

City of SeaTac

Council Study Session Minutes Synopsis

May 28, 2013
4:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Study Session (CSS) was called to order by Mayor Tony Anderson at 4:00 p.m.

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

STAFF PRESENT: City Manager Todd Cutts, City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, Assistant City Manager (ACM) Gwen Voelpel, City Engineer Susan Sanderson, Assistant City Engineer Florendo Cabudol, Police Chief Lisa Mulligan, Community and Economic Development (CED) Director Joe Scorcio, Building Services Manager Gary Schenk, and Fire Marshal Jon Napier.

PUBLIC COMMENTS (related to the agenda items listed below): There were no public comments.

Agenda Bill #3519; A Motion authorizing the City Manager to enter into a Construction Agreement with Puget Sound Energy (PSE) for the Military Road South Improvements

Summary: The proposed scope of improvements to Military Road South, from South 176th to 166th Streets, includes relocating the existing aerial utilities underground. PSE currently owns and operates both transmission and distribution electric lines within the Military Road South Right-of-Way (ROW). It is not feasible to relocate the transmission lines, and they will remain overhead. On May 22, 2012, Council authorized the City Manager to execute a Schedule 74 Project Design Agreement with PSE. PSE has completed the design of the conversion and has prepared the proposed Schedule 74 Construction Agreement. The scope of work includes replacing PSE's existing overhead electrical distribution system with an underground system. The construction agreement is in the form that was negotiated by the cities and approved by the Washington Utilities and Transportation Commission.

The total cost of the underground electric conversion including design, easements, construction, and inspection are shared in accordance with the terms of Schedule 74 of Electric Tariff G. The City's share is 40% and PSE's share is 60% for furnishing and installation of materials related to the underground conversion. The City's share of the undergrounding costs is estimated to be \$873,500. Payment for the undergrounding will likely begin in 2013 and continue through the project. In addition, the City is responsible for all costs associated with the trenching, backfilling, and surface restoration for this work. Those costs would be included in the construction contract for the Military Road South Improvements, which will be presented to the Council for approval later this year.

Assistant City Engineer Cabudol reviewed the agenda bill summary and Council discussion ensued regarding the project.

Council consensus: Refer this to the 06/11/13 RCM Consent Agenda

CM Fernald left the room at this point in the meeting.

Agenda Bill #3512; A Resolution adopting the Ten-Year Transportation Improvement Program (TIP) for 2014-2023

Summary: The City is required by state law to review its TIP annually. This review is to include a public hearing (PH) and formal adoption of the program by the City Council. State law requires the City to adopt a minimum Six Year TIP, prior to July 1 each year. The Growth Management Act (GMA) requires the City to adopt a Comprehensive Plan (CP) transportation element, including a ten-year forecast of system and capacity needs. At this time, the funding distribution and scheduling of projects beyond the first two years is tentative.

Adoption of the TIP does not obligate the City to expend any money. There are a number of sources for financing TIP projects, including local tax and mitigation fees, state gas tax, and state and federal grants. Staff will make the appropriate applications for state and federal grant funding for the projects included in the TIP.

City Engineer Sanderson reviewed the agenda bill summary and the TIP list.

CM Fernald returned to the room at this point in the meeting.

Ms. Sanderson reviewed the next steps: June 4 - Planning Commission (PC), June 25 – Regular Council Meeting (RCM) for a public hearing (PH) and Council action, and submit the TIP to the State Secretary of Transportation.

Council consensus: Refer this to the 06/25/13 RCM and PH

Agenda Bill #3518; A Motion accepting Sound Transit's offer to purchase an Access Easement and authorizing the City Manager to execute the easement document

Summary: Sound Transit is currently in the process of acquiring operating rights, where necessary, for the Link Light Rail extension to South 200th Street. Sound Transit has identified a need to acquire approximately 65 square feet of access easement on the parcel owned by the City at 19232 28th Avenue South (King County Tax Parcel Number 042204-9183). The parcel was acquired by the City approximately 12 years ago. A portion of the parcel was dedicated as additional ROW for the City's 28th Avenue South Project. The remainder of the parcel is currently vacant.

On November 13, 2012, Council carried a motion to accept an offer from Sound Transit for an approximately 10-foot wide guideway easement and an additional 8-foot width of temporary construction easement on this parcel. As Sound Transit's design has progressed, an additional easement was identified. One of the guideway columns will be constructed at the northwest corner of the subject parcel. This column will partially obstruct an existing 15-foot wide access easement (Easement Recording Number 4603834) granted to the adjacent property owned by Sheen Trust. The easement currently allows ingress/egress over and across the City Property via an existing curb-cut from 28th Avenue S to the Sheen Trust property to the east. The location of the easement is crucial to the larger parcel owned by Sheen Trust due to its alignment with the parcels to the west and for topographic advantages (other access points would be confronted with more severe topographic issues).

