected Councilmember Kay Lasco, and Re-elected Councilmembers Frank Hansen and Joe Brennan was held immediately following the Special Council Meeting.

Shirley Thompson, Mayor
Judith L. Cary, City Clerk