

SEATAC CITY COUNCIL REGULAR MEETING MINUTES

January 24, 2006
6:30 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Gene Fisher at 6:31 p.m.

COUNCIL PRESENT: Mayor Gene Fisher, Deputy Mayor Ralph Shape, Councilmembers Anthony (Tony) Anderson, Chris Wythe, Terry Anderson and Joe Brennan. Excused Absence: Councilmember Don DeHan.

ADMINISTRATIVE STAFF: City Manager Craig Ward, Assistant City Manager Tina Rogers, City Clerk Judith Cary, City Attorney Mary Mirante Bartolo, Senior Assistant City Attorney Mark Johnsen, Human Services Coordinator Kathy Black, Facilities Director Pat Patterson, Parks & Recreation Director Kit Ledbetter, Public Works Director Dale Schroeder, Planning Director Steve Butler, Fire Chief Bob Meyer, and Chief of Police Services Greg Dymerski.

FLAG SALUTE: (The Flag Salute was performed at the preceding Special Study Session.)

PUBLIC COMMENTS: Pat Carter, 3041 South 201st Street, commented that the print on the map of eligible properties of the Mixed Use Development Request for Proposals (RFP) was too small to read and identify the properties.

Mayor Fisher requested staff assist Mrs. Carter on this issue.

MAYORAL APPOINTMENT:

•Confirmation of Mayoral Appointment of Jon Ansell and Margaret Gray to the Senior Citizen Advisory Committee

MOVED BY T. ANDERSON, SECONDED BY SHAPE TO CONFIRM THE MAYORAL APPOINTMENT OF JON ANCELL AND MARGARET GRAY TO THE SENIOR CITIZEN ADVISORY COMMITTEE.

MOTION CARRIED UNANIMOUSLY.

Mayor Fisher read the Certificates of Appointment and presented the certificates to the new committee members and thanked them for volunteering their service to the City.

PRESENTATION:

•Gulf Deployment of Firefighters (FF) to assist Katrina Victims

Fire Chief Bob Meyer stated that FF Tim Martinson was deployed to the Gulf war, and upon his return, he was promoted to Fire Captain. During his tour of duty, he was stationed 20 miles south of Kuwait. He flew the American Flag and the City of SeaTac Flag on the 5th of July due to reasons he was unable to on the 4th. Captain Martinson presented the Council with the flags. He thanked the City Council and staff for their support of his family during that time. His wife, Karen, was with him this evening to receive his upgrade.

Fire Chief Bob Meyer stated when Hurricane Katrina hit the Gulf region and Federal Emergency Management Authority (FEMA) put out a request for all the Fire Departments throughout the Nation to send FFs to assist the victims of Katrina and soon to follow, Hurricane Rita. Over 50 percent of SeaTac's FFs volunteered to go. Fire Captain John Gallup and FFs Don Nelson, Shawn Dailey, and Matthew Tarabochia were selected. Chief Meyer added that their families were taken into consideration in the decision to send the men. The deployment was for at least 30-days; however, it turned out to be 60 days. The men were divided into two teams and they did an outstanding job representing the City.

Fire Captain Gallup thanked the Council for allowing the FFs to go to the aid of the hurricane victims. He gave a power-point presentation on their deployment. The hurricane victims were very appreciative of the SeaTac FFs for their assistance. The storm formed on August 23, 2005 as a hurricane and reached Louisiana (LA) on August 29 at 175 mph sustained winds (Category 5) and wind speed at landfall was 125 mph (Category 3). It originally made landfall in Miami, Florida (FL). This was the largest hurricane of its strength on record. It caused 1,392 deaths and 3,200 people unaccounted for. The damage is estimated at \$75 billion. It displaced 1.5 million people and 3 million people left without electricity. The Disaster Declarations of the Federal Government covered about 90,000 square miles or the size of the United Kingdom. Because of the hurricane's size and intensity, FEMA requested 2,000 FF Teams to be utilized as Community Relations (CR) Teams. The City of SeaTac committed to two two-person teams. They were sent to Atlanta, Georgia (GA) for training sessions in CR team work. The SeaTac FFs were deployed to the Bayou La Batre, Alabama (AL), a small shrimp and fishing community. The majority of the town was under 15 feet of water from storm surge. The teams were assigned to work the retail stores but nothing

PRESENTATION (Continued):

Gulf Deployment of FF (Continued): was available. There was one Red Cross Shelter for people applying for FEMA assistance. The FFs worked with the small medical staff.

