

April 11, 2011

Mr. Todd Cutts, Acting City Manager
City of SeaTac
4800 S 188th ST
SeaTac, WA 98188-8605

Subject: Application of SeaTac Municipal Code (SMC) 11.20

Dear Todd:

With this letter, I would like to document recent discussions and next steps between the Port and the City of SeaTac regarding the application of Chap. 11.20 SMC to the Off-Site Roadways Improvement project (ORI) and certain future Port projects.

In March of 2010, the Port and the City agreed that Chap. 11.20 SMC would not apply to the ORI project and the Port would not be required to relocate any electric power or communication utilities underground on the south side of South 160th Street as part of the ORI project. The Port and City also agreed that should City and Port staff determine that Chapter 11.20 SMC does apply to future Port projects, Port staff would recommend to the Commission that the Port replace existing, above-ground power and communication lines along the south side of South 160th Street with facilities located underground at the Port's expense.

The Port and the City have recently come to an understanding that the 2005 ILA applies to Port property and that Chap. 11.20 SMC applies to improvements to a Port project made in the City rights-of-way. Since two of the utility poles in question were located within City right-of-way prior to being relocated as part of the ORI project, Port staff is now working with the ORI Project Manager to make all necessary preparations as part of the ORI project to enable underground installation of the subject utilities as part of a future project with minimal disruption to at-grade surfaces. Port staff is also planning, as part of a future project action in the area, to request authorization from the Commission to underground the utilities.

I'd like to once again thank you and your staff for your assistance in moving the ORI project forward while we worked to clarify the legal implications of this issue.

Sincerely,



Mark M. Reis
Managing Director
Seattle-Tacoma International Airport

cc: City of SeaTac: Tom Gut, Cindy Baker