



Transportation & Public Works Committee Meeting Minutes

Thursday, January 21, 2021
4:30 PM – 6:00 PM
** Virtual Meeting **

Members:	Present:	Absent:	Commence: 4:33 PM Adjourn: 6:05 PM
Peter Kwon, Chair	X		
Pam Fernald	X		
Takele Gobena	X		

Other Councilmembers participating: CM Hill; CM Tombs

Staff Coordinators: Will Appleton, Public Works Director; Florendo Cabudol, City Engineer

Other Staff Participating: Gwen Voelpel, Deputy City Manager; Mark Johnsen, Sr. Assistant City Attorney; Kamal Mahmoud, Engineering Manager

Public Comment	No public comment
1. Approve Prior Meeting's Minutes	December 17 Minutes were approved to go to Council.
2. 34 th Ave South Design Contract Amendment	<p>Discussion/Recommendation</p> <p>City Engineer Florendo Cabudol presented a requested amendment to the professional services contract for the design of the 34th Avenue South Project (PW Project ST-015). Staff is requesting this contract amendment to cover an increase in scope and costs to incorporate additional design work, and allow for the incorporation of a grant through the WA State Transportation Improvement Board (\$2 Million).</p> <p>Multiple design refinements were necessary to incorporate feedback from the adjacent property owners, specifically where the project transitions from the 34th Ave South improvements to the existing private driveways (33 in total; originally scoped for 15), and the building of additional retaining walls to contain the improvements within the project boundaries (12 total; originally scoped for 6). Also, the amendment allows for additional design work related to undergrounding of utilities.</p> <p>The amendment increases design costs by \$60,571.36, and will be paid through existing Transportation CIP Fund 307 appropriations for the project in the 2021-2022 Biennial Budget. Therefore, the total cost for the design contract will increase from \$650,768.76 to a Not To Exceed</p>

	<p>amount of \$711,340.12. This amount is still less than 15% of the estimated construction cost, which is industry standard for projects of similar scope and complexity. No budget amendment to the 2021-2022 Budget is required for this action.</p> <p>Staff is asking for this amendment to be approved and placed on the Consent Agenda for the January 26, 2021 Regular Council Meeting.</p> <p>Committee asked questions regarding the complexity of the design that necessitated the contract amendment. The Committee approved to placement of this agenda item on Consent agenda at January 26th Regular Council Meeting.</p>
<p>3. 34th Avenue South Property Condemnation</p>	<p>Discussion/Recommendation</p> <p>City Engineer Florendo Cabudol presented the issue of an upcoming Condemnation ordinance for the 34th Ave South Project (ST-015), in order to maintain schedule for construction bid advertising while continuing negotiations with owners of the remaining listed properties.</p> <p>The City has been negotiating with property owners for more than a year, and settled successfully with approximately 30 property owners for temporary easements, right-of-way acquisitions, and right-of-entry agreements. There are four properties – two single family residences and two multi-family properties – where negotiations are ongoing. The requested condemnation ordinance establishes the referenced property rights/acquisitions for public use and necessity for the transportation improvement project. The ordinance also allows for acquisition through eminent domain, if required.</p> <p>The condemnation ordinance and state law requires that property or property rights are acquired based on fair market value. The City always has and will continue to negotiate for fair and equitable settlement for these properties. All of the property acquisitions referenced are partial takes. There are no full property acquisitions related to this project. Staff hopes that the issues will be settled prior to bringing this item to full Council for action on February 23. Staff will also bring an informational presentation to February 9 Regular Council Meeting.</p> <p>Senior Assistant City Attorney Mark Johnsen stated that, while we do everything we can to come into agreement with property owners, the property owners do not have to agree with the City. There is clear State law regarding this topic for those situations. It requires the City to be fair and reasonable and to continue to negotiate with the property owner as construction plans move forward. If it is necessary to invoke condemnation, property owners have the right to granting voluntary possession and use of the subject property in exchange for reimbursement of legal fees related to establishing settlement value through litigation.</p>

	<p>Committee approved staff to present the topic for discussion at the February 9 Regular Council Meeting, and to return on February 23 for action.</p>
<p>4. One Percent for the Arts on PW Projects</p>	<p>Discussion/Recommendation</p> <p>Public Works Director Will Appleton presented the topic of adding one percent to the cost of all public works projects for art installation in the City.</p> <p>One Percent for the Arts is successfully operating in many cities.</p> <p>If this concept were to be implemented within SeaTac for 2021, it is estimated based on our current CIP that approximately \$43,500 would be set aside from the Street Fund (102) to be used for municipal art.</p> <p>If a program were to be implemented, some questions the committee may want to consider are:</p> <ul style="list-style-type: none"> What committee would administer the program? Would the program be limited to local artists? Would art be limited to installation in the right of way only? Should the One Percent be used to install art for the CIP that the funding came from? Should the program be used to lease art? Should the program be responsible for the cost associated with maintaining the art? <p>The Committee voiced a number of questions and concerns:</p> <p>We must consider the cost of maintenance. We currently have a monument sign at the entrance to the City that is looking fairly dingy. Who will maintain any art installations, and how much will that cost?</p> <p>One comment was that we should not add art to taxpayers shoulders. The City should focus on the priorities of roads, fire, and public safety. If the City is interested in installing art, it should come from donations or special interest grants.</p> <p>Other comments were that the Arts and Culture committee should be consulted on this topic. Others agreed that Arts and Culture should be consulted, but only after we have decided on a program and legislated it and created a policy, before Arts and Culture brings its great ideas forward.</p> <p>There was support for the program in its possibility to create City identity and uniqueness. There were discussions that many surrounding cities have “fun” art (dancing steps in the sidewalk, Waiting for the Interurban, Radio Flyer Wagon in Spokane Park, the Fremont troll).</p> <p>After much discussion, the Committee directed staff to study the topic more fully and see how the economy rebounds in the coming year, and</p>

	to bring the topic back for further discussion and consideration at the end of 2021.
5. Adjourn	Adjourn Meeting