Next, the team worked in the FEMA Disaster Recovery Center. This is a place where different assistance organizations processed people through. They found church groups were the most effective in assisting the community. In addition to Bayou La Batre, AL, the FFs were assigned to Mobile County, Alabama to distribute information to assist the victims and also tasked to locate displaced persons in hotel/motels. There was little to no FEMA support and they were unaware of what the other teams were doing in the area, no knowledge of its mission or goal and no resource to go to. During the end of SeaTac FFs' stay in AL, FEMA asked the teams to commit to additional deployment time. SeaTac agreed to stay on. During this time, Hurricane Rita was coming through.

Their second deployment was to Poplarville, MS, in George County where they teamed up with other FFs to make a nine-man team. At this point, FF Dailey had to leave for home. The damage in this County was extensive. MS had the worst damage they encountered. Entire Cities were destroyed. There were no shelters and the mold was beginning to pose health problems. Captain Gallup explained the difference in the set up in MS verses AL. By default, he became the County leader. In this area, FEMA was more structured and the FFs were assigned to operational work, tree cutting, and roof tarping jobs. Food was provided through Red Cross and clothing, household goods, cleaning materials, and even a wheelchair for a person who was displaced from New Orleans were supplied through Biloxi, MS where one FF was assigned to provide these items. This was not from FEMA. The FFs made calls throughout the Nation to different companies, warehouses, and City and County community groups for donations. The FFs helped with getting travel trailers to the people. Toward the end of the City FFs' stay in the Gulf, FEMA asked the FF to stay longer as they were losing volunteers. FF Nelson needed to return home and no replacements for King County (KC) were expected until the end of October. So, with Fire Chief Meyer's consent, FF Tarabochia and he agreed to stay on for an additional 10 days. FEMA had contracted with private contractors to bring in the travel trailers. That was frustrating because there was no oversight by FEMA. For the 160 families badly needing housing, only six trailers, at the most, were moved into the County each day. In the County south of them, 200 trailers were moved in each day. The FFs had no leverage over the private contractors. There was no oversight checking over the trailers before they were delivered. Consequently, many of the trailers lacked properly working water heaters, air conditioning, etc.

In conclusion, Captain Gallup stated he, along with the other SeaTac FFs were very proud to go there. It provided a lot of useful knowledge in dealing with a major disaster. When they were leaving, FEMA was pulling in more local hires, people who had lost their jobs and homes.

Council and audience applauded the FF for the outstanding work they performed in the Gulf and the excellent presentation.

CONSENT AGENDA:

- **Approval of payroll vouchers** (check nos. 44455 - 44490) in the amount of \$136,355.87 for the period ended January 15, 2006.
- **Approval of payroll electronic fund transfers** (check nos. 45357 – 45523) in the amount of \$265,332.00 for the period ended January 15, 2006.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$51,496.19 for the period ended January 15, 2006.
- **Approval of summary of \$5,000 - \$25,000 purchase requests** for the period ended January 20, 2006.

Approval of Council Meeting Minutes:

- **Regular Council Meeting** held December 13, 2005.
- **Administration & Finance Committee Meeting** held December 13, 2005.
- **Administration & Finance Committee Meeting** held January 10, 2006.
- **Public Safety & Justice Committee Meeting** held January 10, 2006.
- **Regular Council Meeting** held January 10, 2006.

Acceptance of Advisory Committee Meeting Minutes:

- **Library Advisory Committee Meeting** held August 16, 2005 (Committee approved January 17, 2006).
- **Senior Citizen Advisory Committee Meeting** held November 17, 2005 (Committee approved December 15, 2005).