Sound Transit has reached a settlement with the Sheen Trust. The settlement is, however, contingent on Sound Transit being able to deliver replacement easement rights. The replacement easement rights sought from the City are needed in order to provide the property owner with equivalent access rights in the after as they have in the before condition and in order to effect a settlement with the property owner. The current offer is based on an appraisal obtained by Sound Transit in March of 2013. The results of that appraisal were essentially the same as the appraisal done in 2012 for the previous offer. The 2012 appraisal was reviewed for the City by The Granger Company and found to be appropriate. The review appraisal concluded that Sound Transit's appraisal results are reasonable and fit the market evidence.

The total amount of the offer is \$1,600. The compensation would be received into the Street Fund (102) since the lot was originally purchased with transportation funds.

City Engineer Sanderson reviewed the agenda bill summary.

Council consensus: Refer this to the 06/11/13 RCM Consent Agenda

Agenda Bill #3521; A Resolution authorizing a Local Agency Agreement with Washington State Department of Transportation (WSDOT) for federal aid funding of the South 188th Street Overlay Project and any subsequent documents related to the agreement

Summary: The City has been awarded \$585,000 in federal Surface Transportation Program (STP) funds through the Puget Sound Regional Council (PSRC) competitive selection process. These federal funds are administered by WSDOT on behalf of the Federal Highway Administration. A Local Agency Agreement is an agreement between a local agency and the WSDOT with the purpose of ensuring that the federal funds are spent in accordance with all applicable state and federal laws and regulations. The agreement also specifies the procedure for payment and reimbursement on the project. The City must also adhere to the grant program rules and regulations regarding contract documentation and administration. Based on staff qualifications and experience, the City is certified by WSDOT to administer federal aid projects.

The amount of the federal grant is \$585,000. Other funding for the \$985,000 project includes \$400,000 from the Street Fund (102).

City Engineer Sanderson reviewed the agenda bill summary.

Council discussion ensued regarding the project.

Council consensus: Refer this to the 06/11/13 RCM Consent Agenda

Agenda Bill #3517; An Ordinance amending the SeaTac Municipal Code (SMC) related to Buildings and Construction

Summary: Effective July 1, 2013, all jurisdictions in the state need to adopt and enforce the following construction code editions as adopted and amended by the State of Washington: 2012 International Building Code (IBC), 2012 International Residential Code (IRC), 2012 International Mechanical Code (IMC), 2012 International Fire Code (IFC), 2012 Uniform Plumbing Code (UPC), and 2012 International Energy and Conservation Code (IECC), Commercial and Residential Editions.

Adoption of this Ordinance will update certain sections of SMC Title 13, Buildings and Construction, as mandated by the state. It will also repeal the Washington State Energy Code as those provisions have been replaced with the IECC, Commercial and Residential Editions, per Washington Administrative Code (WAC) 51-11, 51-11C, and 51-11R.

Every three years, the IBC, the UPC, and the Washington State Energy Code are updated by the State to the most current versions. Cities must adopt these codes as mandated in the state statutes with as few local modifications as possible. The proposed changes are mostly to correct some numerical identification and insert the most recent versions of the publications. The new versions of the state codes must be enforced by all cities and counties pursuant to state law and shall become effective July 1, 2013.

This Ordinance will also revise Title 13 to include other codes adopted by the City and to reflect housekeeping changes related to the reorganization of CED. The Grading Code chapter is renamed the Clearing and Grading Code and its definitions are modified to provide consistency within the chapter. Also, the exceptions are improved for clarity and a section covering soil amendments is added for consistency with the National Pollution Discharge Elimination System (NPDES) requirements. The International Existing Building Code (IEBC) and the International Property Maintenance Code (IPMC) are also being updated to the 2012 versions.

The proposed local amendments to the IFC focus on streamlining the code, standardizing requirements to help streamline reporting and inspections, clarifying access and water supply requirements, and creating additional flexibility in development regulations in the area of fire protection systems and fire lane requirements.

Building Services Manager Schenk stated that Council direction at the May 14 CSS was to have staff take this to the PC for review. Staff met with the PC Chair and with the PC to review any concerns. The only recommended changes are to the fire code.

Fire Marshal Napier stated that the main areas of concern were around water supply, access, and fire protection systems. Staff and the PC came to consensus on all issues. The Ordinance provided to Council has the changes.

Council consensus: Refer this to the 06/11/13 RCM Consent Agenda

PRESENTATIONS:

• **Public Safety Statistics**

Police Chief Mulligan presented the statistics for April, pointing out the decrease in commercial burglaries, and increase in residential burglaries.

She also provided an update on the 2013 Distracted Driving Campaign. The program may be expanded in the future.

RECESSED: Mayor A. Anderson recessed the meeting to an Executive Session to review the performance of a public employee at 4:54 p.m.

EXECUTIVE SESSION: Review the Performance of a Public Employee (20 minutes) (RCW 42.30.110 [1] [g])

City Clerk Gregg announced that Council requested an additional 15 minutes at 5:15 p.m., 5 minutes at 5:30 p.m., 5 minutes at 5:35 p.m., and 2 minutes at 5:40 p.m.

RECONVENED: Mayor A. Anderson reconvened the meeting at 5:44 p.m.

ADJOURNED: Mayor A. Anderson adjourned the CSS at 5:44 p.m.