CONSENT AGENDA (Continued):

The following Agenda Items were recommended at the January 24, 2006 Special Study Session for placement on this Consent Agenda:

Agenda Bill #2617

A Motion authorizing the City Manager to enter into an Interlocal Agreement (ILA) with the City of Tukwila for the planning, funding and implementation of a Joint Minor Home Repair Program

Summary: This Motion authorizes entry into an ILA with the City of Tukwila for utilization of Community Development Block Grant (CDBG) funds to operate a Minor Home Repair program for the benefit of low and moderate-income SeaTac homeowners.

Under this ILA, Tukwila and SeaTac will make joint application for CDBG funding and will work together in the planning and implementation of a Minor Home Repair program. Tukwila has offered to provide fiscal and administrative support for the joint Minor Home Repair program in 2006. The Minor Home Repair program will provide minor electrical, plumbing, carpentry, and disability access repairs for SeaTac's elderly, younger disabled, and low-income families to help them maintain their homes in a decent, livable, and safe condition.

Under the 2005 reorganization of the CDBG program, KC will no longer contract with individual Cities for smaller funding amounts. SeaTac and Tukwila therefore made joint application to KC for \$40,000 to improve their overall chances of being funded. The application was approved with SeaTac's portion at \$22,000 and Tukwila's portion at \$18,000. The joint application requires one fiscal agent to administer the grant, Tukwila being the agent for 2006. SeaTac will use its \$22,000 to provide minor home repairs that meet the criteria of the CDBG program. SeaTac will pay contractor invoices for work performed for the benefit of SeaTac's eligible homeowners. Tukwila will submit invoices from both Cities to KC for reimbursement and will remit reimbursement to SeaTac. Neither City will use more funds than have been agreed upon. There are no other responsibilities for this ILA.

Agenda Bill #2620

A Motion authorizing Final Acceptance of the SeaTac Senior Center Construction Work

Summary: This Motion accepts the work by various contractors for the construction of the new Senior Center. The City acted as its own general contractor and sub-contracted several portions of the work.

The approved budget for construction is \$1,487,176.00. The total costs expended to-date is \$1,454,759.14.

Final acceptance will have no fiscal impact beyond payment of retainage as budgeted.

Agenda Bill #2613

A Motion approving Royal Construction for the Rough Grading Bid, approving Big Trees Inc. for the Tree Removal and Placement Bid, and rejecting all Bids for Pond Construction and Stone Work, related to the Japanese Garden Relocation Project

Summary: A Motion approving Royal Construction for the rough grading bid, approving Big Trees Inc. for the tree removal and placement bid and rejecting all bids for pond construction and stone work related to the Japanese Garden Relocation project.

Call for Bids were sent out on December 29, 2005 and opened on January 18, 2006. Staff sent out plans and specifications that were divided into three categories: rough grading; pond and stone work; and tree removal and placement. Because of possible unknown factors such as buried concrete, etc., the Parks Department is requesting a 20 percent contingency. The City received only one bid for the pond and stone work but had several contractors request plans. The one bid for the pond and stone work was much higher than anticipated and staff is requesting the City Council reject that bid so the City can re-bid the pond and stone work. A summary of bids is listed below:

Rough Grading

<u>Contractors</u>	<u>Base Bid</u>	<u>With 20% Contingency & Tax</u>
Royal Construction	\$18,860.00	\$24,623.62
Mini-Dozer Work	\$19,500.00	\$25,459.20
Marine Vacuum Service Inc.	\$127,123.00	\$165,971.79

Pond & Stone Work

<u>Contractors</u>	<u>Base Bid</u>	<u>With 20% Contingency & Tax</u>
Marine Vacuum Service Inc.	\$186,680.00	\$243,729.41

CONSENT AGENDA (Continued):

Agenda Bill #2613 (Continued):

Tree Removal & Placement

<u>Contractors</u>	<u>Base Bid</u>	<u>With 20% Contingency & Tax</u>
Big Tree Inc.	\$15,300.00	\$19,975.68
Marine Vacuum Service Inc.	\$24,780.00	\$32,352.77

It is recommended that the City Council approve Royal Construction for the rough grading bid, Big Trees Inc. for the tree removal and placement bid, and reject all bids on the pond construction and stone work.

The lowest bidder costs are within the Japanese Garden Relocation budget of \$246,250 from 2005 budget (to be carried forward to 2006 budget) and \$50,000 in the 2006 budget approved by Council.

Agenda Bill #2612

A Motion authorizing the purchase of Vehicles and Equipment for 2006

Summary: The 2006 Annual Budget includes a \$351,200 appropriation in the Equipment Rental Fund for 2006 scheduled vehicle and equipment replacements. This fund has accumulated sufficient funds from the user departments over the useful life of the equipment listed below to finance their replacement. All equipment listed below is scheduled replacements of existing equipment and will be purchased within budget limitations. These vehicles and backhoe will be purchased from the State contract.

<u>Department</u>	<u>Description</u>	<u>Replacement / Decision Card</u>	<u>Cost</u>
Parks	2006 Ford ¾ Truck	Replacement	\$35,000
Parks & Rec	2006 Van (people mover)	Replacement	\$39,500
PW Admin	2006 Sedan	Decision Card	\$24,700
PW	2006 Chipper	Replacement	\$50,000
PW	2006 Crack Sealer	Replacement	\$60,000
PW	2006 Air Compressor	Replacement	\$24,000
PW	Backhoe	Replacement	\$110,000
PW	Jumping Jack	Replacement	\$5,500
PW	Jack Hammer	Replacement	<u>\$2,500</u>
TOTAL			\$351,200

Agenda Bill #2624

A Motion authorizing the City Manager to execute Supplemental Agreement No. 3 to the Consultant Agreement with Perteet, Inc. for the Military Road South Project (South 176th to 188th Streets)

Summary: Staff is requesting approval to amend the Consultant Agreement with Perteet, Inc. to include additional professional engineering services.

On September 14, 2005, the Council passed a motion approving the Consultant Agreement with Perteet, Inc. for the design of the Military Road South Project. The scope of work included surveying and mapping, public involvement, environmental documentation, right-of-way (ROW) acquisition and design.

On June 28, 2005, staff approved Supplemental Agreement No. 1 which extended the contract completion date from June 30 to October 31, 2005.

On October 28, 2005, staff approved Supplemental Agreement No. 2 which extended the contract completion date from October 31, 2005 to August 1, 2006.

The proposed Supplemental Agreement No. 3 would amend the Consultant Agreement to include additional work that has been identified during the preliminary design. Included is additional environmental work, ROW acquisition, obtaining revisions to the Seattle Christian School Conditional Use Permit, design of a new trail connection and additional soils investigation. A detailed description of the additional services is attached.

It is recommended that the City Council authorize the City Manager to execute Supplemental Agreement No. 3 with Perteet Engineering for additional consultant services on the Military Road South Improvement Project.

CONSENT AGENDA (Continued):

Agenda Bill #2624 (Continued): The amount of the Supplemental Agreement is \$64,335.23. This amendment would increase the contract amount as follows:

Original Contract Amount	\$479,450.00
Supplemental Agreement No. 1	0.00
Supplemental Agreement No. 2	0.00
Supplemental Agreement No. 3	<u>\$64,335.23</u>
Contract Total	\$543,785.23

A total of \$339,900 in Federal Grants is available for the Consultant Agreement. Supplemental Agreement No. 3 will increase the City's matching funds from \$139,550 to \$203,885.23. The City's match would be paid from the Transportation Capital Improvement Plan (CIP) Fund (307).

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

MOTION CARRIED UNANIMOUSLY.

NEW BUSINESS:

Agenda Bill #2594; Ordinance #06-1002

An Ordinance granting the Olympic Pipeline (OPL) Company a Nonexclusive Franchise to construct, maintain, and operate existing Pipeline Facilities within Public Right-of-Ways (ROW), Public Ways, and other ways within the City of SeaTac

Summary: This Ordinance grants a non-exclusive franchise to OPL to construct, operate, and maintain its existing pipeline facilities through certain public ROW in the City of SeaTac.

OPL currently operates a pipeline in the City, although they have not had a franchise with the City. As a result of the OPL Bellingham explosion in 1999, numerous Cities began requiring or renewing their franchises with OPL. City staff, including representatives from Public Works, Fire, Legal, and the City Manager's Office, have held numerous meetings with OPL and have negotiated what staff believes are appropriate terms for the franchise.

The specifics of the franchise are as follows:

1. The term is 10 years, with a 10-year renewal option.
2. The annual franchise fee is \$12,960, intended to cover the City's administrative expenses related to administering the franchise. The fee shall increase yearly by the amount of inflation as determined by 100 percent of the Consumer Price Index (CPI) for the Seattle-Tacoma-Bremerton Metropolitan area. OPL also must pay a franchise application fee of \$2,000.
3. OPL will maintain throughout the duration of the franchise, insurance of \$100 million combined for commercial general liability, \$2 million for automobile insurance, and \$50 million for environmental pollution liability.
4. OPL shall, except in the case of an emergency, obtain all applicable permits before performing work on its facilities subject to this franchise. In emergency situations, the Public Works Department will be notified of the situation and permits will be obtained as soon as possible after the emergency.
5. OPL shall repair any damage it causes to the ROW at its expense.
6. The franchise requires OPL to maintain an Emergency Response Plan in compliance with all local, State, and Federal requirements. OPL is required to notify the City Fire Department of any leak or spill greater than five gallons.
7. OPL will relocate its facilities at its sole expense at the City's request to accommodate a City Improvement Project.
8. In the event of abandonment or permanent cessation of use of its facilities, OPL shall either remove the facilities or with the City's consent, OPL may secure its facilities.
9. OPL shall operate and maintain its facilities in full compliance with all Federal and State laws.

This franchise will be effective March 1, 2006.

NEW BUSINESS (Continued):

Agenda Bill #2594; Ordinance #06-1002 (Continued):In answer to Councilmember (CM) Brennan at a prior Regular Council Meeting (RCM), Senior Assistant City Attorney Johnsen stated OPL has a franchise with Tukwila for \$500 per year which has been in effect for a significant period of time and SeaTac's franchise is \$12,960 per year, which will adjust with inflation. In the agreement which was presented to Council at the January 10 RCM, the franchise stated that the City of SeaTac could require OPL to relocate its pipeline facilities should it interfere with a road project. Staff discussed this with OPL that if it is mutually beneficial to both parties, OPL would pay for any increase costs for a road project. Pam Brady, OPL representative was in the audience for any questions.

MOVED BY BRENNAN, SECONDED BY T. ANDERSON TO ADOPT ORDINANCE NO. 06-1002.

MOTION CARRIED UNANIMOUSLY.

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

CITY MANAGER'S COMMENTS: City Manager Craig Ward had the following items of business: 1) Assistant City Manager Tina Rogers and he will be in Olympia Wednesday and Thursday, January 25/26 for the Association of Washington Cities' (AWC) City Legislative Action Conference; 2) the Planning Department is sponsoring an Open House/Public Meeting tomorrow on Stationary Planning; 3) the Radisson Hotel is closing for the Light Rail and Airport construction projects. The hotel has scheduled a farewell reception for January 30; 4) the Port has invited the Council to a "sneak peek" for the South 154th Street project scheduled for February 2 at 1:30 p.m.; 5) the 2006 Council Retreat is scheduled for February 11 and the next Study Session (SS)/RCM will be on February 14; and 6) February 15-20, he will be on vacation.

COUNCIL COMMENTS: CM A. Anderson expressed his appreciation of the work the FFs performed in the Gulf, representing the entire KC area.

CM Brennan commented on the professional presentation given by Fire Captain Gallup. He added the FFs walked into a major disaster and did their duties as assigned. The City should be very proud of them.

ADJOURNMENT:

MAYOR FISHER ADJOURNED THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 7:38 P.M.

MOTION CARRIED UNANIMOUSLY.

Gene Fisher, Mayor

Judith L. Cary, City Clerk